STRATEGIC PLANNING AND POLICY COMMITTEE

AGENDA

Meeting to be held

THURSDAY 7 JULY 2016

8.30am

In the Manawatu District Council Chambers,
135 Manchester Street, Feilding

Dr Richard Templer
Chief Executive
MEMBERSHIP

Chairperson
Councillor Tony Jensen

Deputy Chairperson
Councillor Howard Voss

Members
Her Worship the Mayor, Margaret Kouvelis
Councillor Steve Bielski
Councillor Barbara Cameron
Councillor Shane Casey
Councillor Wayne Ellery
Councillor Jo Heslop
Councillor Albert James
Councillor Andrew Quarrie
Councillor Alison Short
ORDER OF BUSINESS

1. MEETING OPENING

2. APOLOGIES

3. REQUESTS FOR LEAVE OF ABSENCE

4. CONFIRMATION OF MINUTES

Draft resolution

That the minutes of the Strategic Planning and Policy Committee meeting held 19 May 2016 be adopted as a true and correct record.

5. DECLARATIONS OF INTEREST

Notification from elected members of:

5.1 Any interests that may create a conflict with their role as an elected member relating to the items of business for this meeting; and

5.2 Any interests in items in which they have a direct or indirect pecuniary interest as provided for in the Local Authorities (Members’ Interests) Act 1968

6. NOTIFICATION OF LATE ITEMS:

Where an item is not on the agenda for a meeting, that item may be dealt with at that meeting if:

6.1 The Council by resolution so decides; and

6.2 The Chairperson explains at the meeting at a time when it is open to the public the reason why the item is not on the agenda, and the reason why the discussion of the item cannot be delayed until a subsequent meeting.

7. PRESENTATIONS

There are no presentations scheduled for this meeting.

8. OFFICER REPORTS

8.1 PROPOSAL TO GRANT LEASE TO MAKINO ROTARY


8.2 PROPOSAL TO GRANT LEASE TO MANAWATU POTTERY SOCIETY

8.3 MANAWATU DISTRICT PLAN: WORK PROGRAMME UPDATE


9. CONSIDERATION OF LATE ITEMS

10. MEETING CLOSURE
Minutes of a meeting of the Strategic Planning and Policy Committee held on Thursday 19 May 2016, commencing at 9.37am in the Manawatu District Council Chambers, 135 Manchester Street, Feilding.

Present: Cr Tony Jensen (Chairperson)

Mayor Margaret Kouvelis
Cr Steve Bielski
Cr Barbara Cameron
Cr Shane Casey
Cr Wayne Ellery
Cr Jo Heslop
Cr Andrew Quarrie
Cr Alison Short
Cr Howard Voss

Leave of Absence: Cr Albert James

In Attendance: Richard Templer (Chief Executive)
Shayne Harris (General Manager - Business)
Brent Limmer (General Manager - Community and Strategy)
Hamish Waugh (General Manager – Infrastructure)
Michael Hawker (Project Delivery Manager)
Janine Hawthorn (Community Development Officer)
Joanna Saywell (Utilities Asset Manager)
Sandra Crosbie (Communications Officer)
Raewyn Halls (Executive Officer to the Chief Executive)
Tineke Naylor (Executive Officer to the Mayor)
Colleen Morris (Principal Financial Adviser)
Tracey Hunt (Strategy Manager)
Paul Stein (Communications Adviser)
Allie Dunn (Business Support Team Leader)

SPP 16/155 MEETING OPENING

Councillor Jensen declared the meeting open.

SPP 16/156 APOLOGIES

There were no apologies.

SPP 16/157 REQUESTS FOR LEAVE OF ABSENCE

There were no requests for leave of absence.

SPP 16/158 CONFIRMATION OF MINUTES

RESOLVED

That the minutes of the Strategic Planning and Policy Committee meeting held 17 March 2016 be adopted as a true and correct record.
Moved by: Councillor Howard Voss
Seconded by: Councillor Wayne Ellery
CARRIED

SPP 16/159 DECLARATIONS OF INTEREST

There were no declarations of interest.

SPP 16/160 NOTIFICATION OF LATE ITEMS:

There were no late items notified for consideration.

SPP 16/161 PRESENTATIONS

There were no presentations scheduled for this meeting.

SPP 16/162 AUDIT AND RISK - THIRD QUARTER REPORT TO 31 MARCH 2016


RESOLVED

That the Strategic Planning and Policy Committee receive the third quarter report for the period ending 31 March 2016.

Moved by: Councillor Howard Voss
Seconded by: Councillor Shane Casey
CARRIED

SPP 16/163 CONSIDERATION OF LATE ITEMS

There were no late items for consideration.

SPP 16/164 MEETING CLOSURE

The meeting closed at 10.06am.

Approved and adopted as a true and correct record:

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CHAIRPERSON DATE
Proposed Lease to Makino Rotary

Purpose

To seek Council approval to grant a lease to the Makino Rotary Club to occupy the Kowhai Park Storage Shed, subject to not receiving any sustained objections following public consultation.

Significance of Decision

The Council’s Significance and Engagement policy is not triggered by matters discussed in this report.

Recommendations

That Council grants a lease to Makino Rotary Club to occupy the Kowhai Park Storage Shed for a period of three years, subject to not receiving any sustained objections following public consultation.

Report prepared by:
Doug Tate
Community Facilities Manager

Approved for submission by:
Brent Limmer
General Manager - Community and Strategy
1 **Contribution to the Council Vision and Council Outcomes**

1.1 Relationship to the Council Outcomes that underpin the Council's Vision:

*Connected, vibrant and thriving Manawatu – the best rural lifestyle in New Zealand*

<table>
<thead>
<tr>
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2 **Background**

2.1 The Makino Rotary Club currently occupy part of the Kowhai Park Centennial Pavilion by way of a gentleman's agreement, for the purposes of storing lights and operating the biennial Fantasy in lights.

2.2 The Makino Rotary Club have agreed to relocate the storage of their lights to another building within the park, to allow for the Manawatu Pottery club to occupy the Centennial Pavilion.

2.3 The storage shed was previously occupied by Council’s open spaces contractor, who no longer require the same space or area.

2.4 The Makino Rotary Club require storage on site at Kowhai Park to ensure the lights are not damaged during their relocation after each festival.

3 **Discussion and Options considered**

3.1 Council in 2013 adopted its Community Leasing Policy that sets the process and criteria for granting leases to community groups and organisations, such as this application.

3.2 The Community Policy sets seven criteria for Officers to consider prior to recommending to Council that a lease is granted.

3.3 Granting a lease to Makino Rotary Club has been considered by Officers against the seven criteria. The application from Makino Rotary Club is consistent with the seven criteria, providing for Officers to recommend to Council that a lease be granted.

3.4 The Community Leasing Policy also sets the requirements of a lease for the occupation of a premises. This includes that Rotary are responsible for any outgoings and interior maintenance of the premises.

3.5 Other options for Council to consider include:

- Declining to grant the lease;
- Giving approval in principle to grant a lease, with a final decision to approve the lease being made through another resolution of Council, following the required public notification process.
4 **Operational Implications**

4.1 There are operational benefits to Council as a result of granting this lease. Requirements of the proposed lease will include that interior maintenance is undertaken by the lessee.

5 **Financial implications**

5.1 There are beneficial financial implications as a result of this decision. The leasing of the Storage shed will see the Council owned building occupied and interior maintenance being undertaken by the Club. Any rental benefit is very low.

6 **Statutory Requirements**

6.1 Council is required under section 119 of Reserves Act 1977 to publicly notify and consult with the community on its intention to grant a lease to the Makino Rotary Club.

6.2 The proposed recommendation notes that approval is subject to no sustained objections to grant the lease being received. In the event that sustained objections result, Council must consider those objections in accordance with section 120 of the Reserves Act 1977.

7 **Delegations**

7.1 In accordance with Councils delegations manual dated 19 November 2014, Council has delegated authority to the Strategic Planning and Policy Committee to consider this decision.

8 **Consultation**

8.1 If Council adopt the recommendation, a minimum period of four weeks public consultation will occur.

8.2 In the event that any sustained objections result from the consultation period, a further report will be brought back to Council to hear the objections.

9 **Cultural Considerations**

9.1 There are no cultural considerations to be made in this decision.

10 **Conclusion**

10.1 The opportunity to grant a lease to the Makino Rotary Club ensures for the club a location on Kowhai Park for the storage of their lights to see the continued operation of the Festival of lights. If approval is granted, subject to no sustained objections resulting, granting the lease will see a Council facility's utilisation increased.

11 **Attachments**

- There are no attachments to this report.
Proposal to Grant Lease to Manawatu Pottery Society

Purpose

To seek Council approval to grant a lease to the Manawatu Pottery Society to occupy the Kowhai Park Centennial pavilion, subject to not receiving any sustained objections following public consultation.

Significance of Decision

The Council’s Significance and Engagement policy is not triggered by matters discussed in this report.

Recommendations

That Council grants a lease to the Manawatu Pottery Society to occupy the Kowhai Park Centennial Pavilion for a term of ten years, subject to not receiving any sustained objections following public consultation.

Report prepared by:
Doug Tate
Community Facilities Manager

Approved for submission by:
Brent Limmer
General Manager - Community and Strategy
**1 Contribution to the Council Vision and Council Outcomes**

1.1 Relationship to the Council Outcomes that underpin the Council’s Vision:

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**2 Background**

2.1 The Manawatu Pottery Society are currently a sub-lessee to Council, occupying part of the Feilding Railway Station.

2.2 Council has received an application from the Manawatu Pottery Society to occupy the Kowhai Park Centennial Pavilion.

2.3 The pavilion was previously occupied as a community cricket pavilion prior to the construction of a new pavilion. The building has been recently occupied by Makino Rotary on a gentleman’s agreement for the storage of Christmas decorations and lights. The Makino Rotary will be storing their Christmas decorations and lights at another location.

2.4 The Manawatu Pottery Society are enthusiastic about the opportunity to relocate to the Kowhai Park Centennial Pavilion.

2.5 The Society is excited about opportunities to establish ‘art in the park’ events and programmes in Kowhai Park. The surrounding outdoor space will also provide the opportunity for outdoor displays and demonstrations, which complements the character and nature of the park.

**3 Discussion and Options considered**

3.1 Council in 2013 adopted its Community Leasing Policy that sets the process and criteria for granting leases to Community groups and organisations, such as this application.

3.2 The Community Policy sets seven criteria for Officers to consider prior to recommending to Council that a lease is granted.

3.3 The application from the Manawatu Pottery Society has been considered by Officers against the seven criteria. The application from the Manawatu Pottery Society is consistent with the seven criteria, providing for Officers to recommend to Council that a lease be granted.

3.4 The Community Leasing Policy also sets the requirements of a lease for the occupation of a premises. This includes the Society being responsible for outgoings and interior maintenance of the premises.

3.5 Other options for Council to consider include:
• Declining to grant the lease;

• Giving approval in principle to grant a lease, with a final decision to approve the lease being made through another resolution of Council, following the required public notification process.

4 Operational Implications

4.1 There are operational benefits to Council as a result of granting this lease. Requirements of the proposed lease will include that interior maintenance is undertaken by the lessee.

5 Financial implications

5.1 There are beneficial financial implications as a result of this decision. The leasing of the Feilding Centennial building will see the Council owned building occupied and interior maintenance being undertaken by the Society.

5.2 The Society will relinquish its lease of the Feilding Railway Station, the rental of which is currently subsidised by Council. This will result in financial savings to Council relinquishing this portion of the railway station lease longer term.

6 Statutory Requirements

6.1 Council is required under section 119 of Reserves Act 1977 to publicly notify and consult with the community on its intention to grant a lease to the Manawatu Pottery Society.

6.2 The proposed recommendation notes that approval is subject to no sustained objections to grant the lease being received. In the event that sustained objections result, Council must consider those objections in accordance with section 120 of the Reserves Act 1977.

7 Delegations

7.1 In accordance with Councils delegations manual dated 19 November 2014, Council has delegated authority to the Strategic Planning and Policy Committee to consider this decision.

8 Consultation

8.1 If Council adopt the recommendation, a minimum period of four weeks public consultation will occur.

8.2 In the event that any sustained objections result from the consultation period, a further report will be brought back to Council to hear the objections.

9 Cultural Considerations

9.1 There are no cultural considerations arising from this decision.
10 Conclusion

10.1 The opportunity to grant a lease to the Manawatu Pottery Society is a unique opportunity to locate a complementary tenant for Kowhai Park in the Centennial pavilion.

11 Attachments

- There are no attachments to this report.
Strategic Planning and Policy Committee

Meeting of 07 July 2016

Business Unit: Community and Strategy
Date Created: 23 June 2016

Manawatu District Plan: Work Programme Update
Proposed Plan Changes 52, 55 and 60

Purpose

To present for information a revised Work Programme for completing the Manawatu District Plan. The Work Programme includes the new timelines for advancing Plan Changes 52, 55 and 60 under the Resource Management Act 1991 (“the Act”). The change to the Work Programme is due to a procedural error with the Public Notice for Plan Changes 52, 55 and 60 not being published in the Feilding Herald as instructed by the Communications Officer.

The report seeks Council approval to publicly notify the withdrawal of Proposed Plan Changes 52, 55 and 60 and subsequent approval to re-notify proposed Plan Changes 52, 55 and 50 in accordance with Clause 5, of Schedule 1 of the Act.

Significance of Decision

The District Plan Review is a Key Project for the Manawatu District Council. The District Plan sets out all the rules and policies for how people can use and develop their land under the Act.

The Council’s Significance and Engagement Policy is triggered by matters discussed within this report and this has been addressed in an earlier report to the February meeting of the Strategic Planning and Policy Subcommittee on the Manawatu District Plan. This report highlighted the high level of community and stakeholder interest in the District Plan Review and the importance of engagement processes for community consultation to fulfil the requirements of the Act but also the Council’s Significance and Engagement Policy and the Community Engagement Guide.

Recommendations

1 That the Strategic Planning and Policy Subcommittee receive for information the updated Manawatu District Plan Work Programme for Plan Changes 52, 55 and 60.

2 That the Strategic Planning and Policy Subcommittee approve the formal withdrawal of Proposed Plan Changes 52, 55 and 60 notified on 2 May 2016.

3 That the Strategic Planning and Policy Subcommittee approve Proposed Plan Changes 52, 55 and 60 for public notification under Clause 5, of Schedule 1 of the Resource Management Act 1991.

4 That the Strategic Planning and Policy Subcommittee note that community consultation undertaken as part of the Manawatu District Plan Review will be consistent with Council’s Significance and Engagement Policy and the Community Engagement Guide and in accordance with Schedule 1 of the Resource Management Act 1991.
1 **Executive Summary**

1.1 In April and May 2016 the Strategic Planning and Policy Committee approved Plan Changes 52, 55 and 60 for public notification under Clause 5 of Schedule 1 of the Resource Management Act 1991 (“the Act”).

1.2 The publication of the Public Notice in a newspaper signals the commencement of the Schedule 1 process.

1.3 Investigations have confirmed a procedural error with the public notification of Proposed Plan Changes 52, 55 and 60. The Public Notice booked and sent to the local newspaper was not published as requested. This error by the publishers and the omission of the Public Notice means Council has not fully met its obligations for public notification under the Act.

1.4 Legal advice has been sought on this procedural matter and Legal Counsel recommends Council officially withdraw the three Plan Changes and re-notify them in their present form, in the coming weeks. The form and content of the Plan Changes remain unchanged.

1.5 Public notification will provide the opportunity for the public and stakeholders who have been engaged in the plan change process to make submissions and further submissions. This will be followed by a public hearing. It is important to note that there may be additional submissions from stakeholders, arising from the new, Schedule 1 process.

1.6 There are flow-on implications for the District Plan Work Programme including changes to project timelines, costs and resource requirements. Of importance, the public hearings for these plan changes are likely to take place mid-October, and beyond this term of this Council. Consequently Council will need to utilise Section 39 of the Act to appoint accredited planning commissioners to hear and decide these Plan Changes in October.
2 Contribution to the Council Vision and Council Outcomes

2.1 Relationship to the Council Outcomes that underpin the Council’s Vision:

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3 Background

3.1 In April and May 2016 the Strategic Planning and Policy Committee approved Plan Changes 52, 55 and 60 for public notification under Clause 5, of Schedule 1 of the Act. Submissions and Further Submission were received on the Plan Changes. The Further Submission period closed on 24th June 2016.

3.2 Investigations uncovered a procedural error with the public notification of Proposed Plan Changes 52, 55 and 60 relating to the printing of the Public Notice in the newspaper. While the Public Notice was booked and sent to the local newspaper, it was not published in the newspaper, as requested. This error by the newspaper and the omission of the Public Notice being published means Council has not fulfilled the statutory requirements for public notification under the Act and Council is legally obliged to start the Plan Change consultation process again.

3.3 Council met the other notification requirements of the Act and delivered a public notice to ever ratepayer and affected parties were individually written to with the said public notice. However, the Act is clear that the Public Notice must be published in a newspaper.

3.4 Legal advice has been sought on the options for Council. It is recommended that the three plan changes are officially withdrawn by Council and re-notified in their present form, in the coming weeks. This retains momentum with finalising the plan changes minimises the potential costs to stakeholders and the public which can arise from extenuated planning processes.

4 Discussion and Options considered

4.1 Legal counsel has considered and examined options for Council and recommend that Council officially withdraw the three plan changes and re-notify them in their present form. Specific communications will be developed to communicate to the stakeholders and the public on the reasons that the plan changes are being re-notified, the timeframes for notification and an invitation to re-lodge their submissions on the Plan Changes.

4.2 Notification will occur in July.

4.3 The revised timelines for the Plan Change result in re-notification in July and hearings in mid-October. This will require Council to appoint accredited planning commissioners to hear and decide the Plan Changes. The Act provides for this arrangement under s 39.
5 \hspace{1cm} \textbf{Operational Implications}

5.1 The re-notification of the plan changes will impact on the timelines pushing back the District Plan Work Programme 3-4 months. The costs of re-notifying the plan changes are estimated as being upwards of $10,000, reflecting printing, mail and postal costs. This will affect the projected budget for these Plan Changes.

5.2 However, with the pre-hearing discussions that have taken place with submitters and key stakeholders, costs can be contained and ‘re-work’ can be minimised in relation to the form and content of the Plan Changes.

6 \hspace{1cm} \textbf{Financial implications}

6.1 The financial and resource requirements can be provided within the revised budgetary allocation for this project.

7 \hspace{1cm} \textbf{Statutory Requirements}

7.1 The statutory requirements of the Resource Management Act 1991 are being followed.

8 \hspace{1cm} \textbf{Delegations}

8.1 Council has delegated authority to the Strategic Planning and Policy Committee to decide matters relating to the public notification of Proposed Plan Changes 52, 55 and 60.

9 \hspace{1cm} \textbf{Consultation}

9.1 The consultation process for undertaking a change to the District Plan is prescribed in Schedule 1 of the Act.

9.2 Pre-consultation for these plan changes under Clause 3 of Schedule 1 is documented in the reports to the Strategic Planning and Policy Committee in April 2016 (Plan Change 60) and May 2016 (Plan Change 52) and the 9 May Extra-ordinary Meeting of Council (Plan Change 55).

9.3 The Clause 5 consultation undertaken from 2 May to 24 June 2016, is proposed to be withdrawn by Council and advised through a Public Notice in the local newspapers. A new Clause 5 process will commence for these Plan Changes in the coming weeks. Public notification of Proposed Plan Change 52, 55 and 60 will provide the opportunity for the public to make submission and further submissions. The parties who engaged in the previous process will be specifically invited to re-lodge their submission.

9.4 If a submission is not lodged it cannot be considered.

10 \hspace{1cm} \textbf{Cultural Considerations}

10.1 Consultation letters were circulated to Tangata Whenua in accordance with clause 3 and 5 of the Act. No formal feedback was received on the Plan Changes through either consultation processes.

10.2 They will be advised of the Council decision to re-notify the Plan Changes and the forthcoming Public Notice and call for submissions on the Proposed Plan Changes.
11 Conclusion

11.1 A procedural error with the Public Notice for Proposed Plan Changes 52, 55 and 60 requires Council to publicly notify the withdrawal of the above Plan Changes and the commencement of a new Schedule 1 process.

11.2 If the Committee accept the recommendations of this report, the next step will be for Council to publicly notify the withdrawal of Plan Changes 52, 55 and 60 and shortly thereafter publicly notify Proposed Plan Changes 52, 55 and 60 and call for submissions.

12 Attachments

- Revised District Plan Work Programme – Plan Changes 52, 55 and 60
### District Plan Work Programme (at June 2016)

<table>
<thead>
<tr>
<th>Topic/Issue</th>
<th>2015</th>
<th>2016</th>
<th>2017</th>
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<tr>
<td>Feilding Town Centre</td>
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<td>Heritage (Urban)</td>
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<td>Feilding Growth (4)</td>
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<td>Industrial Zone, Industrial Subdivision Precinct 5</td>
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<td>Notice of Requirement Turners Road Extension</td>
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<td>Designations (except Horizons stopbanks)</td>
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<td>Noise and District-wide rules incl. Network Utilities: Transport; Noise; Earthworks; Signage; Temporary Activities &amp; Relocated Buildings incl. relevant appendices</td>
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<td>Rural Zone and Rural Subdivision incl. rural and flood channel zones; Rural Lifestyle/ nodal subdivision, Earthworks (rural), Renewable Energy, water use, and air quality</td>
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<td>Significant landscapes incl. relevant appendices</td>
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<td>Natural hazards (rural) incl. Coastal &amp; Esplanade Management incl. relevant appendices</td>
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<td>Tangata Whenua Maori Land and Marae</td>
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<td>Cross-boundary Issues</td>
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<tr>
<td>Residential, Villages (and Residential subdivision) &amp; Business zones (outside PC 46)</td>
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Legend:
- **Review** (technical assessments, consultation, Council workshops)
- **Revise/Prepare** (drafting Plan Change documents, consultation, Council Workshops)
- **Notification** (Plan Change documents finalised, Council Report, prepare for notification, public notice)
- **Submissions** (submission period, summary of submissions, further submissions, prepare Section 42A(officer) Report)
- **Hearing** (hold hearings, deliberations and prepare Decision Report)
- **Decision** (Public notification of Decisions on Submissions on Proposed Plan Change, District Plan Updates/Reprints)
<table>
<thead>
<tr>
<th>Recreation &amp; Activities on surface of rivers and lakes</th>
<th>Hazardous substances &amp; Contaminated Land Designation – Horizons</th>
<th>Heritage trees and heritage (remainder of District)</th>
<th>Land Use Effects - General (4.1,4.2)</th>
<th>Subdivision (General)</th>
<th>Financial Contributions</th>
<th>Appeals/Environment Court Hearings</th>
<th>District Plan Reprint and Maps</th>
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