

# CENTRAL HAWKE'S BAY DISTRICT COUNCIL

Minutes of a meeting of the District Plan Subcommittee Working Party will be held in the meeting room at DAC Legal, 9 Herbert Street, Waipukurau on **Wednesday 14 August 2019** commencing at **9.00am**.

**PRESENT:** Commissioner Mick Lester, Councillors I G S Sharp, D Tennent, T H Aitken, and Her Worship the Mayor A Walker  
R C A Maaka

**IN ATTENDANCE:** Doug Tate [GM – Customer & Community Partnerships]  
Helen O'Shaughnessy [District Planner]  
Tiffany Gray [Project Support Officer]

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## 1.0 KARAKIA / MIHI / INTRODUCTIONS

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## 2.0 APOLOGIES

Mick put in an apology for B Gregory.

A Walker/ R Maaka  
CARRIED

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## 3.0 DECLARATIONS OF CONFLICTS OF INTEREST

Conflicts of interest to be reported for minuting.

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## 4.0 CONFIRMATION OF MINUTES

### RESOLVED:

THAT the minutes of the District Plan Subcommittee Working Party Meeting held on Tuesday 9 April 2019, as circulated, be confirmed as true and correct.

A Walker/ I Sharp  
CARRIED

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## 5.0 OVERVIEW OF MEETING

Helen provided an overview of the progress to date on the District Plan Review.

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## 6.0 FEEDBACK ON SUBMISSIONS RECEIVED ON DRAFT PLAN

### Discussion

Mick began discussion by asking when will the subcommittee decide to not accept late submissions. The closing date for submissions was 15 July. His concern is fairness to the officers, so they have enough time to look through the submissions. Mick also wished to recognise that there is another opportunity to make submissions when the plan becomes notified in 2020.

Alex asked if it be valuable for us to make a recommendation to go to Council about accepting late submissions.

There was some discussion about the implication of late submissions. In the formal procedure late submissions have to be accepted and Council has to follow the RMA Schedule 1 process.

The Subcommittees discussed issues around late submissions in relation to the elections. Members debated the pros and cons of receiving late submissions; if Council don't take late submissions, we might not receive the best idea ever.

Members agreed the point of this draft process is to avoid hearings/costs in the formal process and receiving submissions was an important part of developing a District Plan that the community are comfortable with.

Mick suggested that the subcommittee move that we accept late submissions up until the end of August.

Doug clarified that there are still parties we're working with e.g. Porangahau community. It was stated that technically we have until late Oct/early Nov before the informal hearings commence to take late submissions.

Tim suggested late submissions be cut off 4 - 6 weeks before the informal hearings.

Helen commented that in terms of Councils commitment to engagement it would be a positive thing to accept late submissions and that submissions were unlikely to be provided so close to the informal hearings that officers were unable to process them.

Tim was concerned about the workload leading up to the informal hearings and how late submissions might affect this.

Ian stated that Council is no longer advertising that we're still taking submissions.

Helen provided reassurance that we have capacity to accept late submissions.

David asked if we need to formalise that we're accepting late submissions.

Mick stated that this decision is up to the hearing's committee/panel.

Alex stated that it is clear from this report that some parties have approached Council, and that Council continues to work with and provide support to them. It is these particular parties that have flagged to Council that they cannot meet the deadline and that this is where late submissions should be accepted.

It's acknowledged that some submitters may feel aggrieved about rushing to prepare submissions to meet the deadline.

Alex commented that she disagrees with the wording of the second to last paragraph of this report and asked for it to be deleted.

#### **RESOLVED:**

THAT the Subcommittee receive the above report.

A Walker/ T Aitken

CARRIED

## **7.0 UPDATE ON INTEGRATION OF DRAFT DISTRICT PLAN TO NATIONAL PLANNING STANDARDS**

### **Discussions**

Mick said that he is thankful for the Ministry for the Environment's (MfE) assistance at no cost [for rehousing the plan].

Alex asked if there will there be a cost? Will they hold us up? Her concern of cost is about time.

Helen confirmed that there is high confidence that we will meet our timeline.

Tim asked if this will this create issues with people seeing a completely new plan?

Helen stated that this has been raised with the Ministry and that the Ministry has also offered assistance with communications to the public about the changes they will find in the Proposed Plan.

Ian was concerned that it may affect how user-friendly the Plan will be.

Mick was concerned about submissions on the draft District Plan but was reassured that the National Policy Standards are more about aligning the plan to a standardised format.

Alex asked if there are key issues around definitions or anything else that could present a substantial challenge. And how will our decision making be affected by minor wording changes or something that will have a more substantial impact. Alex is concerned about that nuance of who decides whether something is major enough to flag?

Helen confirmed that the Ministry aren't addressing the integration of definitions and that this is concerning. This has the potential to affect the intent of the rules and performance standards.

It is clarified that the Proposed Plan will include the National Planning Standards and it will be clear by the use of different text/colour which sections are from the standards.

Tim asked if we should write to every submitter to explain the process of integrating the standards? It's important they have an understanding and that this is a Ministry for the Environment requirement.

There was agreement that being transparent with our submitters is vitally important especially because they have made the effort to be involved in the review process. Helen agreed that we will keep submitters informed.

Alex offered congratulations to Helen for keeping us aligned in this process - well done.

Roger believes that we give submitters as early warning as possible so they can understand that these provisions are coming in.

Alex agrees that this is important, and it's also a nice story about us having a proactive and positive relationship with MfE.

There was an understanding that the integration of standards won't affect the content and provisions of the plan.

### **RESOLVED:**

THAT the Subcommittee receive the above report.

I Sharpe/ D Tennent

## 8.0 DISTRICT PLAN – APPOINTMENT OF COMMITTEE/PANEL TO HEAR SUBMISSIONS

### Discussions

Mick began the discussion by saying his personal view is that is up to this committee to make this recommendation to Council on the hearings panel. He personally favours recommendation 3, as options 1 and 2 would require education to new members of what the intent of the plan was.

There was some clarification regarding the process around the hearings panel and whole Council processes.

Alex stated that we need to go back to good process around standing orders, governance and legal responsibilities; going back to our mandate which is in our terms of reference. She is uncomfortable with the wording of recommendation 3 and thinks that we have to make a recommendation that is truly about the integrity of the hearings process.

Alex suggested the following recommendation;

*“the Council appoints a hearings panel that comprises x y z people for x y z reason and there is always a minimum of two elected members and two iwi representatives on the hearings panel”.*

Alex supports a panel of six, so this could be the current members of the subcommittee which would provide for continuity. Alex was of the belief that the intent was that the subcommittee would hear the submissions and stated that the Subcommittee need to make a recommendation explicit about the role of the hearings.

There was discussion around time dedicated to the hearings and uncertainty around remuneration. There were also some questions around who will chair the meetings.

Tim stated that his thinking was that the Subcommittee carry on and hear the submissions to the next stage. That way we understand the issues.

There was discussion about what would happen if there was a split vote with an even number of people on the hearings panel.

The following recommendation was tabled:

*“that the existing district plan subcommittee hear the informal submissions and make recommendations on all submissions to Council regarding the draft district plan”*

The subcommittee debated this recommendation and were satisfied it clearly expressed the role and membership of the informal hearings panel. The subcommittee agreed to make this recommendation to Council at the 29 August 2019 meeting, and recommend the Council adopt this recommendation.

There was discussion around updating the terms of reference.

### **RESOLVED:**

THAT the Subcommittee receive and adopt the above report.

THAT the Subcommittee recommend that the Council receive and adopt the above report

THAT the Subcommittee receive and adopt the following recommendation;

*‘that the existing district plan subcommittee hear the informal submissions and make recommendations on all submissions to Council regarding the draft district plan’.*

THAT the Subcommittee recommend that Council adopt this recommendation in relation to the hearings panel at the Council meeting on the 29<sup>th</sup> August 2019.

A Walker/ D Tennent

CARRIED

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## **9.0 DATE OF NEXT MEETING**

### **RECOMMENDATION:**

THAT the next meeting / workshop of the District Plan Subcommittee Working Party be determined at a later date

Crs \_\_\_\_\_ / \_\_\_\_\_

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## **10.0 TIME OF CLOSURE**

With no further business the meeting closed at 10.17am.

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**CHAIRMAN**