



**AGENDA FOR THE MEETING OF  
DISTRICT PLAN COMMITTEE  
TO BE HELD AT THE  
DUNSANDEL COMMUNITY CENTRE,  
DUNSANDEL  
ON WEDNESDAY 27 SEPTEMBER 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	Page	Type of Briefing	Presenter(s)
Standing Items			
1. Apologies	5	Oral	
2. Declaration of Interest	5	Oral	
3. Deputations by Appointment	5	Oral	
4. Confirmation of Minutes	5	Written	
5. Outstanding Issues Register	15	Written	
Specific Reports			
6. Update on Strategic Directions	16	PowerPoint	Ben Rhodes
7. Vegetation and Ecosystems – Biodiversity Working Group	29	Written	Andrew Mactier
8. Topic Investigation – Neighbourhood Centres	45	PowerPoint	Michael Rachlin
9. Topic Investigation – Strategic Infrastructure	50	PowerPoint	Michael Rachlin
10. Topic Investigation – Electricity distribution	55	PowerPoint	Michael Rachlin
11. DPR Engagement Framework	60	Written	Elliot Sim / Emma Hodgkin
12. Feedback on National Planning Standards	93	PowerPoint / Written	Jessica Tuilaepa

13. Forward Meeting Schedule	126	Written	Justine Ashley
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## **Standing Items**

### **1. APOLOGIES**

Hirini Matunga

### **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 26 July 2017.  
No August District Plan Committee Meeting.



**District Plan Committee meeting  
held on Wednesday 26 July 2017 at 9.00am  
at Selwyn District Council Offices,  
2 Norman Kirk Drive, Rolleston**

**Present:** The Mayor, Councillors M Alexander, M Lemon, J Morten, B Mugford, P McEvedy, N Reid, C Watson and Mr P Skelton (ECAN)

**In attendance:** Chairperson (Environmental Services Manager - T Harris), J Burgess (Planning Manager), D Kidd (Community Relations Manager), E Larsen (Strategy and Policy Planner), M Rachlin (Strategy and Policy Planner), B Rhodes (Team Leader – Strategy and Policy), J Lewes (Strategy and Policy Planner), E Hodgkin (Project Manager, District Plan), J Tuilaepa (Strategy and Policy Planner), A Mactier (Strategy and Policy Planner), J Ashley (District Plan Project Lead), M Washington (Asset Manager), S Hill (Business Relationship Manager), E Sim (Communications Advisor – Engagement), S Styles (Senior Planner - Boffa Miskell), note takers T Van Der Velde (District Plan Administrator) and Ms Hunt (PA to Environmental Services Manager).

**Standing Items:**

**1. Apologies**

Apologies had been received from Mr D Ward and Councillor G Miller, Cr M Lyall, Cr J Bland, D Hasson and Professor Hirini Matunga for absence and the Mayor and Cr McEvedy for lateness.

**Moved: Councillor Morten / Seconded: Councillor Mugford**

*'That these apologies be accepted.'*

**CARRIED**

**2. Declaration of Interest**

Nil.

### 3. Deputations by Appointment

Nil.

### 4. Confirmation of Minutes

**Moved – Councillor Watson / Seconded – Councillor Lemon**

*‘That the Committee accepts the minutes of the 28 June 2017 as being true and correct’.*

**CARRIED**

### 5. Outstanding Issues Register

Nil.

### 6 Heritage Items and Protected Trees

Mr Mactier and Ms Styles spoke to their report and powerpoint presentation.

Discussion held on consenting process associated with recognising the settings around heritage items, and the values that influence the heritage item. Noted that parts of land around the item may be included as part of the heritage item.

In response to a question by Councillor Lemon on restrictions around alterations to structure, Ms Styles responded that there are already restrictions in place, and at times a consent process may be required.

Mr Mactier requested Councillors agree to option 2, which is the option to include settings for each heritage item.

Councillor Morten questioned why this was different from what had been done previously. Mr Mactier responded that this option is giving better effect to the Act, noting that the old plan is almost 20 years old and things have developed since that time. Ms Styles commented that this is a generational issue, with the RMA definition having changed during this time. Councillor Morten commented that as there is the need to look wider than just the building itself, it is also a change in culture. Ms Styles responded that they are not necessarily talking about the whole site, as the definition does not use the word ‘site’. Rather, it is a piece of land that contributes to the value of the heritage item.

Mr Skelton commented that it was not clear from the report what work has been done to check against Heritage NZ register to identify items in the District. Ms

Styles responded that this work is currently being undertaken and this does include the area around the item.

Councillor Alexander questioned if the inclusion of the area around items meant that there was potential to restrict a landowners options for the whole of their site? Ms Styles responded that there are a number of layers, and if these items are listed then there are already a set of rules as to what can happen with those items. The setting could be defined as the whole or part of the property. Noted that the main focus of the rules would be around managing new buildings going into a heritage setting as they have the most potential to impact on the heritage item.

Councillor Watson spoke to changes in zoning and the ability to subdivide, and questioned whether heritage status prevents the ability to subdivide? Mr Mactier commented that he did not believe so, but there may be controls around protecting the values of the heritage item and its setting. Any restrictions will not be a blanket approach, and likely to be variety of permitted activities through to discretionary.

In response to a question by Councillor Watson on comments in the report about little cost involved, Ms Styles commented that the actual definition of the heritage setting or assessment process would be little additional cost. Councillor Watson questioned whether there would be cost implications when the structure required maintenance and had non heritage items/additions. Ms Styles responded that the protection of heritage values would need to be considered on a case by case basis.

Councillor Mugford questioned what happens if people do not want an item listed on the register? Mr Mactier responded that these will go through an assessment process. If any additional items meet the criteria (as determined by a heritage expert), but there is resistance to it being identified as a heritage item, then this will need to be considered as part of fulfilling Council's function to protect historic heritage.

**Moved: Councillor Mugford / Seconded: Councillor Alexander**

*'That the Committee:*

- *Receives the report.*
- *Confirms that settings are identified and mapped for all heritage items.*
- *Confirms that there be one schedule with all heritage items listed equally and one set of rules that apply to all items listed.'*

**CARRIED**

## **7. Indigenous Vegetation Stakeholder Engagement**

Mr Mactier and Ms Styles spoke to their report and presentation.



Councillor Watson questioned if there was value in having all those listed participants involved in the Biodiversity Working Group? Mr Mactier responded that they are all key stakeholders.

Mr Skelton noted his support for the working group, and utilising ECan planning staff to assist with achieving outcomes of the RPS.

Councillor Alexander commented on inclusion of the likes of zone groups and Te Ara Kakariki.

Councillor Lemon commented on his nervousness about outstanding natural landscapes and that he was unsure if you get more consensus or less, with more people around the table.

*The Mayor in at 9.36am.*

Mr Mactier responded to Councillor Lemon's comments that he believes it is better to have them all included early on.

Councillor Reid noted her support for talking to these groups now, rather than later. Questioned whether this process would be likely to affect our timeframes? Mr Mactier responded that it should not affect the timeframes, but will be dependent on this Committee's later discussion. Believes we can be ahead of where we need to be in terms of notification.

Councillor Morten commented that he was in agreement with having an inclusive process. Spoke to timeframes and having a quality document at the end.

*Councillor McEvedy in at 9.40am.*

**Moved – Councillor Alexander / Seconded – Councillor Watson**

*'That the Committee endorses the establishment of a Vegetation and Ecosystems Working Group to provide a platform for strong stakeholder engagement.'*

**CARRIED**

## **8. Update on Plan Framework**

Ms Tuilaepa spoke to her presentation.

Noted that there was a change in preferred option since paper was brought to Committee in 2016. At that time the zone based option was preferred, with topic based being high up in the scores. However, since that time MfE through the National Planning Standards are proposing a combination of both hence the change of approach. This will include a more topic-based approach to

assist people being able to find their way around the plan. It is proposed that it will include generic definitions and metrics. .

Councillor Alexander commented on the structure and not having the inclusion of a rural business zone. Ms Tuilaepa responded that staff will be providing feedback to MfE as there is no real provision for a rural business zone or a zone for large lot residential. Staff had attended sessions with MfE on the proposed standards and there was concern raised regarding the suitability of zones.

Councillor Lemon commented on recession planes and whether we have ability to make specific to us? Ms Tuilaepa stated that it is still being discussed as to whether these would be mandatory or not, but believes they will be able to be moulded to local context.

The Mayor spoke to making sure that the District Plan copes with unforeseen activities such as upgrades in technology, highlighting space launch. Ms Tuilaepa commented that there is an ability to have subzones and overlays, so if a generic zone description did not fit an overlay with slightly different rules could be applied.

The Chair commented that there is a risk if we try to look after all types of activities. There will be resource consents and plan changes that might allow those activities to establish. We cannot make the plan all things to all people and want to keep the document as user friendly as possible.

Mr Skelton spoke to Regional Council feedback to MfE that councils should not be required to retrofit existing plans and it would assist if Selwyn District Council support that proposition in the SDC submission to MfE.

Ms Tuilaepa responded that the Project Team is drafting feedback to MfE, which is due 31 July 2017. The EPlan provider (Isovist) is currently putting the new plan framework into electronic format so they can visualise what it will look like.

Councillor Watson would like access to Eplan provider documentation once it has been prepared.

**Moved – Councillor Watson / Seconded – The Mayor**

*‘That the Committee notes the presentation.’*

**CARRIED**

## **9. Update on Draft Strategic Communications and Engagement Strategy**

*Councillor Reid left the room 10.04am.*

Mr Hill and Mr Sim spoke to their presentation, which is a follow up from Maurice Hoban's session at the last meeting.

*Councillor Reid in 10.05am.*

Noted this is the preparation work for the draft engagement framework. which is intended to be presented to this Committee at the August meeting.

Councillor Alexander commented on engagement at officer level and questioned how engagement with Maori is progressing. Ms Hodgkin commented that the Project Team are meeting with Maahanui and discussing engagement at Runanga and Iwi level, including the cross over and representation on other groups and agencies (e.g. Zone Implementation Committee). It is also the DPR Project Team's intention to present on the DPR at the next Te Waihora Co-Governance meeting with the support from Murray Washington as the Council's staff representative on this group.

*Councillor Watson left the room 10.13am.*

Councillor McEvedy commented on the list of engagement risks by council staff and councillors, noting the importance of 'protecting rural use'.

*Councillor Watson in at 10.13am.*

Councillor McEvedy commented on the farming community already being involved in other engagement/issues, so this should be listed as a high risk around engagement. Selwyn is a rural community, so it is important that rural views are noted and recognising that they have existing use rights. Mr Hill responded that it is a high risk but we are already somewhat engaged with that community. Implementation plans will be assessing and addressing risks. Councillor McEvedy commented on confusion in the community as to what plan changes apply to them.

Mr Hill commented that staff will be collating and analysing stakeholder feedback provided through previous consultation processes.

Councillor Morten questioned how accurate our information is on stakeholders who are impacted by changes? Due to the size of the District Plan document, people may not see that these could impact on them personally, or impact on their ability to make a living for those in the rural community. The Chair responded that they have employed, on a short term contract, a person to prepare a database to capture those views already expressed, then we can go back to them to ask them if their views are still the same.

Councillor Morten questioned whether thought had been given to sending out reminders to the community on topics of interest, such as those sent by emergency management. Mr Hill responded that there are a number of technology tools they can use to communicate, and these will be used. Staff will be proactive in identifying topics that might be of interest to specific groups/areas.

In response to a question by Councillor Watson around the number of submissions, Mr Hill responded that if we have good quality submissions we can be assured we have given the right information and talked to the right people. Councillor Alexander responded that they want quality submissions, but also want a high level of engagement, as this shows that we have engaged with the right people and they have understood what we are doing.

The Mayor questioned if one of the engagement actions should be that the process is easy and enjoyable. Mr Hill responded that Mr Sim will be working on this, taking the jargon out and making it enjoyable and readable for people.

Councillor Alexander commented on his concern with fatigue, which may lead to confusion around combining with other Council engagement processes. Mr Hill responded that the intention is not to combine engagement, but to have some interaction with engagement as to how plans interact. Want to avoid confusion.

Councillor Watson commented on engagement with businesses. Mr Hill responded that this will be picked up through the development of specific stakeholder engagement plans.

It was moved and seconded to amend the recommendation, with the amendment being carried.

#### **Moved – Councillor Mugford / Seconded – Councillor Watson**

*‘That the Committee notes the presentation.’*

*‘That the Committee confirm and endorse the following principles contained in that presentation:*

1. *Engagement with key stakeholders and collaborators*
2. *Engagement outcomes*
3. *Engagement principles, and*
4. *Structure and content of engagement plan.’*

**CARRIED**

*Committee broke for refreshments at 10.35am and reconvened at 10.47am.*

## **10. District Plan Review Timeframes**

Mr Burgess spoke to his report.

Mr Burgess reported that the timeframes as agreed in the District Plan Review (DPR) project brief signed in 2015 are no longer achievable. Since then there has been a number of new planning process legislative requirements introduced

by Central Government. This includes National Policy Statement on Urban Development Capacity and the National Planning Standards.

Mr Burgess commented that the Policy team have gathered evidence which has determined a number of significantly complex planning processes for the DPR and has shown the DPR may create issues that may run into the next Council triennium. Mr Burgess requested a pause on the DPR so it does not become an Election issue.

Mr Burgess briefed Councillors with the proposed four options as per report. Mr Burgess noted that option one is deemed most appropriate to ensure best utilisation of budget and to ensure robust public participation and engagement with the community, as well as meeting National Planning Standards requirements.

Councillor Watson advised of his concerns about the risk of more adjustment / legislative change down the track. Mr Burgess responded it is a complicated process and we have to make decisions based on the known legislative framework.

The Mayor clarified whether it was necessary to delay the timeframe or to agree on a revised timeframe. The Chair spoke to the adjustment of the recommendation to suit the purpose of a revised timeframe. Councillor Alexander spoke in support of the revised timeframe.

The Chair suggested an amendment made to recommendation, with the amendment being carried.

#### **Moved – Councillor Watson / Seconded – The Mayor**

*'That the Committee confirms the proposed timeframes presented in the report including the timeframe associated with the notification of the proposed plan so as to encompass the new legislative requirements of the National Policy Statement Urban Development Capacity, the National Planning Standards, as well as consultation around the 2018-2028 Long Term Plan.'*

**CARRIED**

#### **11. Work Programme Update and Forward Meeting Schedule**

Ms Hodgkin spoke to her and Ms Ashley's presentation noting key achievements around the first wave of procurement process and evidence gathering. Ms Hodgkin noted difficulties with procurement for rural packages. Ms Hodgkin spoke of the robust contract system put in place to manage procurement process and establishing process for regular reporting requirements. Current work programme involves development of electronic tools to map and generate reports, risk management and finalising budget.

Ms Hodgkin also noted work programme involves refining tasks and determining what work can be done internally and externally as well as balancing capacity with workloads.

Ms Ashley spoke to her presentation providing a technical update: noting external resourcing has been managed well in a timely and cost effective manner. Ms Ashley noted the work the Council are procuring is fit for purpose. Ms Ashley briefly discussed August DPR Committee agenda as per her presentation.

**Moved – The Mayor / Seconded – Councillor Reid**

*‘That the Committee notes the presentation.’*

**CARRIED**

*Meeting ended at 11.12am.*

**5. OUTSTANDING ISSUES REGISTER**

<b>Subject</b>	<b>Comments</b>	<b>Report Date / Action</b>	<b>Item Resolved or Outstanding</b>

## **Specific Reports**

### **6. Update on Strategic Directions**

Author:	Ben Rhodes, Team Leader Strategy & Policy
Contact:	347 2824

#### **Purpose**

To provide the Committee with an update on development of the Strategic Directions chapter and the Project Team's preferred approach.

#### **Recommendation**

- **That the Committee notes the presentation.**

#### **Attachments**

PowerPoint: Strategic Directions Update



# The proposed Selwyn District Plan



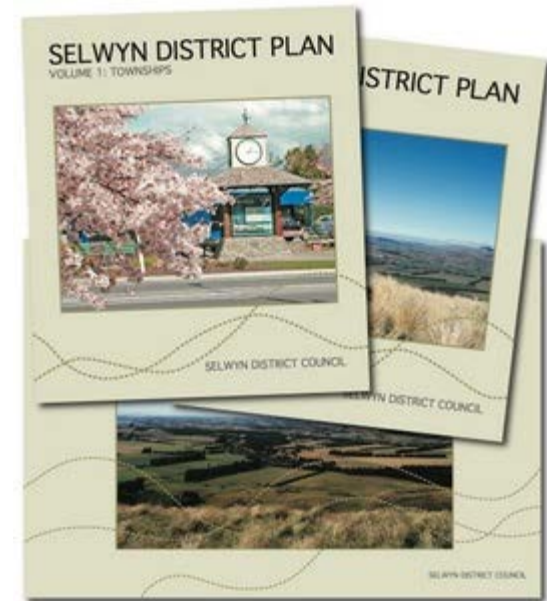
## Strategic Directions Update

Ben Rhodes

Team leader - Strategy & Policy Planner – Selwyn District Council

# Outline of Presentation

- Overview - Recap
  - Reasons for Strategic Directions
  - How we define Strategic Directions
  - What should we use to inform Strategic Directions
  - Previous Themes
- Update –
- Further Considerations
  - Christchurch City Replacement Plan
  - Queenstown Lakes Proposed District Plan
- Preferred Selwyn District Council Approach
- Update on Strategic Direction Themes
- Next Steps
- Questions/Discussion



# Reasons for Strategic Directions

- Concise overview of the significant land use issues of the District.
- Provide context for the key outcomes sought in the Plan.
- Articulate integrated management by grouping objectives for different issues/topics in one place.
- Demonstrate how the Plan aligns with other key documents e.g. Selwyn 2031.
- Avoid strategic outcomes being embedded within the District Plan



# How we define Strategic Directions

- Topics which are of such significance, scale or consequence that they are key or central to achieving the integrated management of land use effects in Selwyn District.



# What should we use<sup>21</sup> to inform Strategic Directions

Examples:

- Review of Operative Plan and its effectiveness
- RMA – Part 2, Sections 5, 6, 7 and 8
- National Policy Statements
- Canterbury Regional Policy Statement
- Mahaanui Iwi Management Plan
- Selwyn 2031
- Malvern and Ellesmere Area Plans
- Structure Plans
- LTCCP



# Previous Themes discussed

- Ngāi Tahu and its relationship with the environment
- Quality of the Environment
- Location, form and function of urban areas
- Land supply and availability for urban growth
- Provision and integration of infrastructure with land use
- Economic prosperity
- Self-sufficiency
- Natural Hazards
- Coastal management



# Update – Further considerations

- Strategic Directions in Christchurch Replacement Plan
  - High level objectives (no policies)
  - Clearly state outcome and have primacy over general objectives and policies
  - Comprehensive and for some quite specific (e.g. housing capacity - 2012 – 2028 additional 23,700 dwellings enabled)
  - Can become outdated (e.g review of dwelling requirements)



# Update – Further considerations – cont.

- Strategic Directions in proposed Queenstown District Plan
  - More complex structure – Includes goals, objectives and policies
  - Uncertainty of relationship with balance of District Plan Objective and Policies
  - Goals, and some objectives, so high level they do not provide insight in to outcome sought
  - Some areas are more concise and relate to similar issues faced by Selwyn District (e.g Location of growth, providing for smaller rural towns and businesses in rural areas)





# Preferred Selwyn District Approach

- Adopt a Strategic Direction Chapter
  - Purpose of chapter to focus on key landuse outcomes
  - Promotes integrated assessment of Landuse proposals
- Take an approach between the Christchurch City and Queenstown Plans
- Objectives only, no policies
- Be informed by the baseline investigations on Operative District Plans – Developed along side topic/chapter development



# Updated Themes

- Ngāi Tahu mana whenua and its relationship with the environment
- Planning for growth and urban growth pattern
- Housing capacity and choice
- Business Activities
- Infrastructure
- Self-sufficient communities
- Rural Productivity
- Quality of the environment/amenity Values
- Natural Environment
- Coast
- Natural Hazards



# Next Steps

- Work with Topic leads to develop, test and refine the objectives.
- Prepare preliminary draft Strategic Directions with topic leads
- Draft of Strategic Directions to come back to District Plan Committee for consideration of content and direction.



# Questions?



## 7. Vegetation and Ecosystems – Biodiversity Working Group

Author:	Andrew Mactier, Strategy and Policy Planner
Contact:	347 2802

### Purpose

To seek the Committee's endorsement of the Biodiversity Working Group participants, including the nomination of a Councillor as the Chairperson, and confirmation of the draft Terms of Reference (including any revision arising from discussion at the DPC meeting).

### Recommendation

- **That the Committee:**
  1. **Appoints a Councillor as Chairperson of the Biodiversity Working Group;**
  2. **Confirms membership of the Biodiversity Working Group as comprising:**
    - **Selwyn District Council Councillor (and Chairperson);**
    - **Te Taumutu Rūnanga;**
    - **Te Ngāi Tūāhuriri Rūnanga;**
    - **Forest and Bird;**
    - **Federated Farmers;**
    - **Waihora Ellesmere Trust;**
    - **Fish and Game;**
    - **Independent Landowner;**
    - **Independent Landowner;**
    - **Independent Landowner;**
    - **Environment Canterbury (Management/Officer);**
    - **Selwyn District Council (Management/Officer).**
  3. **Confirms that the draft Biodiversity Working Group Terms of Reference may be amended to reflect any discussions arising from this meeting; and**
  4. **That subsequent to the draft Terms of Reference being amended, they become the adopted Biodiversity Working Group Terms of Reference.**

### Attachments

Report to the DPC – Natural Environments Topic: Vegetation and Ecosystems, including the attached draft Terms of Reference.

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# REPORT TO DISTRICT PLAN COMMITTEE

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**DATE:** 18 September 2017

**TOPIC:** Natural Environments Topic: Vegetation and Ecosystems

**PREPARED BY:** Andrew Mactier – Strategy and Policy Planner (Natural Environment Topic Lead)

## EXECUTIVE SUMMARY

<p><i>Issue</i></p>	<p>At its meeting on 26 July 2017 the District Plan Committee endorsed the establishment of a Biodiversity Working Group ('the Working Group'). The purpose of the Working Group is to meet on a regular basis to discuss and resolve issues associated the protection and management of ecosystems and indigenous biodiversity and to ultimately make recommendations to the District Plan Committee on a preferred planning framework for the proposed District Plan when that is notified.</p> <p>All the key stakeholders previously identified for inclusion on the Working Group have confirmed their willingness to participate in the Working Group process, and have either nominated participants to represent their organisation, or are yet to confirm their representative. A Councillor representative has still to be appointed to the Group.</p> <p>Draft Terms of Reference have also been developed to help guide the Working Group process and are attached to this report as Attachment 1.</p> <p>This report seeks the endorsement of the Working Group participants, and the draft Terms of Reference from the Committee.</p>
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<i>Recommendations</i>	<p>The Project Team recommends that:</p> <ul style="list-style-type: none"> <li>i. A Councillor is appointed as Chairperson to the Biodiversity Working Group;</li> <li>ii. The District Plan Committee confirm membership of the Biodiversity Working Group, to comprise those members as set out in this report;</li> <li>iii. That the draft Biodiversity Working Group Terms of Reference be amended to reflect any discussions arising from this meeting;</li> <li>iv. That subsequent to the draft Terms of Reference being amended, they become the adopted Biodiversity Working Group Terms of Reference.</li> </ul>
<i>DPC Decision</i>	

# ISSUE: Biodiversity Working Group – Endorsement of Biodiversity Working Group Participants and Draft Terms of Reference

## 1 Introduction and Biodiversity Working Group Role

The District Plan Committee endorsed the establishment of a Biodiversity Working Group ('the Working Group') at its meeting on 26 July 2017.

The purpose of the Working Group is to meet on a regular basis to discuss and resolve issues associated with the protection and management of ecosystems and indigenous biodiversity and to ultimately make recommendations to the District Plan Committee on:

- a) A preferred approach for managing ecosystem and indigenous vegetation issues for inclusion within the proposed District Plan when that is notified;
- b) Any non-regulatory actions that could assist Selwyn District Council meeting its statutory obligations concerning ecosystems and indigenous biodiversity.

The Working Group will also provide informal advice to staff regarding communication/consultation with landowners that have significant natural areas on their properties.

It is expected that there will be brief written reports provided to the District Plan Committee by the Vegetation and Ecosystems topic Technical Lead as progress is made on the Working Group process, to report both on areas and points of major agreement and progress, as well as any areas or points of major disagreement. It is anticipated that such reporting will occur no less than every 3 months.

Any recommendations by the Working Group to the District Plan Committee shall give effect to the Canterbury Regional Policy Statement and the New Zealand Coastal Policy Statement and any other relevant statutory document, have regard to the Mahaanui Iwi Management Plan (and any other relevant Iwi Management Plans), and shall not be inconsistent with any relevant Regional Plan or any other relevant statutory document.

## 2 Working Group Membership

Subsequent to the District Plan Committee endorsing the establishment of the Working Group Council Officers have been in contact with stakeholders and landowners to determine their interest in participating in the Working Group process, and if so, for them to nominate a representative. Elected members were also asked whether they were aware of members of the community who had the requisite skills and who would be interested in participating in the Working Group process.

Stakeholders considered for the Working Group were largely based on the group of key stakeholders that were included in the Timaru District Council Biodiversity Working Group process used for their District Plan Review, and which the Selwyn approach is largely based on.



Consideration and subsequent selection of the Working Group stakeholders (including ‘independent’ landowners) was on the basis of ensuring the Working Group comprised as representative as possible a range of interests including whether they would be directly or indirectly affected by the plan review process, and/or whether they may have skills and perspectives to contribute to such the group.

The Selwyn Biodiversity Working Group is anticipated to comprise the following membership:

- Selwyn District Council Councillor (and Chairperson);
- Te Taumutu Rūnanga;
- Te Ngāi Tūāhuriri Rūnanga;
- Forest and Bird;
- Federated Farmers;
- Waihora Ellesmere Trust;
- Fish and Game;
- Independent Landowner;
- Independent Landowner;
- Independent Landowner;
- Environment Canterbury (Management/Officer)
- Selwyn District Council (Management/Officer)

Stakeholders approached and who have agreed to participate are set out below:

- Federated Farmers;
- Forest and Bird;
- Fish and Game;
- Independent Landowner – Canterbury University (Jenny Ladley);
- Independent Landowner – James Guild;
- Independent Landowner – Peter Graham;
- Waihora Ellesmere Trust (Hamish Rennie).
- Environment Canterbury (Management/Officer)
- Selwyn District Council (Management/Officer)

Invitations have also been extended to Te Taumutu Rūnanga, Te Ngāi Tūāhuriri Rūnanga and the Department of Conservation; at the time of writing this report we had still not received any official confirmation these three stakeholders will participate, although I have no reason to believe they will not.

The remaining position to be filled is that of Selwyn District Council Councillor who will also act as the Working Group Chairperson.

### 3 Draft Working Group Terms of Reference

Draft Terms of Reference (ToR) have also been developed to help guide the Working Group process and are attached to this report as *Attachment I*.

The most significant issue requiring clarification from the DPC with regard to the draft ToR is in respect

to the process to be followed where amendments may be required to the ToR.

As currently drafted, the ToR anticipates that various matters may arise during the Working Group process that may require amendments to the ToR. To ensure the Working Group process is not delayed unnecessarily, it is recommended that the Chairperson be authorised to update the ToR where required, but that any amendments must be subsequently endorsed by the District Plan Committee at the earliest opportunity.

### ***Working Group Deliberations and Decision Making***

The draft ToR include a deliberation and decision making framework, based on a collaborative planning model. Collaboration describes the process of working intensively with a range of stakeholders in each aspect of a decision making process, including the development of alternatives and the preferred solution(s).

The intention is that the Working Group will strive for unanimous agreement. Working Group participants who disagree must articulate their concerns and genuinely work with other group members to see whether these concerns can be alleviated through modifications to the proposal, or through increased understanding as a result of more information. The Chairperson will have an active role in assisting the group to decide upon when a sufficient level of agreement has been met, and in ensuring all voices are heard throughout the decision making process.

As noted previously, any recommendations by the Working Group to the District Plan Committee must give effect to and have regard to a number of statutory documents, including the Canterbury Regional Policy Statement and the New Zealand Coastal Policy Statement.

## 4 Conclusion

The District Plan Committee has previously endorsed the establishment of a Biodiversity Working Group to discuss and resolve issues associated with ecosystems and indigenous vegetation. The ultimate goal for the Biodiversity Working Group is to make recommendations to the District Plan Committee on:

- a) A preferred approach for managing ecosystem and indigenous vegetation issues for inclusion within the proposed District Plan when that is notified;
- b) Any non-regulatory actions that could assist Selwyn District Council meeting its statutory obligations concerning ecosystems and indigenous biodiversity.

This report seeks the endorsement of the Working Group participants, the nomination of a Councillor representative to the working Group (who will also act as the Working Group's Chairperson) and the endorsement of the attached draft Terms of Reference from the Committee.

## Summary of Recommendations to DPC

The Project Team recommends that:

1. A Councillor is appointed as Chairperson to the Biodiversity Working Group;

2. The District Plan Committee confirm membership of the Biodiversity Working Group, to comprise those members as set out in this report;
3. That the draft Biodiversity Working Group Terms of Reference be amended to reflect discussions arising from this meeting;
4. That subsequent to the draft Terms of Reference being amended, they become the adopted Biodiversity Working Group Terms of Reference.

**ATTACHMENT 1: DRAFT BIODIVERSITY WORKING GROUP TERMS OF REFERENCE**

# The proposed Selwyn District Plan



## DRAFT Terms of Reference

### Ecosystems & Indigenous Biodiversity Working Group

## Context

Indigenous biodiversity and ecosystems issues are broad and varied and are of interest to a wide range of stakeholders. The Resource Management Act 1991 ('the Act') is the key legislative driver for this topic; the Act identifies the protection of areas of significant indigenous vegetation and significant habitats of indigenous fauna as a matter of national importance (section 6 of the Act). Relevant provisions of the Act that apply to this topic include:

### **Section 6 “matters of national importance”:**

*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 recognise and provide for the following matters of national importance:*

...

- (c) the protection of areas of significant indigenous vegetation and significant habitats of indigenous fauna.*

### **Section 7 “other matters” to which particular regard must be had:**

- (d) intrinsic values of ecosystems*
- (h) the protection of the habitat of trout and salmon*

### **Section 31 “functions of the District Council”:**

*(b) the control of any actual or potential effects of the use, development, or protection of land,*

*including for the purpose of—*

- (iii) the maintenance of indigenous biological diversity*

The Canterbury Regional Policy Statement 2013 (CRPS), which the District Plan must give effect to, includes Chapter 9 Ecosystems and Indigenous Biodiversity which sets the following objectives:

- *halting the decline of Canterbury’s ecosystems and indigenous biodiversity;*
- *restoration or enhancement of ecosystems and indigenous biodiversity;*
- *protection of significant indigenous vegetation and habitats.*

The CRPS provides the criteria for determining significant values and also sets methods for District Plans, including:

- *they **will** include objectives and policies to identify and protect significant natural areas;*
- *they **may** include methods to identify and protect significant natural areas;*
- *they **will** include appropriate rule(s) that manage the clearance of indigenous vegetation.*

The issues associated with this topic traverse a range of matters, including the wider question of whether the operative District Plan framework for managing indigenous biodiversity and ecosystems is adequate. In particular they relate to the identification and management of areas

identified as having significance under section 6 of the Act<sup>1</sup> and the protection of indigenous biodiversity outside those areas identified as being significant.

### **Biodiversity Working Group**

At its meeting on 26 July 2017, the District Plan Committee endorsed the establishment of a Biodiversity Working Group (the Working Group). This Working Group will comprise a number of key stakeholders along with 2-3 landowners who are either directly affected, or who have an active interest in the issues associated with protection and management of ecosystems and indigenous biodiversity.

The purpose of the Working Group is to:

- bring stakeholders together early to seek a common path forward;
- review and understand the technical, social, cultural and economic complexity of issues associated with the protection and management of ecosystems and indigenous biodiversity within the context of the Selwyn District Plan Review;
- inform and guide the District Plan Committee on the preferred approach for managing ecosystem and indigenous vegetation issues for inclusion within the proposed District Plan when that is notified.

The main features of the Working Group are that:

- it is a relatively intensive, facilitated collaborative planning process;
- it will receive information from and ask questions of the technical experts and specialists from across a range of relevant disciplines;
- the participants must have time to adequately prepare for and attend approximately 8-12 meetings of approximately 2- 4 hours each;
- participants will contribute their ideas.

The benefits of the Working Group are:

- credibility of a group drawn from a range of stakeholders;
- ability to have a range of voices in the room, bringing new ideas and innovations – resulting in greater uptake of policy on the ground;
- an ability to create real solutions that can be implemented, leading to outcomes.

Ultimately the District Plan Committee must understand the issues fully in order to make informed policy decisions. The Working Group is a step along the way, helping to crystallise the issues from a mixed stakeholder perspective, and offering carefully considered views about how to proceed, while recognising that final decisions rest with the District Plan Committee. The Working Group is one way to lessen the burden on the District Plan Committee with some well-thought out ideas.

### ***Working Group Membership***

The Working Group will be made up of the following members:

<sup>1</sup> In the Selwyn operative District Plan the term used is “Significant Sites” (see Appendix 8 of the Township volume). Many other plans use Significant Natural Areas (SNAs), whilst Christchurch City Council uses Significant Ecological Site (SES) and Ashburton District Council uses Area of Significant Natural Conservation Value (ASCV).

- SDC – Councillor representative (and Chair) (Member to be confirmed)
- SDC – Ben Rhodes (Team Leader Strategy and Policy)
- Environment Canterbury (Representative to be confirmed)
- Iwi – Te Taumutu Rūnanga (To be confirmed)
- Iwi – Te Ngāi Tūāhuriri Rūnanga (To be confirmed)
- Federated Farmers (Representative to be confirmed)
- Forest & Bird (Representative to be confirmed)
- Fish & Game (Representative to be confirmed)
- Department of Conservation (Representative to be confirmed)
- Waihora Ellesmere Trust – Hamish Rennie
- Landowner – University of Canterbury
- Landowner – James Guild
- Landowner – Peter Graham

Working Group meetings will be chaired by the Councillor representative.

Working Group coordination, technical assistance and advice will principally be provided by:

- Andrew Mactier, Strategy & Policy Planner, Selwyn District Council
- Stephanie Styles, Planning Consultant, Boffa Miskell

Additional technical assistance and advice to the working Group will be provided by:

- Andrew Spanton, Biodiversity Coordinator, Selwyn District Council
- Consultant ecologists (as required)
- Other technical experts (as required)
- Tina Van Der Velde – District Plan Administrator (secretarial)

### ***Working Group Members – Skills and Competencies***

The Working Group members should bring the following skills and attributes to the process:

- the ability to participate productively in a group process, including communication skills (listening and acknowledging what has been said and stating views succinctly and clearly);
- the ability to consider issues from multiple viewpoints and to seek options cooperatively and in an open minded manner;
- the capacity to synthesise information (cultural, technical and social);
- a commitment to finding an agreed way forward that addresses the social, cultural, economic and environmental values.

A further contribution of a Working Group member is their credibility and standing in local communities and their ability and authority to ‘make things happen’. This fosters effective engagement with local communities throughout the District Plan Review process, and generates respect for the Working Group’s guidance on decisions and implementation of policy changes.



There will be a requirement that the Working Group members can commit the necessary time and effort to understanding the issues, considering the input from the engagement processes, and having discussions about the best ways forward.

### ***Working Group Duration, Frequency and Attendance***

The Working Group will be set up with the clear expectation of a finite process, to finish when the Working Group makes its recommendations to District Plan Committee. This process is estimated to take approximately 8-12 months from the first meeting of the Working Group.

It is expected that members of the Working Group will each be available to attend at least 90% of meetings and will have read the background material and workshop agenda documentation supplied prior to workshop attendance.

Expected frequency of meetings is no more than monthly with meetings expected to commence at approximately 3pm and run through to approximately 6.30pm. The Working Group's schedule of meetings/workshops, venue(s) and start time will be discussed and confirmed at the first Working Group meeting, which is anticipated to be in late October or early November 2017.

### ***Key Working Group Operating Principles to Guide Participation and Input***

Some key principles to guide effective participation and input among Working Group members include:

- collaborate with other members of the Working Group;
- patience and listening ability;
- respect for the ability to present alternative views and approaches;
- restraint from being judgmental on input of others;
- be outcome focused with a continual focus on the Working Groups common goal;
- putting issues on the Working Group table;
- early warning of emerging issues that could impact on the work of the Working Group;
- ensuring all Working Group members have base level of information and understanding of relevant matters;
- make decisions by consensus. If consensus cannot be reached, a report on the points of disagreement will be provided to the District Plan Committee, along with the points of major agreement;
- being brave and having a willingness to engage and participate in discussions that may be out of their comfort zone;
- doing what you say you will do and not undermining the process;
- commitment to evidence based approach to guide and inform policy development;
- agree to recommend provisions that give effect to the Regional Policy Statement and are not inconsistent with any relevant Regional Plan;
- ensure recommendations are practical and capable of being implemented;
- in making recommendations, be aware of limited agency resources and the need to budget for actions;
- make a recommendation to the District Plan Committee on a preferred approach for managing ecosystem and indigenous vegetation issues for inclusion within the proposed District Plan in as timely a manner as is practicable, but no later than 28 November 2018.

The application of these principles will give rise to:

- building trusting relationships through well run processes, positive behaviours such as providing feedback, adequate information, time and support, active listening and space to understand the issues;
- achieving quality engagement and maintenance of open, honest and transparent communication;
- development of evidence based approaches involving understanding of the problems, how they may be addressed and encouragement of innovative solutions;
- sustaining the momentum through acknowledging achievements, reinforcing the positives focusing on the outcomes and asking "can we move on"?

### ***Working Group Scope***

The Working Group will have the role of working through the relevant issues and making recommendations to the District Plan Committee on:

- a) A preferred approach for managing ecosystem and indigenous vegetation issues for inclusion within the proposed District Plan when that is notified;
- b) Any non-regulatory actions that could assist Selwyn District Council meeting its statutory obligations concerning ecosystems and indigenous biodiversity.

The Working Group will also provide informal advice to staff regarding communication/consultation with landowners that have significant natural areas on their properties.

Any recommendations by the Working Group to the District Plan Committee shall give effect to the Canterbury Regional Policy Statement and the New Zealand Coastal Policy Statement and any other relevant statutory document, have regard to the Mahaanui Iwi Management Plan, and shall not be inconsistent with any relevant Regional Plan or any other relevant statutory document.

### ***Working Group Deliberations and Decision Making***

This project uses a collaborative decision making framework for deliberations and decisions. Collaboration describes the process of working intensively with a range of stakeholders in each aspect of a decision making process, including the development of alternatives and the preferred solution(s).

Working Group members will base their decision making process on the following framework.

When the group has discussed the issue fully and a clear proposal is put forward for resolution, the proposal is tested with the whole group to see the level of agreement. The three possible responses to the question about agreement with the proposal are:

- I agree;
- I stand aside (don't agree but understand and can live with the proposal);
- I disagree with the proposal.

The Working Group will strive for unanimous agreement. The Chairperson will have an active role in assisting the group to decide upon when a sufficient level of agreement has been met, and in ensuring all voices are heard throughout the decision making process

If, when tested, all members agree with the proposal, then a unanimous agreement is said to be achieved and the proposal is accepted. If unanimous agreement is not achieved:

1. Those who have concerns must articulate them.
2. If the concerns are shared, then the proposal may be modified to alleviate them or the concerns explained away to the concerned member's satisfaction.
3. The proposal (either original or modified) is again tested for unanimous agreement. If all members agree with the proposal then a unanimous agreement is said to be achieved and the proposal is accepted.
4. If the proposal is not agreed unanimously but there are no members who disagree, i.e. some members choose to stand aside, then an agreement is said to be achieved and the proposal is accepted.
5. If the proposal is not agreed unanimously and there is at least one member who disagrees with the proposal then the group has to decide whether the level of disagreement is sufficient to warrant:
  - a) further modifications to the current proposal;
  - b) disagreement and thus rejection of the proposal. This will result in further discussion, another potential solution and new proposal;
  - c) Agreement and thus acceptance of the proposal.

Those who disagree must articulate their concerns and genuinely work with other group members to see whether these concerns can be alleviated through modifications to the proposal, or through increased understanding as a result of more information.

### **Communications**

The Chairperson, with guidance and assistance from the Council's Communications and Engagement team, will be the sole point of contact with the media. Other arrangements may be negotiated with the Chairperson as the process requires.

A detailed communications and engagement plan will be developed during the course of the Working Group process and is anticipated to include the following phases:

**Phase 1:** Biodiversity Working Group; involving representatives of key stakeholder organisations and landowners. This group will also input to an engagement plan for subsequent consultation and engagement.

#### **Phase 2:** Landowners

- Owners of property identified as containing confirmed SNAs; and
- Owners of property identified as containing potential SNAs that are still to be assessed to determine ecological significance (in accordance with Policy 9.3.1 of the RPS).

#### **Phase 3:** Stakeholders

- Organisations represented on the Biodiversity Working Group, additional to any engagement through the Working Group process (it is acknowledged that further details on what these member groups require will become clearer as the Working Party process evolves); and
- Consultation with community and interest groups known to have a particular interest in issues associated with the protection and management of indigenous

vegetation and ecosystems, including Te Ara Kakariki, The Waihora Ellesmere Trust, the Environmental Defence Society, the Waimakariri Environment and Recreation Trust.

***Phase 4:*** General public.

Phases 2-4 will be determined through the working group process, in conjunction with Council's Communication and Engagement team.

***Reporting***

Brief written reports will be provided to the District Plan Committee by the Vegetation and Ecosystems topic Technical Lead (Andrew Mactier) as progress is made on the Working Group process, to report both on areas and points of major agreement and progress, as well as any areas or points of major disagreement. It is anticipated that such reporting will occur no less than every 3 months.

***Updates to Terms of Reference***

It is anticipated that various matters will arise during the Working Group process (including during the establishment of the Working Group) that may require amendments to these Terms of Reference (ToR). On the basis that the District Plan Committee will be kept fully informed of progress and issues arising during the Working Group process (including any amendments to the ToR), the Working Group Chairperson will be authorised to update the ToR where required.

## **8. Topic Investigation: Business – Local and Neighbourhood Centres**

Author:	Michael Rachlin, Strategy and Policy Planner
Contact:	347 2936

### **Purpose**

To provide an overview of the key findings and outcomes of a Topic Investigation undertaken by staff; the results of which are provided in the attached presentation for information purposes. The topic investigation report is otherwise available on request if any member of the DPC is interested in specifically seeing it.

### **Recommendation**

- **That the Committee notes the presentation**

### **Attachments**

PowerPoint: Topic Investigation: Business – Providing for Local Centres and Neighbourhood Centres in the District Plan

# The proposed Selwyn District Plan



## Topic Investigation: Business

# Business

Providing for Local Centres and Neighbourhood Centres  
in the District Plan



# Findings

- Plan Change 7 introduced provisions into the district plan providing for the establishment of Neighbourhood and Local Centres.
- The provisions only apply to Rolleston and Lincoln
- The use of smaller commercial centres to complement town centres represents a planning method to achieve sustainable urban forms.
- The current plan provisions reflect the Council-led process followed for PC7
- All of the centres identified in PC7 are in progress of being established and/or identified at subdivision stage





# Key Outcomes

- The existing plan provisions cannot be rolled over into the new district plan
- Consideration will need to be given as to how to recognise and provide for the approved centres in the district plan; for example by way of a specific zoning for local and neighbourhood centres
- Policy and associated rules will be needed to manage the on-going use and development of the approved centres.
- Policy direction may be needed in the district plan to provide guidance for the establishment of other local and neighborhood centres in a way that implement Selwyn 2031.



## **9. Topic Investigation: Energy & Infrastructure – Defining and identifying significance of infrastructure**

Author:	Michael Rachlin, Strategy and Policy Planner
Contact:	347 2936

### **Purpose**

To provide an overview of the key findings and outcomes of a Topic Investigation undertaken by staff; the results of which are provided in the attached presentation for information purposes. The topic investigation report is otherwise available on request if any member of the DPC is interested in specifically seeing it.

### **Recommendation**

- **That the Committee notes the presentation**

### **Attachments**

PowerPoint: Topic Investigation: Energy & Infrastructure – Defining and identifying significance of infrastructure

# The proposed Selwyn District Plan



## Topic Investigation: Energy and Infrastructure

# Energy & Infrastructure

Defining and identifying significance of infrastructure for purposes of implementing the requirements of the Canterbury Regional Policy Statement



# Defining Infrastructure

- The RPS provides strong direction on providing for infrastructure in district plans
- The RPS distinguishes between regionally significant infrastructure/strategic infrastructure, and other infrastructure
- The RPS refers to regionally significant infrastructure (Chapter 5 – outside of Greater Christchurch) and strategic infrastructure (Chapter 6 – Greater Christchurch)
- The RPS contains similar planning direction for regionally significant infrastructure and strategic infrastructure



# Findings

- The district plan should use the term, 'regionally significant infrastructure' as defined in the RPS, and such infrastructure is to be subject to specific plan provisions as guided by the RPS
- Regionally significant infrastructure includes:
  - Coleridge Hydro-Electric Power Scheme
  - Orion and Transpower electricity distribution networks
  - Central Plains Water irrigation scheme
  - SDC land drainage schemes



## **10. Topic Investigation: Energy & Infrastructure – Electricity Distribution Network**

Author:	Michael Rachlin, Strategy and Policy Planner
Contact:	347 2936

### **Purpose**

To provide an overview of the key findings and outcomes of a Topic Investigation undertaken by staff; the results of which are provided in the attached presentation for information purposes. The topic investigation report is otherwise available on request if any member of the DPC is interested in specifically seeing it.

### **Recommendation**

- **That the Committee notes the presentation**

### **Attachments**

PowerPoint: Topic Investigation: Energy & Infrastructure – Electricity Distribution Network

# The proposed Selwyn District Plan



## Topic Investigation: Energy and Infrastructure



# Energy and Infrastructure

How other 2<sup>nd</sup> generation district plans in Canterbury manage the adverse effects of activities on the use, development and upgrading of the electricity distribution network



# Findings

- The Canterbury Regional Policy Statement (RPS) contains strong direction to avoid sensitive or incompatible land-uses close to regionally significant infrastructure i.e. manage reverse sensitivity effects.
- The electricity distribution network represents regionally significant infrastructure as defined by the RPS.
- The most up to date district plans (Hurunui and Christchurch) have objectives, policies and rules to provide for the ongoing operation, maintenance and development of the electricity distribution network
- To implement these provisions they both employ the use of 'protection' corridors within which sensitive activities are managed.
- The Orion electricity distribution network is a cross-boundary issue. As such consideration will need to the need for consistency between the replacement district plan and the provisions in the Christchurch District Plan.



# Key Outcomes

- The Orion 33kV and 66kV represent regionally significant infrastructure in the Selwyn District.
- Similar planning mechanisms were used between the Hurunui and Christchurch district plans to give effect to the RPS.
- Managing reverse sensitivity effects on the Orion network represents a cross-boundary issue.

## 11. District Plan Review – Engagement Framework

Author:	Elliot Sim, Communications Advisor & Emma Hodgkin, DPR Project Manager
Contact:	347 1807 (Elliot) and 021 240 1242 (Emma)

### Purpose

To seek the Committee's endorsement of a high-level Engagement Framework to guide engagement with partners and stakeholders for the District Plan Review. This overarching Framework identifies the objectives, partners, stakeholders, issues and risks associated with engagement and indicates the methods and timing for engagement.

### Recommendation

- **That the Committee endorses the draft Engagement Framework**

### Attachments

District Plan Review: Engagement Framework

Selwyn District Council

# District Plan Review



## Engagement Framework

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DRAFT

# 1.0 Introduction

## 1.1 Purpose of this Engagement Framework

This high-level Engagement Framework sets out the principles adopted by Selwyn District Council for engaging with partners and stakeholders, including the residents of Selwyn district, in all aspects of the District Plan Review. This overarching Framework identifies the objectives, partners, stakeholders, issues and risks associated with engagement and indicates the methods and timing for engagement.

## 1.2 District Plan Review

The District Plan sets out the rules and policies for how people can use and develop land under the Resource Management Act 1991 (RMA). The RMA requires all operative provisions of a plan to be reviewed every 10 years. The District Plan explains how the Council will manage matters such as:

- Residential and business growth and development;
- Issues of significance to rural communities such as rural production, subdivision, quarrying and intensive farming
- Location and height of buildings
- The impact of natural hazards
- Protection of indigenous vegetation and cultural heritage
- Recognising and providing for the relationship with mana whenua and their culture and traditions

The current Selwyn District Plan (the Plan) was notified in two volumes (Rural Volume in 2000 and Township Volume in 2001) and remains in this two-volume format. There are large parts of the Plan that have not changed since 2004 when decisions on submissions were released.

A number of plan changes have led to various approaches to different issues within the Plan, most notably being the way in which urban growth is managed within and outside the Greater Christchurch area. The Council agreed to a full review of the Operative District Plan in May 2015.

The Review process will help to determine what is working and not working. This will happen through research and analysis, consultation and engagement, identification of issues and options, development of the policy framework and plan provisions, notification of the proposed plan, submissions, hearings, decision and appeals.

The Review process will lead to an operative 'second generation' District Plan which will provide a modern set of rules to better serve the Selwyn district. This Project is set to occur over the period 2016 – 2022 with the bulk of the technical work being completed during 2017 and 2018 calendar years and the pre-notification consultation taking place during 2017 to 2019. The formal RMA Schedule 1 consultation is set to take place after the next Council elections, commencing in the first half of 2020 calendar year.

## 1.3 Engagement Framework Objective

The objective of this document is to provide a Framework that:



- identifies partners and stakeholders who will help inform the development of the new district plan
- defines the objectives, principles, protocols and approaches to be used when engaging stakeholders on the District Plan Review
- identifies issues and risks and mitigation and management approaches to these
- provides guidance to those undertaking the District Plan Review on what to consider when planning for or undertaking engagement with stakeholders
- documents the key activities, timelines, protocols and responsibilities to guide the delivery of engagement, which are outlined in further detail in the Engagement Implementation Plan.

## 1.4 Developing the Engagement Framework

The District Plan Review Committee and District Plan Review Project Team have contributed to the development of this Framework through a series of interviews, workshops and committee agenda items.

Stakeholders have been consulted on aspects of Council's engagement. Our partners, Environment Canterbury and Te Rūnanga o Ngāi Tahu as the iwi authority, will review and agree to the principles and objectives of the Framework.

## 2.0 Document Hierarchy



## 2.1 Engagement Framework and Appendices

The Engagement Framework sets out how and why Council will engage with stakeholders and the community, in the District Plan Review.

The **Appendices** included in this Framework will describe who Council will engage with in specific ways.

## 2.2 Community Engagement Implementation Plan

The **Community Engagement Implementation Plan** will describe what Council will do when engaging with key partners, stakeholders and the wider community. The Plan will be informed by this high-level Engagement Framework.

**2.3 Topic-specific engagement plans** will be developed and owned by Topic Leads or teams, guided by the Principles outlined in this Framework.

### 2.3.1 Topic streams

The development of the District Plan and the associated engagement is divided into topic streams, including:

- Strategic objectives
- Mana whenua values and protecting their interests (recognising that this will be integrated throughout the plan)
- Residential
- Business
- Rural, including:
  - Quarrying
  - Airfields
  - Intensive Farming
- Natural Environment and Cultural Heritage, including:
  - Outstanding Natural Landscapes and Features
  - Vegetation and Ecosystems
  - Historic Heritage
  - Protected Trees
  - Cultural Landscapes, wāhi tapu and wāhi taonga
  - Coastal environment
- Water and access to water
- Transport
- Natural Hazards
- Energy and Infrastructure
- Subdivision
- District Wide Activities including:
  - Noise and Vibration
  - Lighting and Glare
  - Signage
  - Earthworks
  - Hazardous Substances and Land Contamination
  - Community and Recreation Facilities

- Emergency services
- Relocated buildings
- Temporary Activities
- Waste
- Papakainga
- Designations

Each topic stream has a Topic Lead (appointed from within the Council's internal Strategy and Policy team) and team (including external consultants) supporting the review of that topic. Each topic team will develop an engagement plan to support the Project Level Implementation Plan that maps out stakeholders for each topic and how they will engage with them when researching, gathering evidence and identifying issues, options and new district plan provisions.

## 3.0 Roles and Responsibilities

This Framework has been developed for any individual whose role it is to undertake engagement on the District Plan Review. These include:

- District Plan Committee
- Key Partners to share and have input into the Engagement Framework. This includes Ngāi Tahu (as the overarching Iwi authority, with delegated mandate in the first instance to the papatipu rūnanga with an interest in the rohe, in this case Te Taumutu Rūnanga and Te Ngāi Tūāhuriri Rūnanga), and Environment Canterbury
- Mahaanui Kurataiao Ltd in recognition of their role as the environmental consultancy company owned by the six papatipu rūnanga of Canterbury and their Service Level Agreement with Selwyn District Council
- District Plan Project Team
- All Council employees or consultants involved in the District Plan Review

### 3.1 Communications Team

The Council Communications Team will ensure that the Framework remains a living document throughout the life of the review process. Engagement processes will be continuously reviewed to ensure any changes are communicated clearly and widely.

The Communications Team will provide guidance on engagement and communications strategies and approaches to teams or individuals involved in the development of the District Plan, and manage and monitor risks in conjunction with the DPR Project Sponsor in the delivery of engagement and communications for the District Plan. This includes links or crossover with other Council engagement or communications processes with stakeholders.

### The District Plan Review Engagement Team

Decisions on the planning and implementation of engagement and communications activities will be driven by the District Plan Review Engagement Team. The Team includes:

- Environmental Services Manager
- District Plan Review Sponsor (Planning Manager)
- Business Relationship Manager
- District Plan Review Project Lead
- District Plan Review Project Manager

This group will review and agree to budget spend on engagement. Its role is also to identify and take action on any significant engagement risks that may arise. This group will also plan, lead and monitor the engagement with the strategic partners identified and those areas known to likely be high risk as part of the Project.

### 3.3 The District Plan Committee

The District Plan Committee is the governance group responsible for the successful undertaking of the District Plan Review. This group is made up of Selwyn District Councillors and representatives from key partners. The Committee will review and agree actions on significant risks for the District Plan Review. This includes engagement risks brought to them by the Plan Decision group. The non-Council representatives on the District Plan Committee includes representatives from Te Taumutu Rūnanga and Ngāi Tūāhuriri Rūnanga as the primary Papatipu Rūnanga with mana whenua over Selwyn District, and Environment Canterbury.

### 3.4 The Role of Te Rūnanga o Ngāi Tahu, Rūnanga and Mahaanui Kurataiao Ltd

Representation from mana whenua at all levels of Council decision making and within the District Plan Review is vital in order to ensure meaningful engagement is planned for, supporting, facilitated and implemented across all levels of the Council and the iwi authority.

At iwi level, Te Rūnanga o Ngāi Tahu, play a key statutory role in relation to the First Schedule of the RMA which requires Council to

- Consult with mana whenua of the area who may be affected through the iwi authority (Cl 3(1)); and
- Prior to notification of the proposed plan, a draft of the document must be served on the *iwi authority* and the local authority must have regard to any advice received on the draft proposed plan (Clause 4A).

In most cases, through this Review, the day to day consultation and engagement of Council with the iwi authority is delegated with the mandate to consult and engage given to papatipu rūnanga who represent those who hold mana whenua over areas within the Selwyn District (*Te Ngāi Tūāhuriri Rūnanga* and *Te Taumutu Rūnanga*) and/or to Mahaanui Kurataiao Ltd as the environmental consultancy company owned by the Rūnanga.

Mahaanui Kurataiao Ltd plays a dual role in this process, both as a consultancy, facilitator and advisor to Selwyn District Council on technical matters and on matters of cultural significance as well as playing a similar role representing its owners - Te Ngāi Tūāhuriri Rūnanga and Te Taumutu Rūnanga.

As part of this Project, and outside of this Review, Council will continue to develop and maintain key relationships with each Rūnanga and its governance board, as well as Mahaanui Kurataiao Ltd through the Councils Service Level Agreement and directly with Te Rūnanga o Ngāi Tahu, when required.

It is important to ensure that regular and consistent opportunities for meaningful consultation and engagement arise as part of the District Plan Review. This will occur via the mechanisms already established including:

- regular engagement at a CEO and officer level between Council and Mahaanui Kurataiao Ltd staff,
- Mahaanui Kurataiao Ltd established processes for engaging and communicating with Rūnanga via Kaitiaki Portfolios
- Regular involvement of Rūnanga at governance level via involvement in District Plan Review Committee

And establishing further mechanisms to ensure meaningful engagement by:

- Working with Mahaanui Kurataiao Ltd to develop a consultation strategy for mana whenua, Te Rūnanga as the iwi authority and other key groups and communities of significance (such as Te Waihora);
- Providing regular updates on the District Plan Review at other Council led forums where Te Rūnanga o Ngāi Tahu and the Rūnanga play a role including Zone Committees and Te Waihora Co-Governance Group
- Holding regular meetings between Council staff, Rūnanga representatives on the District Plan Committee and Mahaanui Kurataiao Ltd management and staff

It should also be noted that the Rūnanga and Mahaanui Kurataiao Ltd have their own planning and reference documents (such as the Iwi Management Plan) which will be taken into consideration during all engagement processes.

### 3.5 The Role of Environment Canterbury

The Regional Council (Environment Canterbury) is a key strategic partner to Selwyn District Council at an organisational level, and also to the District Plan Review. Representation by Environment Canterbury at all levels within the District Plan Review process is vital to ensure that a new District Plan gives effect to the Canterbury Regional Policy Statement and other Regional Plans (such as the Canterbury Air Regional Plan [CARP] and Land Water Regional Plan [LWRP]).

Environment Canterbury will be represented at a governance level of the District Plan Review through their non-voting membership to the District Plan Committee and at a senior management level via already established mechanisms such as the Greater Christchurch Partnership. At an officer level, DPR Project Staff and Environment Canterbury technical staff will continue to maintain open and transparent communication on matters of interest and importance to the Regional Council which will include provision of regular updates on the Review process to Environment Canterbury at all levels (through DPC, Greater Christchurch Partnership and regular meetings with Environment Canterbury staff).

Selwyn District Council is committed to ensuring that the partnership between both organisations is maintained and enhanced through a shared understanding and agreement to work collaboratively to achieve integration between Environment Canterbury's Regional Plans and the Selwyn District Council District Plan.

It is important to ensure that regular and consistent opportunities for meaningful consultation and engagement arise as part of the District Plan Review. This will occur via the mechanisms already established including:

- Regular engagement at a CEO and officer level between Council and Environment Canterbury staff through the GCP and other partnerships/committees;

- Regular involvement of Environment Canterbury at a governance level via involvement in District Plan Review Committee;
- Regular meetings between DPR Project Team and Environment Canterbury at a technical/officer level to progress work and resolve issues where there is a shared interest, accountability or responsibility

The Council is committed to ensuring that communication, engagement and consultation occurs with Environment Canterbury to achieve:

- Regional consistency of planning provisions;
- Successful implementation of the Canterbury Regional Policy Statement;
- Reduced duplication in planning provisions in areas of overlapping jurisdiction
- Integration of the new District Plan with other Regional Planning documents including the LWRP, CARP, bylaws and other strategic documents.

DRAFT

## 4.0 Project Timeline

Selwyn District Council aims to have decisions released on the second generation District Plan by February 2022. There are a number of phases in this process, with engagement to be undertaken at key stages throughout the review of the Plan, prior to a complete Proposed Plan being notified in early 2020.

### 4.1 Review timeline





## 4.2 Engagement phases

This section outlines the critical stages for community and stakeholder engagement on the District Plan.

Note: this is not an implementation plan. It does not describe the detailed and planned community engagement, locations, dates and actions required for each engagement undertaken at a geographic location or with a specific stakeholder group. Engagement planning in this way will be led or informed by the Council's Communication team.

### **September 2017: Agreement with Key Partners And District Plan Committee Collaborators**

Principles for engagement with Key Collaborators, Environment Canterbury and Te Ngāi Tūāhuriri Rūnanga and Te Taumutu Rūnanga, are agreed to.

### **July 2017–March 2018: Gathering evidence base**

Engaging with key stakeholders relevant to each topic to build an evidence base to inform the identification of issues and options. In some topics this may include affected landowners, businesses or interest groups.

### **August 2017 – December 2017: Preliminary Engagement and Communications Planning**

Pulling together issues and options identified by Topic Leads into a plan to engage the targeted residents or members of the public and/or groups of stakeholders.

This will identify engagement risks and opportunities across all topics, and geographic and stakeholder priorities for engagement.

### **September 2017: Engagement Implementation Planning**

Developing an overall Communications and Engagement Implementation Plan that is consistent with the principles of the Strategic Framework and that will outline key strategies, message and methods of engagement across the life of the Project's engagement as well as across specific topic areas. The Implementation Plan will also identify key timeframes and interdependencies for consultation and engagement across the range of topic areas.

### **June 2017 – December 2018: Developing Issues and Options for Consideration**

Identifying the issues and options alongside stakeholder groups and Key Collaborators for District Plan Committee approval.

To identify the issues and options to discuss with the wider community; to identify questions, issues and options that need testing and to test these with key groups prior to wider community engagement.

### **October 2018– June 2019: Pre-notification Stakeholder Engagement and Community Consultation**

This is the further targeted engagement on specific topics and draft provisions with specific stakeholders and pockets of the community. A final draft Plan will be completed prior to Local Body Elections and put on hold while election campaigning occurs.



## **July 2019 – February 2020: Engagement and Consultation in accordance with the First Schedule of the RMA**

The First Schedule of the RMA stipulates that the Minister for the Environment, relevant Ministers of the Crown, relevant local authorities and the iwi authority must be consulted with during the preparation of a plan (Clause 3(1)). In addition, prior to notification of the proposed plan, a draft of the document must be served on the iwi authority and the local authority must have regard to any advice received on the draft proposed plan (Clause 4A).

### **January–February 2020: Engaging new Council on proposed plan**

District Plan team and Topic Leads to engage the new Council on draft Plan ready to formally notify.

### **March– June 2020: Formal Notification of Proposed Plan (as per RMA Schedule 1)**

### **July – August 2020: Analysing submissions and managing conflict outside of hearings**

Identify conflicting issues that have come up through formal submissions. Design an engagement process to address conflict as well as summarise and communicate what has been heard and how they can be dealt with.

### **August 2020 – June 2021: Hearings**

Formal hearings processes to occur as per First Schedule of the RMA. Decisions and Appeals to follow this with the Project due to be complete by February 2022.

### **July 2021 – February 2022: Decisions and Appeals**

## **5.0 Consultation and Engagement Principles**

### **5.1 Local Government Act 2002**

In accordance with the Local Government Act 2002, the Council will ensure that its consultation methods enable the effective participation of individuals and communities in the District Plan Review process.

#### **The Council will ensure that:**

- Anyone who will or may be affected by the decision, or anyone who has an interest in the decision, will have reasonable access to relevant information.
- People will be encouraged to express their views to Council.
- People who are invited to present their views to Council will be given clear information about the purpose of the consultation and the scope of the decisions being made.
- People who wish to present their views will have reasonable opportunity to present them.
- Council will receive these views with an open mind and give them due consideration when making a decision.

- Council should provide people presenting their views with information relevant to decisions and the reasons for them.

## **5.2 Resource Management Act 1991**

The District Plan Review is being carried out under the provisions of the Resource Management Act 1991, which requires all operative provisions of a plan to be reviewed every 10 years. The process for this review is set out in Schedule 1 of the Resource Management Act, which specifies the legal requirements and timeframes for public notification, submission and decision-making processes.

## **5.3 Significance and Engagement policy**

All engagement and consultation will be planned and implemented with reference to and in accordance with Selwyn District Council's Significance and Engagement Policy.

Overall the District Plan Review is of moderate-high significance as classified by Council's policy. However it is acknowledged that consultation will be carried out by topic with the importance of individual topics varying depending on how the provisions may affect individuals or businesses or be of wider public interest.

## **5.4 Key engagement principles**

The Principles will guide all stakeholder and community engagement when reviewing the District Plan. These Principles describe how Council will engage with partners, stakeholders and the wider community on the review of the District Plan.

The Principles have been developed by Selwyn District Council Staff and Councillors, the Mayor, Chief Executive Officer in consultation with representatives of Te Taumutu Rūnanga and Environment Canterbury. The Principles are cognisant of the key risks identified in the development of this Engagement Framework

During the review of the District Plan, Council will:

### **1. Engage with all parties that want to participate**

Any individual or group that wants to put forward their view will be included in the process.

### **2. Involve stakeholders early in the process**

During the pre-notification stage of the process, consultation with interested stakeholders and specific groups in the community will occur during some of the baseline assessments (depending on the topic) and after issues and options have been developed. Concerns and aspirations raised during these targeted consultations will be clearly defined before the planning framework is developed and formally notified.

During post-notification stage, feedback will be received through written submissions and a formal hearing process.

### **3. Engage with Council's key partners (Te Rūnanga o Ngāi Tahu and Rūnanga and Environment Canterbury)**

Council will work closely with its partners on process and inputs used to inform decisions. Te Rūnanga o Ngāi Tahu (as the Iwi Authority and their delegates, for example Mahaanui Kurataio Ltd) and Environment Canterbury (Regional Council) have a statutory role, obligation or shared interest in the process and outcomes of the District Plan Review.

#### **4. Ensure stakeholders' current mandates are fully understood**

Engagement will be positive and forward-looking, building on discussions which have already been had through the Selwyn 2031 strategy as well as the Malvern and Ellesmere Area Plans.

#### **5. Be open and honest**

Information will be clear and concise and be available to all stakeholders throughout the development of the District Plan. This will ensure people make informed decisions and have meaningful input. The process will however be cognisant that some information may not be able to be widely shared due to commercial sensitivities or confidentiality and/or due to cultural significances.

#### **6. Communicate clearly**

Simple language, online videos and engaging stories will generate interest and give stakeholders the confidence to participate in the Review process. Council will work as one team from elected officials down to Council staff and contracted consultants and experts to ensure messages are clear, unified and consistent.

#### **7. Provide clear timelines**

The timeframes for stakeholder and wider-community input will be made clear, including anticipated timeframes to make decisions.

#### **8. Listen to all points of view**

All points of view will be received with an open mind and be given due consideration.

#### **9. Avoid consultation fatigue**

Stakeholders will be aware of the role and purpose of different planning processes and engagement tools available to Council to deliver outcomes. Council will clearly outline the difference between the District Plan and Long Term Plan, and explain how any significant decisions over the coming two years have been made.

## **6.0 Engagement Outcomes**

The following engagement outcomes for the District Plan Review have been developed by Council staff, Councillors and key partners including Te Taumutu Rūnanga and Environment Canterbury.

- Stakeholders and the community have felt able to engage in the District Plan review

- The planning framework of the Proposed District Plan is broadly known and has been understood by those potentially impacted
- Council has heard from the broad cross section of our community.

### **6.1 Measures to meet outcomes:**

- The Council receives well-informed submissions which have a clear message.
- No surprises regarding submissions in opposition to the plan. Recognising that there may be opposition.
- The community are more informed and knowledgeable about its role in local decision-making processes.
- Individuals felt confident in engaging in the District Plan review process. This sentiment is to be gained from face-to-face conversations at community events.

## **7.0 Stakeholders and Partners**

For the District Plan Review, stakeholders include any party that can influence decisions or be influenced by decisions made on policies or rules. There are multiple groups or categories of stakeholders to consider in the review of the District Plan. These include internal and external stakeholders who all have a role in shaping the District Plan as it is reviewed.

The following is an overarching guide to those who are identifying stakeholders to engage on different topics. The Implementation Plan will provide more detail on each stakeholder's needs and actions required for each topic covered by the District Plan.

### **This section describes the:**

- Partners with a deep interest and stake in the District Plan Review
- Stakeholder groups that will be engaged in the District Plan Review
- Purpose of engaging with each group
- Issues or actions to consider when engaging with them on the plan or topic

### **7.1 Partners and internal stakeholders**

This group will need to be informed on process, topics, issues and risks. Time should be taken to consider the role internal stakeholders will play and the importance of keeping these groups informed. This will ensure Council delivers one of the key engagement Principles – to act as one team.

### **Council's Key Partners:**

- Environment Canterbury

- Te Rūnanga o Ngāi Tahu (iwi authority), Te Taumutu Rūnanga and Te Ngāi Tūāhuriri Rūnanga as Papatipu Rūnanga.

**Internal stakeholders include:**

- Mayor and Councillors (District Plan Committee members)
- Community Boards and Zone Committees and Te Waihora Co-governance Group
- Mahaanui Kurataiao Ltd (both providing technical support to Council and acting in an advisory and conduit role for both the Council and Rūnanga)
- Wider Council staff and teams such as Assets, Property, Community Services teams
- Council department managers and team leaders
- Front of house staff

## **7.2 External stakeholders**

External stakeholders will advocate for or against decisions that will need to be made. This group will need to develop a broad and deeper understanding of the role of the District Plan, the topics covered and the issues that need to be addressed by new rules (or not) within the District Plan.

**External stakeholders include (not a full list):**

- New Zealand Transport Authority (NZTA), Christchurch City Council and Waimakariri District Council (as per the Greater Christchurch Partnership)
- The media
- The general public
- Non-Government Organisations
- Private small and large businesses
- State-owned enterprises
- Local and central government agencies
- Consumer groups
- Various community groups
- Land developers
- Government Ministries (e.g. MfE, MBIE, Health)
- Crown Research Institutes (such as NIWA, GNS, Landcare, Ag Research)
- Industry and business associations
- Universities or tertiary institutes

**Refer to Appendix A** for how Council will engage with Ngāi Tahu.

### 7.3 Stakeholder database management

There will be a central place to record and manage all stakeholder conversations and decisions.

The record and management of mana whenua specific discussions and decisions will be discussed and agreed with the participating mana whenua Rūnanga.

The Isovist submissions management system has been developed for use in all RMA and LGA formal submission processes plus it caters for other general consultation exercises that council may wish to seek comment on.

It provides the public with a web-based portal which enables them to submit online with the option for them to track their submission through the process.

On the internal side, it covers all the processing steps from the formal notification through to the decision. This includes the generation of all required reports and correspondence, assigning submissions to particular members of staff and co-ordinating council response plus the scheduling of hearings.

Council is still investigating options to improve its capacity, capability, and access to public facing engagement tools to complement those already available such as websites and social media. The purpose of these tools will be to increase consultation opportunities for targeted stakeholders and rate payers during the pre-notification stage of engagement and consultation.

## 8.0 High-level engagement methods

The methods used for the different types of engagement will vary depending on the topic, number and range of stakeholder interests, the purpose of the engagement and the stakeholders or communities expectations. The engagement methods are designed to inform the decision making processes.

**The methods identified also provide the opportunity to:**

- Inform the community and stakeholders about the District Plan Review process and how they can get involved
- Generate ideas, opinions, stories
- Form better relationships
- Create a base for future engagement, by being able to access and analyse what stakeholders and communities have already told us
- In discussion with mana whenua, create a specific database of information already provided by Mahaanui Kurataiao Ltd and the Rūnanga through other planning and resource management processes
- Empower the community to form their own views and enable the community to efficiently and effectively share their views.

Engagement methods are the touch points between Council and each stakeholder and the community. They should be seen as ongoing opportunities for the Council to foster relationships between the community, stakeholders and partners.

**Some methods to use include:**

- Workshops with Topic Leads and consultants
- Face-to-face senior level meetings to agree how mana whenua wish to be engaged and on what topics. This may occur through existing forums such as Te Waihora Co-governance Group and Greater Christchurch Partnership
- Hui with participating mana whenua Rūnanga and mana whenua specific focus groups
- Stakeholder Reference Groups to enable regular discussions with different stakeholder groups on specific issues.
- Utilise partners' existing traditional and social media channels
- Proactive communications explaining process and progress consistently through all forms of existing communication including at service centres, call centres, website and across different projects etc.
- Dedicated District Plan Review website displaying information and potential two-way communication
- Online consultant collaboration platform for information sharing
- Stakeholder database to manage records and reporting
- Community meetings
- Workshops with Local Board members and meetings to gather feedback
- Social media including Facebook, YouTube.
- Pop up stalls
- Direct Topic Lead and Consultant-led engagement with stakeholders
- Media releases, community paper stories, advertisements
- Facilitated meetings with targeted stakeholders
- Direct response to any stakeholders that have asked for specific information
- Surveys seeking feedback on process and progress against outcomes

## 9.0 Engagement Risks

High-level engagement risks for the District Plan Review have been identified, associated both with the review process and with stakeholders. The following is a list (not exhaustive) of significant risks that will be regularly reviewed by the District Plan Committee with support from the Council's Communications Team.

Topic Leads will identify and put in place actions to actively manage the risks.



## 9.1 Stakeholder engagement risks

Each stakeholder will need to be engaged with in different ways to meet their needs. Certain methods and approaches will be utilised.

## 9.2 Review process risks:

- Council and staff turnover during District Plan Review
- Overlapping of multiple Council planning processes – conflicting messaging with other key engagement activities being undertaken by or other government agencies or councils
- Local Government Elections will be held during the Plan review process
- Re-litigation of topics already discussed or agreed to by stakeholders
- Disproportionate representation of a particular interest group
- Stakeholders and Key Partners oppose or do not support provisions being put forward
- Budget doesn't deliver principles and outcomes sought for the District Plan Review
- Lack of consistency in engagement across all District Plan Review topics
- Geographic spread of Selwyn District from a peri-urban area adjoining Christchurch to remote alpine environments (there are differences in rural and urban environments, requiring specific engagement approaches)
- Community experience engagement fatigue
- Council assumes what stakeholders believe to be important and how they want to be engaged.
- Breakdown in the relationship between Council and Key Partners (Environment Canterbury and Iwi, and/or Rūnanga)
- The duration of the District Plan Review results in stakeholders being disengaged
- Most people don't want to engage with Council

**Refer to Appendix B** for a detailed list and analysis of District Plan Review process risks and proposed mitigation.

## 9.3 Mitigation of risks

The Implementation Plan will analyse each stakeholder and Key Partner and address any risk associated with these groups with specific methods and approaches. This is to be followed by anyone who is engaging with these groups during the Review process.



## APPENDIX A: How the Council will engage with Ngāi Tahu

The following outlines how the Council will engage with Ngāi Tahu

1. Selwyn District Council is undertaking a review of its district plan under s79 of the Resource Management Act 1991 (RMA). As part of preparing or reviewing a district plan, the Council has specific duties in relation to consultation with Māori through *iwi authorities*.
2. In addition, under Part 6 of the Local Government Act 2002 (LGA), the Council needs to prepare a significance and engagement strategy for any significant activities it undertakes. Under that Act the council has a duty to ensure it provides opportunities for Māori to participate in local decision-making.
3. This paper provides some basic information on engagement with Māori in Selwyn District to ensure the Council meets its statutory obligations under the RMA 1991 and the LGA 2002.
4. This paper:
  - (i) Outlines the consultation obligations for councils with Māori in preparing or reviewing district plans;
  - (ii) Describes *mana whenua* and the *iwi authority*; and therefore who Council must consult with;
  - (iii) Explains Ngāi Tahu's structure; and
  - (iv) Discusses consultation with Māori that are not representatives of *mana whenua*.

### Statutory Requirements for Consultation

5. When preparing or reviewing a district plan the Council has two duties which necessitate consultation with Māori:
  - i. There are specific duties to consult with the *iwi authority* as part of preparing or reviewing a district plan under the First Schedule to the RMA.
  - ii. In achieving the purpose of the RMA, the Council is required to discharge several duties under Part II of the RMA pertaining to the relationship of Māori with the natural resources of the District and the principles of the Treaty of Waitangi. Consultation with *mana whenua* is important to discharge those duties.

### First Schedule

6. There are three specific duties to consult with the *iwi authority* in preparing or reviewing a district plan under the First Schedule to the RMA. These are:

- i. If a mana whakahono a rohe has been prepared between the iwi authority and the local authority it must be complied with (Clause 1A).
  - ii. In repairing or reviewing the plan the local authority must consult with *tangata whenua of the area* who may be affected through the *iwi authority* (Cl 3(1)); and
  - iii. Prior to notification of the proposed plan, a draft of the document must be served on the iwi authority and the local authority must have regard to any advice received on the draft proposed plan (Clause 4A).
7. Clause 3B of the First Schedule to the RMA outlines steps that must be taken by the local authority to discharge its duty to consult with the iwi authority. There is no mana whakahono a rohe between Ngāi Tahu and Selwyn District Council. There is a co-governance agreement for the Te Waihora catchment of which Selwyn District Council is now a signatory; this is discussed below.

## Part II Matters

8. The purpose of a district plan is to assist the local authority to carry out its functions to achieve the purpose of the RMA. The purpose of the RMA is set out in s5 and s6-8 includes other matters which must be discharged as part of achieving the purpose. Those matters include:
- (i) As a matter of National Importance, recognising and providing for the relationship of Māori and their culture and traditions with their ancestral lands, water, sites, wāhi tapu and other taonga (s6(e));
  - (ii) As a matter of National Importance, the protection of protected customary rights (s6(g));
  - (iii) To have particular regard to kaitiakitanga (s7(a)); and
  - (iv) To take into account the principles of the Treaty of Waitangi (s8)).
9. Consultation with mana whenua through their representatives is important to enable the Council to understand and discharge these duties properly in the district plan review.

## Consultation with Mana Whenua & Iwi Authority

10. Local authorities must take into account the principles of the Treaty of Waitangi in carrying out their functions under both the RMA and the Local Government Act 2002. Consultation requirements with Māori sit within the context of the Crown's duties under the Treaty of Waitangi.
11. The Treaty was signed by various Māori chiefs representing whānau or hapū who held mana whenua or customary authority over various areas/takiwā within New Zealand. Consultation in this context is an expression of the relationship between the Crown and its Treaty Partners in relation to the governance of the natural and physical resources of the takiwā.
12. This relationship creates two important points of difference to consultation with other interested or affected parties:
  - i. Mana whenua are not just another interested or affected party; they are the Crown's Treaty partner.
  - ii. The role of mana whenua in decision-making/governance as provide for in Article II of the Treaty – how the council and mana whenua work in partnership, is usually the first matter of interest to mana whenua.

## Mana Whenua

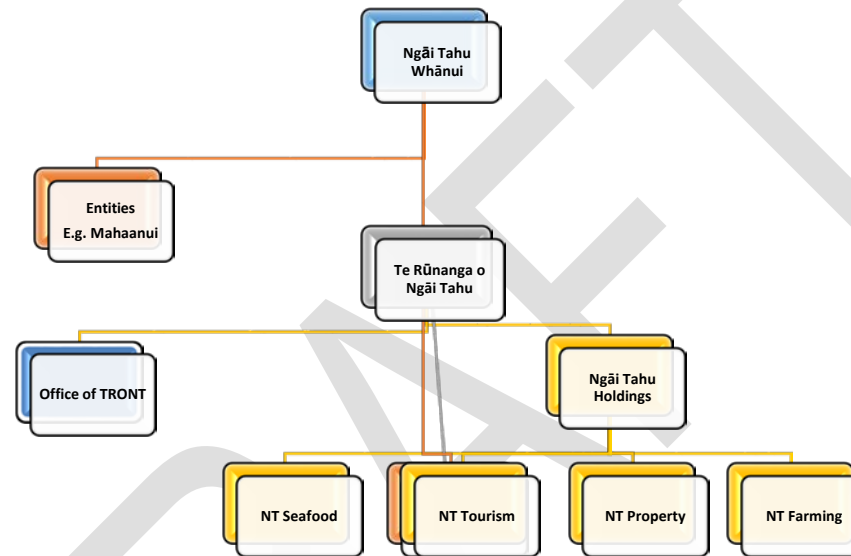
13. Mana whenua are those who hold customary authority over an area. The status of mana whenua is ascribed through a combination of whakapāpā/ ancestral links to an area and ahi kā/continuous occupation of the area. With mana whenua status come the duties and responsibilities of *rangatiratanga* (leadership/sovereignty) and *kaitiakitanga* or the duty to sustain the natural resources of the area.
14. In accordance with *tikanga*/Māori tribal custom only those Māori who hold mana whenua over an area have customary authority to speak on the governance of the area and its resources. Other Māori may be tangata whenua – people of the land, but they may not be mana whenua.

## Ngāi Tahu – Structure & Representation

15. Ngāi Tahu is the collective name given to the whānau and hapū of the South Island who share a common ancestry. Today, Ngāi Tahu are made up of five primary hapū: Ngāti Kuri, Ngāti Irakehu, Ngāti Tūāhuriri, Kāti Huirapa and Ngāti Te Ruahikihiki.

16. The first recorded tribe to settle in the South Island were Waitaha. In the seventeenth century the Ngāti Mamaoe tribe arrived in the South Island and established themselves by conquest, settlement and intermarriage, followed by Ngai Tahu in the eighteenth century.
17. Te Rūnanga o Ngāi Tahu (Te Rūnanga) is recognised as the iwi authority over most of the South Island as set out in the Te Rūnanga o Ngāi Tahu Act 1996; and as the representative of those who descend from the tribes of Ngāi Tahu, Ngāti Mamoe and Waitaha.
18. Te Rūnanga o Ngāi Tahu Act 1996 (s5) also describes the takiwā of Ngāi Tahu: which includes the entire South island south of the southern point of Cloudy Bay north of White Bluffs and Belvedere Peak in the Nelson Land District, Stewart Island and several southern off-shore islands.
19. The structure of Ngāi Tahu is shown in Figure One. The apex or pinnacle of the Ngāi Tahu structure is Ngāi Tahu whānau represented through their rūnanga. Te Rūnanga o Ngāi Tahu is the collective representation of 18 papatipu rūnanga (ngā rūnanga). The 18 papatipu rūnanga and their respective takiwā are described in the Te Runanga O Ngāi Tahu (Declaration of Membership) Order 2001.
20. Papatipu rūnanga represent those who hold mana whenua over various parts of the Ngāi Tahu takiwā. Papatipu rūnanga operate in a similar way to a local council, with elected office holders and monthly meetings.
21. Te Rūnanga is obliged to consult with nga rūnanga in forming a position on any matter (s15 TRoNT Act 1996). In practice, Te Rūnanga encourages local authorities and other Crown agencies to consult directly with the relevant papatipu rūnanga on local matters. Te Rūnanga represents Ngāi Tahu in negotiations with the Crown, deals with tribal matters, and supports nga rūnanga when requested by ngā rūnanga to do so.

**Figure One: Ngāi Tahu Structure**



22. The papatipu rūnanga who represent those who hold mana whenua over areas within the Selwyn District are *Te Ngāi Tuahuriri Rūnanga* and *Te Taumutu Rūnanga*. Where papatipu rūnanga have overlapping takiwā, they may have agreements for how to manage this. Local authorities should engage with all relevant papatipu rūnanga unless directed otherwise by nga rūnanga or their entity.
23. Ngāi Tahu has a variety of commercial interests, whose companies sit under the structure of Ngāi Tahu Holdings Ltd. These companies are regular commercial entities, whose shareholders are Ngāi Tahu. The companies have a mandate for how they operate which is approved by their Boards and in some cases mana whenua advisory groups help the Boards to develop their operational mandates; but the companies are not mana whenua and are not the iwi authority.
24. From time to time Ngāi Tahu companies may make submissions on plans or other local authority policy in the same way as any other commercial company. Ngāi Tahu endeavours to ensure consistency between the views of its companies and mana whenua wherever appropriate, and often make a joint case in submissions on regional or district plans; eg Canterbury Land and Water Regional Plan and the Christchurch Replacement District plan.

### **Mahaanui Kurataiao Ltd**

25. Mahaanui Kurataiao Ltd is an environmental consultancy company owned by six papatipu rūnanga of Canterbury; including Te Taumutu Rūnanga and Te Ngāi Tūāhuriri Rūnanga. Mahaanui Kurataiao Ltd works with a variety of Crown agencies and private companies working with natural and physical resources, and who need to consult with mana whenua or incorporate mana whenua values and interests into their work. The company also facilitates consultation with mana whenua and helps their clients to interpret and accommodate the feedback into proposals where appropriate.
26. The company works on behalf of its shareholder rūnanga, but also works on behalf of other rūnanga and Te Rūnanga as contracted by these entities. In some cases, Mahaanui Kurataiao Ltd is mandated to make the response on behalf of mana whenua and in other cases to facilitate the response. The company also ensures co-ordination between mana whenua response and any response Te Rūnanga may be required to support or endorse as the iwi authority.
27. Mahaanui Kurataiao Ltd also provides training programmes for a variety of professionals working in areas where engagement with Ngāi Tahu or incorporating mana whenua values and interests is needed. Mahaanui Kurataiao Ltd also acts as a general planning and environmental consultancy with a number of private clients, including some of Ngāi Tahu's development companies.

### **Te Waihora Co-Governance Group**

28. Te Waihora (Lake Ellesmere) is a tribal property, with the ownership of the bed of the lake vested in Ngāi Tahu as part of the Ngāi Tahu Claims Settlement Act 1998. In 2012 Ngāi Tahu signed a co-governance agreement with Environment Canterbury in relation to the management of the Te Waihora Catchment, in recognition of its cultural significance. In 2013 Selwyn District Council became a party to that agreement.
29. The Co-governance Agreement does not include specific details around the process for involving the co-governance group in plan preparation and review for the catchment. In relation Plan Change 1 to the Canterbury Land and Water Regional Plan, the Environment Canterbury planning team reported to the co-governance group in the same way as the Canterbury Regional Council; and planners working for Ngāi Tahu had a greater involvement in the plan drafting than had been the case in other catchments to date. However, there was no joint decision-making in relation to the plan drafting.
30. The six papatipu rūnanga who represent those who hold mana whenua over Te Waihora/Lake Ellesmere are all mandated by Mahaanui Kurataiao Ltd. Therefore, it is suggested that Mahaanui Kurataiao Ltd assist the Council with developing a suggested consultation strategy for mana whenua, Te Rūnanga as the iwi authority, and the Te Waihora Co-governance Group.

### **Consultation with Māori who are not Mana Whenua**

31. Not all Māori who live in an area are mana whenua. Mana whenua are those who descend from the whānau and hapū who hold mana whenua (customary rights) within the area. In some cases Māori who whakapa to other hapū or iwi may be living or working in an area.
32. Ngāi Tahu endeavours to support and include the values of descendants of Waitaha when developing their views and positions on all matters as the iwi authority, as set out in the Te Rūnanga o Ngāi Tahu Act 1996. In some communities there are descendants of Waitaha who do not consider themselves represented by Ngāi Tahu.
33. In preparing and reviewing its district plan, a local authority may consult with any party whom it deems is affected; and any person may make a submission on a proposed plan. Māori who are not mana whenua or who do not feel represented by Ngāi Tahu can be consulted by the Council as an interested party and may make a submission on a proposed plan, the same as any other individual or group within the community. However they are not the iwi authority and their views cannot be considered to represent those of the iwi authority.

## APPENDIX B: Review Process Engagement Risks Analysis

The following describes the procedural risks associated with the District Plan Review and mitigation approaches.

### Engagement risk key

	Consequence				
Likelihood	Insignificant (1)	Minor (2)	Moderate (3)	Major (4)	Catastrophic (5)
Frequent (5)	5	10	15	20	25
Often (4)	4	8	12	16	20
Likely (3)	3	6	9	12	15
Possible (2)	2	4	6	8	10
Rare (1)	1	2	3	4	5



Risk	Level of risk	Likelihood	Why is this important?	Mitigation approach	Risk Owner
Overlapping of multiple processes	4	3	Can create confusion and stakeholder fatigue	Consistent messaging across all processes on the role of Council, different tools available and when communities can input into them (e.g. Strategic Plan, Long term Plan, District Plan, and Annual Plan)  Assess project timelines to highlight opportunities for innovation across the ongoing engagement activities	Communications & Engagement Team
Length of time for District Plan Review resulting in stakeholders who are not engaged	4	4	Engagement fatigue, image of Council and council processes, engagement conversations are forgotten  Changing views or input from stakeholders throughout the process	Managing stakeholder records, including context around questions asked will be important.  Structure early engagement within smaller test environments so as not to raise expectations.  Use third parties (e.g. associations) to enable the 'bigger' conversation to help build your evidence base.  Manage time to start a conversation with impacted parties and broader community to manage timeframes.	Communications & Engagement Team
Council and staff turnover could occur during a lengthened timeframe, particularly with the election cycle	4	4	Loss of stakeholder relationship. Potential loss of records of events	Stakeholder tools to manage records  Internal record-keeping processes	District Plan Team and Project Manager

Risk	Level of risk	Likelihood	Why is this important?	Mitigation approach	Risk Owner
Re-litigation of topics already discussed or agreed with stakeholders	3	3	Efficiency of process Engagement fatigue and reputation	Any engagement undertaken should look to build on recent engagement activity undertaken. Steps have been taken to document who has been engaged in what in recent years. This could include recent engagement on the development of Central Government Legislation, Selwyn 2031, Area Plans, Plan Changes and Land Use Recovery Plan 27.  Setting up a process and database to record all stakeholder information.	District Plan Team Topic Leads
Dealing with rural and urban divide	4	4	Communities throughout Selwyn have specific priorities	Topics/information will be tailored and targeted	Topic Leads/Comms Team
Lack of community interest in engaging in the District Plan Review	4	4	Representative	Aim to deliver engaging content, specific and relevant questions, fun events  Involve Councillors in engagement, so the community can talk with their representative	Engagement and Communications Team
Disproportionate representation of a particular interest group	3	2	Perceived fairness in feedback/hearing process	Push out engagement into the community, using existing and targeted events across the district	Engagement and Communications Team Topic Leads

Risk	Level of risk	Likelihood	Why is this important?	Mitigation approach	Risk Owner
Local Government Elections will be held during the Plan review process.	4	5	DPR could inadvertently be debated during election period	Timeframes for the DPR process have been changed to allow for election period to run without the pressure of the DPR process	All Council
Stakeholders and Key Partners are opposing or not supporting provisions being put forward.	4	2	Key Collaborators will help ensure the Review process is successful	Early development of a shared understanding of the topics that pose a risk to the review process Agree relationships and the current level of involvement with Ngai Tahu and Environment Canterbury as Key Collaborators	Topic Leads District Plan Review Team
Budget available to deliver principals and outcomes sought for the District Plan Review	4	3	To review the District Plan successfully and achieve objectives	Strong agreement of the outcomes you want to achieve. Agreement of the opportunity for engaged communities and stakeholders delivering cost savings during the hearing process	DP Steering Group
Consistency in engagement across Topic Leads	3	3	Consistent messaging will avoid public confusion	Develop an engagement template to encompass the engagement strategy principles	Communications & Engagement Team
Community experience engagement fatigue	4	3	The general public needs to understand the importance of being involved in the process	Engagement to follow on from success of Annual Plan process where the Council took the engagement to where the community was	Communications & Engagement Team
Topic Leads are not ready to engage with wider communities	4	2	This would stymie the Review process	Early identification of issue around each topic and decisions from the District Plan Committee on how to deal with timing to take the conversation out to the community	Topic Leads DP Team

Risk	Level of risk	Likelihood	Why is this important?	Mitigation approach	Risk Owner
Council assumes what stakeholders believe to be important and how they want to be engaged.	3	2	Options are developed using assumed and untested lack of buy into decisions and excess time having to revisit assumptions made	Early testing of assumptions, issues and process with stakeholders	All Topic Leads
The relationship between Council, Iwi and Rūnanga	5	2	Iwi and Rūnanga will want to engage in a process that will influence land use decisions, resource use and the impact on the natural environment. Relationships and willingness to engage to build lasting relationships will influence how Rūnanga will engage in the Review	Confirm places on the District Plan Committee, input into the decision making during formal consultation process. Ensure Topic Leads take the time to refer to existing plans and policies – interpret and test these with Iwi/Runanga	Chief Executive Managers Topic Leads and consultants
Most people don't want to engage with us	4	3	Want to get a relevant cross section of Selwyn inputting into the District Plan. The plan outcomes could be skewed	Target messages to specific communities in Selwyn	DPR Team Communications & Engagement

## 12. Feedback on National Planning Standards

Author:	Jessica Tuilaepa, Strategy and Policy Planner
Contact:	347 2974

### Purpose

To provide the Committee with an update on the National Planning Standards and a copy of the feedback provided by the DPR Project Team to the Ministry for the Environment.

### Recommendation

- **That the Committee notes the presentation and the feedback provided to MfE**

### Attachments

- PowerPoint: National Planning Standards
- Feedback to the Ministry for the Environment

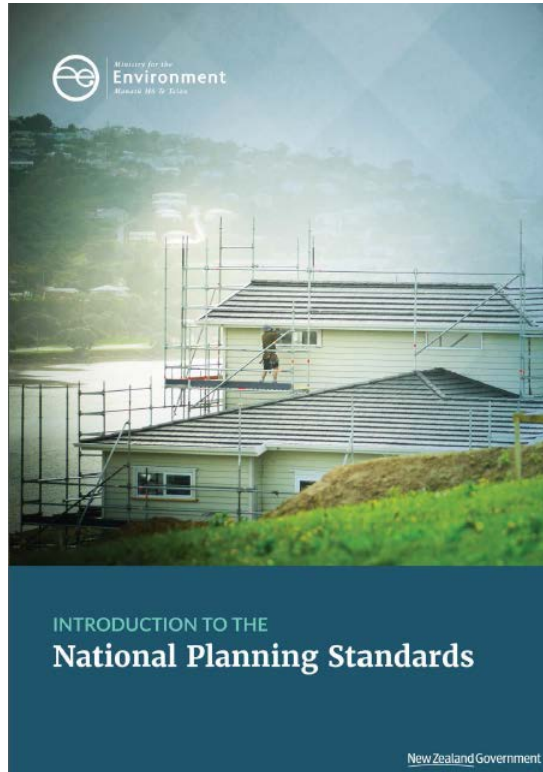
# The proposed Selwyn District Plan

94



National Planning Standards  
Presentation by Jessica Tuilaepa

# What this presentation will cover:



1. SDC Feedback to MfE
2. MfE Pilot Programme
3. Next steps



# Summary of Feedback

- SDC provided feedback to MfE re the discussion documents.
- Submission main points related to:
  - *Timeframes for implementation*
  - *Structure and Content*
  - *Zones*



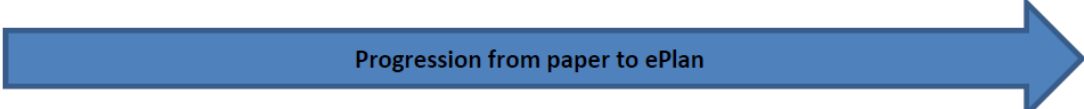


# National Planning Standards

- MfE spent August reviewing feedback
- Currently in the drafting and test phase
- SDC are part of pilot programme which means we get 'inside' information as to what format the standards may take.



# ePlanning

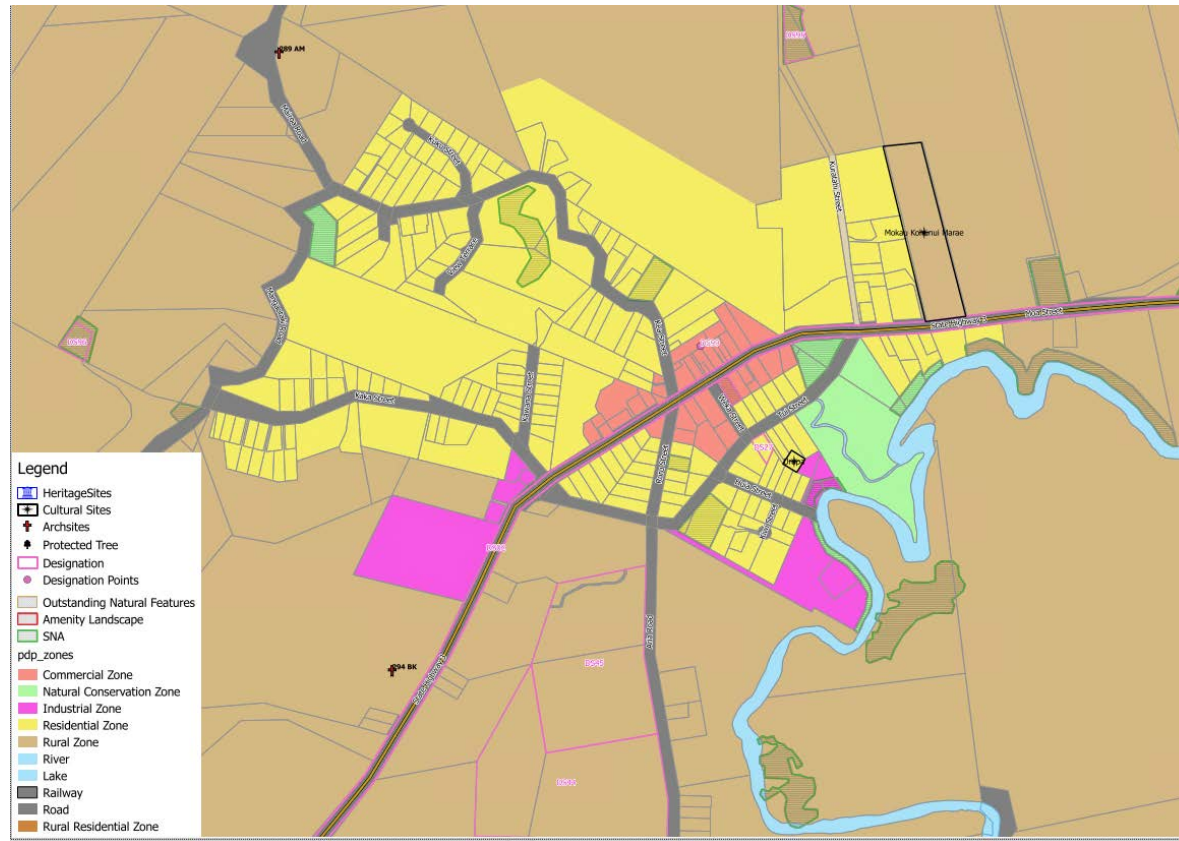
eAbility scale for delivery of RMA plan							
Paper based RMA plan, maps and diagrams often supplied as an Appendix.	Text and spatial representations such as maps of RMA plan displayed in static flat PDF in separate non hyperlinked linked chapters.	PDF maps of the spatial elements of the plan with online PDF text (key word searchable) of plan accessed within 2 clicks of home page.	Online HTML text plan hyperlink back to (not embedded) basic function GIS viewer	Higher function GIS system linking back to formatted HTML text of the plan. Often referred to as WebMap.	GIS system at the core of ePlan. Fully digital ePlan allowing click to drill through different map layers and specific rules that apply to particular properties or activities and infrastructure services.	ePlan linked with online consent provision and plan change submissions route. ePlan link to various information provided as part of a LIM and earthquake resilience information.	<i>Future innovation</i>
0	1	2 Minimum*	3	4	5 Mature*	6	7
							

\*denotes the approximate point of the Minimum and Mature Standards set out in the MfE recent eDelivery discussion paper.

- SDC District Plan already a '5' and moving towards being a '6' before standards are gazetted.



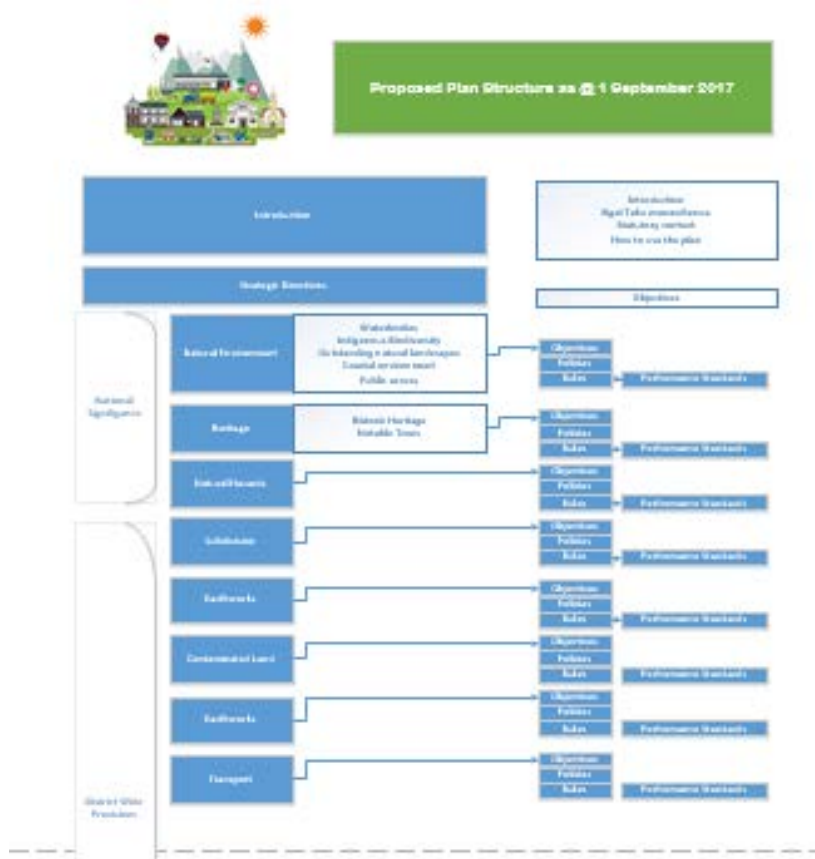
# Proposed Mapping Standards



- Standardised colour Palette and commonly used Icons
- Asking our in house GIS to mock up SDC maps based on the proposed standards.



# Proposed Plan Structure



- Format has progressed since last presentation.
- No need to separate Section 6 and Section 7 matters
- In process of updating plan framework diagram to reflect changes



# Proposed Rule Format

4.5.2 Tree planting, shelterbelts and forestry activities	
<p>Rule 4.5.2.(a)</p> <ul style="list-style-type: none"> <li>Harvesting of plantation forestry; and</li> <li>Tree planting.</li> </ul> <p>Where these activities comply with all the zone rules.</p>	Permitted Activity
<p>Rule 4.5.2.(b)</p> <p>Activities in 4.5.2(a) that would be permitted but do not comply with the following rule:</p> <ul style="list-style-type: none"> <li>4.5.7.22 Harvesting of plantation forestry.</li> </ul> <p>Matters over which Council reserves its control are:</p> <ul style="list-style-type: none"> <li>Effects on adjacent properties; and</li> <li>Effects on infrastructure and utilities; and</li> <li>Effects on water bodies as a result of potential tree fall and/or harvesting.</li> </ul>	Controlled Activity
<p>Rule 4.5.2.(c)</p> <p>Activities in 4.5.2(a) that would be permitted but do not comply with the following rule:</p> <ul style="list-style-type: none"> <li>4.5.7.23 Tree planting (Plantation or shelterbelt)</li> </ul>	Restricted Discretionary Activity

- Rules set out in a table format
- Activity status clearly defined in separate column
- Numbering conventions still to be determined

*\*text is to demonstrate format only and is not an accurate reflection of proposed rule wording*





# Proposed Spatial Planning Tools



Figure 27: Kidman Street looking southwest over the Park and Ride facility, Council buildings and reconfigured Primary School site

- Zones
- Overlays
- Precincts
- Specific Controls
- Approved plan 'areas'
- Designations



# Next steps



- Provide additional comments to MfE on the information they have provided through Pilot Programme.
- Updating our plan framework and drafting protocols with what we know so far
- Eagerly awaiting updates from MfE on definitions, zones and metrics.



Thank you!

Any Questions?





# Feedback to the Ministry for the Environment

## National Planning Standards Consultation 2017

### Summary:

1. Selwyn District Council (SDC) acknowledges the intent of the National Planning Standards but like other Councils questions whether the benefits of greater consistency will outweigh the implementation costs.
2. SDC appreciates the opportunity to provide comment on the key elements of the first proposed set of National Planning Standards.
3. This feedback has been prepared by Selwyn District Council, who are subject to specific functions and responsibilities under the Resource Management Act 1991 (RMA) and the Local Government Act 2002 (LGA).
4. SDC acknowledges the intent of the first set of proposed National Planning Standards is to provide a clear national direction for the core structure elements of RMA plans, which has been lacking in the past and has resulted in a noticeable variation in Plan consistency across New Zealand. However, SDC is unsure if the benefits of increased consistency will outweigh the implementation costs of the Standards (based on the format they appear to take having read all the discussion documents).
5. SDC wishes to emphasize the potential complications of making existing plans consistent with the National Planning Standards and the impact that this may have on existing planning priorities. The pending decision on timeframes (for the implementation of the standards) has the potential to slow or even stall existing work. This of course is dependent on how different an existing plan is from the Standards. The process of adjusting an existing plan, while preparing a proposed plan, which will be in-line with the National Planning Standards in our opinion, would be a waste of time, resources and money.
6. SDC believes that decisions on how and when to implement National Planning Standards should be guided, at least in part, by the needs to do so cost effectively, with minimal disruptions to existing planning processes and should balance the need for public participation.
7. SDC invites the Ministry to discuss further the development of the National Planning Standards and are already a willing participant in the Ministry's Pilot programme.
8. SDC's analysis of the discussion papers for our District has identified several key areas of interest. Whilst having answered all questions raised by the Ministry for the Environment (bar those specifically directed at regional councils) (attached as **Appendix A**), SDC would like to provide additional feedback focusing on the following issues:
  - *Timeframes for implementation*
  - *Structure and Content*
  - *Zones*

### Timeframes for implementing National Planning Standards

9. SDC acknowledges the creation of National Planning Standards is a response to the lack of national direction in this area, which has resulted in significant variation between RMA planning documents across New Zealand. Whilst the intention is supported, given that a number of councils have already completed, or like SDC, are in the process of developing a Second Generation Plan (which is a costly process in itself), the implementation costs associated with National Planning Standards (including the costs required to retrofit an existing plan) may outweigh the net benefits that greater national consistency could provide.
10. SDC is in the initial stages of developing a plan framework as part of the District Plan Review process, which will be modelled on 'preferred' Option 2 until an official structure is confirmed. The Council has also recently restructured the timeline of the review to ensure that our proposed plan will not be notified until after the proposed National Planning Standards gazettal date of April 2019, thus ensuring that those matters subject to the Standards are not open to the formal submission process that is associated with a District Plan Review.
11. However, SDC remains concerned about the time and cost it may incur if required to retrofit the current operative plan to meet the National Planning Standards until such a time that the proposed plan becomes fully operative. If the current Selwyn District Plan is used as an example, it was first notified in 2008 and did not become fully operative until 2016.
12. SDC is also aware of the need to align its planning processes with those of the Regional Council and requirements for them to retrofit Plans, could have unforeseen impact.
13. SDC requests that where a mandatory direction for a National Planning Standard is issued, that the timeframes for amending plans is specified in the Standard itself, however, where substantive changes to plans are required some form of discretion or a process to apply for a timeframe extension would be desirable. Having the ability to align substantive changes with a Council's existing work programme and priorities (e.g as part of a plan change process), may assist with reducing the cost of implementing the National Standard to ratepayers.

### Structure and Content

14. SDC supports a Zone/Topic Combination approach to plan framework. Preferred 'Option 2' will allow a plan user to easily determine which provisions are zone specific and which apply across the District. The Objectives and Policies are in a prime position to set the scene for the rules and the performance standards are easily accessed to help plan users determine whether a resource consent is required. The combination Zone/Topic approach better provides for activities that are not anticipated in a zone, but may still be appropriate, subject to assessment against a predetermined set of criteria.
15. Option 2 also lends itself well to being in an electronic ePlan format, with the ability to hyperlink reference material to where it is most relevant in the plan, without the requirement of having it written multiple times throughout the Plan.
16. The Option 2 structure allows councils to include Strategic Objectives and Policies that would apply to the entire District, which outline its aspirational environmental outcomes. This inclusion would reduce the risk of the 'policy story' becoming fragmented. As mentioned above, the ePlan's ability to easily reference other areas of the plan will ensure the storytelling ability of the District Plan is not diminished. SDC does not believe it is necessary for the Ministry to draft generic Objective, Policies and Rules for the more common zones. The reason that 'reasons for the rules'

and other explanatory notes/guidance can be removed from the Plan is because the Objectives and Policies will be more explicit than previous plan drafting. They will provide clear reasoning/guidance for why rules have been included in the Plan.

17. Proposing generic Objectives, Policies and Rules in the hope to reduce the amount of work for councils will not be beneficial in our opinion, as further work would be required to tailor specific objective, policies and rules to the context of each zone regardless. If some form of (non-mandatory) guidance was provided instead that suggested ways to successfully word objectives, policies and rules, then this could be beneficial to councils, especially smaller ones with minimal resources.

## Zones

18. SDC has some concerns with the lack of variety in the proposed suite of Zones. Whilst the approach to provide a wide range of zones for Councils to 'pick and choose' from is supported, the 'menu' contained in 'Option 3' does not suit the needs of SDC. If more zone options were provided then there would be sufficient flexibility.
19. The inclusion of a Maori Purpose and/or Papakainga Zone, a Larger Lot (low density) Residential e.g. 2500m<sup>2</sup> to 5000m<sup>2</sup> lots that are in townships and do not lend themselves to either the proposed residential or rural residential definitions and a Mixed Education/Research/Commercial type Zone would be beneficial to SDC. If it is the intention of these types of activities fall within 'sub-zones' then further clarification surrounding this is requested.
20. SDC is also concerned that the generic descriptions of zones could be problematic for smaller councils. SDC currently has a 'higher density/comprehensive' zone, but the density is much lower than the proposed zone description expects. High rise apartment buildings do not suit the Selwyn context, but there is a need to provide for 'higher' density housing therefore the 'wording' of the proposed zones may need reworking to suit smaller urban areas.

### For Further enquiries:

**Please contact:** **Jessica Tuilaepa – Strategy & Policy Planner**

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**Email:** [Jessica.tuilaepa@selwyn.govt.nz](mailto:Jessica.tuilaepa@selwyn.govt.nz)

# Appendix A:

## Selwyn District Councils responses to questions raised in the National Planning Standard Discussion Document.

The following comments are structured to follow the pattern of questioning in each of the discussion documents.

### Introduction to the National Planning Standards

Ministry for the Environment. 2017. *Introduction to the National Planning Standards*. Wellington: Ministry for the Environment.

No questions were raised in this first discussion document which outlines the reasoning National Planning Standards are deemed required. Reference is made in the document to a Pilot programme where Councils are trialing the draft standards. Selwyn is one of these 20 Councils already signed on to the trial, SDC are one of the 20.

### District Plan Structure

Ministry for the Environment. 2017. *National Planning Standards Discussion Paper B – District Plan Structure*. Wellington: Ministry for the Environment.

**B.1 Do you agree with the framework and matters addressed for plan structure identified in table 1?**

Yes.

**B.2 Do you agree with the terminology used to describe each category?**

Yes.

**B.3 Are there other elements that strongly influence district plan structure?**

Yes – Submissions on District Plan reviews and private plan changes.

**B.4 Do you prefer a topic, zone or combination approach? Why?**

A combination approach - in some situations it will be easier for plan users to determine activity status based on zoning, however the use of topics works well for standards that apply district – wide as it reduces repetition and ease of interpretation.

**B.5 Do you agree or disagree that the combination plan approach provides the best balance of certainty and flexibility?**

Agree.

**B.6 Should plan provisions be organised by provision type, or by topic or zone ? Why?**

There is an argument for both approaches and there should be flexibility in this space. Preference would be combination of a zone and topic based plan (i.e. Option 2 of Plan Structure discussion, Question B.9). However, if we are to remove 'reasons for the rules' and other explanatory features then it makes sense to have all rules flowing on from the specific objectives and policies to which they relate.

**B.7 Do you think occasional and professional plan users have different structure preferences?**

Yes, depending on their reason for looking at the plan. But as long as the plan content is easily interpreted and simple to locate then structure should be a main matter for concern, especially if an ePlan format can be more intuitive and include a search engine functionality (akin to a Google search)

**B.8 How should these needs be reconciled?**

EPlans provide a good way forward, particularly where options to search both by using the 'content's page feature or a built in search function.

Having the definitions clearly accessible at the 'front of the plan' would help ensure that plans users are aware of how their proposed activity is defined in the plan and which rules are therefore applicable.

**B.9 Which option do you prefer, and why?**

Option 2. The plan user is easily able to determine which provisions are zone specific and which apply across the District. The Objectives and Policies are in a prime position to set the scene for the rules and the performance standards are easily accessed to assist plan users determine whether a resource consent is required or not.

The combination Zone/Topic approach provides more easily for activities that were not anticipated in a zone, but that may still occur with acceptable environmental impacts; subject to a predetermined set of criteria.

Option 2 also lends itself well to being in an ePlan format, with the ability to hyperlink reference material to where it is most relevant in the plan. This avoids the requirement of having it written multiple times throughout the Plan.

The Option 2 structure, allows Councils to include Strategic Objectives and Policies that would apply to the entire District, which outline the anticipated environmental outcomes for said District. This inclusion would reduce the risk of the 'policy story' becoming fragmented by pursuing Option 2's structure. As mentioned above, the ePlans ability to easily reference other areas of the plan will ensure the storytelling ability of the District Plan is not diminished.

**B.10 What level of plan element and plan structure detail should the National Planning Standards specify?**

Requiring councils to separate provisions into those that apply 'District Wide' vs those that apply 'in Zone' would be more beneficial than requiring councils to distinguish between those matters that are nationally significant or not, because there is often overlap between these matters.

The DPR Project Team has tried to insert the draft Plan Framework into the Option 2 format, and as a result, we can see the benefits of having an overarching framework which distinguishes between provisions that apply only within specific zones and those that apply across a district. However, there is a lack of direction as to where district wide matters that aren't specifically related to amenity should sit and SDC have currently classified them as 'Other District Wide Matters'. We have also created a sub-section between the District Wide nationally significant matters and amenity matters for Energy and Infrastructure. Without having seen an entire District Plan 'drafted' in the proposed format for all Options 1-3 it is difficult to determine how each may function.

If the National Planning Standards are to specify plan elements and structure details, this should be at a reasonably high level, to ensure consistency of plans across New Zealand, but still allow councils the flexibility to make changes appropriate to the local context. For example, the Selwyn District Plan is required to include provisions catering for the development of temporary workers accommodation up until 2022, as part of the recovery from the Christchurch earthquakes. This isn't exactly an amenity matter, nor is it a nationally significant one. National Planning Standards should confirm to what degree councils are able to adjust the planning framework to suit the local context and/or relevant legislation.

**B.11 Which option would be easiest for your plan to convert to?**

We are at the beginning stages of determining our proposed plan framework as we progress through our district plan review process. We have taken onboard the information recorded in these discussion documents and are proceeding with proposed Option 2 in mind. All options could be of similar effort to convert to, however, changing the entire plan through a Schedule 1 process to be in line with the requirements of the National Planning Standards could inadvertently open the process up to unexpected roadblocks (e.g. appeals).

**B.12 Is 12 months an achievable timeframe within which to change your plan into a different structure? If not what would be required (eg 2 years, 5years, when you undertake a full review?)**

It depends. If the changes are mandatory and plan changes can be processed without input from the public 12 months (i.e. utilising Section 55(2A) of the Act) may be a suitable time frame. Staff capacity and budget also need to be factored in.

Confirmation is required from The Ministry as to if existing District Plans need to be updated to comply with the Standards, even if a Council is progressing with a District Plan review, the end result of which would be full compliance with the National Planning Standards. If both existing and proposed plans are required to comply this will potentially blow out timeframes

and be nonsensical to potentially open an existing plan which is soon to be obsolete up to submissions.

**B.13 If not how long do you estimate it would take? Can this be achieved with existing staff resources?**

We are in a District Plan Review process, which realistically may take longer than 12 months to get the proposed content into the new National Planning Standards structure. The Council does not see the point of retrofitting an old plan that will not be in use much longer. The question remains of whether the standards may possibly require it?

**B.14 What percentage of your plan would need to go through a separate plan change process?**

See comment above.

## Zones and overlays

Ministry for the Environment. 2017. *National Planning Standards: Zones and overlays – spatial layers in plans: Discussion paper C*. Wellington: Ministry for the Environment.

*Questions C1 – 3 related to regional plans and therefore SDC has opted not to provide feedback.*

**C4 To what extent does Option 3 provide sufficient flexibility for all councils?**

The approach to have a wide range of zones that would suit larger Councils leaving the ability for smaller Councils to pick and choose makes sense, but the list contained within 'Option 3' does not suit the needs of Selwyn District Council. If more zone options were provided then there would be sufficient flexibility.

It is worth noting that the generic descriptions could be problematic for smaller Councils, as the context of a term or zone description will differ. Selwyn currently have a 'higher density/comprehensive' zone, but the density is much lower than the proposed zone description expects. High rise apartment buildings do not suit the Selwyn context, but we do require the ability to provide for 'higher' density housing (in the Selwyn context), therefore the 'wording' of the proposed zones may need reworking to suit non-metropolitan Councils.

**C5 Is there a suitable range and number of zones?**

Yes and No.

Yes, as in having a variety of Residential, Rural, Commercial and Other zones is a great idea, but also No, because as indicated above, there are several 'zone types' that Selwyn currently have or are thinking about introducing as part of the District Plan Review which do not fit within the current zone options.

With the ability to have a list to pick and choose from, it makes sense to provide a larger list so that all councils are satisfied.

**C6 Are there other frequently used zones that should be provided?**

- Maori Purpose and/or Papakainga Zones
- Larger Lot (low density) Residential e.g. 2500m<sup>2</sup> to 5000m<sup>2</sup> lots that are in townships and do not lend themselves to either the proposed residential or rural residential definitions.
- Mixed Education/Research – Lincoln Hub is a joint project between Lincoln University, the Crown Research Institutions and others to develop a centre of excellence for agri-tech and agricultural research. It is currently under development in the Selwyn District and the education and other zone descriptions do not fit the proposal since it is neither purely educational nor purely commercial in character.

**C7 How compatible is this option with the plan you work with most often?**

The National Planning Standards propose fewer residential zones than the current Selwyn District Plan (SDP), yet more Rural zones. The SDP does not presently have Open Space or Special Purpose Zones. All Commercial and Industrial Zones are currently classified as Business Zones under the SDP. Selwyn District also has a strong strategic planning framework in place and one aspect of this strategic focus is an Activity Centres network across the district. The terms describing these centres (e.g. Key Activity Centre, Rural Activity Centre) lend themselves to also being zone names for simplicity and consistency across documents but do not align with the zone names suggested.

**C8 What problems do you anticipate could occur from applying these zone options?**

With such a generic definition for ‘residential’ what happens to nonresidential activities such as churches or home based occupations that may want to establish in residential areas? For example Rural Settlements have the ability to have ‘business’ activities, to an extent. This approach may be appropriate in residential areas.

As mentioned above, the densities prescribed in the wording of the definitions for each zone may limit non-metropolitan Councils from being able to use them, when they would otherwise be the most suitable alternative (e.g. high density). For example a high density residential zone in Selwyn is 15 households to a hectare, well below the anticipated densities for high density residential zones in the Metropolitan areas.

Private Plan Changes that seek to provide for particular projects and activities but which do not fit the proposed zone options.

**C9 For what matters should zones be used, as opposed to an overlay or other spatial layers (eg, sub-zone), and why?**

**Zones** should be used to indicate what activities are most appropriate in certain areas.

- Where businesses and/or specified activities can establish
- Where dwellings can be erected
- Where and to what scale subdivision is appropriate

**Overlays** should be applied to:



- Sensitive landscape areas
- Precincts within Business areas
- Special character areas/sites
- Natural Hazard and Flood Areas

**Spatial Layers/Sub Zones** should be applied to:

- Heritage Areas
- Significant Natural Areas
- Scheduled Sites
- Education and/or Research
- Local and/or Neighbourhood Centres
- Tourist Resorts
- Rural based Industrial Sites/Areas

By way of an example we currently have an observatory zone over West Melton that restricts lighting levels to allow the observatory to operate effectively, there are lighting rules which apply only to this area, this would probably be an 'overlay' instead of a subzone.

We also have three Dairy processing Plants in the District, two are within the rural zone and one in the business zone. Different rules apply to these Processing Plants than on the adjoining rural and/or business zoned. In this situation a subzone to differentiate these areas from the wider zone within which they sit would be helpful.

The district plan provides for a Precinct approach to the district's larger Town Centres at Rolleston and Lincoln townships . Under this approach different activities and building standards are provided for in spatially defined areas of the town centre. This is intended to achieve different environmental outcomes for these defined areas consistent with the outcomes of the Rolleston Town Centre Plan and the Lincoln Town Centre Plan, developed by the Council under the LGA.

The benefit of these approaches is that there is more clarity to plan users about what is permitted where within these key town centres.

**C10      Should zones have names that more accurately reflect the type of building expected, similar to the approach adopted in the Auckland Unitary Plan (e.g., single house zone, terraced house and apartment zone, mixed housing suburban zone)?**

No, this does not seem necessary for Selwyn, unless this was the only way to ensure that 'higher' densities is context derived, in which case a terraced house and apartment zone may be appropriate. Also higher densities need not only be delivered solely by terraced houses or apartments across a whole zone. These building type descriptors are perhaps best suited to overlays or subzones within a high density zone where site specific outcomes are desired.

**C11      What timeframe do you think is achievable to change your plan into a different zone framework? (E.g. 2 years, 5 years?)**

We are currently in the process of undertaking a full review of the Selwyn District Plan. It is our intention to develop the new plan as closely as practicable to the preferred options currently outlined in the National Planning Standards Discussion Documents, until they are confirmed. Taking into account the timeframes for the National Planning Standards to come into effect and the notification/submission/hearings/decision process a Plan Review is subject to, allowing councils up to 5 years (from the date the National Planning Standards are gazetted) to implement the Standards in full seems an appropriate amount of time. Especially, if councils are expected to update any existing Plan to be in line with the Standards while a new plan is under development.

**Questions: Sub-zones**

**C12 Is there a better way to address, categorise and consider these matters?**

This would be situation specific. At a generic level, the inclusion of sub-zones to manage specific matters seems appropriate. In the Selwyn District we have a number of 'Precincts' within the Key Activity Centre of Rolleston, where the rules are geared to allow different types of activities to establish in specific areas. Using sub-zones in the future will ensure we are still able to manage the distribution of activities and built form outcomes across a zone such as a town centre. Providing for them as a 'sub-zone' means they will be more easily defined on GIS maps.

**C13 What types of sub-zones could be standardised (eg, noise controls, building height)?**

Building height and noise restriction, as well as activity mix are all suited to a sub-zone approach.

**C14 Is there a better name for sub-zones?**

No, sub-zone is the best indication that the rules are applicable to a sub-set of the overarching zone.

**C15 Will these types of issues always be located within a zone?**

Yes, everything is in a zone.

**Questions: District wide nationally significant matters**

**C.16. Is there a better way to address, categorise and consider these types of matters?**

Dividing the Plan into District Wide (DW) and Zoned based matters makes sense, but having tried to see how our proposed plan structure would look under the proposed framework, dividing the plan further into DW matters and DW amenity matters was less helpful, especially where there are overlaps in those two areas. We also had issues with fitting 'other DW' matters into the plan framework when they were neither or amenity matters. So reduce plan clutter and calling them then District Wide and Zone matters make the most sense to me. I like the way New Plymouth have structured theirs.

**C.17. What are your thoughts on standardising district wide nationally significant matters in the National Planning Standards?**

There is merit in describing nationally significant matters in the same manner, however the provisions that apply to these areas will vary depending on the local context.

**C.18. Are these the right matters to include in this layer?**

Yes, though there is the potential for more detail around natural hazards e.g. Flooding and Fault Lines.

**A. Are there any other matters that should be included**

No

**C.19. Is there a better name for these layers?**

No, the names for the overlays listed above seems appropriate and in line with the wording of the RMA.

**C.20. Should councils be able to add more of these layers?**

No, that would defeat the purpose of standardising them in the first place.

***Questions: District wide amenity matters***

**C.21. Is there a better way to address, categorise and consider these types of matters?**

As mentioned above, there is the option of including everything currently referred to as either a national significant or DW amenity matter as just DW matters.

**C.22. What are your thoughts on standardising district wide amenity matters in the National Planning Standards?**

As these are seen to be achieving the purpose of the Act and ensuring the environmental outcomes of the Act this seems appropriate, bearing in mind that the provisions that apply to each of these matters will vary dependent on the local context.

**C.23. Are these the right matters to include in this layer?**

Yes, although some landscaping and screening matters may be more zone specific.

**A. Are there any other matters that should be included?**

Selwyn has the following also listed as District Wide Matters: Waste, Hazardous Substances, Contaminated Land, Vibration

**C.24. Is there a better name for these layers?**

No

***Questions: Content***

**C.25. What are your views on the discussion about standardising zone content (objectives, policies and rules) through the National Planning Standards?**

There is no need to standardize these. The reason that 'reasons for the rules' and other explanatory notes/guidance can be removed from plans is that objectives and policies will be more focused in identifying the outcomes for the district with regard the Selwyn context. Standardised objectives and policies will impinge on ability for Councils to address local issues in the local context.. The use of more descriptive objectives and policies will provide clear reasoning/guidance for why rules have been included in the Plan, at least this is the intention of Selwyn District Council.

One downfall that we have noticed with our first generation plan is that the use of more generic objectives and policies result in a more obtuse policy direction providing little guidance to decision makers.

Proposing generic objectives, policies and rules to reduce the amount of work that Councils undertake will not be beneficial in our opinion, as further work would then be required to tailor specific objective, policies and rules in the zones to provide the required level of policy direction for decision makers. If instead some form of guidance was provided (non mandatory) that suggested to Councils ways to successfully word objectives, policies and rules, this could be beneficial to Councils, especially smaller ones with minimal resources, and help in consistency across the country.

**C.26. Can you identify any risks with the concept of standardising common core zone content?**

The content may not reflect the local context. Selwyn has undertaken a large amount of 'Strategic Planning' to ensure that future planning for communities is aligned with the expectations of those communities and any development constraints that they face. The Council and its communities wish to see the outcomes they wish to see articulated in their district plan.

**C.27. Do you agree or disagree with the priority list of zones identified? Why?**

Disagree. Standardised content is unnecessary, it will not reduce workload of Councils and is unlikely to be suitable across the Country. Although all Councils have residential zones, that allow dwellings and family flats, the density and character of these zones is dependent on the local context, including the wants and needs of the local community. There are a number of other factors in play, for example, in the Greater Christchurch Area the Urban Development Strategy is a key strategic document that guides the activities of the three Greater Christchurch territorial authorities as well as the Regional Council and other stakeholders. There is a risk that generic provisions could undermine, or be inconsistent with what this strategy is trying to achieve.

## Formatting plans and policy statements

Ministry for the Environment. 2017. *National Planning Standards: Formatting plans and policy statements – Discussion paper E*. Wellington: Ministry for the Environment.

### **E.1. Which option do you consider to more clearly link the objectives and policies? Why?**

Following discussions with Isovist regarding entering data and search results, our support for a table format has increased, assuming only that each line is entered individually into our ePlan and is designed to appear as a 'table', however, a filtered search is available meaning that specific lines can be returned in search results instead of the entire table.

A text based format may be preferable, however, where objectives or policies are interrelated e.g. strategic directions.

Many plan users who are required to apply for a resource consent end up copying and pasting objectives and policies from an ePlan into applications, this would be a more straightforward process if plans were texted based.

### **E.2. Are there alternative formats that you would recommend?**

No

### **E.3. Where do you think performance standards should be located? Why?**

It makes sense for the performance standards to be located aside from the rules, as not all standards are applicable to each rule and some standards are applicable across the plan (e.g. transport standards). The benefit of having an ePlan format is that the standards can be 'hyperlinked' in the appropriate place, so they are only visible to people who actually require them.

### **E.4. Do you agree with the Ministry's preference for the text-table hybrid (Option 2)? What do you perceive to be its advantages and disadvantages?**

No. Option 1 is our preference. There is no need for a 'status column' on the table when the heading already clearly states the 'status'. Option 1 will be easier formatting and returning search results. The use of a table could mean that the plan ends up being 'longer' because of long narrow rule columns (case and point Option 3).

Tables are perceived as being 'user friendly', the ability to have some content in text format is also useful for when consultants and staff need to copy and paste information from the District Plan into other documents.

### **E.5. Are there any other elements that you consider essential to any rule format?**

Headings, so that the plan user can distinguish when the rule is applicable e.g. if it relates to a specific township. In addition relevant definitions need to be underlined.

**E.6. Do you agree with the principles outlined above? How do you think contents pages can best serve plan users?**

This is dependent on if the plan is available in PDF or ePlan format. In an ePlan, which Selwyn currently has, a 'contents page' is redundant as the plan is set up to have a navigation pane down the left hand side which clearly details the content of the plan. In either format, the ability to hyperlink directly to the information required is necessary, whether online or in PDF.

**E.7. Do you agree with the principles outlined above? Why or why not?**

Yes. Consistent number is a necessity and choosing Rule 11.2(a)(ii) over Rule 11.2.7.4.3(a) is more in line with current legislative numbering.

**E.8. How can headings be used to guide and help plan users?**

Headings which are meaningful and specific will be helpful for managing search functions in both PDFs and ePlans.

**E.9. Which option do you prefer?**

Option 2 – set standards for the font size and style. This would enable Selwyn to keep with corporate branding and maintain some individuality, whereas Option 1 (Prescribed font size and font) would be too strict.

**E.10. Do you think the National Planning Standards should prescribe font style? Why?**

No, Many councils have style guides they use to ensure all the documents generated by their council have a similar look and feel. We are not convinced that standardised font style makes plans easier to use across the country. For example There are some fonts that are better suited to an ePlan format and others that are better for PDFs.

**E.11. Can you think of any examples where illustrations and/or diagrams could enhance the usability of plans and policy statements?**

Yes, diagrams relating to height, setbacks, site coverage and recession planes are often useful, as well as those that demonstrate car parking and road engineering requirements such as sight lines.

**E.12. Are you aware of any examples of plans and/or policy statements that have used colour in an innovative way? How has this helped plan users?**

No, but colour coding definitions to allow plan users to know if they come from the Planning Standards, or from Legislation of the specific Council could be useful.

Using colours that are reflected in planning maps to describe zones could also be useful. E.g. a text box describing the Residential zone could have a blue background which is the same colour as the zone itself uses.

Having permitted activities highlighted in a different colour could also help plan users read the plan. For example Green is a 'go' colour, not requiring resource consent, whereas red or orange text could help users realise that consent may be required.

**E.13. What do you consider to be the key formatting elements in an ePlan context?**

Having a clear structure is important.

**E.14. How could the National Planning Standards use formatting to enhance the usability of plans and policy statements?**

Unsure of any potential benefits.

**E.15. How easily could the plain English principles be applied in the context of plans and policy statements?**

Planning 'speak' and acronyms are common complaints we receive from the public. Having rules written in a way that is easy to understand is required. It's unclear how 'easily' this could be done, particularly with the focus of 2<sup>nd</sup> Generation Plans moving towards 'activities-based' with a heavy reliance on definitions for interpretation.

Selwyn District Council has a communications department who review all documents we send out to the public realm and make sure they are written in such a way to reach the appropriate audience. There is some expectation for 'rules' to be drafted in an authoritarian manner.

## Definitions

Ministry for the Environment. 2017. *National Planning Standards: Definitions – Discussion paper G*. Wellington: Ministry for the Environment.

**G.1. Do you agree with the principles and list of criteria to identify terms to be defined in the National Planning Standards? Do you have any comments on specific principles or criteria?**

Yes. The RMA provides a definition for 'dwellinghouse' which is similar in meaning to the three options put forward by the Planning Standards for 'dwelling', not using this definition could be seen to be inconsistent with the criteria.

**G.2. Do you think any additional criteria are required to identify terms to be defined in the National Planning Standards?**

No, but a decision needs to be made that if a definition is in a piece of legislation and the legislation changes the said definition that the Councils can keep the version of the definition that was applicable (until a plan change is undertaken) if the change to the definition changes the original meaning of the rule.

No, but a decision needs to be made that if a definition is in a piece of legislation and the legislation changes said definition that the Councils can keep the version of the definition that was applicable (until a plan change is undertaken) if the change to the definition changes the original meaning of the rule.

**G.3. Do you agree with the list of indicative terms (table 1) to be defined in the National Planning Standards?**

Yes, however, some are applicable in Selwyn District and others are not. Some terms may not be suited to a generic definition that applies across New Zealand due to scale.

**G.4. Do you think any other terms should be defined in the National Planning Standards?**

No.

**G.5. Are there any interrelated terms that you think will need to be defined to make them clearly understood and workable in plans?**

Most likely, however, SDC would need to see a full list of not only the definitions, but also their meanings to answer this question to the best of our ability.

**G.6. Do you have any specific comments about the 'other considerations' outlined?**

No.

**G.7. Do you think it is useful to separate definitions into 'general' definitions and 'land use' definitions?**

No

**G.8. Do you think it will be useful for 'land use' definitions to have examples of what is included in the definition and what is excluded? Can you see any hidden consequences with this approach?**

Yes, as it could get confusing when there are too many similar definitions e.g. is something a trade supplier or a building supplier, even with the inclusions and exclusions. It would really depend on the proposed wording of the definitions to spot the devil in the details.

**G.9. Do you think the first set of national planning standards should establish nesting tables? Why?**

No, the way search functions are intended to work in future ePlans, having a nesting table will not benefit plan users as it will 'return' the entire nested table through the search instead of just the desired term/s

**G.10. If the National Planning Standards were to feature nesting tables, what degree of variation should be allowed by individual councils?**

If nesting tables were to be adopted Councils should be able to select when to use them. If they are unable to make then function in an ePlan format then they should not be required.

**G.11. What are your experiences of nesting tables?**

Nil.



## Metrics

Ministry for the Environment. 2017. *National Planning Standards: Metrics (how things are measured) – Discussion paper 1*. Wellington: Ministry for the Environment.

**I1 Have you experienced any difficulty dealing with different metrics across resource management plans?**

No, but we can see the benefit in having these standardised across New Zealand to allow users of multiple plans to more easily understand what provisions mean for their activities and provide for consistency particularly where a development (such as utilities cross territorial boundaries).

**I2 To what extent do you think the inconsistent use of metrics in plans is an issue**

As a District Council, we are not generally affected by inconsistencies. However our community, particularly consultants, developers and contractors often also work in other Districts and occasionally it is brought to our attention that other Council's deal with things differently, which can cause confusion and delays if these differences aren't picked up early. For people that work in multiple Districts, greater consistency would likely be appreciated particularly where developments/facilities cross territorial boundaries such as for utilities

**I3 Do you agree with the criteria that have been used to identify the main metric themes**

Yes.

**I.4. Do you think the four metric themes identified for inclusion will offer the most benefit?**

Yes.

**I.5. Are there other metric themes that you think would benefit from standardisation through the National Planning Standards? (See appendix 1 for commentary on metric themes not included.)**

No.

**I.6. Are there any specific difficulties you foresee with standardising certain metrics?**

In terms of building bulk and location it would be useful to align the standard metric with a specific building plan required for building consent. For example, building coverage could be measured from the foundation/floor plan or from the roof plan. The foundation plan would probably be the most straightforward, but would not take account of a design that incorporated a particularly wide eave or a covered outdoor area there needs to be a consistent point to measure from.

**I.7. Do you agree that the above metrics themes should not be included in the first set of National Planning Standards?**

Yes agree that these should not be included in the first set of National Planning Standards. But it would be useful if they were developed at some point. This type of standardisation is useful for Councils when drafting plans – there would be fewer decisions to make about how rules are drafted.

**I.8. Out of the three options identified for metric thresholds, which one do you think is the most appropriate and why?**

- Developing fixed thresholds would be more successful for noise and light spill.

- Fixed thresholds for other topics such as earthworks may be more problematic as the appropriate threshold depends on the environment (e.g. topography, elevation, visual amenity/landscape, character, ecological values).
- Fixed thresholds for building bulk and location could be useful across similar types of zones but this would need to align with the zone types set by the National Planning Standards. Standardising the way building bulk and location standards are measured is of more value than standardising the threshold.

## General provisions

Ministry for the Environment. Ministry for the Environment. 2017. *National Planning Standards: General provisions – Discussion paper J*. Wellington: Ministry for the Environment.

### J.1. What are your views on each of the issues identified?

*Should location for general provisions be standardised in plans?*

Yes – would make sense if the structure of District Plans is to be standardised through National Planning Standards that general provisions are provided for within that structure.

*Should better use be made of user guides, websites, other documents to simplify plans?*

Yes. We see the use of an Eplan format as being a great opportunity to strip some of these topics out of plans so that they are not part of the plan, but hyperlinks could be used to take users to locations external to the plan (eg Council website) to improve usability.

*Should some general provisions have standardised content?*

Potentially, but it is not necessary for this content to be mandatory, especially for current District Plans.

### J.2. Do you agree or disagree that some information currently included in plans is better placed outside of a plan?

As above, agree that most general provisions would be better placed outside of the District Plan (eg on the Council website). We think there should be provision to provide hyperlinks from the District Plan to this information to assist users. Agree that it is sensible to have this material outside of the plan so that it can be edited as required.

### J.3. Do you agree or disagree that there is an opportunity for the National Planning Standards to provide standardised content for some of these provisions?

At Selwyn we have begun our District Plan review, so standardised content for activity status description, notification provisions and national direction would be useful as it would be 3 fewer

things for us to draft and also these sections would not change through submissions or appeals. However there is no real advantage to compulsory standardisation this content across the country.

Again guidance material for “how to use the plan and the structure of the plan”, “how to apply for a resource consent?” and “information to be submitted with a resource consent” would be useful, provided Councils could tweak to suit their own context.

**J.4. What are your views on the examples of general provisions set out in table 1?**

All relevant matters seem to have been captured. Note that table 1 suggests designations and cross boundary issues will each have their own chapter but this is not explicitly reflected in Discussion Paper B – District Plan Structure

**J.5. Is there anything missing from table 1 that you think we also need to consider?**

The activity status description should also include a description of or link to existing use rights.

## Electronic functionality and accessibility of plans

Ministry for the Environment. 2017. *National Planning Standards: Electronic functionality and accessibility of plans and policy statements* – Discussion paper H. Wellington: Ministry for the Environment.

**H.1. Are there any other key factors that are not outlined above?**

No.

**H.2. What are the areas/topics of eDelivery and ePlanning that would benefit most from national planning standards?**

Council resources would benefit. Currently staff can spend a lot of time advising plan users where provisions are located and having an easy to use ePlan should reduce this and allow resources to be directed to other activities.

Requiring access to District Plans on the front page of Councils websites should be mandatory. Also in situations where a plan user needs to look at another plan e.g. a Regional Plan, links should be made visible either on the Councils website or within the planning document, e.g. have a link in the Rural zone about intensive farming to the regional plan.

**H.3. What other functions would be beneficial if applied across New Zealand? Why?**

Unsure.

**H.4. Would the mature options with a timeframe set out provide authorities with more certainty?**

Potentially, if moving to the new option required long term budget planning.

**H.5. What do you think of the transition costs and funding implications?**

This is a target Selwyn was progressing towards, so costs and funding implications will not be noticeable beyond business as usual, because this was already the end target, regardless of National Planning Standards.

**H.6. Timing alongside other (format/zoning etc) planning standards changes?**

The District Plan Review timeframes have recently been adjusted to align with the gazettal of the Planning Standards in 2019. The operative District Plan is already a fully online plan and we are looking at ways to improve the ways in which users interact with it.

**H.7. Do you agree a staged approach that sets broad requirements and progresses over time is the best approach? Why/why not?**

Yes, implementation of the planning standards alone is likely to utilize budget and staff that may not have been budgeted for, so allowing ePlanning to occur in a staged manner will make the prospect more affordable and achievable.

**H.8. Does the refresh of a council website, to allow more user-direct access, have unforeseen impacts on core business?**

No, at Selwyn District Council we frequently receive calls on our website asking for 'directions' to locate the District Plan. Since we moved to an ePlan format and made a 'quick link' to the District Plan on the main landing page of the Council's website these inquiries have reduced significantly.

**H.9. Councils appear to be moving independently and more quickly to ePlans than initially expected. Is a minimum standard relating to improving the quality of PDFs ambitious enough?**

No. Although for some Councils an ePlan may not be affordable. It may be worthwhile for funding to be provided through national government to enable this to happen.

**H.10. How can we work collaboratively with you and other agencies to manage this transition period?**

Selwyn already has an ePlan and intends to draft our second generation plan to be better suited to the ePlan format.

**H.11. If the move to ePlan was changed to the (earlier) minimum standard, are there other wider ePlanning measures that should be set out that would improve the delivery and functionality of plans?**

No

**H.12. Are there any other key factors that are not outlined above?**

No

**H.13. Data transfer standards may need to form part of the National Planning Standards in the future. Do you have any views on the need for data transfer standards and how these should work in practice?**

More information would still be required on behalf of Councils to ensure the information MfE was receiving was up to date and relevant. However, if in the future full ePlanning systems that allow people to view rules, apply for consents, receive decisions and have conditions monitored exist then this should be revisited.

### 13. Forward Meeting Schedule

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#### Purpose

To provide the Committee with a forward schedule of topics for the November DPC meeting. Note that the October DPC meeting has been cancelled to accommodate a Councillor training session on 'Ngāi Tahu and District Planning'.

#### Provisional items for November DPC meeting

- Growth model overview
- Natural hazards update
- Communications & Engagement Implementation Plan
- Topic specific issues [TBC]

#### Recommendation

- **That the Committee notes the provisional agenda items for November DPC meeting**