

DRAFT DISTRICT PLAN – PUBLIC FEEDBACK

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 WARD/COMMUNITY: District wide
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MATTER

The matter for consideration by the Council is the release of the draft District Plan that includes a new draft District Plan framework and draft objectives and policies for wider community feedback. This is a key phase of the District Plan Review process.

RECOMMENDATION FOR CONSIDERATION

That having considered all matters raised in the report the Draft District Plan and summary guide is made available for public feedback.

COMPLIANCE	
Significance	This matter is of some significance as it is consultation on draft proposals. The draft District Plan process does not have any statutory implications. The public notification of the Proposed District Plan later in 2017 will be of increased significance as this is the statutory process.
Options	<p>This report identifies and assesses the following reasonably practicable options for addressing the matter:</p> <ol style="list-style-type: none"> 1. Make the draft District Plan available for public comment (with or without amendments). 2. Do not make the draft District Plan available for public comment.
Affected persons	The persons who are affected by or interested in this matter are key business and community stakeholders, iwi and hapu and the general community.
Recommendation	This report recommends option 1 for addressing the matter.
Long-Term Plan / Annual Plan Implications	No
Significant Policy and Plan Inconsistencies	No

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BACKGROUND

Overview

The District Plan Review was commenced in May 2014 following the resolution of the Regulatory Committee. The key objective of the District Plan Review is to deliver a progressive district with liveable spaces, business opportunity and natural values.

The project is divided into four project phases as follows.

Phase 1: Review preparation (June 2014 to December 2014): Review preparation has been undertaken, including consideration of monitoring gaps and areas for focus.

Phase 2: Strategic Alignment (June 2014 to July 2015): To ensure a broader context to the District Plan the Blueprint and key directions have been developed and adopted by Council as part of the Long Term Plan. Focus is now on the integration of the Blueprint into Council's policy and planning processes and everyday operations. The Blueprint provides significant direction for the District Plan Review and has influenced the key proposals for change identified for the draft District Plan.

Phase 3: Draft District Plan Preparation (August 2015 to August 2016): Draft District Plan objectives and policies have been developed as proposals for consideration by the community. The recommendations for discussion as part of the draft District Plan have been developed through monitoring, analysis and consultation and stakeholder discussions. Using a new District Plan framework these provisions will now be tested with the community to determine if they deliver on key outcomes. The draft process provides the opportunity to discuss initial issues with stakeholders and the wider community and for refinement of these issues. The draft District Plan will be available for public comment until December 2016.

The next stage of the draft District Plan process will assess the feedback provided to confirm and refine proposals and to then develop specific methods (zonings and rule responses) that will support a full Proposed District Plan. This will be a consideration for early in 2017.

Phase 4: Proposed Plan (September 2017):

The Proposed District Plan will be publicly notified in accordance with RMA requirements and will involve submissions, hearings, decisions and the opportunity for submitters to appeal to the Environment Court. The target date for public notification is September 2017.

Draft District Plan Framework

A new framework has been developed to better align the District Plan with best practise and to respond to community concerns regarding the issues with the current District Plan. The new District Plan will enable development to occur while putting the right controls in place to ensure planned and efficient outcomes.

The current District Plan is very liberal in its application and has no strategic direction for what it is trying to achieve for the district over the next ten years. It is a pure 'effects based' plan, where development is required to meet certain performance standards that manages the effects that may be generated. The plan was built 15 years ago (has been active for the last 12) at a time where the district wasn't growing. It has served the district well, save for some 'out of zone' activities establishing in areas that would have otherwise served one purpose. These out of zone activities are often characterised by activities that are not compatible with adjacent uses, such as residential developments in industrial zones.

With this in mind, one key aim of the District Plan Review is to provide better strategic direction by delivering on Blueprint key directions through its objectives, policies and rules for land use and subdivision. In particular, this means providing a clear steer on where activities can locate. This will also help to provide clearer regulatory signals for business and industry and provide more investment certainty, while protecting key values that are important to the community.

A stronger focus on objectives and policies that provide direction for the community and plan users will improve the resource consenting framework and decision making. More importantly it will also help Councils long term infrastructure planning to become smarter and more efficient.

Finally the new District Plan will also be more accessible to the community, both from having a more simplified and strategic framework and the initiative to take the plan digital. As a result property based planning information will be accessible and searchable, providing at hand information on development potential, options and scenarios.

New District Plan Proposals

Objectives and policies for the new District Plan have been drafted for stakeholder and community comment. We want early feedback on these before progressing to the next stage. In many cases further work is required to confirm these proposals before progressing into the Proposed District Plan

Four areas in particular have been identified where more change in the District Plan is required. These four proposals are summarised below:

Central City and Local Centres

The Central City is a key direction of the Blueprint. There is the opportunity for the District Plan to direct and better facilitate desired activities (including residential living and commercial activities) into the central city. Likewise key suburban centres and townships will benefit from a more deliberate planning framework. The primary outcome is for the central city and centres to be the primary hub for activities and living.

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Retail activities are a key driver, impacting the form that our central city takes and the success or failure of local centres. The new District Plan seeks to better direct retail activities into our central city and local centres. Managing where retail activities can locate will ensure the on-going viability of these centres. The new District Plan will do this by establishing appropriate compact zonings in our central city and local centres that allows and encourages a range of activities for retail, office and entertainment activities that serve the district and the wider region.

To achieve better outcomes in the central city and local centres it is proposed that a more deliberate approach is taken to the design of buildings in this area. Active frontages around all buildings will be promoted by continuing to manage pedestrian frontages and verandahs along key pedestrian streets. This will encourage retail activities to locate on the ground floor and lead to active spaces that people. In our central city a focus will be put in particular on the design of new buildings to ensure legible and good outcomes.

Residential Growth and Housing Choice

Providing for a cohesive growth strategy is a key direction of the Blueprint and the District Plan has a role in ensuring there is sufficient land to provide for up to 1000 additional residents and 350 new dwellings per year that are forecasted.

With changing demographic trends, i.e. smaller families, and a predominately aging population, the new District Plan recognises the need for a range of housing types to be provided in safe, accessible well designed communities. Although the major housing offer will continue to be through low density housing in established and new residential neighbourhoods, this will be complemented by opportunities for medium density housing (town-housing, etc) in and around the central city and local centres and transport nodes.

Alongside existing residential zonings, growth areas are being assessed with a view of providing land to meet the short, medium and long term future growth needs of the District, while achieving a cohesive growth strategy. There is an opportunity for a range of densities to be provided in well-designed and connected new neighbourhoods. These directives are strongly influenced by Central Government's recent work in regards to improving urban planning.

Managing Industry

The need to strengthen and manage the rural economy, industry, the port and the airport is a key direction of the Blueprint. There is a need to ensure there is sufficient employment land supply and that appropriate land-uses are establishing in industrial areas. The effects of large scale rural industry also need to be managed and consideration towards a more consistent regional approach has been taken.

Industry land and related uses need to be strategically located to allow for the efficient transportation of products and the use of infrastructure and services. Non-industrial activities, particularly sensitive land uses need to be managed to allow for the on-going viability and growth of industry.

A simplified but directive zoning framework is proposed that supports commercial service and industrial activities. As part of this proposal major facilities (i.e. larger scale industries) that are nationally or regionally significant and have particular operational requirements are acknowledged through a focused zoning.

The proposal takes a long-term view of the economic development needs of the District. It ensures a sufficient supply of industrial land to provide for a balanced economy, cater for emerging forms of industrial activity and retain local access to essential service industries.

In regards to the rural economy the draft District Plan proposes the need to recognise and provide for traditional rural uses and farming activities, but to identify and appropriately manage the environmental effects of rural industry. This will ensure that large scale industry can operate in appropriate locations in the rural area (i.e. away from sensitive activities and along main roads). The provisions reinforce the need for good site selection and industry best practise to minimise the effects on surrounding communities, while providing for operational certainty.

Coastal Management

A strategic approach is required to coastal management to ensure activities do not impact the natural values of the coast and that that a planned approach is taken to the management of natural hazards. The draft District Plan gives effect to the New Zealand Coastal Policy Statement 2010 (NZCPS) and manages the landscape, historical, cultural and ecological values of both modified and natural coastal environments.

The draft District Plan proposes to replace the Coastal Policy Area with a Coastal Overlay Area that will better manage the impacts of activities locating in the coastal environment. This will ensure better outcomes through the resource consent process.

Local Planning Responses

The Blueprint key directions are being interpreted at the local level through the creation of new Community Board Plans and Local Centre Plans. These plans will be spatially based with local planning issues articulated, and in the case of Community Board Plans, led by the local Community Board.

Council officers will work with Community Boards and local communities over the next few months to assist with identifying areas of focus for the District Plan Review.

The Kaitake Community Board has commenced the development of the first Community Board Plan. They have set up a local Oakura focus group of stakeholders to provide input into the District Plan Review, to consider future growth issues in that community. The Draft District Plan has responded to the areas of focus identified by the Oakura Community Board, to date, in the following ways:

- Zoning controls that ensure activities of like character locate in zones;
- The introduction of the Coastal Environment section and review of the Coastal Policy Area;
- A framework for structure planning areas identified for future growth and staging of development;

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- Providing for a range of types of housing (i.e. encouraging higher density housing in local centres and new residential areas);
- Providing a zoning planning framework for managing “lifestyle” areas;
- Potential for character areas to maintain village identify and character; and
- Incorporation of design principles into development to ensure safe, connected and livable community environments.

Further work will continue as the new District Plan framework is applied in the local context (through zoning and rules) as the Proposed District Plan is developed.

As Community Board areas of focus are identified and as work is undertaken in local centres over the next few months these considerations can be fed into the Proposed District Plan for the next phase of the project.

Significant Natural Areas

Following the Environment Court decision regarding the requirement to include identified Significant Natural Areas (‘SNAs’) in the District Plan, further consultation with landowners will be undertaken alongside the draft District Plan process.

An open engagement approach with landowners of potential SNAs will be undertaken through the draft District Plan process. Landowners of over 300 LSNAs will be informed of the desk top assessment work and will be able to request further information on the ecological values of the identified area. This regulatory work will be undertaken alongside landowners to determine the appropriateness of sites for inclusion in the new District Plan, and the extent and potential of SNA provisions that will apply.

This work to support the District Plan process will be undertaken alongside Council’s existing Landowner Liaison process, which will continue to work with landowners on management options. It is noted that the Council supports a proactive approach to working with landowners and that this process is a further opportunity to educate and encourage voluntary protection and active management of the areas.

Next Steps

The draft District Plan proposals will be available for stakeholder and community comment from until December, although on-going discussions around particular issues are likely to continue beyond this time. The draft District Plan stage will allow for consideration of proposed changes before progressing and developing rules.

The Proposed District Plan is scheduled to be notified later in 2017. The release of the Proposed District Plan will be publicly notified in accordance with RMA requirements and will involve submissions, hearings, decisions and the opportunity for submitters to appeal to the Environment Court. This is the formal statutory consultation phase.

SIGNIFICANCE AND ENGAGEMENT

In accordance with the Council's Significance and Engagement Policy, this matter has been assessed as of some significance. The District Plan is a statutory document required under the RMA that provides guidance and rules about how land can be used and developed. The draft phase of the District Plan Review provides the opportunity to test proposals and changes to the District Plan through a non-statutory process before publicly notifying a Proposed District Plan formally under the RMA. Further detailed work is required, in some cases, to confirm approaches before the release of the formal Proposed District Plan.

The draft District Plan process provides the opportunity to discuss initial issues with stakeholders and the wider community and for refinement of these issues. The draft District Plan will be made available for public comment until December 2016. A summary guide has been prepared to assist with gathering community feedback on the proposed draft changes. There will be opportunities for the public to comment on the Council's website, including The Midweek and the Council's Facebook page.

OPTIONS

The following reasonably practicable options for addressing the matter have been assessed:

1. Make the draft District Plan available for public comment (with or without amendments).
2. Do not make the draft District Plan available for public comment.

These two options have been assessed together as follows:

- a) **Financial and Resourcing Implications**
The District Plan Review is being undertaken within existing operational budgets. Following this stage of consultation consideration will be given to future work and resourcing that may be required for the Proposed District Plan. This will depend on the issues that are likely to be progressed through to submissions and appeals. Staff time and financial resources have been invested in the District Plan Review to date and it will be prudent to now receive feedback from the community on the directions before proceeding to the Proposed District Plan stage. If the draft District Plan stage is not progressed then it may lead to increased financial and resourcing implications in the long term.
- b) **Risk Analysis**
The draft District Plan process is non-statutory and is intended to reduce and test issues before they are formalised through the Proposed District Plan process. The release of a draft District Plan reduces the risk to Council by allowing for early conversations and the potential to resolve issues. This ultimately will reduce the legal risk to Council by minimising potential submissions and potential appeals following the release of the Proposed District Plan later in 2017.

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- c) **Promotion or Achievement of Community Outcomes**
 The District Plan provides for all the community outcomes, and Blueprint key directions, by providing strategic direction for the future land-use activities in the District. The District Plan Review will deliver 40% of the Blueprint initiatives.

The draft District Plan provides for Our Community by ensuring an inclusive and connected community. Strengthening and connecting communities and neighbourhoods through planning provisions can lead to successful, safe and liveable environments. The current District Plan has led to adverse outcomes in some of our communities, which overtime will weaken their potential and resilience.

The draft District Plan provides for a strong and resilient economy (Our Economy) by providing clearer regulatory signals for business and industry to provide more investment certainty, while protecting key values that are important to the community. The current District Plan is effects based and does not sufficiently provide for the best economic interests of the community.

The draft District Plan provides for a clean, green liveable environment (Our Environment) by being more specific on the environmental outcomes that are expected. It also introduces best practise sustainable management techniques (e.g. low impact design) that will lead to improved environmental outcomes in the District compared to the current District Plan.

- d) **Statutory Responsibilities**
 The District Plan Review is a statutory requirement and the RMA requires that the District Plan is reviewed every 10 years. This draft District Plan stage of the review is ‘non-statutory’ but is likely to improve and streamline the statutory process required for the Proposed District Plan. If a draft District Plan process is not progressed it will be more difficult for the Council to meet its statutory obligations.
- e) **Consistency with Policies and Plans**
 The draft District Plan is consistent with the Blueprint key directions and will deliver on approximately 40% of the initiatives from the Blueprint. Growth planning outcomes, in particular will be aligned with the 2018/28 Infrastructure Strategy and Long Term Plan.
- f) **Participation by Māori**
 The relationship of Maori and their culture and traditions with their ancestral land, water, sites, waahi tapu, valued flora and fauna and other taonga have been taken into account in the draft District Plan.

Targeted consultation with endorsed iwi and hapu representatives as a part of the Nga Kaitiaki forum have informed issues to date for the draft District Plan. Discussions will continue with this group through to the development of the Proposed District Plan. The draft District Plan will provide for Maori interests by acknowledging the strategic importance of these interests and reflecting these throughout the District Plan. The current District Plan does not fully meet key issues as it narrows tangata whenua participation in the consent process in most cases to scheduled features.

- g) **Community Views and Preferences**
 The views of the community through the adoption of the Blueprint key directions have informed the framework and issues for the draft District Plan. Targeted consultation (including discussions, briefings and workshops) with community and business stakeholders have also been undertaken. This has assisted to develop a new framework and to position key issues that require a response.

This draft phase will provide the general community with the opportunity to comment on the direction of the District Plan. A wide range of engagement techniques will be used to gather community perspectives and views.

If the Council does not undertake a draft District Plan phase it will be at risk of not meeting its consultation requirements under the RMA.

- h) **Advantages and Disadvantages**
 The key advantage of progressing a draft District Plan stage is that it provides the opportunity for early engagement and the resolution of issues before the formal District Plan process. The costs associated with this process are likely to be minimal if compared to progressing without public engagement due to the potential litigation costs.

Another key advantage of the draft District Plan process is that it signals clearly to the community the key issues for the District Plan review, in a new planning framework, allowing for feedback from the community.

Taking into account the above assessment Option 1 is recommended.

Recommended Option

This report recommends option 1 (Make the draft District Plan available for public comment) for addressing the matter.