

Joint Wairarapa Combined District Plan Committee Meeting Agenda – 25 February 2021

Meeting will be held in the Carterton Events Centre, 50 Holloway Street, Carterton.

Attendees:

Joint Committee:

David McMahon	Independent Commissioner (Chairperson)
Cr Frazer Mailman	Masterton District Council
Cr Tina Nixon	
Cr Rob Stockley	Carterton District Council
Cr Robyn Cherry-Campbell	
Cr Brian Jepson	South Wairarapa District Council
Cr Alistair Plimmer	
Tirau Te Tau	Rangitāne o Wairarapa
Jason Kerehi	
Hera Edwards	Ngāti Kahungunu
Robin Potangaroa	

Advisory Group:

Sue Southey	Masterton District Council
Angela Jane	
Alan Flynn	
Tony Pritchard	Carterton District Council
Dave Gittings	
Solitaire Robertson	
Russell O'Leary	South Wairarapa District Council
Hamish Wesney	Boffa Miskell
Charles Horrell	
Kate Searle	
Erica Jane	

25 February 2021 - 9.00 am

Agenda Topic

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2. APOLOGIES
3. CONFIRMATION OF AGENDA
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6. COMMITTEE REPORT – DISTRICT PLAN REVIEW PROJECT PLAN

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COMMITTEE REPORT – RMA REFORM UPDATE

Joint Wairarapa Combined District Plan Committee

For Meeting on 25 February 2021

RMA Reform Update

1 Purpose of this Report

The purpose of this report is to review and confirm the proposed scope of the District Plan Review following the government's announcement regarding the repeal and reform of the Resource Management Act 1991 (RMA).

The report summarises the government's recent announcement (on 10th February 2021), proposed timeframes for the reform and implications for the District Plan Review. Options for the scope of the District Plan Review are set out for consideration by the Joint Wairarapa Combined District Plan Committee. This report also makes recommendations on the most appropriate option for the review.

2 Background and Context

2.1 Previous options analysis

The Committee considered four options for the District Plan Review at its November 2020 meeting (see 'Scope of District Plan Review' report dated November 2020 in **Appendix 1**). These options are summarised as follows:

- **Option 1 – Pause and wait** – hold all plan review work until the Government announces its work programme for RMA reform.
- **Option 2 – Simple/discrete plan changes** - progress simple/discrete plan changes that are targeted at addressing specific plan implementation issues, and/or ensure the Combined District Plan is consistent with current national direction (e.g. NPS-UD).
- **Option 3 – Partial review** – progress a partial review of the District Plan to address a broader set of key issues, in addition to addressing plan implementation issues and ensuring consistency with national direction (e.g. National Policy Statements, National Environmental Standards documents). This option would entail a more substantial review of plan content (e.g. approximately half to two-thirds of the current plan).
- **Option 4 – Full review** – full review of the District Plan originally anticipated by the Councils. All chapters would be reviewed and a new District Plan would be prepared to replace the existing District Plan. The new District Plan would be prepared to implement all the requirements in the National Planning Standards.

The recommendation at the November 2020 meeting, which was accepted by the Committee, was to undertake a **partial review**, and to continue to monitor announcements and progress on RMA Reform.

2.2 RMA Reform

On 10 February 2021 the Government confirmed its intent to repeal and replace the RMA, and set out a work programme for the initial stages of the review. The Reform package

broadly accepts the recommendations of the Resource Management Review Panel¹ in its June 2020 report on “new directions for resource management in New Zealand”².

The key elements of reform are the repeal and replacement of the RMA with three new acts.

- National and Built Environments Act (NBA)
- Strategic Planning Act (SPA)
- Climate Change Adaptation Act (CCA).

The broad scope and aspirations for each piece of legislation was set out in the Scope of District Plan Review report (see Appendix 1), and these have not changed significantly as a result of this latest announcement.

Timeline

The Ministry for the Environment (MfE) has set out the following timeline for reform:

- **May–September 2021:** An initial ‘exposure draft’ of the Natural and Built Environment Bill will be agreed by Cabinet and then referred to a special select committee inquiry. The Strategic Planning Bill and Climate Change Adaptation Bill will be developed in a parallel process with the latter managed out of the Minister for Climate Change office.
- **December 2021:** The Natural and Built Environments Bill and the Strategic Planning Bill will be introduced to Parliament in late 2021. A standard select committee process will consider them. The Climate Change Adaptation Bill will be developed in a similar timeframe.
- **December 2022:** It is intended that all three pieces of legislation are passed by the end of 2022.

Transition to new system

It is likely that transition provisions will be developed to ensure that the planning standards, other national direction and the RMA as a whole remain in effect until their replacements are developed. This is likely to take several additional years (beyond 2022).

In making this recent announcement, and government advised that in the interim, Councils should continue with business as usual, and any plan review work should place a particular emphasis on reviewing the performance of their plans and establishing implementation practices that could be carried over into a future system.

3 Legislative Framework

Meeting the obligations of the RMA is a key driver for the District Plan Review. Under Section 79 of the RMA, Council is required to commence a review of a provision in the District Plan if it has not been reviewed or changed during the previous 10 years. As outlined earlier, most of the current District Plan has not been reviewed in the last 10 years.

¹ The review was conducted by the independent Resource Management Review Panel chaired by retired Court of Appeal Judge, Hon Tony Randerson, QC.

² See <https://www.mfe.govt.nz/rmreview> for links to the Panel's full and summary reports

The process and timeframe for the District Plan Review will be designed to comply with the requirements of the RMA. These requirements include the nature and level of engagement (particularly with iwi) and nature and level of evaluation on alternatives.

Until the new legislation is enacted and transition to this legislation is complete, councils must continue to operate in accordance with the RMA.

4 Options and Analysis

Following the release of the Government's work programme, the Advisory Group has re-considered options for the District Plan Review. In many respects, the options are the same as those presented to the Joint Committee in November 2020, in that the recent announcement confirmed matters previously understood to be the government's intention. Therefore, the opportunities and implications of the options are similar to those previously presented. However, with the announced timeframe for the RMA reform, Option 1 (pause and wait) has been modified to 'pause and wait' for the new legislation instead of 'pause and wait' for an announcement on the RMA reform.

The options and their implications are discussed below.

4.1 Option 1: Pause and Wait

Option 1 is the 'do nothing' approach and places a hold on any further plan review work until the new NBA, SPA and CCA are enacted. This option would require the Wairarapa Councils to start afresh working with other councils in the Wellington region to develop new plans in accordance with the new legislation.

The new legislation is not expected to be enacted until at least late 2022, and legislation will be developed to manage the transition from the RMA to the new Acts (which will likely take a number of years). Therefore, choosing this option would mean that the Wairarapa Councils are not meeting their legislative requirements under the RMA, including to:

- commence a review of its Plan within 10 years of its last review; and
- implement the requirements of the National Planning Standards by 2024.

The RMA requirements continue to apply until transition to the new legislation is complete.

4.2 Option 2: Simple/discrete plan changes

The approach of Option 2 is to progress simple/discrete plan changes that are targeted at addressing specific plan implementation issues, and/or ensure the Combined District Plan is consistent with current national direction (e.g. NPS-UD).

As previously noted, Option 2 does not provide for addressing strategic planning issues across the three districts, and a piecemeal approach may result in problems being 'patched up' rather than comprehensively addressed.

Given the likely timeframes for transition, Option 2 means the Councils would not meet their legislative requirements to review the plan within 10 years and implement the National Planning Standards by 2024.

Option 2 would also not address MfE's direction for councils to 'continue with business as usual, but with a particular emphasis on reviewing the performance of their plans and establishing implementation practices that could be carried over into a future system'.

4.3 Option 3: Partial review

This option would progress a partial review of the District Plan to address a broader set of key issues, in addition to addressing plan implementation issues and ensuring consistency with national direction (e.g. National Policy Statements, National Environmental Standards documents).

The Committee agreed to proceed with this option at its November 2020 meeting.

Other Councils in the region are undertaking full or partial reviews of their district plans (Wellington, Porirua and Hutt City Councils are undertaking full reviews; Upper Hutt City Council has been working through a rolling review; Kapiti Coast District Council has recently released decisions on its plan). It would therefore be prudent for the Wairarapa Councils to continue with the partial review, to ensure that there is a strong and up-to-date policy framework and direction for the Wairarapa to influence development of new regional plans under the NBA and SPA. The partial review will ensure that resources are focused on those issues that are most critical for the district.

As discussed at the November meeting, this option does present some continued uncertainty in the implications of the RMA reform for plan making processes. However, the Ministry for the Environment has been clear that councils should continue with business-as-usual; Option 3 ensures this, and that the Councils are able to meet their existing and upcoming obligations under the RMA.

4.4 Option 4: Full review

This option is the full review originally anticipated by the Councils. All chapters would be reviewed and a new District Plan would be prepared to replace the existing District Plan. The new District Plan would be prepared to implement all the requirements in the National Planning Standards.

It would likely take 3-5 years to undertake a full review of the plan. It is likely that as this process is wrapping up, the early stages of development of a regional plan under the new legislation may be underway. It is therefore more efficient to undertake a partial review, focusing on key issues for the Wairarapa, and waiting until plans are developed under the new legislation to undertake a full review of those topics that are less critical to the Wairarapa's current needs and aspirations.

5 Considerations

5.1 Tangata Whenua

The Minister has directed that the NBA will require all persons who exercise functions and powers under the NBA to 'give effect to the principles of Te Tiriti o Waitangi'. This is a much stronger direction than the RMA requirement to 'take into account' the principles of Te Tiriti. Maintaining strong relationships with mana whenua throughout the plan review process will therefore be critical to undertaking a robust review, and setting a direction in the District Plan that can carry through to the development of a regional plan under the new legislation.

5.2 Climate change

Climate change considerations will be made through the review process, including the topics to be reviewed.

5.3 Financial

There are no changes to overall costs as a result of this update.

5.4 Community engagement

There are no changes to community engagement requirements as a result of this update.

5.5 Risks

There is an ongoing risk that the timeframes for RMA reform will change. The Advisory Group will actively monitor for any updates and announcements.

6 Recommendation

The Officer Advisory Group recommends continuing with **Option 3: Partial Review**.

At this time, Option 3 remains the most appropriate option as it enables the key issues to be addressed and would be efficient and effective use of Council and community resources in the context of pending reform. Active monitoring of government announcements on RMA reform will continue, and the Committee could re-consider the scope and approach to the review at any time.

Report prepared and reviewed by:

Kate Searle/Hamish Wesley - Boffa Miskell

Sue Southey – Masterton District Council

Dave Gittings – Carterton District Council

Russell O’Leary – South Wairarapa District Council

Appendices

Appendix 1: Committee Report – Scope of District Plan Review
– 10 November 2020

Joint Wairarapa Combined District Plan Committee

For Meeting on 10 November 2020

Scope of District Plan Review

1 Purpose of this Report

The purpose of this report is to seek direction and confirm the scope of the District Plan Review. The report sets out the legislative requirements for a District Plan Review, the potential implications of upcoming Resource Management Act (“RMA”) reform and the findings of the initial scoping of the review. Options for the scope of the report are set out for consideration by the Joint Wairarapa Combined District Plan Committee. This report also makes recommendations on what the most appropriate course of action in the current environment based on our assessment.

2 Background and Context

2.1 Current RMA Requirements

The RMA requires all operative provisions of a plan to be reviewed every 10 years. The current Wairarapa Combined District Plan was made operative in 2011, with most of the chapters in the Plan not subject to any review or change since this time. These chapters include heritage (apart from updates to schedules), coastal environment, indigenous biodiversity, natural hazards, public access, noise, signs, Rural Zones, Residential Zones, Commercial Zones, and Industrial Zones.

The review provides an opportunity to consider whether there are implementation issues, update provisions to reflect current practice, and ensure alignment with national and regional policy direction.

2.2 Higher Order Planning Documents

Through the review process, the new Proposed Combined District Plan will need to be developed to implement the National Planning Standards which set the structure and format for new District Plans (and including some specific defined terms). These standards mean that even if existing plan provisions and/or chapters are considered effective by the review process, they will likely still need to be re-structured and re-formatted to align with the National Planning Standards. In addition, the National Planning Standards require the new Combined District Plan to be produced to meet minimum electronic (online) functionality and accessibility, such as an e-plan.

An initial review of the higher order planning documents (e.g. National Policy Statements and Regional Policy Statement) has identified that the following higher order planning documents need to be given effect to:

- National Policy Statement on Urban Development (2020)
- National Policy Statement for Freshwater Management (2020)
- New Zealand Coastal Policy Statement (2011)

- National Policy Statement for Indigenous Biodiversity (currently at proposed stage)
- National Policy Statement for Highly Productive Land (currently at proposed stage)
- Regional Policy Statement for the Wellington Region, particularly the policies relating to natural hazards, heritage, natural environment and landscape and coastal environment

2.3 Local Planning Documents

The three Wairarapa District Councils have prepared or are preparing strategies and plans which provide direction for the District Plan Review. These strategies and plans include:

- Masterton Urban Growth Strategy
- Masterton Town Centre Strategy
- Carterton Urban Growth Strategy
- Carterton East Structure Plan
- South Wairarapa Spatial Plan

2.4 Implementation Issues

The District Plan Review also evaluates the efficiency and effectiveness of the provisions in the Operative District Plan. This evaluation assesses whether the objectives in the Operative District Plan are being achieved and how the policies and methods (including rules) are influencing this outcome. This evaluation also considers the costs of the methods in achieving the outcomes.

There are also implementation and interpretation issues which have informed the scope of the District Plan Review.

Based on the above policy directions, known issues with the current District Plan, the following topics have been identified as priority for review:

- Residential Zone, including providing for more intensive housing and expansion of the residential zone
- Rural Zone, including subdivision and non-primary production activities
- Commercial Zone, including the compatible/incompatible activities
- Natural hazards, including areas subject to flooding and seismic risks

2.5 RMA Reform

Central government has signalled it will be reforming the RMA. The Labour Party manifesto for the 2020 general election included “repealing and replacing the RMA”.

This reform commenced prior to the recent general election when the previous government commissioned a comprehensive review of the resource management system in New Zealand. The government stated the *New Directions for Resource Management in New*

Zealand report is the most significant, broad ranging and inclusive review to take place within the system since the RMA came into force in 1991.

The Resource Management Review Panel¹ reported their recommendations to the Government in June 2020 on “new directions for resource management in New Zealand”². The recommendations in the report (commonly referred to as the ‘Randerson report’) if enacted would have significant impacts on the process of resource management planning within the Wairarapa and across the Wellington region.

In particular, the Randerson report recommends replacing the RMA with three new pieces of legislation, as well as replacing District Plans with new mandatory Combined Plans (combined regional and district plans). The Labour Party manifesto states ‘they are committed to implementing the core recommendations of the Randerson report, and to working through other details, including by way of a select committee process’.

In commencing the review of the Wairarapa Combined District Plan, the Councils should be cognisant of this report and its recommendations, and actively monitor announcements by the government on RMA reform.

A paper (in **Appendix 1** to this report) has been prepared which provides a brief outline of the key recommendations relevant to plan-making and review processes, and potential implications and considerations relevant to the review of the Wairarapa Combined District Plan.

3 Legislative Framework

Meeting the obligations of the Resource Management Act 1991 is a key driver for the District Plan Review. Under Section 79 of the RMA, Council is required to commence a review of a provision in the District Plan if it has not been reviewed or changed during the previous 10 years. As outlined earlier, most of the current District Plan has not been reviewed in the last 10 years.

The process and timeframe for the review will be designed to comply with the requirements of the RMA. These requirements include the nature and level of engagement (particularly with iwi) and nature and level of evaluation on alternatives.

4 Options and Analysis

Following a review of the current RMA requirements, higher order documents and the implications of the Randerson Report, the Officer Advisory Group discussed four possible options to move forward with the District Plan Review. These options entail either waiting to see what the recently elected government announces over the next few months, simple/discrete plan changes, a partial review or a full review of the District Plan. These options and their implications are discussed below and a summary of the pros and cons of each option is provided in **Appendix 2** of this report.

¹ The review was conducted by the independent Resource Management Review Panel chaired by retired Court of Appeal Judge, Hon Tony Randerson, QC.

² See <https://www.mfe.govt.nz/rmreview> for links to the Panel's full and summary reports

4.1 Option 1: Pause and Wait

Option 1 places a hold on any further plan review work until the Government announces a work programme for the RMA reform. Once this work programme is known, the Committee can make a decision on the scope and timing of the District Plan Review.

This option may enable more certainty and, by waiting until the work programme is released, a better understanding of the priorities of the new Government and their likely timeframes for reform. This option also provides some cost and time savings to the councils in the short-term, but not necessarily in the long term, and could be perceived by the public as being fiscally responsible given the current level of uncertainty regarding the nature and extent of the RMA reform.

On the other hand, placing a pause on further plan review work could impact on any council promises and commitments that have already been made regarding the timing and expenditure for the review. Delaying the review may also have implications for other projects and work programmes which the District Plan may influence in terms of timelines and the relationships and linkages between them (e.g. CDC's earthquake prone building policy).

The Councils may be subject to criticism that they are not doing anything, particularly as there is an understanding that there are changes that need to be made to the Plan. However, delaying further work may hinder the ability to define issues of importance for the region at a local level if preliminary work is not progressed early on and before a national-level announcement on RMA reform is made. In addition, Option 1 comes with the risk that Councils may still not have any more clarity or certainty in 2 – 6 months' time than what we have now.

4.2 Option 2: Simple/discrete plan changes

The approach of Option 2 is to progress simple/discrete plan changes that are targeted at addressing specific plan implementation issues, and/or ensure the Combined District Plan is consistent with current national direction (e.g. NPS-UD). The approximate timeframe for this option is 12-18 months.

Preliminary work could be undertaken to identify and investigate the priority issues, irrespective of any Government announcement which would avoid the potential inertia under Option 1. This option would enable progress to be made on the high priority matters that need immediate solutions / updating (e.g. specific subdivision provisions, heritage, notable trees, financial contributions). In addition, if Option 2 was selected, the initial work would also be relevant and could inform Options 3 and 4, regardless of the government announcements and timelines. The preliminary work can be used to start shaping a local response on some of the priority issues, although not as much as what would be possible in Option 3.

However, Option 2 comes with several disadvantages, including that this option does not address any of the larger, more strategic planning issues that are facing the three districts. A discrete approach to address the smaller, specific issues, could result in these problems being 'patched up' rather than comprehensively addressed. This approach could also lead to unintended consequences that may require further changes, and a disconnect between the amended parts of the plan and those that haven't been changed. Whilst this approach allows a local response to highest priority issues, it may be difficult to get agreement on which issues are the highest priority to address. This option also has potential for scope creep, as many parties will have priority issues that require an "immediate" response. In addition, this option would not implement the requirements of the National Planning Standards. Therefore, additional work would be required in the future to implement these requirements by 2024.

As there will still be a reasonable amount of work involved in preparing discrete plan changes, this option may not be the most efficient and effective based on the cost to benefits as opposed to the partial review. Option 2 could still be relatively costly and time consuming depending on the plan change topics that are selected.

4.3 Option 3: Partial review

This option would progress a partial review of the District Plan to address a broader set of key issues, in addition to addressing plan implementation issues and ensuring consistency with national direction (e.g. National Policy Statements, National Environmental Standards documents). This option would entail a more substantial review of plan content (e.g. approximately half to two-thirds of the current plan). It is estimated this partial review would take approximately 18 months – 2 years.

The advantages of a partial review is that it could address some of the larger, more strategic planning issues facing the three districts (e.g. planning for new growth – residential and business and the relationships with other matters like heritage and character; rural subdivision; natural hazards and climate change). In addition, this option could comprehensively review whole zones and interface issues (rather than just specific/discrete zone provisions under Option 2).

Furthermore, if the government proceeded with a Combined Plan approach under the RMA reform, the work on a partial review could be used to influence the future Combined Plan. This work could enable more local control of the review focus/purpose if/while higher level direction is shaped.

The disadvantages of a partial review are the level of uncertainty over the next few months as to the potential RMA reform and implications for plan making – this could result in time lost/wasted investigations/ or progressing matters that are not relevant in the future. In addition, it could be difficult to get agreement on what the most important issues/topics for review are – it could be influenced by strong advocacy from specific interest groups/ organisations. There will still be limits as to what parts of the plan/provisions are reviewed and what is not – this could mean some parts of the plan “lag behind” i.e. they are not as current and up-to-date as the parts that are reviewed.

The partial review would be undertaken within existing planned timeframe and budget. Depending on the final scope of the partial review, and if the partial review addresses some of the more significant issues, the time and costs may not be too different from a full review.

4.4 Option 4: Full review

This option is the full review originally anticipated by the Councils. All chapters would be reviewed and a new District Plan would be prepared to replace the existing District Plan. The new District Plan would be prepared to implement all the requirements in the National Planning Standards. The full review would take approximately 3 – 4 years.

The advantages of a full review are that it enables all issues to be reviewed, including key strategic issues. In addition, it would mean issues of importance to the community and stakeholders would be considered. This option also enables an “all of plan” approach to be taken to plan development and would support a high-level of cross-plan integration of provisions (i.e. avoiding the “patchier”/ priorities driven approach).

Also, any RMA reform process is likely to have a reasonably long timeframe in terms of transitioning to a new resource management regime. In addition, it would take some time to

develop a new Combined Plan for the region, therefore a fully reviewed District Plan could be completed before the reform is in place.

The disadvantages of a full review are that it could result in the development of a new district plan that has a short lifetime and that requires potentially extensive change again shortly after its adoption – this would be costly in terms of time and money invested by the three councils and could be seen as inefficient. The timeframe for completing a full review could extend beyond the current nominated 3-4 year timeframe creating cost and other resourcing implications. In addition, the Councils could be perceived as ignoring the national-level political desire for change to the RMA and its associated planning documents.

However, it is difficult to accurately anticipate the changes that may be decided by the Government in terms of the nature and scope of the replacement RMA plans and the timeframe for transition.

5 Considerations

5.1 Tangata Whenua

The need to ensure that Māori have an effective role in the review, consistent with the principles of Te Tiriti o Waitangi. Two mana whenua representatives can be appointed to the Joint Committee. In addition, a partnership with mana whenua would be a key part of the review.

5.2 Climate change

Climate change considerations will be made through the review process, including the topics to be reviewed.

5.3 Financial

All options outlined in this report are within the existing budgets for the District Plan Review. The relative costs of each option are noted in the analysis above.

5.4 Community engagement

All options outlined in this report would involve community engagement. Once the scope of the review is confirmed, a Communications and Engagement Plan will be prepared for the review.

5.5 Risks

All options outlined in this report involves different risks as noted in the analysis above.

6 Recommendation

The Officer Advisory Group recommends **Option 3: Partial Review**.

At this time, Option 3 is considered the most appropriate option as it enables the key issues to be addressed and would be efficient and effective use of Council and community resources in the context of pending reform. Active monitoring of government announcements

on RMA reform would occur, and the Committee could re-consider the scope and approach to the review at any time.

Report prepared and reviewed by:

Charles Horrell/Hamish Wesley - Boffa Miskell

Sue Southey – Masterton District Council

Dave Gittings – Carterton District Council

Russell O’Leary – South Wairarapa District Council

Appendices

Appendix 1: Resource Management Review 2020 - A Summary of Potential Implications for the Review of the Wairarapa Combined District Plan

RESOURCE MANAGEMENT REVIEW 2020: A Summary of Potential Implications for the Review of the Wairarapa Combined District Plan

7 INTRODUCTION

The Resource Management Review Panel³ reported their recommendations to the Government in June 2020 on “new directions for resource management in New Zealand”⁴. The recommendations in the report (commonly referred to as the ‘Randerson report’) if enacted would have significant impacts on the process of resource management planning within the Wairarapa and across the Wellington region.

In particular, the Randerson report recommends replacing the Resource Management Act (RMA) with three new pieces of legislation, as well as replacing District Plans with new mandatory Combined Plans (combined regional and district plans). In commencing the review of the Wairarapa Combined District Plan, the Councils should be cognisant of this report and its recommendations, and actively monitor announcements by the government on RMA reform.

The purpose of this paper is to provide a brief outline of the key recommendations relevant to plan-making and review processes, and potential implications and considerations relevant to the review of the Wairarapa Combined District Plan.

8 ISSUES THE RESOURCE MANAGEMENT REVIEW IS RESPONDING TO

The key concerns/issues the review is responding to are identified (by the Randerson report) as:

- **The natural environment is under significant pressure:** the way we use land and water has proved to be unsustainable for the natural environment. The quality of freshwater, coastal and marine environments is in serious decline, and biodiversity is under significant threat.
- **Urban areas are struggling to keep pace with population growth:** poorly managed urban growth has led to increasing difficulty in providing affordable housing, worsening traffic congestion, greater pollution, and reduced productivity.
- **An urgent need to reduce carbon emissions and adapt to climate change:** the impacts of climate change are already affecting where people live and use the environment. Land and resource use patterns need to change to mitigate and adapt to the effects of climate change and a resource management system is required that supports New Zealand’s commitments to reduce greenhouse gas emissions.
- **The need to ensure that Māori have an effective role in the system, consistent with the principles of Te Tiriti o Waitangi:** when it was enacted, the RMA was a significant step forward for Māori, offering opportunities for shared management of the environment. However, it has failed to live up to its promise, leaving Māori out of critical decision-making.

³ The review was conducted by the independent Resource Management Review Panel chaired by retired Court of Appeal Judge, Hon Tony Randerson, QC.

⁴ See <https://www.mfe.govt.nz/rmreview> for links to the Panel’s full and summary reports

- **The need to improve system efficiency and effectiveness:** significant criticisms of the RMA have been its increasing complexity, cost and delay caused by its processes, uncertainty, and lack of responsiveness to changing circumstances and demands.

9 HOW THE PROPOSED SYSTEM DIFFERS FROM THE CURRENT RESOURCE MANAGEMENT SYSTEM

Rather than attempt to amend the RMA, the Panel concludes that the RMA should be repealed and replaced with new legislation.

The review proposes repealing the Resource Management Act and amending the Local Government Act (LGA), Land Transport Management Act (LTMA), and Climate Change Response Act (CCRA). The functions in the RMA would be covered by two new pieces of legislation: A Strategic Planning Act (SPA) and a Natural and Built Environments Act (NBEA).

In addition, the Panel proposes a new discrete piece of legislation called the Managed Retreat and Climate Change Adaptation Act. This Act would establish an adaptation fund to enable central and local government to support necessary steps to address the effects of climate change and would help deal with the many complex legal and technical issues involved in the process of managed retreat.

The figure in **Appendix 1** to this document outlines the proposed future environmental management system recommended by the Panel in their report.

10 Strategic Planning Act (SPA)

The purpose of the SPA would be to set long-term strategic goals and facilitate the integration of legislative functions across the resource management system. The SPA would sit above the Natural and Built Environments Act (NBEA), as well as the Land Transport Management Act, Local Government Act, and Climate Change Response Act. It would likely also inform other council policies such as those under the Reserves Act.

The SPA mandates the preparation of a long-term regional spatial strategy. The spatial strategy would replace regional policy statements and other regional-level spatial plans. It would be prepared by consensus by a joint committee comprising central government, local and regional councils, and mana whenua representatives, with the responsible minister resolving any disputes. It would need to be consistent with the biophysical environmental bottom lines in the NBEA, with any national direction, and with the purposes of the LGA, LTMA, and NBEA. It would integrate resource management planning with other facets of regional and local planning such as infrastructure provision and funding. It would encompass land and the coastal marine area.

The regional spatial strategy would in turn inform the development of the new combined plan, as well as other planning documents that are likely to remain in place under the new regime, such as the regional land transport programme and council long term plans. A key aim is to ensure closer links between land and resource planning and associated funding and investment.

11 Natural and Built Environments Act (NBEA)

The NBEA would have a substantially different approach from the RMA but would incorporate some of the key RMA principles which remain appropriate. The aim of the NBEA would be to establish more enduring solutions and bring to an end the series of ad hoc interventions that have been an undesirable feature of legislative change to date.

There would be a new purpose for the NBEA: enhancing the quality of the environment to support the wellbeing of present and future generations. This purpose will be achieved by promoting positive outcomes for both the natural and built environments, ensuring that use, development and protection of resources only occurs within prescribed environmental limits, and that the adverse effects of activities on the environment are avoided, remedied or mitigated.

A further purpose of the NBEA would be to recognise the concept of Te Mana o te Taiao which is an expression of the importance of maintaining the health of air, water, soil and ecosystems and their capacity to sustain life. A similar concept is already incorporated in section 5(2)(b) of the RMA and the more recent national direction developed under the RMA.

The NBEA would set biophysical environmental bottom lines and provide most of the regulatory processes currently provided under the RMA. These processes would include preparation of a mandatory combined plan, a regional-level document that would replace current district plans, regional plans, regional coastal plans, and regional policy statements. The combined plan would need to be consistent with the purpose of the NBEA, any national direction, including national planning standards, and the long-term regional spatial strategy.

12 The contents of combined plans

There would be 14 combined plans nationwide: one for each region, but with Tasman, Nelson, and Marlborough combined into one. Thus the three Wairarapa districts would be part of a Wellington Region combined plan.

Combined plans would generally follow the same model as current unitary or combined plans. Despite being a single document, plans would still distinguish between provisions handled by regional authorities and territorial local authorities. Plans could also be divided territorially, including into constituent council areas.

Combined plans would be expected to be more prescriptive and leave less to the consenting stage. They would be “outcomes-based”, rather than “effects-based”. Objectives will be replaced with “targets”, which would be expected to be more quantitative and detailed. Plans would still include policies and other methods, and rules would still provide for permitted activities and conditions, and specify activity statuses, matters of discretion, or assessment criteria for activities requiring resource consent. The recommendations include removal of the non-complying activity status category.

The Panel’s expectation is that there would be a larger scale/range of permitted activities within the combined plan, with more detailed conditions, more controlled and restricted discretionary activities (with more specific matters of control or discretion), and conversely, wider use of prohibited activity status. Combined plans should also try to avoid using a generic discretionary status for activities. The current resource consent types – land use and subdivision consents, and water, discharge and coastal permits – would remain.

13 The combined plan process

The combined plan would be produced by a joint committee process between all councils in the region, although it would still incorporate the general split the RMA has between regional and district functions.

At the centre of the combined plan development process is a standing joint committee, which would include representatives from the regional council and each constituent territorial authority in the region, as well as the Department of Conservation (DoC) and mana whenua. The recommendations

are silent on the number of representatives there would be from councils and mana whenua. The joint committee would have its own staff, likely seconded from constituent councils or private contractors, although as joint committees would be permanent bodies, they may end up having some dedicated staff.

The committee would run early public engagement, including a semi-formal public “discussion document” and “scene-setting” hui. The committee would draft a plan, which would be audited by the Ministry for the Environment. The resulting plan would be notified in a similar way to the existing RMA Schedule 1 process. Plans would require an assessment of the different options, although simplified from the current section 32 report. Councils and mana whenua would be able to make submissions on the combined plan.

An independent hearings panel, chaired by an Environment Court judge, would hear submissions and further submissions (i.e. a similar process to that used for the Auckland Unitary Plan). The hearings panel would make recommendations back to the joint committee. The joint committee would then make final decisions on those recommendations: it would have authority to make final decisions without going back to the constituent councils, DoC, or mana whenua bodies.

In respect of any recommendation rejected by the joint committee there would be a right of appeal to the Environment Court on the merits by any submitter. Where recommendations are accepted by the joint committee, appeals would only be allowed on points of law to the High Court.

There are obvious difficulties of operating such a committee on a voting model (would DoC and mana whenua have voting rights, would regional versus territorial local authorities have different weight, should the votes of local authorities would be weighted by population, etc.). Therefore, the committee would be expected to operate by consensus. There would be a formal dispute-resolution process within the committee, including facilitated mediation, but ultimately the Minister would decide in situations where the committee still cannot reach consensus.

Appendix 2 to this document includes a figure summarising the Combined Plan development process.

14 Reviewing and changing the combined plan

The preparation of combined plans would be undertaken after the preparation of a spatial strategy for the region and would be reviewed at least every nine years, with flexibility to review more often.

Plan changes are not addressed in detail in the report’s recommendations, other than some acknowledgement that the process may need to be simpler than the full combined plan process outlined above to account for the nature, scale and complexity of the change. The joint committee could propose changes itself, and would be required to hear proposals from constituent councils and private plan change applications. Private plan changes would still be possible but with greater constraints on when and in what circumstances that may occur.

The new provisions would replace all plan-making processes available under the RMA.

15 Transition timeframes

In terms of transition timeframes to the new resource management system, the Panel’s recommendations (Chapter 16 of the Randerson report) provide direction as follows:

- New legislation is to be in place by the time the Covid-19 recovery (fast tracking) legislation expires (i.e. 2 years from the 8 July 2020, which would be July 2022)

- Mandatory national directions are to be completed within 3 years of the new Natural and Built Environments Act coming in (i.e. 3 years from July 2022, which would be July 2025)
- Overall transition process to be completed within 10 years of the new legislation coming in (i.e. by July 2032)
- The preparation of a combined plan would follow the completion of the regional spatial strategy
- Notwithstanding the above timeframes, some work (i.e. data collection and analysis) should start immediately in order to establish a robust evidence base for setting targets and limits.

It is also noted that the recommendations state that one region would be selected by the Minister to effectively be a 'Guinea pig' for the development of the new plans required under the system, thereby providing a model for other regions to follow.

16 POTENTIAL IMPACTS FOR THE THREE WAIRARAPA COUNCILS

The Panel's recommendations, if enacted, would involve significant change for the plan review and plan-making process of the three Councils, and particularly, the level of political direction the Councils would have over the resource management outcomes in their respective districts.

It is considered unlikely that the Panel's recommendations would be enacted exactly as-is, and in some cases, the detail of the recommendations is relatively vague. However, some of the broad themes coming out of the Panel's recommendations and their potential impacts include:

17 Greater national influence/control

The RMA has long had substantial powers for national direction, although they have not been used on most topics until more recent times. The Panel clearly envisions a larger level of national direction under the new system than currently present under the RMA.

National direction would become a broad, routine feature of the new system (although it is likely to become so under the RMA regardless of any broader reforms/change, as the recent activity in national direction demonstrates). Increased levels of national direction may focus local decision-making on specific local issues where national direction provides options.

However, the explicit audit stage by the Ministry for the Environment returns to the more directive approach of the Town and Country Planning Act where central government approval is needed for planning schemes. This requirement is a big unknown that could either be a formality in practice, or involve a significant up-front role for central government.

The additional power for the Minister of the Environment to resolve disputes within the joint committees, even if it is seldom used in practice, would also in practice give a large amount of sway over decisions.

18 Greater regional control

The main detail of the new planning system would be the development of a regional spatial strategy (under the SPA) and a combined regional and district plan (under the NBEA). Both of these documents would apply at the Wellington Region level.

While the process of development would still formally include both Greater Wellington Regional Council and the eight district/city councils, it would involve a greater level of direction by the regional council into district-level land use planning than is the case at present.

Conversely, territorial local authorities would also be involved in regional policy-setting to a greater degree than at present. In addition, territorial local authorities would no longer be as independent of each other.

19 More focus on outcomes

The Panel's proposals put environmental outcomes at the heart of the system, rather than environmental effects. This change may provide more specific questions about strategy for communities and elected officials to grapple with. This change also means trade-offs between values can be more explicitly addressed at plan-making time, where public involvement is at its greatest, rather than at the consenting stage.

20 More focus on consensus between stakeholders

The present system under the RMA puts city and district councils in control of exercising their own specific resource management functions, and regional councils theirs. While the plan-making process involves a large number of parties who can influence the process, the Council is seen as being at the heart of it, and ultimately decides by a majority vote of elected councillors. Other than Environment Court appeals, the Council in principle retains the final say. The Council is also much more heavily involved in the drafting stage – committees have numerous workshops and provide direction, and the actual plan content is largely drafted by Council staff.

The proposed new system would move this position/responsibility from Council to the joint committee, and decisions would be based on consensus and mediation rather than majority vote. Councillors participating in this system would need to juggle their individual council's interest, while also reaching consensus with the other parties, all under the knowledge that disputes can be resolved by Ministerial decision. Staff writing the plan would be directed by the joint committee as a whole, and individual councils would be one voice amongst the other councils, mana whenua and DoC representatives.

21 Lesser role for elected councillors

The exact size and composition of the proposed joint committee is not detailed in the Panel's report, and any option presents a number of challenges.

A system with a fixed number of seats per council would advantage rural councils, while a more proportional system risks being dominated by Wellington City in the Wellington region context. In some ways this echoes the potential issues raised during proposals to amalgamate councils, with the added issue of much more indirect democratic accountability.

Only the councillor or councillors chosen to represent the Wairarapa councils on the joint committee would have any significant influence, since they would have delegated authority to make final decisions. These councillors would most likely need to have passed some equivalent to the Making Good Decisions programme run by the Ministry for the Environment. They would need to be capable of representing the entire council (or councils) while working in a consensus-based environment with other stakeholders (including DoC and mana whenua representatives) with a number of different and potentially conflicting interests.

The local authority would have some say in the make-up of the independent hearings panel, although once this panel is appointed there would be no further influence on the panel.

Lastly, the councils would be able to make a submission on the combined plan, although the submission would have the same formal weight as any other organisation or person submitting on the plan.

22 Uncertain transition process and timeframe

The Panel's report includes recommendations setting out timeframes for transitioning to the new system (summarised above). Given the extensive changes recommended, the transition to a new system will be a lengthy process. For example, the preparation of a regional combined plan would follow the completion of the regional spatial strategy, and it would need to implement new mandatory national directions developed under the Natural and Built Environments Act (which will take time for central government to develop). The process of developing the new plans required under the new legislation will likely be similar in nature to that which was required to transition from the Town and Country Planning Act to the RMA in the early-late 1990's.

While there is a clear expectation by the Panel that the implementation of reforms should take place as soon as possible, this is tempered by the need for a stable and smooth transition. Their expectation is that a full transition would be completed within 10 years of the new legislation coming in, i.e. by mid-2032 (approximately 12 years from now).

The Councils will need to consider the likely transition timeframe to a new system as part of the consideration of the scoping of options for the review of the Wairarapa Combined District Plan. There will be numerous matters to consider. For example, whilst pausing and waiting to see what the nature and extent of reform the next government directs may enable a better understanding of the specific reform proposals and timeframes, it may take some time for a reasonable level of clarity and certainty to be developed. Pausing may also provide some short term resource and time savings for the Councils and may be perceived as being fiscally responsible given the current level of uncertainty, but it may not necessarily deliver significant savings or benefits in the longer term. It may also mean that key parts of the current District Plan which are already in need of review and updating (e.g. as a result of new national directions and/or plan implementation issues) become increasingly outdated and difficult to work with.

On the other hand, continuing with a review under the current legislation and plan review/plan-making process would enable progress to be made on the key matters that require addressing, and the work undertaken would likely have relevance whatever the decision on reform is. It would also enable the Councils to front-foot and shape up a local response on key issues that will be discussed at a regional level should the regional spatial plan and combined plan proposals be adopted. However, it could also mean that time and resource is spent on progressing matters that are not relevant under the new system.

23 Cost and resourcing of change

The Panel's report stresses that the success of its proposal will be dependent on the capability and capacity of central and local government to adequately fulfil the roles required of them.

Given the scale of proposed change, the costs of achieving the Panel's proposals are likely to be significant. For example, the development of a spatial plan and a combined plan for each region will require significant ratepayer resources, as well as demands on the public and private sector users of the resource management system to fully participate. The development of the Auckland Unitary Plan provides an example of the scale of costs and resources required to fully integrate land use and coastal resources planning at a regional level.

The Panel's proposals for change are also being made at a time when the finances of central and local government, along with all stakeholders, will be constrained due to the economic impacts of COVID-19. The Panel's vision for change will therefore be challenging to achieve without a major funding and resourcing step-change. In particular, central government funding for the delivery of regional spatial plans and combined plans by regional and local authorities will be required, given the significant constraints local government is already facing with funding all their different activities, primarily through property rates.

24 CONCLUSION

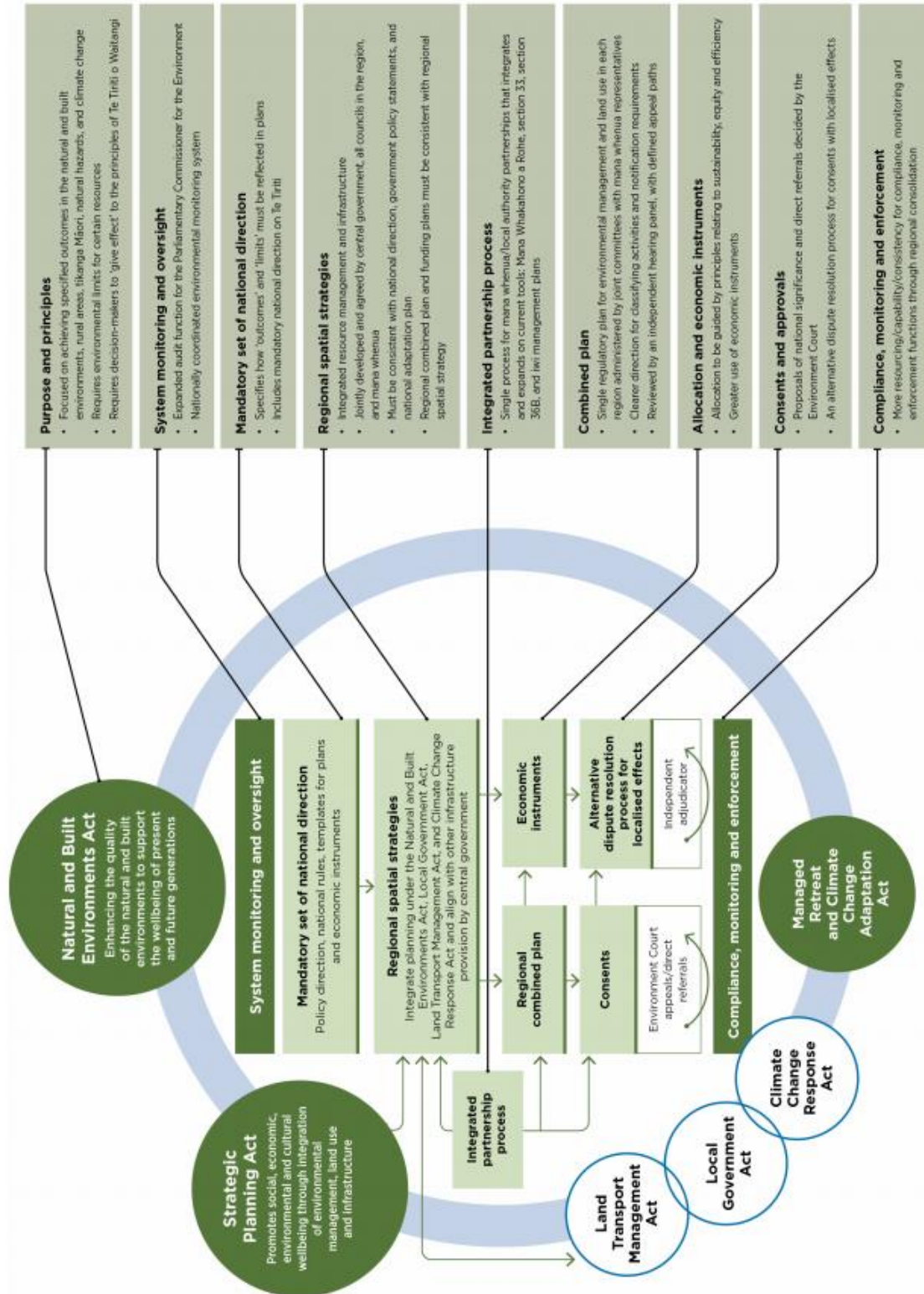
The Panel's recommendations, if enacted, would involve significant change for the plan review and plan-making process of the three councils, and particularly, the level of political direction the Councils would have over the resource management outcomes in their respective districts.

The report is an independent view from a government appointed panel therefore the recommendations carry no specific weight. However, the current government has made supportive comments about the findings of the report, and if re-elected, the Panel's recommendations will likely form the basis for reform.

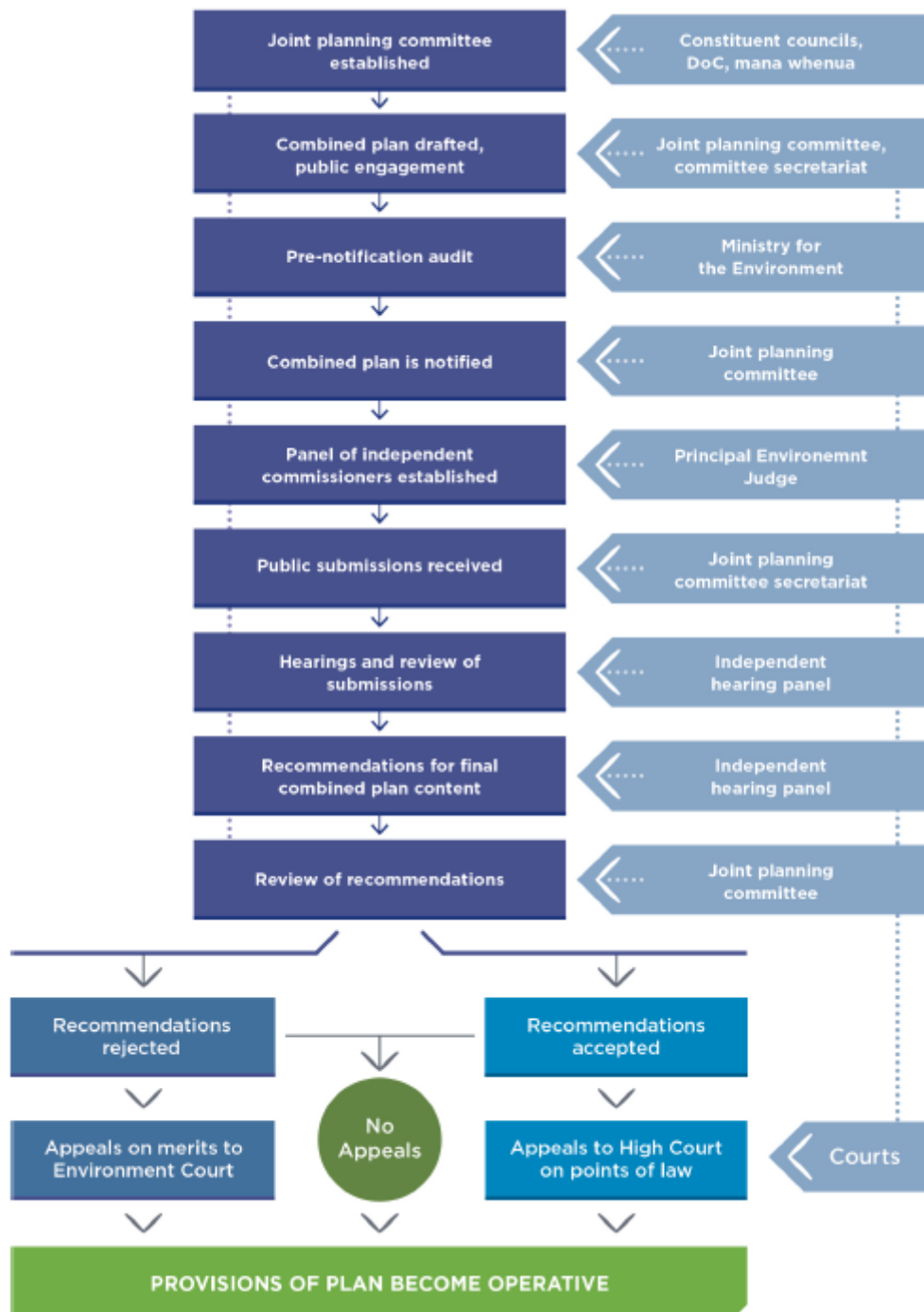
It will be up to the government elected in October to decide on how (or if) the Panel's recommendations are acted on. However, it is noted that all political parties have indicated that they are open to changing the current resource management system so some level of change in the next few years is inevitable.

With the upcoming general election, we suggest the Wairarapa Councils actively monitor any announcements on RMA reform from the government post-election. The Councils should then consider these announcements and confirm how they wish to continue with the review of the Wairarapa Combined District Plan.

25 APPENDIX 1 – RM REFORM PROPOSED FUTURE ENVIRONMENTAL MANAGEMENT SYSTEM



26 APPENDIX 2 – OUTLINE OF THE COMBINED PLAN PROCESS



Appendix 2: Table summary of Pro vs. Cons of each option

Option 1: Pause and Wait		Option 2: Simple/discrete Plan Changes		Option 3: Partial Review		Option 4: Full Review	
Pros	Cons	Pros	Cons	Pros	Cons	Pros	Cons
Certainty over scope of reforms and changes to regulatory framework	Council promises and commitments to the community	Preliminary work can commence e.g. investigation of priority issues	Does not address strategic issues facing the three districts	Enables wider review to target broader key issues as well as implementation issues and national direction	Uncertainty associated with the level of RMA reform	Enables a full comprehensive review of all issues	Difficult to accurately anticipate the changes that may be decided by the Government in terms of the nature and scope of replacement RMA plans and the timeframe for transition
Short term cost and time savings	Alignment of other work programmes and timelines will be compromised	Enables progress of highest priority matters that require immediate attention	Could result in a 'patch up' rather than comprehensive fix	Would enable strategic planning to be more in the forefront of the plan review.	Difficulties in agreeing on list of issues/topics to be reviewed	Would enable an "all of plan" approach to be taken to plan development	Could result in costly and lengthy process for development of a new district plan that has a short lifetime
Perception of fiscally responsible due to current level of uncertainty	Potential perception of inertia by the public	Can start to shape a local response on some priority issues	Difficulties to identify discrete list of highest priority issues	Can enable review of full zones and interface issues	Parts of the plan could "lag behind" other that will be subject to the partial review	New combined district plan would influence future 'Combined Plan' for wider Wellington Region	Timeframe could extend past the nominated 3-4-year timeframe
	Uncertainty over timeframes for pausing which could lead to further delay		Likely that additional matters will arise through the process which result in scope creep	The wider scope of plan review would result in better across-plan integration of changes to provisions		Reform is likely to have a transition period therefore the combined district plan is likely to remain for several years	Perception that Councils are ignoring national level political change to RMA
	Could result in less local influence being able to be made in defining the issues of importance if preliminary work isn't progressed early on		Would still require a similar process to a wider review therefore time/cost savings are not likely to be large	Partial review content could influence future 'Combined Plan' for wider Wellington Region			
	Reforms to the RMA will be inevitable based on pre-election promises by Labour						

COMMITTEE REPORT – DISTRICT PLAN REVIEW PROJECT PLAN

Joint Wairarapa Combined District Plan Committee

For Meeting on 25 February 2021

Project Plan

1 Purpose of this Report

This report has been prepared for the Joint Wairarapa Combined District Plan Committee to present the Project Plan for the review of the Wairarapa Combined District Plan (WCDP).

2 Background and Context

The Masterton District Council (MDC), Carterton District Council (CDC) and South Wairarapa District Council (SWDC) have resolved to continue having a Combined District Plan for all three districts, and to jointly review the operative Combined District Plan.

The three councils have agreed that the review needs to ensure the Combined District Plan can effectively manage land use issues within the districts and accords with all relevant national and regional legislation, policies and guidance.

The Advisory Group has prepared a Project Plan to set out the objectives and processes for undertaking the review.

3 Legislative Framework

Meeting the obligations of the RMA is a key driver for the District Plan Review. The process and timeframe for the review will be designed to comply with the requirements of the RMA. These requirements include the nature and level of engagement (particularly with iwi) and nature and level of evaluation on alternatives.

4 Options and Analysis

Officers have prepared the draft Project Plan attached as Appendix 1. In summary, the purpose of the Project Plan is to:

- Confirm the key outcomes and objectives of the review process
- Confirm the roles and responsibilities for topics of the review and the process
- Confirm the review project outline
- Outline the methodology for undertaking the review and the indicative programme
- Describe the project governance and management structure
- Define lines of responsibility and communication, and
- Describe the broad consultation and engagement strategy.

5 Considerations

Tangata Whenua

One of the objectives in the Project Plan is to review the District Plan in partnership with iwi. The Project Plan sets out how the Councils can partner with tangata whenua throughout the review process.

Climate change

Not relevant to this matter.

Financial

Overall costs for the project are set out in the Project Plan.

Community engagement

Active engagement with select stakeholders and with the wider Wairarapa community will be undertaken throughout the plan review process. The Project Plan describes the high-level strategy for engagement. An engagement and communication strategy is being developed separately.

Risks

The Project Plan sets out potential risks that may arise during the plan review process.

6 Recommendation

1. Receive and adopt the Project Plan in Appendix 1.

Report prepared and reviewed by:

Kate Searle/Hamish Wesley - Boffa Miskell

Sue Southey – Masterton District Council

Dave Gittings – Carterton District Council

Russell O’Leary – South Wairarapa District Council

Appendices

Appendix 1: Draft Project Plan – Wairarapa Combined District
Plan Review – February 2021

Project Plan

WAIRARAPA COMBINED DISTRICT PLAN REVIEW

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Overview

Over the next three years, the three Wairarapa Councils (Masterton District Council, Carterton District Council and South Wairarapa Council) will undertake a review of the operative Wairarapa Combined District Plan and complete the preparation, notification and decisions on an amended/new Wairarapa Combined District Plan.

The Wairarapa Councils are the first and only councils to have cooperatively prepared a 'combined' plan under the Resource Management Act (RMA). It is now time to review the Combined District Plan, not only to comply with the RMA's legislative requirement for reviewing plans, but to ensure the District Plan continues to reflect the Councils' and community aspirations for the future, as well as respond to the new regional and national policy directions made over the last decade.

In addition, the three Councils have recently been experiencing increasing pressure for residential, commercial, industrial and rural development. In response, the Councils have embarked on the preparation of a number of local strategies and plans to effectively plan for and manage this development in a way that captures these opportunities while addressing and reflecting local context and community views. Ensuring the Combined District Plan reflects these current and future issues in an integrated manner will be a key factor in the successful review of the Plan.

The Combined District Plan is the Wairarapa's most important land use document. Strategically, the Combined District Plan plays a central role in how the Wairarapa evolves in the decades ahead, influencing how the three districts making up the region look and feel, the quality of life of the region's residents, and its collective wellbeing and prosperity. The Combined District Plan will guide how a broad range of complex challenges are addressed over the next 10+ years, such as population growth and housing demand, natural hazards management, responding to the impacts of climate change, and how natural environment values and cultural and built heritage are managed and protected.

The Resource Management Review Panel¹ reported their recommendations to the Government in June 2020 on "new directions for resource management in New Zealand". The recommendations in the report (commonly referred to as the 'Randerson report') if enacted would have significant impacts on the process of resource management planning within the Wairarapa and across the Wellington region. The Government has signaled a commitment to implement the core recommendations of the Randerson Report which will require substantive reform to the RMA. Being cognisant of these likely reforms, while accepting that any significant changes to regulatory framework will require a transition and the planning framework requires review, the Wairarapa Councils will undertake a 'partial' review of the Combined District Plan. This partial review addresses a broad set of key issues in addition to addressing plan implementation issues and ensuring consistency with national policy direction; while not reviewing the full plan.

At the core of the review process will be a working partnership with the Wairarapa's iwi – Rangitāne o Wairarapa and Kahungunu ki Wairarapa. This partnership is both a commitment by the councils and a mechanism to ensure tangata whenua's concerns, interests and aspirations are heard and considered in full at each stage of the review.

To achieve the best possible outcomes for the review and the three districts of the Wairarapa, a central focus will be engaging with stakeholders and the broader community.

¹ The review was conducted by the independent Resource Management Review Panel chaired by retired Court of Appeal Judge, Hon Tony Randerson, QC.

1 INTRODUCTION

Masterton District Council (MDC), Carterton District Council (CDC) and South Wairarapa District Council (SWDC) have resolved to continue having a Combined District Plan for all three districts, and to jointly review the operative Combined District Plan.

The three councils have agreed that the review needs to ensure the Combined District Plan can effectively manage land use issues within the districts and accords with all relevant national and regional legislation, policies and guidance. As such, the purpose of this Project Plan is to:

- Confirm the key outcomes and objectives of the review process
- Confirm the roles and responsibilities for topics of the review and the process
- Confirm the review project outline
- Outline the methodology for undertaking the review and the indicative programme
- Describe the project governance and management structure
- Define lines of responsibility and communication, and
- Describe the broad consultation and engagement strategy.

2 PROJECT OBJECTIVES

The objectives for the Combined District Plan Review are to:

- Ensure the process, supporting information and resulting Plan, are legally sound and innovative, reflect best practice and the aspirations of the Wairarapa community
- Ensure key issues of the districts are effectively able to be managed through planning provisions
- Prioritise review of provisions to those that require review and retain existing provisions that are effective and efficient
- Actively engage with the community and stakeholders throughout the review process
- Review the Combined District Plan in partnership with tangata whenua through a Joint Committee (and project advisory group)
- Continue to maintain a 'user-friendly' document which uses plain English and Te Reo Māori
- Fully implement the National Planning Standards, including the spatial/mapping and e-plan requirements, and the obligation to implement the Standards by April 2024 (this being the notification date for decisions on submissions on the Proposed Combined District Plan)
- Ensure Plan content and decisions reflect mātauranga Māori², technical evidence, local knowledge and views from community, stakeholders and iwi partners (tangata whenua)
- Give effect to higher order planning documents, including National Policy Statements, National Environmental Standards and the Regional Policy Statement
- Ensure that the process and the District Plan produced meet the RMA's legislative requirements
- Implement and be informed by relevant strategic plans, policies and other relevant initiatives of the three councils
- Be delivered within an agreed budget and timeframe.

The outcomes to be achieved and implemented by the District Plan will be developed through the District Plan Review process and will be informed by other initiatives, such as the specific spatial planning and town centre vision projects being completed by the councils, hazard management planning, coastal character assessments, housing action plans/strategies, economic development strategies, etc. Such outcomes would relate to addressing key issues such as climate change, natural hazards, environmental sustainability, affordable housing and economic prosperity.

To achieve these objectives, the following methods will be used:

² Māori knowledge - the body of knowledge originating from Māori ancestors, including the Māori world view and perspectives, Māori creativity and cultural practices.

Objectives	How the Objective will be Achieved
<p>Actively engage with the community and stakeholders</p> <p>Informed by views from community and stakeholders</p>	<ul style="list-style-type: none"> - Investigations of story boarding - Early involvement of the Communications teams from each council - Set clear and consistent messaging from the start, and communication which reflects the community and their needs - Identify key stakeholders and interested parties at the beginning of the process and review the list at each stage of the review - Target the consultation and engagement depending on the audience, topic/content and the extent of potential change to plan provisions - Develop an overall Communications and Engagement Plan for the review process, with “mini” communications and engagement action plans for each stage of the review process, to ensure an appropriate approach and level of communications and engagement through the process.
<p>Developed in partnership with tangata whenua</p>	<ul style="list-style-type: none"> - Engage early with tangata whenua on how the Councils can partner with tangata whenua throughout the review process. This includes governance and operational roles e.g. Joint Committee membership; Advisory Group role/input
<p>User-friendly, easy to access and understand document</p> <p>Implements the National Planning Standards</p> <p>Evidence base</p> <p>Knowledge informed</p>	<ul style="list-style-type: none"> - Early technical, partner and crucial stakeholder input - Clear identification of the requirements of the National Planning Standards at the beginning of the process - High-level appraisal of recent National Planning Standards compliant plan examples - Assessment of the effectiveness and efficiency of the operative Plan - Early and clear identification of the key resource management and strategic issues facing the three districts which sets the context for the review and District Plan focus - Advisory Group brainstorming sessions on key plan provisions to establish a skeleton framework before drafting of content begins - Develop a guide at the start of the process for how the document will be drafted including: <ul style="list-style-type: none"> - How to write and link objectives, policies and methods - Language (including linkages for example “avoid” links to non-complying activity). Strong objective and policy framework - Ensuring a high level of integration throughout the review process (one team member could be assigned a “plan integration” role) - Consent Planners to undertake “road testing” where scenarios are tested against draft provisions
<p>Meets Treaty of Waitangi responsibilities</p> <p>Meet legislative requirements</p> <p>Gives effects to higher order planning documents</p>	<ul style="list-style-type: none"> - Compile a directory of relevant regulatory documents/policies - Early identification of the Treaty and legislative requirements the Plan must meet, including national direction and regional policy changes since development of the operative Plan - Quality templates and documenting systems (including for Section 32 reporting) developed upfront - Cross check the development of objectives, policies, rules against relevant legislation, National and Regional policy documents, Treaty Settlement legislation - Internal and legal peer review as part of the drafting process - Attend case law and legislative updates/training sessions
<p>Implements the strategic aims/plans of the three Councils</p>	<ul style="list-style-type: none"> - Advisory Group to identify the key strategic aims/plans of each council - Incorporate the key strategic directions of the councils within the District Plan philosophy

	<ul style="list-style-type: none"> - Ensure that the strategic directions are key drivers for the development of the Plan's objective and policy framework - Partner with tangata whenua to review and develop the District Plan - Ongoing engagement with key stakeholders through the review process
Delivered within budget and timeframe	<ul style="list-style-type: none"> - Early and clear understanding of project scope, stages, timeframe, work required and budget - established by the project plan and agreed by the Joint Committee - Appropriate resourcing of the project team and clear role/workload commitments - 5-6 weekly Advisory Group project meetings where workload, tasks, timing and costs are agenda items - Determining early in the process where additional external expertise is required and where work can be done within the Council - Adequate support from other Council teams providing input and advice into the review process - Adequate administrative support (including Joint Committee and Advisory Group support) - Ongoing and clear communication with the project sponsors (e.g. CEO's and planning/strategy group managers) from each council regarding timeframes, workload and progress - Timing and resourcing contingency provided to recognise the level of uncertainty - An understanding from Council Executive Management members that due to the uncertainty around RMA projects that there may need to be a level of flexibility especially around staff resourcing – e.g. upcoming RMA reform may impact plan content and plan-making process. - Regular project meetings where each Advisory Group team member updates others on where they are at with their respective tasks

3 PROJECT RESPONSIBILITIES

3.1 GOVERNANCE AND MANAGEMENT

Establishing appropriate governance of a project of this type is critical to ensure that:

- there is support in the review and development of the new Combined District Plan from all members of the Joint Committee, the planning teams of each Council, and wider interests/teams within each Council (e.g. infrastructure, parks and reserves, building etc)
- a transparent decision-making process is used throughout the review process
- there is a robust debate of issues and options for all parts of the new District Plan
- there is clarity of the role and responsibilities of all parties involved in the review at every level of the project.

To deliver the review, the following governance and management structure is proposed. This structure is based on other District Plan Reviews and reflects the structure used for the preparation of the operative Wairarapa Combined District Plan which have been effective. This also generally reflects the structure of the initial review process for the Combined District Plan.

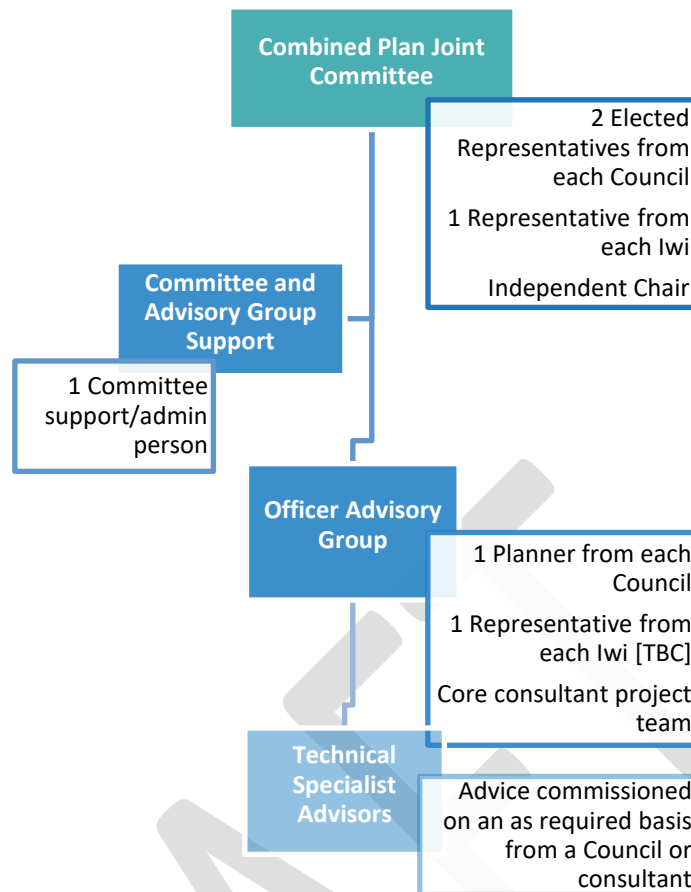


Figure 1: Combined Plan Review - Proposed Governance and Management Structure

The three Councils' have agreed by Council resolution to the formation (re-establishment) of a Combined District Plan Joint Committee with representatives from MDC, CDC and SWDC, and representatives from the two Wairarapa iwi.

The Joint Committee will provide governance oversight of the review process and hold responsibilities for:

- preparing a new Combined District Plan
- acting as the hearings panel, and
- making the final decisions.

The three councils have delegated the functions, duties and powers of the First Schedule (Preparation, change, and review of policy statements and plans) of the Resource Management Act 1991 to the Joint Committee. The terms of reference for the Joint Committee is included as **Appendix 1**.

The Joint Committee will be supported by an Officer Advisory Group who facilitate the plan review process and provide technical guidance and recommendations for planning provisions. The Officer Advisory Group will be responsible for the following tasks:

- Overall progression and management of the work programme and process matters
- Developing and implementing a Project Plan and an Engagement and Communications Plan
- Providing advice to the Joint Committee on Plan content and provisions
- Managing and working with consultant planning and technical advisers
- Ensuring all RMA obligations are met
- Commissioning technical advice and managing and working with these advisers.

3.2 ROLES AND RESPONSIBILITIES

The primary roles and responsibilities of each party are outlined below.

Role	Member	Responsible for:
Councils x 3	<ul style="list-style-type: none"> - Mayor - All Councillors 	<ul style="list-style-type: none"> - Agreeing to undertake a review of the Combined District Plan - Appointment of the Joint Committee (to include 2 RMA accredited members from each council) - Delegation of the councils' functions, duties and powers of the First Schedule (Preparation, change, and review of policy statements and plans) of the RMA to the Joint Committee
Combined District Plan Joint Committee	<ul style="list-style-type: none"> - Independent Chair - 2 councillors from each Council (RMA Accredited Decision-Makers) - 2 tangata whenua representatives (one rep from each iwi - Rangitāne o Wairarapa and Kahungunu ki Wairarapa) + Mayor of each council (non-voting member) <p>Committee functioning to be supported by a dedicated Admin Support person (+ the Democratic Services teams of each Council)</p>	<ul style="list-style-type: none"> - Confirming the overall scope of the review to the Combined District Plan. - Providing direction to the officers Advisory Group on the issues and options for the new District Plan, including reviewing and providing feedback on draft provisions - Confirming approval of the release of material for public engagement, including a 'draft' District Plan for public engagement - Approval of the Proposed District Plan for public notification - Making the final decisions on the Proposed District Plan
Project Sponsor(s)	<ul style="list-style-type: none"> - CE's and/or planning and strategy managers from the 3 councils 	<ul style="list-style-type: none"> - Establishing and leading project governance - Monitoring and controlling the progress of the project at a strategic level, ensuring alignment with Council strategic priorities and internal and external relationships - Overseeing the funding and resources for the District Plan Review - Overseeing and managing the risks
Project Manager	<ul style="list-style-type: none"> - Hamish Wesney (Partner, Boffa Miskell) 	<ul style="list-style-type: none"> - Monitoring and managing the daily and weekly workloads of the core District Plan review team in line with the overall work programme - Managing external relationships and general communications - Managing the overall content of the Plan review, including Plan provisions and direction - Identifying, resolving and escalating risks and issues as and when they arise - Involving staff from other Council teams and consultants, as/when required
Officer Advisory Group	<ul style="list-style-type: none"> - 1 senior/lead planner from each Council + supporting officers as required (planning, GIS, infrastructure etc) - Tangata whenua advisors (1 from each iwi) {TBC} 	<ul style="list-style-type: none"> - Providing an effective and efficient way for the Project Team to inform a range of Council groups on the progress of the District Plan Review

	<ul style="list-style-type: none"> - Hamish Wesley, Kate Searle, Erica Jane and Charles Horrell (Planners, Boffa Miskell) - Other council officers and consultant planners as/when required 	<ul style="list-style-type: none"> - Peer reviewing material developed by the Project Team before releasing to the District Plan Joint Committee.
Core District Plan review team	<ul style="list-style-type: none"> - Sue Southey, MDC - Solitaire Robertson, CDC - Russell O’Leary, SWDC - Hamish Wesley, Kate Searle, Erica Jane and Charles Horrell (Planners, Boffa Miskell) <p>Supported by planning, GIS and other officers (including the admin support officer) from each Council</p>	<ul style="list-style-type: none"> - Day-to-day responsibility for the project’s progress and completion of the required tasks/work - Subject matter/topic experts, providing advice, guidance and options for the District Plan Review - Leading work with the community, key stakeholders, technical advisors - Reporting to the Advisory Group and Joint Committee - Drafting of District Plan content and section 32 analysis for review and input by Advisory Group - Collation and analysis of feedback and submissions on the draft plan and proposed plan - Preparation of section 42A reports and attendance at hearings - Identifying, resolving and escalating risks and issues through the appropriate channels as/when they arise - Involving staff from other Council teams and consultants as/when required
Advisors	<ul style="list-style-type: none"> - Council Resource Consent officers - Officers from other Council teams (e.g. GIS, infrastructure, transport, parks) - External consultants and technical/specialist advisors - District Plan Review legal advisors (appointed by the councils) 	<ul style="list-style-type: none"> - Providing technical advice to the core District Plan review team, Advisory Group and Joint Committee as/when required

A range of resources will be required throughout the review project, including inputs from other teams within each of the three Councils (i.e. GIS, Planning and Resource Consents, Infrastructure, Parks and Reserves); technical advice on a number of topic areas; as well as external consultants where specific technical or specialist advice is required.

Options for how to work in partnership with tangata whenua will be explored and confirmed with tangata whenua. Options could include the appointment of individuals representing tangata whenua to the Advisory Group, or another agreed arrangement enabling tangata whenua partnership, participation and input into the review process.

Task briefs will be written for all significant tasks required by the project and will be agreed with the appropriate manager in advance, where applicable. Task briefs will define the format for providing information and the expected timeframe.

Any issues arising during the District Plan Review process will be directed to the planning/strategy group manager of each council in the first instance. It will be their responsibility to assess the implications of the issue and determine how the issue is to be resolved, including liaison with the Project Sponsor(s)/CE’s, where required.

Brief written reports will be provided to the Joint Committee as progress is made on the Combined District Plan Review. In addition, reports seeking direction for the content of the new Combined District Plan will also be provided to the Joint Committee.

4 SCOPE OF DISTRICT PLAN REVIEW

The Resource Management Act 1991 (RMA) requires all operative provisions of a plan to be reviewed every 10 years. The current Wairarapa Combined District Plan was made operative in 2011 and 11 Plan Changes have been undertaken since its operative date. These plan changes have been of two types; 1. addressing matters identified in appeals on the Operative District Plan; 2. Rezoning land for urban development. Given the limited scope of these plan changes, it would indicate that the full plan requires review.

In June 2020, a Government appointed Resource Management Review Panel led by Court of Appeal Judge, Hon Tony Randerson, QC provided a report to the Government. The report (commonly referred to as the 'Randerson report') provided a critical assessment of the current resource management and planning legislation as well as recommendations. These recommendations, if enacted, would have significant impacts on the resource management and planning framework with the replacement of the RMA with three proposed enactments. The Government has confirmed that they are committed to implement the core recommendations which will, as a minimum, result in significant reforms to the RMA and likely will result in the replacement of regional and district plans with 'combined plans' for regions. Being cognisant that the life of the reviewed Combined District Plan may be limited should the regulatory framework change, the Councils made the decision to reduce the scope of the review from a 'full' review to a 'partial' review on the basis that:

- Reduces cost and time associated with a full review;
- Enables review to target broad key issues facing the district while leaving sections of the plan where issues are effectively managed;
- Ensures national direction can be given effect to;
- Partial review content may influence any future 'Combined Plan' for the wider Wellington Region.

The decision to reduce the scope of the review was made by the Joint Committee on 11 November 2020. The scope of the partial review is provided below.

SCOPE OF PARTIAL REVIEW

In defining the scope of the partial review, consideration is given to ensuring the following three factors will be provided for:

1. Efficiency and effectiveness of the provisions in managing key issues facing the districts;
2. Alignment with other strategies and plans; and
3. Ensuring that national and regional direction is given effect to/consistent with.

Each of these are discussed below followed by the confirmed scope.

EFFICIENCY AND EFFECTIVENESS OF PROVISIONS

The review will be informed by an evaluation of the efficiency and effectiveness of the provisions in the operative Combined District Plan as required by section 35 of the RMA. This evaluation assesses whether the objectives in the Operative District Plan are being achieved and how the policies and methods (including rules) are influencing this outcome. This evaluation also considers the costs of the methods in achieving the outcomes. There are also implementation and interpretation issues with the Operative District Plan that have been identified by Plan users which will inform the scope of the review.

Based on an initial review of efficiency and effectiveness of the provisions by the Advisory Group as attached in **Appendix 2**, the key issues facing the districts have generally been identified as:

- Residential Zone, including providing for more intensive housing and expansion of the residential zone
- Rural Zone, including subdivision and non-primary production activities
- Commercial Zone, including compatible/incompatible activities

- Natural hazards, including areas subject to flooding and seismic risks
- Historic heritage, including refining the heritage list
- Current lack of design guidelines/principles.

The above would suggest that the scope of the partial review will include all current zones as well as specific district wide issues and provisions. For these district wide matters, it may be the entire chapter or specific provisions within certain chapters.

ALIGNMENT WITH THE COUNCILS STRATEGIES & PLANS

The three Wairarapa District Councils have prepared or are preparing strategies and plans which provide direction for the District Plan Review. These strategies and plans include:

- Masterton Urban Growth Strategy
- Masterton Town Centre Strategy
- Carterton Urban Growth Strategy
- Carterton East Structure Plan
- South Wairarapa Spatial Plan
- Reserve management plans
- Wellington Regional Growth Framework

Alignment with these strategies and plans will require the review of the Zones, in particular the residential zone, as well as the Urban Growth, Subdivision and Development chapter.

NATIONAL AND REGIONAL DIRECTION

There is a number of planning and regulatory documents that provide regional and national direction which the combined plan must account for. The table below summarises the documents that influence the Combined District Plan and/or review process – topic specific plans and policies will be identified and evaluated in the review itself.

Project/Document & Owner	Description/ Relevance/ Impact
Resource Management Act, Ministry for the Environment	The Resource Management Act provides the overarching framework for undertaking the review and the plan must also give effect to Part 2. Since the operative date of Combined District Plan, there has been a number of amendments to the RMA, such as additional matters of national importance in Section 6 (e.g. natural hazards) and changes to functions of territorial authorities (e.g. in Section 31, removal of the specific function relating to hazardous substances). As noted above, the pending reforms following the Randerson report will impact upon the future regulatory environment and the review must be cognisant of this.
National Policy Statements, Ministry for the Environment	National Policy Statements (NPSs) address matters of national importance and provide policy direction which Councils are required to give effect to in their District Plans. There are a number of National Policy Statements which are relevant to the Combined District Plan Review, including Urban Development (recently gazetted), Electricity Transmission and Renewable Electricity Generation. There are also a few recently released draft NPSs which are likely to be gazetted and will need to be given effect to (e.g. Highly Versatile Land and Indigenous Biodiversity).

New Zealand Coastal Policy Statement, Department of Conservation	The New Zealand Coastal Policy Statement (NZCPS) is a national policy statement under the Resource Management Act. The purpose of the NZCPS is to state policies in order to achieve the purpose of the Act in relation to the coastal environment of New Zealand. Councils are required to give effect to the NZCPS in their District Plans.
National Environmental Standards, Ministry for the Environment	National Environmental Standards (NESs) are a national set of rules for matters of national importance which District Plans should not duplicate and must not be inconsistent with. A range of NESs are relevant to the Combined District Plan Review, including Telecommunications, Electricity Transmission, Contaminated Land, and Plantation Forestry. There are also a few recently released draft NESs which are likely to be gazetted and will need to be considered (e.g. Outdoor Storage of Tyres).
National Planning Standards, Ministry for the Environment	The National Planning Standards apply a nationwide suite of requirements that direct the structure, format and some contents of planning documents. Councils are obliged to implement the first set of National Planning Standards by 1 April 2024, which means decisions on submissions for the new Proposed Combined District Plan must be made by this date. In addition, the new Combined District Plan will need to be prepared to fully implement these planning standards.
Regional Policy Statement, Greater Wellington Regional Council	Wellington Regional Policy Statement (RPS) adopted in 2013 sets out the policy framework at a regional level. The District Plan must give effect to the RPS. Specific matters of relevance are the objectives and policies relating to urban form, natural hazards, biodiversity, landscape, historic heritage, infrastructure and the coastal environment.
Regional Plans, Greater Wellington Regional Council	Regional Plans, particularly the Proposed Natural Resources Plan, are the regional rules relating to discharge to land, water and air, water takes, water quality and soil conservation, as well as activities in the Coastal Marine Area. District Plans should not duplicate and must not be inconsistent with Regional Plans.
Iwi Management Plans	Any relevant planning document recognised by an iwi authority is to be taken into account when reviewing and preparing the District Plan. Currently, there is no such recognised planning document. However, that may change during the process of reviewing the District Plan.
New Zealand Heritage List/Rarangi Korero, Heritage New Zealand/Poukere Taonga	Any relevant entry on the New Zealand Heritage List/Rarangi Korero is to be had regard to in reviewing and preparing the District Plan. Any additional items that have been added to this list since the Heritage Schedule in the Combined District Plan was last reviewed and will need to be considered.

An assessment of the relevant documents as outlined above and priority for the Combined District Plan to give effect to these is provided in **Appendix 3**. Based on this assessment, a number of changes will be required to various sections of the plan. Of particular note is ensuring that the new Proposed Combined District Plan is developed to implement the National Planning Standards which set the structure and format for new District Plans (and including some specific defined terms). These standards mean that even if existing plan provisions and/or chapters are considered effective by the review process, they will likely still need to be re-structured and re-formatted to align with the National Planning Standards. In

addition, the National Planning Standards require the new Combined District Plan to be produced to meet minimum electronic (online) functionality and accessibility, such as an e-plan. The requirements of the Planning Standards mean that the new Combined District Plan will be different from the current style and format of the current Combined District Plan.

CONFIRMED SCOPE

Based on the assessment undertaken in the previous sections, a rating system has been applied to each of the chapters as outlined in **Appendix 4**. This rating system considers a number of factors that should be considered when reviewing a district plan. Using a rating system (in this case, a ‘traffic light’ approach), the following colours represent the priority:

- **Green (high priority):** A number of issues have been identified with the current provisions; and/or there are significant resource management issues to be addressed; and/or there is a mandatory requirement to give effect to a higher order planning documents/national direction; and/or there is another Council policy or strategy that must be aligned with; and/or there is a strict timeframe that must be met.
- **Orange (moderate priority):** Some moderate issues have been identified with the current provisions; and/or there are significant resource management issues to be addressed; and/or there is some inconsistency with high order planning documents/national direction; and/or there is some inconsistency with another Council policy or strategy; and/or there is a non-urgent timeframe that must be met.
- **Red (low priority):** Very few issues have been identified with the current provisions; no new or emerging significant resource management issues have been identified; and/or there is no inconsistency with higher order planning documents/national direction; and/or there is applicable Council policy or strategy; and/or there is no timeframe that must be met.
- **No colour:** Not applicable to chapter.

After considering each of the factors and the associated priority rating provided, an overall scope of review has been applied to each chapter. The scope of review has been categorised into three categories which mean the following:

- “Full review” refers to the requirement for a full review of a chapter/section.
- “Partial review” refers to a targeted review on the specific matters identified in the scoping, such as responding to national direction, specific implementation issues or to ensure consistency with other fully reviewed chapters.
- “Discrete review” refers to focusing on discrete matters, such as giving effect to the National Planning Standards.

A summary of the confirmed review for each of the chapters is provided in the table below. It is noted that throughout the review process, the scope of the review for any chapter can change.

Operative Plan Section/Chapter	Review Scope	Identified issues
INTRODUCTION		
1 General Introduction 2 Plan Overview 3 How to use the District Plan	Full review of Chapters	Will require review to ensure consistency with wider plan
PART A – ENVIRONMENTAL ZONES		
4 Rural Zone	Full review	<ul style="list-style-type: none"> • Implementation issues, including, increased pressure for development. • Appropriateness of current rules and their statuses. • National Planning Standards

		<ul style="list-style-type: none"> • Giving effect National Policy Statements – NPS-FM, NPS-HPL • Ensuring alignment with National Environmental Standards -NES-PF and NES-F
5 Residential Zone	Full review	<ul style="list-style-type: none"> • Implementation issues, including the effectiveness of urban subdivision provisions, pressure for growth and providing for variety of housing. • National Planning Standards • Giving effect National Policy Statements – NPS-UD, NPS-HPL, NPS- • Ensuring alignment with National Environmental Standards • Alignment with other strategies such as urban growth strategies and spatial plans.
6 Commercial Zone	Full review	<ul style="list-style-type: none"> • Implementation issues, including appropriately spatially defining the commercial zone, effectiveness of provisions for larger commercial activities and lack of design standards. • Appropriateness of current rules and their statuses. • National Planning Standards • Giving effect National Policy Statements – NPS-UD, NPS-HPL,
7 Industrial Zone	Full review	<ul style="list-style-type: none"> • Implementation issues, including reverse sensitivity and ad-hoc industrial areas • Appropriateness of current rules and their statuses. • National Planning Standards • Giving effect National Policy Statements – NPS-UD, NPS-HPL,
PART B – DISTRICT WIDE ISSUES		
8 Tangata Whenua	Full review	<ul style="list-style-type: none"> • Implementation issues including iwi participation in resource management processes and providing for customary activities • Giving effect National Policy Statements – NPSFM, NPSUD

		<ul style="list-style-type: none"> Changes to Part 2 of the Act
9 Landscape	Discrete review	Few identified issues
10 Historic Heritage	Full review	<ul style="list-style-type: none"> Implementation issues, including maintenance and modifications to historic buildings and protection of notable trees. Historic heritage list requires full review. Alignment with other strategies and the Earthquake Prone Buildings policies.
11 Indigenous Biodiversity	Partial review (subject to new NPS Indigenous Biodiversity)	<ul style="list-style-type: none"> Ensure consistency with Natural Resources Plan Give effect to NPS – Indigenous Biodiversity
12 Freshwater Environment	Discrete review	Few identified issues
13 Coastal Environment	Partial review	<ul style="list-style-type: none"> Give effect to NZCPS Ensure consistency with other council documents and strategies including the coastal landscape assessment
14 Natural Hazards	Full review	<ul style="list-style-type: none"> Flood hazard areas Coastal hazards Earthquake – faults and liquefaction Climate change impacts Changes to Part 2 of the Act
15 Hazardous Substances	Discrete review	Few identified issues
16 Network Utilities and Energy	Partial review	<ul style="list-style-type: none"> Give effect to National Policy Statements – NPS-REG and NPS-ET
17 Transportation	Partial review	<ul style="list-style-type: none"> Implementation issues, such as need for setting max vehicle movements as a standard in each zone Alignment with Waka Kotahi’s planned works
18 Subdivision, Land Development and Urban Growth	Full review	<ul style="list-style-type: none"> Alignment with other strategies Giving effect National Policy Statements – NPS-UD, NPS-HPL
19 General Amenity Values	Discrete review	Few identified issues
20 Subdivision rules	Full review	<ul style="list-style-type: none"> Implementation issues, including lot sizes. Aligning with NZS 4404 standards Giving effect to NPS-FM

21	District Wide Land Use Rules	Full review	Ensure alignment with other associated chapters
PART C – CONSENT PROCESS AND GENERAL PROVISIONS			
22	Assessment Criteria	Discrete review	Few identified issues
23	Financial Contributions	Partial review	Review effectiveness of financial contributions and whether this should be managed through other means
24	Esplanade Reserves/Strips	Partial review	Review effectiveness of provisions and whether a new specific Open Space zone is appropriate.
25	Designations	Full review	Fully review for any rollovers and updates
26	Information to be Supplied with Resource Consent Applications	Discrete review	Few identified issues
27	Definitions	Full review	<ul style="list-style-type: none"> National Planning Standards Alignment with Natural Resources Plan Implementation issues
PART D – APPENDICES			
Appendices 1 – 12		Review related to relevant chapter	Ensure alignment with other associated chapters
MAPS			
Masterton Carterton South Wairarapa		Full review	<ul style="list-style-type: none"> Requirement for E-Plan Update cadastral boundaries and roading network

6 PROJECT OUTLINE, TIMELINE AND METHODOLOGY

6.1 OVERVIEW

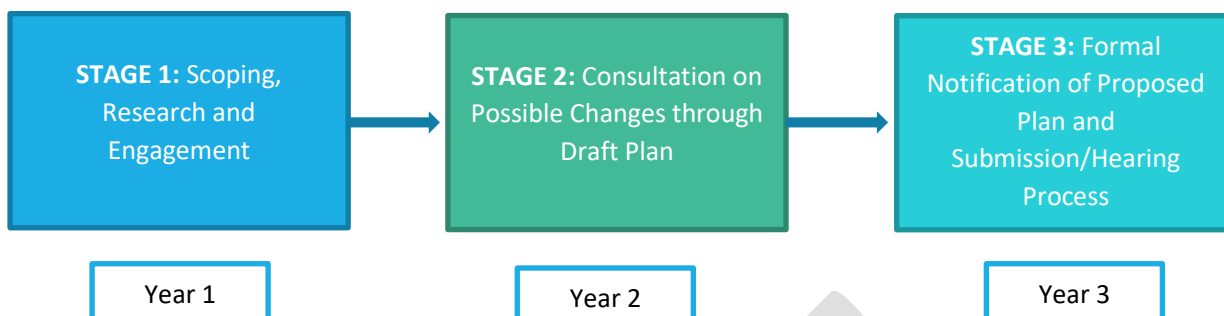
In broad terms, the review project has six key components:

1. Gaining an understanding of the significant resource management issues for the Wairarapa, how the current District Plan is performing in managing those issues, and how the District Plan Review process will address each issue.
2. Undertaking early and ongoing engagement, providing opportunities for wider public input as well as focused sessions with key stakeholders and interested parties.
3. Developing an appropriate information base upon which the review is based, and which informs and supports key decisions on policy direction.
4. Ensuring the review is locally relevant, which recognises and supports local planning solutions which can be easily implemented.
5. Retaining sections of the operative plan that remain effective and efficient.
6. Providing a timely and efficient notification and submission process, which focuses on resolving issues and achieving a high level of buy-in from councillors, officers and the community.

Engagement and consultation the community and stakeholders will be key at all phases of the process. Innovative engagement approaches will be used to encourage broad participation.

Legal health checks will occur at key project milestones.

The process can be broken into three key phases of work as illustrated below:



The primary outcome of the first two stages of the review will be the preparation of a new Combined District Plan for notification. Stage 3 will see the completion of the formal RMA notification, submissions, hearing and decisions process.

The following table provides a summary of the key outputs and project tasks, which are discussed further below, together with an indicative timeline. This work programme will be aligned with any other key relevant work programmes/projects across the three Councils to avoid duplication of engagement and technical assessments.

Stage	Key Project Tasks and Deliverables	Indicative Timeframe
Stage 1: Scoping, Research and Consultation	Establish project governance and management structure – Joint Committee, Advisory Group, core project team and admin support. Engage with tangata whenua on how to partner with tangata whenua and their role in the review process	August 2020 – December 2021
	Prepare draft project plan and Comms and Engagement Strategy for Joint Committee approval	
	Undertake review of significant resource management issues, assessment of current plan effectiveness/efficiency, and assessment of consistency with national direction and regional policy	
	Initial engagement with targeted stakeholders to identify/confirm significant resource management issues and any technical/interpretation issues with the operative District Plan. Identify key issues and priority topics for focus	
	Issues and Options development for key issues/priority topics. Commission targeted technical assessments where information lacking or out-of-date	
	Community and stakeholder engagement on Issues and Options	
	Preparation of Draft Plan and draft s32 evaluation	
Stage 2: Consultation on Possible Changes through Draft Plan	Engagement and consultation on Draft Plan	January 2022 – December 2022
	Review feedback received on Draft Plan	
	Drafting of Proposed District Plan and s32 evaluation	

	Engagement – in the form of targeted engagement relating to feedback on Draft Plan	
	Finalising Proposed District Plan and s32 evaluation	
Stage 3: Formal Notification of Proposed Plan and Submission/ Hearing Process	Notification of Proposed District Plan	January 2023 – December 2023
	Submissions/Further submissions	
	Pre-Hearing Meetings and Preparation of Section 42A Reports	
	Hearings/Decisions (including s32AA evaluation)	

6.2 METHODOLOGY

The District Plan Review will consist of three key stages as outlined above and engagement with the community will occur throughout (fourth stage added below for any appeals). Below is detail on each stage.

Stage 1

Establish governance structure and Project Team

The first task will be establishing the governance structure and Project Team, including setting up regular meetings and recording the issues and outcomes arising. Further detail pertaining to the make-up and roles of each of the District Plan Review Joint Committee, the Officer Advisory Group and the District Plan Team is provided above in Section 3.

Engage with tangata whenua on how to partner with tangata whenua

Establishing the partnership arrangement with tangata whenua will be important from the outset of the project. This arrangement may include role(s) at governance and operational levels. Options for this partnership could include an tangata whenua working/reference group (e.g. as used in Kapiti Coast and New Plymouth), a collaborative group with different interests (e.g. whatua used by Greater Wellington Regional Council and coastal adaption at Makara by Wellington City Council) or appointment of individuals representing tangata whenua. The selected option(s) will be determined by the two iwi authorities in the Wairarapa.

Information gathering / Initial Scoping analysis of existing District Plan

The information gathering phase will involve an initial scoping analysis of the existing District Plan to determine whether the resource management issues identified remain relevant (and to identify any new issues that may have arisen) and to assess which provisions are working and/or are not working. This process will seek feedback from the planners at the District Councils and frequent Plan users (e.g. feedback from local consultant planners) involve a review of monitoring data, resource consent data and complaint records. As this is a partial review, a number of provisions will remain

An assessment will also be undertaken to determine the relevance of existing provisions to determine whether they have been subject to recent amendments and are either up to date or in need of review. In addition, consideration will be given as to whether any site-related provisions need to be carried through into the new District Plan.

An analysis of other relevant documents, including national and regional policy statements and plans, regional strategies, Council strategies and plans, and other relevant reference material will also be required to determine both statutory and non-statutory requirements and to commence assembly of an evidence base.

Engagement and Communications Strategy

It is considered important to establish specific branding for all Combined District Plan Review project-related communications, so that the community are able to recognise and distinguish the Combined District Plan Review project from other plans and strategies (i.e. LTP, Spatial Plans, Annual Plan, Reserve

Management Plans, Asset Management Plans, etc) that each of the Councils are undertaking. The branding will then be used on the Council's website, and any associated letters, reports and presentations provided to the community regarding the District Plan Review.

Once the branding has been established, it is intended to initiate high level consultation with community to advise of the purpose and timeframes for the Combined District Plan Review. Further details of the engagement and communications is provided in the Communications and Engagement Strategy.

Develop reviewed framework in the form of a Proposed Combined District Plan and prepare guidelines for plan drafting and s32 reporting

The overall framework for the review will follow the National Planning Standards in terms of format and structure. We will need to determine how we apply these standards that reflects the context for the Wairarapa Councils. Given some changes to the format and structure will be required under the planning standards, and the broad nature of the review, the reviewed framework will be provided through a new Proposed Combined District Plan, as opposed to a significant plan change to the existing plan.

Given that there will be a number of planners involved in the drafting of new district plan provisions and preparing the associated Section 32 evaluation, it is important to ensure that all members of the Advisory Group have a clear understanding of the new Proposed Combined District Plan framework and the way in which the s32 evaluation is to be undertaken and presented. As such, guidelines and report templates will be prepared to ensure a consistent approach and to promote the efficient use of staff time. Te reo Māori should be incorporated into the Combined District Plan. Peer review will also assist in achieving consistency.

Commission technical reports, where necessary

It is anticipated that external technical experts will need to be engaged to provide advice on a range of district plan provisions, such as flooding, seismic hazards, noise, sites of significance to Māori, and heritage. The extent of work required will vary depending on the extent of change envisaged to the existing Combined District Plan, ranging from a peer review of existing provisions to a full assessment. All experts will be provided with a scope of work, and there will be an agreed fee estimate prior to their engagement.

Prepare Issues and Options reports

Members of the Advisory Group will prepare 'Issues and Options' reports (or similar) for each chapter or topic as a means of evaluating the most appropriate means of achieving sustainable management within the district. It is envisaged that these reports will primarily be for the benefit of the Combined District Plan Joint Committee and the Advisory Group, rather than for public consultation purposes. However, they will provide valuable background documents for the production of information for public consultation. A targeted consultation process is favoured for each chapter/topic as outlined below.

Engagement

This engagement phase will involve targeted consultation with the community and stakeholders relevant to each topic. This engagement could include the formation of 'community or stakeholder reference groups' (or similar). The 'Issues and Options' reports prepared prior to this engagement will assist in focussing questions for the community and promote discussion of available options for addressing the identified issues. It is envisaged that some topic areas may involve on-site discussion with landowners, together with the relevant expert, if required.

Drafting of "Draft" District Plan and s32 evaluation

The drafting of the "Draft" Combined District Plan and the Section 32 evaluation is to be undertaken concurrently. As noted above, the district plan will be separated into chapters or topics for the purpose of plan drafting, with the Advisory Group being responsible for ensuring the integration of all chapters and the workability of the plan as a whole. All draft provisions will need to be agreed to by the Joint Committee prior to inclusion within the Proposed Combined District Plan.

Release of Draft District Plan for comment (TBC)

The Councils have the option of releasing a Draft Combined District Plan for comment prior to formally notifying it as a Proposed Combined District Plan. The main advantage of this approach is that it provides

an opportunity for obtaining feedback on new or different approaches, as well as enabling errors to be identified and rectified prior to commencing with the formal notification process, and potentially reducing the number of participants in the hearings and the numbers of appeals. The disadvantage is that it can add time to the process and may encourage a spate of Certificates of Compliance and/or resource consent applications under the existing District Plan in circumstances where the Draft District Plan signals that stronger controls are likely to be introduced. As such, it is considered appropriate that the decision as to whether a Draft Combined District Plan is released for comment be made closer to the date of completion.

If a “Draft” Combined District Plan is not released for feedback, another form of engagement should occur. The purpose of this engagement phase is to enable the community to appreciate and understand how all parts of the district plan interrelate and how the provisions are intended to be implemented. It will involve both targeted and broader, including reporting back to key stakeholders that have been involved in the process to date and undertaking statutory consultation with those parties listed under the First Schedule RMA. Further ‘road testing’ may also be undertaken with a group of consultants who are familiar with the existing Combined District Plan and the consenting processes.

Stage 2

Review Feedback on Draft District Plan and Drafting of Proposed District Plan

This step is effectively a repeat of the two previous steps, where revisions to the new District Plan and Section 32 evaluations are made in response to feedback. This step should also include a legal review to ensure all legal requirements have been met. Similarly, it is recommended that all provisions be ‘road tested’ by the consent planners (i.e. through a dummy assessment of resource consent applications and/or building consent applications lodged at the time) in order to identify any implementation difficulties. Efficiencies may be gained by undertaking these tasks following the completion of each chapter or topic area, rather than waiting until all parts of the plan have been completed.

Further targeted engagement with stakeholders could occur to seek feedback on revised provisions.

Stage 3

Notify Proposed Combined District Plan

It is anticipated that a range of methods will be employed to encourage community and stakeholder feedback during the statutory RMA notification process (i.e. on-line submission forms, social media, letters to ratepayers, newspaper advertisements, ‘drop-in’ sessions). It is also recognised that additional administration support will be required during this time.

Implementation of Operative Combined Plan following notification of Proposed Plan

As the reviewed framework will be provided in the form of a Proposed Combined District Plan, following notification, the Councils will be implementing two plans with the existing remaining the operative provisions until the provisions on the proposed become operative. It is noted that a number of rules will take immediate legal effect in accordance with Section 86B of the RMA.

Submissions / hearings / decisions

The submission, further submission, hearings, release of decisions and resolution of any appeals is governed by statutory timeframes and procedures. It is expected that this part of the project could take up to 18 months and will require significant resourcing, including the summarising of submissions, preparation of officer recommendations (s42A reports), expert evidence, allocation of hearing days, appointment of the hearing panel(s), and issuing of decisions.

While the make-up of the hearing panel(s) will be determined closer to the time when more information is available as to the level of resourcing required, it is noted that all members of the hearing panel must be accredited under s39B(1)(f) of the RMA. As such, any Councillor wishing to be involved in the hearing process will need to be certified under the Making Good Decisions Programme administered by the Ministry for the Environment.

Stage 4

Appeals

Any submitter has the ability to appeal the Councils' decision on submissions to the Environment Court. Legal advice and expert evidence will therefore be required for any appeals lodged. The new Combined District Plan will become operative once all appeals are resolved. Councils' will make a resolution to make the Combined District Plan formally operative.

7 BUDGET AND RESOURCING

The project team for undertaking the review of the Combined District Plan is made up of both internal staff of the three District Councils as well as consultant support. Council staff largely consist of the planners within the Officer Advisory Group. A dedicated administrative support role is also anticipated which will be provided by the District Councils.

However other areas of the District Councils will also need to supply input into the Review, and this will require an allocation of time from those teams. The key teams will be:

Council Team	Input Required
Resource Consents and Building Consents	Feedback on the efficiency and effectiveness of Operative District Plan, including interpretation issues. Review and scenario testing of draft sections.
Transport/Roading, Parks and Reserves, Environmental Health, Policy and Strategy, Infrastructure/3 Waters	Advice on provisions relating to various as and when required. Attend project meetings and review draft provisions as required. Assist and participate in engagement as required.
Tangata Whenua Liaison	Assistance with tangata whenua partnership
IT (particularly GIS)	Mapping support, particularly preparation of planning maps (online) and spatial analysis to inform s32 evaluations.
Communications	Assistance with engagement and communications strategy and implementation. Preparation of engagement material. Layout of plan.

7.1 ESTIMATED BUDGET

Below are the estimated costs for the District Plan Review based on the current understanding of anticipated issues.

	Stage 1 (Year 1)	Stage 2 (Year 2)	Stage 3 (Year 3)
TOTAL	\$1,042K	\$918K	\$970K

Following assumptions have been applied in estimating the above costs:

- All Stages
 - o All Council officer time and internal costs are not included in the above cost estimates
- Stage 1
 - o Eight Joint Committee meetings in 2021
 - o Five technical assessments relating to heritage, sites of significance to Maori, seismic hazards, noise and economics (\$70K per assessment in year 1, \$40K per assessment in years 2 and 3)
- Stage 2
 - o Eight Joint Committee meetings in 2022, including meetings to hear submitters on the Draft District Plan
- Stage 3
 - o Total of 30 hearing days for the Proposed District Plan

8 RISK MANAGEMENT

The areas of risk identified to date are as follows, together with planned risk management measures.

Risk	Control/Risk Mitigation
Time delay – analysis of all topic areas may take longer than anticipated	<p>Programme includes some provision for project slippage within the project plan, given the high level of uncertainty associated with this project.</p> <p>Be flexible and modify roles if it will assist reducing slippage.</p> <p>Scope project involvement up front and agree resourcing with appropriate managers. Effective project management to identify potential delays early.</p> <p>Setting milestones, visible timeframes (i.e. wall calendar that all the team can see) and regular monitoring and reporting.</p>
Time delay – absence of key data inputs	<p>Maintain high level of team awareness of need to identify data and other inputs as early as possible.</p>
Difficulty to recruit staff to carry out the work and/or difficulty to co-ordinate input from different Council teams	<p>Ensure budget is available for recruitment. Commence recruitment early.</p> <p>Plan workload well in advance, including nature, level and timing of assistance/advice.</p>
Loss of internal staff or external advisors	<p>Manageable workloads planned in advance and celebrate milestones to avoid/minimise risk of staff leaving.</p> <p>Team approach to policy development ensures gaps can be bridged if necessary.</p> <p>Additional 'back up' external advisors available.</p>
Local Government elections and changes to Councillors	<p>Joint committee set up as individuals/commissioners rather than titles/councillors so that individuals may remain on the committee regardless of local government elections.</p>
Limited availability or difficulty engaging consultants or technical advisors.	<p>Plan workload well in advance, including nature, level and timing of assistance/advice.</p>
Excessive workloads and team fatigue	<p>Manageable workloads planned in advance. Celebrate milestones. Team approach to policy development.</p>
Insufficient budget/budget exceedances.	<p>Ensure accurate financial reporting occurs throughout the District Plan Review, including the provision and monitoring of fee estimates for consultants.</p> <p>Allow for some contingency within the budget.</p>
Scope creep (of what is including in the partial review)	<p>Remain cognisant of scope creep through regular discussions with Advisory Group and Joint Committee and remain committed to ensuring the objectives are being met.</p>
Lack of clarity among District Plan Team members as to how to assess and report on each topic area, including preparation of s32 evaluation.	<p>Prepare guidelines, including report templates, for all members of the District Plan Team. Prepare clear and accurate project briefs for all team members, including consultants.</p>
Difficulty to partner adequately with tangata whenua	<p>Early involvement in the review will be required.</p>

	<p>Bundling up packages for engagement also identified as helpful. Maintain close links with Rangitāne o Wairarapa and Kahungunu ki Wairarapa.</p> <p>Representatives from Rangitāne o Wairarapa and Kahungunu ki Wairarapa to be included on the Joint Committee and Officer Advisory group.</p>
Difficulty with meaningful feedback from community and stakeholders.	<p>Prepare and implement Engagement and Communications Strategy which uses various methods.</p> <p>Combined District Plan Review branding will also assist in distinguishing the Combined District Plan Review from other Council plans and strategies.</p>
Opposition, negative response and/or negative media coverage on one or more topics.	<p>Prepare and implement Engagement and Communications Strategy for specific topics which have the potential to be controversial.</p> <p>Ensure adequate resourcing of specific topics which may be controversial.</p>
Legal challenges to process and associated Plan provisions and s32 evaluation	<p>A legal review is proposed as part of the development.</p> <p>Legal advice will be sought during the review as required. Having a team approach to the review also lessen this risk.</p> <p>Experts within the team to provide guidance to team.</p>
Political risk – ownership of project not secured	<p>Governance structure established for decision making and reporting</p>
RMA and higher order planning document amendments part way through the District Combined Plan Review process (in particular RMA reform)	<p>Maintain awareness of any change to the statutory framework and build in flexibility to accommodate changes as much as possible.</p>

These risks will be reviewed regularly with the Officer Advisory Group and may be modified or extended as appropriate.

9 ENGAGEMENT AND COMMUNICATIONS PLAN

See separate Engagement and Communications Plan document (to be developed).

APPENDICES

APPENDIX 1: TERMS OF REFERENCE

DRAFT

Function	<p>To exercise the functions, duties and powers of the Carterton, Masterton and South Wairarapa District Councils under the First Schedule to the Resource Management Act 1991.</p> <p>Responsibilities include:</p> <p>The Committee will act as the governance advisory through the review period of the District Plan project and in preparing a new plan and act as the hearings panel for the submissions to the formal notification process.</p> <p>The scope of the review includes:</p> <ul style="list-style-type: none">• Giving effect to new or revised national policy statements and the revised Wellington Regional Policy Statement• Aligning the Plan with recent national environmental standards• Giving effect to the proposed national planning standards making any adjustments needed to the structure, definitions and zoning appellations• Giving effect to the proposed national planning standards to make the plan align with requirements for electronic plans and address any consequential amendments required• Rezoning areas to accommodate growth pressures and/or modify existing zones and standards to enable growth and conversely, if needed, to tighten up protection of resources of important values• Aligning the Plan with recent council strategies• Revising objectives and policies in response to any issues arising from their implementation or to respond to any statutory amendments (for example, the two new section 6 matters of national importance since 2009)• Revising any rules and supporting requirements in response to any implementation issues since 2009
Membership	<p>Membership of the Joint Committee includes:</p> <ul style="list-style-type: none">• 2 members from each of the 3 councils appointed by each Council (with the ability for each council to appoint an alternate member to cover absences)• 2 Iwi representatives (1 member representing Rangitāne o Wairarapa and 1 member representing Kahungunu ki Wairarapa) appointed by the four iwi entities (Kahungunu ki Wairarapa, Kahungunu ki Wairarapa Tāmaki Nui ā Rua Trust, Rangitāne o Wairarapa, and Rangitāne Tū Mai Rā Trust) and

- an appropriately qualified Commissioner as an independent Chair appointed by the Joint Committee.

The Joint Committee will appoint one of its members as the Deputy Chair.

The Mayor of each Council is also a member of the joint committee as afforded by Section 41A of the Local Government Act 2002.

Quorum	The quorum of the Joint Committee will be five members and include at least one member of each territorial authority but does not include the Mayors (unless appointed as 1 of the 2 council appointed members or alternate member).
Frequency	The Joint Committee will determine the frequency of its meetings which are likely to change to suit the course of the review.
Delegated authority	<p>The Carterton, Masterton and South Wairarapa District Councils have delegated to the Wairarapa Combined District Plan Joint Committee all its functions, powers and duties under the First Schedule to the Act, in accordance with Section 34 of the Resource Management Act 1991.</p> <p>The removal of the office of Chair and Deputy Chair is within the powers of the Joint Committee.</p>

APPENDIX 2: EFFICIENCY AND EFFECTIVENESS ANALYSIS

DRAFT

Assessment of operative plan chapters to inform review scope and priority topic areas /chapters

Operative Plan		Assessment criteria						
Section / Chapter	National direction consistency	RPS / regional consistency	Plan implementation issues	Stakeholder feedback	Information adequacy/gaps/ needs	Urgency/ specific timeframe to meet	Link/ relationship with other projects	Overall rating / scoring • High priority (Green) • Moderate priority (orange) • Low priority (red)
INTRODUCTION								
1 General Introduction 2 Plan Overview 3 How to use the District Plan	- National Planning Standards - whole of plan requires restructuring							Moderate
PART A – ENVIRONMENTAL ZONES								
4 Rural Zone	- NES Plantation forestry - NPS Highly productive land (draft)		- Increasing pressure for development in rural areas - Provisions for commercial & industrial activities (processing facilities, firewood businesses, retail, gravel extraction) - Necessity/review of rural special zone - Rules and activity statuses require review – e.g. papakainga, rural subdivision, minor dwellings etc.					High
5 Residential Zone	- NPS-UD – sufficient capacity for development; housing intensification provision (particularly Masterton urban area) - NPS Highly productive land (tbc)		- Urban subdivision provisions (pressure for smaller lot sizes) - Rezoning land for growth/ development - Providing for variety of housing types is required				Masterton Urban Growth Strategy Carterton Urban Growth Strategy South Wairarapa Spatial Plan	High
6 Commercial Zone	- NPS-UD – sufficient capacity for development		- Review Commercial zone spatial location and extent - Availability of locations for larger-scale commercial activities – additional pressure with removal of car parking under the NPS-UD. - Requirement for design requirements e.g. colour scheme, consistent design, height restrictions - Rules and activity statuses require review.				- Town centre plans, design guidance etc? - Wellington Regional Growth Framework	Moderate

7 Industrial Zone	- NPS-UD – sufficient capacity for development		- Reverse sensitivity (noise in particular) - Ad-hoc industrial areas - Rules and activity statuses require review – e.g. residential, signage					Moderate
PART B – DISTRICT WIDE ISSUES								
8 Tangata Whenua	- Te mana o te wai - Mana whaka hono?							Moderate
9 Landscape		- ONFLs - SALs						Low
10 Historic Heritage			- Heritage buildings, items, areas (EQP buildings updates) - Review schedule - Some buildings not being appropriately maintained - Notable trees				- EQP buildings policies	High
11 Indigenous Biodiversity	- NPS Indigenous biodiversity (tbc)	- Indigenous biodiversity, SNAs	- SNAs - Direction from NPS-IB					Moderate
12 Freshwater Environment	- NPS Freshwater - NES Freshwater							Low
13 Coastal Environment	- NZCPS – coastal environment, natural character, hazards		- Natural character - Coastal hazards		- Coastal natural character work underway		- GWRC leading coastal hazards project	Moderate
14 Natural Hazards		- High hazard areas	- Flood hazard areas - Coastal hazards - Earthquake – faults & liquefaction - Climate change impacts					High
15 Hazardous Substances	- Check plan approach against legislative changes							Low
16 Network Utilities and Energy	- NPSET - NPSREG - NESETA	- Regionally significant infrastructure - Renewable energy	- Water tanks for resilience - Aging infrastructure that is nearing its capacity					Moderate
17 Transportation	- NPS-UD – remove car parking requirements		- Review vehicle movements and impacts on road network	- NZTA – update State Highway-related provisions				Moderate
18 Subdivision, Land Development and Urban Growth	- NPS-UD – enabling intensification - NPS-Highly productive land (TBC)							Low
19 General Amenity Values								Low
20 Subdivision Rules	- NPS-UD – enabling intensification - NPS Highly productive land (tbc)		- Residential + Rural Zone minimum lot sizes (pressure for smaller lot sizes) - NZ4404 standard					Moderate
21 District Wide Land Use Rules			- Changes would need to align with any review to zone chapters outlined above					High
PART C – CONSENT PROCESS AND GENERAL PROVISIONS								
22 Assessment Criteria								Low

23 Financial Contributions			- Review of financial contributions inline with funding mechanisms					Moderate
24 Esplanade Reserves/Strips								Low
25 Designations			- Rollovers, updates?	- Rollovers, updates?				Low
26 Information to be Supplied with Resource Consent Applications	- RMA changes							Low
27 Definitions	- National Planning Standards mandatory definitions							Moderate
PART D - APPENDICES								
Appendix 1 – Schedule of Natural & Historic Heritage Sites	-		- Heritage and notable trees - SNAs				- EQP buildings policies	Moderate – High
Appendix 2 – Hazardous Facilities			- Needed?					
Appendix 3 – Schedule of Contaminated Sites								
Appendix 4 – Schedule of Primary Industry								
Appendix 5 – Requirements for Roads, Access, Parking, & Loading	- NPS-UD – remove car parking requirements							
Appendix 6 – Designations			- Council updates?	- Rollovers, updates				
Appendix 7 – Carterton Town Centre Design Guidelines			- Update – align with town centre work					
Appendix 8 – South Wairarapa Town Centres Design Guidelines			- Update ?					
Appendix 9 – Greytown Villas Indicative Concept Plan								
Appendix 10 – Jellicoe Residential Character Area Structure Plan								
Appendix 11 – Airport Protection Plan								
Appendix 12 – Waingawa Structure Plan								
MAPS								
Masterton	- National Planning Standards map requirements						- GWRC – flood hazards projects/ mapping	High
Carterton	- National Planning Standards map requirements						- GWRC – flood hazards projects/ mapping	High
South Wairarapa	- National Planning Standards map requirements						- GWRC – flood hazards projects/ mapping	High

APPENDIX 3: NATIONAL AND REGIONAL DIRECTION ANALYSIS

REGULATORY PROVISION	DESCRIPTION / SUMMARY	HOW THIS WILL AFFECT THE WCDP	CHANGES REQUIRED	INDICATIVE PRIORITY
RESOURCE MANAGEMENT ACT AMENDMENTS (MULTIPLE)	<p>Since the operative date of the WCDP, there have been a number of amendments to the RMA. These changes relate to both the processing of resource consents and plan change/plan review processes. Most notably there have been changes to:</p> <ul style="list-style-type: none"> the Schedule 1 process for plan change processes including greater involvement of iwi Part 2 to include natural hazards (s6), climate change (s7) and historic heritage (s6) provide for or regulate specific activities e.g. boundary activities and hazardous substances the resource consent process include how notification decisions are made and the introduction of a fast track process. 	<p>The main influence that the amendments will have is on the format of the plan review process (Schedule 1).</p> <p>Note, the National Planning Standards were also added as a requirement under the RMA – further discussion of them is provided below.</p> <p>The RMA amendments may also influence provisions around specific activities.</p>	<p>Changes are largely discrete and will relate to specific topic areas. The main influence will be the how the review process is undertaken in accordance with Schedule 1.</p> <p>Specific topic areas likely impacted include:</p> <ul style="list-style-type: none"> Extent of changes required to the hazardous substances provisions? Extent of changes required for natural hazards? (including mapping) Extent of changes required for historic heritage, notable trees etc? Extent of changes required for climate change? 	Medium
REVIEW OF THE RESOURCE MANAGEMENT ACT	<p>Following an independent review of the effectiveness of the RMA, an independent report (the “Randerson report”) has been released by MfE that recommends the RMA be replaced by two new enactments – the Natural and Built Environments Act and the Strategic Planning Act. Under the new framework, there would be a move away from the effects-based approach that the RMA has, to an outcomes approach. The framework would require only one combined plan to be prepared for each region (containing both regional and territorial authority matters). The combined plan would be prepared by a joint committee with representatives from regional council, each TA, mana whenua and DoC.</p>	<p>The review and potential replacement of the RMA could substantially impact on the review of the WCDP and the development of a new combined district plan.</p> <p>Based on the recommendations of the independent review panel, the intent of the new legislation would be to require a regional spatial plan and a combined regional and district plan (replacing the RPS, regional plans and district plans) for each region.</p>	<p>At this stage, no changes are required as the report only contains recommendations for Government. However, the review may result in a very different framework that the district plan is prepared under (and it will form part of a combined plan for the region).</p> <p>It is likely that there will be a transition period for the new plans to take effect (as there was when the RMA came in).</p> <p>At this stage the nature and extent of change and the timeframes for implementation are unknown.</p>	High
NATIONAL PLANNING STANDARDS	<p>The first set of national planning standards were introduced to the RMA in 2019 as a means to ensure consistency amongst plans and policy statements. The planning standards relate to:</p> <ul style="list-style-type: none"> format of the plan (including mapping) structure of the plan definitions noise and vibration metrics, and electronic functionality and accessibility 	<p>The WCDP does not give effect to the planning standards and is required to by April 2024 (5 years from the planning standards coming into effect).</p>	<p>The Plan will need to be updated to reflect the planning standards mandatory requirements, which include but are not limited to:</p> <ul style="list-style-type: none"> Requirement for an E-Plan (with flow on implications for mapping data / levels of accuracy) Specific plan format/structure (including expected chapters and content, provision numbering, zone names/framework, plan map colours and notations etc) Inclusion of mandatory definitions Timeframes for plan change processes to ensure consistency with the requirements 	High

REGULATORY PROVISION	DESCRIPTION / SUMMARY	HOW THIS WILL AFFECT THE WCDP	CHANGES REQUIRED	INDICATIVE PRIORITY
<p>NATIONAL POLICY STATEMENT FOR URBAN DEVELOPMENT</p>	<p>The NPS-UD was gazetted in July 2020, came into force on 20 August 2020. It supersedes the former NPS-UDC.</p> <p>The NPS-UD gives strong direction to local government to provide greater supply of housing, while seeking to ensure that new development capacity enabled by councils is of a form and in locations that meet the diverse needs of communities and encourages well-functioning, liveable urban environments.</p>	<p>The NPS-UD affects “urban environments” which are described as: “any area of land (regardless of size, and irrespective of local authority or statistical boundaries) that: (a) is, or is intended to be, predominantly urban in character; and (b) is, or is intended to be, part of a housing and labour market of at least 10,000 people”.</p> <p>Under the NPS-UD, only Masterton would be defined as an “urban environment”. Unlike all other councils in the Wellington region (including GW), the Wairarapa local authorities are not identified by the NPS-UD as being tier 1 or 2. The urban environment in Masterton means that MDC would be classified as “tier 3” under the NPS-UD. The relevant policies and requirements for tier 3 councils are more limited than for tiers 1 and 2. There is however still a strong direction for intensification, and Tier 1, 2, and 3 local authorities, must at all times, provide at least sufficient development capacity to meet expected demand for housing and for business land over the short term, medium term, and long term.</p>	<p>The NPS-UD will require changes to ensure, as a minimum (based on tier 3 urban environments):</p> <ul style="list-style-type: none"> • That future development contributes “well-functioning urban environments” • Short, medium- and long-term housing and business land demand is provided for • Height and density is enabled to reflect either the level of accessibility (transport) or the demand for housing • Removal of minimum car parking requirements <p>There are a number of timeframes for implementing the requirements of the NPS-UD; the majority are “as soon as practicable” after commencement of the NPS-UD. The closest specified date is the requirement to remove minimum car parking by February 2022 (not subject to a Sched 1 process). Plan changes to give effect to the intensification provisions of the NPS-UD are expected to be notified “as soon as practicable”.</p> <p>Implementation of the NPS-UD will be informed by the regional growth framework process. Will require working with GWRC and the other TAs.</p>	<p>Low</p>
<p>NATIONAL POLICY STATEMENT FOR FRESHWATER MANAGEMENT</p>	<p>The NPS-FM 2020 was released last month, came into force on 3 Sept, and replaces the former 2014 version. The NPS-FM set an objective, policies and implementation guidance on management of activities affecting freshwater. The provision largely relates to Regional Council’s, but there are also a number of provisions that relate to district councils. The NPS sets direction to protect freshwater ecosystems before the health and needs of people.</p>	<p>While the Regional Council’s will be mainly affected by the NPS-FM, it will affect activities near waterbodies, particularly wetlands. The rural zone will be mainly impacted by the NPS, however given there will need to be restrictions on setbacks and potential effects on water bodies (including wetlands), this will also relate to other activities and zones e.g. intensification.</p>	<p>Effect will need to be given the objective which gives clear direction to prioritise the freshwater ecosystems before the needs and benefits for people. Policy 6 (wetlands) will affect a number of activities – there will also be a cross over with the NES-F (see below). Will need to await regional direction before any substantive changes can be made.</p>	<p>Medium</p>
<p>NATIONAL POLICY STATEMENT ON ELECTRICITY TRANSMISSION</p>	<p>The National Policy Statement for Electricity Transmission 2008 enabling framework to local authorities to recognise the national significance of the electricity transmission network.</p>	<p>There are several National Grid transmission assets in the Wairarapa, including the Masterton to Upper Hutt and Mangamaire to Masterton lines and several substations. Provision must be included in the plan for current and future electricity transmission lines and other associated infrastructure.</p>	<p>Provisions may be required to more explicitly recognise and provide for electricity transmission (both current and future) and National Grid assets. The extent to the changes required will be discrete.</p>	<p>Low</p>

REGULATORY PROVISION	DESCRIPTION / SUMMARY	HOW THIS WILL AFFECT THE WCDP	CHANGES REQUIRED	INDICATIVE PRIORITY
NATIONAL POLICY STATEMENT ON RENEWABLE ELECTRICITY GENERATION	The National Policy Statement for Renewable Electricity Generation was released in 2011 and provides direction to local authorities on how renewable electricity generation should be dealt with.	The NPS-REG provides an enabling framework for renewable energy generation. It requires that it is recognised for its national significance and benefits. The WCDP was made operative prior to the gazetting of this NPS so review and updating of the REG provisions to give effect to the NPS is required. There is currently one wind farm within the Wairarapa (Hau Nui Wind Farm, eastern Martinborough hills) but there is potential within the Wairarapa for further development of REG (particularly wind and solar). The NPS relates to both current and future REG development.	Changes required to the plan provisions are discrete and topic related.	Low
NEW ZEALAND COASTAL POLICY STATEMENT	The NZCPS was gazetted in 2011 and replaced the 1997 version. This sets out objectives and policies for ensuring effective management within the coastal area.	While the former 1997 NZCPS was given effect to in the WCDP, the 2010 version came into effect in the later stages of the WCDP process (after the decision). A review is therefore required to ensure the WCDP gives effect to the NZCPS.	Changes required are unlikely to be significant and the majority of the direction relates to the regional council. The changes required to the WCDP are likely to be discrete but consideration will need to be given to coastal matters in specific topics (e.g. coastal environment, landscape and natural character). The operative plan already identifies land within the coastal environment, but this will need to be verified as part of the review process. Coastal mapping is currently being undertaken around the Wairarapa coastline. This will help give greater effect to the NZCPS and will need to be identified in the new/revised Combined District Plan. A key issue will be updating the plan for coastal hazards e.g. mapping 100yr risk areas.	Medium
PROPOSED NATIONAL POLICY STATEMENT FOR HIGHLY PRODUCTIVE LAND	Consultation on the proposed National Policy Statement for Highly Productive Land concluded late last year. The NPS-HPL will provide national direction in protecting high value land from urban encroachment. While it is still proposed, it is expected government will release a final version by April 2021.	Based on the consultation documents and the draft NPS-HPL, it is likely these provisions will relate to land use capability with the greatest weight given to Class I, II and III soils.	Changes required will be specific to areas where there are class I, II and III soils - it seems that the majority of land in the Wairarapa would not be included in this. There may be some small pockets of Class II or III. Versatile soils will be important in the consideration of provision for future urban growth areas.	Low
PROPOSED NATIONAL POLICY STATEMENT FOR BIODIVERSITY	Consultation of the proposed National Policy Statement for Indigenous Biodiversity concluded earlier this year. The NPS-IB sets out objectives and policies to identify, protect, manage and restore indigenous biodiversity. Like the NPS-HPL, it is expected that a final version will be released by April 2021.	The draft NPS-IB focuses on the maintenance and enhancement of biodiversity. Sets out specific framework for identifying significance of biodiversity – will affect the current methods for identifying SNAs and mapping. Will require a more restrictive framework for developments that could impact on indigenous biodiversity (and particularly wetlands).	New SNA assessments will be required and this could involve significant work. The NPS-IB is likely to bring in much more restrictive requirements for subdivision, land use and development activities that may impact on indigenous biodiversity. Changes will be required to the plan's natural environment-related provisions to give effect to the NPS directives.	Medium
NATIONAL ENVIRONMENTAL STANDARD FOR FRESHWATER	The NES-F introduces a specific rule framework for activities that impact upon freshwater.	The rules will take effect over the WCDP. Rules may be more stringent in certain circumstances.	The NES-F is likely to impact a number of activities in the Wairarapa (in particular rural industry); however, this will largely relate to the regional council. Any changes required to the district plan are likely to be discrete and topic specific.	Low

REGULATORY PROVISION	DESCRIPTION / SUMMARY	HOW THIS WILL AFFECT THE WCDP	CHANGES REQUIRED	INDICATIVE PRIORITY
NATIONAL ENVIRONMENTAL STANDARD FOR PLANTATION FORESTRY	The NES-PF introduces a rule framework for activities associated with forestry related activities. These rules take effect over any regional or district plan and generally are provide an enabling (permissive) framework. Council may apply more stringent provisions over the NES in certain circumstances (mainly to give effect to other national provisions) – but these provisions must be identified as providing stringency over the NES-PF.	The NES-PF rules take effect over the WCDP rules for forestry-related activities. This may provide for a more permissive framework for forestry activities to occur.	Forestry is an emerging issue for the Wairarapa. Discrete changes will be required to relevant sections of the plan to direct to the NES rules for forestry related activities. However, consideration may also be given to whether stringency over the NES need be applied. This may be required where the NES would provide for a permissive framework over areas where it would be inappropriate for forestry to occur (over other land uses).	Medium
WELLINGTON REGIONAL POLICY STATEMENT	The second-generation regional policy statement was made operative in 2013.	The WCDP was prepared under the former first generation RPS. The combined plan is required to “have regard to” which is a lesser requirement than “in accordance with” for the other frameworks (as outlined above); however, given there has been significant changes, the RPS objectives and policies need to be accounted for to ensure the WCDP is not inconsistent with them – particularly those policies directing district plans.	Changes required to ensure consistency, particularly related to the following issue areas: <ul style="list-style-type: none"> • Natural hazards • Natural environment/indigenous biodiversity • Natural features and landscapes • Coastal environment and natural character • Historic heritage 	Medium
PROPOSED NATURAL RESOURCES PLAN	Decisions on the proposed Natural Resources Plan have recently been released. The PNRP will replace the operative regional plans and regional coastal plan.	Like the RPS, the combined plan is required to “have regard to” the regional plans. It is not known how consistent the WCDP is likely to be with the PNRP; however, it is noted that the PNRP introduces strict rule framework for activities relating to freshwater and the coastal marine area. This framework will impact on future development in those areas (and the district plan provisions).	Changes required to ensure consistency - particularly in ensuring the cross over between regional and district rule framework.	Medium

Operative Plan		Assessment criteria					
Section / Chapter	National direction consistency	RPS / regional consistency	Plan implementation issues	Urgency/ specific timeframe to meet	Link/ relationship with other projects	Other	Scope of Review
INTRODUCTION							
1 General Introduction 2 Plan Overview 3 How to use the District Plan			Not Applicable			Ensure consistency with reviewed sections of plan	Full review
PART A – ENVIRONMENTAL ZONES							
4 Rural Zone						Not Applicable	Full Review
5 Residential Zone						Not Applicable	Full Review
6 Commercial Zone						Not Applicable	Full Review
7 Industrial Zone						Not Applicable	Full Review
PART B – DISTRICT WIDE ISSUES							
8 Tangata Whenua							Full Review
9 Landscape						Not Applicable	Discrete review
10 Historic Heritage						Not Applicable	Full review
11 Indigenous Biodiversity						Not Applicable	Partial review
12 Freshwater Environment						Not Applicable	Discrete review
13 Coastal Environment						Not Applicable	Partial review
14 Natural Hazards						Not Applicable	Full review
15 Hazardous Substances						Not Applicable	Discrete review
16 Network Utilities and Energy						Not Applicable	Partial review
17 Transportation						Not Applicable	Partial review
18 Subdivision, Land Development and Urban Growth						Not Applicable	Full review
19 General Amenity Values						Not Applicable	Discrete review
20 Subdivision Rules						Not Applicable	Full review
21 District Wide Land Use Rules						Changes would need to align with any review to zone chapters outlined above	Full review
PART C – CONSENT PROCESS AND GENERAL PROVISIONS							
22 Assessment Criteria							Discrete review
23 Financial Contributions						Not applicable	Partial review
24 Esplanade Reserves/Strips							Partial review
25 Designations						Review / roll overs	Full review
26 Information to be Supplied with Resource Consent Applications						Not applicable	Discrete review
27 Definitions						Not applicable	Full review
PART D - APPENDICES							
Appendices 1 -12						Review to align with other associated provisions	Partial – Full review
MAPS							
Masterton						Align with other chapters	Full review
Carterton							
South Wairarapa							

PRESENTATION – DRAFT 2021 WORK PROGRAMME
(to be presented at the meeting)