



## **District Plan Committee meeting held on 8 June 2016 at 9am in the Council Chambers**

**Present:** Mayor K Coe, Councillors M Alexander, N Barnett, J Bland, Sam Broughton, D Hasson, P Hill, M Lyall, P McEvedy, J Morten, S Walters

**In attendance:** Chairman - Environmental Services Manager (T Harris), Planning Manager (J Burgess), Project Lead District Plan Review (C Wood), C Friedel, C Nichol, B Rhodes, and minute taker District Plan Administrator (R Sugrue).

### **Standing Items:**

**Apologies:** David Ward (CEO), Terrianna Smith (Te Taumutu Runanga), Councillor Grant Miller

**Moved: Councillor Broughton / Seconded – Councillor Alexander**

*‘That the Committee accepts the apologies for absence from D Ward, G Miller & T Smith ‘*

**CARRIED**

*Councillors J Morten, M Lyall, P McEvedy, N Barnett joined the meeting at 9.04AM*

### **Declaration of Interest:**

Nil.

### **Deputations by appointment:**

Nil.

### **Confirmation of Minutes:**

Minutes from previous meeting amended as follows:

Page 9 – Paragraph 1 – reference to SDP giving effect to SDP has been removed

Page 10 – Paragraph 4 – Last sentence amended to reflect that it was Councillor Alexander and not Councillor Lyall’s comment regarding large houses on small lots.

Page 14 – Paragraph 3 – Amended to reflect that the motorway will go through to Dunsandel, not Darfield.

**Moved – Councillor Hill / Seconded – Councillor Broughton**

*‘That the Committee accepts the previous minutes as being true and correct‘*

**CARRIED**

**Outstanding issues register:**

No Outstanding Issues

**Specific Reports****Work Programme Update**

The Project Lead (Cameron Wood) spoke to his report.

**Stage 1 - SWOT Analysis**

We are currently on track for SWOT analysis to be completed on time. SWOT analysis will be sent to the Committee and also put up on dedicated website, with a short overall summary accompanying each SWOT chapter.

*Councillor Bland joined the meeting at 9.08AM*

**Stage 1 – s32 Template**

The final draft has been received from Gina Sweetman and is currently being reviewed. Training confirmed for 10 August (Committee meeting day) where Ms Sweetman will run through what is required in the template. Template will be completed by end of June.

**DPR – Resources / Budget**

Budget update – 35% of Stage 1 budget of \$190k has been spent, up from 33% at the last District Plan Committee meeting.

Upcoming spending - We have received the brief from SQUIZ for the dedicated District Plan website, which is to be launched in July. The contract has been signed and work has been completed from MKT for SWOT assessment. Project Manager Emma Hodgkins has been employed – she has been leading health regeneration in the city, led a presentation late last year on hospital rebuild, familiar with District and has a lot of knowledge to bring to this project.

Staffing updates – We are beginning the recruiting for DPR plan team, with a secondment from Consents to Strategy and Policy for two years and we are also looking to recruit two new Strategy and Policy planners (on a fixed term), so we are well resourced from a staffing point of view. We are in the process of changing seating arrangements to accommodate the new staff.

DPR Progress – We are on track to complete Stage 1 by end of June, and confident that we will meet the deadlines outlined in project brief which was adopted in May last year.

Stage 2 – We are currently starting to migrate from Stage 1 to Stage 2. Our main focus is to work with the new Project Manager to set detailed timelines for each topic area. Seeking feedback from the Community will be a key feature. We are working with Stephen Hill to look at different consultation processes, as turnout for area plans has not been high. We are trying to look at other ideas to get Community involvement e.g. using the coffee cart to go to Community events to generate awareness of the District Plan Review, to be more proactive. We are focusing on trying to use technology that is available to us, rather than

open forums. We are also currently working on issues and options report, and we will draft strategic directions chapter first to ensure that there is consistency throughout the chapters.

Councillor Broughton questioned a user friendly website, is it something a bit different from our current Selwyn District Council website?

The Project Lead responded that it was being built from ground up, and although it is being hosted by SQUIZ Matrix who run both the Selwyn District Council and Sensational Selwyn website, it will be quite different. It will be interactive and we have looked at other websites to come up with ideas, and feel this will be quite user friendly, vibrant and interactive.

**Moved – Councillor Barnett / Seconded – Councillor Walters**

*‘That the Committee notes this report and presentation.’*

**CARRIED**

### **Proposed Structure for the 2<sup>nd</sup> Generation Selwyn District Plan**

Michael Rachlin spoke to his report.

Mr Rachlin said that the different structure options have been tested against the principles that were agreed for the Selwyn District Plan and scored to see which format/style best suited the principles.

*Councillor Lyall joined the meeting at 9.19AM*

Mr Rachlin said that the topic and zone based options scored the highest against the principles. On page 33 of the agenda is a summary of how the different options scored. Option 4 being the zone based option (examples of which are the proposed replacement Hamilton, Queenstown and Dunedin District Plans), scored the highest and was most user friendly when tested in practice. The topic based plan (examples of which are the Hurunui and the proposed Christchurch District Plan) followed closely behind.

Councillor Alexander noted that as we currently have rural and township volumes which have a lot of duplication, how do we avoid this with a proposed zone based plan? Do we try to keep rules District wide where possible so that we don't have a lot of overlapping?

Mr Rachlin responded that with the Dunedin plan, they have put all the provisions in the zone, which has its advantages that you don't repeat all the rules in a zone. Examples is that anything zone based can remain in the zone, but you could have overall subjects such as natural hazards which can be district wide. Mr Rachlin said that this shouldn't be too much of an issue now we have the e-plan.

Mayor Coe asked as different Councils use different terminology, what compatibility and consistency, if any, is there with Hurunui and Ashburton plans?

The Project Lead responded that he has met with Waimakariri staff last week, where both Councils outlined their plans and we are tracking the same. As Hurunui and others have gone through this before us, we don't have the same ability to collaborate with them. Our plan may be used as a template for future District Plan reviews.

Mayor Coe suggested to the Project Lead that Ashburton may think they have a good template we should be looking at using.

The Project Lead responded that we did look at their template, but they don't have chapters we require such as Strategic Direction. We hope that our plan will establish a good base for other plans to model moving forward.

The Planning Manager (Jesse Burgess) made the Committee aware that the Ashburton District plan is not in an e-plan format.

Councillor Walters asked if it needed to be formally noted that the Committee has agreed to the 'dropping best practice principle' on page 32 of the agenda.

The Project Lead responded that those specific principles are for the development of the plan structure itself, rather than what is in the project brief. This was a natural policy development process that was changed without needing to have the Committee formally adopt that change.

Mayor Coe noted that 'enabling Kaitiakitanga' was scored lowest with the Zone based option and questioned if this was acceptable with the local Iwi.

The Project Lead responded that we need to do more work around the overarching plan, and that the Project Team have been speaking with a Runanga representative on how we can approve on that. While the 'enabling Kaitiakitanga' may be scored less overall, we can look at working on incorporating this throughout the plan, instead of having a dedicated chapter to this. More work will be done on this in the upcoming stages.

Councillor McEvedy noted that aligns with what ECAN zone committees do, trying to incorporate it through the whole plan, and may be a good approach around it.

**Moved – Councillor Lyall / Seconded – Councillor Alexander**

*'That the Committee agrees with the use of a "zone-based" structure for the replacement Selwyn District Plan.'*

**CARRIED**

#### **DPR – Draft SWOT Analysis Transport, Utilities, Waste, Hazardous Substances and Development Contributions**

Craig Friedel spoke to his report on hazardous substances.

Mr Friedel noted that there are several higher order documents that we need to give effect to, with Hazardous Substances & New Organisms Act (HSNO Act) being the key document on how to manage hazardous substances.

**Strengths** – Current Selwyn District Plan (SDP) hazardous substance provisions are generally consistent with the RMA and give effect to Canterbury Regional Policy Statement (CRPS) and Land and Water Plan (L&WRP).

District Plan needs to continue to manage objectives, policies and rules to manage amenity effects which may not be managed as effectively under the HSNO Act.

**Weaknesses** – There is a poor connection between the SDP and other legislation controlling the manufacture, storage and use of hazardous substances. E.g. someone may need to get a resource consent under the SDP, a licence for trade waste, HSNO Act and Environmental Standards on contaminated soil.

There are interpretation issues and duplicated functions in the administration of the SDP  
Ineffective provisions that require review

**Opportunities** – Phase two evaluations need to be guided by current legislative requirements whilst being mindful of RMA reforms.

Activities list seem to be surplus to requirements.

Christchurch City Replacement Plan represents suitable template and evaluative basis for the 2GP Hazardous Substances provisions– good to work on for next phase.

**Threats** – 2GP could fail to appropriately manage hazardous substances due to the multitude of agencies tasked with functions under the various regulations.  
Monitor progress with RMA reforms in terms of how duties are carried out.

Ms Catherine Nichol spoke to her report on waste disposal.

Ms Nichol notes that a lot of the topics are managed under different chapters.  
We need to get effect to the RMA, LGA, Waste Management Act and CRPS.

**Strengths** – SDP provisions are generally consistent with the TMA

There are objectives, policies and rules to manage amenity values associated with waste disposal, which may not be managed as effectively under the WMA (2008).

**Weaknesses** – Disconnect between objectives and policies and between rural and township volumes e.g. Visual effects and a limit on how much waste can be produced

Does not fully give effect to the RPS

Rural waste is not currently monitored

Waste definitions are outdated.

**Opportunities** – Have district wide rules for waste disposal

Revisit permitted waste volume levels to ensure they are appropriate for the activity

Look at different waste streams – retirement villages, demolition

Screening in high density areas to minimise visual impacts from kerbside collection

**Threats** – Lack of support for the 5R's through the RMA as is more about adverse effects – is function better suited under other areas?

Without a waste chapter, there will be no waste rules or management plan which opens up threats for adverse effects on the environment

Councillor McEvedy commented that the challenge will be to get rules in place and have pathways to manage the waste – The Government and ECAN have been saying for some time that they will find solutions, but if we can't find and provide a way for people to get rid of their waste, we cannot enforce it.

Councillor Hasson believed that farm and rural waste disposal will be the biggest challenge.

The Project Lead responded that it will again come back to gain versus burden – we need to be mindful of our responsibilities under the Act but we also don't want to put rules in place that are hard / impossible to monitor – we will need to work with ECAN on this issue for their support.

Councillor Alexander suggested that we should be able to look at other Districts and their best plans for managing this.

Councillor McEvedy commented that the rules are there but people can't obey those rules as there are no provisions for disposal of contaminants, if you can't get rid of it or bury it or burn it legally, then the issue cannot be resolved and will just grow and cause other issues with potential contaminated land – Need to work with ECAN on this.

Councillor Hill suggested that as a Council, we have to offer ratepayers, industries and farms a way to enable them to get rid of hazardous substances, which will not be easy to overcome but we need to find a way to enable this to happen.

Councillor Walters referred to the 'high density' comment on slide, that with this we also need to manage how subdivisions are developed with regards to kerbside bins and the visual effects of this.

Councillor Alexander agreed that this was a visual pollution issue with three bin collections.

Mr Benjamin Rhodes spoke on his report to Utilities.

Mr Rhodes discussed what the definition of Utilities includes (Page 70 of Agenda) and that we need to give effect to NPS Renewable Energy Regeneration, NES Telecommunication Facilities, CRPS, RMA, Land & Water Plan, NPS Electricity Transmission and NWS Electricity Transmission Activities.

**Strengths** – Definition of Utility is quite broad and include those covered by relevant NPSs Provisions clearly recognise the importance and role of utilities which enables people to carry out their activities, separate for rural and township  
DP supports and promotes integrated policies

**Weaknesses** - Does not fully give effect to NPS Renewable Energy Generation or NPS Electricity Transmission  
Inconsistencies with NES – particularly around upgrading existing facilities  
A number of ineffective provisions that are unclear or open to interpretation

**Opportunities** – To give effect to higher order documents (NPA) and recognise REG and National Grid  
Rely on relevant NES provisions for a number of specific issues / topics  
Roll over existing and promote new designations  
Continue to ensure efficient infrastructure is provided with new development and growth.

**Threats** – Conflict between provision of utilities and community values / interest e.g. telecommunication towers and health

Intrusion and impacts for private property owners where there is a utility on there  
Not providing effectively for utilities can have a range of impacts –e.g. safety with lack of communication in high country, provisions for protecting environment.

Councillor Hasson said that she receives a lot of complaints regarding smell and building setbacks from private property owners who have a sewage easements and vents on their property. How can we promote that there is this utility on the property to avoid this?  
Chairman Harris replied that if there is an easement, there is a clear description on what it is for and that it is part of the due process for a buying property. It would also be on a LIM.  
Mr Rhodes also commented that the easement would be on the title and there would be a document which relates to this which describes what it is used for. We may look further into utility provisions with the SWOT to ensure they are being adequately provided for.

Councillor Hill said that he was pleased we are being more mindful of the hill and high country to reduce impact we have on the landscape.

Mr Rhodes spoke to his presentation on transport.

Mr Rhodes said that there are a number of plans and strategies relating to transport matters, especially on the funding side.  
We need to give effect to the RMA and CRPS.

**Strengths** – PC12 approved only three years ago so quite up to date on transport provisions. There are good links between the objectives and policies and giving effect to the RPS quite well.  
Promotion and provisions for cycling and walking.  
Reverse sensitivity protects key transport areas / infrastructure.

**Weakness** – No reverse sensitivity protection for Rail (except for site lines at intersections but nowhere else along that network).  
Need for a safe and efficient network but our current policies don't look at this  
No trigger for integrated transport networks – dependent upon resource consent and if the planner requires this  
Unclear on status of roads and how activities in them are dealt with. (Designated? Underlying zone?)

**Opportunities** – Utilise external documents for design and standards e.g. Code of Practice, NZTA access standards  
Clarity on how activities are controlled e.g. standard of noise, hours of operation etc  
Promote public transport and safety of network e.g. reducing car parking in town centres?  
Promote walking?  
Recognise that the roading network doesn't stop at our boundary.

**Threats** – Reverse sensitivity standards may restrict growth opportunities for some townships e.g. Kiwirail vibration – setbacks required  
Codes of practice and trying to avoid the District Plan becoming a 'catch all' where issues could be better managed with other methods

Push back from developers and land owners e.g. taking more land for roading, car park reductions

Councillor Alexander questioned if we need to be more explicit and specific in our rules around the rail corridor.

Mr Rhodes responded that there are currently rules around building and vibration impacts and these will be reviewed in the District Plan review.

Chairman Harris said that there have been concerns raised about the quality of life with increased traffic around Armack Drive.

Councillor Hasson questioned if we should look at the widths of roads in new subdivisions to accommodate parking on roads and cycling.

Chairman Harris responded that this is in the Engineering Code of Practice which was looked at relatively recently.

Councillor Walters noted that Oak Tree Lane was a classic example of what would be a good bus route but buses can't get down there. We need to consider where buses go in the future and quoted Jim Harland from NZTA's comment in The Press which was 'you are not stuck in traffic, you are the traffic'.

Mayor Coe said that he supports walking and cycling but that we need to look at the car parking in our District and doesn't support reducing carparks as a lot of people come from outside of town, so it is not possible for them to walk or cycle there.

Mr Rhodes responded that this could be considered under both opportunities and threats in the SWOT analysis.

Councillor Bland questioned with the increase of logging trucks on roads, what options have been looked at in terms of promoting rail?

Mr Rhodes responded that with Westland Milk and Port of Tauranga, we could look at relaxing noise provisions and rules around these sites to increase rail use.

Mayor Coe understood that Kiwirail had protection in terms of noise, and questioned if Westland had the same protection as it is privately owned.

Mr Rhodes said that this was correct, Kiwirail have noise protection rules and that we could look at this as an opportunity for others - Rail may be provided for more readily in the District Plan in terms of access and noise of shunting and moving.

Councillor Walters said that in terms of car parking, people generally want to avoid less carparks if they are not putting pressure on the surrounding environment, and liked that work that Gabi has done on the Lincoln Town Centre Plan with integrated carparks.

Councillor Walters also said we need to be careful how we balance car parking in our District Plan.

Mayor Coe agreed that we need to be more open to our thinking around our car parking.

Councillor McEvedy agreed with Mayor Coe but also believed we need to think about keeping the character of our townships with on street car parking.



Councillor McEvedy also comments that in our District, there are existing activities which have been happening for over 30 years and we need to look at protecting those activities, and if people are going to build or develop in the area then people need to accept that these activities take place.

The Project Lead spoke to his report on Development Contributions.

Development Contributions Policies / Rules have been in the District Plan since it was notified, but as this is a Local Government Act issue, having these types of provisions in the District Plan are no longer required. Therefore, as there are better ways to achieve the same outcomes regarding Development Contributions, we need to consider if we need to include Development Contributions in the District Plan or are there other / better alternatives to achieve this outcome.

Councillor McEvedy questions if it is easier to change the Development Contributions policy if it is not in the District plan.

Chairman Harris said that we are open to Environment Court appeals if it is in the District Plan, and that we can always look at introducing a plan change if things if the environment changes to incorporate those changes.

The Project Lead spoke on the next steps – completing all SWOT analysis and having each chapter peer reviewed. The Project Lead said that it is important to note that things we are finding will form part of issues and options papers in Stage 2 which will identify what is right and what is wrong (efficiency and effectiveness). The Project Lead also said that we are starting to establish strategic partner and stakeholder forums.

**Moved: Councillor McEvedy / Councillor Hill**

*“That the Committee notes this report and presentation”.*

**CARRIED**

#### **District Plan Committee Forward Meeting Schedule**

The Project Lead gave an update on the forward meeting schedule and noted that we have changed Land & Soil and Vegetation & Ecosystems from 22 June to 13 July. SWOT Analysis overview for Rural, Culture and Heritage and Community Facilities will be presented at the next DPC meeting on 22 June. This meeting will also include a run through of proposed chapters now we have agreed to a zone based plan and we will identify who the Chapter Leaders are for Stage 2.

**Moved: Councillor Barnett / Councillor Bland**

*“That the Committee receives this report”.*

**CARRIED**

*Meeting ended at 10.24AM*