

**Before the Hearings Panel
At Waimakariri District Council**

Under Schedule 1 of the Resource Management Act 1991

In the matter of the Proposed Waimakariri District Plan

Between **Various**

Submitters

And **Waimakariri District Council**

Respondent

**Council Officer's Preliminary Response to written questions on Overarching
and Part 1 Matters on behalf of Waimakariri District Council**

Date: 12/052023

INTRODUCTION:

- 1 My full name is Peter Gordon Wilson. I am employed as a Senior Planner for Waimakariri District Council.
- 2 The purpose of this document is to respond to the list of questions published from the Hearings Panel in response to my s42 report.
- 3 In preparing these responses, I note that I have not had the benefit of hearing evidence presented to the panel at the hearing. For this reason, my response to the questions may alter through the course of the hearing and after consideration of any additional matters raised.
- 4 I also note that given the timing of these questions, my preliminary responses in some instances have not been informed by consideration of evidence or legal submissions lodged with the Council following the issuing of my s42A report. Where I have considered such evidence, I have recorded this within the preliminary answers below.
- 5 Following the conclusion of this hearing, a final right of reply document will be prepared outlining any changes to my recommendations as a result of evidence presented at the hearing, and a complete set of any additions or amendments relevant to the matters covered in my s42A report.
- 6 The format of these responses in the table below follows the format of questions identified in within the Commissioner's minute.
- 7 I am authorised to provide this evidence on behalf of the District Council.

Date: 12/05/2023

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Paragraph or Plan reference	Question	Officer's preliminary reply pre hearing
Para 36	<p>In comparing the operative and proposed plans please explain, with examples, what is meant by:</p> <p><i>“a change from an effects based to activities based planning regime”.</i></p>	<p>The Operative Plan is commonly described by Council staff as an effects-based regime, in that it manages the effects of activities, rather than the specifics of activities. It uses broader descriptive categories for types of activities grouped by effect. For instance, most of the operative rules are clustered within one chapter, entitled “Health, Safety and Wellbeing”. The Proposed Plan adopts the National Planning Standard approach of structuring by chapter topics, with each topic focusing on a particular type of activity, or activities within an area, such as a zone or overlay. Council staff have commonly referred to this approach as an activity-based regime, to distinguish it from the operative regime.</p>
4.1.11	Can you please confirm that we are not dealing with any submissions on Variation 1	The officer reports do not deal with any submissions

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	at this point in time, and are only addressing submissions on the PDP.	on Variation 1, all submissions deal with within the officer reports are on the Proposed District Plan (PDP).
Para 88	Please confirm whether this submission is in the right place? It doesn't appear to relate to definitions.	In analysing this submission, I considered the nature of its content related to plan interpretation, and thus the best-fit location for it was within section 5.4.5 Te Whakamāramatanga – Interpretation, as I consider it relates to how the Proposed Plan is interpreted. This section includes definitions, definitions nesting tables, abbreviations, glossary. However, the submission could equally be placed under section 5.4.3 - Te whakamahi māhere - How the plan works.
Para 134	Please advise whether it would be appropriate to make (higher level) decisions	Yes, I would consider higher-level

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	<p>on the use of cross-referencing (as a method to assist readers) between chapters as a more general matter, but have the relevant s42A authors for each topic make specific recommendations with respect to their chapters?</p>	<p>recommendations on the use of cross-referencing to assist readers to be appropriate, provided the specific use of that cross-referencing remained with the s42A authors for their chapters.</p>
<p>Para 135</p>	<p>As above, can the Panel appropriately make a higher level decision with respect to submissions requesting generic removal of non-notification or limited notification clauses for all controlled and discretionary activities?</p> <p>For example, the Panel may make a decision to (say) reject the generic submission, but state that each individual Panel will make decisions on notification for each specific chapter rule that has been submitted on.</p>	<p>My preliminary view is that if a decision was made to approve or reject the relief at a high-level it may affect the scope required for its use in specific chapters. It is for this reason that I declined to make a recommendation on it, instead having s42A authors make recommendations on it at their level.</p>
<p>Para 139</p>	<p>Should the Rangiora-Ashley Community Board be an accept or some other recommendation, given that they did not provide a relief sought?</p>	<p>The Rangiora-Ashley Community Board submission contained general support for the concept of special purpose zones, but did not request specific relief. There are other submissions of this</p>

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		<p>nature on the Proposed Plan, where general support or opposition has been expressed for a matter, without specific relief.</p> <p>I consider that these should be considered on their merits in the context of the standard recommendation options – accept, accept in part, or reject.</p>