



District Plan Committee meeting held on Wednesday 22 June 2016 at 8.30am in the Council Chambers, Rolleston

Present: Mayor K Coe, Councillors M Alexander, N Barnett, S Broughton, D Hasson, P Hill, M Lyall, P McEvedy, G Miller, 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, E Larsen, C Nichol, M Rachlin, M Renganathan, J Tuilaepa, and minute taker District Plan Administrator (R Sugrue).

Standing Items:

Apologies: J Bland, Terriana Smith (Te Taumutu Runanga Representative)

Moved: Councillor Broughton / Seconded – Councillor Morten

‘That the Committee accepts the apologies for absence from Jeff Bland and Terriana Smith ‘

CARRIED

Declaration of Interest:

Nil.

Deputations by appointment:

Nil.

Confirmation of Minutes:

Moved – Councillor Walters / Seconded – Councillor Lyall

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

CARRIED

Outstanding issues register:

No Outstanding Issues

Specific Reports

District Plan Review – Plan Structure and Timelines

The Project Lead spoke to his report on plan structure and timelines.

The Committee agreed at the last meeting on a zoned based plan. The Project Team have looked at other 2nd generation plans (2GP) which have been completed or are currently going through the process. Ashburton Plan has been operative for several years, Hamilton is currently going through the appeals while Queenstown and Dunedin have been through the hearing process which has led to the Project Team to draft a proposed structure, as per page 20 of the Agenda.

The proposed plan structure tells what we are trying to achieve, managing the zone and specific standards which don't fit into zone approach, and the last part covers monitoring, which we hope to be able to target a lot more than what we currently do.

Councillor Peter Hill entered the meeting at 8.37AM

The Project Lead explained that most 2GPs have a strategic direction chapter, other than Ashburton. We have Selwyn 2031 which is a good foundation to start with. The directions are very high level. It is proposed that definitions will likely be first, and will be worked into the e-plan so they won't have a specific chapter, but will rather be incorporated into the whole plan.

In terms of part two for developing the zones, we are looking at planning gains vs burden, and want to streamline as much as we can and focus development of zones into 4 component parts as follows: Residential Development in Urban Areas, Business Development in Urban Areas, Development in Rural Areas, and Special Purpose Areas. Cemetery zones, Fonterra, Synlait, Terrace Downs and Quarries will need to be worked on in terms of where they fit into the plan. (Could be Rural or Special Purpose, need to work further on this)

Mayor Coe questioned that as a lot of businesses operate out of small residential areas, how will they sit in the plan?

The Project Lead responded that there may be some overlapping between Residential Development and Business Development chapters and we are starting to look at these issues as part of Stage 2. The Project Team will bring these types of findings to the Committee when they are identified, along with suggestions / options to resolve these.

Councillor Millar commented that we don't want to discourage people from operating their business in Selwyn, and at what point do we encourage them to move from their residential space to other premises when they get too big?

The Project Lead acknowledged this point and that we will be looking at these types of scenarios and issues in the upcoming stages.

The Project Lead discussed what other chapters have been introduced, including looking at what strategic infrastructure there is in the District e.g. West Melton airfield. Anything outside this will fall under other District wide issues.

Councillor Morten questioned how we determine what is and what isn't considered strategic infrastructure.

The Project Lead responded that this will be taken to the Committee, and also what the Community may think, and issues and options papers will be available on this matter.

Councillor Broughton has the view that Natural Environment and Cultural Heritage should be quite separate chapters. Councillor Broughton also questioned the Energy and Infrastructure chapter, being that energy is part of infrastructure, if you highlight this out as a separate issue, how does that effect other areas that fall within that chapter?

The Project Lead responded that we need to look at energy transmissions, how we manage storm water and wastewater. Natural Environment and Culture and Heritage could be separated, but it does come down to resources and how to tell the story of the District and the Plan. The proposed chapter has been tested with planning and Runanga who quite like having the two chapters together, and they feel it is a reasonable balance. Waimakariri has also come up with the exact same structure.

The Chair called for a discussion from the Committee if we can agree to the proposed plan chapters now, or does this require further discussion.

The Project Lead explained to the Committee that the proposed plan structure is what has been used to allocate the staff for the review and he would suggest to the Committee to go ahead with the chapter structure.

Mayor Coe commented that he lives in a cultural zone, and thought the plan structure could become quite blurred for properties such as his.

Councillor McEvedy agreed that Culture and Natural Environment are quite interlinked and they do cross over often, they could work together as long as they are very clear.

Councillor Broughton suggested as that chapter is quite significant for Maori, maybe it should be a chapter all of its own.

The Chair recommended it would be good to have input from Terriana Smith and can we reconfirm that chapter and its structure at the next meeting.

Councillor Lyall commented that he was happy to have as the proposed chapter structure as working chapters, but as we work through the plan we may discover issues that create the need to develop other chapters when we take this out to consultation. Councillor Lyall was happy for the proposed to be used as an organisational structure, but not the final draft until further work is done.

Councillor Hill voiced his concern that components in the chapters may be degraded and a connection not made between them.

Councillor Walters agreed with Councillor Lyall that it should be used as a working document at this stage. Councillor Walters voiced her view that she did not want to live in an environment that needs protecting, that it should become so ingrained that we respect it. Councillor Walters seconded the motion for the proposed chapter structure to be working titles only at this stage, and also recommended that the whole of the plan should be based around protecting our environment.

The Project Lead responded that Kaitiakitanga will be woven into the whole District Plan, that Culture and Heritage should be viewed as the only chapter that covers these issues. The Project Lead had had discussion with the Runanga and Terriana Smith and they are both supportive of this approach.

The Project Lead spoke further on the development of the plan from a team approach perspective. The teams develop sections within the plan, with a Team Captain who is responsible overall for the leadership in direction of the section. Team members will give progress updates to the Team Captain, and lead elements of the section including drafting parts of the sections and issues and options paper. We wanted to ensure that the Team Captains are on other teams to get crossover with their chapters. The DPR Development Leadership Team will provide leadership in the direction of the overall District Plan via Strategic directions, drafting protocols etc, peer review of the material from the teams ensuring that there is consistency between chapters and resolving any issues that the teams may have. The City was highly criticised in their approach and we want to avoid this where possible. Our teams will be getting input from consultants, assets and other Council departments. It is going to be a very complex progress, and we are very lucky to have the resources that we have and we believe we have a good mix of chapters.

Note: The Team Captains present in the meeting introduced themselves to the Committee.

The Project Lead spoke to the timeline for the DPR. The indicative timeline was outlined in the project brief on page 4 and it was anticipated to have Stage 3 completed by October 2019. The graph on page 24 of the agenda shows how the time leading up to this date may be split up. Issues and options papers and Community feedback are about to start in the next few weeks, the notification period is 5 months and is a requirement under the Act so that time cannot be changed, but we can change how long we do issues and options papers and the drafting, so flexibility is available as there may be some chapters which may not require issues and options papers. Chapter briefs are going to be done by Team Captains as part of Stage 2 to get an idea of timeframes.

Councillor Lyall questioned how long Hearings have taken for other Councils.

The Project Lead responded that for Hurunui it was only two weeks, Dunedin took nine months. He explained that it is dependent on the number of submissions that we receive. With regards to Hurunui, their plan was almost the same to what was previously there but that Dunedin was a whole rewrite. As we are going to be changing the format of our plan he would expect to allow at least six months.

Mayor Coe questioned how long it would take before the plan would be operative, with the appeals process?

The Project Lead explained we don't know how much change to the look and feel of the plan will take place, we might change the structure and it is dependent on Community feedback, it really is something that we can't predict.

The Chair commented that as it looks like our plan will be a whole rewrite, he would anticipate the longer end of this.

Councillor Millar questioned who the Hearings Panel would be made up of and decided upon. The Project Lead answered that it would be a combination of both Commissioners and accredited Councillors, and that once the new Councillors are elected we would need to do a brief to the new Council to get a feel for who would want to be involved.

The Chair also gave input and explained that they would have to be skilled as it involves a review of s32 reports, there is a large commitment that would be required from the Panel.

Councillor Millar suggested there was a need to make new Councillors aware of this workload and ensure they understand how much time is going to be involved. Would it be fitted into a Wednesday workshop or further meetings required.

Mayor Coe explained that they are planning to have workshops for those looking at standing for Council and this will be highlighted to any potential candidates.

The Chair also explained that it would be likely that the Hearings would be over three or four days for several weeks, so the time commitment needs to be there from the Panel.

The Planning Manager also spoke around the timeframes and workload, and thought that having the Project Manager on board will be beneficial and should be able to give a better understanding of time commitments and meeting statutory requirements under the Act. He also spoke about risk strategy around the DPR, what it means if we miss timelines etc. The making good decisions course (which Councillors have to attend to become accredited) is not a hard course but the commitment to be a part of the Hearings Panel is significant.

The Project Lead spoke about the need to look at how wisely we use our time over the next 18 months and focus on what we need to do, not what we might want to do. We need to look at new ways to get people involved in the DPR. There will be issues or topics which may impact on the final end date such as the National Policy Statement on Urban Development Capacity. A Range of assessments will have to be done which may not align with DPR timelines so we will need to look at how these may impact on the DPR and if a deadline extension is going to be needed, but throughout this process we will continue to keep the Committee informed and we are looking to have a work risk register on how we deal with these issues. The Project Lead explained the need for some flexibility and understanding where required as these issues come to light which are outside of our control. The Project Team will provide suggestions on how best to deal with these and seek input and feedback from the Committee.

Mayor Coe asked the Project Lead about the possibility of having two working parties to reduce time the commitment needed by the Panel?

The Project Lead responded it has been considered and we could look into this further.

Moved – Councillor Lyall / Seconded – Councillor Walters

'That the Committee notes this report and presentation.'

CARRIED

Draft SWOT Analysis Quality for the Environment, Residential Density Rural, Culture and Heritage and Community Facilities and Recreational Areas.

Mr Craig Friedel spoke to his report on Quality for the Environment (QoE), Township.

We need to give effect to the Resource Management Act (RMA) and the Regional Policy Statement (RPS). Township QoE includes all Living and Business Environments.

Strengths – Current plan provisions are giving effect to the LURP and CRPS, particularly in respect to managing ‘greenfield’ development

A number of best practice examples within the SDP

SDP has been informed by Strategic plan

Weaknesses – Disconnect between zone statements in Part A and objectives and policies in Part B and rules in Part C.

Clarity required on how ‘amenity’ is defined. Need to define other issues, such as heat pump noise and other complaints coming from enforcement

Opportunities – Consolidate the two volumes

Apply KAC framework in terms of applying S2031 Town network and area plans

Recommend a more integrated approach to managing subdivision and land use

To try and create or express clear expectations around our zones

Threats – Standardised provisions may reduce the amenity that characterises townships

Outcomes are very subjective – need to be informed by strategic planning and community outcomes e.g. Selwyn 2031

Limited opportunity to amend the character outcomes – NPS UDC implications?

Councillor Millar asked if there will be provisions/rules pertaining to where two subdivisions adjoin, but have different ground levels.

Mr Friedel responded that the rules would be more around road connections between two adjoining subdivisions, and that contour levels are more an engineering code of practice issue.

Councillor Lyall asked where we might address more of the outcomes such as big houses on small sections.

Mr Friedel responded that we are trying to remove some of the duplication through the policy framework.

Councillor Walters asked about the outcome to LURP and carpark restrictions.

The Project Lead responded these were in the KAC, there are some changes we can make under the LURP process, but we would have to talk to the Minister on how we can resolve these issues.

Councillor McEvedy talked about general rules that apply to all townships, and if the District Plan would have provisions for individual townships so that the character of the town can be maintained, without the car parking rules impacting on businesses.

Mr Friedel responded that this will be a mix between Area plans, Selwyn 2031 and the District Plan and The Project Lead acknowledged that there would be a need to do individual township studies, as car parking needs to be town specific.

The Chair advised the Committee that issues and options will be brought to them on these matters.

Emma Larsen spoke to her report on Quality for the Environment, Rural.

We need to give effect to the (RMA) and the Canterbury Regional Policy Statement (CRPS)

Strengths – The DP has strong provisions to manage potential reverse sensitivity effects
Provisions managing existing development areas (EDA's), dairy processing management area and relocated dwellings appear to be working well

DP provides for papakainga, marae and ancillary activities at Taumutu

Weaknesses – No overall statement of the outcomes sought for rural zone

QoE provisions don't align well with Part 2 RMA

Policies referring to avoiding, remedying or mitigating adverse effects on amenity values/rural character are not as directive as they could be

No DP policy relating to using land productively in relation to non-residential non-rural activities

Weaknesses for certain topics such as noise, intensive farming, tree shading,

Limited provisions relating to tourism activities in rural zones consistent with RPS

Opportunities – To adopt a positive planning approach to ensure provisions provide better direction as to the outcomes sought

Consider how effects of free range intensive farming, tree shading and noise could be better managed

Further develop Papakainga provisions to adopt Kainga nohoanga zones consistent with WDC and CCC

Introduce specific provisions relating to tourism activities in the rural zones to align with RPS

Threats – Resistance from landowners to possible restrictions on their activities

Consistency of approach with adjacent territorial authorities

Interpretations of RPS "urban activities" definition may differ

Emma Larsen clarified to the Committee that the existing District Plan provides for papakainga housing and marae but not for business development. Papakainga housing is housing established on Maori land but there are still some provisions which need to be adhered to.

The Kainga nohoanaga zone also provides for business type activities, and have been adopted by CCC and WDC. More work is to be done on this area during Stage 2.

Councillor Hasson entered the meeting at 9.39AM

Councillor McEvedy thought it would be a good idea to have a talk with Ngai Tahu and Taumutu before we go through the full DPR process to find out what their Strategic Plans may be.

The Chair responded that there will be a number of Hui's which will flesh out these issues.

The Chair spoke to the Committee with the thought that QoE rural was going to be one of the bigger topics to cover, there will be a number of discussion papers that will be brought to the Committee covering these issues as they arise over the upcoming Stages.

Councillor Barnett sought clarification of the tree shading and noise issues.

Ms Larsen explained the rule on tree shading and that it is very difficult to work with and to enforce. The Project Lead suggested the need to find better ways to manage this rule as it is only for two hours of the year that it is an issue.

Ms Larsen explained that there is a new NZS which changes the way noise is assessed, it has been adopted as best practice by noise consultants and is in line with WHO standards in terms of measuring noise. This may be a fairer way to manage noise.

The Chair explained to the Committee that it is difficult to have one rule which covers all circumstances, and the DPR process may look at some other options to cover this.

Ms Larsen spoke to her report on Residential Density, Rural.

We need to give effect to the (RMA) and the Canterbury Regional Policy Statement (CRPS)

Strengths – Open space consent notice provisions work well for maintaining density

Weaknesses – Provisions for family flats need tighter criteria

Objectives refer adverse effects which can make it difficult to be able to decline some subdivision applications for a dwelling on an undersized lot

Opportunities – Consider including additional criteria for family flats

Consider positive planning approach for residential density in the rural zone

Consider removing the ‘grandfather provisions’ which provide for dwellings on undersized lots in certain circumstances

Consider whether the ‘avoid’ policy (introduced as a LURP action) should apply outside the Greater Christchurch area

Threats – Landowners resistant to potential changes

Unknown how CPW irrigation dev and Land and Water Plan nutrient budgeting provisions may impact on demand for housing in the rural zone.

Jessica Tuilaepa spoke to her report on Heritage and Culture

We need to give effect to the RMA, CRPS and Heritage NZ Pouhere Taonga Act.

Strengths – Generally consistent with the RMA and give effect to the CRPS and MIMP

All building listed on the HNZ list are also listed in SDP

No obvious instances of council granting consents that are inconsistent with the objectives and policies of SDP

Plan discourages the demolition of heritage buildings, but allows to occur where necessary.

Weaknesses – does not clearly identify / protect the settings around heritage buildings – Christchurch started being more specific in their heritage listings which we could also do, especially in an eplan format.

Heritage NZ Pouhere Taonga Act came into effect 2014 which is after current practice came into effect.

Lack of definitions.

Heritage has its own chapter in township but is scattered throughout the rural volume.

Items destroyed in the earthquakes are still listed in plan – Council have noted that they are no longer there, but they are still listed in the appendix.

Opportunities – Develop a heritage strategy – Auckland and Nelson have them currently.

Allow for more flexible rules for adaptive reuse of heritage buildings – e.g. wanting to operate a Law firm out of a heritage building in Leeston but they currently have to apply for a resource consent to do so.

Allow council to add additional cultural and heritage sites / items when required.

Objectives and policies across the two volumes are largely the same and could be streamlined

Threats – Currently the plan doesn't tell people to get an archaeological authority where perhaps it should

How to deal with demolition by neglect

Lack of review to keep an eye on status of heritage items an issue

Councillor Hasson commented that there is a loophole in the plan currently with heritage trees and arboretums, that they aren't GIS mapped properly – e.g. old oak trees were taken down in the Waihora Domain as they weren't mapped properly. Can't we map the whole area of the arboretum to avoid this.

Ms Tuilaepa responded that it would depend on what rules were in the plan.

Jessica Tuilaepa spoke to her report on Community Facilities and Reserves/Recreation Areas

We need to give effect to the RMA, CRPS, Reserves Act and the LGA

Halls, schools, cemeteries, fire stations and reserves are examples of these facilities / areas.

Strengths – No changes have been made to this chapter since the plan was notified.

Current objectives, policies and rules achieve the key outcomes sought by the RPS.

The objectives of rural and township volumes vary to suit the area to which they relate.

Weaknesses – Methods for achieving some policies lay outside of the DP.

Outdated perspective of activities.

Opportunities – have rules relating to established community facilities in one place.

Implement a blanket approach to some community facilities, regardless of zone.

Better definitions and add new definitions to better define "community activity" and 'community facilities'.

Provide links and reference to adopted strategies and management plans through eplan where relevant

Threats – Community facilities on designated sites are not subject to the rules of the zone and can create issues e.g. currently trying to work through car parking in Rolleston School

Lack of clear definitions

Selwyn is fast growing and having to play 'catch-up' – some rules may be outdated, given how much communities have changed.

Esplanade reserves / strips have caused confusion and contention in the past.

Next Steps

Cameron Wood spoke on the next steps.

We are currently working through the final peer review and signing off of the SWOT analysis. Preparing for Phase 2 – Issues and options papers, efficiency and effectiveness assessments and establishment of strategic partner and stakeholder forums.

Moved – Councillor McEvedy / Seconded – Councillor Lyall

'That the Committee notes this report and presentation.'

CARRIED

District Plan Committee Forward Meeting Schedule

Moved: Councillor Alexander / Councillor Lyall

“That the Committee receives this report”.

CARRIED

Meeting ended at 10.20 AM