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Matter	Proposed approach
<p>9. Amend the Strategic Direction standard</p>	<p>To include a section for urban form and development and shift its location in the overall plan structure to the District Wide Matters standard.</p>
<p>10. Refine District Wide Matters standard</p>	<p>To make refinements to wording to make planning standards more appropriate, clear and consistent.</p>
<p>11. Rename the Area Specific Matters Standard to the Zone Framework Standard and relocate precinct, development areas and designations chapters</p>	<p>To relocate 'precinct' and 'development areas' directions to the respective Structure standards and create a specific Designations Standard. This creates a standard focused specifically on zones called the 'Zone Framework Standard'.</p>
<p>12. Add four additional zones to the zone framework and amend zone standard and descriptions</p> <p>Submitters were concerned that the needs of their area could not be met within the existing zones provided.</p>	<p>To add four zones:</p> <ul style="list-style-type: none"> • a large format retail zone • an additional residential zone • a metropolitan centre zone • a corrections zone. <p>To amend zone names and descriptions based on feedback from submissions.</p>
<p>13. Refine the multiple standards relating to formatting of plans into one standard by merging these and renaming Format standard.</p> <p>Submitters indicated that the details of these standards were difficult to interpret, particularly when read with the structure and chapter standards, and needed to be clearer with examples.</p>	<p>To amend the directions to be clear, concise and more intuitive and reflect the amended structure and chapter standards.</p>
<p>14. Remove rule format tables from the planning standards</p> <p>Submitters indicated that the rule tables are difficult to implement.</p>	<p>To remove the rule format tables and some of the associated directions from the planning standards and provide these as guidance. Include some high level directions relating to rule formatting in the format standard.</p>
<p>15. Amend Spatial Planning Tools standards</p>	<p>To change the name of the standards to Spatial Layers.</p> <p>To amend the standards to increase clarity of the differences between spatial tools.</p>
<p>16. Amend Mapping standard to provide more flexibility</p> <p>Submitters asked for labels and variations on zone colours and symbols, and changes to specific symbols.</p>	<p>To amend the standard to provide greater clarity of how and when the symbols must be used and to refine zone colours and symbols to reflect feedback.</p>
<p>17. Revise the Definitions standard</p> <p>Approximately 75 per cent of submitters made submissions on the Definitions standard (which included definitions for 109 terms). The main submission points were:</p> <ul style="list-style-type: none"> • the effect on plans from implementing the definitions • the scope to make changes to plans as consequential amendments • requests for changes to terms proposed, new terms or to delete terms. 	<p>To amend the Definitions standard to:</p> <ul style="list-style-type: none"> • retain 92 of the terms, but note that the associated definition has been amended for many of these terms to address submitter feedback. • delete 18 of the terms initially proposed. • add 7 new terms and associated definitions: <ul style="list-style-type: none"> – Cleanfill material – Community corrections activity – Cultivation – Industrial and trade waste

Matter	Proposed approach
	<ul style="list-style-type: none"> – Operational need – Quarrying activities – Temporary military training activity ▪ the total number of terms recommended is 99 • clarify the scope of consequential amendments • clarify the intended application of the Definitions standard (eg, a plan only needs to include the terms from the standard that are used in that plan).
<p>18. Refine Baseline Electronic Functionality and Online Interactive E-plans standard</p> <p>Submitters were concerned about the resourcing required by this standard. While some directions were supported, others were seen as adding little value compared with implementation costs.</p>	<p>To remove directions that have high implementation costs for low benefit.</p> <p>To amend directions where the meaning is unclear.</p> <p>To ensure directions account for advances in technology.</p>
<p>19. Clarify the application of the New Zealand acoustic standards</p>	<p>To amend the standard to clarify the inclusion of symbols and that the acoustics standards are incorporated by reference into the planning standards.</p>
<p>20. Delete the schedules, appendices and maps standard</p>	<p>The provisions from this standard have been moved to the structure and format standards as the level of direction included did not warrant a whole standard.</p>
<p>21. Provide greater clarity on consequential amendments</p> <p>Submitters were concerned at the cost, resources and potential risks associated with determining which changes to policy statements and plans go beyond consequential amendments and will require the Schedule 1 process.³</p>	<p>To clarify that the purpose of each standard is not to alter the effect of plan provisions or plan outcomes.</p>
<p>22. Amend the implementation timeframes for the planning standards</p> <p>Submitters were concerned about the cost in both time and resources for councils to carry out reviews of their plans outside of scheduled review.</p>	<p>To create a new standard for implementation. The following timeframes would be kept:</p> <ul style="list-style-type: none"> • at plan review, or five years for most district councils and seven years for district councils who have recently completed a plan review to implement the majority of the planning standards, and • one year for all councils to implement the electronic accessibility and functionality standard. <p>To amend the timeframes as follows:</p> <ul style="list-style-type: none"> • require RPSs to be amended within three years but provide a longer timeframe for all other regional plans and for unitary councils preparing unitary plans (ten years) • allow a further two years for district councils to implement the definitions standard • councils collaborating on a combined district plan be given seven years to implement the planning standards. • a longer implementation timeframe (ten years) for ePlans for councils with fewer than 15,000 ratepayers

³ The Schedule 1 process refers to the process set out in Schedule 1 of the RMA that councils are required to follow when they develop or amend a policy statement or plan, including public notification and a call for submissions.

Matter	Proposed approach
	<ul style="list-style-type: none">• exceptions from the ePlan requirements for plans prepared for the Chatham Islands, Outer Islands and Subantarctic Islands.

1 Introduction

1.1 Purpose of this report

This report (including all companion reports) assesses the submissions received on the draft National Planning Standards and makes recommendations to the Minister for the Environment and Minister for Conservation to consider when approving the final standards. The report is required under section 58D(3)(d(ii)) of the Resource Management Act 1991 (RMA).

1.2 Relationship to other reports

This report has been prepared in conjunction with the summary of submissions report, the section 32AA further economic analysis report, a track change version of the originally proposed standards and a final version of the standard. These documents serve separate functions but may have similar content in some areas and should be read in conjunction with this report.

The purpose of each document is as follows.

- Recommendations on submissions report (this report) – this sets out the ways in which the standards are proposed to be amended in light of submissions. It includes analysis of options, where appropriate.
- Section 32AA report – this provides an update on processes followed during the consultation stage. It focuses on the significant changes proposed and gives an options analysis of these changes.
- Final standards – this shows the standards as gazetted.

Many changes to the standards are only assessed in this report because their scale and significance did not warrant a full section 32AA assessment. This is often because the original section 32 report did not go down to the level of detail of the changes proposed to address submitter feedback.

Other changes have also been made for grammar, spelling or readability reasons, or to correct minor errors not covered in any of the reports.

1.3 Scope of the National Planning Standards

This first set of planning standards has been prepared to make RMA plans simpler to prepare and easier for plan users to understand, compare and comply with.⁴

In accordance with section 58G of the RMA, the first set of National Planning Standards must be approved no later than two years after the date this section of the Act comes into force and must:

⁴ Ministry for the Environment. 2018. *Draft National Planning Standards Consultation Document – Message from the Ministers*. Wellington: Ministry for the Environment.

- (a) specify the structure and form for policy statements and plans, including references to relevant national policy statements, national environmental standards and regulations made under the Act
- (b) specify definitions
- (c) specify requirements for the electronic functionality and accessibility of policy statements and plans.

1.4 General approach to analysis of submissions

Submissions have been analysed and general and overarching issues separated from those relating to a specific matter or provision.

Submission points relating to a common theme have been aggregated to enable an assessment of the range of views expressed by submitters. Following that assessment, we have analysed and evaluated the merits of the points raised and included our recommended responses.

Not all submissions, or submission points, have been addressed individually in this report. Sometimes submissions have been grouped into themes. Sometimes when grouping submissions a general view is given or submissions have been identified in categories. A submission being placed into a category does not mean it represents one absolute view.

When five or less submitters have addressed an issue or point then those submitters have been named.

In our recommendation reports, we recommend merging or deleting some parts, sections, directions of actual standards. For clarity, we continue to refer to the provision as it was notified when analysing submissions and then clarify in the recommendations what the new reference should be.

1.5 Report structure

This report forms the introductory part for all of the recommendations on submissions reports listed below. These reports have been divided so that a summary of submissions, analysis and recommendations can be carried out by relevant standard or issue. This analysis is grouped as follows:

1. Overall introduction

Detailed recommendation reports

- 2A. **Regional Policy Statement Structure Standard report**
- 2B. **Regional Plan Structure Standard report**
- 2C. **District Plan Structure Standard**
- 2D. **Combined Plan Structure Standard**
- 2E. **Chapter Standards report** including
 - Introduction and General Provisions Standard
 - National Direction

2 Overview of submissions

The planning standards were publicly notified on 6 June 2018 under section 58D of the RMA and allowed a 10-week period for submissions to 17 August 2018.

In total, 201 submissions were received (as listed in appendix 1). The submissions were comprehensive and constructive, and represented interests from a range of sectors. Most were from business and industry (70) and councils (565), with the remainder from individuals (26), iwi (15), 'other organisations' (15),⁶ central government (7), non-governmental organisations (8) and professional bodies (4).

Submissions are addressed in more detail in the relevant reports, however, this section gives a general overview of all submissions and their themes.

Around two-thirds of the 201 submissions indicated support for the planning standards, including support in principle and support in part. Around 10 per cent opposed the planning standards. Approximately 20 per cent did not specifically indicate their stance.

The submissions were comprehensive and constructive. Almost all submissions requested changes, mostly focused on improving the planning standards' workability. Amendments ranged from overarching comments on the structure of regional policy statements and combined, regional and district plans, through to technical amendments on individual standards, such as definitions. A significant number of submissions also commented on implementation matters. Some submission points can be easily addressed but others are more complex with conflicting views expressed.

The common position of the main sectors was as follows.

- Councils generally provided in-principle support to the concept of the planning standards. Their main concerns were on the complexities of applying the changes to their plans, particularly determining what changes could be undertaken without the Schedule 1 process.⁷ A small number of councils supported the implementation timeframes, but most requested they be increased to match their plan review cycle. Most unitary councils expressed concern with the combined plan structure. The greatest concern for small councils was whether they would have the capacity or funds to implement electronic plan (ePlan) requirements.
- Business and industry expressed support for the consistency and efficiencies the planning standards would bring. Their most common concern was the potential for provisions relating to their activities to be relitigated through the Schedule 1 process.

⁵ Fifty-seven councils were represented in the submissions. Some councils prepared joint submissions and others were represented by more than one submission. Local Government New Zealand also submitted on behalf of councils.

⁶ 'Other organisations' included the Environment Court, district health boards and environmental and resource management consultancies.

⁷ The Schedule 1 process refers to the process set out in Schedule 1 of the Resource Management Act 1991 that councils are required to follow when they develop or amend a policy statement or plan, including public notification and a call for submissions.

beyond consequential amendments. Councils were concerned that some changes would need to be progressed through the Schedule 1 process.

Submissions from business and industry, councils and professional bodies were concerned that, where a Schedule 1 process was required, this creates potential to relitigate provisions that have only recently been finalised. Submitters provided examples of the lengthy and costly processes they have recently been through to finalise zones and definitions in the Auckland Unitary Plan and Christchurch City Plan.

2.5.2 Timeframes and associated costs for implementing the planning standards

Councils generally appreciated the longer timeframes specified in the planning standards, compared with the default timeframes specified in the RMA. However, the implementation timeframes still attracted the most submissions on a single issue.

While some councils supported the timeframes (generally where it aligned with their plan review cycle), most council submitters requested they be increased to 10 years or to align with their plan review cycle, especially for the Definitions Standard.

Longer timeframes were also sought to allow regional policy statements to be amended before regional and district plans.

Councils with fewer ratepayers to bear costs requested financial support to implement the standards.

2.5.3 General support for electronic accessibility and ePlans, but costs and timeframes a challenge for smaller councils

There was general support for the electronic accessibility and ePlan standards, particularly from business and industry, noting that these standards would increase accessibility to planning documents and efficiencies in planning processes. Submissions requesting changes were focused on specific technical requirements and implementation matters.

The cost of developing ePlans for councils with smaller rating bases was the most common concern. Councils requested central government support for implementing and maintaining ePlans, such as a national tender process to select ePlan provider(s), identifying suitable software and platforms, meeting costs for smaller councils, and helping adjoining councils to share the same software and platform.

3 Further testing undertaken

During the submission analysis period, and while refinement of the standards was being considered, we continued to undertake testing and workshops to ensure the refined standards would address the issues raised. Details of the groups contacted and what they were informed of, or had the opportunity to give feedback on, are included below.

Pilot councils and other council support

We continued to work with our previously established pilot councils group and sent them the revised definitions, the district spatial layers and zones framework (including seeking views on a possible new zone for correction facilities) and electronic accessibility standards. This process was similar to that of an exposure draft for a national environmental standard. We also used the support of a senior planner from a city council to review the workability of all amended draft standards during December 2018.

Regional council subgroup

The regional policy statement, regional plan and combined plan structures were tested with a subgroup of the Regional Council Policy Special Interest Group. The invitation to be involved was sent to all regional councils. The group was formed with representatives from Auckland Council, Waikato Regional Council and Otago Regional Council.

Unitary councils

We sent an 'exposure draft' of the combined regional policy statement–regional plan–district plan structure to staff from all five unitary councils (excluding Chatham Islands Council) and workshopped this draft on 30 October 2018. We invited the two other submitters who discussed the need for a separate regional policy statement and regional plan district plan to the workshop: the New Zealand Planning Institute and the Resource Management Law Association. However, they were content to let the unitary councils discuss this. A representative from the Department of Conservation also attended the 30 October workshop.

Auckland Council

We had specific discussions with Auckland Council about the revised range of zones we were proposing and how the spatial layers are intended to work, in recognition of the Auckland Unitary Plan being the most complex plan in New Zealand, with multiple zones and spatial layers.

Māori Advisory Group

We held a workshop on 29 October 2018 to test the amended ~~PPH~~ henua a and mana whenua standards. This workshop was held with a selection of members from the Māori Advisory Group: Courtney Bennet (Te Rūnanga o Ngāi Tahu), Reginald Proffit (Gisborne District Council/Papa Pounamu), James Whetu (Papa Pounamu/Whetu Consulting), Kara Puketapu-Dentice (Wellington Waters/Tānikō Whānui ki Te Upoko o Te Ika).

Acoustical Society of New Zealand

Questions raised in submissions about the scope of applicability, definitions and most appropriate noise standards to use for the draft noise and vibration metrics standards were tested with the Acoustical Society of New Zealand in November 2018.

NZ Airports Association

We informed the NZ Airports Association of the revised draft airports zone purpose statement, the revised noise metric and the noise-sensitive activity definition but did not seek explicit feedback from them.

Rural sector group

A workshop was held with members of the previously established rural sector group on 18 December 2018 to discuss the rural and rural production zones purpose statement (now called zone descriptions). The definition of intensive primary production and its relationship to indoor farming was discussed.

New Zealand Defence Force

Two new definitions were requested by the New Zealand Defence Force. One of these was considered appropriate so it was drafted and sent to the New Zealand Defence Force for feedback. Officials had discussions about the proposed definition and feedback was received on it from pilot councils.

Land Information New Zealand

The baseline ePlan standards were discussed with Land Information New Zealand which suggested amendments to the wording to improve the clarity of the instructions on data projections and datum.

Department of Internal Affairs and Statistics New Zealand

The baseline ePlan standards were also discussed with the Department of Internal Affairs and Statistics New Zealand which made suggestions for amendments to the wording to improve the clarity of the instructions on open data.

Department of Corrections

We worked with the Department of Corrections regarding its submission and, in particular, its request for a corrections zone and a definition relating to community corrections facilities. Officials had discussions about the proposed definition and feedback was received on it from pilot councils.

4 Main changes made to the standards

Recommended main changes to the standards include:

- revising all structure standards to improve workability (for example, Part 2 has been merged with Part 1) and removing content that can be placed elsewhere on council websites
- structuring plans and regional policy statements to better support integrated management and reduce duplication of provisions within plans
- providing greater clarification to identify and locate coastal marine area provisions and other coastal environment provisions in plans
- providing combined plan structures to better suit regional and unitary council functions
- providing clarity on the scope of consequential amendments
- revising the terms included in the Definitions Standard and clarifying the intended application of the Definitions Standard
- removing the rule format tables from the standards and replacing these with guidance while we continue to test standardised rule tables
- amending the zone framework to add four new zones, changes to the names of some zones and amending the specific wording of purpose statements. The name of purpose statements has also been changed to zone descriptions
- creating a new Foundation standard, containing interpretations and mandatory directions that apply across the planning standards
- amending the implementation timeframes to make them more nuanced.

Table 2 summarises the main changes proposed.

Matter	Proposed approach
1. Create a new Foundation Standard	To create a new Foundation Standard that brings together mandatory directions repeated across several of the draft standards. This includes compliance with other legislation, integration of tangata whenua provisions, use of local authority seals, linking, and cross-referencing.

Matter	Proposed approach
<p>2. Appropriately provide for coastal provisions and maintain flexibility</p> <p>Submitters were concerned at the lack of a clear 'home' for regional coastal plans and matters relevant to the coastal marine area and coastal environment.</p>	<p>To change the regional plan and combined plan structure standards to require them, where relevant, to have a coastal environment chapter, which must include a coastal marine area section (unless there is a standalone regional coastal plan). The coastal environment chapter must set out the approach to managing the coastal environment, and contain cross references to coastal environment provisions that are located elsewhere.</p> <p>To move the coastal section of the Natural Environment Values Chapter of the district wide matters standard to be a chapter under the General District Wide matters heading. To change the directions to allow coastal environment provisions to be placed within other topics to facilitate integrated management.</p>
<p>3. District Plan Structure</p>	<p>To refine the District Plan Structure to reflect submitted feedback. The sections that have been moved are indicated in this table.</p>
<p>4. Combined Plan Structure</p> <p>Submitters indicated that the Combined Plan Structure does not account for differences between regional councils and unitary councils. Unitary authorities requested a structure that better integrates regional policy statement provisions.</p>	<p>To replace the Combined Plan Structure with two different structures tailored for these types of combined plans:</p> <ul style="list-style-type: none"> • a combined regional policy statement–regional plan–district plan. This structure has the most integrated provisions from different plan types. • a combined regional policy statement–regional plan.
<p>5. Provide for integrated management in all structure standards</p> <p>Submitters sought greater flexibility to structure regional policy statements, combined plans and regional plans to ensure integrated management outcomes.</p>	<p>To change the regional policy statement, regional plan, district plan, combined plan and tangata whenua structure standards to better provide for integrated management, including:</p> <ul style="list-style-type: none"> • An integrated management chapter for regional policy statements and plans; and a strategic direction heading for district plans • Combining <i>Land</i> and <i>Water</i> chapters • Some flexibility to cross-reference provisions (except for coastal marine area) • directions to ensure Māori values are integrated throughout plans and regional policy statements.
<p>6. Refine Introduction and General Provisions standard</p>	<p>Refinements recommended to wording to make standards more appropriate, clear and consistent. This standard includes 'introduction', 'how the plan works', 'interpretation', 'national direction' and 'tangata whenua' headings.</p>
<p>7. Shift location of the Tangata Whenua/Mana Whenua standard and amend directions</p>	<p>Change the location of the standard to Introduction and General Provisions to support greater integration with other topics. Also amend the directions so that local authorities have discretion over how to structure the provisions under the heading.</p>
<p>8. Amend National Direction Instruments standard</p>	<p>To shift the location of Water Conservation Orders, make refinements to wording to make standards more clear and consistent and reduce the amount of detail local councils must include.</p>

Matter	Proposed approach
<p>9. Amend the Strategic Direction standard</p>	<p>To include a section for urban form and development and shift its location in the overall plan structure to the District Wide Matters standard.</p>
<p>10. Refine District Wide Matters standard</p>	<p>To make refinements to wording to make planning standards more appropriate, clear and consistent.</p>
<p>11. Rename the Area Specific Matters Standard to the Zone Framework Standard and relocate precinct, development areas and designations chapters</p>	<p>To relocate 'precinct' and 'development areas' directions to the respective Structure standards and create a specific Designations Standard. This creates a standard focused specifically on zones called the 'Zone Framework Standard'.</p>
<p>12. Add four additional zones to the zone framework and amend zone standard and descriptions</p> <p>Submitters were concerned that the needs of their area could not be met within the existing zones provided.</p>	<p>To add four zones:</p> <ul style="list-style-type: none"> • a large format retail zone • an additional residential zone • a metropolitan centre zone • a corrections zone. <p>To amend zone names and descriptions based on feedback from submissions.</p>
<p>13. Refine the multiple standards relating to formatting of plans into one standard by merging these and renaming Format standard.</p> <p>Submitters indicated that the details of these standards were difficult to interpret, particularly when read with the structure and chapter standards, and needed to be clearer with examples.</p>	<p>To amend the directions to be clear, concise and more intuitive and reflect the amended structure and chapter standards.</p>
<p>14. Remove rule format tables from the planning standards</p> <p>Submitters indicated that the rule tables are difficult to implement.</p>	<p>To remove the rule format tables and some of the associated directions from the planning standards and provide these as guidance. Include some high level directions relating to rule formatting in the format standard.</p>
<p>15. Amend Spatial Planning Tools standards</p>	<p>To change the name of the standards to Spatial Layers.</p> <p>To amend the standards to increase clarity of the differences between spatial tools.</p>
<p>16. Amend Mapping standard to provide more flexibility</p> <p>Submitters asked for labels and variations on zone colours and symbols, and changes to specific symbols.</p>	<p>To amend the standard to provide greater clarity of how and when the symbols must be used and to refine zone colours and symbols to reflect feedback.</p>
<p>17. Revise the Definitions standard</p> <p>Approximately 75 per cent of submitters made submissions on the Definitions standard (which included definitions for 109 terms). The main submission points were:</p> <ul style="list-style-type: none"> • the effect on plans from implementing the definitions • the scope to make changes to plans as consequential amendments • requests for changes to terms proposed, new terms or to delete terms. 	<p>To amend the Definitions standard to:</p> <ul style="list-style-type: none"> ▪ retain 92 of the terms, but note that the associated definition has been amended for many of these terms to address submitter feedback. ▪ delete 18 of the terms initially proposed. ▪ add 7 new terms and associated definitions: <ul style="list-style-type: none"> – Cleanfill material – Community corrections activity – Cultivation – Industrial and trade waste – Operational need – Quarrying activities

Matter	Proposed approach
	<ul style="list-style-type: none"> – Temporary military training activity ▪ the total number of terms recommended is 99 ▪ clarify the scope of consequential amendments ▪ clarify the intended application of the Definitions standard (eg, a plan only needs to include the terms from the standard that are used in that plan).
<p>18. Refine Baseline Electronic Functionality and Online Interactive E-plans standard</p> <p>Submitters were concerned about the resourcing required by this standard. While some directions were supported, others were seen as adding little value compared with implementation costs.</p>	<p>To remove directions that have high implementation costs for low benefit.</p> <p>To amend directions where the meaning is unclear.</p> <p>To ensure directions account for advances in technology.</p>
<p>19. Clarify the application of the New Zealand acoustic standards</p>	<p>To amend the standard to clarify the inclusion of symbols and that the acoustics standards are incorporated by reference into the planning standards.</p>
<p>20. Delete the schedules, appendices and maps standard</p>	<p>The provisions from this standard have been moved to the structure and format standards as the level of direction included did not warrant a whole standard.</p>
<p>21. Provide greater clarity on consequential amendments</p> <p>Submitters were concerned at the cost, resources and potential risks associated with determining which changes to policy statements and plans go beyond consequential amendments and will require the Schedule 1 process.⁸</p>	<p>To clarify that the purpose of each standard is not to alter the effect of plan provisions or plan outcomes.</p>
<p>22. Amend the implementation timeframes for the planning standards</p> <p>Submitters were concerned about the cost in both time and resources for councils to carry out reviews of their plans outside of scheduled review.</p>	<p>To create a new standard for implementation. The following timeframes would be kept:</p> <ul style="list-style-type: none"> ▪ at plan review, or five years for most district councils and seven years for district councils who have recently completed a plan review to implement the majority of the planning standards, and ▪ one year for all councils to implement the electronic accessibility and functionality standard. <p>To amend the timeframes as follows:</p> <ul style="list-style-type: none"> ▪ require RPSs to be amended within three years but provide a longer timeframe for all other regional plans and for unitary councils preparing unitary plans (ten years) ▪ allow a further two years for district councils to implement the definitions standard ▪ councils collaborating on a combined district plan be given seven years to implement the planning standards. ▪ a longer implementation timeframe (ten years) for ePlans for councils with fewer than 15,000 ratepayers ▪ exceptions from the ePlan requirements for plans prepared for the Chatham Islands, Outer Islands and Subantarctic Islands.

⁸ The Schedule 1 process refers to the process set out in Schedule 1 of the RMA that councils are required to follow when they develop or amend a policy statement or plan, including public notification and a call for submissions.

4.1 Recommended refinements across all standards

We recommend a range of refinements across the standards, and these are included in further parts of this recommendations report. These respond to submissions requesting improvements to the clarity and consistency of standards, and improvements to their workability for plans and regional policy statements.

Recommended changes mostly clarify the intent of standards and specific directions, including the relationship between some chapters and sections and guidance we consider is necessary to help with implementation. Some minor wording changes to the titles of chapters and sections are necessary to accurately reflect their intended content. We also have looked for opportunities to reduce or merge components of plan structures, such as the recommendation to merge Part 1 and Part 2 into one 'part'.

We have recommended deleting some standards, separating some standards out and merging other standards. We also recommend re-ordering the standards. All of these changes are recommended to make the standards easier to understand.

We recommend some detailed, technical changes. For example, we are clarifying where and how noise standards are applied, and we are revising many of the electronic accessibility requirements.

4.2 Foundation standard

While drafting the planning standards, we found interpretations of terms and mandatory directions that applied across most of, or all of the standards. For example, the recommended use of the term *tangata whenua/mana whenua*, if another similar term cannot be decided with Māori. We also found directions that are needed in order to guide local authorities on how to use the planning standards, such as which standards apply to which parts of the plan and inclusion of the local authority seal, and the date that the plan was made operative.

We recommend creating a new Foundation standard to contain these interpretations and mandatory directions. This would avoid repetition of instructions throughout the planning standards. We recommend that this standard is placed at the beginning of the planning standards, so that it is most clear that the interpretations and mandatory directions apply across all of the standards.

We recommend the following changes are made to the national planning standards:

- create a new Foundation standard, containing interpretations and mandatory directions that apply across the planning standards
- place the Foundation standard at the beginning of the national planning standards
- delete the purpose statements from the start of each standard and add one overall purpose to the Foundation standard.

4.3 Providing greater clarity on consequential amendments

One of the most common concerns from submitters was the cost, resources and potential risks associated with determining which changes to plans and regional policy statements go beyond consequential amendments and will require a Schedule 1 process.

We recommend addressing this matter including an overall 'purpose' within the foundation planning standard to clarify that the intention of the standards is not to change the overall legal effect of plans and regional policy statements.

We consider this will help councils in assessing what can be considered as consequential amendments to provisions. We will also produce guidance for councils on the extent that provisions can be amended when implementing the standard before a Schedule 1 process is required.

4.4 Replacing the combined plan structure – refer to report 2D

The draft Combined Plan Structure Standard brought together the draft structures for the regional policy statement, regional plan and district plan, and instructed councils to use the relevant parts, chapters and sections. Our recommended approach is to replace this with two different structures for specific types of combined plans:

1. a combined regional policy statement, regional plan and district plan (eg, Auckland Unitary Plan)
2. a combined regional policy statement and regional plan (eg, Horizons One Plan).

And to give directions on which parts of existing standards must be included for the other two types of combined plans that are not being used, but are theoretically possible:

3. a combined regional policy statement and district plan
4. a combined regional plan and district plan.

Nearly 40 submissions were received on the Combined Plan Structure Standard. The most common concern was that the structure did not account for differences between regional councils and unitary councils. While a regional council may combine its regional policy statement and regional plans, a unitary authority may also wish to include a district plan in a combined plan, to address its additional territorial authority functions. Submissions from some unitary authorities requested a structure that better integrates the regional policy statement provisions, to avoid content duplication.

Unitary council submitters were particularly interested in exploring how to reduce duplication in combined plans and sought a structure that more fully incorporated regional policy statement provisions across the whole plan.

We agree that, in attempting to be all things to all combined plans, the draft combined plan structure was too complex and duplicated topics and themes. We have worked with staff from all unitary councils to produce a combined plan structure to better meet their distinct requirements, including the desire to better integrate regional policy statement provisions

with the rest of the plan. We also discussed with staff from Horizons Regional Council and Hawkes Bay Regional Council about a combined plan structure that aligns with their combined regional plans.

The proposed Auckland Unitary Plan fully integrated its regional policy statement within the plan. However, the Independent Hearings Panel recommended separating these provisions to the front of the Auckland Unitary Plan. The main reason given was that a regional policy statement does not contain rules and is a higher-order planning document. In contrast, the proposed Marlborough Environment Plan fully integrates its regional policy statement provisions within the plan, to create a simpler and more coherent resource management framework. Another benefit of this approach is reduced duplication of provisions in the plan.

Our recommended structure recognises both perspectives. High-level regional policy statement provisions (that is, issues of regional significance, strategic direction, and policy on complex, integrated resource management matters) are located in a separate part at the front of the combined plan. The detailed regional policy statement provisions on specific matters are integrated within the plan. We received general support for this approach when we tested it at a workshop with unitary council staff.

4.5 Structuring plans for integrated management

Many submitters sought greater flexibility around the structure of regional policy statements, combined plans and regional plans, to better ensure integrated management of resources will occur. Submitters noted this was important for managing the coastal environment, incorporating Māori values and perspectives, recognising connections between themes and across combined plans in general.

We recommend that changes are made throughout the standards to better provide for integrated management, to reflect the expectations in the RMA and New Zealand Coastal Policy Statement.⁹ These changes will also reduce the risk that provisions will be duplicated across different parts of plans.

4.5.1 Providing for greater integration between themes in plans and regional policy statements – refer to reports 2A and 2B

We recommend changes that provide for greater integration between themes in regional policy statements, regional plans and combined plans. These changes include a new ‘integrated management’ section in the regional plan and combined plan structure standards, with directions that encourage councils to address competing demands for resource use and articulate holistic outcomes for the environment and their communities.

In addition, we recommend a set of ‘domain’ chapters: air, coastal environment, geothermal, and land and freshwater. These provide greater flexibility and clarity for councils on the location of provisions that cover more than one topic in an integrated way, for example managing the effects of land use activities on the quality and quantity of freshwater resources. Councils will still have the ability to use topic-based chapters where provisions principally fall

⁹ Policy 4 of the New Zealand Coastal Policy Statement specifically requires the provision of integrated management of natural and physical resources in the coastal environment and activities that affect the coastal environment.

within one topic. For example, provisions specific to the management of indigenous biodiversity can be located within the 'ecosystems and indigenous biodiversity' chapter.

In our view, this combination of changes will reduce the potential for natural and physical resources to be considered and managed in 'silos'. It will also encourage and facilitate a ki uta ki tai (from the mountains to the sea) approach to the management of land, water and coastal resources.

Other changes proposed to regional policy statement and regional plan structures are refinements to the draft structure.

4.5.2 Integrating tangata whenua provisions throughout plans and regional policy statements

We recommend clearer directions to ensure Māori values are integrated throughout provisions in plans and regional policy statements, rather than sitting in isolation in the tangata whenua chapter. In particular, we recommend changing Part 2 – Tangata Whenua into a heading within the Introduction and General Provisions part, to reflect that the provisions in this part of the policy statement or plan are context and process-related provisions. The substantive provisions must be included in other relevant chapters.

4.5.3 Providing greater clarity on coastal provisions in plans and policy statements— refer to reports 2A, 2B, 2C and 2D

The main coastal issue in submissions was the importance of enabling flexibility and integrated management of coastal environment provisions. We agree, but this also needs to balance with requests for a clear location for coastal provisions in plans and policy statements and a consistent overall structure.

Our recommended approach is twofold. We recommend amending the standards to require, where relevant, a coastal environment chapter in regional and combined plans. Within this chapter there must be a coastal marine area section unless there is a standalone operative or proposed regional coastal plan. Coastal marine area provisions must be included in that section, or the regional coastal plan, as the case may be. This will support clarity for councils and plan users in locating coastal marine area provisions.

However, councils are still encouraged to integrate their standalone coastal plans with other regional plans at the next plan review.

We also recommend enabling greater integration for policy statements and plans by clarifying that coastal environment provisions can be placed with other topics. While some coastal issues are best placed in the context of the coastal environment, others (such as water quality and biodiversity) may be better managed under other chapters.

This approach aligns with requirements in the RMA and recognises the importance for the standards to help councils to give effect to the New Zealand Coastal Policy Statement. Regional coastal plans are approved by the Minister of Conservation and there are significant differences in how activities are managed under the RMA within the coastal marine area compared with activities on land. In contrast, broader coastal issues are often better managed across the land–sea boundary (ie, the coastal environment as a whole). This recommended approach provides flexibility to manage these at the appropriate scale.

4.6 Development of the zone framework and spatial layers – refer to report 2G

We have continued to develop the zone framework and spatial layers. The recommended approach for the zone framework is as follows:

- apply a density-based naming approach for residential zones that is explained through the description for each zone¹⁰
- include four new zones ('large format retail', 'low density residential', 'corrections' and 'metropolitan centre')¹¹ and retain the 'rural production' zone¹²
- change the name of the spatial planning tools to spatial layers, to avoid confusion and clarify the use of these layers
- change specific words in most purpose statements, to reflect detailed feedback
- amend the names of 10 of the proposed zones
- amend the criteria for creating additional special-purpose zones to be more related to plan usability
- retain purpose statements but rename as zone descriptions and change specific words in most purpose statements, to reflect detailed feedback on these
- change the test for plan provisions so that they need to be consistent with the zone description rather than fulfil it
- add a mandatory direction to allow councils only changing the names of their current zones to not have to use an RMA Schedule 1 process.

4.7 Removing the rule format tables in the Chapter Form Standard – refer to report 2F

The draft Chapter Form Standard prescribed three rule format tables for plans: rule overview table, rule table and rule requirements table (tables 25, 26 and 27 respectively). Our recommended approach is to remove these tables and associated directions from the standard and provide these as guidance.

Around 36 submissions were received on rule tables, most of which were from councils.¹³ Almost all of these either opposed including rule tables or supported them if amendments were made and extensive testing was undertaken.

Some submitters indicated that the rule tables were difficult to read and implement with their existing rules. Other submitters tested the rule table on their current plan rules and concluded it does not work with more complex rule types. In addition, feedback indicated that the rule

¹⁰ In response to Recommendation e(iv) of briefing 2018-B-04860.

¹¹ In response to Recommendation e(ii) of briefing 2018-B-04860.

¹² In response to Recommendation e(v) of briefing 2018-B-04860.

¹³ These submissions represented the view of 35 councils, seven businesses and industry and six others.

tables are not compatible with at least one major ePlan platform that some councils have significantly invested in.

As a result of submissions, we consider it prudent to remove the rule format tables while we continue to work with councils (particularly the early adopters) and e-providers to test the best format. However, we maintain there is huge value in standardising this part of plans (which are the most commonly referred to by plan users). As work progresses on rule tables, we will re-evaluate whether the tables can be incorporated into future standards.

Rule format tables were included in the standards so that all the necessary rule information was consistently in one place and in an easy-to-read format. Using a table format also had benefits for some ePlans that draw on information in rules, or parts of rules, from tables across a plan and that display these as part of a property search.

4.8 Changes to the Definitions Standard – refer to report 21

In response to the large number of submissions on definitions we recommend revising the definitions standard to:

- provide greater clarity in the standard and guidance that plan provisions can be amended as consequential amendments without a Schedule 1 process, where the legal effect of plan and policy statement provisions are not altered by those amendments
- include additional terms that were not in the draft standard but are considered necessary as a result of matters raised by submitters (7¹⁴), delete some terms (18) and amend the definition of most other terms
- provide greater clarity about how the Definitions Standard is to be applied in plans
- revise which RMA terms are included
- remove te Reo Māori terms.

Given the importance of developing robust definitions for the standards, we peer reviewed and tested our revised drafting. Following analysis of submissions, Ministry officials revised definitions for some terms and prepared definitions for new terms.

4.8.1 Revising Resource Management Act 1991 terms included in the standard and removing all te reo Māori terms

Thirty-eight definitions from the RMA were included in the standard, including four te reo Māori definitions (iwi authority, kaitiakitanga, mana whenua and tangata whenua). Some submitters opposed specific RMA definitions on the basis they are not suitable to be applied within the local context. For example, Environment Canterbury noted difficulties in applying the RMA definition of 'bed' to braided rivers, because the definition does not recognise situations where rivers have multiple channels, variable flows across their full width and undefined banks.

¹⁴ Cleanfill material, Community corrections activity, Cultivation, Industrial and trade waste, Operational need, Quarrying activities and Temporary military training activity

We recommend a revised set of RMA definitions be included in the standard and only recommend retaining those where the issues raised by submitters can be addressed. In some instances, we consider the use of narrower terms or subcategories of definitions will address submitters' concerns. For example, we recommend including a definition for 'active channel' as a subcategory of 'bed', to address the above concern.

We recommend removing the te reo Māori terms from the standard. Submitters wanted the ability to describe these terms appropriately to the local dialect and cultural beliefs. We tested this approach in a workshop with technical Māori planning advisors and they supported the removal of the four te reo Māori terms.

4.8.2 Clarifying the application of the Definitions Standard

Some submitters misunderstood how the standard is to be applied. For example, some submitters believe that every term and definition must be included in every plan. We recommend revising the mandatory directions, to clarify that a plan only needs to include a term from the standard if that term is used in the plan (or a synonym of it). Guidance will provide examples of synonyms¹⁵ and clarify that the plan can include definitions for terms that are not in the standard, as long as they are not synonyms.

4.8.3 Adding new terms to the standard

We do not recommend including many of the new terms requested as part of the first set of planning standards because these have not been through a full public consultation process. However, we are recommending some additional terms are included where these closely relate to other definitions in the standard and respond to submissions on those. In two situations, we recommend a term suggested by submitters ('community corrections activity' and 'temporary military training activities'). In both cases the definition is recommended for inclusion because it describes a planned activity that occurs frequently throughout the country, and for which there are similar definitions in many existing Regional and District Plans. Both new definitions had the opportunity of being tested again by the pilot council testing process and feedback considered.

4.9 Changes to implementation timeframes – refer to report 2M

It is recommended that some previously consulted on implementation timeframes remain unchanged, these being:

- five years for most district councils and seven years for district councils that have recently completed a plan review to implement most of the standards
- one year for all councils to implement the baseline e-accessibility standards (though it should be noted that these baseline standards have been revised considerably, following the feedback provided that they be reduced in scope)

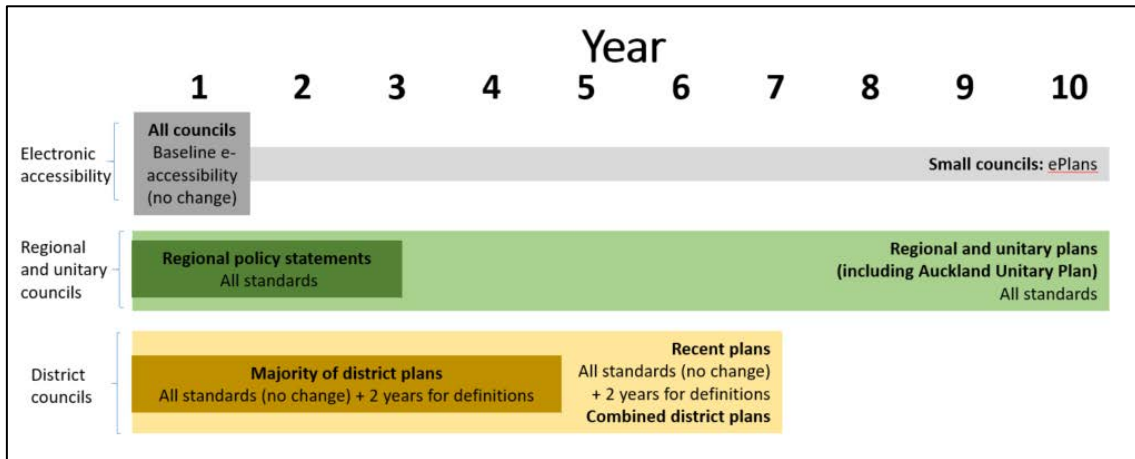
¹⁵ For example, 'recession plane' and 'sunlight access angle' are synonyms of 'height in relation to boundary'.

- councils that are preparing a new policy statement or plan must incorporate the planning standards into the proposed version of the new policy statement or plan, regardless of the dates specified in the planning standards.

We also recommend amendments to the timeframes, to address specific issues raised in submissions including the following.

- an opportunity should be given to manage the workload of regional and unitary councils by requiring that regional policy statements be implemented within three years (ie, bring the regional policy statement forward) but provide a longer timeframe for all other regional plans and for unitary councils preparing unitary plans (10 years). Regional policy statements being amended first ensures early adoption of the planning standards for planning documents higher in the plan hierarchy. The longer timeframe for implementing the standards in regional plans provides councils with greater flexibility to decide how to implement the standards alongside the multiple plan changes needed to reflect other national direction, in particular changes to the National Policy Statement for Freshwater Management
- we specifically recommend that Auckland Council be given 10 years to implement the standards, irrespective of decisions made for other plans. Multiple submitters noted that significant investment in the Auckland Unitary Plan meant that plan users should be allowed to benefit from the certainty provided by that plan for at least 10 year
- district councils consider that the definitions will require further changes to many parts of their plans, some which they consider will not be consequential. We recommend retaining the five and seven year implementation timeframes for all other standards for district councils but propose a further two years be provided for definitions, to provide additional flexibility on how to approach this particular issue
- we recommend councils collaborating on a combined district plan be given seven years to implement the standards. This recognises the efficiencies gained and the longer inception period of planning for combined district plan processes
- smaller councils also noted the cost of implementing an ePlan. We recommend a longer implementation timeframe (10 years) for ePlans for councils with fewer than 15,000 ratepayers (as at 2018)
- we also recommend exceptions from the ePlan requirements for plans prepared for the Chatham Islands, Outer Islands and Subantarctic Islands, which all have small populations and low plan use.

Figure 1: Implementation timeframes



We recommend creating an implementation standard within the planning standards to specifically outline all of the timeframes for implementation. This is proposed so that each standard does not need to include directions relating to implementation. The each of the draft standards included such directions at the start which was very repetitive.

Appendix 1: List of submitters by alphabetical order

Submitter	Submitter
2degrees	Aaron and Michelle Gray
Aaron Gray	ACI Operations New Zealand Limited
AgResearch Limited	Allison Tindale
Andrew Cave	Angela Crang
Anthony Edmund O'Brien	Arvida Group Limited
Atlas Concrete Limited	Auckland Council
Ballance Agri-Nutrients Limited	Bathurst Resources Limited
Bay of Plenty Regional Council	Beca Ltd
Bill Woods	Brian Mahon
Brookby Quarries Limited	Buller District Council
Bunnings Limited	Canterbury District Health Board
Canterbury Mayoral Forum	CDL Land NZ Ltd
Central Hawkes Bay District Council	Central Otago District Council
Christchurch City Council	Christchurch International Airport Limited
CivilPlan Consultants Limited	Clarke Group Management Limited
Clinton and Renee Davies	Clutha District Council
Contact Energy Ltd	Cottages NZ
Crispin Caldicott	David Brunton
Department of Corrections	Dunedin City Council
Elise Cheryl Suzanne Purdie	Environment Canterbury
Environment Court	Environmental Noise Analysis and Advice Service
Far North District Council	Federated Farmers of New Zealand Incorporated
Fire and Emergency NZ	Fonterra Limited
Forest and Bird	Forest Owners Association
Fulton Hogan Limited	Genesis Energy Limited
Gerard Hoyle	Gisborne District Council
GlobePlanning	GNS Science
Greater Wellington Regional Council	Greenwood Roche
Hamilton City Council Staff	Harrison Grierson Ltd
Hastings District Council	Hauraki District Council
Heritage New Zealand Pouhere Taonga	Horizons Regional Council
Horowhenua District Council	Horticulture New Zealand
Housing New Zealand Corporation	Hutt City Council
ICOMOS New Zealand	Independent Māori Statutory Board
Isovist Limited	Janeen Schepe

Submitter	Submitter
J Swap Contractors Limited	Joseph Bryant Henley
Joint Southland Councils' Technical Submission	Kawerau District Council
Kapiti Coast District Council	Kiwi Property Group Ltd
Kennerley Consulting Ltd	Land Information New Zealand
KiwiRail Holdings Ltd	Lyttelton Port Company Limited
Local Government New Zealand	Marlborough District Council
Manawatu District Council	Matamata–Piako District Council
Marshall Day Acoustics	Meridian Energy Limited
Mercury NZ Limited	Michelle Gray
Michael West	Ministry of Social Development
MidCentral Public Health Service	Napier City Council
Morphum Environmental Ltd	Nelson Marlborough Health (Nelson Marlborough District Health Board)
Nelson City Council	New Zealand Airports Association
New Plymouth District Council	New Zealand Defence Force
New Zealand Institute of Landscape Architects	New Zealand Motor Caravan Association
New Zealand Planning Institute	New Zealand Pork Industry Board (NZ Pork)
New Zealand Wind Energy Association	Ngai Te Rangi
Ngāti Kahungunu	Ngati Whatua Orakei Whai Rawa Ltd
Northland Regional Council	NZ Arboricultural Association Ltd
New Zealand Geothermal Association	NZ Telecommunications Forum Inc
New Zealand Transport Agency	OBD Consultants Ltd
Oceana Gold (New Zealand) Limited	Opotiki District Council
Otago Regional Council Submission	P Rene on behalf of Ngati Toa ki Whakatu
Palmerston North City Council	Papa Pounamu ki Te Upoko o Te Ika (Papa Pounamu) and Taranaki Whānui ki Te Upoko o Te Ika (Taranaki Whānui)
Perception Planning Ltd	Petroleum Exploration and Production Association of New Zealand
Porirua City Council	Poultry Industry Association of NZ
Powerco Limited	PrefabNZ
Property Council New Zealand	PSPIB/CPPIB Waiheke Inc (PSPIB/CPPIB), AMP Capital Shopping Centres Pty Limited (AMP), and Stride Property Limited (Stride)
Queenstown Lakes District Council	Radio New Zealand Limited
Rafael Krzanich	Rangitikei District Council
Ivana Parri	Ravensdown Limited
Resources Consulting	Resource Management Law Association
Retirement Villages Association of New Zealand	Roderick Francis David Aldridge
Rotorua Lakes Council	Rural Contractors New Zealand Incorporated

Submitter	Submitter
Selwyn District Council	Scott Hugh Purdie
Soil and Health Association of New Zealand	Sharon Brunton
Southern Cross Hospitals Limited	South Taranaki District Council
Spark Trading New Zealand Limited	Southland Shared Services Chief Executives' Subcommittee
Sunshine Homes and Cabins Limited	Straterra
Synlait Milk Ltd	Survey and Spatial New Zealand
Tasman District Council	Taranaki Regional Council
Taupo District Council	Tatua Co-operative Dairy Company Ltd
Te Arawa River Iwi Trust	Tauranga City Council
Te Rūnanga o Ngāi Tahu	Te Korowai o Ngāruahine Trust
Te Runanga o Ngati Kuia Trust	Te Runanga o Ngati Awa
Te Whakakitengao Waikato Incorporated	Te Runanga o Ngāti Ruanui Trust
Thames Environmental Consultancy	Tegel Foods Ltd
The Maniapoto Māori Trust Board	The Fertiliser Association of New Zealand
The New Zealand Law Society	The National Trading Company of New Zealand Ltd
The Southern District Health Board	The Oil Companies (Mobil Oil New Zealand Limited, Z Energy Limited, BP Oil New Zealand Limited)
The Waitakere Ranges Protection Society Incorporated	The Urban Engineers Ltd
Tony O'Brien	Tramco Group Ltd
Transpower	Treecology Tree Consultancy
Trustpower Limited	Tūwharetoa Māori Trust Board
Upper Hutt City Council	Urban Design Forum New Zealand
Vector Limited	Vipassana Foundation Charitable Trust Board and Keep the Peace Makarau Valley Incorporated
Vodafone New Zealand Limited	Waikato District Council
Waikato Regional Council	Waikato River Authority
Waimakariri District Council	Waipa District Council
Waitomo District Council	WasteMINZ
WEL Networks	Wellington City Council
Wellington Electricity Lines Limited	Western Bay of Plenty District Council
West Coast Regional Council	Whanganui District Council
Whakatāne District Council	Whangarei District Council
Whetu Consultancy Group	Woolworths New Zealand Limited
Winstone Aggregates	