
DISTRICT PLAN REVIEW UPDATE REPORT

PURPOSE

1. The purpose of this report is to provide an update on the progress of the District Plan Review. The next stage in the process is to move into the final stages of targeted engagement, final evaluations and Plan drafting, in preparation for the public notification of the Proposed District Plan.

RECOMMENDATION

That, having considered all matters raised in the report, the report be noted.

COMMUNITY BOARD RECOMMENDATIONS

Kaitake, Inglewood, Clifton and Waitara community boards

Endorsed the officer's recommendation.

TE HUINGA TAUMATUA RECOMMENDATION

Endorsed the officer's recommendation.

SIGNIFICANCE AND ENGAGEMENT

2. This report is provided for information purposes only, and has been assessed as being of some importance.

DISCUSSION

3. This report updates the Council on progress with the District Plan Review, as we move closer towards the public notification of a Proposed District Plan. The previous report (August 2018) provided a comprehensive overview of the process and response to the public notification of the draft District Plan and can be accessed on the [Council's website](#).
4. As reported previously we are working towards the release of a Proposed District Plan which is essentially Version 3. Version 1 was the Draft District Plan (objectives and policies) released in October 2016 and Version 2 was the Draft Digital District Plan released in February 2018.
5. The notification of the Proposed District Plan is the formal statutory process that will involve submissions, hearings, decisions and the opportunity for submitters to appeal decisions to the Environment Court.
6. Once the Proposed District Plan is publicly notified the Council has a time-limit of two years to make decisions on submissions on the District Plan.

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7. A third of the content for the District Plan has been confirmed, with all sections over 70% progressed. Over the coming months the focus will be on refining and finalising the remaining content, as further evaluations and engagement is completed.
 8. Examples of major areas that have been progressed over the last few months are:
 - Refined plan content as a result of feedback (general and Nga Kaitiaki) including reducing duplication between sections and incorporating the outcomes of Plan testing;
 - Confirmation of the District's growth areas, lifestyle areas and alignment with the yet to be released Future Development Strategy required under the National Policy Statement – Urban Development Capacity.
 - Commissioning of draft information on the range of sea level rise scenarios as recommended by the recently released central government best practice for climate change guidelines;
 - Redrafting of the medium density residential zone and assessed the appropriateness of the currently identified Residential B areas;
 - Separation of the Major Facilities Zone and progression on the development of a Port Zone, Airport Zone and Hospital Zone in consultation with affected stakeholders.

Further Targeted Engagement

9. There are some sections of the Plan where further engagement is being undertaken to confirm proposed policy approaches.

Oil and Gas Activities

10. The Council has indicated that it will follow a regional approach to managing oil and gas activities in the New Plymouth District. The Environment Court has recently released an interim decision on the appeal between South Taranaki District Council and Taranaki Energy Watch. This decision clarified the Court's views on the risks associated with well and production site facilities and potential reverse sensitivity issues. There are still some outstanding matters in regards to managing discharge of contaminants to air.
11. Council officers are now determining how the interim decision can be applied in the New Plymouth District context. Operators have been provided with the opportunity to provide information to the Council on their individual operations to assist with a proposed rule response.

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12. The Council has also sought the views from interest groups on how the interim decision should be applied in the New Plymouth context. The next step is to engage with landowners, prior to the public notification of the Proposed District Plan.

Coastal Hazard Area

13. Further work has been progressed on the coastal hazard area, to account for a range of sea level rise scenarios as recommended by central government best practice for climate change guidelines. This includes whether consideration towards accelerated sea level rise predictions should be given. Further targeted engagement will be undertaken, particularly within New Plymouth city and Onaero.
14. On-going engagement will continue with some stakeholders in further evaluating and finalising District Plan content, particularly where provisions have immediate legal effect when they are publicly notified.

National Planning Standards

15. It is important that content is aligned with the National Planning Standards. The Ministry for the Environment is required to gazette the first set of National Planning Standards by April 2019. Alignment of the Proposed District Plan with the final National Planning Standards is prudent to eliminate inconsistency with the standards. A large number of sections will be able to be confirmed for notification following release of the Standards.

Statutory steps to notification

16. There are some key statutory steps that the Resource Management Act requires the Council to undertake prior to releasing the Proposed District Plan.
17. Targeted engagement with endorsed iwi and hapu representatives as a part of the Nga Kaitiaki forum will continue to inform the Proposed District Plan. One of the key focuses has been to integrate cultural values throughout the District Plan.
18. Workshops will be scheduled with Nga Kaitiaki to ensure feedback is provided for and reported back to Council prior to public notification of the Proposed District Plan. This also meets the RMA requirement for the Council to work with iwi authorities.
19. The Council will need to make available, by public notice all Documents by Reference. These are documents, separate to the District Plan, that the District Plan provides a reference to in its policies or rules. New Zealand Standards are typical examples of a reference document. It also includes Council standards such as the reviewed Infrastructure and Development Standards

(NZS4404:2010 with local amendments), which is also recommended for public consultation on this agenda.

20. The Council has been working with designating authorities (such as the New Zealand Transport Agency and Ministry of Education) to prepare them for the inclusion of their designations in the Proposed District Plan. A designation is a planning technique that certain agencies (ie, Ministers of the Crown, Network Utility operators and councils) can use to get planning authorisation for their activities. There are more than 200 designations that have been identified for inclusion in the Proposed District Plan.
21. The Council has also been working on reviewing its own designations. Designations are included for two main reasons, either to enable the on-going operation of existing strategic assets (ie: existing roads and pump stations) or to place requirements on land for longer term infrastructure planning (ie, future roads and reservoirs).
22. The Council has been engaging with landowners in regards to progressing its designations, particularly in regards to the realignment of Airport Drive.

Next steps to public notification

23. Based on the above considerations the key steps to public notification are outlined below.

Task	Purpose
Further targeted engagement on key issues (initiate Feb/March)	Confirm policy approaches and obtain community views on key issues including oil and gas activities and coastal hazards
Formal engagement with iwi authorities (programmed for Feb-April)	To confirm approaches and obtain further feedback from Nga Kaitiaki.
Finalise content and policy approaches	Finalise key content for the Proposed Plan
Align District Plan provisions to National Planning Standards (programmed following April/May)	Ensure legal compliance with the National Planning Standards.
Publicly Notify documents by reference (programmed for notification Feb)	Meet statutory requirements to provide documents prior to public notification of the District Plan
Confirm designations to be included in the Proposed District Plan (initiated Feb)	Finalise designations on behalf of designating authorities for inclusion in the Proposed District Plan.

Task	Purpose
Prepare final e-plan for public notification (estimated June/July)	Prepare final e-plan and finalise documentation for public notification

24. The key risks to finalising Proposed District Plan content, relate to those matters that will be discussed in the further targeted engagement stage (oil and gas and coastal matters) and any matters that require further evaluation and plan drafting from the national planning standards.

FINANCIAL AND RESOURCING IMPLICATIONS

25. There are no financial or resourcing implications arising from this report

IMPLICATIONS ASSESSMENT

26. This report confirms that the matter concerned has no particular implications and has been dealt with in accordance with the Local Government Act 2002. Specifically:
- Council staff have delegated authority for any decisions made;
 - Council staff have identified and assessed all reasonably practicable options for addressing the matter and considered the views and preferences of any interested or affected persons (including Māori), in proportion to the significance of the matter;
 - Any decisions made will help meet the current and future needs of communities for good-quality local infrastructure, local public services, and performance of regulatory functions in a way that is most cost-effective for households and businesses;
 - Unless stated above, any decisions made can be addressed through current funding under the Long-Term Plan and Annual Plan;
 - Any decisions made are consistent with the Council's plans and policies; and
 - No decisions have been made that would alter significantly the intended level of service provision for any significant activity undertaken by or on behalf of the Council, or would transfer the ownership or control of a strategic asset to or from the Council.

Report Details

Prepared By: Juliet Johnson (District Planning Lead)
 Team: District Planning Team
 Approved By: Liam Hodgetts (General Manager Strategy)
 Ward/Community: District wide
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