

# Section 32 Reports

## Overview

prepared for the

# Proposed Waimakariri District Plan

18 September 2021



**WAIMAKARIRI**  
DISTRICT COUNCIL

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## 1.0 INTRODUCTION

The District Plan aims to achieve sustainable management of Waimakariri District's natural and physical resources to meet the needs of current and future generations.

The Council must have a District Plan which is prepared under the requirements of the Resource Management Act 1991 (RMA or Act).

The District Plan has to be reviewed from time-to-time to keep it up-to-date and to reflect changes in the community vision for district development, and higher-order policy directions. The Council must commence a review of a provision if the provision has not been a subject of a proposed plan, a review, or a plan change during the previous 10 years.

The District Plan was declared operative in 2005. Over the time it has been operative, a number of private and Council-led plan changes have reviewed some provisions.

There have also been substantial changes to legislation and other policies and strategies that influence district planning since 2005. The Proposed District Plan has been updated in line with current legislative and higher order policy direction. For instance, the Proposed District Plan has a new format that follows the requirements of the National Planning Standards 2019. The Proposed District Plan is also activity based to provide greater clarity of the status of activity in different zones and overlay areas. Descriptions of the Activity Statuses are contained in the General Approach under Part 1 of the Proposed District Plan.

The Proposed Plan generally reflects community views identified through consultation. This includes the District Development Strategy consultation, District Plan Effectiveness reports, Issues and Options, 'What's the Plan?' and targeted stakeholder consultations for specific topics or chapters.

As part of a District Plan Review, a s32 evaluation report needs to be prepared. An evaluation report must examine the extent to which the objectives of the proposal are the most appropriate way to achieve the purpose of the Act, examine whether the provisions are the most appropriate way to achieve the objectives in a level of detail that corresponds to the scale and significance of the anticipated effects from its implementation. The report also must identify and assess the benefit and costs, quantify them (if practicable) and assess the risks of acting or not acting if there is uncertain or insufficient information about the subject matter of the provisions.

This overview report provides an overarching introduction to the s32 evaluation and the s32 reports.

Key components of the report are:

- The statutory and policy context including how the District Plan Review, and s32 reports meet the requirements of the RMA, and any other legislation.
- Explanation of council's functions, reasons for the review and principles that have guided the review.
- The district context, including the state of the environment.
- The process Council has undertaken to date through its District Plan Review, including consultation and engagement.
- An introduction to the Proposed District Plan including key changes and how the District Plan works.

## 2.0 STATUTORY AND POLICY CONTEXT

### 2.1 Resource Management Act 1991

The purpose of the preparation, implementation, and administration of district plans, as outlined in s72 of the Act, is to assist territorial authorities to carry out their functions (s31) in order to achieve the Act's purpose (s5). The functions of territorial authorities is summarised under 3.1 of this report.

The purpose of the RMA is to promote the sustainable management of natural and physical resources. In achieving this purpose, authorities need to recognise and provide for matters of national importance identified in section 6, have particular regard to other matters listed in section 7, and take into account the principles of the Treaty of Waitangi (Te Tiriti o Waitangi) under section 8.

The Council must commence a review of a provision if the provision has not been a subject of a proposed plan, a review, or a plan change during the previous 10 years (s79(1)).

A district plan must be prepared under the First Schedule of the RMA which sets out the statutory requirements for preparing a proposed plan, including consultation and process matters both before and after public notification (s73).

Section 74 of the RMA also lists the matters that must be considered when preparing or changing a district plan including that the plan must not be inconsistent with a water conservation order or regional plan (section 75(4)). Regard must be had to any proposed regional policy statement or plan, management strategies under other Acts, the New Zealand Heritage list (fisheries resource regulations), and the need to be consistent with plans of adjacent territorial authorities.

The District Plan must be in accordance with national planning standards (s58I) and must give effect to any national policy statement, any New Zealand coastal policy statement, a national planning standard and any regional policy statement (s75 (3)). These are outlined further below.

Section 32(1) of the RMA requires that, before the Council publicly notifies a proposed district plan, it must prepare an evaluation report which examines the extent to which the objectives of the proposal being evaluated are the most appropriate way to achieve the purpose of the Act; whether the provisions in the proposal are the most appropriate way to achieve the objectives by identifying other reasonably practicable options for achieving the objectives; assessing the efficiency and effectiveness of the provisions in achieving the objectives; and summarising the reasons for deciding on the provisions. The evaluation report must also contain a level of detail that corresponds to the scale and significance of the environmental, economic, social, and cultural effects that are anticipated from the implementation of the proposal.

When assessing efficiency and effectiveness of the provisions in achieving the objectives of the proposed plan the report must under s32(2):

- (a) *identify and assess the benefits and costs of the environmental, economic, social, and cultural effects that are anticipated from the implementation of the provisions, including the opportunities for—*
  - (i) *economic growth that are anticipated to be provided or reduced; and*
  - (ii) *employment that are anticipated to be provided or reduced; and*
- (b) *if practicable, quantify the benefits and costs referred to in paragraph (a); and*

(c) *assess the risk of acting or not acting if there is uncertain or insufficient information about the subject matter of the provisions.”*

The s32 must summarise all advice concerning the proposal received from iwi authorities under the relevant provisions of Schedule 1; and summarise the response to the advice, including any provisions of the proposal that are intended to give effect to the advice.

## 2.2 National Statutory Planning Documents

There are a range of higher order documents that the Council must give effect to within a district plan, including national policy statements. There are also national policy statements in draft form or currently under development. While these have no legal status they have been given some consideration.

The Council must enforce national environmental standards and that the District Plan must be consistent with. A district plan must also implement the recently adopted National Planning Standards.

### 2.2.1 New Zealand Coastal Policy Statement 2010 (NZCPS)

District Plans must give effect to the NZCPS which states objectives and policies to achieve the purpose of the Act in relation to the coastal environment of New Zealand. The NZCPS includes objectives and policies to safeguard the integrity, form, functioning and resilience of the coastal environment and sustain its ecosystems, to preserve its natural characters and protect natural features and landscape values, recognise the role of and provide for tangata whenua involvement in its management, maintain and enhance the public open space qualities and recreation opportunities, ensure coastal hazard risks are managed, enable people and communities to provide for their social, economic, and cultural wellbeing and recognise and provide for New Zealand’s international obligations regarding the coastal environment.

The Coastal Environment Chapter s32 report details how the Plan gives effect to the NZCPS.

### 2.2.2 National Policy Statement Electricity Transmission 2008 (NPSET)

The NPSET sets out to manage the effects of the electricity transmission network. It has one objective which is to recognise the national significance of the electricity transmission network by facilitating the operation, maintenance and upgrade of the existing transmission network and the establishment of new transmission resources to meet the needs of present and future generations, while:

- managing the adverse environmental effects of the network; and
- managing the adverse effects of other activities on the network.

The Energy and infrastructure s32 report details how the Proposed District Plan gives effect to the NPSET.

### 2.2.3 National Policy Statement for Renewable Electricity Generation 2011 (NPSREG)

The NPSREG sets out how renewable electricity generation must be dealt with in RMA planning documents. It recognises the importance of renewable energy to help New Zealand achieve the Government’s target of 90 per cent of electricity from renewable sources by 2025. The NPS promotes a more consistent approach to balancing the competing values associated with the development of

New Zealand's renewable energy resources. It gives clear direction on the benefits of renewable electricity generation and requires all councils to make provision for it in their plans.

The NPSREG is further considered in the Energy and Infrastructure s32.

#### 2.2.4 National Policy Statement on Freshwater Management 2020 (NPSFM)

The NPSFM sets out the objectives and policies for freshwater management under the RMA. It provides direction to local authorities on managing activities that affect the health of freshwater. Regional councils, unitary authorities, and territorial authorities (city and district councils) have overlapping roles in supporting integrated management of land and water.

The Council must include objectives, policies, and methods in their district plans to promote positive effects, and avoid, remedy, or mitigate adverse effects (including cumulative effects), of urban development on the health and well-being of water bodies, freshwater ecosystems, and receiving environments. The NPSFM does not provide specific directions about what approaches territorial authorities should use to manage the effects of land use and development on freshwater in district plans. The approach means there is flexibility to determine the objectives, policies, and methods that would best apply in the Waimakariri District.

The Natural character of freshwater bodies s32 report details how the Proposed District Plan gives effect to the NPSFM.

#### 2.2.5 National Policy Statement on Urban Development 2020 (NPSUD)

The NPS-UD requires councils to plan for growth and ensure a well-functioning urban environment for all people, communities and future generations. The NPSUD 2020 contains objectives and policies that councils must give effect to in their resource management decisions. It has introduced new assessment and reporting and planning requirements in relation to sufficient development capacity for growth, particularly for 'high growth' areas such as Waimakariri District.

The Proposed District Plan is required to achieve the outcomes directed by the NPSUD, and provide evidence to support the planning response.

The Development areas s32 describes how the Proposed District Plan gives effect to the NPSUD.

#### 2.2.6 Draft National Policy Statement for Indigenous Biodiversity (NPSIB)

The Ministry for the Environment published the draft National Policy Statement for Indigenous Biodiversity in November 2019. The Draft NPSIB sets out objectives and policies in relation to maintaining indigenous biodiversity and to specify what local authorities must do to achieve those objectives.

Territorial authorities would have to undertake a district wide assessment in accordance with the NPSIB to determine if an area is significant indigenous vegetation and/or significant habitat of indigenous vegetation and classify them as either high or medium, map the areas and set out the attributes of the areas.

The District Plan would also have to ensure that certain adverse effects are avoided. District Plans would have to specify where, how and when controls on subdivision, use and development in areas outside SNAs are necessary to maintain indigenous biodiversity. Territorial authorities must identify the location of wetlands, SNAs whose ecological integrity is degraded, areas that provide important connectivity or buffering and former wetlands and must promote their restoration and enhancement.

Although this NPS has not come into effect, significant indigenous vegetation and habitat are addressed in the s32 report for the Ecosystems and Indigenous Biodiversity Chapter of the Proposed District Plan.

### 2.2.7 Proposed National Policy Statement for Highly Productive Land (NPSHPL)

The Government is proposing a National Policy Statement for Highly Productive Land to improve the way highly productive land is managed under the RMA. The consultation closed October 2019. The proposed NPS would require Council to identify highly productive land based on a set of defined criteria (soil capability, climate, water availability, size etc.) with LUC Classes 1-3 being the default criteria to determine highly productive land until this process has been undertaken.

The proposed NPS includes a definition for “sensitive activities”. The expectation is that district plans will use this definition as part of a rule framework to manage certain sensitive or incompatible activities (e.g. schools) on or adjacent to highly productive land used for primary production. The intent is to encourage setbacks and buffers between areas of highly productive land and adjacent residential and rural residential areas. The Government considers that the requirement to identify highly productive land will support councils in identifying “no-go” areas through future development strategies while allowing for new urban areas on highly productive land in appropriate circumstances.

Consideration has been given to highly productive land, and is further detailed in relevant s32s including rural, and subdivision.

## 2.3 National Environmental Standards

There are eight national environmental standards that prescribe standards that councils must enforce. The relevance of these is summarised below.

### 2.3.1 National Environmental Standards for Air Quality

This sets the air quality standards for health protection for all New Zealanders but is primarily administered by Environment Canterbury (ECan).

### 2.3.2 National Environmental Standards for Sources of Human Drinking Water

The National Environmental Standard for Sources of Human Drinking Water sets requirements for protecting sources of human drinking water from becoming contaminated. This is administered by the regional council.

### 2.3.3 National Environmental Standards for Telecommunication Facilities 2008 (NESTF)

The NESTF provides rules for telecommunications infrastructure across New Zealand while ensuring the effects on the environment are minimised and managed. It provides rules for the following activities:

- cabinets in the road reserve, outside the road reserve and on buildings;
- antennas on existing poles in the road reserve;
- antennas on new poles in the road reserve;
- replacement, upgrading and co-location of existing poles and antennas outside road reserve (with different conditions in residential and non-residential areas);
- new poles and antennas in rural areas;
- antennas on buildings (above a permitted height in residential areas);

- small-cell units on existing structures; and
- telecommunications lines (underground, on the ground and overhead).

The NESTF is further discussed in the Energy and Infrastructure s32 report.

#### 2.3.4 National Environmental Standards for Electricity Transmission Activities (NESETA)

The NESETA regulates activities on existing electricity transmission lines including the operation, maintenance and upgrading of existing lines. They set out which transmission activities are permitted, subject to conditions to control the environmental effects. The NESTA only applies to existing high voltage electricity transmission lines and do not apply to the construction of new transmission lines or to substations. The NESTA also do not apply to electricity distribution lines, which are lines carrying electricity from regional substations to electricity users.

The NESETA is further discussed in the Energy and Infrastructure s32 report.

#### 2.3.5 National Environmental Standards for Assessing and Managing Contaminants in Soil to Protect Human Health

The NESCS prescribes the methods that may be used to assess and manage land that is contaminated, or potentially contaminated from an activity or industry on the Hazardous Activities and Industries List (HAIL). The NESCS manages subdivision, use and development of contaminated or potentially contaminated, land however, the objectives and policies in the District Plan apply to the assessment of any resource consent application.

The NESCS is further discussed in the Contaminated Land s32.

#### 2.3.6 National Environmental Standards for Plantation Forestry (NESPF)

The NESPF provide nationally consistent regulations to manage the environmental effects of forestry. The NESPF applies to any forest of at least one hectare that has been planted specifically for commercial purposes.

The NESPF relevance to District Plan rules is further discussed in other s32 including coastal environment, earthworks, noise, rural, and outstanding natural features and landscapes.

Coastal environment, earthworks, noise

#### 2.3.7 National Environmental Standards for Freshwater 2020 (NESFW)

Freshwater quality has been adversely affected by urban development, agriculture, horticulture, forestry and other activities. Previous regulation has not been able to halt the decline in freshwater quality in many of New Zealand's catchments. The NESFW regulates activities that pose risks to the health of freshwater and freshwater ecosystems. It sets requirements for carrying out certain activities that pose risks to freshwater and freshwater ecosystems.

The Natural character of freshwater bodies s32 explores implications of the NES for the District Plan.

## 2.4 National Planning Standards 2019



The National Planning Standards came into force on 3 May 2019, and are enabled by sections 58B-58J of the RMA. The Proposed District Plan has been drafted in accordance with the standards as much as possible.

The National Planning Standards provide nationally consistent structure, format, definitions, and electronic functionality and accessibility. This includes requirements for where chapters must be placed, the names of the parts and chapters, the location of types of provisions, a suite of zones to choose from, abbreviations to be used (such as for activity statuses and chapters), ordering of rules (according to activity status), numbering, colours and symbols for mapping, definitions to be used for certain terms, and a timeframe for when plans must be in e-plan format. Amendments to district plans must be made within five years from when the planning standards come into effect.

## 2.5 Regional Planning Documents

### 2.5.1 Canterbury Regional Policy Statement (RPS)

The Canterbury Regional Policy Statement (CRPS) 2013 is a document that the District Plan is required to give effect to and includes specific actions for territorial authorities in relation to a range of policies. The Operative Plan largely predates this policy.

### 2.5.2 Regional Plans

Section 75(4) of the RMA requires a district plan to not be inconsistent with any regional plan that is in force. In the Waimakariri District, the following regional plans are relevant to the district plan review:

- Canterbury Land and Water Regional Plan.
- Regional Coastal Environment Plan for the Canterbury Region.
- Waimakariri River Regional Plan.
- Canterbury Regional Land Transport Plan.
- Canterbury Regional Pest Management Plan.
- Canterbury Air Regional Plan.
- Canterbury Regional Public Transport Plan.

A more detailed assessment is provided in those section 32 reports that they relate to.

## 2.6 Iwi Management Plan

The District Plan must take into account any relevant planning document recognised by an iwi authority and lodged with the territorial authority, to the extent that its content has a bearing on the resource management issues of the District (section 74(2A) of the Act). The Maahanui Iwi Management Plan (IMP) 2013 covers six Papatipu Rūnanga and is endorsed by Te Rūnanga o Ngāi Tahu, as the iwi authority. The IMP provides policy direction on a range of matters that are significant to māna whenua and the nature and extent of consultation that may be required for particular activities or places of importance.

A more detailed assessment is provided in those section 32 reports that they relate to, in particular matters relate to sites and areas of cultural significance.

## 2.7 Other legislation and Policy Documents

Other legislation and regulations that are relevant and have been considered when preparing the Proposed District Plan include the following, with a view to limiting duplication where identified.

Local Government Act 2002

Building Act 2004

Heritage New Zealand Pouhere Taonga Act 2014

Land Transport Management Act 2003

Greater Christchurch Regeneration Act 2016

Hazardous Substances and New Organisms Act 1996 (HSNO)

Civil Defence Emergency Management Act 2002

Conservation Management Strategy

Reserves Act 1977 and Reserve Management Plans

Waimakariri Residential Red Zone Recovery Plan 2016 (WRRZRP)

Health and Safety at Work Act (HSWA) 2015

Health and Safety at Work (Major Hazard Facilities) Regulations 2016

Safety at Work (Hazardous Substances) Regulations 2017

Telecommunications Act 2001

Electricity (Hazards from Trees) Regulations 2003

Electricity (Hazards from Trees) Regulations 2003

Conservation Act 1987

Walking Access Act 2008

Te Ture Whenua Maori Act 1993

Canterbury Regional Council Navigational Safety Bylaw 2016

Maritime Transport Act 1994, and Maritime Rules made under this Act

Fire and Emergency Act 2017

## 2.8 Local Policies, Plans, and Strategies

District Development Strategy “Our District, Our Future Waimakariri 2048” (2018)

Long Term Plan and the Annual Plan (current)

Waimakariri Residential Red Zone Recovery Plan 2016

Proposed Waimakariri District Plan Section 32 ([Overview](#))  
[210202015721](#)

Rural Residential Development Strategy 2019

Town Centre Strategies (Kaiapoi, Rangiora, Woodend/Pegasus, Oxford)

Walking and Cycling Strategy 2017-2022

Disability Strategy 2011

Waimakariri Local Economic Development Strategy 2012

Bylaws e.g. Stockwater Race Bylaw 2019, Vehicle Crossing Bylaw 2019, Northern Pegasus Bay Bylaw 2016, Signage Bylaw 2019, Parking Bylaw 2019, Alcohol Control Bylaw 2018, Council Dog Control Bylaw 2019

Engineering Code of Practice (current)

Reserve Management Plans

## 3.0 METHODOLOGY

### 3.1 Council functions

The RMA sets out those matters which must be addressed by councils in preparing a District Plan. Section 31 of the Act sets out the functions of territorial authorities for the purpose of giving effect to the Act in its district. In summary, it includes the following:

- Achieve integrated management of the effects of the use, development, or protection of land and associated natural and physical resources of the district.
- Ensure sufficient development capacity in respect of housing and business land to meet the expected demands of the district.
- Control the actual or potential effects of the use, development, or protection of land, including for the purpose of avoiding or mitigating natural hazards; and the preventing or mitigating adverse effects of contaminated land; and maintaining indigenous biological diversity.
- Control of the emission of noise and the mitigation of the effects of noise.
- Control the effects of activities in relation to the surface of water in rivers and lakes.

### 3.2 Reason for the review

The Council must commence a review of a provision if it has not been a subject of a proposed plan, a review, or a plan change during the previous 10 years. The District Plan was made operative in 2005, based on a draft first produced in the mid-1990s. In 2015 most of the Plan became due for review. During the time the plan has been operative it has been subject to many plan changes, with about 25% reviewed as part of a 'rolling review' process. The comprehensive review of the District Plan commenced in February 2016.

The Operative District Plan predates key documents including the Regional Policy Statement 2013 (RPS) and the Mahaanui Iwi Management Plan (2013). The District is required to respond and give effect/take into account these documents. The Operative District Plan is inconsistent with the National Planning Standards which requires a different structure and format to the Operative Plan. Amendments to the District Plan must be made by five years from when the first set of planning standards came into effect in 2019.

Many Councils, including adjacent councils have produced, or are producing second generation district plans. Consideration was needed as to the extent to which the District Plan should be consistent with neighbouring council's plans.

The District Plan Review helps to ensure a clear, current and forward looking focus for the Plan and effective alignment with the above mentioned legislative requirements as well as the District Development Strategy.

### 3.3 Principles to guide the review

The aims of the District Plan Review were to meet the following principles (or broad terms of reference):

- effectively and efficiently **implement legislation**, higher order policies, plans and strategies;
  - including but not limited to:
    - Our District, Our Future Waimakariri 2048
    - Greater Christchurch Urban Development Strategy Review
- consider **consistency** with other strategic Council policies;
- is **easy to use** and understand with **clear, concise** language, structure and format;
- provides sufficient **certainty** for the community through clear policy direction and rules and incorporation of activities-based provisions;
- ensures sufficient **flexibility** is provided in the plan structure and provisions to enable response to emerging issues and amendments to the RMA;
- is available in **electronic** format;
- considers **consistency** with other district plans, in particular those of Christchurch City, Selwyn District, and Hurunui District; and
- provides **consistency** with legislation, such as National Policy Statements, proposed amendments to the RMA, higher order policies such as the Canterbury Regional Policy Statement and takes into account the Mahaanui Iwi Management Plan
- achieves the purpose of the RMA and 'best practice' planning outcomes that are supported by robust technical evidence.

## 4.0 DISTRICT CONTEXT

### 4.1 State of the Environment

The District covers some 225,000ha that extends from the mean high water springs (MHWS) of Pegasus Bay in the east to the Puketeraki Range in the west. It is bounded to the north by the Hurunui District and from the middle of the Waimakariri River southwards by Christchurch and Selwyn districts.

The whole District sits within the takiwā (territory) of Ngāi Tūāhuriri. Waimakariri District Council acknowledges Ngāi Tūāhuriri as mana whenua in the District and their history and values are outlined in the Tangata Whenua/Mana Whenua chapter.

The close proximity of Christchurch District influences growth and development patterns in the District. A large portion of the District is flat land used for farming. More recently, smaller rural properties have established for those wanting to live near Christchurch District but within a rural area. The north-western portion of the District is hill and high country including Mt Oxford, Mt Richardson, Mt Thomas and Mt Grey. Much of the high country is conservation estate and is a dominant feature of the western landscape.

Some 80% of the population is located in the eastern part of the District which contains the largest towns of Kaiapoi, Rangiora and Woodend/Pegasus. Oxford is the largest town in the west of the District. A number of smaller settlements are located within the District, including Cust, Sefton, and Ashley and the beach settlements of Waikuku Beach, Woodend Beach, The Pines Beach and Kairaki. Large lot residential development (formerly known as 'rural residential') is mainly located in areas zoned for that purpose in rural locations including Mandeville North, Fernside, Ohoka, Clarkville, Swannanoa, Loburn, Waikuku, Waikuku Beach, Ashley, Waiora Lane, West Eyreton and the outskirts of Oxford.

A range of natural hazards potentially affect the District, some of which may be exacerbated by the effects from climate change. These hazards include flooding, fault rupture, liquefaction and coastal inundation. Some areas are more susceptible than others to natural hazard events.

## 5.0 CONSULTATION

### 5.1 Approach – method

Consultation prior to formal notification has helped inform plan content and includes consultation for the District Development Strategy, District Plan Effectiveness Review, Issues and Options, What's the Plan?, and targeted stakeholder engagement.

#### *Issues and Options*

This consultation, undertaken in 2017, helped inform initial matters to investigate and consider further as part of the scoping of the District Plan Review, and were informed by the findings of the District Plan Effectiveness Review and the District Development Strategy (DDS). The issues were summarised into six papers titled: Transport and Utilities, Heritage and Open Space, Rural, Natural Environments, Retail Commercial Industrial, and Residential Zones. The consultation period ran for seven weeks through to Friday 27 October 2017.

#### *'What's the Plan'?*

*What's the Plan?* consultation was undertaken to test drafting directions for several different topic areas. It also served to indicate possible directions that differing topics may take when compared to the Operative District Plan. Chapter topics not included in this consultation were Light, Signs, Activities on the Surface of Water, Special Purpose Zones, Waimakariri as a Cultural Landscape, Natural Hazards, Hazardous Substances and Contaminated Sites, and Utilities. A number of these topics were precluded as chapter drafting had not reached a stage where the drafting direction was identified, while Natural

Hazards was excluded in favour of holding a separate consultation with the community to help shape the chapter content. This decision was also taken to respect the sensitivity of the topic and to ensure Ministry for Environment (MfE) best practice advice regarding community engagement could be upheld.

*What's the Plan?* was released for public comment for four weeks from Monday 8 April to Monday 6 May 2019 – extensions were offered on a case-by-case basis. Numerous communication and engagement tools were utilised to ensure people who may be affected by the District Plan Review, or have an interest in it, were provided with relevant information in a manner and format that enabled them to make informed decisions.

### *Targeted stakeholder engagement*

Targeted stakeholder engagement via face-to-face meetings, phone calls, letters and emails have been undertaken throughout plan drafting for specific drafting matters. There have also been topic-specific public consultations including heritage and tree nominations, and natural hazards. These have been detailed in relevant section 32 reports, as they apply to individual chapters.

## 5.2 Consultation with iwi authorities

Section 32(4A)(b) requires Council to include in the evaluation report a summary of all the advice received from Iwi authorities on the District Plan Review. Section 32(4A)(b) requires Council to provide a summary of how Council has responded to the advice received from Iwi authorities on the District Plan Review, including any provisions included in the Proposed District Plan that are intended to give effect to the advice.

Through the preparation of the Proposed District Plan the objectives and policies of the Mahaanui Iwi Management Plan have been taken into account, where relevant, in drafting of all Proposed Plan sections.

Specific consideration has been given to matters as they relate to chapters. Council has summarised consultation response in the individual s32 reports.

## 6.0 PROPOSED DISTRICT PLAN

### 6.1 Framework

The Proposed District Plan is a significant change from the Operative District Plan as the framework has been set by the National Planning Standards, new higher order policy directions have emerged, and the planning environment of the District and community values have changed since the Operative Plan was developed. Key changes are:

- The parts, chapters and sections are set by, and included in, the order specified by the National Planning Standards. The Proposed Plan has specific chapters for the various zones e.g. residential zones, and district-wide rule chapters by topic e.g. noise that include objectives,

policies, rules and standards. The Operative Plan groups all rules relating to bulk, location, signs, glare, hazardous substances, noise, agricultural and retail activities into one rule chapter for all zones.

- The Proposed Plan has a strategic directions chapter that includes high-level objectives and also policies for urban form and development (see Strategic Direction s32). Issues, principal reasons and anticipated environmental effects are not included, with direction being written into the strategic directions, objectives, policies and matters of control/discretion, or considered as part of District Plan monitoring.
- The new plan has been drafted in an e-plan format.
- Monitoring of the Proposed Plan will be implemented through a strategic integrated approach which is intended to incorporate District Plan indicators as well as those relating to other Council policies, strategies and functions.
- Exemptions are generally incorporated into the rule to which they relate to avoid them being overlooked and provide greater plan clarity and certainty.

## 6.2 How the District Plan works

The Proposed Plan sets out how the Plan works in the Part 1 General Provisions to assist plan users. This section includes:

1. Use of the map to find out the zone the activity is in and whether any special spatial layers apply to the site or area.
2. Review the relevant zone, district-wide, and overlay chapters to find out what rules are applicable. The separation of district-wide provisions from zone specific provisions provides a two-step process for plan users, to check both the relevant district-wide provisions and the applicable zone provisions.
3. Determining the status of an activity (permitted, controlled, restricted discretionary, discretionary, non-complying, or prohibited) based on an assessment against all the relevant rules (where the highest activity status will apply).
4. A description of activity classes, where they can be undertaken (if permitted), or resource consent can be applied for (if controlled, restricted discretionary, discretionary, or non-complying). If resource consent is granted then the activity can be undertaken in compliance with any stated conditions of approval. Prohibited activity status means that the activity cannot be undertaken and resource consent cannot be applied for or granted.

## 7.0 SECTION 32 REPORTS

This Overview report provides general information and an introduction to the individual reports prepared under s32 of the RMA. S32 reports detail the legislative requirements and assess the appropriateness, efficiency and effectiveness of and the reasons for the objectives, policies and methods proposed.

There are separate s32 reports for each of the topic areas or chapters contained in the Proposed District Plan; these are located on the Council website. These analyse the resource management issues and the responses to these issues in further detail including specific consultation undertaken for the topic.