



District Plan Committee meeting held on 20 April 2016 at 9am in the Council Chambers

Present: Mayor Coe, Councillors G Miller, P McEvedy, N Barnett, D Hasson, M Lyall, J Morten and Terrianna Smith from Te Taumutu Rūnanga

In attendance: Project Lead District Plan Review (C Wood), Planning Manager (J Burgess), Environmental Services Manager (T Harris), Property and Commercial Manager (Douglas Marshall), Asset Manager (Murray Washington), Environmental Services Consultant (J Ashley), and minute taker District Plan Administrator (R Sugrue). Also in attendance the following Council staff: Mike Rachlin, Anna Paris, Catherine Nichol, Emma Larsen, Benjamin Rhodes, Andrew Mactier.

Standing Items

- 1. Apologies: Cr Walters, Cr Broughton, Cr Alexander, David Ward,**

Moved: Councillor Barnett / Seconded – Councillor McEvedy

‘That the Council accepts the apologies for absence from Cr Walters, Cr Broughton, Cr Alexander and David Ward (CEO)’

CARRIED

- 2. Declaration of Interest:**

Nil.

- 3. Deputations by appointment:**

Nil.

4. Confirmation of Minutes:

Minutes from Last Meeting: None arising

'That the Council accepts the minutes as being true and correct'

Moved: Councillor Barnett / Seconded – Councillor McEvedy

CARRIED

5. Outstanding issues register:

Subject	Comments	Report Date / Action	Item Resolved or Outstanding
Website Link	Project Lead to provide members of the Committee a website link to the Dunedin City Council 2 nd Generation Plan	Provided to members on 11 April 2016	Resolved
Activities vs Effects Management	Further discussion on the merits of Activities vs Effects management in the Selwyn 2 nd Generation Plan	Discussion to occur as part of item 7 of this agenda	Resolved
Future Meeting Dates	Need to set dates for the DPC meetings for the 2 nd half of the year	To be confirmed at the May meeting of DPC	Outstanding
Launch of the E-Plan	Public Launch of the Existing Selwyn District Plan	To occur before the end of April	Outstanding

Specific Reports

Work Programme Update:

Cameron Wood gave an update where Stage 1 is at including:

19 Chapters of District Plan are to be reviewed by staff. Anna Paris from ECAN is providing feedback on the SWOT analysis of those chapters from an ECAN perspective as to how we give effect to the RPS. Mahaanui Kurataiao Ltd (MKT) will also be working along the same lines as ECAN but looking at how we give effect to the Iwi Management Plan (IMP) – expect some feedback to be ready in the next month.

Progress is being made with most chapters, in between managing workloads, resource consents and area plans. Expects most of the draft SWOT to be completed by the end of April, on target to do so. Will provide a further update to DPC on progress at DPC meeting in May / June.

S32 template – draft has been received from Gina Sweetman (Planning Professional from Wellington helping out with the Wellington District Council Plan Review) – should be able to provide the Committee with a further update at the next DPC meeting in May.

The final S32 draft is due in the next few weeks and will be reviewed by legal experts and Independent Planning Commissioners along with accredited Councillors and staff. It is important to get this template right, as it sets the scene for the DPR. Training will be provided to staff, Council and Committee members once this is finalised.

Budget update - \$190k was allocated for Stage One, 33% has been spent to date, up from 25% at the last DPC meeting.

Expecting the following spending to take place:

- MKT Contract (which has been signed for providing feedback on SWOT Analysis as above)
- Individual website which has been approved. Currently engaging with IT for development of the website expected to for launch at the beginning of Stage 2.

Cameron sees any funds leftover from Stage 1 budget to be rolled over into Stage 2, for use of independent consultant reports etc.

A Project Manager will be funded out of the DPR budget within the overall Strategy and Policy team budget for the remaining stages of the DPR as process is quite involved and complicated (3-4 year time frame)

In summary, the SWOT progress is sitting overall at approximately 50% complete, progress is being made with the plan structure, the S32 guidelines should be on track in next 4-6 weeks and we are on track for completing Stage 1 on time. Also starting to consider the drafting and consultation (including community engagement) for Stage 2.

Mayor Coe asked what proportion of the District Plan is being reviewed.

Cameron Wood responded that there are a few areas we aren't going into too much detail in, such as designations which has only just been made operative, but approximately 99% of the District Plan will be reviewed.

Mayor Coe asked what areas are MKT engaged to give SWOT analysis / feedback on? Cameron responded that they are looking at how the current plan is giving / not giving effect to IMP which came into force 3 years ago, which may highlight gaps we are missing. Some strategic documents have also been introduced and we need to ensure that the plan is giving effect to those also.

Cr Miller queried if the cost of having a Project manager has been in the budget / plan from the start, or will more funds be needed for this.

Cameron Wood responded that the cost for the Project Manager is coming out of the DPR overall budget within the Strategy and Policy Team budget. He mentioned that other Councils have used Project Managers in their reviews, and found them a great help. We will not need additional funding, budget for consulting spending in terms of Strategy and Policy can be used to fund this work.

Jesse Burgess also noted that we have the budget set aside, one PM has come in at under what we put through in the budget.

Moved – Councillor Miller / Seconded – Mayor Coe

‘That the Committee notes this report and presentation.’

CARRIED

Plan Structure Discussion

Presented by Mike Rachlin, Benjamin Rhodes, Justine Ashley, Cameron Wood

Plan Framework/Structure (Formerly Policy Framework)

Cameron Wood spoke on the Plan Structure being the basis for Selwyn’s 2nd generation plan and that it is critical to the entire DPR process. Under section 75 (1) of the RMA, we must state – objectives for the District, policies to implement the objectives and rules, if any, to implement the policies.

Cameron also said that under section 75 (2) of the RMA, there is flexibility there in terms of what we may or may not choose to state – examples of this are methods for achieving rules and policies of the plan, why we have included policies and rules in the plan, environmental results, processes for dealing with cross territory issues, any other information required for the purpose of the territorial authorities functions, powers and duties under this Act.

The DPR group have looked at other formats that other 2nd generation plans are using - there is no one format that Councils are using, which is possibly why Central Government is looking at a template under an amendment bill which would give us up to 6-7 years to give effect to. At this stage it does not give clear direction on what it will contain. If we waiting for the national planning template we would be waiting a long time. What we come up with may set the scene for the Central Government template.

Mayor Coe asked if we would we run the risk of getting our Plan in line then having to review it under the Central Government template, to which Cameron Wood responded that

no, we have 5 years to give effect to the planning template. The template may look at having specific definitions, but that he is uncertain what else it may say. The risk for Selwyn is less than what it may be for other Councils looking at doing a District Plan review in five years' time.

Councillors Hasson commented that an issue raised at the Planning Conference was the number of consents the army had to apply for across different boundaries, and that they were also pushing for a standard template. Noise issues were an example which varied between regional and municipal authorities and there were some quite complex issues identified.

Cameron said that they have looked at various 1st and 2nd Generation plans, and it appears that the 1st Generation Plans look at effects and how we manage effects so generally called effects based plans. Most 2nd Generation plans look at being activities based plans, which are still managing effects as per RMA requirements but appear more positive.

The Auckland Plan looked at achieving outcomes, so that we can understand what outcomes we are seeking and use effects and activities to manage the achievement of those outcomes. It may be better to align with good public policy development and council strategic plans. We may be able to get the Long Term Plan and the District Plan to better align and focus on outcomes. There is an opportunity here to do something a bit different.

Councillor McEvedy said that it sounds great, but the LTP is politically driven and can change frequently. Cameron hoped that a Community outcomes approach wouldn't change too much, even with the political changes. The outcome focus still remains. If we can align the two documents, the Community may better understand how we achieve those outcomes.

Mayor Coe was in support of the positive outcomes approach, but that with effects based you are catering for things you haven't thought of – different industries etc. Cameron agreed, we have effects and activities but outcomes is what we are trying to manage, a positive way forward is to be able to have some flexibility and when we need to be specific we can be.

Councillor Lyall was concerned that with this approach, the public might not have clear perimeters to work within and that we may be setting a precedence if we are the only Council doing down this path. Cameron responded that there are a number of Councils who are trying to come up with strategic plans, e.g. Dunedin, which are almost outcomes focused, but are they flowing through the rules and policies they have got. It is not a new structure for NZ, there will be some activities or effects we need to be careful about how we manage through this approach, but if we go down this way we can manage the outcome by either, or both, effects and activities.

Councillor McEvedy agreed with the philosophy but that we have trouble with people engaging with the Council, they employ someone to do this on their behalf as it's too hard to understand our plan, and was not sure how this will get us to where we want to go. Cameron explained that with the EPlan, it is easier to navigate through district plan. Mike and Ben demonstrate this later when going through different examples. These things will be discussed through this process. Outcome based plans help achieve public policy. Currently

not doing a lot of monitoring in our existing plan, but if outcomes are clear, it will be easier to monitor the outcomes to ensure the plan is working how we intend it to be.

Justine Ashely spoke to the Committee on the underlying principles of the plan structure. The principles adopted as part of project brief in May 2015 included being user friendly with a simple zoning and plan structure, EPlan, one volume, streamlining zoning and overlays (currently 52 zones), giving effect to EPA, implementing strategic plans including Selwyn 2031 and area plans, building in flexibility for national planning template.

Councillor Miller questioned if the EPlan is stand alone, is it something that we are developing or is it already there and we just add to it. Cameron responded that with the EPlan you can have plan changes, submissions viewable, that it is a full platform to which we can make modifications where we need to. He is also thinking of having a second version where the ratepayers/mum and Dad may be able to ask questions and it will filter out through the plan and answer if you need a Resource Consent or not. Cameron confirmed that the EPlan is currently being used by other Councils.

Councillor Miller questioned if we will have a model offline as we go through this process that may be seen in the background for the Committee. Cameron thought they would approach it similar to how Hurunui managed theirs – a proposed plan from early drafting behind the scenes, which would then go live when we put out the draft for submissions. Councillors will be able to view the background/offline version before it is made public.

Councillor McEvedy questioned if the product development gets shared with Selwyn as upgrades are made etc. Cameron responded that we get the use and upgrades of any changes made to the system, so we benefit regularly from changes that Hurunui or Wellington who also use the plan come up with. Councillor McEvedy was pleased with this response.

Justine said that there is a common planning quote – “wanting to ensure that planning gain exceeds planning burden” and that we want to ensure that the DP is pitched in a positive manner and ensuring that our draft plan structure principles (being user friendly, EPlan, enabling Kaitiakitanga toward the environment, implementation of Councils strategic plans and achieves ‘best practice’ planning outcomes) may be achieved by using an outcomes based approach / plan.

We can also achieve best practice outcomes by learning from 1st gen plans and other 2nd gen plans, including CCC, sharing with other local authorities including Waimakariri to get the best outcomes, as well as guidance from Central Government through the national template.

Councillor Hasson queried the effect of CERA and LURP have on the plan such as establishing temporary accommodation and establishing businesses.

Tim Harris responded that a number of those things expired on a particular date, through LURP they become part of our DP and that the regeneration plan expires in 2022. Some activities have already expired, then the recovery plans have a longer life and we may have difficulty changing these, although there is a possibility that we could go back to the Minister at some stage with LURP Action 27 if we find some of the changes too liberal (E.g. car parking in Rolleston Town Centre).

Councillor McEvedy questioned how we manage Kaitiakitanga through the Plan and it would be good to start thinking about that at this early stage. Cameron said that they had tried building it into Selwyn 2031 Kaitiakitanga and would like to build this into the District Plan as well. Having a specific standalone chapter doesn't work, so we need to try and work it in partnership with the Rūnangas to incorporate it into the whole plan.

Councillor Hasson commented on how Darfield sewerage plan has come into play / effect and Cameron suggested that we don't want to duplicate the District Plan with other documents that manage these things or have higher authority than the District Plan does.

The Committee had a break from 10.00am - 10.15am

Mike Rachlin spoke about and took us through differing structures of District Plans.

Waimakariri - 1st Generation plan - topic based, issue, objective, policy, methods. The rules are separate from the Objectives and Policies. They are set out by topic, rather than by activity. Very hard to navigate round, designed to manage the effects. Topic based with a separate rule book, generally effects based.

Christchurch City 2nd gen plan – Topic/Issues Based plan – similar to Waimakariri in that provisions, objectives and policies are based around topics rather than zones. Have objectives and policies and then can link to the rules, rather than them being separate like Waimakariri. Makes it easier to use with rules being linked to the policies and an activities table which lets you know if it is permitted or not, based on the activity type.

Hastings (Geographically based Plan) –The provisions are structured around identified geographical areas (such as zone provisions) as well as District wide provisions (such as heritage and natural hazards). Part A sets out strategy for the topics, Part B they have identified outcomes and features important to the community and objs/pols/rules based around that specific area. E.g. Residential, commercial, hospital, industrial. As a result, you have a lot of tiers to go through to get what information you actually require / need.

Councillor Hasson asked with regards to the Hastings Plan, it is based on a plan change approach? We aren't any different when we rezone land, the provisions sit on their own, I can see the zone approach being used when plans get amended. Mike Rachlin responded that the community has identified values and outcomes that are important, it is specific to the particular area, it's not incorporated into the whole plan.

Justine Ashley also commented that the plan works well if you need to know what specific provisions apply to a certain area. However, a submission on the plan was put in by Fonterra but as they didn't have a particular site in mind, they had to put in a submission on every single zone to ensure that their submission covered all the areas.

Mayor Coe commented he was trying to understand the difference between a zone based and a geographically based plan and could we clarify the difference, as it doesn't appear apparent. Mike Rachlin replied that the plans are on a similar spectrum but with some

differences, such as geographically based plan having objectives and policies which cover certain towns or parts of the district, rather than zone based.

Hamilton – Zone based Plan – This is probably the most common 2nd Generation based plan format. Similar in that there is a strategic level provision, and then the provisions are based on zones. It has a positive planning approach and you can easily see what activities are able to take place based on zone.

Iwi Management Plan – this is a values based plan approach taken on values that are deemed important and are then used to form the outcomes, using the policy framework to form those outcomes. This could be built into another plan format. There is no specific example that can be given at this stage.

Benjamin Rhodes spoke on the Plan Structure Assessment Tool.

Ben said that the DPR Team have been looking at how we might assess the different plan options, along with the principles that Justine went over, and have been looking to develop a guide / points based scoring system to evaluate the plans.

Councillor Miller questioned the whose perspective were we catering to when we say “user friendly” – user friendly for the staff or ratepayers perspective? He said that he likes the idea of being able to put his property details into the plan and find out what specifically he can and can’t do without requiring resource consent. Ben responded that it there will be a range of people including staff, consultants and ratepayers who would use this plan so hopes to cater for all. He said that the consultants would go to specific rules and policies and look for why things can’t be done and how to get around them, whereas the ratepayer may just want to know if it can be done or not.

Cameron Wood also spoke and said that they are looking to possibly have two versions of the EPlan – a lighter plan to help mum and dad work out if they need a resource consent, and a second version for staff and consultants being the full plan.

Ben further spoke on the assessment tool, that each area would be given a rating between 1-4 and the reason behind why each table was scored accordingly. E.g. Hamilton shows what we are trying to achieve and Hurunui speaks about what we are trying to avoid such as having industrial activities allowed in residential areas.

Councillor Miller asked for people want to start home based business which in time becomes the scale where it needs to relocate elsewhere as it no longer complies with the rules, who will enforce this? Ben responded that we would need to look at where that threshold sits so can consider effects and make a call if appropriate or not, and this would be looked at during the review but not yet at that stage to make those kinds of calls.

Councillor McEvedy said that we don’t currently actively police the rules / activities, we only respond to complaints that are made and brought to Councils attention to then act on. Cameron suggested that with an outcome based plan, we could monitor the effectiveness of the plan to ensure its working how we anticipate it to.

Ben said that in terms of assessing the structure for being user friendly we are wanting to ensure it is easy to follow, that there clear links between objectives and policies such as subdivision, cafes, garage on site – is it permitted? If I want to go to a certain height can I?

Councillor Barnett commented that technology will alter what is achievable in the EPlan in two or three years' time – how we want to see the plan operate probably hasn't been invented yet. Jesse said that we are currently working with Isovist (who host the EPlan platform) and having the search ability on EPlan will filter a lot of this down. It is very user friendly, gets down to basic level.

Councillor Miller queried if it will have touch point technology on the map, to which Cameron said that it appears that it is developing towards that way. Jesse also confirmed that Isovist are starting to build into the EPlan things like this, and that they will further adapt and develop the host platform along the way.

Cameron summed up his report and expects that at the next workshop they should be able to identify what plan structure to use.

Moved: Councillor McEvedy / Seconded: Councillor Barnett

“That the Committee is satisfied with the current approach to the development of the Plan Framework for the 2ns Generation Plan.”

CARRIED

Moved: Councillor Lyall / Seconded: Councillor Hasson

“Requests that the Project Team provides a formal report which includes an assessment of the five plan framework options and the use of an outcomes based plan to the June 2016 meeting of the District Plan Committee.”

CARRIED

District Plan Committee Forward Meeting Schedule

Cameron gave an update on the DPC meeting schedule, May and June have brief draft outline of the agenda. We will be working on the DPC meeting schedule for second half of the year, as he wants to keep the Committee updated on SWOT progress, so the DPC meetings will most likely be twice a month as we move forward later this year. We will work with you to get suitable dates, and where possible, we will try and work in with workshop times.

Moved: Councillor Barnett / Councillor McEvedy

“That the Committee receives this report”.

CARRIED

Meeting ended at 11.02AM