



**District Plan Committee meeting  
held on Wednesday 28 June 2017 at 10.00am  
at Selwyn District Council Offices,  
2 Norman Kirk Drive, Rolleston**

**Present:** The Mayor, Councillors M Alexander, J Bland, D Hasson, M Lemon, M Lyall, J Morten, B Mugford, N Reid, P McEvedy, G Miller, C Watson and Professor H Matunga and Mr D Ward (CEO SDC)

**In attendance:** Chairperson (Environmental Services Manager - T Harris), M England (Asset Manager Water Services), S Hill (Business Relationship Manager), J Burgess (Planning Manager), E Larsen (Strategy and Policy Planner), J Lewes (Strategy and Policy Planner), E Hodgkin (Project Manager, District Plan), A Mactier (Strategy and Policy Planner), J Ashley (District Plan Project Lead), M Washington (Asset Manager), G Wolfer (Urban Designer/Planner), J Gallagher (Chair - Malvern Community Board), E Sim (Communications Advisor – Engagement), M Chamberlain (Asset Engineer Transportation) and Ms Hunt (note taker).

**Standing Items:**

**1. Apologies**

Apologies had been received from Mr P Skelton and Councillor Hasson.

**Moved: - Councillor Alexander / Seconded: - Councillor Morten**

*'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 Mugford**

*‘That the Committee accepts the minutes of the 24 May 2017 as being true and correct’.*

**CARRIED**

Councillor Reid raised a matter from the 24 May meeting. Had staff further investigated her comments around looser zoning options? Staff responded that the residential scope of works had just been released and this would address a range of zoning options.

Councillor McEvedy spoke to costs that would fall to council if rezoning was not developer led, and suggested it would be wise to quantify the costs so that Councillors were able to make a more informed decision. The Chair responded that costs can be difficult to quantify however staff had suggested that it could be around \$100,000 for each parcel of land. Further work on potential costs was being undertaken through the Area Plans Implementation Working Party.

*Professor H Matunga joined the meeting at 10.05am*

### 5. Outstanding Issues Register

Nil.

### 6 Strategic Communications and Engagement Strategy – Workshop facilitated by Maurice Hoban of GHD

Mr Hoban spoke to his powerpoint presentation.

This workshop is to develop a strategic communications and engagement framework for the District Plan Review, including the identification of risks and what tools can be put in place to mitigate those risks. Following this workshop, it is proposed that a draft high level strategy will be available for Council at the next Committee meeting.

Following brainstorming, a list of stakeholders was identified:

- Residents of the District
- Businesses

- Schools
- Military
- Prison
- Federated Farmers
- DOC
- ECAN
- Neighbouring Councils
- CDHB
- MOE
- All service providers for the Community
- Maori
- NZTA
- Community Groups
- Diverse groups of residents e.g. migrants

Discussion was held on meaning of stakeholder, and how this was defined. Mr Hoban responded that a stakeholder is any party that has an interest in decisions made. Noted that Council is also a stakeholder.

A discussion then followed on Maori and whether they are more than a stakeholder. It was agreed that both ECAN and Runanga are a higher level stakeholder/partner in the process.

It was suggested that a list of stakeholders will end up with some tier/grouping as some will be more affected than others.

Following brainstorming, success can be seen as:

- Active engagement both positive and negative.
- Those engaged feel comfortable when we speak to them.
- Community and businesses ownership of process and understanding and agreement of the process.
- Interaction with community - not us/them.
- Good communication reducing anger/annoyance in community, want negative and positive engagement from community. Noted lack of previous engagement by community.
- Taking communication/consultation out to the community. The District Plan Review has multiple issues, so would make consultation difficult in regards to the complexity. Each community will have different issues.
- Stakeholders engage in relation to Selwyn rather than as Ward or Township.
- Alay some of the rural urban divide.
- Go out with sound knowledge base of what community has been talking about previously, rather than starting again.
- People feeling included in process. Councillors need to be knowledgeable so can effectively communicate with community.
- Way we enter into dialogue matters, changing our stories to make them relevant.

- Principles of Treaty of Waitangi and what good consultation/engagement means, would be good to draw on those.

Following brainstorming, the below were suggested as risks:

- Risk of process being influenced by groups/lobby groups and time being spent on these groups.
- Over consultation. Noted Long Term Plan process and consultation and timeframes.
- Additional legislation (NPS UDC) and need to be flexible to include new legislation.

Discussion followed on timeframes for Long Term Plan and District Plan Review and potential over consultation and suggested that District Plan Review could be included in Long Term Plan consultation process.

Risks continued:

- Communicate in plain language.
- Lack of community engagement.
- Complexity of DP.
- Rural/urban divide.
- Changes in key staff.
- Not adequately capturing feedback. Ensure those wanting to have a say get full engagement such as whether comments on facebook counts as submissions?
- Taking complaints and moving forward changing these to make them positive.
- Maori alienation from process. Commented that MKT is assisting with engagement with Runanga.
- Not having fortitude to stand by decisions – not being influenced by lobby groups.

Discussion was held around hierarchy of stakeholder with a lot of entities at different levels, and whether there then should be a link to the level of risk. Suggested use of terminology is critical, some will see themselves as partners rather than stakeholders. Language being used needs to be thought out. Spoke to consistency around process and roles to manage risk.

Councillors were asked to take part in placing the risks they saw in a risk matrix, with discussion following on:

- Protection/identification of heritage. - Feedback from community that we should be looking after our heritage and cultural values.
- Land availability and use.
- Lack of zoned land for businesses and residential growth.
- Assumptions around growth.
- Natural hazards – climate change, sea-level, earthquakes, floods.
- Noise/reverse sensitivity.

Following some brainstorming, suggestions on how to go out and engage with community:

- Incentives to community to engage.
- Invite key stakeholders to meeting.
- Give scenario/options and let the community feedback on it.
- Social media. Community Page – Rolleston has 11,000 members.
- Need to target big events.
- Step by step engagement rather than giving them all at once.
- Ask the stakeholder what works for them.
- Don't confuse apathy with contentment.

Mr Hoban will report back in July in relation this workshop, with feedback from Councillors being incorporated. Suggested (January – June) timeframe as more people engaged, less apathy.

Councillors need to consider what role they want to play in this. Engagement is two way.

**Moved - Councillor Lyall / Seconded - Councillor Reid**

*'That the Committee notes the presentation.'*

**CARRIED**

## **7. Tree Shading Rules in the Rural Zone**

Mrs Larsen spoke to her Presentation.

Noted that the rule is only in Rural Volume in relation to Operative District Plan Rule.

In relation to tree shading causing ice hazards, this only occurs approximately 20 days a year.

Councillor Watson questioned where our culpability is if there was a serious accident with our current methodology of placing warning signs rather than removing trees. Noted that in relation to Dunns Crossing Road, by the school, the footpath is permanently frosty which affects those walking/scootering to school. Therefore should we include footpaths and thoroughfares? Mrs Larsen responded that this is not an issue for District Plan Review, as it is an issue managed by the Assets department.

Councillor Miller spoke to Health and Safety legislation and whether the Council should be mitigating under this legislation. Requested some case law on this issue from NZTA. If a hedge is on private land, but causing ice on the road, where does the liability fall?

Councillor McEvedy spoke to trees on road reserve. Council should have some input as to whether to remove a tree/s or topping to certain level in order to minimise risk. First priority should be those on road reserve that we have not policed, then those on private land and topping trees. Mr Chamberlain responded that in regards to rural areas if they ask to plant trees on road reserve Council will decline. Mr Chamberlain advised that Council can remove trees on road reserve and have done so with a few trees. Owners have option to do maintenance themselves if they want to retain them, otherwise Council will remove offending trees.

Councillor Alexander commented that he felt that this should not be included in the District Plan. We should use another mechanism for managing tree shading.

Councillor McEvedy spoke to process in regards to the issue with fencing around subdivisions whereby Council put rules in place and retrospectively wrote to landowners. If we do not follow up on trees on road reserve, then that is our fault. We need to set clear action as to how we deal with the other issue around private land.

Councillor Morten commented that if on road reserve we have responsibility to manage these. However we do not appear to have ability to enforce removal on private property. Whether we should or not, is something for debate, but if we do, then where does resource come from to remove them?

Mrs Larsen responded that Council does have ability to require private owners to remove/trim trees on private land, there is a bit of process (via the Local Government Act) but it is a pathway. Mr Chamberlain responded we have not had to enforce this, as in the past Council has asked and people have removed trees. Mr Chamberlain commented that the biggest problem in relation to ice is not the tree shading but is overnight rain followed by a freeze and that it is not all the roads on the network that have issues.

The Mayor questioned if we were to remove rules, what teeth does policy have? He likes the Hurunui pamphlet, but unsure about going through the District Court. Noted issue with low sun over winter, so there will still be shade issues on road over winter. Need to be sensible about rule.

Mrs Larsen spoke to discretionary or non-complying consents and need to ensure that council does not impose a condition that conflicts with another Council policy or function.

Councillor Miller referred to NZTA submission on Plan Change 36 that was contained in Appendix 6 of Mrs Larsen's report where it was stated that Council has responsibility to mitigate natural hazards. Mrs Larsen responded that since Plan Change, the Resource Legislation Amendment Act had passed section 360D indicates that Council's should not duplicate powers available in other legislation in District Plans. NZTA has powers under the Transit Act to mitigate ice hazards on their roads caused by vegetation on private land.



The Chair summarised the discussion stating this is an issue that cannot be ignored, but in the officer's opinion, having a rule in the District Plan is not the best option which was evident to a degree by the lack of use of these rules in the last ten years. Suggested a discussion with Assets team and how they handle trees on reserves, and information going out to landowners with trees on private land would be appropriate.

**Moved – Councillor Mugford / Seconded – Councillor Morten**

*'That the Committee:*

- (i) Notes this presentation;*
- (ii) Receives the Issues and Options report on 'Tree Shading in the Rural Zone';*
- (iii) Endorses Option 2:  
'That the effects of tree shading are managed through a combination of policies within the 2<sup>nd</sup> Generation District Plan and other methods outside of the District Plan.'*

**CARRIED**

## **8. New Plan Making Options Under RMA**

Mrs Ashley spoke to her presentations.

Councillor Alexander questioned the Streamlined Planning Process as the District Plan Review does not seem to meet that criteria. Mrs Ashley responded that the standard or Collaborative Planning process may be more suitable.

Professor Matunga questioned in relation to the Collaborative Planning process how is this triggered? Mrs Ashley responded that a Local Authority could chose to establish that process, then look for representatives. But unsure that would work for the full District Plan Review. It was noted this planning process was modelled on the Zone Implementation Committee dealing with complex freshwater management issues.

**Moved – Councillor Alexander / Seconded – Councillor Lemon**

*'That the Committee notes the presentation.'*

**CARRIED**

## 9. Forward Meeting Agenda

Mrs Ashley spoke to the schedule for the July meeting, noting the item 'Endorsement of NPSUDC Market Indicators' may be included in the August agenda, rather than the July meeting.

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

*'That the Committee notes the provisional items for July DPC meeting.'*

**CARRIED**

*Meeting ended at 12.08pm*

UNCONFIRMED