

**Chairperson and Committee Members**  
REGULATORY MANAGEMENT COMMITTEE

12 MARCH 2015

Meeting Status: **Public**

Purpose of Report: For Information

## **UPDATE 4 ON THE PROPOSED DISTRICT PLAN**

### **PURPOSE OF REPORT**

- 1 This report summarises activities carried out since the last update report on the Proposed District Plan (PDP). The last update was included on the agenda for the 20 November 2014 meeting of this committee.

### **DELEGATION**

- 2 This report is for information purposes and regular updates have been reported to the Regulatory Management Committee.

### **BACKGROUND**

- 3 On 24 July 2014, the Council chose Option 4 recommended by the Independent Review of the PDP. This option is to continue with a modified PDP process which addresses the Plan as a whole using the 'basket of tools' available to the Council.

### **KEY COUNCIL DECISIONS**

- 4 At its meeting of 27 November 2014, the Council further confirmed its decision to continue with the modified PDP process. At this same meeting, in accordance with Section 37 of the Resource Management Act 1991, the Council agreed to an extension of the timeframes for giving its decision on the provisions and the matters raised in submissions on the Proposed District Plan to 29 November 2017
- 5 At its meeting of 11 December 2014, the Council made several key resolutions relating to the PDP hearings panel. These resolutions were to:
  - Appoint Alastair Aburn as independent chair of the panel and David McMahon as independent commissioner
  - Confirm that an iwi commissioner will be appointed to the panel
  - Defer the appointment of two elected commissioners to the panel until a minimum of 3 months before the commencement of hearings.
- 6 Following on from the resolution to appoint an iwi commissioner, officers will now commence a formal registration of interest process and develop a shortlist of potential iwi commissioners for the Council to consider and appoint.

## EXTERNAL ENGAGEMENT ACTIVITIES

7 The following table lists the external engagement activities that have taken place since the last update which recorded activities up to 16 October 2015.

Date	Who	Reason for meeting	Outcome
Various	Submitters	To clarify site specific flood hazard issues raised in submissions	Independent expert review of issues raised
25 Nov 2014	Submitter and further submitter	Prehearing meeting on landscape matters	Good progress on reaching an agreed outcome
26 Nov 2014	Rural submitters	Rural Issues Group	Regular meetings to be held to address submission issues
26 Nov 2014	Tāngata Whenua Working Party meeting	Regular meeting	
9 Dec 2014	Submitter	To clarify Waikanae North Development Zone submission points	
17 Dec 2014	Rural submitters	Rural Issues Group	Regular meetings to be held to address submission issues
28 Jan 2015	Coastlands	Workshop regarding Paraparaumu centre - included discussion of key submission points about the district centre structure plan	
Feb 2015	Network Utility Operators	To clarify matters raised in submissions	
4 Feb 2015	Rural submitters	To discuss site visit process with a 'pilot group' of rural submitters	Ongoing liaison re site visits
11 Feb 2015	Submitters	To discuss submission on Waikanae North rural eco hamlet	
13 Feb 2015	Rural submitters	To discuss property access, and methodology for review of ecological and landscape overlays on pilot sites.	Ongoing liaison re site visits
16 Feb 2015	ART Forum	Update on review of waahi tapu subject to submissions	Direction as to iwi contacts

Date	Who	Reason for meeting	Outcome
16 Feb 2015	Kāpiti Airport	To clarify matters raised in submissions	Follow up meetings as required
24 Feb 2015	Winstone Aggregates Ltd	Site visit of Otaki gravel extraction activities and meeting to clarify matters raised in submissions	

- 8 On 28 November 2014, the Council lodged a submission on the GWRC's draft regional plan. The submission was supportive of much of the document, but highlighted ways in which the PDP and the regional plan could be better aligned in areas such as stormwater management, coastal management, biodiversity, wetlands, plantation forestry and earthworks. Staff are actively following up with GWRC to ensure better alignment and regulatory efficiency.

### INTERNAL ACTIVITIES

- 9 The key internal activities undertaken by staff since the last update include:
- An internal officer workshop held on 28 to 30 October to review potential approaches to key matters raised in submissions, and findings from benchmarking with other District Plans where relevant.
  - An internal officer workshop with the Council's appointed urban design expert (Ian Munro) to discuss key submission issues raised in relation to the living and working environment chapters.
  - Participation in Town Centres and Connectors meetings to ensure coordination with the PDP.
  - Continuing the identification of the effects on individual submission points of the withdrawal of the Plan provisions relating to coastal hazards, hazardous substances and hazardous facilities, and priority areas for restoration.
  - Initial meeting of Independent Commissioners with the Environmental Planning Manager and the chapter leads.
  - Update to Te Whakaminenga O Kāpiti on submissions received to specific Waahi Tapu
  - Meetings on 2 and 11 February for chapter leads to advise the Senior Leadership Team of anticipated key changes to the PDP.
  - Appointment of Simpson Grierson as the legal supplier for the PDP
  - Commencement of internal and external review of redrafted chapters.

### IMPLEMENTATION PLAN UPDATE

- 10 Attachment 1 contains the PDP implementation plan. The timeframe for completing the redraft of the PDP provisions was mid-March. However staff advise that this redrafting timeframe has now been extended to the end of May 2015. The April to September 2015 period for engaging with stakeholders (ie submitters) has not been changed at this stage but will be kept under review.

- 11 The reasons for extending the timeframe to complete the redraft of the PDP provisions are as follows:
- a. Determining a response to submissions which require a site specific response is taking additional time where a site visit is required. Site visits require landowner approval and often need to take into account the availability of the landowner to attend. Site visits are required for site specific submissions about flood hazards, waahi tapu, ecological sites, and other natural environment features.
  - b. Further to (a) above negotiation is ongoing with some rural submitters to obtain agreement for site visits to reassess matters raised in submissions about ecological sites and other natural environment features on their properties. There are some 230 to 300 submitters to liaise with in this regard.
  - c. For some matters submitter engagement has already commenced. This has blurred the distinction between the redrafting period and the submitter engagement shown on the previous version of the Implementation Plan.
- 12 Staff will continue to provide monthly updates about the progress of the Implementation Plan.

## **CONSIDERATIONS**

### Policy considerations

- 13 There are no policy considerations that need to be referenced.

### Legal considerations

- 14 There are no legal considerations that need to be referenced.

### Financial considerations

- 15 Costs to date are within budget for the 2014/15 financial year.

### Tāngata whenua considerations

- 16 There are no specific Tāngata whenua considerations in this update report.

## **SIGNIFICANCE AND ENGAGEMENT**

### Degree of significance

- 17 The PDP is now in the statutory phase between close of submissions and commencement of hearings. Council's Significance and Engagement Policy does not cover any engagement process that may be required under the Resource Management Act 1991.

### Engagement

- 18 The PDP implementation plan (refer to Attachment 1) provides for additional submitter engagement and prehearing meetings which are not required under the RMA.

## Publicity and communications

19 Press releases have been issued as follows:

- Advising of Council's decision on 17 November to confirm Option 4 as the pathway for the PDP.
- Advising of the appointment of the independent chair and independent commissioner, the confirmation of a position for an iwi commissioner, and the deferring of appointment of two elected commissioners until closer to the hearing.

20 Edition 4 of the PDP Update newsletter was issued after the 27 November Council meeting. Topics covered included: the confirmation of the PDP process, the extension of timeframes under s37 of the RMA, the introduction of experts covering urban design, flood hazards, erosion and earthquake hazard, and noise / acoustics.

21 Edition 5 of the PDP Update newsletter was issued after the 11 December Council meeting and advised of the Council's decisions on the appointment of commissioners. The update included information introducing Alistair Aburn, as the independent chair, and David McMahon, as the independent commissioner.

## RECOMMENDATIONS

22 That report SP-15-1505 be received.

**Report prepared by**

**Approved for submission**

**Approved for submission**

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## ATTACHMENTS

1 Attachment 1 contains the updated PDP Implementation Plan

