
DRAFT DIGITAL DISTRICT PLAN – PUBLIC FEEDBACK

MATTER

The matter for consideration by the Council is the release of the Draft Digital District Plan for wider community feedback. This is a key step towards releasing a Proposed District Plan in mid-2018.

RECOMMENDATION FOR CONSIDERATION

That having considered all matters raised in the report the Draft District Plan be made available for public feedback.

COMPLIANCE	
Significance	This matter is of some importance.
Options	This report identifies and assesses the following reasonably practicable options for addressing the matter: <ol style="list-style-type: none">1. Make the Draft District Plan available for public feedback.2. Do not make the Draft District Plan available for public feedback.
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 - Make the Draft District Plan available for public feedback for addressing the matter.
Long-Term Plan / Annual Plan Implications	No.
Significant Policy and Plan Inconsistencies	No.

EXECUTIVE SUMMARY

This report updates the Council on progress with the District Plan Review, with the next step being the release of the Draft Digital District Plan for wider community feedback. Since the release of the new planning framework in October 2016 a full District Plan has now been drafted for wider community feedback. The release of the non-statutory Draft District Plan provides the opportunity for the community to give detailed and practical feedback on implementation of the rules and provisions in the new District Plan. It is also an opportunity to test the functionality of the e-Plan. The

next step in the process will be to consider the feedback and testing, before formal public notification of a Proposed District Plan in mid-2018. The Draft District Plan process is a cost effective way to help confirm and refine the final recommendations on the Proposed District Plan. The Draft Digital District Plan can be viewed at <https://districtplan.npdc.govt.nz/eplan>

BACKGROUND

Overview

The key objective of the District Plan Review is to facilitate a progressive district with high quality, liveable spaces, a prosperous business environment and the protection of natural/cultural heritage (buildings and places) that delivers on the wider key directions in the Blueprint.

The key milestones for the District Plan Review are as follows:

- Version 1: Draft District Plan (objectives and policies): Paper based version released for community feedback in October 2016 - **Completed**
- Version 2: Draft Digital District Plan: E-plan format for informal feedback:
 - Pre-release targeted engagement period October - December 2017 – **Completed**
 - Public release for community comment - February/March 2018.
- Version 3: Proposed Digital District Plan - formal public notification mid-2018.

A pre-release targeted engagement phase was undertaken from October to December 2017 has been completed. The process involved:

- Workshops with Community Boards. This has allowed testing of local responses to the new planning framework.
- Pre-release versions of relevant sections being shared with more than 20 external stakeholders. The stakeholders have provided feedback on the workability of the key planning provisions.
- On-going discussions with Nga Kaitiaki (mandated group of iwi representatives) to determine the effectiveness of the Draft District Plan in delivering the key outcomes identified by the group. A report to Te Huinga Taumatua will report on how the group's findings have been incorporated into the e-plan to date and further areas of work to be undertaken.
- Councillor briefings and drop in sessions with a focus on the content, functionality and workability of the e-plan.
- Targeted feedback opportunities for land development professionals to assess user experience and workability.

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- Briefing and discussions with the Ministry for the Environment on the leading edge e-plan technology to ensure alignment with the up and coming release of National Planning Standards in April 2018.

The discussions held in the pre-release engagement period showed that the new Draft Digital District Plan is a leading edge approach to both establishing a contemporary planning framework and the e-plan technology platform used to make it usable for the community.

Draft Digital District Plan

The Draft Digital District Plan 'the Plan' contains objectives, policies, rules and planning maps for community comment. The release of the Plan provides the opportunity to obtain feedback on the new objectives, policies and rules and spatial mapping, as well as test the functionality of the e-Plan with the wider community before the plan progresses to formal public notification in mid-2018. The Draft Plan has no legal status and is released for comment as a non-statutory process. However, consulting on the draft plan forms part of meeting the Council's statutory obligation to consult in preparing a new District Plan.

The Plan has a new framework that seeks to address current community concerns, stays focused on achieving the long term strategic outcomes of the District Blueprint and better aligns with national best practice.

The current plan does not provide direction on where activities can or cannot locate. The draft Plan improves the ability to manage where activities can be appropriately located. This will provide clearer regulatory signals for business and industry and provide more investment certainty, while protecting key values that are important to the community. There is a stronger focus on objectives and policies that provide direction for the community and plan users. It improves the resource consenting decision making framework by providing clearer policy anchors when planners and decision makers exercise discretion.

In preparing the new framework, Council Officers have worked closely with Ministry for the Environment staff. The Ministry is working on the new National Planning Standards that are scheduled for public notification by central government in April this year. These standards will be phased and have a transitional mechanism. This close working relationship will ensure future integration of the new District Plan to the new standards in due course.

Alongside the new planning framework a significant review of all zones has been undertaken to ensure that the appropriate zoning applies to properties to reflect current use or to achieve the wider strategic objectives of the new Plan. Reviews of special features have also been undertaken where required, for example heritage buildings and notable trees in the CBD. There has been a particular focus on incorporating results from reviews of Significant Natural Areas, Waahi Taonga and Archaeological sites.

District Plan Issues

The following four main areas of change in the new District Plan will be fully tested with the community.

Central City and Local Centres

The Central City and Local Centres are reinforced as being 'open for business'. These areas are the primary places for retailing, office and entertainment activities in the District. Living activities are also encouraged. Changes in zonings are proposed so that these areas remain compact and therefore viable in the long term.

The new Plan also manages where retail activities can locate in other parts of the District, so that 'out of zone' activities do not undermine the investment in our business areas. Specific acknowledgement of those activities that have occurred out of zone under the current plan has been given.

The new Plan also acknowledges the unique geological landscape and historical and cultural significance of the central city to ensure that development complements these elements. Central City Design Guides have been developed to clearly articulate the key design outcomes that are envisaged for the Central City.

Residential Growth and Housing Choice

Providing for a cohesive growth strategy and a range of housing choices are key strategic objectives. The District Plan has a role in ensuring there is sufficient land for housing to provide for the growing population and the short, medium and long term land supply needs of the District. The new District Plan provides for growth by:

- Identifying rural areas on the fringe of the City for current and future residential development. Two new structure plan areas are promoted in the Upper Carrington and Junction Road areas. Areas for future urban development have also been reviewed.
- Promoting changes in the residential zone provisions to provide for diversity in housing choice. The new plan promotes increased density in the form of low rise infill and multi-unit development. A high standard of design for all new infill and multi-unit housing will be promoted through the application of Subdivision and Residential Design Guides.

A new zone for Rural lifestyle areas has been developed for testing. Further work is required to identify areas where the zone can be applied.

Managing Industry

The Draft District Plan recognises the role and function of the rural economy, industry, the port and the airport and takes a long-term view of the economic development and industry needs of the District.

The Plan ensures there is a sufficient supply of land for industry that is strategically located to allow for the efficient transportation of products and the use of infrastructure and services.

More directive zoning provisions will ensure that industry land is available for industry uses, by better managing activities that have located in areas inappropriately, such as non-industrial activities in industrial zones, to allow for the on-going viability of these important employment areas.

The Plan also proposes that major facilities (i.e. larger scale industries and activities) that are nationally or regionally significant and have particular operational requirements are acknowledged through a focused zoning.

The new Plan provides for traditional rural uses and farming activities, but also identifies how rural industry should be managed. 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 for industry.

Coastal Management

A strategic approach is taken to coastal management to ensure activities do not impact the natural values of the coast and that a planned approach is taken to the management of natural hazards. The Draft District Plan also gives effect to new legislation in regards to coastal management.

The Coastal Environment Area identifies areas of important of landscape, historical, cultural and ecological values and proposes sensitive development in this area, through management of activities and specific building controls.

The Coastal Hazard Area (which covers erosion and coastal flooding / inundation) has been updated for the first time since the 1980s, based on current science, and has moved inland consistent with rates of erosion over the last 30 years. The primary natural hazard facing the coastal area from Oakura to the northern boundary is coastal erosion. Consideration has also been given to the impact of coastal inundation. This hazard is less of a risk in the District but is evident in low lying areas, particularly river mouths. The Draft District Plan proposes to strengthen its policy and apply a risk based approach to the management of coastal hazards. The Plan will continue to manage development in the coastal hazard area by requiring resource consent for activities like building a house.

Community Feedback Campaign

The Draft District Plan will be available for stakeholder and community comment from 5 February to 16 March.

Due to the increased accessibility of the e-plan, draft planning information will be more accessible than ever before. In particular the engagement campaign will focus on providing planning 'know-hows'.

- **Know your zone:** Through a simple property search any person will be able to find out what zone applies to a property. They will also be able to compare this easily to their previous zoning.
- **Know where to do business:** The new Plan will provide more certainty to local businesses and potential investors about what types of activities (ie: business, industry, rural and residential) they are allowed to do within different zones. This will make the district a better place to do business.
- **Know where we are growing:** We are a growing community and it is important that we provide opportunities for housing in the District. The new plan will allow different kinds of housing within our existing urban areas and also identify areas for future urban development.
- **Know our coastal story:** We have an ever-changing coastline, with some parts of the coast more affected than others by change. We have updated natural hazard information that we can share with the community. We intend to manage coastal activities so that natural values are not affected and risks, ie: from coastal erosion and coastal flooding (inundation), are minimised.
- **Know our cultural stories:** We have a rich history with many important buildings and archaeological sites, many of significance to Māori. We are continuing to work with Māori to deliver planning outcomes that recognise these stories.

A wide reaching engagement campaign, based on the above 'know-hows', will be initiated. This will involve the following steps:

Date	Target	Purpose
<i>Public release of Draft Digital District Plan</i>		
31 January	Targeted letters sent to property owners where there is a change in zone.	To inform the property owners where there is a change in zone.
5 February -16 March	Public open days in New Plymouth, Inglewood, Waitara and Oakura.	One on one discussions on proposed changes. Inform and feedback.
5 February - 16 March	Stakeholder discussions.	Inform content and workability.
5 February - 16 March	General community media and social media campaign.	Work with media to encourage public engagement.

Date	Target	Purpose
Post 16 March	Feedback received.	Assess feedback and make changes to recommendations for Proposed District Plan.
<i>Public notification of Proposed District Plan</i>		
Mid 2018	General community and those affected notified.	Public submissions under the Resource Management Act.

Releasing a full Draft District Plan is considered a critical step in Plan making as it allows the Council and key stakeholders to “test” the provisions before the Plan is legally notified under the Resource Management Act (RMA). From a Council perspective, this enables time to obtain valuable feedback and flexibility to change the plan in response to this feedback. From a stakeholders’ perspective, it allows time to assess the draft rules and zoning and provide feedback how this affects their property/business. The result is a thorough and cost effective way to help confirm and refine the final recommendations on the Proposed District Plan.

The Proposed District Plan is scheduled to be publicly notified in mid-2018 with the statutory steps in the RMA to be followed. This is a formal statutory process and that will involve submissions, hearings, decisions and the opportunity for submitters to appeal to the Environment Court.

SIGNIFICANCE AND ENGAGEMENT

In accordance with the Council's Significance and Engagement Policy, this matter has been assessed as being of some importance. The Draft District Plan process does not have any statutory status. However, it does assist the Council to meet a statutory obligation to consult in the preparation of a District Plan. Public notification of the Proposed District Plan in mid-2018 will be of increased significance as this is the statutory process. 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 release of a draft plan as part of the District Plan Review provides the opportunity to determine community views and preferences on the District Plan through a non-statutory process before publicly notifying a Proposed District Plan under the RMA. The draft plan has no legal status and, therefore, none of the rules in the plan would apply.

The release of the full Draft District Plan provides increased opportunities for the community to engage on key issues and to refine proposals before the release of the Proposed District Plan.

OPTIONS

The Council has the option of releasing the Draft District Plan for public comment (Option 1) or not releasing the draft for public comment (Option 2). The options assessment below covers both options.

- a) **Financial and Resourcing Implications**
The District Plan Review has been planned for. 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 as a result of legal challenges.
- b) **Risk Analysis**
The release of a Draft District Plan is non-statutory and is intended to test issues before they are formalised through the Proposed District Plan process. The release of a full Draft District Plan reduces the risk of lengthy legal processes for both the Council and the public by allowing for early conversations and the potential to resolve issues.
- c) **Promotion or Achievement of Community Outcomes**
The Draft District Plan provides for all the community outcomes, and Blueprint key directions, by providing strategic direction for future land-use activities in the District.

The Draft District Plan provides for People/He Tangata 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 Prosperity/Āwhina, by enabling a vibrant economy. There will be clearer regulatory signals for business and industry to provide more investment certainty. This will make the District easier to do business in. 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 Place/Tiakina 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.

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- 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 will improve and streamline the subsequent statutory process required for the Proposed District Plan.
 - e) **Consistency with Policies and Plans**
The Draft District Plan is consistent with the Blueprint key directions. 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 Māori 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 engagement with endorsed iwi and hapu representatives as a part of the Nga Kaitiaki forum have informed, and will continue to inform, the new District Plan. Discussions will continue with this group through to the development of the Proposed District Plan. The Draft District Plan provides for Māori interests by acknowledging the strategic importance of these interests.

A report to Te Huinga Taumatua will be provided at a future meeting round providing a summary of the status of the Nga Kaitiaki feedback.

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

This phase will provide the general community with the opportunity to comment on the direction of the District Plan and, in particular, expose them to the digital platform within which it sits. 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.

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- h) **Advantages and Disadvantages**
The key advantage of progressing a Draft District Plan is that it provides the opportunity for early engagement and the resolution of issues before the formal release of the Proposed District Plan. Early engagement will ensure that the new Plan more accurately reflects community views. The costs associated with this process are likely to be minimal if compared to progressing without public engagement due to the potential litigation costs.

Recommended Option

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

Report Details

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Ward/Community:	District Wide
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