

## **DISTRICT PLAN REVIEW UPDATE REPORT**

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### **PURPOSE**

The purpose of this report is to provide an update on progress with the District Plan Review. In October 2016, the Draft District Plan was released for wider community feedback. This report provides a summary of the feedback and outlines the next steps in the process.

### **RECOMMENDATION**

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

### **SIGNIFICANCE AND ENGAGEMENT**

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

### **DISCUSSION**

The District Plan Review commenced in May 2014. A key aim of the Review is to provide better strategic direction by delivering on Blueprint key directions through clear District Plan objectives, policies and rules for land use and subdivision.

On 8 September 2016, the Regulatory Services Committee approved the release of the Draft District Plan

A consultation campaign was launched in October 2016 encouraging comment on the draft District Plan. A range of consultation tools were used including targeted letters inviting comment, meetings and phone calls with key stakeholders (iwi, industry, advocacy groups and community groups), and a social media campaign via the NPDC Facebook page. This campaign included movie clips and sketch diagrams to provoke and stimulate thought.

Council received a total of 98 written submissions (42 hard copy and 56 online), with the social media campaign reaching 66,140 people (appearing on the live feed). Of the written submissions received, a total of 300 individual submission points were made on a range of issues.

Focusing on the District's top four planning issues the Draft District Plan introduced a new framework designed to provide strategic direction and change. These Top 4 issues being central city, local centres; residential growth and housing choice, managing industry and coastal management. The response to these issues through consultation are identified below.

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A consultation report on the Draft District Plan feedback is attached in Appendix 1, but a brief summary under the Top 4 planning issues is as follows:

**1. *Central City and Local Centres***

The Draft District Plan confirms that Central City and Local Centres should be the primary places for retailing, office and entertainment activities in our District and seeks to direct and better facilitate desired activities into these areas. This includes managing where retail activities can locate in other parts of the District to ensure the ongoing viability of these Centres. In terms of new building design, a more deliberate management approach has been signalled which will see the District Plan playing a bigger role in building design, appearance and interaction with public space.

There was general support for a new framework of zones and policy direction, especially reinforcing the importance of the City Centre and encouraging new business and residential living. There were many suggestions on how to create vibrancy and vitality in Centres. There was also support for Large Format Retail zones provided the scale is managed, as well as public amenity outcomes.

**2. *Residential Growth and Housing Choice***

It has been forecast that the District needs sufficient land for 1000 additional residents (350 new dwellings per year at 2.8 persons per dwelling). The Draft District Plan supports the provision of a variety of housing options (e.g. standalone houses, townhouses, flats etc) throughout the District, and that housing is located in well-designed and connected neighbourhoods. The Draft provides for residential growth in three different ways though:

- existing residential zonings (that can be used for infill housing development or for new residential subdivision);
- identifying a new zone for medium density housing (in and around existing centres) and;
- identifying rural land as future growth areas.

This approach is influenced by Central Government's recent work in regards to improving urban planning.

The feedback showed general support for this direction, especially making sure future growth is well planned, in the right places and able to be serviced. There was positive support for a new Medium Density Zone and Rural Lifestyle Zone with various submissions advocating for inclusions of rural lifestyle blocks in rural zones. There was also strong support for managing new development so that it does not impact on established activities - whether that be homes, businesses or industrial activities.

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### **3. *Managing Industry***

The Draft District Plan explicitly recognises the role and function of the rural economy, industry, the port and the airport. It ensures there is sufficient employment land supply and that appropriate land-uses are establishing in the right zone. It also promotes that industrial land and related uses should be strategically located near transport links, infrastructure and services. In terms of large scale rural industry, the Draft District Plan takes a more regional approach by adopting the use of concept plans to manage effects for major industries and aligning the management of oil and gas activities. There is general support for the policy direction in the Industrial and Rural Production Zones.

General comments related to ensuring adequate industrial land supply to meet future needs and protecting versatile soils and primary production activities. Managing reverse sensitivity matters (e.g. avoiding conflict between different industry/rural land use and residential properties) was a common theme.

There was both support and opposition to the Energy provisions (ie: how the District Plan will manage oil and gas activities). Although there were some suggested amendments, generally the oil and gas sector supported the proposed approach. Conversely, other parties were concerned about oil and gas activities being located near houses, the coast and natural features; notification of resource consents and involvement of affected parties; and the cumulative effects of multiple sites.

Likewise there was both support and opposition for the Major Facilities Zone. Industry were supportive, while other parties were concerned about the ongoing operation and further development of such facilities.

### **4. *Coastal Management***

The Draft District Plan is clear that new development should 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 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 (dealt with through the resource consent process).

There was general support for the approach, with some suggested changes to clarify points or strengthen policy position, especially in relation to the NZ Coastal Policy Statement. Several submitters sought better recognition of certain activities in the coastal environment (i.e. farming, network utilities). It was suggested that climate change and sea level rise could be given more acknowledgement.

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**General Comments**

In addition to the above, detailed feedback is being received from Ngā Kaitiaki (a steering group made up of mandated iwi and hapū representatives who provide feedback into the District Plan Review).

General comments to date relate to integrating the principles of kaitiakitanga into Objectives and Policies of the District Plan (especially the overarching Strategic Objectives) and the ability of tangata whenua to be involved with resource management processes (e.g resource consents, structure planning). Amendments to policies to provide greater recognition of tangata wheuna interest/relationships with waterbodies, indigenous biodiversity, Outstanding Natural Landscapes and Significant Natural Areas, ancestral lands, the coastal environment, Māori historic heritage, trees, public access in the District were suggested.

Consultation on the Draft District Plan completes Phase 3 of the District Plan Review. The next stage of the Review process is to assess the feedback provided to confirm and refine the Plan. This, together with technical analysis are being used to develop specific methods (zonings and rule responses) that will support a full Proposed District Plan (due to be notified at the end of 2017).

Officers will continue to meet with key stakeholders and will embark on targeted consultation with affected property owners as zoning and rule responses are finalised for the proposed District Plan.

The following technical analysis is underway and includes:

- District-wide zone audit and monitoring reports (i.e. an analysis of all Residential, Business and Industrial zoned land and associated uses. Data collected will influence rezoning in the Proposed District Plan)
- Completion of technical work on the reassessment of the Coastal Hazard Zone
- Confirmation of likely Significant Natural Areas
- Wāhi Tapu and Archaeological Sites Review Confirmation of new growth areas and identification of areas for Rural Lifestyle Zones and Medium Density Residential zones.
- Technical review of transportation rules
- Heritage and character protection, particularly with a focus on the central area.
- Design Guidance (i.e. to be used as part of the resource consent assessments)
- Intensification study to determine location of Medium Density Residential Zone(s).

The new District Plan will be digital making information more accessible to the community. This will mean that information contained in the District Plan can be customised for individual properties (i.e. plan users will use a map to find their property, click on it, and all the relevant planning provisions will be sorted for that site). Having property based planning information that is easily accessible and searchable will save the plan user reading each chapter of the District Plan to see what provisions apply.

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## Item for Decision

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The proposed District Plan is scheduled to be notified later in 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.

### **FINANCIAL AND RESOURCING IMPLICATIONS**

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

### **IMPLICATIONS ASSESSMENT**

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.

### **APPENDICES**

1. Consultation Report - Draft District Plan Feedback

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#### **Report Details**

Prepared By:	Juliet Johnson (District Planning Lead)
Team:	District Planning Team
Approved by:	Liam Hodgetts (General Manager Strategy)
Ward/Community:	District wide
Date:	7 March 2017
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-----*End of Report*-----

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## **APPENDIX 1**

### **CONSULTATION REPORT - DRAFT DISTRICT PLAN FEEDBACK**

#### **District Plan Review Phase 3: Draft District Plan Preparation (August 2015 to August 2016)**

The purpose of this report is to summarise the feedback on the Draft District Plan.

The Draft District Plan was released for consultation on 12 October 2016. The comment period on the Draft District Plan closed on the 16 December 2016.

The 149 page Draft District Plan outlined a new strategic approach to managing land use and subdivision in the District. A new framework was presented that contained new objectives, polices and zones. While rule summaries were provided, the Draft did not include a full set of draft rules or mapped zones. The reason for excluding a full version of the rules was to allow an informal opportunity for stakeholders to provide their comments to the Council before formalising rules and the zone boundaries.

To help understand the draft changes and new framework, a separate Summary Guide was produced. The Summary Guide outlined the District Plan Review process (including how this relates to the Blueprint), identified the Top 4 planning issues the Review is seeking to address, provided a 2 page diagram on the proposed new framework, summaries on each chapter (and zone provisions) and advised on where to get further information. Importantly, it included a number of key questions to elicit discussion in the community.

#### **Key Stakeholder Involvement**

Key stakeholders were invited to comment on in the development of the Draft. Those groups are as follows:

- *Community Focus*  
Organisations that have strong interests in the social and environmental futures of the District. For example:
    - Environmental focus - Department of Conservation, Forest and Bird Protection Authority etc
    - Community interest - community trusts, neighbourhood support, Taranaki Multi Ethnic Council, church groups etc
    - Sports and arts focus - TET Stadium, Taranaki Arts Community Trust etc
    - Health focus - Taranaki District Health Board, Tui Ora etc
    - Community boards.
  
  - *Business Focus*  
Representatives of organisations and key agencies in the business community who are particularly interested in the economic futures of the District. For example:
    - Government agencies - Ministry of Education, New Zealand Police, New Zealand Transport Agency etc
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## Item for Decision

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- Professional services - architects, surveyors, planners, etc
- Advocacy - Federated Farmers, Heritage New Zealand etc
- Business - Port Taranaki, Oil and Gas sector, Tegal, Western Institute of Technology at Taranaki, Taranaki Chamber of Commerce etc
- *Ngā Kaitiaki*  
A steering group made up of mandated iwi and hapū representatives who provide feedback into the District Plan Review
- *Interested parties*  
Individuals who have registered their interest in the Review.

### **Consultation**

Along with targeted letters inviting comment, meetings and phone calls with key stakeholders (Ngā Kaitiaki, industry, advocacy groups, and community groups) were undertaken and a social media campaign via the NPDC Facebook page was also used. To help grab attention and comment, a range of visual media (i.e. photos, cartoon sketch, urban sketches from local artist Brian Gnyp and short movies) were used as part of this campaign.

### **Feedback**

Council received a total of 98 written submissions (42 hard copy and 56 online), with the social media campaign reaching 66,140 people (available on feeds). Of the written submissions received, a total of 300 individual submission points were made. A summary of these responses is included in Table 1.

### **Draft District Plan Feedback Summary Table 1:**

The following table summarises the Draft District Plan feedback that has been received. The feedback has been summarised under the District's top four planning issues (referred to as the "Top 4").

<b>1. Central City and Local Centres</b>
City Centre and Local Centre Zones – General Support.
<ul style="list-style-type: none"><li>– Support for a centres hierarchy approach (with amendments)</li><li>– Need for encouragement of large retailers into the CBD, Inglewood and Waitara</li><li>– Consider creating an "art zone" area around Queen Street (NP)</li><li>– Encourage renovation, strengthening and conversion of historic multi-storey buildings into apartments of varying sizes</li><li>– Encourage attractive building facades and upper floor activity</li><li>– Review change of use costs (e.g. changing a building, or part of it, from retail to residential) and try to balance any compliance costs with rates relief and other incentives under NPDC's control</li></ul>

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## Item for Decision

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- Use public spaces for open plazas for street cafes to create a more lively atmosphere
- More people living in the CBD could create crowding and congestion.

### Large Format Retail Zone - Support.

- Ensure that the zone is not expanded further
- Ensure new development in the zone improves pedestrian connectivity and public amenities

### Out of Zone Activities – Mixed Response.

- Business, commercial service, retail, leisure and entertainment activities should be provided at the Port
- Recognise that some activities may have a functional need to locate out of zone
- Supermarkets in Industrial Zones should be permitted.

## **2. Residential Growth and Housing Choice**

### Residential Growth - Support.

- Ensure integration of infrastructure to service structure plan areas
- Direct growth to certain areas to avoid potential reverse sensitivity effects and compromising rural industrial and productive land uses
- Better acknowledge the relationship of Maori with their ancestral lands, water and sites
- Ensure provisions consider the impact new development can have on established activities
- Future Urban Growth Areas should provide for rural industry activities.

### Residential development – General support.

- Recognise that non-residential activities are located in the Residential Zone
- Encourage additional sustainable building design methods and small-scale individual or community based renewable energy generation
- Ensure reverse sensitivity effects on schools are considered
- Need to control the erection of high fences
- Provide tighter provisions for relocated houses.

### Subdivision Provisions – General Support.

- Improve urban stormwater management
  - Include provisions for tsunami, volcanic hazards and wind loading or bracing zones
  - Strengthen the requirement to consider SNAs at the time of subdivision
  - Strengthen the requirement to consider historic heritage, including access to Maori to wahi taonga/sites of significance to Maori
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## Item for Decision

<ul style="list-style-type: none"><li>– Ensure reverse sensitivity effects on network utilities and infrastructure are considered.</li></ul>
Infrastructure and connectivity – General Support.
<ul style="list-style-type: none"><li>– Ensure storm water runoff and discharge into waterways is managed (including though the use of low impact design)</li><li>– Use strategic or concept plans to indicate the layout of road networks.</li></ul>
Medium Density Residential Zone – Support.
<ul style="list-style-type: none"><li>– Ensure that this housing it is located close to the CBD (but not at the expense of heritage and character)</li><li>– Encourage “density over sprawl”</li><li>– Consider Medium Density Residential Zone within 1km (walking distance) of all small suburban hubs.</li></ul>
Rural Lifestyle Zone: Support
<ul style="list-style-type: none"><li>– Various areas/land nominated for rezoning</li><li>– Support a Discretionary activity status for resource consents</li><li>– Ensure that the lifestyle zone does not compromise versatile soils and primary production activities.</li></ul>
<b>3. Managing Industry</b>
Energy Activities – Both support and opposition
<ul style="list-style-type: none"><li>– No further oil and gas activities should be allowed in the District</li><li>– Encourage and provide for renewable energy generation activities</li><li>– Improve recognition of locational restraints relating to oil and gas resources</li><li>– Improve clarity of remediation requirements for redundant oil and gas sites</li><li>– Non Complying activity status for oil and gas activities located near sensitive activities, the coast, historic heritage and scheduled features is too restrictive</li><li>– Need to consider the effect of oil and gas activities on “housing occupants”, not just the general community or the environment</li><li>– Broaden the notification of oil and gas resource consents and involvement of affected parties</li><li>– Oppose offsetting effects</li><li>– Retain ability to consider the cumulative effects of oil and gas activities</li><li>– Strengthen requirement to use traffic management plan for oil and gas activities</li><li>– Oil and gas activities should be a separate zone.</li></ul>
Industrial land supply – Support.
<ul style="list-style-type: none"><li>– Support a strategic forward planning approach to ensure that there is an adequate land supply to meet future needs</li></ul>

## Item for Decision

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- Consider a light industry zone in Omata
- Need to manage residential interface effects (i.e. noise, dust etc)

### Rural Production Land - Support.

- Recognise that future land use activities need to be managed in order to avoid conflict with existing lawfully established activities (i.e. farming)
- Protect sensitive activities (e.g. housing) located in zone
- Small scale rural activities should be Permitted Activities
- Protect rural character
- Oil and gas activities should be a separate zone
- There is benefit in co-locating rural industry activities around transportation routes
- Allow Commercial Service Activities in the Rural Production Zone
- Strengthen recognition of the functional need of some activities (i.e. truck refuelling) in the zone
- Recognise goat farming in large barns and 'herd homes' for cattle.

### Major Facilities Zone – Support and Opposition.

- Ensure that concept plans can cater for changing circumstances
- Object to having special provisions to provide for the ongoing operation and further development of such facilities
- There is a lack of consideration of safety and health effects posed by major facilities on neighbouring communities.

## **4. Coastal Management**

### Coastal Protection Area – General support with some suggested changes.

- Some suggested changes to clarify points or strengthen policy position, especially in relation to the NZ Coastal Policy Statement
  - Recognise the operational location and function of Port Taranaki
  - Strengthen policies on preserving the natural character (to give effect to NZCPS)
  - Strengthen recognition of farming in the coastal environment
  - Make sure that highly modified areas in the coast are not afforded the same level of protection for unmodified areas (i.e. estuaries and wetlands)
  - Strengthen recognition of historic heritage in the coastal environment
  - Ensure that new or expanding activities in the coastal environment recognise impacts on established residential housing
  - Surf breaks should have guaranteed public access unobstructed by other activities
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## Item for Decision

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- Strengthen recognition of the functional need of some activities (i.e. network utilities) in the coast.

### Natural Hazards – General support with some suggested changes.

- Recognise the effects of climate change and sea level rise
- Clarify how coastal hard protection structures (seawalls) will be dealt with
- Consider whether an a Non Complying Activity Status for development in hazard areas is necessary
- Risk associated with new subdivision and development should be over a 100 year timeframe
- Common small scale agrichemicals, fuel and fertiliser on-farms should be exempt from controls

Other comments of note related to the **Natural Environment** section (covering Waterbodies, Indigenous Biodiversity, Outstanding Natural Landscapes, Coastal Environment, Public Access and Natural Hazards) and **Urban Development** (which contains strategic objectives and policies steering what activities are allowed in certain zones)

For the Natural Environment section it was suggested that the policy intent of Outstanding Natural Landscapes and Waterbodies should be strengthened and clarified. Other comments related to:

- The functional need of some activities (i.e. network utilities) in these areas
- The need for greater protection for priority waterbodies by way of rules (i.e. a Non Complying Activity Status, rather than discretionary) for earthworks within the setback from a priority waterbody and subdivision of land containing a priority waterbody.

For the Urban Development chapter comments related to:

- The need to restrict urban development unless there is sufficient infrastructure capacity to meet demand
- Caution that restricting certain activities (i.e. listing permitted activities) to certain zones is difficult. Instead, consideration should be very tightly tied to the effects of the activity
- The need to avoid retrospective rezoning as a result of consent creep.

Detailed feedback was also received from **Ngā Kaitiaki**. Consultation with Ngā Kaitiaki is on-going, with comments received to date relating to: the framework, the importance of cultural values in regard to the natural environment and historic heritage and the need to integrate the principles of active kaitiakitanga into the objectives and policies. Particular comments regarding the meaningful ability for tangata whenua to participate in the resource management process were also made.

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