

Confirmed Minutes of the Meeting of the Whanganui District Council held at 1.00pm on Tuesday, 9 April 2019 in the Function Room, Heritage House, 136 St Hill Street, Whanganui

Present: Mayor Hamish McDouall (Chair), Deputy Mayor Cr Jenny Duncan, Cr Charlie Anderson, Cr Philippa Baker-Hogan, Cr David Bennett, Cr Josh Chandulal-Mackay, Cr Murray Cleveland, Cr Hadleigh Reid and Cr Graeme Young.

Apologies: Cr Helen Craig, Cr Kate Joblin and Cr Rob Vinsen.
Leave of Absence: Cr Alan Taylor (8 April – 30 April 2019)

Officers in Attendance: Kym Fell (Chief Executive), Mike Fermor (General Manager Finance), Sarah Pomeroy (Communications and Marketing Manager), Kate Barnes (Senior Democracy Advisor), Karyn Turner (Governance Services Officer).

At Mayor McDouall's request, members stood in silence in acknowledgement of the Muslim community impacted by the tragic events in Christchurch on 15 March 2019.

Prayer

Mayor McDouall read a Muslim Prayer of Peace.

Apologies

Council's Resolution

Proposed by Mayor McDouall, seconded by Cr Cleveland:

THAT the apologies from Crs Craig, Joblin and Vinsen are received.
(Leave of Absence: Cr Taylor)

CARRIED

Declarations of Interest

No new declarations of interest.

Additional Information

Item	Officer	Agenda Page N ^o
1. Deputation – Graham Lillington – Speed Change on State Highway 3		1
4. Appointments to Youth Committee April 2019	Kate Barnes	123
Confidential 17. Chief Executive's Report to Council – April 2019	Kym Fell	176

Mr Lillington said one responder to the deputation had suggested that any speed change be recorded as a tribute to the late Ray Stevens who, having witnessed several accidents and 'near-misses' from his place of work near the Rapanui Road intersection, had campaigned regularly for a speed reduction. In response, Mayor McDouall said the Council would be happy to consider an appropriate tribute to the late Ray Stevens. NZTA's timeframes were long but the general feeling was the speed was too fast in this area and NZTA's letter had indicated this.

Mr Lillington agreed that his full submission could be forwarded to NZTA.

Significance of decision – In terms of the Significance and Engagement Policy 2018, the decision is not significant.

Council's Resolution

Proposed by Mayor McDouall, seconded by Cr Duncan:

- 1.1 THAT the deputation from Graeme Lillington is received.

CARRIED

2. Proposed Plan Change 55 – Miscellaneous

Hamish Lampp, Principal Planner, reports:

Executive summary

The majority of the changes proposed by Plan Change 55 (PC55) are minor in nature. They involve the removal of repetition, addressing inconsistencies and technical changes to improve implementation of the Plan and Council's functions under the Resource Management Act 1991 (RMA).

The purpose of this report is to make recommendations on each submission received to PC55. The officer recommendations have been prepared in consultation with and are supported by each submitter. The recommendations adhere to relevant statutory considerations and obligations.

Background

PC55 was publicly notified for submissions on 15 December 2018 and a total of five submissions and no further submissions were received at the close of submissions on 4 March 2019.

A copy of the submissions is attached (**Ref B1**).

Submissions cover the following matters:

- Transpower NZ Ltd supported changes to rural subdivision provisions as they relate to the National Grid, and sought consequential amendments.

- Horizons Regional Council sought additional provisions related to on-site effluent disposal for minor residential dwellings.
- Fire and Emergency NZ sought additional provisions to ensure adequate water supply for fire-fighting on sites with minor residential dwellings.
- Heritage New Zealand sought that the entire Whanganui Collegiate site be included in the description of the Heritage Listing in the District Plan, and on the Planning Map as a Heritage Precinct, to ensure consistency with the Heritage NZ Listing.
- Montgomery Reserve Group supported the rezoning and addition of land to the Reserve.

Planning officers have liaised with submitters, who have confirmed support, for the officer's recommendations detailed in this report. All submitters have withdrawn their 'wish to be heard' (**Ref B2**).

A hearing is no longer required. Council is now able to consider the recommendations and make a decision on each submission, without reference to any further evidence.

On 12 March 2019 Council resolved to make the vast majority of the proposed amendment contained in PC 55 operative as these were not contested. Apart from that item to Council, the Marked-up Plan text (**Ref B3**) and s32 Evaluation Report (**Ref B4**) which was considered at Council's meeting 11 December 2018) are the documents relevant to this plan change. No further technical reports were required to support the plan change.

This report has been prepared in accordance with section 42A of the RMA. A copy of this report has been sent to submitters and copies made available at Council offices as required by the RMA.

Options

Resource Management Act – Section 32 Evaluation

An evaluation of costs benefits and options, in relation to proposed changes to the Plan, was undertaken and adopted by Council when it approved public notification of PC55 at its December 2018 meeting (**Ref B4**).

As part of the Plan change process and preparation of this report, a re-evaluation of costs, benefits and options has been undertaken in accordance with S32AA of the RMA.

The changes to the Plan recommended below in response to matters raised in submissions do not fundamentally alter the costs, benefits or options considered in the initial S32 Evaluation Report adopted by Council.

Resource Management Act – Plan Change Decision Process

Clause 8AA of Schedule One to the RMA provides that a local authority can if asked or of its own volition ask a submitter to meet with it.

Engagement between planning officers and submitters were conducted by telephone and email and the issues raised by submitters were resolved without the need for formal mediation.

Clause 8B of Schedule One to the Act provides that a hearing must be held when submitters have requested to be heard which all five submitters originally did. However Clause 8C provides that no hearing is required if all requests to be heard have been withdrawn, as is the case here. Each submitter has confirmed their acceptance of the officer recommendations and advised that they no longer wish to be heard (**Ref B2**).

Clause 10(1) requires that a local authority must make a decision on the provisions and matters raised in submissions, whether or not a hearing has been held. Council's decision must include reasons for accepting or rejecting each submission and may include any consequential alterations necessary arising from the submissions.

A hearing is not required, and Council can now consider the officer recommendations to accept or accept in part each submission as detailed below.

Finally, Clause 10(4)(a) requires that Council gives its decisions no later than two years after notifying a proposed plan change. Compliance with this requirement is readily achieved as PC55 as notified on 19 December 2018.

Key issues

While the matters covered by PC 55 are minor in nature, PC55 has been developed with a focus on improving, streamlining and enabling use and development consistent with the intent of the RMA. Section 72 of the RMA outlines the purpose of district plans which is the preparation, implementation, and administration of district plans is to assist territorial authorities to carry out their functions in order to achieve the purpose of this Act.

While sections 73 and 74 relate to the method of changing a District Plan and matters to be considered. Schedule One to the RMA details further steps in the process that a plan change must undertake.

PC55 is at Stage 7 (red arrow) in the District Plan Change Process as indicated in **Ref B5**.

Submissions Received

A total of five submissions were received:

No	Name
1	Transpower New Zealand Ltd
2	Fire and Emergency Services (FENZ)
3	Heritage New Zealand Pouhere Taonga
4	Horizons Regional Council
5	Montgomery Reserve Group

A copy of all submissions is contained in **Ref B1** to this report.

Recommendations on Submissions

Key to changes to District Plan:

Underlined and italics = New Plan text proposed by the Submitter

Shaded words = Existing and unaltered text of the District Plan.

Refer to **Ref B3** for a copy of the relevant marked up District Plan text

Submission 1 – Transpower NZ Ltd

Relief Sought by Submitter	Officer's Recommended decision and reasons to Council
1. Delete Rule 3.4.2.b as proposed in PC55.	Accept the submission and make no change to PC55. Reason – Submitter supports the proposed changes to the provision as notified.
2. Delete Rule 3.4.2.c.	Accept the submission and delete Rule 3.4.2.c entirely. Reason – It was the intention of PC55 that Rule 3.4.2.c be completely deleted to reduce duplication.
3. Delete Rule 3.4.4.d as proposed in PC55.	Accept the submission and make no change to PC55. Reason – Submitter supports the proposed changes to the provision as notified.
4. Delete Rule 3.8.2.b as proposed in PC55.	Accept the submission and make no change to PC55. Reason – Submitter supports the proposed changes to the provision as notified.
5. Amend 3.8.4.c insert at the end of this bullet point the word " <u>and</u> "	Accept and make this minor correction to the Plan under Clause16 of First Schedule RMA Reason – This change comprises a minor correction under clause 16.
6. Delete Rule 13.4.2.aa (i) minimum lot size and (ii) compliance with subdivision provisions in 13.4	Accept the submission and make no change to PC55. Reason – Submitter supports the proposed changes to the provision as notified.
7. Insert modification to Rule 13.4.2.aa, <u>(iii) For subdivision located within the National Grid Subdivision Corridor</u> the identified ... outside the National Grid.	Accept and make this minor correction to the Plan under Clause16 of First Schedule RMA. Reason – This request seeks to amend a rule that is not proposed to be changed, however the relief sought comprises a minor correction under clause 16.
8. Delete 2 nd •of Rule 13.4.2.aa a matter that Council restricts its discretion to: • Comply with the subdivision provisions at Section 13.4; and	Accept the submission and make no change to PC55. Reason – Submitter supports the proposed changes to the provision as notified.

<p>9. Format additional matter under rule 13.4.2.aa that has an impact on the operations etc of the National grid:</p> <ul style="list-style-type: none"> • The nature ... National Grid; and • Access to the National Grid; and 	<p>Accept and make this minor correction to the Plan under Clause16 of First Schedule RMA</p> <p>Reason – This change comprises a minor correction under clause 16.</p>
<p>10 Modify Rule 13.4.2.ab (iii) with additional wording for the rules below:</p> <p>ii. The balance site area is at least 10 hectares; and</p> <p>iii. For subdivision located within the National Grid Subdivision Corridor the identified ... outside the National Grid; and</p> <p>iv. Complies with the subdivision provisions on Section 13.4.</p>	<p>Accept (ii) and make this minor correction to the Plan under Clause16 of First Schedule RMA</p> <p>Reason – This change comprises a minor correction under clause 16.</p> <p>Accept (iii) and make this minor correction to the Plan under Clause16 of First Schedule RMA.</p> <p>Reason – This request seeks to amend a rule that is not proposed to be changed, however the relief sought comprises a minor correction under clause 16.</p> <p>Accept (iv) the submission and make no change to PC55.</p> <p>Reason – Submitter supports the proposed changes to the provision as notified.</p>
<p>11. Insert four additions to 13.4.2.ab Council restricts its discretion over:</p> <p>Council restricts its discretion to:</p> <p>The ability of the development to be serviced by on-site means with regard to effluent and stormwater disposal;</p> <p>Impact on the rural character of the surrounding area, and to avoid potential reverse sensitivity;</p> <p>Impact on the operation, maintenance, upgrade and development of the National Grid, including:</p> <p>Compliance with NZECP34:2001;</p> <ul style="list-style-type: none"> - <u>The location and orientation of identified Building Platforms relative to the National Grid;</u> - <u>The nature and location of any vegetation proposed to be planted in the vicinity of the National Grid;</u> - <u>Access to the National Grid; and</u> - <u>Risk of electrical hazards affecting public or individual</u> 	<p>Accept the submission and make no change to PC55.</p> <p>Reason – Submitter supports the proposed changes to the provision as notified.</p> <p>The proposed additions already exist in the District Plan, the text was simply not included in the notification because it remained unchanged.</p>


	<u>safety, and the risk of property damage.</u>	
12.	Delete Rules 13.4.2.ad.(i) and (ii).	Accept the submission and make no change to PC55. Reason – Submitter supports the proposed changes to the provision as notified.
13.	Modify Rule 13.4.2.ad (iii) with additional wording: <u>(iii) For subdivision located within the National Grid Subdivision Corridor</u> the identified ... outside the National Grid.	Accept the submission and make no change to PC55. Reason – This request seeks to amend a rule that is not proposed to be changed, however the relief sought comprises a minor correction under clause 16.
14.	Delete 2 nd •of Rule 13.4.2.ad a matter that Council restricts its discretion to: <ul style="list-style-type: none">• Comply with the subdivision provisions at Section 13.4; and	Accept the submission and make no change to PC55. Reason – Submitter supports the proposed changes to the provision as notified.
15.	Insert additional matter and consequential formatting that has an impact on the operations etc of the National grid: <ul style="list-style-type: none">• The nature ... National Grid; and• Access to the National Grid; <u>and</u> <u>o</u> The risk of electrical hazards affecting public safety, and the risk of property damage	Accept and make this minor correction to the Plan under Clause16 of First Schedule RMA Reason – This change comprises a minor correction under clause 16.
16.	Delete 13.4.4.f as notified	Accept amend the Plan by deleting the proposed Rule 13.4.4f Reason – Proposed Rule 13.4.4.f effectively duplicates existing Rule 3.4.4.d for this reason Rule 13.4.4f is not necessary and would create confusion for Plan users.
17.	Retain Rule 13.4.4.d	Accept the submission and make no change to PC55. Reason – Submitter supports the proposed changes to the provision as notified. This provision was not notified for any amendment. The relief sought supports retention of this rule.

Submission 2 – Fire and Emergency New Zealand

Relief Sought by Submitter	Officer's Recommended decision and reasons to Council
1. Add an additional performance standard to 3.5.12:	Accept and make this change to PC55.

c. <u>Must comply with the requirements for 'structures' in performance standard 3.5.4</u>	Reason – Minor residential dwellings should provide water for fire-fighting purposes.
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Submission 3 - Heritage New Zealand Poutere Taonga

Relief Sought by Submitter	Officer's Recommended decision and reasons to Council
1. Retain the changes to Appendix A consolidating the listing for Wanganui Collegiate School, and	<p>Accept the submission and make no change to PC55.</p> <p>Reason – Submitter supports the proposed changes to the provision as notified.</p>
2. Amend the schedule description for Wanganui Collegiate School by making changes to one or more parts of the description (including name and location) to make it clear what is encompassed in the heritage item, including the extent.	<p>Accept the submission and amend the Plan at Appendix A-Heritage Item by updating the schedule description for Whanganui Collegiate School by inserting the following in the 'Location Column':</p> <p><u>128-132 Liverpool Street, 44 Grey Street, 173-177 London Street and Glasgow Street, Whanganui.</u></p> <p>Reason – The changes requested will update the Schedule and provide clarity and consistency for Plan users.</p>
3. Make consequential changes to the identification of the heritage item on the associated planning map to clarify the definition and extent of the scheduled item, including through mapping the extent of the heritage item.	<p>Accept the submission and amend the District Planning Map where it currently indicates a heritage precinct over part of Whanganui Collegiate School so that the heritage precinct encompasses the entire school site.</p> <p>Reason – The changes requested will update the Planning Map and provide clarity and consistency for Plan users.</p> 


4. Any consequential amendments	<p>Accept the submission and amend the District Plan to update the spelling of Wanganui Collegiate as per its recent formal name change to: <u>Whanganui Collegiate School</u></p> <p>Reason – The changes requested will update the Planning Map and provide clarity and consistency for Plan users.</p>
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Submission 4 - Horizons Regional Council

Relief Sought by Submitter	Officer's Recommended decision and reasons to Council
<p>1. Add a performance standard to Rules 3.5.12, 3.7.10, 3.9.12 and 3.11.11 requiring that wastewater from a minor dwelling must be able to be serviced on-site, or</p> <p>2. Delete proposed performance standards 3.5.12, 3.7.10, 3.9.12 and 3.11.11 and insert:</p> <p><u>"the ability of minor dwellings to be independently serviced for wastewater"</u></p>	<p>Accept the submission and amend the District Plan by inserting as C to new Performance Standards 3.5.12, 3.7.10, 3.9.11, 3.11.11 as follows:</p> <p><u>Minor Residential Dwelling</u></p> <p>a.</p> <p>c. <u>All wastewater from a minor dwelling must be serviced onsite unless the property is already connected to a wastewater reticulation network.</u></p> <p>Reason – The changes requested will provide clarity and consistency for Plan users and ensure that wastewater from a minor dwelling must be able to be serviced on-site.</p>
<p>3. Any further alternative, or consequential relief to address the matters raised in this submission.</p>	<p>Accept the submission and amend the District Plan as set out below:</p> <p>1. Amend Rule 3.4.1. as follows:</p> <p>f. <u>One dwelling and one minor dwelling per 10 hectares site area;</u></p> <p>g. <u>One dwelling and one minor dwelling on a site of less than 10 hectares, but at least 5000m² site area, created by a subdivision consent granted on or before the 21st March 2016 of this rule;</u></p> <p>i. <u>Accessory buildings. Residential activities but excluding residential care facilities;</u></p> <p>2. Amend Rule 3.6.1 as follows:</p> <p>a. <u>Residential activities, including one minor dwelling and accessory buildings,</u></p> <p>3. Amend Rule 3.8.1 as follows:</p> <p>f. <u>One dwelling and one minor dwelling per 1 hectare site area;</u></p> <p>g. <u>One dwelling and one minor dwelling on a site of less than 1 hectare but at least 5000m² site area,</u></p>

	<p>created by a subdivision consent granted on or before the 21st March 2016 of this rule;</p> <p>i. Residential activities excluding residential care facilities <u>Accessory buildings</u>;</p> <p>4. Amend Rule 3.10.1. as follows:</p> <p>b. One dwelling <u>and one minor dwelling</u> per site:</p> <p>Reason – The submission identifies inconsistencies with Plan provisions relating to the permitted number of dwellings per site. The submission notes this and requires clarification.</p> <p>The Plan Change seeks to provide for minor dwellings as a permitted activity where effects on the environment will be less than minor, in addition to the dwelling/s already provided for within each zone.</p> <p>Accessory buildings are the only residential activities not already provided for by rules 3.4.1(i) and 3.8.1(i), so this has been clarified. Refer to definition of Residential Activities in the Plan also.</p>
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Submission 5 - Montgomery Reserve Group

Relief Sought by Submitter	Officer’s Recommended decision and reasons to Council
<p>1. Support the rezoning of a portion of Montgomery Reserve identified as Area A.</p>	<p>Accept the submission and make no change to PC55.</p> <p>Reason – Submitter supports the proposed changes to the provision as notified, particularly the rezoning of Area A.</p>
<p>2 Add areas B, C, D, to the reserve as these have always been used for reserve.</p> 	<p>Accept the submission and amend the District Plan Map to zone or rezone Areas A – D as Reserve and Open Spaces Zone.</p> <p>Reason - The proposed Reserves and Open Spaces Zone is the most appropriate for this land.</p>

Next steps

The decisions of Council will be publicly notified and submitters advised by letter. Submitters then have 30 working days to lodge an appeal against Council's decision if they choose. Regardless of any appeal, the District Plan is deemed to be amended in accordance with the Council decisions immediately after the release of decisions by public notice.

References – Agenda Attachments

- B1 Copy of submissions received
- B2 Confirmation from submitters of support for recommendations
- B3 Marked-up District Plan text showing proposed PC55 changes
- B4 Section 32 Evaluation Report
- B5 Plan Change Process Diagram

Significance of decision – In terms of the Significance and Engagement Policy 2018, the decision is not significant.

Council's Resolution

Proposed by Mayor McDouall, seconded by Cr Reid:

- 2.1 THAT Council receives the report.
- 2.2 THAT Council accepts or accepts in part each submission as set out in this report for the reasons given.
- 2.3 THAT Council adopts the evaluation (Ref ?4) required under section 32 of the Resource Management Act 1991, and records that no changes were required as a result of further evaluation under section 32AA.
- 2.4 THAT Council adopts the provisions contained in Plan Change 55 to the Whanganui District Plan, (being those not made operative on 26 March 2019).

CARRIED

ACTION: Hamish Lampp

3. Refugee Settlement Centre and Welcoming Communities Update – April 2019

Katy Newton, Community Development Advisor – Newcomers, reports:

Executive summary

The purpose of this report is to provide Council with background on the New Zealand refugee resettlement process and the Welcoming Communities pilot programme. It is important to note that these are two separate programmes however participating in Welcoming Communities may have positioned Whanganui favourably to being selected as a Refugee Settlement Centre.

Key information

New Zealand's Refugee Resettlement Programme

New Zealand is one of around 37 countries that take part in the United Nations High Commissioner for Refugees (UNHCR) regular refugee resettlement programme.

The Government launched the New Zealand Refugee Resettlement Strategy in December 2012. The strategy guides refugee settlement activities across Government to deliver better settlement and integration outcomes for refugees in New Zealand.

New Zealand's Refugee Quota is a reflection of the Government's commitment to fulfilling its international humanitarian commitments to provide protection to refugees who are not able to return safely to their home country.

Refugees are identified for resettlement by the UNHCR according to internationally accepted guidelines that take account of physical and legal protection needs, as well as family reunification. They are submitted for consideration for resettlement in New Zealand in accordance with New Zealand's agreed annual resettlement plan.

All those selected for resettlement undergo comprehensive on and off-shore screening and assessment processes focusing on credibility, security, risk and settlement needs. Refugees are required to meet Immigration New Zealand (INZ) health requirements.

Refugee Settlement Support Services

On arrival to New Zealand quota refugees are given permanent residence and currently spend their first six weeks in New Zealand at the Mangere Refugee Resettlement Centre where they participate in a comprehensive reception programme that prepares them to live and work in the community. The programme addresses the priority areas of: health assessment, initial treatment and health promotion, settlement planning and orientation to New Zealand life – including English language, and preparing working adults for employment and children for school.

During the reception programme a Settlement Plan is developed with each quota family that outlines the types of services they will be connected with to support their successful settlement in their community. Families will be matched with a public or private tenancy prior to departing Mangere for their settlement location.

Currently Immigration New Zealand contracts the New Zealand Red Cross to provide settlement support services to quota refugees in the already established settlement locations during their first 12 months in the community. This support is government funded and includes a community orientation programme and connecting refugees to services they require such as doctors, English language classes, education and employment.

Currently New Zealand settles quota refugees in eight locations: Auckland, Hamilton, Palmerston North, Wellington, Nelson, Christchurch, Dunedin and Invercargill.

The contract for settlement support services for the five new settlement locations (Whanganui, Levin, Masterton, Blenheim, Timaru with a sixth to be announced in the coming months) will be decided through a tender process.