

# National Planning Standards: Definitions

Discussion paper G

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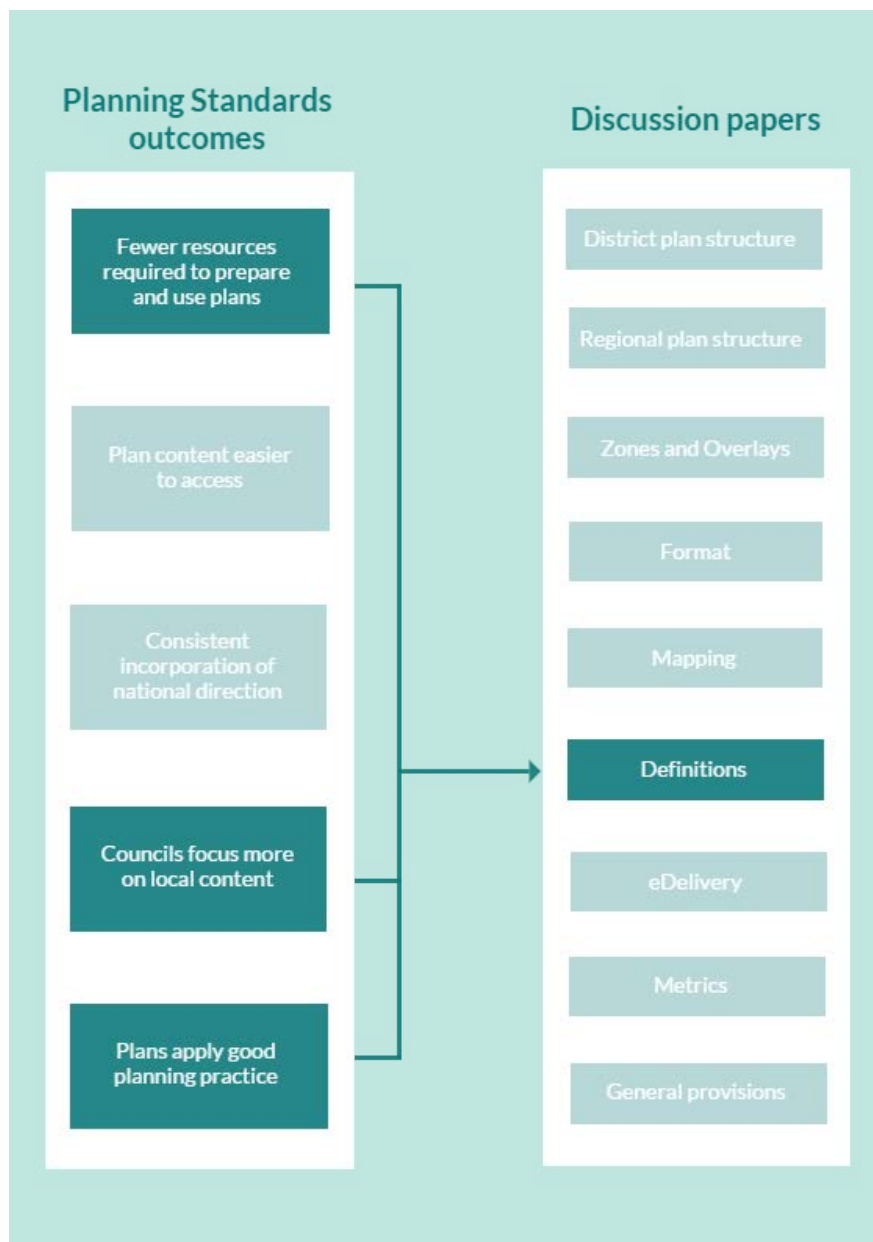
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# Context

Unnecessary plan variation affects the planning system by making plans difficult to understand and interpret. The first set of national planning standards addresses this by including minimum requirements for the structure, form and content (specifically definitions) of policy statements and plans. Figure 1 shows the National Planning Standards outcomes that can be addressed through the development of standards detailed in this discussion paper.

**Figure 1:** How the National Planning Standards outcomes can be addressed through standards in this paper



This paper sets out our ideas and seeks your feedback on how the National Planning Standards could provide a more consistent approach to the definitions in resource management (RM) plans. We propose developing a set of around 90 standardised definitions that would apply principally to district plans but also to regional plans and regional policy statements, where relevant.

Focusing on district plan terms in the National Planning Standards also reflects there are more district plans than regional plans, and, subsequently, district plans present a larger opportunity to achieve the benefits derived from consistent plan terminology. Furthermore, the most resource consents processed each year are land use and subdivision consents.<sup>1</sup>

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<sup>1</sup> Ministry for the Environment, National Monitoring System Data for the 2014/15 period.

# What is the problem or opportunity here?

RM plans have largely been developed in isolation since the inception of the Resource Management Act (RMA) in 1991. As a result, the definitions used in RM plans are varied. Our research suggests that, while some of the variation is able to be justified by specific local conditions, much of it is unnecessary and likely to be symptomatic of the highly devolved planning system. For example, the following two definitions have arbitrary differences that do not reflect any real differences in local conditions.

## **Tasman Resource Management Plan**

Fill – means soil or debris removed from the ground and deposited in another position.

## **Gisborne Combined Regional Land and District Plan**

Fill – deposit of material from earthworks.

There is currently no consistent set of nationally defined terms for use in RM plans. This results in the same or similar terms being defined, applied and interpreted differently from plan to plan. Inconsistent definitions between plans can lead to uncertainty and misunderstandings at all stages of the resource consent process for applicants and submitters. The lack of consistency also creates inefficiencies for organisations working across council jurisdictions. Furthermore, councils spend significant time developing their own definitions for the same or similar purposes.

A variety of organisations, such as state-owned enterprises and infrastructure providers, regularly submit on plans across the country seeking standardised provisions to control their assets. In the absence of plan consistency or national environmental standards for many of these activities, applicants need to comprehend a range of definitions. Other regular users of plans, such as supermarket chains and retirement home providers, also seek common terminology to make their interactions with the planning system easier and more certain.

Standardising some definitions through the National Planning Standards will help improve the user friendliness of RM plans and give plan users certainty as a result of consistent plan interpretation. Standardised definitions will also result in time and cost savings for people working across council boundaries as well as councils themselves that spend significant time developing definitions. Standardised definitions also could enable councils and practitioners to spend more time focusing on core resource management issues, rather than deliberating over the nuances of definitions.

# What our research shows

## Extent of commonly defined terms

Research undertaken in 2015<sup>2</sup> assessed 25 district plans and 11 regional plans to identify the extent to which they define common terms and if any differences exist in the way these terms are defined. Nearly 8,700 terms and associated definitions were extracted from the sample plans for analysis. From this, a 'core set' of 126 district terms and 212 regional terms was created, based on terms that appear in at least 25 per cent of plans. The research also identified 41 terms common to both district and regional plans.

This research to identify the common terms found in plans was an important first step in exploring the development of a national set of definitions. However, other criteria have also been identified (discussed later) to help finalise the set of terms that should be defined as part of the National Planning Standards.

## Correlations between defined terms and the type of local authority

Our research<sup>3</sup> indicated that there is a correlation between the number of terms defined in district plans and the size of the local authority. District plans prepared by larger metropolitan centres (ie, Auckland, Hamilton, Tauranga, Wellington, Christchurch) account for more than a third (39 per cent) of the total volume of terms assessed, with provincial centres (ie, Whangārei, Napier, Taupō, Invercargill) and rural areas (ie, Far North, Ōtorohanga, Rangitikei, Tīmaru) each accounting for a further 22 per cent respectively.

The number of terms extracted from plans prepared by unitary authorities (ie, Auckland, Gisborne, Nelson, Tasman) appears to be slightly higher than some of their counterparts, reflecting the dual district–regional plan function performed by these documents.

The research did not find any noticeable correlation between the number of terms defined in a plan and whether it is a first or second generation plan, or whether the plan has been subject to a programme of 'rolling review'.

## International context: England and Australia

England and Australia have national or state definitions as part of their planning systems, as indicated below:

- Queensland Planning Provisions include 123 definitions
- Victoria Planning Provisions include 119 definitions

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<sup>2</sup> Boffa Miskell. 2015. *RMA District Plan Definitions*. Prepared for the Ministry for the Environment by Boffa Miskell. Wellington: Ministry for the Environment; Boffa Miskell. 2015. *RMA Regional Plan Definitions*. Prepared for the Ministry for the Environment. Wellington: Ministry for the Environment

<sup>3</sup> Boffa Miskell. 2015. *RMA District Plan Definitions*. Prepared for the Ministry for the Environment by Boffa Miskell. Wellington: Ministry for the Environment.



- New South Wales Planning Provisions include 84 general definitions within the ‘State and Regional Development and Exempt and Complying Development Codes’, with further definitions contained in each of the 35 other State Environment Planning Provisions
- Tasmania Planning Directives include 123 definitions
- the English National Planning Policy Framework includes 82 definitions (although other definitions are contained within separate topic planning practice guidance).

The Australian state planning templates primarily relate to issues covered in New Zealand district plans. Even so, it is useful to compare approaches to creating a set of definitions as a guide for what might be reasonable in the New Zealand context. Queensland has 77 councils and Victoria has 79 within their state borders; similar to New Zealand’s 78 district and city councils. Like New Zealand, Queensland and Victoria each have one large city (Brisbane and Melbourne) and large coastlines with smaller inland councils. We know from looking at the contents of their plans that the range of issues addressed are similar to matters addressed in our district plans, suggesting that the National Planning Standards in New Zealand could expect to have between 80 to 120 defined terms.

We also know from our research into the Australian planning system that there is a high level of public interest in definitions. Submissions on definitions made up an estimated 40 per cent of total submissions to the Queensland Planning Provisions version 3.0 in 2012 and version 4.0 in 2015.<sup>4</sup>

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<sup>4</sup> Nineteen submissions to the Queensland Planning Provisions version 4.0 in 2015 covered 116 different matters, 47 of these related to definitions.

# Principles and criteria to identify which terms will be included in the National Planning Standards

The research carried out for this work focused on gathering the most common terms appearing in various plans. However, this is just one factor we considered relevant to identifying those terms that should be defined at the national level. Our approach focused on two main areas of work:

- applying the generally agreed principles for drafting definitions from the Auckland and Christchurch independent hearings panels
- identifying criteria to help narrow the initial ‘core set’ of 126 district terms and 212 regional terms.

The principles and criteria are discussed below, with table 1 (page 13) showing the list of terms identified as a result of these considerations.

## Principles for drafting definitions

The Quality Planning website contains guidance on the drafting of definitions.<sup>5</sup> We have taken this guidance and considered it along with the approaches adopted in the independent hearing panels on the Proposed Auckland Unitary Plan and the Proposed Christchurch Replacement District Plan to produce the following principles for drafting definitions. Definitions should:

- be high level and not include de facto rules
- be written in plain English and avoid technical jargon
- not be used for terms that have a commonly understood meaning
- be located in one place in the National Planning Standards, although ePlans make this issue less significant
- be drafted using singular headwords for the term being defined, for example, ‘commercial activity’ instead of ‘commercial activities’
- cross reference to terms already defined in legislation rather than redefining the term (though be mindful of situations where this is not appropriate, such as ‘building’, because the definition of ‘building’ in the Building Act 2004 is not appropriate for a planning context)
- not include te reo Māori terms, which could be put in a glossary instead.

## Criteria for identifying ‘national’ definitions

A number of criteria have been identified to help guide decisions around which terms should be included in the first set of national planning standards. These are outlined below.

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<sup>5</sup> See [www.qualityplanning.org.nz](http://www.qualityplanning.org.nz).

### Criteria 1: Highly used in district plans

As previously noted, the National Planning Standards are likely to include mostly district plan related terms. Where commonly used terms already exist across district plans, it makes sense to standardise such terms because they are likely to be frequently used by plan users.

We think terms that constitute ‘high use’ in this context, are those that have a moderate to strong frequency of use in the district plans analysed as part of our research (ie, appearing in over 50 per cent of plans).

### Criteria 2: Common to both district and regional plans

Our research identified 40 terms that are commonly used in both district and regional plans.<sup>6</sup> Developing national planning standards for these terms could help improve the interface between district and regional plans. Terms that are common to both district and regional plans are also extremely relevant to unitary authorities.

### Criteria 3: Urban related

New Zealand is highly urbanised, with 73 per cent of the population living in urban areas containing at least 30,000 people.<sup>7</sup> Our towns and cities are a focal point for development activity. Most resource consents processed each year relate to urban development, and nearly a quarter of all consents relate to residential development.<sup>8</sup> Accordingly, standardising definitions for urban matters has the potential to yield the greatest benefits to the planning system as a whole.

### Criteria 4: Infrastructure related

Many infrastructure and large service providers frequently submit on plans, seeking to include standardised provisions to manage their activities in response to the different planning frameworks in each council. Standardising infrastructure definitions at the national level will help create more equitable planning processes for infrastructure providers in all parts of New Zealand. Furthermore, certain types of infrastructure have standard designs and operational requirements that only have small variations to reflect local conditions.

### Criteria 5: Relate to land use categories

Land use categories such as ‘restaurant’, ‘service station’ and ‘landfill’ are commonly used in district plans to classify and group activities with similar characteristics and environmental effects. The first set of national planning standards may potentially homogenise some plan content and metrics. In doing so, there may be a need to reference different types of common land uses. For example, a commercial zone would likely use terms such as ‘restaurant’, ‘supermarket’, ‘retail’ and ‘office’. Defining such terms would help to standardise district plan terminology and also help the implementation of the National Planning Standards.

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<sup>6</sup> Boffa Miskell. 2015. *RMA District Plan Definitions*. Prepared for the Ministry for the Environment by Boffa Miskell. Wellington: Ministry for the Environment.

<sup>7</sup> According to Statistics New Zealand’s most recent estimates.

<sup>8</sup> Ministry for the Environment, National Monitoring System Data for 2014/15.

## Criteria 6: Terms that should not be defined in plans

As identified previously, there are terms we consider should **not** be included in the set of national definitions.

### *Criteria 6.1: The term has an existing, ordinarily understood 'plain' meaning*

Where a term has an existing, ordinary meaning and can be interpreted in a planning context without issue, the term does not need to be defined as part of the National Planning Standards.

When interpreting a term, the starting point for the courts is the term's ordinary, natural meaning, along with any corresponding plan definition if one exists. Where a term is not defined in a plan, the courts often look to the dictionary to determine its plain, ordinary meaning. However, the courts acknowledge that care needs to be taken to ensure that any dictionary definitions referred to are appropriate to the local context.<sup>9</sup>

### *Criteria 6.2: The term is te reo Māori*

The Independent Hearings Panel on the Proposed Auckland Unitary Plan found that te reo Māori terms are provided to help with interpretation of terms used in the Plan, they are not intended to be used as definitions. They recommended te reo Māori words are placed in a glossary where they can provide help but do not function as definitions. The Independent Hearings Panel on the Proposed Christchurch Replacement District Plan advised that an explanation of Māori terms and concepts be contained in the introductory chapter as relevant to the management of natural resources.

We note there may be circumstances where it might be appropriate to define a te reo Māori term. For example, the term 'marae' could be defined because its definition in plans often encompasses land use elements such as: educational use, residential uses or housing for kaumātua. Similarly, 'papakāinga housing' is another Māori term that relates to a particular activity now commonly provided for in plans.

### *Criteria 6.3: The term is defined in the Resource Management Act 1991*

Where a term has a defined meaning in the RMA, the term should not be redefined in RM plans or the National Planning Standards. The Independent Hearings Panel on the Proposed Auckland Unitary Plan noted that the preferred option is cross referencing to the Act so that, if any amendment is made to the legislation, the plan does not need to be changed.

#### Questions

- G.1. Do you agree with the principles and list of criteria to identify terms to be defined in the National Planning Standards? Do you have any comments on specific principles or criteria?
- G.2. Do you think any additional criteria are required to identify terms to be defined in the National Planning Standards?

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<sup>9</sup> For example, *Bevon Investments Ltd v Marlborough District Council* (2012) NZHC 113, where the High Court noted differences in usage of the word 'flat' in England and New Zealand.

# Proposed terms to be included in the National Planning Standards

To form an indicative list of terms to be defined in the National Planning Standards, the six criteria above were applied to the list of 126 core district plan terms identified in our research that exhibited a weak to strong frequency of use (ie, appearing in at least 25 per cent of plans). The six criteria were applied with equal weighting. If a term met two or more criteria, it was chosen for inclusion in the National Planning Standards (see appendix 1).

A number of terms that did not meet the six criteria were still included because they were logical to include alongside other definitions that did meet the criteria. Examples of this are 'household unit' and 'building coverage' (see appendix 2).

By applying this methodology, we identified 87 terms that could be defined in the National Planning Standards (see table 1). This list is an indicative proposal. This paper specifically seeks feedback on the terms identified below.

**Table 1: Indicative terms to be defined in the National Planning Standards**

Indicative terms to be defined in the National Planning Standards				
Access	Corner Site*	Household/ Household Unit*	Net Site Area	Road Hierarchy*
Accessory Building	<b>dB</b> A	Industrial Activity	Network Utility	Sensitive Activity
Adjoining	Demolition*	<b>Infrastructure</b>	Noise Sensitive Activity	Service Station
Aerial	Dripline	<b>L10</b>	Notable Tree	Setback
Aircraft Operations	Dwelling	<b>Lmax</b>	<b>Notional Boundary</b>	Sign
Alteration	<b>Earthworks</b>	<b>LAeq/Leq</b>	Office	Site
Antenna	Education Activity/ Facility	<b>Ldn</b>	Outdoor Living Space*	Subdivision
<b>Archaeological Site</b>	<b>Emergency service</b>	Landfill	Papakāinga/ Papakāinga housing*	Supermarket
Boundary	Front Site*	Landscaping	Parking Space*	<b>Telecommunication</b>
Boundary Adjustment	Gross Floor Area	Light Spill	Place of Assembly	Temporary Activity
<b>Building</b>	Ground Level	Line	Rear Site*	Use of Hazardous Substances
Building Coverage*	Habitable Room	Loading Space*	Recreational Activity	Utility/Utility Service
Carriage Way	Hazardous Facility	<b>Lux</b>	Relocatable Building*	Vehicle Crossing*
Coastal Environment	Health Care Facility	Marae*	Repairs and Maintenance*	Visitor Accommodation
Commercial Activity	<b>Heavy Vehicle</b>	Mast	Residential Unit	Yard

### Indicative terms to be defined in the National Planning Standards

<b>Community Facility</b>	<b>Height</b>	Minor Dwelling	Restaurant
Contaminated Site	Height in Relation to Boundary*	Minor Upgrading	Retail Activity
<b>Construction Work*</b>	Home Occupation	Modification/Minor Works	Road Boundary

Note: Those terms marked with an asterisk (\*) did not meet the criteria for inclusion but have been chosen for pragmatic reasons (see appendix 2). Those terms marked in **bold** are defined in statutes, regulations or technical standards.

#### Questions

- G.3. Do you agree with the list of indicative terms (table 1) to be defined in the National Planning Standards?
- G.4. Do you think any other terms should be defined in the National Planning Standards?
- G.5. Are there any interrelated terms that you think will need to be defined to make them clearly understood and workable in plans?

# Other considerations

## Mandatory use of defined terms in the National Planning Standards

The adoption of definitions contained in the National Planning Standards should be mandatory in order to achieve the outcomes sought. However, plans will not be required to use all terms, if there is clearly no need for them to do so. For example, some plans may not have any specific provisions relating to relocatable buildings, therefore, it would be unnecessary for such plans to adopt the National Planning Standard's definition of 'relocatable building'.

The basis for applying definitions in the National Planning Standards is to provide standardisation and certainty across councils. Accordingly, there need to be restrictions on the extent to which definitions can be changed or customised.

## How will one term be chosen over another similar term?

Our research identified that many different terms are used to describe the same or similar activities, items or features. For example, the following terms all relate to a similar activity: minor unit, supplementary unit, dependent person dwelling, family flat and granny flat.

Whether or not similar terms warrant separate definitions will likely depend on the environmental effects associated with the different terms and how each term is applied in practice.

We propose that, in situations where a number of related terms describe the same or similar activities, items or features, the term defined in the National Planning Standards will apply to and supersede all of the related terms used in plans. The related terms that are encompassed by the term defined in the National Planning Standards may be explicitly listed to make this clear (see tables 2 and 3).

When deciding what term should be chosen to encompass a range of other similar terms, consideration will be given to:

- the frequency of the term's use in RM plans across the country
- how accurately the term reflects its intended definition and purpose
- the extent to which the term is written in plain English and avoids colloquial language.

Although not a general finding of our research, we are aware that some councils have legitimate reasons for developing topic-specific definitions for the same term, for example, a generic definition for 'demolition' as well as a separate definition for 'demolition for listed heritage items'. We will endeavour to preserve terms with dual meanings in the drafting of any national planning standards.

## Terms in statutes, regulations and national instruments

A number of terms defined in plans also have a specific definition in the context of a statute, regulation, national policy statement (NPS) or national environment standard (NES). When a term that has been identified for inclusion in the National Planning Standards overlaps with a term sourced from another location, we will consider the implications of this at the drafting stage.

We know some definitions are specific to the context of a statute, regulation, NPS or NES, which means we will need to specify detailed drafting instructions for how to note the difference between a definition sourced from the National Planning Standards and those sourced from other locations. This is no different from the situation that already arises in plans. For example, both 'earthworks' and 'height' are terms defined in the NES for Electricity Transmission Activities. However, they are also frequently used terms in other contexts in plans. Similarly, 'building' is defined in the Building Act 2004 but is also defined in many district plans with a different meaning.

### Formatting and display of definitions

The way definitions are displayed in plans can help with quick referencing. It can also enable the provision of further details in a clear and comparable way. While ePlans may, in time, increasingly make this issue obsolete, there is still a need to provide clear formatting of definitions during the transition phase.

The Queensland and Victoria state planning templates display definitions in table form and make a separation between 'general' definitions, meaning those used for general administration of the template (and associated plans), and 'use' definitions, meaning those used for land uses specified in the template (and associated plans).

The Queensland template has an index table for the land use term and then has a four-column table with the following headings: 'term', 'definition' 'examples include' and 'does not include the following examples' (see table 2). The tabular display and grouping of definitions is mandatory, and local government may not add to or alter the land use definitions other than including or excluding examples.

**Table 2: Queensland Planning Provisions, version 4.0**

Term	Definition	Examples include:	Does not include the following examples:
Warehouse	Premises used for the storage and distribution of goods, whether or not in a building, including self-storage facilities or storage yards.  The use may include sale or goods by wholesale where ancillary to storage.	Self-storage sheds	Hardware and trade supplies, outdoor sales, showroom, shop

The Victoria template uses the column headings 'term' and 'definition' for general definitions. However, for land use definitions, it adds two further columns that provide examples of the uses included in the definition and that detail the activity category the definition is included in (see table 3).



**Table 3: Victoria Planning Provisions**

Land use term	Definition	Includes	Included in
Exhibition centre	Land used to display works of art, artefacts, or historical, cultural, or other like works or artefacts.	Art gallery Museum	Place of assembly

**Questions**

- G.6. Do you have any specific comments about the ‘other considerations’ outlined?
- G.7. Do you think it is useful to separate definitions into ‘general’ definitions and ‘land use’ definitions?
- G.8. Do you think it will be useful for ‘land use’ definitions to have examples of what is included in the definition and what is excluded? Can you see any hidden consequences with this approach?

## Nesting tables

Nesting tables are way of organising similar terms to enable linkages and interrelations between terms to be clear. Figure 2 shows an example of the infrastructure nesting table from the Auckland Unitary Plan. Within this nesting table, activities are listed, with the more general on the left and more specific on the right. This particular nesting table means that any reference to ‘network utilities’ encapsulates more specific activities such as ‘roads’ and ‘airports’.

**Figure 2: Infrastructure nesting table from the Auckland Unitary Plan**

Infrastructure	Network utilities	Roads
		Road network activities
		Service connections
		Minor infrastructure upgrading
		Minor utility structure
		Substations
		Gas distribution regulator stations
		Airports
		Aerials
		Antenna
	Electricity generation activities	Large scale wind farms
		Research and exploratory-scale investigations for renewable electricity generation activities
		Small scale energy generation

The Auckland Unitary Plan has six nesting tables: commerce, community, industry, infrastructure, residential and rural. In comparison, the Victoria template uses 16 nesting tables, which allows for more specific groupings.

Nesting tables enable the parameters of each definition to be quickly illustrated and definitions to be precisely drafted to avoid overlap with other terms. Nesting tables also help to simplify plan provisions by reducing the number of individual activities that need to be referred to in any given objective, policy, rule or definition.

Nesting tables offer the opportunity to support our work on definitions by managing the interrelations between various land use terms. However, if nesting tables were to be developed as part of the National Planning Standards, they would likely require more terms to be defined than what we have signalled in table 1.

#### Questions

- G.9. Do you think the first set of national planning standards should establish nesting tables? Why?
- G.10. If the National Planning Standards were to feature nesting tables, what degree of variation should be allowed by individual councils?
- G.11. What are your experiences of nesting tables?

# Implementing a set of national definitions in plans

Our review of plans demonstrates a variety of approaches have been taken in drafting definitions. Even if councils start a plan review process with the intent of maintaining a clear set of drafting principles for definitions, the submissions and appeal processes can result in some definitions that would not meet the principles outlined in this paper.

Many definitions act as ‘foundations’ for plan provisions and cannot be changed without a significant revision of plan provisions as well. We anticipate that some plans will be able to apply the set of national definitions with relative ease because of the way their definitions are already drafted. Other plans will likely require significant consequential changes to plan provisions to ensure the integrity of the whole plan is maintained. We are also aware that the interpretation of defined terms are often the focus of court cases and the outcome can subsequently affect how plan provisions are applied in practice.<sup>10</sup>

We will be working closely with a pilot group of councils to thoroughly test the definitions and to understand the practical implications of imposing the definitions on a variety of plans. This process will inform decisions relating to the final set of definitions.

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<sup>10</sup> *Aitchison v Walmsley* [2015] NZEnvC 163 and *Jayashree Ltd v Auckland Council* [2015] NZEnvC 59.

## Next steps

We are currently in a scoping phase for the National Planning Standards. The [‘Introduction to the National Planning Standards’](#) overview document details the process and engagement opportunities during each stage of development. The flow chart below shows each stage of the development process and the anticipated timeframes.



## Feedback

We now welcome your feedback on the ideas and options we have presented in this paper. Please use the questions in this paper as a guide. You do not have to answer them all and can give other constructive comments where you wish. To ensure your point of view is clearly understood, please explain your rationale and provide supporting evidence where appropriate.

We encourage you to send us feedback throughout the initial engagement period, which closes on 31 July 2017. Please send feedback to the email address below.

## Contact

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# Appendix 1: Assessment of core terms against assessment criteria

Term	Criteria 1: Highly used in district plans	Criteria 2: Common to both district and regional plans	Criteria 3: Relevant to urban development	Criteria 4: Relevant to infrastructure	Criteria 5: Land use categories	Criteria 6: Exemptions	Defined in a statute, regulation or technical standard?	Term meets two or more criteria?
Access			X	X				Y
Access Lot			X					N
Access Strip			X					N
Access Way			X					N
Accessory Building	X		X					Y
Act / The Act		X				Yes (Plain English)		N
Adjoining			X	X				Y
Aerial			X	X				Y
Agrichemical		X						N
Aircraft Operations			X	X	X			Y
Allotment	X		X			Yes (RMA)		N
Alteration			X	X				Y
Amenity Values	X	X	X	X		Yes (RMA)		N
Minor Dwelling			X		X			Y*
Antenna			X	X			NES – Telecommunications	Y
Archaeological Site	X	X	X				Heritage New Zealand Pouhere Taonga Act 2014	Y
Bed		X				Yes (RMA)		N
Boundary	X		X	X				Y
Boundary Adjustment			X	X				Y
Building	X	X	X	X			Building Act 2004	Y
Building Coverage			X					Y*

Term	Criteria 1: Highly used in district plans	Criteria 2: Common to both district and regional plans	Criteria 3: Relevant to urban development	Criteria 4: Relevant to infrastructure	Criteria 5: Land use categories	Criteria 6: Exemptions	Defined in a statute, regulation or technical standard?	Term meets two or more criteria?
Camp Ground/Camping Grounds					X			N
Carriageway			X	X				Y
Coastal Environment		X	X	X				Y
Coastal Marine Area		X				Yes (RMA)		N
Commercial Activity	X		X		X			Y
Community Facility	X		X		X		Local Government Act 2002 – ‘community facilities’	Y
Contaminant		X	X			Yes (RMA)		N
Contaminated Land		X	X	X		Yes (RMA)		N
Contaminated Site		X	X	X				Y
Construction Work			X	X			NZS 6803:1999	Y*
Corner Site			X					Y*
Council	X					Yes (Plain)		N
dBA			X	X			Technical Standard	Y
Demolition			X	X				Y
Designation				X		Yes (RMA)		N
Development			X			Yes (Plain)		N
Dripline			X	X				Y
Dwelling	X	X	X		X		RMA – ‘dwelling house’	Y
Earthworks	X	X	X	X			NES – Electricity Transmission and NES – Telecommunications	Y
Education Facility	X		X		X			Y
Effect		X				Yes (RMA)		N
Emergency Service			X		X		Civil Defence Emergency	Y

Term	Criteria 1: Highly used in district plans	Criteria 2: Common to both district and regional plans	Criteria 3: Relevant to urban development	Criteria 4: Relevant to infrastructure	Criteria 5: Land use categories	Criteria 6: Exemptions	Defined in a statute, regulation or technical standard?	Term meets two or more criteria?
							Management Act	
Environment	X	X				Yes (RMA)		N
Esplanade Reserve	X	X				Yes (RMA)		N
Esplanade Strip		X				Yes (RMA)		N
Factory Farming					X			N
Farming					X			N
Forestry					X			N
Front Site			X					Y*
Frontage			X					N
Gross Floor Area	X		X					Y
Ground Level	X		X					Y
Habitable Building			X					N
Habitable Room	X		X				Building Code – 'Habitable Space'	Y
Hapū		X				Yes (te reo Māori)		N
Hazardous Facility	X		X		X			Y
Hazardous Substance	X	X	X			Yes (RMA)		N
Health Care Facility/ Health Care Centre			X		X			Y
Heavy Vehicle			X	X			Heavy Motor Vehicle Regulations 1974 (Transport Act 1962)	Y
Height	X		X				NES – Electricity Transmission	Y
Height in Relation to Boundary			X					Y*
Historic Heritage	X		X			Yes (RMA)		N

Term	Criteria 1: Highly used in district plans	Criteria 2: Common to both district and regional plans	Criteria 3: Relevant to urban development	Criteria 4: Relevant to infrastructure	Criteria 5: Land use categories	Criteria 6: Exemptions	Defined in a statute, regulation or technical standard?	Term meets two or more criteria?
Home Occupation	X		X		X			Y
Home Stay			X					N
Household/Household Unit			X					Y*
<del>Indigenous Vegetation</del>	X	X				Yes (Plain)		N
Industrial Activity	X		X		X			Y
Infrastructure			X	X	X	Yes (RMA)		Y*
Intensive Farming					X			N
<del>Iwi</del>		X				Yes (te reo Māori)		N
<del>Iwi Authority</del>		X				Yes (RMA)		N
Kaitiakitanga	X	X				Yes (te reo Māori and RMA)		N
L10	X		X	X			Technical Standard	Y
Lmax	X		X	X			Technical Standard	Y
LAeq/Leq	X		X	X			Technical Standard	Y
Ldn			X	X			Technical Standard	Y
<del>Lake</del>		X				Yes (RMA)		N
Landfill		X	X		X			Y
Landscaping			X	X				Y
Line			X	X				Y
Loading Space			X					Y*
<del>Local authority</del>						Yes (Plain)		N
Lot			X					N
Lux			X	X			Technical Standard	Y
<del>Mana Whenua</del>		X				Yes (te reo Māori and RMA)		N
Marae		X	X		X	Yes (te reo Māori)		Y*



Term	Criteria 1: Highly used in district plans	Criteria 2: Common to both district and regional plans	Criteria 3: Relevant to urban development	Criteria 4: Relevant to infrastructure	Criteria 5: Land use categories	Criteria 6: Exemptions	Defined in a statute, regulation or technical standard?	Term meets two or more criteria?
Mast			X	X				Y
Mean High Water Springs		X						N
Meteorological Activity				X				N
Modification/Minor Works			X					Y*
Mining					X			N
Minor Upgrading			X	X				Y
Natural and Physical Resources								N
Natural Hazard	X	X				Yes (RMA)		N
Net Site Area	X	X	X					Y
Network Utility		X	X	X	X			Y
Network Utility Operator		X	X	X		Yes (RMA)		N
Noise Sensitive Activities	X		X	X	X			Y
Notable Tree			X	X				Y
Notional Boundary	X		X				NZS 6801:2008	Y
Office	X		X		X			Y
Official Sign			X					N
Outdoor Living Space			X					Y*
Papakāinga	X		X			Yes (te reo Māori)		Y*
Papakāinga Housing			X			Yes (te reo Māori)		Y*
Parking Space			X					Y*
Place of Assembly	X		X		X			Y
Quarry					X			N

Term	Criteria 1: Highly used in district plans	Criteria 2: Common to both district and regional plans	Criteria 3: Relevant to urban development	Criteria 4: Relevant to infrastructure	Criteria 5: Land use categories	Criteria 6: Exemptions	Defined in a statute, regulation or technical standard?	Term meets two or more criteria?
Rear Site			X					Y*
Recreation Activity			X		X			Y
Relocatable Building			X					Y*
Repair and Maintenance			X					Y*
Residential Activity	X		X		X	Yes (RMA)		N
Residential Unit			X		X			Y
Restaurant			X		X			Y
Retail Activity			X		X			Y
River		X				Yes (RMA)		N
Road	X		X	X		Yes (RMA)		N
Road Boundary			X	X				Y
Road Hierarchy			X					Y*
Sensitive Activities			X		X			Y
Service Lane			X				Local Government Act 1974	N
Service Station	X		X		X			Y
Setback			X	X				Y
Shelter Belt								N
Sign	X		X					Y
Site	X	X	X					Y
Site Coverage			X					Y*
Structure	X	X	X			Yes (RMA)		N
Subdivision	X		X				RMA – ‘Subdivision of land’	Y
Supermarket			X		X			Y
Tāngata Whenua	X	X				Yes (te reo Māori)		N

Term	Criteria 1: Highly used in district plans	Criteria 2: Common to both district and regional plans	Criteria 3: Relevant to urban development	Criteria 4: Relevant to infrastructure	Criteria 5: Land use categories	Criteria 6: Exemptions	Defined in a statute, regulation or technical standard?	Term meets two or more criteria?
						and RMA)		
<del>Taonga</del>		X				Yes (te reo Māori)		N
Telecommunication			X	X	X		Telecommunications Act 2001	Y
Temporary Activity			X		X			Y
Temporary Sign								N
<del>Urupā</del>		X				Yes (te reo Māori)		N
Use or /Use of Hazardous Substances			X	X				Y
Utility/Utility Service			X	X	X		RMA – ‘Network Utility Operators’	Y
Vehicle Access			X					N
Vehicle Crossing			X					Y*
Visitor Accommodation	X		X		X			Y
<del>Wahi Tapu</del>	X	X				Yes (te reo Māori)		N
<del>Water Body</del>	X	X				Yes (RMA)		N
<del>Wetland</del>	X	X				Yes (RMA)		N
Yard			X	X				Y

## Appendix 2: Specific notes on terms marked with an asterisk (\*)

1. **Building Coverage/Site Coverage:** Our research showed that ‘building coverage’ has a weak frequency of use in plans (defined in 7 to 12 plans). However, if ‘building coverage’ and ‘site coverage’ are considered jointly, the terms have a strong frequency of use (defined in 19 to 25 plans). These two terms have almost identical definitions and are linked to rules that feature in almost all district plans. Building coverage is also a metric that is proposed to be standardised through the National Planning Standards ([see paper on Metrics](#)).
2. **‘Corner Site’, ‘Front Site’ and ‘Rear Site’:** Although each of these three terms featured in less than 25 per cent of the plans sampled in our research, each term could benefit from standardisation. Standardising the definition of these three terms would ensure all local authorities use the same language when referring to basic allotment layouts. Any definition of these terms is likely to need an accompanying diagram to illustrate its meaning.
3. **Construction Work:** Although the term ‘construction work’ appeared in less than 25 per cent of the plans sampled in our research, if it was considered in conjunction with the term ‘construction’ it would have moderate frequency of use appearing in over 25 per cent of plans. Many district plans have rules that address the adverse effects of construction activities such as noise and vibration. A standardised definition of construction would be applicable to a large number of district plans and could also assist with implementation of standardised noise metrics ([see paper on Metrics](#)).
4. **Height in Relation to Boundary:** Our research found that district plans use various terms to describe sunlight access metrics (eg, height recession plane, height control plane, height to boundary). Sunlight access metrics are proposed to be standardised through the National Planning Standards ([see paper on Metrics](#)). Due to the large variation and common use of such terms, there could be merit in defining one term in the National Planning Standards that would apply to all similar terms.
5. **Household Unit:** Although this term features in less than 25 per cent of the plans sampled in our research, it could work in conjunction with other terms proposed for inclusion in the National Planning Standards, such as ‘dwelling’ and ‘building’. It is also noted that the Building Act 2004 provides a definition of ‘household unit’ that, from an initial assessment, looks like it could be usefully applied in a planning sense. Further assessment of the nuances of the definition is required.
6. **Infrastructure:** Although infrastructure is a term defined in the RMA, its definition is specific to section 30 of the Act. Our research found that the definition of infrastructure had a low degree of consistency amongst the plans sampled as part of our research. Therefore, standardising this term could help align plan provisions that relate to infrastructure.
7. **Loading Space:** A number of district plans we assessed in our research on metrics<sup>11</sup> contained rules relating to vehicle loading bays. These vehicle loading provisions are often

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<sup>11</sup> GHD. 2015. *Resource Management Plan Metric Research*. Prepared for the Ministry for the Environment by GHD. Wellington: Ministry for the Environment.

linked to the definition of 'loading space'. Standardising the definition of 'loading space' would work well in combination with a definition of 'parking space'.

8. **Marae:** Despite meeting one of the exclusion criteria (a te reo Māori term), this term could benefit from standardisation because it is a land use category that is commonly used throughout the country.
9. **Minor Dwelling:** Our research found that district plans define various terms that relate to small self-contained residential units that are ancillary to a principle dwelling (eg, dependant person dwelling, family flat, granny flat, minor unit). Due to the prominence of such terms, there could be merit in defining one term in the National Planning Standards that would apply to all similar terms.
10. **Modification or Minor Works:** Although this term features in less than 25 per cent of the plans sampled in our research, it could benefit from standardisation. The term could work in tandem with a standardised definition of 'repairs and maintenance' since both terms are used to define different degrees of modification to a building. There may be a need to provide two definitions: one for general modification and one for modification in the context of heritage items.
11. **Outdoor Living Space:** Our research found that district plans use various terms to describe the outdoor living area of a residential unit (eg, outdoor living court, outdoor living area, living court). Although each term had a weak frequency of use in resource management plans, if they were all considered together they would have a moderate frequency of use appearing in over 25 per cent of plans. Due to the prominence of such terms, there could be merit in defining one term in the National Planning Standards that would apply to all similar terms. Outdoor living metrics are also proposed to be standardised in the National Planning Standards ([see paper on Metrics](#)).
12. **Papakāinga/Papakāinga Housing:** Despite this term also meeting one of the exclusion criteria (a te reo Māori term), papakāinga housing could benefit from a standard definition because it is a land use category that is commonly used throughout the country.
13. **Parking Space:** All of the district plans we assessed in our research on metrics contained car parking supply rules. These car parking supply provisions are often linked to the definition of 'parking space'. Infringements to car parking rules are a common trigger for resource consent and therefore a standardised definition of 'parking space' could help improve the consistency of resource consent process. Our research also showed that the term 'parking space' has a moderate degree of drafting consistency across the district plans we assessed. Therefore, the adoption of a standardised definition is unlikely to significantly disrupt district plans.
14. **Relocatable Building:** Our research found that district plans use various terms for a number of similar terms to refer to relocatable buildings (eg, relocatable area, relocated building and relocated dwelling). If all of these similar terms were considered together they would have a moderate frequency of use appearing in over 25 per cent of plans.
15. **Repairs and Maintenance:** Although this term features in less than 25 per cent of the plans sampled in our research, resource management plans use various terms to describe repairs and/or maintenance work to buildings (eg, maintenance and repair, maintenance and replacement, maintenance of a structure, minor repairs, repair and maintenance). If all of these individual terms are considered together they have a moderate frequency of use appearing in over 25 per cent of plans. Due to the prominence of such terms, there could be merit in defining one term in the National Planning Standards that would apply to all similar terms. The definition of repairs and maintenance also works in tandem with the definition of 'modification' which is also proposed to be defined in the National

Planning Standards. There may be a need to provide two definitions: one to cover general repairs and maintenance and one to cover repairs and maintenance in the context of heritage buildings.

16. **'Road Hierarchy'**: The New Zealand Transport Agency (NZTA) has developed a One Network Road Classification for New Zealand. This classification framework provides a common approach to defining the function of roads and the levels of service they provide. 'Road Hierarchy' is sometimes defined in district plans around which they often set various policies and rules. However, there is currently no standard approach for formulating a roading hierarchy. NZTA's One Network Road Classification could potentially be adopted as a standard (methodology) and form part of the National Planning Standards.
17. **Utility/Utility service**: Our research showed that resource management plans have similar definitions for the terms 'utility' and 'utility service'. Although each term is defined in less than 25 per cent of the plans sampled in our research, if the two terms are considered together they have a moderate frequency of use appearing in over 25 per cent of plans we sampled. Any standardised definition of 'utility' or 'utility service' would need to be considered alongside or in substitution of definition of 'infrastructure' due to the significant similarities between the definitions.