1. Introduction

1.1. Auckland Council welcomes this opportunity to provide feedback on the Ministry for the Environment’s proposed draft National Planning Standards (the Standards).

1.2. This submission has been endorsed by the council’s Planning Committee, which is a committee of the whole, on 7 August 2018.

1.3. Auckland Council welcomes the opportunity for further discussion with the Ministry for the Environment on points raised in this submission,

1.4. The main contact for queries on this submission is Phill Reid, Manager Planning - Aucklandwide, Plans and Places Department, Auckland Council.

1.5. This submission is in three sections. The first section discusses the significant impacts the Standards have on the Auckland Unitary Plan (the Unitary Plan) as well as the implementation issues facing Auckland Council. The second section contains detailed submission points on individual Standards (Appendix 1) and the third section details submission points on the defined terms (Appendix 2).

2. General comments on the National Planning Standards and the Auckland Unitary Plan

2.1. The Unitary Plan is a particularly complex planning document with an integrated regional policy statement, regional coastal plan, regional plan and district plan provisions. This is the first plan in New Zealand that integrates all the plans required for a unitary council, under the Resource Management Act 1991 (the Act), and therefore truly represents a combined plan.

2.2. Auckland Council does not disagree with the intent and objectives of the Standards as set out in the Regulatory Impact Statement for these Standards. However, the incorporation of some of these Standards into the Unitary Plan will have an outcome that is contrary to these objectives.

2.3. Subsequent sections of this submission will identify the specific issues of the Standards and how these will impact on the Unitary Plan. This submission focuses
on how the Standards, in its current form, limit the Unitary Plan's ability to meet its planning outcomes and effectiveness as a planning document.

2.4. Council recommends that the Standards address the requirements of complex fully combined plans. To proceed with the Standards, in their current state will result in compromises and a non-user friendly planning document in Auckland. This is because the Standards are aimed at a middle sized medium complexity plan.

3. Significant Impacts on the Auckland Unitary Plan

3.1. The Standards that have a significant impact on the Unitary Plan affect the structure and content of the plan to the extent that they:

- challenge its policy direction;
- reverse agreements or decisions made in partnership with iwi or other stakeholders;
- do not reflect the outcomes currently anticipated by the Auckland community; and
- will be extremely difficult to incorporate without a significant amount of additional changes that fall outside the scope of consequential amendments.

3.2. The significant impacts on the Unitary Plan are:

A reduced number of zones;

B the lack of a specific section within the regional policy statement structure for addressing a nationally significant issue (urban growth);

C the lack of specific sections within the regional policy statement for Mana Whenua;

D the definitions; and

E the coastal plan provisions.

A. Reduced number of zones

3.3. The Standards seek to achieve a balance between standardisation across regional, district and combined plans; while enabling territorial authorities the local variation necessary for achieving local planning outcomes.

3.4. However, in order to meet the requirements of some Standards, the council will have to change its policy framework, which is contrary to the intention of the Standards.
3.5. The Standard’s zoning framework set out in S-ASM challenges the Unitary Plan’s policy direction established in the regional policy statement right through to the district plan. Primarily, S-ASM does not provide sufficient choice for the complexity of zones that exists in the Unitary Plan. The number of rural, residential, business and coastal zones that will be lost will require the council to re-visit its policy framework that underlies these zones. This, we believe, is not the intent of the Standards.

3.6. A significant amount of work was undertaken in harmonising the legacy zone framework of the former territorial authorities in Auckland. Auckland Council’s preference is to continue to build upon the work that has already been completed through the Unitary Plan process, rather than re-litigating issues that came up through the development of the residential zone framework.

3.7. The names of the zones in the Standard present another issue for Auckland. This Standard proposes to name the residential zones based on the density provided for in the zones. This does not make sense in the Auckland context where three of the residential zones in the Unitary Plan have no density limit. Instead the zones are names in accordance with the housing typology provided for. Not only does this Standard remove the nuances in the residential zones, but the titles are a misnomer to the purpose and intent of the zone. Zone titles based on density could well perpetuate the ongoing use of density unnecessarily within plans.

3.8. Any change to the Unitary Plan that undermines the zoning framework has significant ramifications within the Auckland context. While, a precinct or a special purpose zone is a solution anticipated by the Standard these options will not work for the Unitary Plan. The use of precincts to differentiate character or development potential that is currently differentiated through zones does not accord with the role of a precinct which was debated through the Unitary Plan hearings process. When a precinct changes most of the provisions in an underlying zone then it is questionable that it should be a precinct.

3.9. It is clear that the Standards favour the use of precincts as opposed to a special purpose zone. However, additional precincts will act against the purpose of the Standards in achieving greater consistency and usability of plans. Particularly if multiple precincts apply to a single site.

3.10. Including additional zones as a special purpose zone will also not be a viable option as the location of these additional zones are disconnected from the grouping of like zones. This will also be very confusing to the users of the plan.

B. The lack of specific section within the Part 3 - RPS structure for addressing a nationally significant issue (urban growth)

3.11. In the Part 3 - RPS structure set out in the Draft Combined Plan Structure Standard (S-CP) there is a mandatory section for ‘Infrastructure and energy’ but no section relating to urban growth. All councils are required to meet the requirements of the National Policy Statement on Urban Development Capacity 2016 and establish a policy framework within their policy statements and plans to address the matters in this particular national policy statement.
3.12. By not acknowledging the mandatory requirements for policy statements and plans, the Standards fail to be integrated with other national directions. This will result in councils taking an inconsistent approach in locating as well as naming policy sections required for addressing the national policy statement.

3.13. Urban growth is a significant issue for the Auckland region and to locate this topic, as a special topic, at the end of the regional policy statement or buried within the ‘land’ section (as implied by the Standard) does not reflect the status central government, as well as the council, have given this issue.

C. The lack of specific sections within the regional policy statement for Mana Whenua

3.14. The Standards prescribe the mandatory order and headings for Tangata Whenua in Part 2 but fail to provide a specific section for Tangata Whenua in Part 3 – RPS structure. This is a significant gap.

3.15. To meet the requirements of s62(b) of the Act a mandatory section for Tangata Whenua needs to be included in Part 3 – RPS that identifies, as well as addresses, the issues of significance to Tangata Whenua.

3.16. It is clear from the guidance provided with the Standards that it is intended for Tangata Whenua specific resource-related provisions to be integrated in the relevant theme based chapters of the regional policy statement and regional and district plans.

3.17. Auckland Council supports the integration of tangata whenua specific resource–related provisions throughout the regional policy statement and the plan. This is consistent with the Unitary Plan. However, when the Unitary Plan was developed in consultation with iwi it was very clear that the Mana Whenua of Auckland should also have a specific chapter in the regional policy statement to provide the strategic policy framework for its issues of significance.

3.18. The Standard enables a chapter for tangata whenua to be included as a special topic at the end of the regional policy statement. However this fails to acknowledge the statutory requirement that every council has, as well as the significance of this section for the Auckland region.

D. Definitions

3.19. The Definitions Standard provides mandatory definitions for 109 terms. This Standard is different to the other standards as it specifies content for the plan.

3.20. In principle, Auckland Council is supportive of the approach taken to standardise and provide a definition for a number of terms outlined in this Standard. The standardisation provides greater certainty around the meaning of these terms and reduces the number of variations and inconsistencies seen across resource management plans around the country.

3.21. However, the standardisation of some of these terms will have a significant impact on
the Unitary Plan. While it is noted that generally all standards are not to determine policy matters, this Standard will impact on the policy approach, use and implementation of such terms in the Unitary Plan. This impact will require council to review and re-write parts of the Unitary Plan to ensure any policy approach and rules created are consistent with the terms defined in this Standard.

3.22. Council is concerned that the amount of re-writing content will fall outside of the scope of a consequential amendment and therefore require council to undertake a schedule 1 process.

E. **The Coastal Plan Provisions**

3.23. The Standard on the Combined Plan Structure (S-CP), is not clear where the regional coastal plan is to sit if a combined plan includes regional plan, regional coastal plan and district plan.

3.24. This Standard states that “if the combined plan includes a regional plan, regional plan provisions may be integrated with the implementation of the General District Wide Matters Standard (S-DWM)”. Implying that the regional coastal plan would sit within the ‘coastal environment’ section which sits within the ‘natural environment values’ chapter. This would in effect ‘bury’ the regional coastal plan four levels into the plan.

3.25. Furthermore, it is unclear whether all the provisions for the coastal environment can indeed sit together as the Draft District Wide Matters Standard (S-DWM), the ‘natural environment values chapter – coastal environment’ section, seems relevant for only some regional coastal plan matters.

3.26. Multiple parts of the Unitary Plan will need to be re-organised and re-written resulting in a loss on integration. Furthermore, it is unclear whether the Standards enables the use of precincts, as a spatial planning tool, to apply both over the land and the coastal marine area. If not, then this will reduce integration with the district plan provisions for the adjacent land.

4. **Consequential amendments**

4.1. Section 581 of the Act enables consequential amendments to be made to the plan that are necessary to avoid duplication or conflict with the amendments required to give effect to any mandatory or discretionary direction. These consequential amendments must be made without using a schedule 1 process.

4.2. Consequential amendments that go beyond the scope of ‘duplication or conflict’ will need to use a schedule 1 process.

4.3. There are a number of Standards that will not be able to be incorporated into the Unitary Plan without substantial rework of content. Council does not believe that this required rework will fit within the scope of consequential amendments. Thus, requiring council to undertake extensive consultation with the public.

4.4. The Standards requiring this rework are the proposed zoning framework, definitions and fitting the coastal plan provisions into the proposed combined plan structure.
5. Implementation of the Standards

5.1. The majority of the Standards require Auckland Council to amend its Unitary Plan within seven years from gazettal of the Standards. This timeframe has been extended, from five years, to broadly align with the ten year review of the Unitary Plan. However, providing council with an extended timeframe has not resolved the issues that council faces.

5.2. Auckland has just completed a significant plan review that involved extensive public involvement as well as a majority of the resource management profession. A significant amount of public money was committed. Council had yet to decide whether a rolling review or a full plan review was its best option to meet its obligations under section 79 of the Act.

5.3. The Standards in their current form not only forces council into a full plan review, but will also require council to start the full plan review three or four years earlier than required. This, we do not believe is what the Auckland community would support.

5.4. It is also questionable whether this is in the national interest given that this would reduce the capacity of Auckland to undertake other necessary planning work during this time. Specifically at risk would be the incorporation of the Hauraki Gulf Island district plan provisions into the Unitary Plan, the implementation of the national policy statement and national environmental standards programme and plan changes needed to provide for growth across greenfield and brownfield locations.

6. Conclusion

6.1. Auckland Council’s submission outlines a number of areas where the Standards, as currently drafted, will have significant impact on the Unitary Plan. Council requests that the Standards are amended, as indicated in this submission, to enable council to incorporate these standards without having to review the Unitary Plan’s policy framework or to notify a plan change for the consequential amendments that are out of scope.

6.2. In addition, Auckland Council requests that it be given ten years to implement the Standards.

6.3. Council also requests that the Ministry for the Environment provide extensive communication support to explain to the public the intent and content of the Standards.
Draft National Planning Standards Submission Appendices

Auckland Council’s submission on the draft National Planning Standards contains two supporting appendices. Appendix one contains detailed submission worksheets on specific draft National Planning Standards (the ‘Standard/s’). Appendix two contains detailed points on the proposed definition Standard (CM-1). The content page below will assist navigation of these appendices. The glossary attached below summarises commonly used terms and abbreviations in these worksheets.

### Appendix 1: submission worksheets on specific standards

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### Appendix 2: submission points on definition terms (CM-1)

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Draft Introduction and General Provisions Standard (S-IGP) Part 1

Relevant Planning Standard

This section contains detailed submission points on the Draft Introduction and General Provisions Standard (S-IGP), which includes the ‘Introduction chapter’ (S-INTRO), the ‘How the Plan Works chapter’ (S-HPW), the ‘Interpretation chapter’ (S-INTER) and the ‘National Direction Instrument chapter’ (S-NDI).

Summary of submission

Auckland Council has a number of submission points on the Draft Introduction and General Provisions Standard (S-IGP):

- Tables 7, 8 and 9 should be combined into one table and should be able to be located on council’s website;
- Amend the column in Tables 7, 8 and 9 “Date of update approval” to “Date the plan was updated”;
- Include a chapter in the combined plan structure for General Rules before Part 4;
- Relocate the interpretation material such as definitions to the back of the plan;
- Amend the detailed requirements of Table 14 and 15. Limit these tables to identifying the chapters or section of the plan that implement a national policy statement or a national environmental standard.

Issues

Much of the content required in this Standard is already contained in various parts of the Unitary Plan or the council’s website, and as such compliance with this draft Standard would involve shifting current chapters around to match these requirements.

Incorporation of administrative information in the front sections of the plan

This draft Standard moves administrative information to the front sections of a plan. It states that if a plan contains administrative information, such as information on plan updates, it should be located in the introduction. The Unitary Plan does not contain administrative information, by design. Instead the front sections focus on topics to help users understand how to use the plan.

As part of the development of the Unitary Plan, the Independent Hearings Panel (the Panel) considered the extent of background and administration information that should be located
within the plan. The Panel found\(^1\) that it was more appropriate to locate most background and administration information outside of the plan because:

- the sheer length of the plan is daunting to many plan users and therefore reducing the physical size or the on-screen length of the plan is generally desirable; and
- keeping administration, background and user information in separate documents outside the plan, enables this information to be kept up to date without going through a plan change process and it can be presented in more accessible formats; and
- The material duplicates the same or similar material which the council already produces as part of the Auckland Plan and the Long term plan.

As such, the Unitary Plan update records (as contained in Table 7, 8 and 9) are located on the council’s website. The reason for this is to limit the administrative information that is in the Unitary Plan. Also, it is easier for plan users to locate this information and cross reference alongside the actual plan modifications.

Auckland Council combines all types of plan updates into a single table format, and this approach is preferred. Instead of updating information across three tables; Table 7, 8 and 9, these tables should be combined to avoid duplication across the tables, and reduce the likelihood of potential errors.

It is also recommended that the “Date of update approval” column in the tables, should be the “Date the plan was updated” as this is what the plan user needs to know, instead of the date the plan update was approved. On council’s website a link to the memo that records the “Date of update approval” is provided in the plan update table.

Similarly, interpretation material, such as definitions should be shifted to the back of the plan, to minimise adding bulk to the beginning of the plan. In an e-Plan format, definitions will all be hyperlinked and therefore it is unnecessary to locate this lengthy section at the beginning of a plan.

Adding unnecessary bulk to the front of the plan is contrary to the Standard’s intent of improving usability.

**How the Plan Works includes ‘General Rules’ section**

The draft S-HPW sets out that Statutory Content and General Approach of the plan must be included in the ‘How the Plan Works’ section in the Introduction.

The layout of general matters and introductory material was considered by the Panel through the development of the Unitary Plan. The Panel found that it was appropriate to include separate sections for the introduction and general rules as these sections serve very different functions.

The purpose of an introduction of a complex document is to set out information about how to use that document\(^2\). The general rules however set out a common approach on matters that can arise with any application for any activity, such as determining activity status, activities

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\(^1\) Auckland Unitary Plan Independent Hearings Panel Report to Auckland Council – Hearing Topic 003 Chapter A Introduction

\(^2\) Auckland Unitary Plan Independent Hearings Panel Report to Auckland Council – Hearing Topic 004 General rules
not provided for, notification etc. Having general rules provides a consistent framework for dealing with applications while avoiding duplication and the risk of inconsistency, by not repeating standard rules throughout the plan\(^3\).

Also the Panel was concerned that the inclusion of administrative guidance with general rules, could suggest that these provisions may have the character of rules or at least a kind of advice on the meaning and effect of the rules or the procedural provisions in the Resource Management Act 1991\(^4\), when that was not the intent of these provisions.

The Unitary Plan, therefore, separates the introduction and general rules as these serve very different functions. The General rules are contained in Chapter C in the Unitary Plan.

Auckland Council recommends that a specific chapter for general rules is included within the combined structure standard (S-CP) and is located before Part 4.

**National Directions**

There is a benefit in the inclusion of a National Direction Instruments Chapter (S-NDI). This would be a useful reference for plan users and increases visibility of national direction instruments in the plan.

However, the requirement to include the detail on where these align, duplicate and conflict with provisions in the plan is too onerous, sets up interpretation issues and has little commensurate benefit. Instead, there is benefit in setting out the approach to implementing national direction, and identifying the chapters which includes rules relevant to the national instrument.

**Changes sought**

Auckland Council seeks the following amendments to the draft introduction and general provisions standard (S-IGP):

- Tables 7, 8 and 9 should be combined into one table and should be able to be located on council’s website;
- Amend the column in Tables 7, 8 and 9 “Date of update approval” to “Date the plan was updated”;
- Include a chapter in the combined plan structure for General Rules before Part 4;
- Relocate the interpretation material such as definitions to the back of the plan;
- Amend the detailed requirements of Table 14 and 15. Limit these tables to identifying the chapters or section of the plan that implement a national policy statement or a national environmental standard.

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\(^3\) Auckland Unitary Plan Independent Hearings Panel Report to Auckland Council – Hearing Topic 004 General rules

\(^4\) Auckland Unitary Plan Independent Hearings Panel Report to Auckland Council – Hearing Topic 004 General rules
Draft Tangata Whenua Structure Standard (S-TW) Part 2

Relevant Planning Standard
This section contains detailed submission points on the draft Tangata Whenua Structure Standard (S-TW).

Summary of Submission
Auckland Council has a number of submission points on the draft Tangata Whenua Structure (S-TW):

- Enable statutory acknowledgments to be located in the appendix of the plan;
- Delete from F-5 Draft Chapter Form Standard the requirement for Part 2 Tangata Whenua to use the order of headings prescribed in F-5;
- Provide clarity on what is intended by “If the following matters are addressed in policy statements and plans…”

Issues
Re-locating information
Draft Standard S-TW locates a significant amount of process and background type of information in the front sections of a combined plan. These mandatory inclusions encompass information from a broad suite of plans, agreements, processes and other legislation.

The concept of combining this information into a document which can be easily accessed by plan users is supported from an efficiency perspective. Also it is sensible to use hyperlinks within the plan to keep this content updated.

For Auckland Council incorporating this Standard would involve relocating some information currently within the schedules and appendices of the Unitary Plan. For example the Standard requires “a list and explanation of what statutory acknowledgements for the district and region are.” The Unitary Plan contains all the statutory acknowledgments for the Auckland region in Appendix 21, which is 55 pages long.

Moving this amount of information to the beginning of the document will challenge the usability of the Unitary Plan. However, leaving it in the appendix is also a problem as it currently does not meet the requirements set out in the Draft Schedules, Appendices and Maps Standard (S-SAM).
Non-statutory information made statutory

A primary concern for Auckland Council is the fluid nature of many of the mandatory provisions within S-TW and therefore any changes to these provisions will need to be updated through a Schedule 1 process. Schedule 1 plan change processes are resource intensive for the council.

Consultation with mana whenua is a dynamic process within Auckland and prescribing this in the format prescribed in the Standard may not necessarily support a flexible working relationship with Tangata Whenua. There is local variation in how consultation is undertaken between different iwi in the region and outlining consultation techniques will vary across iwi and or topics.

It is also unclear what is actually meant by “If the following matters are addressed in policy statements and plans...” (Mandatory Direction 3). Some chapters of the Unitary Plan (e.g. E.1 – Water Quality – e.g. Pol (17)(b)) make specific reference to consulting with Mana Whenua in accordance with tikanga Māori. Is this equivalent to a matter, covered in Part 2, being “addressed”? If so, then does that particular policy have to relocate to Part 2 (and suffer from dis-integration) or does the tikanga protocol relevant for each iwi need to be included in Part 2 (but then this would be new content and require a Schedule 1 process for incorporation)?

Format of Part 2

The Draft Chapter Form Standard (F-5) requires chapters within Part 2 Tangata Whenua to use the order of heading prescribed in that Standard. The draft Standard prescribes the format as: ‘Introduction, issues, objectives, policies, methods, rules, anticipated environmental results and monitoring’. However F-5 also states a local authority must consider whether these types of heading need to be provided for or are required. Thus, indicating that it could be optional to use for Part 2. This is unclear.

Changes sought

Auckland Council seeks the following amendments to S-TW:

- Enable Statutory Acknowledgments to be located in the appendix of the plan;
- Delete from F-5 Draft Chapter Form Standard the requirement for Part 2 Tangata Whenua to use the order of headings prescribed in F-5;
- Provide clarity on what is intended by “If the following matters are addressed in policy statements and plans...”
Draft Combined Plan Structure Standard (S-CP) - Part 3: Regional Policy Statement

Relevant Planning Standard

This section contains detailed submission points on Part 3 Regional Policy Statement structure as set out in the Draft Combined Plan Structure Standard (S-CP).

Summary of submission points

Auckland Council has a number of submission points on the proposed regional policy statement structure as set out in the Draft Combined Plan Structure Standard (S-CP):

• That the Standard either includes all s62 of the Act requirements into Part 3 – RPS structure or provides a standard approach to identifying those regional policy statement matters that sit in sections outside of Part 3 – RPS (i.e. tagged as regional policy statement provisions);
• That a mandatory section for Tangata Whenua be included in Part 3 – RPS structure;
• That an ‘urban growth’ section be included in Part 3 – RPS structure;
• That a reference (such as S-RPS) is included for Part 3 matters;
• That clarity is provided where all coastal environment provisions should be located;
• That a ‘rural environment’ section be included in Part 3 – RPS structure.

Issues

Meeting the section 62 of the Act requirements for an regional policy statement

Section 62 lists the contents that a regional policy statement must state. These include;

(b) the resource management issues of significance to iwi authorities in the region; and
(f) the principal reasons for adopting the objectives, policies, and methods of implementation set out in the statement; and
(g) the environmental results anticipated from implementation of those policies and methods; and
(h) the processes to be used to deal with issues that cross local authority boundaries, and issues between territorial authorities or between regions; and
(j) the procedures used to monitor the efficiency and effectiveness of the policies or methods contained in the statement;…

In the draft Standard a number of s62 matters (particularly those listed above) do not sit in the Part 3 – Regional Policy Statement but are located in Part 1 - Introduction and General Provisions or in Part 7 - Evaluation and Monitoring. Without any direction from the Standard
to tag these provisions as regional policy statement, the draft Standard fails to meet the
requirements of s62 of the Act.

Providing specifically for iwi matters in the regional policy statement

The draft standards provide a specific section Part 2 – Tangata Whenua Structure Standard
(S-TW). The guidance for this Standard states ‘the regional policy statement and plan
structure standards prescribe the mandatory order and heading for the tangata
whenua parts and its associated chapters”. However there is no section specifically for
Tangata Whenua in Part 3 – regional policy statement. This appears to be a gap.

Whether this is a gap is confused by the Guidance also stating that outside of the matters
provided for in Part 2 - Tangata Whenua ‘specific resource-related provisions should be
placed in the relevant theme based chapters of policy statement/plans.’ This suggests
that the omission of a ‘Tangata Whenua’ theme/chapter in the regional policy statement is
intentional and that Tangata Whenua matters are to be addressed (i.e. integrated)
throughout the other various sections such as ‘land’, water, etc. Auckland Council supports
the integration of tangata whenua specific resource–related provisions throughout the
regional policy statement and the Plan. This is how it is also done in the Unitary Plan.

However, when the Unitary Plan was developed in consultation with iwi it was very clear that
Mana Whenua should also have a specific chapter in the regional policy statement to
provide the strategic policy framework for addressing the issues of significance to Māori and
to iwi authorities in the Auckland region.

To meet the requirements of s62(b) a mandatory section for Tangata Whenua needs to be
included in Part 3 – regional policy statement that identifies, as well as addresses, the issues
of significance to tangata whenua. This would be the equivalent of B6 Mana Whenua in the
regional policy statement section of the Unitary Plan. This section provides the overarching
objectives and policies for Mana Whenua in the Auckland region. It also establishes the
strategic policy direction for the specific Mana Whenua provisions in the district plan. The
draft Standard enables a chapter for tangata whenua to be included as a “special topic” at
the bottom of the regional policy statement. However this fails to acknowledge the statutory
requirement that every council has, as well as the significance of this section for the
Auckland region.

Inclusion of a section for urban growth

The functions of regional and district councils under s30 and s31 of the Act include the
establishment, implementation, and review of objectives, policies, and methods to ensure
that there is sufficient development capacity of housing and business land. Regional councils
are required to provide for the strategic integration of infrastructure with land use
development under s30(1)(gb) of the Act.

In the draft regional policy statement structure there is a mandatory section for ‘Infrastructure
and energy’ but no section relating to ‘development capacity’; the equivalent of B2 Urban
growth and form in the Unitary Plan’s regional policy statement section. The objectives and
policies in B2 Urban growth and form of the Unitary Plan provide the policy direction for other sections of the Unitary Plan including Chapter G Rural – Urban boundary. This regional policy statement section also establishes the requirement for structure planning, and provides the basis for zones (future urban areas and areas where higher density is provided for).

In 2016 the National Policy Statement on Urban Development Capacity (Urban Policy Statement) came into effect. The objectives of this Urban Policy Statement apply to all local authorities (with differing policies applying depending on the level of urban growth). The Urban Policy Statement places a strong emphasis on planning across local authority boundaries and for collaboration between regional councils and territorial authorities (pg. 4 Urban Policy Statement). The requirements of the Urban Policy Statement and s30 and s31 of the Act are not reflected in the mandatory sections of the structure of the regional policy statement in the draft Standard. This is not a matter that fits with the category of being a ‘Special topic’ as all councils are required to address the Urban Policy Statement.

Including urban growth as a sub section in the “land” section is also not an appropriate response given that urban growth is one of main issues the Auckland region is facing.

**Clarity of referencing**

This draft Standard includes the reference to be used for Part 1 (S-IGP) and Part 2 (S-TW) but does not include the reference to Part 3 matters. Presumably this is (S-RPS), but this should be included in the Standard for clarity.

**Location of coastal provisions**

It is not clear in the draft Standard (and the guidance material) whether all provisions that relate to the coastal environment should be located in the coastal environment section. For example, should coastal natural character, coastal hazards, coastal water be located in the ‘coastal environment’ section or other relevant sections such as landscape, landforms and natural character.

**Missing rural environment section**

The draft Standard does not provide specifically for a rural environment section. Most, if not all, regional councils will need to address resource management issues in relation to rural subdivision, rural productivity and rural activities in their regional policy statement. It is therefore strange that the two options for doing this are as a special topic or as a sub-section in the “land” section. Council’s will choose different approaches and therefore create inconsistencies.

**Risks**

Risks of not making the changes sought are:
1. The requirements of s62 of the Act relating to regional policy statement matters may not be met, as some regional policy statement provisions sit outside of Part 3 – RPS and the
directions for the standard do not identify the moved sections as regional policy statement provisions or provide instructions that these are to be tagged as regional policy statement provisions.

2. That important strategic regional policy statement provisions for Tangata Whenua and urban growth are included inconsistently in regional policy statement’s and plans as they are not mandatory regional policy statement sections, even though they apply to all councils and are matters that have a significant influence on other plan provisions.

Changes sought

Auckland Council seeks the following amendments to the draft Standard for Combined Plan Structure:

- That the Standard either includes all s62 of the Act requirements into Part 3 – RPS structure or provides a standard approach to identifying those regional policy statement matters that sit in sections outside of Part 3 – RPS (i.e. tagged as regional policy statement provisions);
- That a mandatory section for Tangata Whenua be included in Part 3 – RPS structure;
- That an ‘urban growth’ section be included in Part 3 – RPS structure;
- That a reference (such as S-RPS) is included for Part 3 matters;
- That clarity is provided where all coastal environment provisions should be located;
- That a ‘rural environment’ section be included in Part 3 – RPS structure.
Draft Combined Plan Structure Standard (S-CP) - Part 4: Coastal Environment

Relevant Planning Standard
This section contains detailed submission points on Part 4 Coastal Environment as set out in the Draft Combined Plan Structure Standard (S-CP) and the Draft Spatial Planning Tools (Regional) Standard (F-3).

Summary of submission points
Auckland Council has a number of submission points on how the coastal environment is incorporated into the combined plan structure as set out in S-CP and F-3:

- That for a combined plan (that combines a regional policy statement, coastal, regional and district plans) the coastal provisions are elevated to the chapter level in Part 4 of the combined plan structure.

And in addition, clarity is provided on:

- where in a combined plan structure do regional coastal plan provisions sit (i.e. the provisions that apply below mean high water springs);
- where coastal environment provisions (i.e. provisions that are landward from and below mean high water springs) sit within the structure specified in the Standard. The Unitary Plan has coastal environment provisions in a number of Auckland wide chapters and in ‘Chapter F Coastal’ chapter. These provisions do not translate neatly into Part 4- Region wide matters in S-CP;
- whether the landward coastal environment components of the Outstanding Natural Landscapes, Outstanding Natural Features and Ecosystems Biodiversity need to be taken out of the topic sections (as they also apply to land outside of the coastal environment) and be included in the coastal environment section or sit in the topic section and be tagged as regional coastal plan;
- where the equivalent of the Unitary Plan’s coastal plan zones sit in within the structure specified in the Standard. The zones are area specific matters, but apart from a Port Zone (that is focused on the landward activities) no coastal zones are provided for;
- whether precincts can be used both over the land and the coastal marine area; and
- whether a combined plan can have a zone that covers both land and coastal marine area.

Issues
Regional coastal plan location in a combined plan
In the draft Standard on the Combined Plan Structure, it is not clear where the regional coastal plan sits if a combined plan includes a regional plan, a regional coastal plan and a district plan.
There appears to be three possible locations for a regional coastal plan.

1. In ‘Natural Environmental Values – Coastal environment’

The Direction in Part 4 – Region wide matters states that “if the combined plan includes a regional plan, regional plan provisions may be integrated with the implementation of the General District Wide Matters Standard (S-DWM)”. This Direction implies that the regional coastal plan would sit in the ‘coastal environment’ section as part of the ‘natural environment values’ chapter. It would need to be integrated with district plan provisions for the coastal environment. However, there are many aspects of a regional coastal plan that do not sit easily under a district plan framework.

Furthermore, the ‘natural environment values chapter – coastal environment’ section, as described in the Draft District Wide Matters Standard (S-DWM), seems relevant for only some regional coastal plan matters.

2. In the ‘coastal environment’ chapter

The draft Standard also states that the ‘coastal environment’ chapter must be used if the combined plan does not include a district plan. This leaves a possibility that the chapter could be used as an option if the combined plan does include a district plan. However, it suggests that the preferred option is to include a regional coastal plan within a ‘section’ as opposed to a ‘chapter’.

3. A new chapter in Part 6 – Area specific matters

The draft Spatial Planning Tools (Regional) Standard provides for zones in a regional coastal plan. The combined plan structure does not state where the provisions for these zones would be located. Presumably they could be added to Part 6 – Area specific matters as a special purpose zone?

**There is no equivalent landward coastal environment section in the Unitary Plan**

Some regional councils have mapped the landward extent of the coastal environment for their regions, based on the criteria of Policy 1 of the New Zealand Coastal Policy Statement and case law. This is not the case for Auckland. The only topic where the landward extent of the coastal environment has been mapped is for outstanding or high natural character areas (determined against Policy 1 and 13 New Zealand Coastal Policy Statement and from case law). Outside of natural character areas the landward extent of the coastal environment is determined on a case by case basis. There is presently no mapped landward area to which a stand-alone ‘coastal environment’ chapter would be able to apply.

All landward coastal environment matters are incorporated within regional and district plan sections for example in Chapter E Auckland-wide - E1 Water quality and integrated management, E15 Vegetation management and biodiversity, E18 Natural character of the
coastal environment, E36 Natural hazards and flooding etc. In terms of district plan zones the landward coastal environment provisions are incorporated within zone provisions, such as Chapter H7 Open Space zones. The only zone specifically relating to the coastal environment is the Rural – Rural Coastal Zone.

The Standard (or Directions) do not provide for the equivalent to the Unitary Plan zones and precincts applying in the coastal marine area

- It is not clear if the Special Purpose Port zone provided in the Standard applies in the coastal marine area or only on land.
- It is not clear if the coastal marine area could be an additional ‘Special Purpose Zone’. The Draft Area Specific Matters Standard direction 7 refers to ‘proposed land use activities’ so implies the additional special purpose zones are for district plans but the criteria could be met by coastal plan zones.
- The Draft Spatial Planning Tools (Regional) Standard specifies that in regional plans, a zone only applies to the coastal marine area. This, however, is not provided for within the combined plan standard. Nor is it clear if you can have multiple zones in the coastal marine area and/or zones that go over both the land and the coastal marine area.
- It is not clear whether precincts can be used both over the land and over the coastal marine area. Precincts are included in ‘Table 24 District plan components of combined plans and district plan spatial planning tools’ but not in ‘Table 23 Regional plans, policy statement and regional components of combined plans’. However it is noted that the Mandatory Direction 4 in the draft Spatial Planning Tools (Regional) Standard enables additional spatial planning tools to be used in a regional plan “if a need is not met by the functions described in table 23.” The functions of an “Area” are very broad and therefore it is questionable whether a precinct could be introduced in the coastal marine area.

Rules for the landward part of the coastal environment

The Regional Plan Structure Standard guidance document ‘coastal environment’ section states “It is noted that objectives and policies can relate to both the coastal marine area and coastal environment while rules in regional plans can only relate to the coastal marine area.” Several coastal environment plans have included rules that relate to coastal hazards. Some regional plans combine rules for discharges to the coastal marine area and freshwater. Does this note mean that such rules are no longer possible or that they must be in another section? It is also contradictory with the ‘landscapes, landforms and natural character’ section that states regional plans can have rules. The intent may have been to refer to ‘rules’ in regional coastal plans’ rather than ‘regional plans’.

Duplication between sections

It is very unclear what goes in the coastal environment sections for matters that overlap with other sections. For example, it is not clear if esplanade reserves and strips are in the ‘coastal environment’ or ‘subdivision’; or whether coastal setbacks are in 'coastal environment' or zones.
The Regional Plan Structure Standard guidance document ‘historic heritage’ section states that “this chapter manages historic heritage including setting the direction for the protection and the management of historic heritage in the coastal marine area including sites and items.” Does this mean the regional coastal plan is to be in multiple chapters?

The Standards should include clear direction regarding whether other applicable sections should be cross referenced or whether they need to be duplicated.

Complicated numbering of provisions

The numbering will be very complicated if all the coastal provisions have to be in ‘Part 4 region wide – natural environmental values – coastal environment’ then sections within this for subdivision, built form, natural character, public access, ecosystems, reclamation, structures, dredging, disturbance, water, taking, planting, mangrove removal, discharges, aquaculture, occupation, activities and uses; and each of them having objectives, policies and rules.

The Standards should provide direction how the numbering is meant to address topics that require multiple layers or sub sections. For the regional coastal plan provisions it would be clearer to elevate them to a chapter level.

Risks

Multiple parts of the Unitary Plan will need to be re-organised and re-written resulting in a loss on integration. All of the regional coastal plan precincts will need to be re-written as zones or controls. This will reduce integration with the district plan provisions for the adjacent land.

The coastal environment parts of the Unitary Plan regional coastal plan sections may need to be duplicated or cross referenced in the coastal environment chapter.

This work may require out of scope consequential amendments and a significant amount of re-organising content and splitting apart the integration that was achieved in the Unitary Plan.
Changes sought

Auckland Council seeks the following amendments to S-CP:

- That for a combined plan (that combines a regional policy statement, coastal, regional and district plans) the coastal provisions are elevated to the chapter level in Part 4 of the combined plan structure.

And in addition, clarity is provided on:

- where in a combined plan structure do regional coastal plan provisions sit (i.e. the provisions that apply below mean high water springs);
- where coastal environment provisions (i.e. provisions that are landward from and below mean high water springs) sit within the structure specified in the Standard. The Unitary Plan has coastal environment provisions in a number of Auckland –wide chapters and in ‘Chapter F Coastal’ chapter. These provisions do not translate neatly into Part 4- Region wide matters in S-CP;
- whether the landward coastal environment components of the Outstanding Natural Landscapes, Outstanding Natural Features and Ecosystems Biodiversity need to be taken out of the topic sections (as they also apply to land outside of the coastal environment) and be included in the coastal environment section or sit in the topic section and be tagged as regional coastal plan;
- where the equivalent of the Unitary Plan’s coastal plan zones sit in within the structure specified in the Standard. The zones are area specific matters, but apart from a Port Zone (that is focused on the landward activities) no coastal zones are provided for;
- whether precincts can be used both over the land and the coastal marine area; and
- whether a combined plan can have a zone that covers both land and coastal marine area.
Draft Combined Plan Structure Standard (S-CP) -

**Relevant Planning Standard**

This section contains detailed submission points on the structure as set out in the Draft Combined Plan Structure Standard (S-CP) and the Draft Spatial Planning Tools (district) Standard (F-4).

**Summary of submission points**

Auckland Council has a number of submission points on the structure as set out in the Draft Combined Plan Structure Standard (S-CP) and the Draft Spatial Planning Tools (district) Standard (F-4):

- Change ‘Sites of significance to Māori’ to ‘Sites of significance to Mana Whenua’.
- Either provide an additional chapter heading for transport in Parts 3 and 4. Or alternatively change the chapter heading 'Infrastructure and Energy' to 'Infrastructure, Transport and Energy', and add three separate section headings for infrastructure, transport, and energy.

**Issues**

**Mana Whenua**

In Part 4 of the combined plan structure a section is provided ‘Sites of Significance to Māori’ in the community values chapter. There is a similar section in the Unitary Plan called ‘Sites of Significant to Mana Whenua’. Council requests that the terminology is kept consistent with the Unitary Plan as it recognises that it is Mana Whenua that identifies these places within the region.

Council also notes that the combined plan structure as proposed in Standard S-CP enables plans to have special topics within Part 4 region wide matters. Part 4 in the Standard does not currently provide for sections equivalent to the Unitary Plan’s Māori Land and Treaty Settlement Land chapters. These Unitary Plan chapters are provided as non-mapped region-wide matters, and council would like to retain this current approach.

**Transport**

In Part 3 and Part 4 of the combined plan structure ‘transport’ has been omitted from the chapter and section headings. The guidance to these standards state that transport is included within the infrastructure chapters. This, however, is not clear to a plan user.
Transport covers two aspects. The first is as a network utility and the second relates to
managing the effects on transport from development including parking, turning, traffic
generation etc.

Council seeks that either an additional chapter heading is added for transport in Parts 3 and
4. Or alternatively the chapter heading 'Infrastructure and Energy' is changed to
'Infrastructure, Transport and Energy', and then three separate section headings be given for
infrastructure, transport, and energy.

Draft Spatial Planning Tools (District) Standard (F-4)

In this draft Standard there is a mismatch between the spatial planning tools of 'overlays' and
'specific controls' and the existing mapped controls associated with the Auckland wide rules
in the Unitary Plan. For example, in the Unitary Plan’s Chapter E27 Transport there are
mapped controls for arterial roads, vehicle access controls, and level crossing with sightline
controls. The draft Standard requires these specific controls to be located within a zone. This
should be amended to allow specific controls to be located within a district wide or region
wide chapter.

Without this clarification, it appears that an overlay would need to be used to identify arterial
roads, vehicle access controls, and level crossings with sightline controls. The guidance
identifies that overlays can apply across zones and that the associated provisions would be
located within district-wide chapters. However given the limited application of these mapped
controls, the use of an overlay is not really warranted and specific controls would appear to
be the more appropriate tool to use for the types of mapped controls that are currently used
in the Unitary Plan in association with Chapter E27 Transport.

Changes sought

Auckland Council seeks the following amendments to S-CP:

- Change ‘Sites of significance to Māori’ to ‘Sites of significance to Mana Whenua’.
- Either provide an additional chapter heading for transport in both Parts 3 and 4. Or
  alternatively change the chapter heading 'Infrastructure and Energy' to 'Infrastructure,
  Transport and Energy', and add three separate section headings for infrastructure,
  transport, and energy.
Draft Area Specific Matters Standard (S-ASM) – Part 6: Zone Chapter

Relevant Planning Standard
This section contains detailed submission points on the proposed Zone framework as set out in the Draft Area Specific Matters Standard (S-ASM).

Summary of submission points
Auckland Council has a number of submission points on the proposed Zone framework set out in S-ASM:

- Expand the number of residential zones from four zones to six zones to enable continued use of the existing Unitary Plan zone framework or provide zones that align with this framework;
- Amend the names of the residential zones to reflect housing typology and not density;
- Amend the name of the “Neighbourhood Commercial” zone and the “Local Commercial” zone to “Neighbourhood Centre” and “Local Centre” respectively.
- Amend the names of zones or the grouping of zones to ensure that there is no duplication of terms;
- Add a Metropolitan Centre Zone;
- Expand the number of rural zones from four zones to six zones to enable continued use of the existing Unitary Plan zone framework or provide zone that align with this framework;
- Provide additional core zones rather than relying on precincts to differentiate character or development potential.
- Modify the test for introducing an additional special purpose zone so that it does not favour the use of precincts.
- Provide more flexibility within the structure of the proposed zone framework so that zones introduced as additional special purpose zones can sit with related zones.
- Delete guidance material that sets up expectations on the built form, levels of amenity, activities and the location of each zone, or be clear that the guidance is optional.

Issues
Expand the number of Residential Zones
This draft Standard proposes to simplify the package of residential zones and to minimise the use of zones where other planning tools such as overlays or precincts, can be used to introduce district provisions \(^1\). The reasons for adopting this zone framework broadly align with the approach taken in the Unitary Plan. The Unitary Plan seeks to achieve the policy direction for residential development through six standard residential zones, with additional area-specific local variation provided through precincts and overlays. However S-ASM has simplified the package of residential zones to four zones. This has significant implications on

\(^1\) National Planning Standards Initial Guidance for draft National Planning Standards F-4 Spatial planning tools (district) S-ASM Area-specific matters – zone framework pg. 5
the delivery of the strategic policy approach to intensification in the Unitary Plan. It also impacts on the significant gains achieved through the process of developing the Unitary Plan, in providing for future growth and attempts at addressing housing supply.

**Correlation between the Unitary Plan Residential Zones and the draft S-ASM Residential Zones**

After reviewing the purpose statements for the residential zones within S-ASM it appears that both the Residential - Large Lot zone and the Residential - Rural and Coastal Settlement zone in the Unitary Plan correlate to the Low-density zone. Likewise both the Residential - Single House zone and the Residential -Mixed Housing Suburban zone in the Unitary Plan correlate generally with the Residential zone. These four zones however, serve a very different purpose in Auckland’s residential zoning framework:

<table>
<thead>
<tr>
<th>Zone</th>
<th>Density</th>
<th>Purpose</th>
</tr>
</thead>
</table>
| **Large lot** | Density: 1 dwelling per site  
Minimum site size for Subdivision: 4000m² | The Large Lot zone has been applied in selected locations that are usually on the periphery of Auckland’s urban areas. The zone is generally located in areas with limited or no access to a reticulated wastewater network, or areas where physical limitations apply such as ground conditions or natural hazards. The zone generally forms a transition between rural land and urban land. It is designed to maintain a spacious landscape character or landscape qualities by providing for a low density character of development separated by open space and landscaping, or established areas of vegetation. |
| **Rural and Coastal settlement** | Density: 1 dwelling per site  
Minimum site size for Subdivision: 2500m² | The RCS zone has been applied to residential properties within unserviced rural and coastal settlements across the Auckland region such as Muriwai, Leigh and Kaukapakapa. The zone provides for a “village” residential character and for onsite treatment and disposal of stormwater and wastewater as reticulated infrastructure is not available. |
| **Single House** | Density: 1 dwelling per site  
Minimum site size for Subdivision: 600m² | The Single House zone reflects a more traditional residential zoning pattern with a density limit of one dwelling per 600m². There was significant debate through the hearings on the Unitary Plan over the role and purpose of the SHZ. The Panel found that the Residential - Single House Zone is an important zone and contributes to the range of living options and choices available. The Panel's view was that the zone does not only provide for “low density suburban housing” but it also complements the amenity values based on special character informed by the past, spacious sites with large trees, a coastal setting or other factors such as neighbourhood character. Additionally the SHZ is applied in some coastal settlements e.g. Kawakawa Bay which although serviced, have significant infrastructure constraints |
<table>
<thead>
<tr>
<th>Mixed Housing suburban</th>
<th>and therefore need to retain density controls.</th>
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</thead>
<tbody>
<tr>
<td></td>
<td>The MHS zone is spatially the largest residential zone in the Unitary Plan. The zone provides for flexibility of housing choice by enabling attached and detached housing typologies at a range of densities, while retaining a relatively spacious quality consistent with a suburban residential character (including one – two storey buildings). Spatially, it is typically applied between the MHU zone and the SHZ. A number of submitters on the Unitary Plan, sought that the Residential - Mixed Housing Urban and Residential - Mixed Housing Suburban Zones should be merged. This was based on the need to provide greater residential capacity, and the submitters’ view that there was little distinction between the zones, given that density controls do not apply in either zone.</td>
</tr>
<tr>
<td>No density Minimum site size for Subdivision: 300m²</td>
<td>The Independent Hearings Panel found that it was important to retain two separate zones. The Residential - Mixed Housing Suburban Zone will facilitate some intensification while retaining a more suburban character, generally defined by buildings of up to two storeys. The Residential - Mixed Housing Urban Zone will provide for a more intensive building form of up to three storeys, facilitating a transition to a more urban built character over time. The Residential - Mixed Housing Urban Zone also provides for a transition in built character between suburban areas (zoned Residential - Mixed Housing Suburban Zone) and areas of higher intensification with buildings of five to seven storeys in areas zoned Residential - Terrace Housing and Apartment Buildings Zone. The difference in height and height in relation to boundary provisions, as well as the different subdivision site size standard, will assist in the transition in character described above and are important points of distinction.</td>
</tr>
</tbody>
</table>

**Risks**

Given the very different purpose that these four zones serve in the residential zoning framework for Auckland, it is impossible to simply merge two existing zones and still meet the policy direction for residential development in Auckland. This is because the range of objectives and policies which shape the character of each zone will be reduced. Furthermore, the Unitary Plan zones that are not explicitly provided for within the S-ASM structure contain provisions that respond to the different levels of infrastructure available for servicing development in each zone. Standardising rules across these zones will result in some areas being underdeveloped to ensure areas that cannot cope with additional development are not overdeveloped. This has a very real implication of influencing the delivery of Auckland’s growth objectives. Consequently the simplified zoning framework that S-ASM seeks to impose will ultimately result in a complete review of the residential zoning framework in Auckland and how these zones are applied spatially.
A significant amount of work was undertaken in harmonising the legacy zone framework included in the legacy district plans of the former territorial authorities in Auckland which consisted of over 99 residential, business and rural zones into six residential zones. This bespoke set of residential zones reflects Auckland’s existing and planned residential environments and has been recommended by the Independent Hearings Panel after hearing extensive expert evidence. Auckland Council’s preference is to continue to build upon the work that has already been completed through the Unitary Plan process, rather than re-litigating issues that came up through the development of the Unitary Plan residential zone framework.

Changes sought

Auckland Council seeks the following amendments:

• Expand the number of residential zones to six zones to enable continued use of the existing Unitary Plan zone framework:
  o Add a Rural and Coastal Settlement zone or a zone with a similar purpose.
  o Add a Single House zone or a zone with a similar purpose.

Naming of Zones

This draft Standard proposes to name the residential zones based on the density provided for in the zones. This does not make sense in the Auckland context where three of the residential zones have no density limit. Within the Unitary Plan the zones are named in accordance with the housing typology provided for.

Proposing to name the residential zones based on density will result in inconsistencies across the country with how each zone is used or applied. This is because “medium density” is a very different concept in a small town compared to a large urban city such as Auckland. If zones are named by the housing typology they provide for e.g. Single House Zone this will enable zones to be used more consistently throughout the country and therefore, more likely to achieve the purpose of the National Planning Standards. Furthermore terms such as “high density” and “medium density” are planning jargon and not easily understood by the public.

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2 There were a total of 99 residential, business and rural zones across the legacy district plans in Auckland. The development of the PAUP provided an opportunity to significantly rationalise the number of zones and simplify Auckland’s zoning framework. In order to simplify the number and complexity of zones, the Council commissioned Beca Carter Hollings and Fener Ltd (Beca) to prepare a “Legacy Zone Harmonisation Review” which was completed in February 2012. The aim of that report was to group the existing residential, business and rural zones by outcomes into a smaller number of zones.

Tables were prepared for the residential and business zones containing a summary of key performance standards and rules relative to each legacy district plan zone. Each legacy district plan zone was considered in terms of its form and function. These tables were then used to group the various legacy district plan zones by the outcomes they sought to achieve.

This exercise resulted in the proposed package of six residential zones which were notified. Submissions were received on the package of residential zones and the panel heard evidence in support of submissions. The Independent Hearings Panel recommended the retention of the proposed package of residential zones with modifications to the
Zone names should be in plain English to enable plan users to understand more clearly the intended purpose of each zone. For example zone names such as “Terrace Housing and Apartment Building zone” and “Single House Zone” sends a very clear picture to plan users about the level of development that can be expected in each zone.

Additionally the proposed “Neighbourhood Commercial” zone and the proposed “Local Commercial” zone should be changed to “Neighbourhood Centre” and “Local Centre” respectively. Whilst centre zones are primarily commercial zones they do enable a mixture of activities. The term ‘commercial’ suggests that only business-related activity will occur in this zone and is too narrow a description for zones that enable a mix of uses including community facilities, education facilities and residential uses on the upper floors.

The proposed naming of individual zones and their groups in S-ASM duplicates terms which could cause confusion and result in interpretation issues. By using ‘residential zone’ both generically as a zone type, and also as the name of a specific zone within that category, this will lead to communication problems as to what exactly is being discussed when ‘residential zones’ is being referred to. This applies to residential zones, rural zones, and commercial zones.

**Changes sought**

Auckland Council seeks the following amendments:

- Amend the names of the residential zones to reflect housing typology and not density, an example of how this could be achieved is:
  - Rename Low Density Zone to ‘Large Lot zone’
  - Rename Residential Zone to ‘Mixed Housing Suburban zone’
  - Rename Medium Density Residential zone to ‘Mixed Housing Urban zone’
  - Rename High Density Residential zone to Terrace Housing and Apartment Building zone

- Amend the name of the “Neighbourhood Commercial” zone and the “Local Commercial” zone to “Neighbourhood Centre” and “Local Centre” respectively.

- Amend the names of zones or the grouping of zones to ensure that there is no duplication of terms.

**Incorporate a Metropolitan Centre Zone**

The Unitary Plan incorporates a centres hierarchy which gives effect to the 2012 Auckland Plan. This was the guiding strategy for Auckland at the time of the development of the Unitary Plan. The 2012 Auckland Plan has now been refreshed. In June 2018, the Auckland Plan 2050 was adopted, acknowledging the role of the centres hierarchy. S-ASM also adopts a centres hierarchy which incorporates a series of centre zones including City Centre, Town Centre, Local Centre and Neighbourhood centre. This broadly aligns with the Unitary Plan however it is missing one key component, the Metropolitan Centre Zone. Within the Unitary Plan the Metropolitan Centre Zone has been applied to signify areas of growth and intensification, secondary to the city centre in terms of scale and

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3 The Auckland Plan 2050 was adopted by the Planning Committee on 5 June 2018 and is available online (https://www.aucklandcouncil.govt.nz/plans-projects-policies-reports-bylaws/our-plans-strategies/auckland-plan/Pages/default.aspx).
intensity⁴. In other New Zealand cities the metropolitan centre zone may not be needed as their function is covered by a city centre zone. Given Auckland’s scale and polycentric nature, however, there are a number of centres within the region that serve a different function to town centres as sub-regional hubs that support the city centre. Metropolitan Centre’s are defined in the Auckland Plan 2012 as:

“Metropolitan centres serve regional catchments and have strategic roles within the region. They provide a diverse range of shopping, business, cultural, entertainment and leisure activities, together with higher density residential and mixed use environments. They have good transport access and are served by high-frequency public transportation. These centres have the greatest opportunities for additional business and residential growth⁵.”

The Business – Metropolitan Centre Zone applies to 10 centres throughout Auckland including Newmarket, Sylvia Park, New Lynn, Westgate, Henderson, Takapuna, Albany, Botany, Manukau and Papakura. The role and function of Metropolitan Centres have been provided for within the Unitary Plan through provisions which:

- Enable a wide range of activities including commercial, leisure, intensive residential, tourist, cultural, community and civic services; and
- Generally allow for high-rise buildings to support an intense level of development, in the zone; and
- Requires resource consent for buildings within the zone to ensure that they are designed to a high standard, which enhance the quality of the centre’s streets and public open spaces.

Excluding a Metropolitan Centre Zone within Auckland will impact the delivery of the Auckland Plan 2012 outcomes as it challenges the ability for the Unitary Plan to implement the strategic directions of an urban centres hierarchy. Without a Metropolitan Centre Zone available the Auckland Council will have to look at applying the City Centre or Town Centre zone to the Metropolitan Centres.

The City Centre zone is at the top of the centres hierarchy and plays a pivotal role in Auckland’s present and future success. The Business – City Centre Zone seeks to ensure the city centre is an international centre for business and learning, innovation, entertainment, culture and urban living, taking priority in this regard over all other areas. Having multiple City Centre zones significantly undermines the purpose of the zone in distinguishing the City Centre as the focal point for commercial intensification within Auckland.

The City Centre Zone is not appropriate to be applied to Auckland’s metropolitan centres as it serves a vital role in the region and the nation as the primary centre with the highest residential density in the nation and contributing 7.4% of the New Zealand’s GDP. As a result, its’ function is different from metropolitan centres, which in turn support the city centre.

⁴ Primary Evidence of John Duguid on behalf of Auckland Council / Unitary Plan Topic 080-Rezoning/ 3 December 2015
⁵ The Auckland Plan pg. 253
The city centre:

- Provides for tourist economy including the port
- Is the key public transport hub of the region
- Provides the premier civic and cultural facilities in the region and nation
- Has a large evening and night time economy.

The Business – Town Centre Zone applies to suburban centres throughout Auckland, the satellite centres of Warkworth and Pukekohe, and the rural towns of Helensville and Wellsford. There are currently 43 town centres in the Auckland region. The centres are typically located on main arterial roads, which provide good public transport access. The zone provides for a wide range of activities including commercial, leisure, residential, tourist, cultural, community and civic services, providing a focus for commercial activities and growth. Town centres do provide for growth and intensification however, this is typically at a much smaller scale than Metropolitan Centres (buildings of four to eight storeys as opposed to 18 storeys). Zoning Metropolitan Centres as Town Centre Zone sends a very misleading message to the public about the scale of development anticipated within these centres.

Metropolitan centres differ from town centres in that they:

- Generally contain medium-high density, vs medium density
- Are sub-regional destinations, rather than serving local needs (e.g. cultural and civic facilities and tertiary education)
- Support high quality public transport with high trip generation
- Serve an important economic function (e.g. provide for head/regional offices vs local offices); have an evening and night economy
- Provide high quality public spaces vs local spaces that are smaller in scale
- Have a strong emphasis on employment with a higher employment-residential ratio than town centres.

Introducing a Special Purpose – Metropolitan Centre Zone is not a satisfactory option as this zone will sit at the bottom of the zone list and not within the other commercial centre zones. This is not an adequate reflection of the centres strategy for Auckland and does not enhance plan usability. See also Issue 5, below, for the discussion on why a precinct is not an appropriate tool to use to replace the zones.

**Risks**

Any change to the Unitary Plan that undermines the centres strategy has significant ramifications within the Auckland context. The centres strategy has been operating well within Auckland and strategic work such as the Auckland Plan 2050 relies on this strategy. It is imperative that a Metropolitan Centre zone is added.

**Changes sought**

Auckland Council seeks the following amendment:

- Add a Metropolitan Centre Zone.
Expand the number of Rural Zones

This draft Standard is seeking to simplify the package of rural zones and to minimise the use of zones where other planning tools such as overlays or precincts, can be used to introduce district provisions. The reasoning for adopting this zone framework broadly aligns with the approach taken in the Unitary Plan. The Unitary Plan seeks to achieve the policy direction for rural areas through five standard rural zones and the two Waitakere rural zones, with additional area-specific local variation provided for through precincts and overlays. S-ASM has simplified the package of rural zones to four zones. This has significant implications as Auckland has developed in the Unitary Plan a finely tuned and carefully nuanced approach to managing the complex mix of activities and interactions in rural areas. Reducing the number of rural zones compromises the policy framework and the intended outcomes.

Auckland will potentially lose four of its rural zones and its two Waitakere rural zones which provide for specific activities appropriate to the different nature and characteristics of these areas. These characteristics are based on current and potential land uses as well as their different physical attributes. The policy framework for the current rural zones provide for a subtle but different outcome.

Having fewer rural zones disregards distinctive features including topography, land-use and natural features. This is important particularly for the Rural Coastal Zone and the Rural Conservation Zone (and the Waitakere rural zones) because they are biophysically very different from the other rural zones. The loss of the Rural Coastal Zone is significant as it is extensive in land area and important in the way it interfaces with supporting the New Zealand Coastal Policy Statement.

Upon reviewing the purpose statements for the rural zones within the S-ASM it appears that the Rural Coastal Zone, the Rural Conservation Zone, the Waitakere Ranges Zone and the Waitakere Ranges Foothills Zone do not align with any of the proposed zones. Additionally the draft Standard proposes a Rural Settlement zone which does not correlate to any of the Unitary Plan zones.

The Waitakere rural zones could potentially be included as a special purpose zone, however, the lack of equivalent zones to the Rural Coastal zone and the Rural Conservation Zone is a significant gap in respect to Auckland’s rural zoning strategy.

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6 National Planning Standards Initial Guidance for draft National Planning Standards F-4 Spatial planning tools (district) S-ASM Area-specific matters – zone framework pg. 5
7 The Residential – Rural and Coastal Settlement zone is primarily a residential zone and does not provide for a mix in activities.
8 The Waitakere Ranges zones were added by the IHP as they deleted precincts in favour of adding core zones. The area is subject to multiple layers of controls (precincts and overlays). Further investigation would be required to ascertain that a special purpose zone is the right approach.
Table 2: Overview of the Rural Conservation and Rural Coastal zones

<table>
<thead>
<tr>
<th>Zone</th>
<th>Purpose</th>
</tr>
</thead>
<tbody>
<tr>
<td>Rural Conservation Zone</td>
<td>The purpose of the Rural Conservation zone is to enable established rural and residential activities to continue, but to recognise this zone’s particularly important natural values by adopting a conservative approach to new land uses, subdivision and development so that these values are maintained and protected.</td>
</tr>
<tr>
<td>Rural Coastal Zone</td>
<td>The purpose of the Rural Coastal zone is to retain and enhance the rural character and amenity values, local coastal character and high biodiversity values of rural areas in the coastal environment, while providing for rural production activities, rural lifestyle living And maintaining recreational opportunities.</td>
</tr>
<tr>
<td></td>
<td>Within the Rural Coastal zone, there are seven spatially defined areas that have their own objectives and policies in recognition of their local values and importance. The policy framework for these areas reflects their particular characteristics and provides specific guidance for their management. It is also important to note that the Rural Coastal Zone is more extensive in area than the coastal environment line identified using the NZCPS criteria as it includes areas beyond the immediate coastal environment that have landscape and amenity links to the coast.</td>
</tr>
</tbody>
</table>

**Risks**

Given the distinct purpose these two rural zones have within the rural zoning strategy in Auckland, the S-ASM in its current form will unravel the entire rural zoning strategy.

A significant amount of work was undertaken in harmonising the legacy zone framework included in the legacy district plans of the former territorial authorities in Auckland. This bespoke set of rural zones reflects Auckland’s diverse rural environments and has been recommended by the Independent Hearings Panel after hearing extensive expert evidence. Auckland Council’s preference is to continue to build upon the work that has already been completed through the Unitary Plan process, rather than re-litigating issues that came up through the development of the Unitary Plan rural zone framework.

**Changes sought**

Auckland Council seeks the following amendments:

- Expand the number of rural zones to six zones to enable continued use of the existing Unitary Plan zone framework:
  - Add a Rural Coastal Zone or a zone with a similar purpose.
  - Add a Rural Conservation Zone or a zone with a similar purpose.

**Provide additional core zones rather than using precincts to differentiate character or development potential**

Using precincts to compensate for a lack of appropriate zones is not supported. This is because it would result in precincts that impose a completely different policy direction and set of provisions that bear little resemblance to the underlying zone. This does not enhance the usability of the plan as the underlying zone will be completely overridden by precincts. It
could also result in complex sub-precincts structures resulting in precincts acting as pseudo zones. There is a risk that multiple precincts might be applicable to a single site, which will lead to interpretation issues.

The use of precincts to differentiate character or development potential that is currently differentiated through zones does not accord with the role of a precinct which was debated through the Unitary Plan hearings process. Through the Unitary Plan hearings process it was agreed that the role of a precinct is to build on the underlying zone. The best practise approaches for precincts issued as interim guidance by the Independent Hearings Panel specified that:

“2.4 The purpose of the precinct can’t be achieved through the use of the underlying zone and Auckland-wide provisions.

2.6 When the proposal changes most of the underlying zone, a new zone should be created instead of a precinct.”

This approach to the role of precincts is reflected in the national planning standards as it is stated within the initial guidance that:

“Precincts apply to a defined area where the purpose of the underlying zone(s) and majority of provisions (especially objectives and policies) are still applicable and are relevant. A precinct introduces a collection of new provisions. Precincts are therefore dependent on the underlying zone(s) and their policy frameworks.”

Changes sought

Auckland Council seeks the following amendment:

• That additional core zones are provided, as identified above, rather than relying on precincts to differentiate character or development potential.

Test for Additional Special Purpose Zones

If the zoning framework provided in the national planning standard at gazetted does not correlate with the Unitary Plan zones it is likely that the Council will have to utilise additional special purpose zones. There are two issues associated with this approach.

1) The test for introducing an additional special purpose zone favours the use of precincts; and

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9 Primary Evidence of John Duguid on behalf of Auckland Council / Unitary Plan Topic 080 - Precincts/ 3 December 2015
Auckland Unitary Plan Independent Hearings Panel Report to Auckland Council – Changes to the Rural Urban Boundary, rezoning and precincts
10 Auckland Unitary Plan Independent Hearings Panel Interim Guidance – Best Practice approaches to re-zoning, precincts and changes to the Rural Urban Boundary 31 July 2015
11 National Planning Standards Initial Guidance for draft National Planning Standards F-4 Spatial planning tools (district) S-ASM Area-specific matters – zone framework pg. 6
2) The structure of the proposed zone framework is inflexible so zones introduced as
additional special purpose zones will not sit with the groupings of related zones.

Test for introducing an additional special purpose zone favour the use of precincts

Within S-ASM an additional special purpose zone can only be created when the proposed
land use activities and anticipated development within the defined area:

“a. are significant to the district or region
b. could not be enabled by any other zone
c. could not be enabled by the introduction of an overlay, precinct, designation,
development area, or specific control.”

The issue with this proposed test is that it is very difficult to justify that a different
management approach could not be enabled by a precinct. This is because the S-ASM
adopts a very broad definition of a precinct:

“A precinct spatially identifies and manages an area where two or more additional
provisions apply which modify the policy approach of the underlying zone(s) or refine
or modify land use outcomes.”

Favouring the use of precincts over special purpose zones will lead to a large number of
precincts with little relationship to the underlying zone. For instance there is no provision for
the Rural Waitakere Ranges zones within the proposed zone framework, therefore an
underlying zone will need to be selected which the precinct will entirely override. As the
public generally is guided by the underlying zone this could result in plans which are not user
friendly or transparent to the general public.

Additionally, where a precinct is introduced in the place of a core zone it could lead to
overlapping of precincts applying to a particular site. This will lead to implementation issues
regarding the intended hierarchy that applies between precincts.

The structure of the proposed zone framework is inflexible so zones introduced as
additional special purpose zones will not sit with related zones

Where an additional special purpose zone is required to provide for a zone which is included
within the Unitary Plan zone framework and not A-ASM, it will be added to the bottom of the
zone list. This means that it will not sit with like zones. This does not enhance plan usability
and will be confusing to the public.

Changes sought

Auckland Council seeks the following amendments:

• That the requirements for introducing additional special purpose zones are revised to
  enable a special purpose zone to be used in place of a precinct.
• Provide flexibility to locate special purpose zones with “like” zones within the structure.

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12 Draft Area Specific Matters Standard pg. 43
13 Draft Area Specific Matters Standard pg. 45
Level of Guidance on Zone Purpose

The Council supports the standardisation of the proposed zone framework being limited to the zone name and the zone purpose. Within the discussion documents on the National Planning Standards, released 2017, there was a proposal to include standardised objectives and policies and bulk and location metrics. The Council provided feedback on this and supports the draft Standard which does not contain standardised objectives and policies and bulk and location metrics.

The National Planning Standards Initial Guidance for draft National Planning Standards F-4 Spatial planning tools (district) S-ASM Area-specific matters – zone framework contains specific guidance on:

- The built form and amenity provided in the zone;
- The activities provided for in the zone; and
- The location of the zone.

This level of detail is inappropriate and should be removed from the guidance material. Auckland Council is concerned that if this material remained in the guidance it could be used to ensure that the zones are used in accordance with this guidance material.

Different Councils have different approaches to how they interpret the purpose statement and locate zones based on factors specific to their particular locality. This flexibility is provided for within S-ASM which only goes as far as harmonising the zone names and purpose statements. Including more specific detail about built form, levels of amenity, activities and the location of each zone in the guidance material will create public expectation which could be used against the Council if they do not align with this. Council’s should be able to retain the flexibility to determine what is anticipated in each zone.

Changes sought

Auckland Council seeks the following amendments:

- Delete or minimise guidance material on:
  - The built form and amenity provided in the zone;
  - The activities provided for in the zone; and
  - The location of the zone.

- Alternatively make it very clear that guidance is only guidance and does not determine Council’s approach within the zones.
Draft Area Specific Matters Standard (S-ASM): Part 6 Development Areas Chapter and Precinct Chapter

Relevant Planning Standard

This section contains detailed submission points on the proposed Development Areas and the Precinct Chapters as set out in the Draft Area Specific Matters Standard (S-ASM).

Summary of submission points

Auckland Council has a number of submission points on the proposed Development Areas and the Precinct Chapters (S-Dev; S-Prec):

- Provide more clarity on the role and purpose of development areas and how these are incorporated into plans;
- Delete the development area spatial planning tool and expand the precinct tool to include development areas with their accompanying special provisions;
- If development areas are to be pursued as a spatial planning tool then simplify the process for incorporating this tool into resource management plans;
- If development areas are to be pursued as a spatial planning tool then the planning standard should be amended to recognise that if there is already an appropriate underlying zoning, development areas are not required to identify areas appropriate for re-development;
- If development areas are to be pursued as a spatial planning tool then there must be the ability for development areas to incorporate rules and override overlays, zone provisions and specific controls;
- Include a general rules section within the plan structure which outlines the hierarchy between the various spatial planning tools;
- Advocate for removal of the development plan section when development is complete by way of a non-schedule 1 process;
- Investigate the introduction of sunset clauses;
- Provide more guidance on what constitutes ‘completion’ of a development area.
- If development areas are to be pursued as a spatial planning tool the name should be revised to a term that is not currently used in the Auckland Plan 2050;
- Clarify the difference between a ‘development area’ and ‘precinct’ and remove ambiguity from the definition of “development area”;
- Consider imposing some further restrictions on precincts to limit their use;
- Revise the definition of ‘precinct’ so that it cannot completely modify the policy approach of the underlying zone;
- Retain the proposed approach for naming precincts and add geographical location.
Issues

Development areas as a spatial tool and correlation to the Auckland Unitary Plan

S-ASM introduces five spatial planning tools – zones, overlays, specific controls, precincts and development areas for district or combined plans.

S-DEV states that development areas are:

‘A development area spatially identifies and manages areas where conceptual plans such as structure plans, framework plans, outline development plans, or growth area plans apply to determine future land use and/or development.’

Based on the guidance for development areas it is the council’s view that future development areas (i.e. structure plans) are anticipated to be incorporated into plans as follows:

1. Preparation of the development plan (non-statutory process)
2. Plan change 1: Provides for development area section with objectives, policies, plans (showing expected land use patterns, key infrastructure) & methods other than rules
3. Development area is completed
4. Plan change 2: Removal of development plan section
5. Plan change 3: Modifies zone(s) & introduces other planning tools (e.g. a new precinct) where necessary

The Auckland Unitary Plan has no equivalent tool for development areas however, a number of the Unitary Plan precinct provisions perform a similar function as this proposed tool. Precincts in the Unitary Plan, like the proposed development areas tool, contain objectives, policies, plans (structure plans, concept plans etc. having been renamed as precinct plans). Unlike S-DEV however, Unitary Plan precincts also include rules to direct and manage subdivision, use and development¹.

¹ Under the precincts chapter (S-PREC) ‘a precinct spatially identifies and manages an area where two or more additional provisions apply which modify the policy approach of the underlying zone(s) or refine or modify land use outcomes’. In the precinct guidance it is noted that precincts are dependent
In contrast to S-DEV no provision is explicitly made in the Unitary Plan for the removal of completed precincts.

In greenfield areas that are intended to transition to urban areas over time structure planning is undertaken in accordance with the Unitary Plan Appendix 1 Structure plan guidelines and is followed by a plan change to introduce ‘live zones’ and precinct provisions in accordance with Schedule 1 of the Act.

The Unitary Plan sets out a streamlined and robust planning process for introducing spatial planning tools to enable a transition in land use or development potential.

The Unitary Plan process is shown as follows:

- Preparation of the development area (non-statutory process)

- **Plan change 1**
  - Modifies zones
  - Where necessary introduces development area as a precinct.
  - Precincts may contain objectives policies, plans (showing key infrastructure) & rules

The draft Standard is unclear how it is intended for development areas to be used, including how these are to be incorporated into a plan.

**Changes sought**

Auckland Council seeks the following amendment:

- Provide more clarity on the role and purpose of development areas and how these are incorporated into plans.

**Development areas planning process likely to slow delivery of housing and infrastructure**

The Unitary Plan planning process is more streamlined and comprehensive than that proposed for development areas as it only involves one plan change. Fast efficient planning processes are critical in Auckland for addressing its housing shortage. Poor planning processes would detrimentally impact both private sector projects and the Government’s Kiwi Build programme.

The advantage of a process that involves only one plan change is the greater certainty it affords all parties including developers, landowners, council, infrastructure providers and the
wider community. It removes the risk of a significant change in direction as subsequent plan changes are considered. The plan change process is subject to change through the submission, decision making and appeal processes. The more plan changes required to accomplish changes to a plan, the higher the risk and the slower it will be for implementation and delivery.

Certainty around zoning outcomes and provisions is also critical in confirming the capacity of development areas and determining the typically substantial costs of providing or upgrading infrastructure.

In addition, a process that only involves one plan change also results in lower costs on the community in terms of resources, time and money.

**Changes sought**

Auckland Council seeks the following amendment:

- If development areas are to be pursued as a spatial planning tool then simplify the process for incorporating this tool into resource management plans.

**Creates an unnecessary layer in the Unitary Plan and other resource management plans**

The proposal within S-ASM to introduce development areas creates an unnecessary layer within the Unitary Plan and other resource management plans. This is because precincts can be used to perform a similar function as development areas. Restructuring the Unitary Plan to introduce development areas involves a significant amount of work for little or no benefit.

A more efficient means of identifying areas proposed for redevelopment is for amendments to be made to the draft Standard to expand the precinct tool to include development areas with their accompanying special provisions.

This would make it easier for the public to locate the relevant provisions applying to areas proposed for redevelopment as the provisions will be a located in one chapter and in one section of the plan rather than split across two chapters and two sections. While an electronic plan can ensure appropriate cross referencing, the separation of provisions to identify areas to redevelop and transition over time into separate components is unnecessary. It will create confusion for plan users to understand the intended outcomes for the area.

It is acknowledged that smaller local authorities may wish to use the S-DEV chapter to identify to their communities future land use changes. However Auckland’s strategic planning context is determined by the Auckland Plan (a spatial plan required by the Local Government (Auckland Council) Act 2009). From here, the Future Urban Land Supply Strategy identifies sequencing and timing of future urban land development readiness over 30 years. Sequences of land being live zoned are based on when necessary infrastructure will be available as determined by the Long Term Plan, Regional Land Transport Plan etc. The use of an extra layer to inform future development areas are unnecessary for Auckland.
Changes sought

Auckland Council seeks the following amendment:

• Delete the development area spatial planning tool and expand the precinct tool to include development areas with their accompanying special provisions.

It is not necessary for all development areas to be included in an resource management plan

Auckland Council has significantly up-zoned land in existing urban areas in the Unitary Plan. The challenge now is to realise and enable that additional capacity. As the underlying zoning enables increased capacity; development areas, as prescribed by the draft Standard, are not required to identify areas appropriate for redevelopment or to deliver an increase in housing.

In confirming the National Planning Standards it should be recognised that if there is already an appropriate underlying zoning, structure plans do not need to be incorporated into plans. Several large comprehensive redevelopment projects in Auckland are occurring without incorporating structure plans (completed or not) into the Unitary Plan. These are:

• Hobsonville Land Company - 23,600 new homes
• Tamaki Development Company - 7,500 new homes

Given the zoning is already in place, non-statutory structure plans are prepared by the development agency in collaboration with the council and infrastructure providers. These are aligned with infrastructure delivery mechanisms such as:

• Partnership agreements/ Memorandum of Understanding (TDC & AC /HLC & AC)
• Infrastructure funding agreements (AC, CCO, Developer, NZTA)
• Council & CCOs project funding and sequencing (LTP, RLTP etc.)
• Capital expenditure by development agency
• Supporting Growth Alliance (collaboration by NZTA, AT, AC to deliver transport networks)
• Development contributions

Working outside of the Unitary Plan where suitable zoning is already in place, structure planning, infrastructure upgrades and construction of new houses and required infrastructure can proceed at a much faster and more efficient pace than the process outlined in the S-DEV chapter. Particularly the incorporation into the Unitary Plan would be subject to submissions and legal challenge.

Auckland Council is currently investigating amending its Geo-maps website to include non-statutory information about spatial plans. This would capture non-statutory spatial plans such as those described above and also area plans, centre plans etc. This is likely to be a useful tool in building a comprehensive understanding of the development picture across Auckland.
Changes sought

Auckland Council seeks the following amendment:

- If development areas are to be pursued as a spatial planning tool then the Standard should be amended to recognise that if there is already an appropriate underlying zoning, development areas are not required to be used for areas appropriate for redevelopment.

Rules are not provided for as a method in development areas

The S-ASM states that development areas must include at least one objective and policy and also references s75(2) of the Act (which also does not enable rules). This means rules are not anticipated to be used in development areas. It is unclear how development can be undertaken and completed without appropriate underlying zones and supporting rules in place (to provide for the necessary subdivision, use and development framework) and without any supporting rule provisions in the S-DEV sections. While infrastructure delivery by designating authorities could be achieved using existing planning tools such as Notice of Requirements, this tool is not available to private developers.

Private developers, may also not get bank finance without appropriate zones being in place and thus unable to commence development or complete physical infrastructure development.

Without the ability to manage development using rules the S-DEV sections, are rendered as information only. In the Council's experience the development sector is likely to ignore the S-DEV policy framework as it cannot be enforced.

A developer can apply for resource consent to undertake development that does not reflect the intended outcomes of the development areas and obtain approval under section 104D of the Act by proving that the development creates no more than minor adverse effects on the environment.

Having development plans incorporated into the Unitary Plan without rules, then places pressure on the council to approve non-complying subdivision and land use applications ahead of scheduled infrastructural delivery. The delivery and sequencing of infrastructure sits outside the resource management process and is subject to other strategic planning documents e.g. Regional Land Transport Plan.

If development areas are to be pursued as a spatial planning tool then there must be the ability for development areas to incorporate rules and override overlays, zone provisions and specific controls for these to be used effectively.
Changes sought

Auckland Council seeks the following amendment:

- If development areas are to be pursued as a spatial planning tool then there must be the ability for development areas to incorporate rules and override overlays, zone provisions and specific controls.

Direction in the guidelines that S-DEV provisions may override overlays, zones or specific control provisions

There is no provision in S-DEV to enable development areas to override overlays, zones or specific control provisions although the guidance for this Standard says they can. The Unitary Plan in its wider application of precincts does provide for development area type precincts to potentially override overlays, zones or specific control provisions. This is outlined in Chapter C in the Unitary Plan and can be provided for specifically within the precinct provisions.

The draft Introduction and General Provisions Standard (S-IGP), as well as related guidelines, establish a “general approach” section to explain how plan provisions including zones, overlays, precincts, designations and development areas relate to each other or how applications subject to multiple zones or chapters are treated. However, there is no discussion in the S-HPW chapter (How the Plan works in Part 1) to establish this relationship. It is not appropriate to place general rules in the Introduction chapter as it is not a logical place for plan users to look.

The Unitary Plan in its wider application of precincts provides in its General Rules chapter for both these matters. As noted in the Auckland Unitary Plan Independent Hearings Panel recommendations (and accepted by council) these matters can arise with any application.

‘Having general rules helps provide a consistent framework for dealing with applications and avoiding duplication (and the risk of inconsistency) by not repeated standard rules throughout the plan.’

Explanations are not considered to offer sufficient certainty and are likely to be subject to ongoing legal challenge during the life of the plan. Hence the council support for a general rules section at the beginning of Part 4.

Changes sought

Auckland Council seeks the following amendment:

- Include a general rules section within the plan structure which outlines the hierarchy between the various spatial planning tools.
Removal of development areas once completed

Benefits
The S-ASM states within the development areas chapter “when a development area is completed, the development plan section must be removed from the plan”. This component of the standard is supported as it is good housekeeping to remove redundant material from plans. Although it is unlikely many councils have the resources to continually update their plans for this purpose.

Councils could, as the S-DEV implies undertake this via a plan change. This could either be undertaken as part of a general omnibus or a discrete plan change. However, in either case, a plan change is a needlessly cumbersome and expensive method to achieve this outcome. It would be useful for the forthcoming resource management reforms to consider removal of completed material by way of a non-schedule 1 process.

The use of sunset clauses has not been explored within the draft National Planning Standards. While not commonly used in resource management plans they could be an alternative method to plan changes. In the past, sunset clauses have not been enforced as councils do not have sufficient resources to ensure these are completed in a timely manner or due to other unexpected circumstances, development could take longer than the sunset clause to complete.

More work is needed on how they would be applied to avoid legal challenge across the country and to ensure they can be appropriately enforced.

No guidance is provided on what constitutes ‘completion’. In order to avoid legal challenges in relation to future plan changes to remove completed development areas, this direction needs further refinement.

Changes sought
Auckland Council seeks the following amendments:

- Advocate for removal of completed material by the way of a non-schedule 1 process;
- Investigate the introduction of sunset clauses; and
- Provide more guidance on what constitutes ‘completion’ of a development area.

Definitions for ‘precincts’ and ‘development areas’
While the Council does not support the introduction of development areas for the reasons outlined in above, the distinction between these two tools is not clearly explained in either the S-PREC or S-DEV chapters. While the guideline is stronger in the outcomes envisaged, greater weight will (and should be) be given to the actual standards.

For example, the Unitary Plan precincts which function as ‘development areas’ align with S-PREC and therefore can be readily classified as precincts. They satisfy the precinct definition by spatially identifying and managing an area where two or more additional provisions apply that modifies the policy approach of the underlying zone(s) or refine or modify land use outcomes.
The S-DEV chapter is also not clear over what constitutes a ‘large area’. This could create confusion as which tool (precincts or development areas) should be used. Some of the types of spatial plans referenced (framework plans, concept plans, and outline development plans) appear to relate to small developments say of several hectares (e.g. a large retail development). Thus their purpose also meets the precinct definition.

Unambiguous definitions are required to ensure that precincts and development areas are used in a consistent way and do not confuse the plan user. This is particularly important as the relationship between precincts and development area could be legally challenged in the future.

In addition, the term ‘development areas’ is also used in the Auckland Plan 2050.

The Auckland Plan 2050, adopted in June 2018, defines ‘development areas’ as “Urban areas where significant growth is expected in jobs and housing over the next 30 years. These areas were identified based on factors such as ability to accommodate growth and committed projects. Planning and investment will be targeted when growth at scale occurs.” The S-DEV takes a much broader definition and applies it to large areas of development or re-development in both a greenfield and brownfield setting.

Given that the Auckland Plan is now finalised, the continued use of this term in the Standard will result in a lot of confusion for the Auckland community.

Changes sought

Auckland Council seeks the following amendments:

- Clarify the difference between a ‘development area’ and ‘precinct.
- Remove the ambiguity from the definition of development area
- Amend the term ‘development areas’ so it does not conflict with the term that is currently used in the Auckland Plan 2050.

Restrictions on the use of Precincts

There is no restriction on the use of precincts within S-PREC other than a proposed precinct having to have two or more additional provisions. Given the limited amount of zones available it is likely that precincts will be used extensively at different scales to provide for local variation. A plan, as complex as the Unitary Plan, could become littered with precincts that resemble sub zones as there is no limit on the number of precincts or the number of controls they introduce or modify.

S-PREC does not restrict the use of precincts that modify the policy approach or land use outcomes of the underlying zone. This could lead to the introduction of precincts which provide for a land use or built outcome which is fundamentally different to the underlying zone. As the public generally is guided by the underlying zone this could make plans which are not user friendly or transparent to the general public.
Changes sought
Auckland Council seeks the following amendments:

- Consider imposing restrictions on precincts to limit their use.
- Revise the definition of ‘precinct’ so that it cannot completely modify the policy approach of the underlying zone.

Naming of Precincts
As noted in S-PREC chapter each precinct “must have a unique name indicating the purpose of the precinct.” Precinct names should also relate to the geographical location. This enables the plan user a quick reference to where the precinct is located. This is particularly important for a large district/region and/or where many precincts are used.

It is also important that company names are not used to name a precinct. This is because companies can change leaving its’ legacy of a precinct name.

This direction is generally supported as it makes it easier for the plan user to find precincts of interest but it should be expand to include its geographical location.

Changes sought
Auckland Council seeks the following amendment:

- Retain the proposed approach for naming precincts and add geographical location.
Draft Schedules, Appendices and Maps Standard (S-SAM)

Relevant Planning Standard

This section contains detailed submission points on the Draft Schedules, Appendices and Maps Standard (S-SAM).

Summary of submission points

Auckland Council has a number of submission points on the Draft Schedules, Appendices and Maps Standard:

- Amend Table 17: Schedule table to better reflect the type of information most commonly included in schedules;
- Amend the Standard to enable variations to Table 17 to be made (e.g. extra columns) as long as the mandatory fields in Table 17 are retained;
- That the Standard be amended to broaden the scope (and format) of what can be included as an appendix to the plan.

Issues

Schedules (Table 17: Schedule table)

This draft Standard requires schedules, if included in a plan, to be presented as a separate schedule table as set out in the Standard in Table 17: Schedule table.

Table 17: Schedule table

<table>
<thead>
<tr>
<th>Descriptive title</th>
<th>Site identified (eg. legal description, physical address, site name/description)</th>
<th>Site type (including description of values)</th>
<th>Reference to study/material used for identification</th>
</tr>
</thead>
</table>

The Unitary Plan has 16 Schedules most of which provide detailed information, in table form, relating to sites/areas that are identified in overlays or plan maps e.g. local view-shafts. However, some of the schedules provide information or descriptions relating to plan provisions, such as Schedule 13 Heritage Orders Schedule, Schedule 15 Special Character Schedule, Statement and Maps and Schedule 16 Waitakere Ranges Heritage Area Subdivision Scheduled Areas Sites. Schedule 11 Local Public View Schedule is comprised of maps identifying view-shafts. These schedules are not in a table format.

While some of the Unitary Plan schedules that provide information or description material could potentially be moved to the appendices, incorporating the majority of the Unitary Plan schedules into Table 17 will be problematic. Most Unitary Plan schedules include a ‘type or category’ for sites or places. Examples of Unitary Plan schedules are copied below:
Schedule 9 Volcanic Viewshafts Schedule [rcp/dp]

<table>
<thead>
<tr>
<th>ID</th>
<th>Name/Location</th>
<th>Pt</th>
<th>Mt Eden Circuit</th>
<th>Height (AGL - Above Ground Level)</th>
<th>NZ Map Grid</th>
<th>Volcanic viewshaft category</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>Northing</td>
<td>Easting</td>
<td>Northing</td>
</tr>
<tr>
<td>A1</td>
<td>Mount Albert</td>
<td>1</td>
<td></td>
<td>697938.3</td>
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<td>8</td>
<td>295912.9</td>
<td>99.10</td>
<td>6477887.62</td>
</tr>
</tbody>
</table>

Schedule 4 Significant Ecological Areas – Marine Schedule

<table>
<thead>
<tr>
<th>ID</th>
<th>Name/Location</th>
<th>Values of Significant Ecological Area - Marine</th>
<th>SEA-M type</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Port Albert</td>
<td>Intertidal banks providing habitat and feeding ground for wading birds. Mangroves fringing inlet and wading bird habitat.</td>
<td>SEA-M2w</td>
</tr>
</tbody>
</table>

Schedule 7 Outstanding Natural Landscapes Overlay Schedule

<table>
<thead>
<tr>
<th>ONL Description</th>
<th>WEISI Criteria</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Natural Science Factors</td>
</tr>
<tr>
<td></td>
<td>Geological Topographical</td>
</tr>
<tr>
<td></td>
<td>High</td>
</tr>
</tbody>
</table>

Schedule 14.1 Schedule of Historic Heritage

<table>
<thead>
<tr>
<th>Table 1: Historic Heritage Places</th>
</tr>
</thead>
<tbody>
<tr>
<td>ID</td>
</tr>
<tr>
<td>----</td>
</tr>
<tr>
<td>1</td>
</tr>
</tbody>
</table>

This draft standard should be amended to allow councils flexibility to add columns to Table 17: Schedule table as long as the mandatory fields are retained. This will enable the range of different information that councils include in schedules.

Table 17 proposes a column against which the study/research on which the scheduling was based on to be included for each site. Scheduled sites are usually based on information from a comprehensive study commissioned for the purpose of identifying sites against specified criteria. Assuming this is generally the case for councils it is not necessary to refer to the reference study for each site. The reference to the study/research identifying schedule sites would be better provided at the end of the table. In this case the 'reference material' column in Table 17 could then be more usefully be used for identifying the ‘type or category’ of scheduled site.
Taking the above matters into account it is considered that Table 17 in the Standards should be amended as follows:

**Table 17: Schedule table**

<table>
<thead>
<tr>
<th>Descriptive title</th>
<th>Unique Identifier (eg, map reference number)</th>
<th>Site identified Name/location (eg, legal description, physical address, site name/description)</th>
<th>Site type (including description of values)</th>
<th>Reference to study/material used for identification</th>
</tr>
</thead>
<tbody>
<tr>
<td>Reference to study/material used for identification</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

The fields provided in the Table 17: Schedule table also do not match a number of the Unitary Plan schedule tables. It is suggested that Table 17 be amended to allow flexibility to add columns, as long as the mandatory information in Table 17 is retained. Councils have a range of different information to be included in schedules and there should be flexibility to add columns to Table 17 if they are needed.

**Changes sought**

Auckland Council seeks the following amendments:

- Amend Table 17: Schedule table to better reflect the type of information most commonly included in schedules (as shown below).

**Table 17: Schedule table**

<table>
<thead>
<tr>
<th>Descriptive title</th>
<th>Unique Identifier (eg, map reference number)</th>
<th>Site identified Name/location (eg, legal description, physical address, site name/description)</th>
<th>Site type (including description of values)</th>
<th>Reference to study/material used for identification</th>
</tr>
</thead>
<tbody>
<tr>
<td>Reference to study/material used for identification</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

- Amend the Standard to enable variations to Table 17 to be made (e.g. extra columns) as long as the mandatory fields in Table 17 are retained.
Appendices

Issues
The Unitary Plan has 22 Appendices which contain a range of information including;
- information relating to the interpretation of specific rules (e.g. Appendix 2 River and stream minimum flow and availability);
- information to support best practise (e.g. Appendix 16 Guideline for native revegetation plantings);
- reference to publications that are referred to in the plan e.g. Appendix 17 Documents incorporated by reference (legally required to be).

The draft Standard limit appendices to information required to meet a rule or identify areas subject to a control. This would require the ‘information’ or guidance appendices to sit outside of the plan.

As discussed above for the schedules, several of the schedules that relate to rules (e.g. sightlines, subdivision controls) will need to be moved to the appendix section.

Appendix 17 Documents Incorporated by Reference is legally required to be incorporated into the Plan by Schedule 1 Part 3 of the Act. This does not fit the draft Standard’s direction. Therefore, it is not clear where this should sit in the Combined Plan structure standard.

Changes sought
Auckland Council seeks the following amendments:
- That the Standard be amended to broaden the scope (and format) of what can be included as an appendix to the plan.
Draft Form Standard: Electronic Functionality & Accessibility (F1)

Relevant Standard
This section contains detailed submission points on the requirements for electronic accessibility and functionality standard (F1).

Summary of submission
Auckland Council has a number of submission points on the Draft electronic functionality and accessibility standard (F1):
• to retain its current approach of side bar annotation and notes to satisfy Standard F1-15.

Issues
Auckland Council supports eplan functionality and intends to meet all requirements outlined in the Standard. Further research is yet to be undertaken regarding which software application will best meet these requirements.

Baseline plan accessibility and functionality
Draft Standard F1-15 requires a clear differentiation between proposed, decisions made, appealed and operative provisions within the plan.

The Unitary Plan currently uses side bar annotation against provisions which are subject to a plan change; have immediate legal effect; and if there is an appeal (with relevant plan change numbers and case numbers attached).
Auckland Council would like to retain its current approach of using side bar annotation and notes to meet this baseline functionality requirement (F1-15).

Changes sought
Auckland Councils seeks the following:
• to retain its current approach of side bar annotation and notes to satisfy Standard F1-15.
Draft Form Standards: Mapping (F2)

Relevant Planning Standard

This section contains detailed submission points on the draft Mapping Standard (F2)

Summary of submission

Auckland Council would like to make the following submission points on the draft mapping standard (F2):

- amend zoning colour palette to ensure one distinct colour palette for each parent group of zones
- amend symbology and mapping to allow for a ‘place based’ approach to the protection of heritage
- amend symbology for heritage item to be more relevant to the New Zealand context
- amend symbology for protected tree to a more simple and smaller symbol
- amend symbology for protected tree group to polygon rather than a point
- use the same colour for heritage item and heritage area
- reduce the line width for heritage area and designations
- amend polygon line colour for designations and hazards; blue to be reserved for water features
- amend symbology of the National Grid Line to the use of polygons.

Issues

There are benefits in standardising matters such as the colour palette for zones and key symbology, as it enables easy comparison of plans. Also a standard data schema will assist in creating a consistent data set.

However, the draft Mapping Standard (F2) needs further refinement to enable that ease of comparison. The zoning colour scheme and the symbology used does not improve usability and, for historic heritage, does not support best practice.

Auckland Council’s submission on these mapping standards is focused on Table 21 and 22 in the draft Standard F2.

Zoning colours (Table 21)

The proposed zone colour palette in Table 21 does not sufficiently differentiate zone groupings and zone hierarchies, which results in a map that is less intuitive to the user.

For instance, the proposed colour palette has different colours for rural production (i.e. green) and rural residential (i.e. yellow). However, rural should be the parent grouping with one colour, e.g. brown, and different types of rural zones represented by different shades of brown. The following table visually illustrates this point.
### Proposed standard F2

<table>
<thead>
<tr>
<th>Low-density residential</th>
<th>Residential</th>
</tr>
</thead>
<tbody>
<tr>
<td>Residential</td>
<td></td>
</tr>
<tr>
<td>Medium-density residential</td>
<td></td>
</tr>
<tr>
<td>High-density residential</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Neighbourhood commercial</th>
<th>Local commercial</th>
<th>Commercial</th>
<th>Mixed use</th>
<th>Town centre</th>
<th>City centre</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Light industrial</th>
<th>Industrial</th>
<th>Heavy industrial</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Rural</th>
<th>Rural production</th>
<th>Rural residential</th>
<th>Rural settlement</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Open space</th>
<th>Sport and active recreation</th>
<th>Conservation</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

### Example

#### Residential – yellows

#### Commercial - pinks

#### Industrial - purples

#### Rural - browns

#### Open space - greens

By using one colour palette for a zone grouping (e.g. pinks for commercial) and graduations of that shade indicates different zones in that grouping, the user can more easily distinguish different land uses and clusters of land uses at a glance.

The Standard’s current colour palette does not enable this intuitive reading of a map. It is recommended that this colour palette is revised with a focus on ensuring one distinct colour palette for each parent group of zones as follows:

- **residential** - shades of yellow/ orange
- **commercial** - shades of red/pinks
- **industrial** - shades of purples
- **open space** - shades of greens
- **special purpose** - shades of grey
Symbology (Table 22)

Where symbology includes large block picture symbols and think lines, there is the potential to overlap with other symbols, and parcel lines at certain scales compromising the legibility of the map. The use of simple symbols can more accurately represent a surveyed location.

The following table includes submission points on Table 22 Symbology Table.

<table>
<thead>
<tr>
<th>Name</th>
<th>Submission point</th>
<th>Outcome sought</th>
</tr>
</thead>
<tbody>
<tr>
<td>Heritage item (building or structure)</td>
<td>The current mapping approach, being the name ‘Heritage item (building or structure)’ and point based mapping, does not reflect current best practice 'place-based' approach to the protection of historic heritage, as implemented in the Unitary Plan. Instead the Standard promotes an outdated 'itemised' buildings and structures based approach and does not support the protection of archaeology. The concept of ‘place’ is defined in the ICOMOS New Zealand Charter 2010. It is international best practice and central to historic heritage protection in the Unitary Plan. This approach integrates the management of all features of a historic heritage place within its mapped extent of place, including buildings, structures, archaeology, plantings, and identified trees. This is a different technique to “heritage area”. The Unitary Plan identifies heritage area in addition to an extent of place associated with a scheduled place/site. In the Unitary Plan, a mapped heritage area represents an area of heritage value, independent of a scheduled place or site. To achieve a ‘place-based’ approach a ‘Heritage item, site or place’ needs to be able to be identified as a polygon. In addition, the heritage symbol is not appropriate to the New Zealand context. This picture symbol is too large and has potential to overlap with other symbols. (Example included in Figure 1 below)</td>
<td>Amend name to be ‘heritage item, site or place’. Allow for a point or polygon to be identified. Where a point is to be identified, use a simple marker symbol for a Heritage item. The colour used for a Heritage item should be the same as the Heritage area.</td>
</tr>
<tr>
<td>Heritage area</td>
<td>The heritage item (points or polygons (see point above)) and heritage area (polygons) should be the same colour to illustrate similar theme. The polygon width of 5 is too thick and does not work well at smaller scales.</td>
<td>Use a finer line width for Heritage area. The colour used for the Heritage item should be the same as the Heritage area.</td>
</tr>
<tr>
<td>Marae</td>
<td>The Marae symbol is too large and has the potential to overlap with other symbols at certain scales.</td>
<td>Use a simple marker symbol for Marae.</td>
</tr>
<tr>
<td>Protected tree</td>
<td>The picture symbol used for Protected Trees is too large has potential to overlap with other symbols at certain scales. A simpler marker symbol more accurately represents a surveyed position. Use a colour that is not black. <em>(Example included in Figure 1 below)</em></td>
<td>Use a simple marker symbol of a defined colour for Protected Tree item. Preferably a green ‘dot’ point to symbolise a Protected Tree.</td>
</tr>
<tr>
<td>Protected tree group</td>
<td>The Protected Tree group needs to be represented by a polygon feature rather than points, so that it accurately defines the extent of the tree group. Use a defined colour, but this should match the colour of the Protected Tree item. <em>(Example included in Figure 2 below)</em></td>
<td>Use a polygon feature for Protected Group of Trees and use the same defined colour as Protected Tree item.</td>
</tr>
<tr>
<td>National grid line</td>
<td>The National Grid is shown as multiple polygons, in the Unitary Plan, to represent yard rules. A single line symbol is not going to work because it doesn’t enable properties to be selected.</td>
<td>Enable the use of polygons rather than a single line.</td>
</tr>
<tr>
<td>National grid underground cable</td>
<td>Agree with the symbology for National grid underground cable.</td>
<td>None.</td>
</tr>
<tr>
<td>Designation</td>
<td>Designation line is too thick and does not translate well at certain scales. The colour blue is inappropriate as blue should be reserved for water features.</td>
<td>Use a more appropriate line thickness and use another colour.</td>
</tr>
<tr>
<td>Name</td>
<td>Submission point</td>
<td>Outcome sought</td>
</tr>
<tr>
<td>-------------------------------</td>
<td>----------------------------------------------------------------------------------</td>
<td>---------------------------------</td>
</tr>
<tr>
<td>Coastal hazard</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Flood hazard</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Volcanic hazard</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Fault hazard</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Fault line hazard</td>
<td>Blue is inappropriate for hazard symbology as it is more commonly associated with water features</td>
<td>Use a more appropriate colour</td>
</tr>
<tr>
<td>Noise contours</td>
<td>No comments</td>
<td>None</td>
</tr>
<tr>
<td>Coastal environment</td>
<td>No comments</td>
<td>None</td>
</tr>
<tr>
<td>Statutory acknowledgement areas</td>
<td>No comments</td>
<td>None</td>
</tr>
</tbody>
</table>

**Figure 1 Example of protected tree item and heritage item in F2**

- Heritage and Protected trees items overlap
- Symbols are indistinguishable
- Blue symbols are associated with water features and likely to be confusing in this context
- Thick lines for designations does not translate well at this scale

**Figure 2 Example of Protected tree group under F2**

- F2 point marker for Protected tree group
- Suggested symbology for Protected tree group
Changes sought

Auckland Councils seeks the following amendments:

- amend zoning colour palette to ensure one distinct colour palette for each parent group of zones
- amend symbology and mapping to allow for a ‘place based’ approach to the protection of heritage
- amend symbology for heritage item to be more relevant to the New Zealand context
- amend symbology for protected tree to a more simple and smaller symbol
- amend symbology for protected tree group to polygon rather than a point
- use the same colour for heritage item and heritage area
- reduce the line width for heritage area and designations
- amend polygon line colour for designations and hazards; blue to be reserved for water features
- amend symbology of the National Grid Line to the use of polygons.
Draft Chapter Form Standard (F-5)

Relevant Planning Standard
This section contains detailed submission points on the draft Chapter Form Standard (F-5).

Summary of submission points
Auckland Council has a number of submission points on the draft chapter form as set out in F-5:
- Retain the chapter form prescribed in F-5 in relation to the introduction, objectives and policies;
- Remove the requirement for Part 2 Tangata Whenua to use the order of headings prescribed in F-5;
- Remove Tables 25, 26 and 27 or provide flexibility to accommodate an integrated rule framework;
- Enable additional components required for assessing rules, such as assessment criteria, to be included in a rule framework;
- Provide a numbering system that enables referencing of specific provisions.

Issues

Chapter form broadly reflects current Unitary Plan chapter structure
The chapter form outlined in F-5 broadly reflects the current structure of the Unitary Plan, in terms of setting the scene (i.e. Introduction) to the objectives and policies. The council therefore supports this structure.

However, it is noted that the draft Standard states that Part 2 Tangata Whenua must use the order of headings below. This seems contrary to the type of provisions that are intended to go in Part 2. Part 2 appears to contain background information as well as process information in relation to tangata whenua. This type of information will be difficult to be represented in objectives and policies.

Tables 25, 26 and 27 do not work well with complicated rule frameworks
Whilst the basic structure of Tables 25, 26 and 27 work well to simplify a rule structure and contents of a single activity for the plan user, these tables in Standard F-5 do not work well for plans with complicated rule frameworks. For example, plans that have multiple exception clauses for activities or where there are integrated and aligned activities within a single chapter.

In the Auckland-wide and the Coastal chapters of the Unitary Plan provisions that regulate across many overlays or zones are set out in a single activity table. See example below taken from Chapter F - coastal.
This method allows the plan user to understand the requirements for the activity in all applicable overlays and zones without having to refer to several parts of the plan. Sometimes it is necessary to see all related provisions together because the site can sit across multiple zones and overlays. Or when the activities apply to a specific operator (e.g., network utilities providers), then it is easier to put all the activities relating to a specific operator which are regulated across multiple zones and overlays into a single chapter.

The Unitary Plan integrates all related provisions either for a certain use or activities within a single logical place for plan users. For example the:

- transport operator or network utility operator activities are all placed within chapter E26; and
- earthworks activities for all overlays are within chapter E12 – Land disturbance – district.

Table 26 requires the activity status for activities, standards to comply with, notification and matters to be located within a single table. This table format will remove the integration that is currently in the Unitary Plan. Rule tables will become unnecessarily large and lengthy. Activities and their associated matters (e.g., standards to comply with, notification) will be repeated unnecessarily across the different ‘locations’ i.e. zone, overlay. Also, similar activities may have the same matters of discretion that will be repeated throughout the table. Repetition within rule tables is risky. This is because if one part of the rule changes it is important to track which other parts of the plan contain the same rules to accommodate that change. There is less risk if the matters of discretion are mentioned once and cross-referenced when they are used again.

For example, the Unitary Plan E26 infrastructure chapter consists of 14 sub-sections and a number of these complex activity tables. Permitted activity standards and notification clauses also apply to activities in the infrastructure chapter. Restructuring this chapter in accordance with the Standard will unbundle sections that are integrated and aligned. A comprehensive rewrite will be required. This will not create added benefit to plan users.

For a simpler plan, the proposed rule table would be useful for plan users because it will enable all related standards, notification and matters to be included in a single table. However, for the Unitary Plan, the rule table will be large, complex and will not be able to be displayed on a moderate sized screen. In council’s experience, a large rule table in an e-plan is difficult for linking when integrating spatially the text with the GIS. The activity table and standards in the Unitary Plan can be linked easily.
Given the broad variation in the way rules are written across the country, particularly between a regional and a district plan, a standard proposing a single format for a rule framework is unworkable. In addition, the complexities of some standards (rule requirements) cannot easily be incorporated into a table e.g. diagrams.

Reformatting a complex plan as prescribed by Tables 25 – 27, will create significant amount of work and potentially many unintended consequences. Council recommends that more flexibility is provided to accommodate an integrated rule framework.

**Essential components of a rule section missing**

The standards do not include a specific section for assessment criteria. The rule requirement table, Table 27, does not provide enough flexibility for complicated rules, to list additional criteria for consideration or to guide decision making. The structure implies that assessment criteria cannot be included.

**Numbering of provisions**

Tables 26 and 27 do not address how activities, related matters and the standards are to be numbered within these tables. Particularly where there are multiple rules within a single table. This is likely to be the scenario in highly complex plans. Developing a reference or numbering system for these tables will be problematic based on the alpha-numeric system proposed in Standard F-6.

**Changes sought**

Auckland Council seeks the following amendments:

- Retain the chapter form prescribed in F-5 in relation to the introduction, objectives and policies;
- Remove the requirement for Part 2 Tangata Whenua to use the order of headings prescribed in F-5;
- Remove Tables 25, 26 and 27 or provide flexibility to accommodate an integrated rule framework;
- Enable additional components required for assessing rules, such as assessment criteria, to be included in a rule framework;
- Provide a numbering system that enables referencing of specific provisions.
Draft Status of Rules & Numbering Form Standard (F-6)

Relevant Standard
This section contains detailed submission points on the Draft Status of Rules and Other Text and Numbering Form Standard (F-6).

Summary of submission points
Auckland Council has a number of submission points on the draft standard for Status of Rules and Numbering Form (F6). These are:

- remove the requirement to specifically identify rules that have no effect until the proposed plan becomes operative;
- remove the requirement to specifically identify provisions required by the national planning standard, national policy statement or a national environmental standard;
- remove the requirement to specifically note updates and legal status of provisions (aside from legal status required by s86D of the Act);
- reconsider the alpha-numeric numbering system to take into account a more complex rule framework;
- introduce a standard approach in the numbering for showing additions and deletions introduced in plan changes;
- retain the ability to use similar methods such as side bar annotation and text note instead of highlights or shading; and
- reconsider the use of pop up boxes and shading to a method that is less intrusive on the plan text.

Issues
F-6 Highlighting of policy statement and plan text
This draft Standard requires shading boxes or other similar method be used, to differentiate plans and policy statements, between when they are notified until they are operative for a specific list of purposes (a-f).

Current practice for annotation in Unitary Plan
Council currently uses side bar annotation and a text note against any provisions that are under appeal, subject to a variation, or have an effect earlier than a decision on a plan change, i.e. matters F6 1(c), (e) and (f). The current practice of council is to:

- place a blue side bar annotation and a text note for provisions that are subject to a council-initiated plan change, or have immediate legal effect
- place a black side bar annotation and text note for provisions that are subject to an Environment or High Court appeal.
When a decision on a plan change is made and no appeals received, council resolves under clause 20 to make the plan operative, seal page complete, plan update process followed and plan updated.

No operative text in the Unitary Plan is changed when a plan change is notified. Instead, all documents relating to plan changes (private or council-initiated) are found on council’s website. The plan change only gets incorporated into the operative plan text when these provisions become operative.

Under this method, if provisions in the Unitary Plan are not annotated, the plan text is operative.

**Standard F6-1 (d, e and f): Highlighting of policy statement/plan text**

The draft Standard implies that plan changes should be incorporated into the operative plan when the plan change has been notified and then tracked from notification to the appeal stage within the operative plan. This method does not make sense. Incorporating plan changes from notification with a “tracking system” is going to make the operative plan extremely messy to work with. It will clutter the operative plan unnecessarily because the majority of the plan change provisions will have limited legal weight and are still to undergo potentially significant change through the submission and appeal phase.

This Standard has limited benefit to plan users, as the information required for resource consents (i.e. provisions subject to plan change, immediate legal effect etc.) are already annotated in the plan.

Due to its size, Auckland Council has many plan changes at any one time (i.e. at present, about 10 plan changes are found on the plan change modifications page). There is more value in directing users to a plan change modification page (on the council’s website), where affected provisions from plan changes can be clearly articulated, rather than peppered throughout the plan.

Auckland Council is moving to ease the customer journey for proposed plan changes. The focus of this is to maintain much of the plan change documents outside of the Unitary Plan and to click through to make an online submission.

**Standard F6 1(a) (b): Highlighting of policy statement/plan text**

Standard F6 1(a) and (b) requires the shading, or similar method, to differentiate text if it is required by national planning standards and cannot be amended; or similarly is required by national policy statement and/or national environmental standard.

Depending on the method that is used for identifying the text, over time this is going create a lot of clutter in a plan and potentially make the plan very difficult to read.

As described above, Auckland Council uses side bar annotation and text notes for matters under section 86D of the Act, but not for national policy statements and/or national environmental standards.

There are two key issues with this Standard. These are:

- that the requirement to detail provisions that relate to national direction instruments is a complicated and onerous task that can lead to interpretation issues; and
• the requirement to highlight plan text is too disruptive to the plan’s readability (as outlined above in submission point for F6 1(d).

These points are expanded in turn.

As required by standard F6 1 (a) to (f) the shading or similar method to outline plan text is disruptive when reading the text as it clutters plan text. This is also true for plans in e-plan format.

This is especially so for plan users who are not accustomed to national direction instruments. As such, it is a small number of users of the Unitary Plan who will benefit from this requirement.

Auckland Council’s submission on Standard S-Intro explained that the requirement to summarise detail on how national direction instruments (refer to S-NDI) is too onerous a task and sets up potential interpretation issues. Provisions that implement national policy statements and national environmental standards can be well threaded into the plan, that it also gives effect to regional policy statements etc. Therefore it will be difficult to ascertain that a provision only gives effect to national directions.

As such Auckland Council recommends Standard F6 1(a) and (b) is reconsidered for inclusion into these National Planning Standards. Also, council recommends that in requiring any shading, highlighting or other method to highlight provisions under Standard F6 1, that the readability and visual connectedness of the plan text remains important.

F-6:2 to 5 Legal status and update ‘date’ of policy statements/ plan provisions

Draft Standard F-6: 2 and 3 require that the legal status of provisions and the reason for that status be provided as a pop up box or some other means, when text is selected.

Draft Standard F6: 4 and 5 require that the date the text was last updated, is included in a pop up box or some other means. It is unclear if this requirement applies to Clause 16 and Clause 20A of Schedule 1 updates.

In its totality, F6 2 to 5 will make plan text visually distracting and difficult to read, particularly for a large plan, such as the Unitary Plan. This is a similar issue to F6 (1), where these standards will:

• negatively impact on the visual connectedness of the plan text
• potentially confuse and disrupt reading for most plan users

Auckland Council will comment on F6 2, given its intention to move to an e-plan format. The Unitary Plan currently uses a side bar annotation with a note where a provision is under appeal to the Environment Court or the High Court; where it is subject to a plan change and/ or has immediate legal effect under a plan change. If a provision does not have side bar annotation, its status is operative.
There is no other benefit in stating its legal status other than those highlighted above. In addition, Standard F6 (2), duplicates much of Standard F6 1(c) to (f), which already leads to a visually distracting and cluttered plan.

**F-6 Alpha-Numeric numbering**

Table 28, Numbering table in Standard F6, outlines the alpha-numeric numbering required under the Standards.

This proposed numbering system will completely change the current numbering approach in the Unitary Plan. There are matters that this alpha numeric numbering system does not consider. These include:

- that the numbering system does not take into account specific rule provisions
- it becomes difficult to use where there are multiple sub-levels within a section (example included below in Figure 3)
- a standardised way to show additions or deletions through plan changes.

**Changes sought**

Auckland Council seeks the following amendments:

- remove the requirement to specifically identify rules that have no effect until the proposed plan becomes operative;
- remove the requirement to specifically identify provisions required by the national planning standard, national policy statement or a national environmental standard;
- remove the requirement to specifically note updates and legal status of provisions (aside from legal status required by s86D of the Act);
- reconsider the alpha-numeric numbering system to take into account a more complex rule framework;
- introduce a standard approach in the numbering for showing additions and deletions introduced in plan changes;
- retain the ability to use similar methods such as side bar annotation and text note instead of highlights or shading;
- reconsider the use of pop up boxes and shading to a method that is less intrusive on the plan text.
Draft Definitions Standard (CM-1)

Relevant Planning Standard
This section contains detailed submission points on the draft definitions Standard (CM-1).

Summary of submission points
Auckland Council has a number of submission points on the proposed definition Standard CM-1. These are:

• that further guidance and advice is required to clarify what constituents a locally defined term (see point on Mandatory Direction 3(d)).
• that the format of the definitions table under CM-1 should include alphabetical headers to ease navigation (see point on Mandatory Direction 3(e)).
• that council is able to include diagrams for some definitions included in this Standard, particularly if it assists in the local interpretation of the term (see point on Mandatory Direction 3(g)).
• that the principles that underpin the drafting of these definitions (CM-1) are included as mandatory directions to ensure any locally defined term by councils is defined in a consistent way.
• That the terms are amended or deleted as outlined in appendix 2 to this submission.
• amend the Standard to enable councils to incorporate existing definition ‘matters’, such as an exclusion/inclusion lists, into other plan provisions as part of a consequential amendment.
• provide more direction and guidance on the threshold for consequential amendments under a non-Schedule 1 process including what is beyond the scope of a consequential amendment.

Issues
In principle, Auckland Council is supportive of the approach taken to standardise and provide a definition for a number of terms outlined in this Standard. The standardisation provides greater certainty around the meaning of these terms and reduces the number of variations and inconsistencies seen across planning documents around the country.

However, the Council wishes to express that the standardisation of these terms will have a significant impact on the Unitary Plan. While it is noted that generally the standards are not intended to determine policy matters, this Standard will have a wide impact across the Unitary Plan wherever these terms or similar terms are used. This impact will require the Council to review and re-write parts of the Unitary Plan to ensure any policy approach and rules are consistent with the terms defined in this Standard.

As such, the Council recommends amendments, additions, and deletions to a number of terms in the Standard to help reduce the impact and support the future implementation of the mandatory terms into the Unitary Plan.
**Mandatory directions of Standard CM-1**

This section outlines Auckland Council’s submission points on mandatory directions 2 to 3 (a) to (h) of definitions Standard CM-1. These are outlined in the following table.

<table>
<thead>
<tr>
<th>Mandatory Directions</th>
<th>Comments</th>
<th>Auckland Council’s position</th>
</tr>
</thead>
<tbody>
<tr>
<td>Directions 3(a) and 3(b)</td>
<td>Council supports the format of the definitions table as set out in Table 29 of CM-1</td>
<td>Support</td>
</tr>
<tr>
<td>Direction 3(c)</td>
<td>Council supports the ability to provide subcategories and a narrower application of a term in the proposed definition. This is particularly important to council as it enables the incorporation of a wider suite of definitions in the Unitary Plan, and helps it to maintain the cascaded definition framework currently used in the Unitary Plan</td>
<td>Support</td>
</tr>
<tr>
<td>Direction 3(d)</td>
<td>The council accepts in principle that no synonyms of a term defined in this Standard should be included. However, there are several terms in the Unitary Plan where it is not a direct synonym of a term in CM-1. It is unclear if this term should be deleted or can be retained as a ‘locally-defined’ term. For example, ‘mineral extraction activities’ are defined in the Unitary Plan and in this Standard the terms ‘mining’ and ‘quarry’ are separately defined. The definitions of ‘mining’ and ‘quarry’ are closely aligned to the Unitary Plan definition of ‘mineral extraction activities’. However it is unclear whether ‘mineral extraction activities’ can remain as a stand-alone definition in the Unitary Plan. This term, ‘mineral extraction activity’, is included in the regional policy statement, regional plan and district plan provisions. If this term is regarded as a synonym of the terms ‘mining’ and ‘quarry’ then all references to ‘mineral extraction activities’ will need to be replaced and amended to the new terms. The cascade effect of implementing this direction will create a number of consequential amendments that go beyond the scope of</td>
<td>Provide guidance to territorial authorities (see changes sought section)</td>
</tr>
<tr>
<td><strong>Mandatory Directions</strong></td>
<td><strong>Comments</strong></td>
<td><strong>Auckland Council’s position</strong></td>
</tr>
<tr>
<td>--------------------------</td>
<td>--------------</td>
<td>-----------------------------</td>
</tr>
<tr>
<td>amendments and Schedule 1 of the Act will need to be used..</td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Direction 3(e)</strong></td>
<td>Council supports this approach, however suggests that letter headers (A-Z) are included as part of the formatting specifications. Letter headers make it easier to navigate. An example of this change is included in the Changes Sought section</td>
<td>Amend</td>
</tr>
<tr>
<td><strong>Direction 3(f)</strong></td>
<td>Council supports this approach as it does not require the plan user to go to another document to find a definition. All relevant definitions are accessible within the plan, and therefore more user friendly. Council also supports the inclusion of the legislation reference and definition (from legislation) to provide context to the user.</td>
<td>Support</td>
</tr>
<tr>
<td><strong>Direction 3(g)</strong></td>
<td>Council supports the use of diagrams in definitions. However, certain mandatory definitions in this Standard do not have diagrams, while the Unitary Plan contains diagrams for those terms. For example, there is no diagram for ‘site’ under the Standard, but the Unitary Plan contains a diagram on site and refers the reader to see additional definitions provided in the plan i.e. entrance strip, rear site, access site, front site (see below Figure J1.4.8: Site taken from the Unitary Plan). This diagram helps the reader to understand their site type i.e. whether it is a front site, rear site, or corner site. The distinguishing of site type determines the type of development controls and rules applicable to the owner. Council request some clarity on whether the use of diagrams and references to diagrams in the plan, can be used in clarifying definitions under Standard CM-1.</td>
<td>Provide clarity to territorial authorities (see changes sought section)</td>
</tr>
<tr>
<td><strong>Direction 3(h)</strong></td>
<td>Council supports the provision of guidance on how definitions relate to one another in the context of these Standards. This is particularly so for nesting tables</td>
<td>Support</td>
</tr>
</tbody>
</table>
Example from Auckland Unitary Plan, for Mandatory Direction 3(g)

**Figure J1.4.8: Site**

See also: entrance strip, rear site, access site, front site.

**Changes sought for mandatory directions 3 (a) to (h)**

Auckland Council seeks the following amendments to CM-1:

- For mandatory direction 3(d), clarification is needed on the extent to which terms such as ‘mineral extraction activities’ can remain as a locally defined term and are not considered a synonym of a term already defined. Other cases are set out in Appendix 2 to this submission. It is unclear as to what ‘locally defined term’ means – is it a geographic unique variable or a local plan variable relative to the planning context? The full extent and meaning of ‘locally defined terms’ is not clear in the mandatory directions. Such clarification should be outlined in mandatory direction and not in guidance or supporting documents. This will achieve consistency.

- For mandatory direction 3(e), include alphabetical, i.e. A-Z headers, as outlined in the example table below (change highlighted in yellow):
<table>
<thead>
<tr>
<th>Term</th>
<th>Definition</th>
</tr>
</thead>
<tbody>
<tr>
<td>abrasive blasting</td>
<td>means the cleaning, smoothing, roughening, cutting or removal of part of the surface of any article by the use, as an abrasive, of a jet of sand, metal, shot or grit or other material propelled by a blast of compressed air or steam or water or by a wheel</td>
</tr>
<tr>
<td>accessory building</td>
<td>means a detached building, the use of which is ancillary to the use of the principal building, buildings or activity on the same site, but does not include any minor residential unit</td>
</tr>
<tr>
<td>access strip</td>
<td>has the same meaning as in section 2 of the RMA (as set out in box below)</td>
</tr>
<tr>
<td></td>
<td>means a strip of land created by the registration of an easement in accordance with section 237B for the purpose of allowing public access to or along any river, or lake, or the coast, or to any esplanade reserve, esplanade strip, other reserve, or land owned by the local authority or by the Crown (but excluding all land held for a public work except land held, administered, or managed under the Conservation Act 1987 and the Acts named in Schedule 1 of that Act)</td>
</tr>
<tr>
<td>addition</td>
<td>means any works undertaken to an existing building which has the effect of increasing the gross floor area of that building</td>
</tr>
</tbody>
</table>

- For mandatory direction 3(g), enable territorial authorities to include diagrams for mandatory definitions, or enable the ability to provide a reference to other definitions and diagrams in the plan to assist with clarification and interpretation.

**Missing content in mandatory directions**

In reviewing the Proposed National Planning Standards evaluation report 2018: Part 2C – Definitions, and the Draft National Planning Standards Consultation Document, the council found that there are a number of principles used in drafting the definitions that are not included in the mandatory directions of the Standard. Council considers that these principles should be in the Standard to ensure any locally defined term by councils is defined in a consistent way.

**Changes sought**

Auckland Council seeks that a number of the principles used for drafting the definitions in Standard (CM-1) should be included as mandatory directions. These are:

- Definitions should avoid containing (or becoming) de facto rules. A key principle in the drafting of the Standard definitions is that rules and performance standards should manage the outcome, not the definition.

- Definitions should be clear and concise, and avoid using subjective language, such as ‘high quality’, ‘appropriate’ or ‘approximate’.

- Definitions should not give interpretation rights exclusively to one person or organisation.
• Metrics are not allowed in definitions and must go in standards/rules.

• Where a definition contains the word ‘includes’ and is followed by a list, the list is non-exhaustive, and if a definition ‘excludes’ a list of matters, this list is exhaustive.

Comments on mandatory terms outlined in Standard CM-1

The council has reviewed each term and definition listed in the Standard. A copy of this analysis is provided in Appendix 2 to this submission and a summary of the review is outlined below.

Of the 109 terms outlined in CM-1, Auckland Council:

• supports 64 terms as outlined in Table 29 of CM-1;
• seeks amendments to 42 terms in Table 29 of CM-1; and
• seeks the deletion of two terms in Table 29 of CM-1

For the 42 terms that council seeks amendments; these are to refine or address gaps, alignment with, or distinguish from, other definitions, and improve the overall meaning and application of these terms in planning documents. Refer to Appendix 2 for details.

The two definitions that council would like deleted include ‘swale’ and ‘mana whenua’ and reasons for this are outlined in Appendix 2.

Several definitions provided in the Standard are similar and align with definitions in the Unitary Plan. While others present a significant variance or departure from the Unitary Plan approach which will require the council to change its policy approach and use of the terms in the Unitary Plan.

The words ‘principal’ or ‘principally’ are used a number of times in the Standard. It appears the use of these terms provide flexibility but does bring into question how this will be determined and interpreted at a local level.

It is noted that there are a number of definitions where there is variation between the definition set out in the Standard and Appendix 2 proposed definition text of the section 32 report. For example, this has been identified in relation to ‘net floor area’, where the section 32 report does not refer to ‘(iv) required parking areas’. Similarly, the variance is seen on the definition of ‘footprint’ between the Standard and Section 32 report.

Implications for implementing and adopting the mandatory terms into the Auckland Unitary Plan (Unitary Plan)

Under this Standard it is unclear whether councils must incorporate all 109 definitions in its plans or only incorporate those definitions that currently exist in its plan. This Standard needs to have similar wording as contained within other Standards, which is: “If the following definitions are included in the Plan then the following definitions must be used”, if it seeks to effect the latter.

There is also the question of whether council has to include a term in CM-2, if it uses that term in the Unitary Plan but does not include a definition for that term.
In implementing the mandatory defined terms, the Unitary Plan will need to be amended substantially to align with the Standard. This will require multiple consequential amendments.

Apart from formatting and putting the definitions into a table, all definitions currently listed in the Unitary Plan will need to be amended to follow a similar style and format as set out in the mandatory directions. This will include removal of any metrics, moving any inclusions and exclusions as part of a definition into other provisions and amending the nesting tables to reflect new terms and definitions provided in this Standard.

**Inclusions and exclusions currently used in the Unitary Plan**

The principle of removing inclusions and exclusions as part of a definition into other plan provisions, including rules, will involve quite a lot of rewrite and repetition in the Unitary Plan. The example below illustrates the scale and extent that a Unitary Plan definition will need to be amended to give effect to the mandatory directions of this Standard.

**Example of amendment to Unitary Plan definition**

**Building (term currently in Unitary Plan)**

means any structure, whether temporary or permanent, moveable or fixed, that is enclosed, with 2 or more walls and a roof, or any structure that is similarly enclosed

*(Definition under Standard CM-1)*

Green text below outlines changes required to Unitary Plan:

On land for the purposes of district plan provisions, “building” includes the following types of structures listed in Table J1.4.1, only where they meet the qualifying dimensions or standards:

**Table J1.4.1: Buildings**

<table>
<thead>
<tr>
<th>Type of structure</th>
<th>Qualifying dimension or standard</th>
</tr>
</thead>
<tbody>
<tr>
<td>Decks, steps or terraces</td>
<td>Over 1.5m high</td>
</tr>
<tr>
<td>Fences or walls</td>
<td>Over 2.5m high</td>
</tr>
<tr>
<td>Flagpoles, masts or lighting poles</td>
<td>Over 7m higher than its point of attachment or base support</td>
</tr>
<tr>
<td></td>
<td>Cross-sectional dimension does not exceed 1.2m</td>
</tr>
<tr>
<td>Grandstands, stadia or other structures that provide seating or standing accommodation (whether or not open or covered or enclosed)</td>
<td>Over 1m high</td>
</tr>
<tr>
<td>Retaining walls or breastwork</td>
<td>Over 1.5m high or located within 1.5m of the boundary of a road or public place</td>
</tr>
<tr>
<td>Satellite dishes</td>
<td>Over 1m diameter</td>
</tr>
<tr>
<td>Stacks or heaps of materials</td>
<td>Over 2m high.  Do not exist for more than one month</td>
</tr>
<tr>
<td>-------------------------------</td>
<td>-----------------------------------------------</td>
</tr>
<tr>
<td>Free-standing sign</td>
<td>Over 1.5m high</td>
</tr>
</tbody>
</table>
| Swimming pools or tanks, including retention tanks, spa pools, swirl pools, plunge pools or hot tubs | Over 1m high  
More than 25,000l capacity  
Supported directly by the ground or supported not more than 1m above the ground |
| Structures used as a dwelling, place of work, place of assembly or storage, or that are in a reserve or camping ground | Over 1.5m high  
In use for more than 32 days in any calendar year |
| Verandahs, bridges or other constructions over any public open space | Above ground level |

and excludes the following types of structures:
- any scaffolding or falsework erected temporarily for construction or maintenance purposes;
- roads, road network structures, manoeuvring areas, parking areas (other than parking buildings) and other paved surfaces;
- any film set, stage or similar structures less than 5m high that exist for less than 30 days; and
- roof mounted chimneys, aerials and water overflow pipes.

In the coastal marine area for the purposes of the regional coastal plan, “building” includes any covered or partially covered permanent or temporary structure, whether or not it is enclosed.

The Unitary Plan inclusion and exclusions are used both to clarify which activities fall or do not fall within that definition as well as to provide metrics and other such qualifiers.

In some instances, inclusions and exclusions currently listed under a definition such as ‘building’ will need to be repeated and inserted as rules (or other provisions) in every section that refers to ‘building’. Despite being an e-plan, this will increase the number of rules, or provisions, and create large amounts of repetition. One benefit of containing such content in a definition, as in the Unitary Plan, is that it remains within one centralised location.

Not all current inclusion and exclusions will be able to be transferred directly to other provisions and some will need to be completely re-written.

The council considers these changes are not within the scope of a consequential amendment and therefore a Schedule 1 process will be required. This could result in significant re-litigation for some terms. Council requests that the Standard is amended to
enable council to incorporate matters from their existing definitions into other Plan provisions when incorporating the standardised terms.

**Nesting Tables used in Unitary Plan**

Council supports the Standard enabling the use of nesting tables. However, most of the existing nesting tables found in the Unitary Plan will need to be amended to give effect to this Standard. The example below illustrates the scale and extent of changes to existing nesting tables of the Unitary Plan, for one core term – ‘Rural Industry’.

**Table J1.3.6 Rural**

<table>
<thead>
<tr>
<th>Rural Industry</th>
<th>Industrial Activity</th>
<th>Produce sales</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Manufacturing, fabricating, processing, packing, storing, maintaining or repairing goods</td>
<td></td>
</tr>
<tr>
<td></td>
<td>On-site primary produce manufacturing</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Research laboratories</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Yard-based storage, distribution and logistics activities</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Training facilities to support rural industrial activities</td>
<td></td>
</tr>
<tr>
<td>Primary Production</td>
<td>Intensive Primary Production Intensive farming</td>
<td>Intensive poultry farming</td>
</tr>
<tr>
<td>Farming</td>
<td>Agricultural</td>
<td>Conservation planting</td>
</tr>
<tr>
<td></td>
<td>Post-harvest facilities</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Animal breeding or boarding</td>
<td></td>
</tr>
<tr>
<td>Pastoral</td>
<td>Free-range poultry farming</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Poultry hatcheries</td>
<td></td>
</tr>
<tr>
<td>Forestry</td>
<td>Quarries – farm or forestry</td>
<td></td>
</tr>
<tr>
<td>Horticultural</td>
<td>Any land and auxiliary buildings used to produce the products in primary production</td>
<td></td>
</tr>
</tbody>
</table>
Consequential changes to the Unitary Plan to enact mandatory directions

The council considers that to give effect to the Definitions Standard will require a significant number of consequential amendments to the Unitary Plan that will go beyond the scope of amendments authorised by section 58I (3)(d) of the Act.

Council also believes that, amending the Unitary Plan to include the mandatory definitions will affect its policies and rules where such terms are currently used.

For example, the Standard provides a definition for ‘rural industry’, ‘industrial activity’ and ‘primary production’. The Unitary Plan provides a definition for ‘rural industries’, ‘rural commercial services’ and ‘rural production activities’. If the Definition Standard is gazetted, in its current form, the council will need to replace all existing terms i.e. ‘rural industries’, ‘rural commercial services’ and ‘rural production activities’ in the Unitary Plan with the Standard terms of ‘rural industry’, ‘industrial activity’ and ‘primary production’. The council cannot retain the existing terms and definitions in the Unitary Plan as these would be considered synonyms of terms provided in the Standard. They are also not considered to be a sub-category or narrower application as most of the words and meaning align to the definitions in the Standard.

The definition of ‘rural industry’ is in itself quite different to the definition of ‘rural industries’ in the Unitary Plan. Replacing the term ‘rural industries’ with ‘rural industry’ alone will change how this term is used and the associated rules.

The new Standard definition on ‘rural industry’ broadens the activities and uses provided for. Currently in the Unitary Plan, certain terms and activities defined under ‘rural industries’ have different activity statuses and associated rule provisions. The council is not able to do a direct replace/amendment.

In reviewing whether such change meets the legislation to ‘avoid duplication or conflict’, the council is of the view that replacing the term with the Standard ‘rural industry’ will trigger a change to the policy approach and application. This is considered to go beyond the scope of consequential amendments and will trigger a merits-based policy discussion on whether the new activities and uses provided for under the ‘rural industry’ should have the same activity status and provisions as currently provided or whether the activity status should change under different zones and precincts.

It is not clear on what is considered an appropriate consequential amendment that can be made under a non-Schedule 1 process, before it triggers the need to do a full Schedule 1 process. Section 58I (3)(d) of the Act is vague and open to interpretation.

In the council’s view, any consequential amendment that triggers a change in policy approach, rules, or requires a merits-based evaluation on options, goes beyond the scope of what can be carried out as a consequential amendment to the Unitary Plan.

This means that any such change will need to be carried out using the Schedule 1 process that would allow for a merits-based evaluation to take place and give people an opportunity to submit and comment on the proposed amendments.
Changes sought

Auckland Council seeks the following amendment:

- amend the Standard to enable councils to incorporate existing definition ‘matters’, such as an exclusion/inclusion lists, into other plan provisions as part of a consequential amendment.
- provide more direction and guidance on the threshold for consequential amendments under a non-Schedule 1 process including what is beyond the scope of a consequential amendment.
<table>
<thead>
<tr>
<th>National Planning Standards proposed term</th>
<th>Relevant Unitary Plan Term(s)</th>
<th>Council's position [Support / Oppose / Amend]</th>
<th>Reasons</th>
<th>Recommendation</th>
</tr>
</thead>
<tbody>
<tr>
<td>abrasive blasting</td>
<td>There are no similar term(s) defined in the Unitary Plan.</td>
<td>Support</td>
<td>Support the inclusion of this term in the National Planning Standards, in its present form.</td>
<td>Include in definitions standard</td>
</tr>
<tr>
<td>access strip</td>
<td>There are no similar term(s) defined in the Unitary Plan.</td>
<td>Support</td>
<td>Support the inclusion of this term in the National Planning Standards, in its present form.</td>
<td>Include in definitions standard</td>
</tr>
<tr>
<td></td>
<td>There are associated terms defined in the Unitary Plan: Easement and Access site.</td>
<td></td>
<td>Agree it is appropriate in this instance to default to the definition in section 2 of the Resource Management Act 1991.</td>
<td></td>
</tr>
</tbody>
</table>
| accessory building                     | There is a similar term defined in the Unitary Plan: Accessory building.                    | Amend                                       | Support standardisation of the term and definition. However, it is not clear whether an accessory building can be ancillary to a use on site when it is not the primary use. For example, if there is an ancillary use on the site such as home occupation, it is unclear if the accessory building can be ancillary to that ancillary use rather than the primary use. Similarly, the same question is raised with storage units for home business. Clarification on this matter is required. It is also sought that the draft definition includes a reference to a vacant site. The Unitary Plan definition includes site and vacant site. It does not appear this can necessarily be sufficiently provided for, through standards or rules. | Refine and amend definition to take into consideration:  
  • if there was an ancillary use on the site, clarify if the accessory building can be ancillary to that ancillary use, rather than the primary use  
  • in addition, include provision for vacant sites. Insert wording such as:  
   ...or on a vacant site, a building that is incidental to any use which may be permitted on that site. |
| addition                               | There are no similar term(s) defined in the Unitary Plan.                                    | Support                                     | Support the inclusion of this term in the National Planning Standards in its present form.                                                                                                             | Include in definitions standard |
| allotment                              | There are no similar term(s) defined in the Unitary Plan.                                    | Amend                                       | Support standardisation of the term and definition. It is appropriate in this instance to default to the definition in section 218 of the Resource Management Act 1991. It is requested however that interpretation material clarifies that the term 'lot' has the same meaning as allotment, for the avoidance of doubt. | Include in the definitions standard and request that any interpretation material clarifies that the term 'lot' has the same meaning as allotment, for the avoidance of doubt. |
| amenity values                         | There are no similar term(s) defined in the Unitary Plan.                                    | Support                                     | Agree it is appropriate in this instance to default to the definition in section 2 of the Resource Management Act 1991. Support the inclusion of this definition as set out in the draft National Planning Standards June 2018 document. | Include in definitions standard |
| ancillary activity                     | There is a similar term defined in the Unitary Plan: Accessory activities.                  | Amend                                       | Support standardisation of the term and definition in principle. However it is noted that, the use of subsidiary in this definition is important. Subsidiary can be read to mean 'subordinate or secondary'. In legacy Auckland plans some councils used subsidiary with reference to accessory buildings so that the building could not be bigger than the principal building. The | Refine and amend definition to take into consideration:  
  - the use of the word subsidiary and its flow on linkages to the definitions of accessory building and minor residential unit. |
<table>
<thead>
<tr>
<th>National Planning Standards proposed term</th>
<th>Relevant Unitary Plan Term(s)</th>
<th>Council’s position [Support / Oppose / Amend]</th>
<th>Reasons</th>
<th>Recommendation</th>
</tr>
</thead>
<tbody>
<tr>
<td>Accessory building.</td>
<td>definition of accessory buildings does not contain the term 'subsidiary' so it is misleading and creates confusion as to whether the use must be smaller than the principal use but the building housing the use does not have to be. This is a use versus development issue. Clarification is required to the definition. Additional commentary is provided on 'Minor residential unit' as it is a similar issue with this definition of 'ancillary activity'.</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>aquifer</td>
<td>There is a similar term defined in the Unitary Plan: Aquifer.</td>
<td>Support</td>
<td>Support the inclusion and standardisation of the term in Standards, as it is written out in the draft National Planning Standards June 2018 document. The definition allows for aquifers to be recognised for a range of purposes, including ecological and cultural. The definition aligns better with the implementation of the National Policy Statement for Freshwater Management.</td>
<td>Include in definitions standard</td>
</tr>
<tr>
<td>bed</td>
<td>There are no similar term(s) defined in the Unitary Plan</td>
<td>Support</td>
<td>Agree it is appropriate in this instance to default to the definition in section 2 of the Resource Management Act 1991. Support the inclusion of this definition as set out in the draft National Planning Standards June 2018 document.</td>
<td>Include in definitions standard</td>
</tr>
<tr>
<td>best practicable option</td>
<td>There is a similar term defined in the Unitary Plan: Best practicable option.</td>
<td>Support</td>
<td>The term is already in Chapter J Definitions of the Unitary Plan and refers the reader to the same meaning of 'best practicable option' as in section 2 of the Resource Management Act 1991. Support the inclusion of this definition as set out in the draft National Planning Standards June 2018 document.</td>
<td>Include in definitions standard</td>
</tr>
<tr>
<td>bore</td>
<td>There is a similar term defined in the Unitary Plan: Bore. There are associated terms defined in the Unitary Plan: Stormwater, Dam, Damming, Drilling and Landfills.</td>
<td>Amend</td>
<td>Support standardisation of the term and definition. It is noted that there is a New Zealand drilling Standards for 'bore'; we suggest MIE may wish to review these standards in review of the definition of 'bore'. The Unitary Plan uses the term &quot;drilled&quot; whereas the Standard is simply referring to a hole. A bore tends to be lined to meet certain engineering standards. Suggest that the Standards should refer to 'bore' and 'hole'. It is also noted that (iii) could be interpreted to imply that wastewater disposal trenches were a 'bore' under this definition and would require consideration as a bore.</td>
<td>Refine and amend definition to take into consideration: - NZ drilling standards for 'bore'; and - differentiate and include 'bore' and 'hole' in definition.</td>
</tr>
<tr>
<td>boundary</td>
<td>There are no similar term(s) defined in the Unitary Plan. There is an associated term defined in the Unitary Plan: Site.</td>
<td>Support</td>
<td>Support the inclusion of this term in the National Planning Standards, in its present form. The proposed NPS definition is clear and concise.</td>
<td>Include in definitions standard</td>
</tr>
<tr>
<td>boundary adjustment</td>
<td>There is a similar term defined in the Unitary Plan: Boundary adjustment. There is an associated term in the Unitary Plan: Subdivision.</td>
<td>Support</td>
<td>Support the inclusion of this term in the National Planning Standards, in its present form. The definition is similar in meaning to the Unitary Plan definition of boundary adjustment.</td>
<td>Include in definitions standard</td>
</tr>
<tr>
<td>National Planning Standards proposed term</td>
<td>Relevant Unitary Plan Term(s)</td>
<td>Council’s position [Support / Oppose / Amend]</td>
<td>Reasons</td>
<td>Recommendation</td>
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| building                                  | There is a similar term defined in the Unitary Plan: Building. | Amend | Support standardisation of the term and definition. However the definition is a significant change in approach. Most aspects of the Unitary Plan definition are not covered in the Definitions Standard but these can be covered through modifying rules and standards throughout the Unitary Plan. It is requested however, that some changes are made and interpretation aspects are considered:  
1) There is too much uncertainty about what ‘enclosed’ means in the draft definition. Something with 2 walls is not ‘enclosed’ so the definition does not follow a plain English meaning. It is not clear if it is the ‘enclosed’ or the ‘2 or more walls and a roof’ that is the primary determinant? Several examples to illustrate the lack of clarity with the choice of words are:  
- If a carport has a roof and one wall, is it a building?  
- Is a covered walkway or a bus stop a building because it has a roof and transparent walls?  
- If a shelter has walls and a trellis roof is it a building?  
- Is a garage door considered ‘similarly enclosed’?  
- Would a water tank be ‘similarly enclosed’?  
2) It is also not clear whether all the clauses need to be met to be a building.  
3) A third amendment is sought in relation to partial versus fully covered roofs. The legacy coastal plan and Unitary Plan have, ‘In the coastal marine area for the purposes of the regional coastal plan, “building” includes any covered or partially covered permanent or temporary structure, whether or not it is enclosed’. This uses the word “covered” not “enclosed”. Like the point raised directly above, does the draft definition apply if there is a partial roof? It is therefore sought that the definition is changed to recognise being covered as well as enclosed, including being partially covered by a roof. This may reads as:  
Building means any structure, whether temporary or permanent, moveable or fixed, that is partially or fully enclosed, and with 2 or more walls, and covered or partially covered by a roof, or any structure that is similarly enclosed.  
It is concurred with that reverting to the Building Act 2004 definition of ‘building’ is not suitable for a planning context and not supported. | Amend definition as follows:  
Building means any structure, whether temporary or permanent, moveable or fixed, that is partially or fully enclosed, and with 2 or more walls, and covered or partially covered by a roof, or any structure that is similarly enclosed. |
| building damage from vibration            | There are no similar term(s) defined in the Unitary Plan | Support | Support the inclusion of this term in the National Planning Standards, in its present form.  
Do not change the name of this definition to ‘building damage from noise vibration’ or ‘noise building damage’. The standard is not all about noise and not all vibration is linked to noise. | Include in definitions standard |
<table>
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<tr>
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<tbody>
<tr>
<td>cleanfill</td>
<td>There are similar terms defined in the Unitary Plan: Cleanfill and Cleanfill material There are associated terms defined in the Unitary Plan: Managed fill, Managed fill material, Landfill and Mineral extraction activities.</td>
<td>Amend</td>
<td>Support standardisation of the term and definition in principle, but it is critical that the Unitary Plan is able to retain the associated definitions of ‘managed fill’ and ‘cleanfill material’ as they comprise of different waste materials and have different effects on receiving water, which are linked to activity statuses in the Unitary Plan. Our view is that these are not synonyms of ‘landfill’ or ‘cleanfill’ as defined in the draft Definitions Standard, and if our associated definitions are considered synonyms then this current definition of ‘cleanfill’ will be of significant concern. Clarification is sought that these two definitions could remain as distinctly separate definitions within the Unitary Plan as locally defined terms and not synonyms of the term ‘cleanfill’..</td>
<td>Clarification is sought if the related term ‘cleanfill material’ can remain as a locally defined term in a Plan. This is not considered a synonym of ‘cleanfill’ both in terms of the definition name nor the technical definition content. Clarification is also sought that ‘managed fill’ and ‘managed fill material’ could remain as distinctly separate definitions within the Unitary Plan.</td>
</tr>
<tr>
<td>coastal marine area</td>
<td>There is a similar term defined in the Unitary Plan: Coastal marine area.</td>
<td>Amend</td>
<td>In the Unitary Plan, the definition on ‘coastal marine area’ provides additional clarification for where the line of mean high water springs crosses a river. Appendix 7 lists 252 rivers with a Topo map grid reference for the coastal marine area (CMA) boundary. The draft definition means that the reference to Appendix 7 in the Unitary Plan will need to be removed. A new definition could be added to correspond to the RMA definition of “mouth”. That definition allows for agreements between councils and the Minister of Conservation on defining the landward boundary of the CMA at river mouths prior to notification of a regional coastal plan. A new definition could be “Mouth – for the purpose of defining the landward boundary of the coastal marine area, means the mouth of the river at the points listed in Appendix 7”. The alternative is to amend the draft definition as follows: “has the same meaning as in section 2 of the RMA (as set out in the box below) with any agreed coastal marine area boundary points at rivers identified in the (XXX) section of the Plan.”</td>
<td>Amend the definition of ‘coastal marine area’ to note how a regional coastal plan identifies any cross-river coastal marine area boundaries (as agreed with territorial authorities and the Minister of Conservation in accordance with the RMA definition of ‘mouth’). Or Amend the definition as follows: “has the same meaning as in section 2 of the RMA (as set out in the box below) with any agreed coastal marine area boundary points at rivers identified in the (XXX) section of the Plan.”</td>
</tr>
<tr>
<td>coastal water</td>
<td>There are no similar term(s) defined in the Unitary Plan</td>
<td>Support</td>
<td>Agree it is appropriate in this instance to default to the definition in section 2 of the Resource Management Act 1991. Support the inclusion of this term in the National Planning Standards, in its present form.</td>
<td>Include in definitions standard</td>
</tr>
<tr>
<td>commercial activity</td>
<td>There is a similar term defined in the Unitary Plan: Commercial activities. There are associated terms defined in the Unitary Plan: Commercial services, Offices, Retail, Large format retail, and Business activities (these are only a selected number; there are more in the Unitary Plan).</td>
<td>Amend</td>
<td>Support standardisation of the term and definition. However it is noted that experience with the inclusion of ‘primary purpose’ within Unitary Plan definitions has been problematic. Interpretation issues are likely to occur in relation to what ‘primary purpose’ constitutes and clarification is required to whether it includes offices (within the word ‘services’). Support the approach to allow Councils to provide subset of activities captured by this definition. The Unitary Plan contains a range of associated terms with definitions (i.e. subset of activities) that fall under the term ‘commercial activity’.</td>
<td>Refine and amend definition to take into consideration: - whether ‘offices’ are included or it is considered within the word ‘services’. This needs to be spelt out in the definition.</td>
</tr>
<tr>
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<tr>
<td>community facility</td>
<td>There is a similar term defined in the Unitary Plan: Community facilities.</td>
<td>Amend</td>
<td>Support standardisation of the term and definition in principle, but raise that an activity such as libraries may not be sufficiently and explicitly encompassed within this definition and that 'similar community purposes' may be too vague for an activity such as libraries. Seek clarification and whether the words 'learning' or 'educational' need to be encompassed into the definition. This change may need to be considered in relation to the term 'educational facility' defined in the Standards.</td>
<td>Refine and amend definition to take into consideration: - if libraries is a community facility and if so, what subterm in the definition will capture such activities. Consideration to words such as 'learning' or 'educational' may need to be included in the definition.</td>
</tr>
<tr>
<td>contaminant</td>
<td>There are no similar term(s) defined in the Unitary Plan. There are associated terms defined in the Unitary Plan: Discharge system and Separate phase liquid contaminants.</td>
<td>Support</td>
<td>Agree it is appropriate in this instance to default to the definition in section 2 of the Resource Management Act 1991. Support the inclusion of this definition as set out in the draft National Planning Standards June 2018 document.</td>
<td>Include in definitions standard</td>
</tr>
<tr>
<td>contaminated land</td>
<td>There are no similar term(s) defined in the Unitary Plan. There are associated terms defined in the Unitary Plan: Detailed site investigation (contaminated land), Preliminary site investigation (contaminated land), Remedial action plan (contaminated land), Site management plan (contaminated land), Site validation report (contaminated land) and Land containing elevated levels of contaminants.</td>
<td>Support</td>
<td>Agree it is appropriate in this instance to default to the definition in section 2 of the Resource Management Act 1991. Support the inclusion of this term in the National Planning Standards, in its present form.</td>
<td>Include in definitions standard</td>
</tr>
<tr>
<td>coverage</td>
<td>There is a similar term defined in the Unitary Plan: Building coverage. There are associated terms defined in the Unitary Plan: Net site area, Floor area ratio and Gross floor area.</td>
<td>Support</td>
<td>Support the inclusion of this term in the National Planning Standards, in its present form.</td>
<td>Include in definitions standard</td>
</tr>
<tr>
<td>discharge</td>
<td>There are no similar term(s) defined in the Unitary Plan</td>
<td>Support</td>
<td>Agree it is appropriate in this instance to default to the definition in section 2 of the Resource Management Act 1991. Support the inclusion of this definition as set out in the draft National Planning Standards June 2018 document.</td>
<td>Include in definitions standard</td>
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<tr>
<td>drain</td>
<td>There are no similar term(s) defined in the Unitary Plan.</td>
<td>Amend</td>
<td>Support standardisation of the term and definition. Important that the definition links to 'artificial watercourse' and includes pipes as the RMA definition of 'water' excludes water in pipes. In addition, it can be hard to distinguish 'farm' drains and straighten natural watercourses from the definition of drain.</td>
<td>Refine and amend definition to take into consideration: - links to artificial watercourses; - includes pipes; - distinguish 'farm' drains and straighten natural watercourses (what is excluded from the definition of drain).</td>
</tr>
<tr>
<td>drinking water</td>
<td>There are no similar term(s) defined in the Unitary Plan</td>
<td>Support</td>
<td>Support the inclusion of this term in the National Planning Standards, in its present form.</td>
<td>Include in definitions standard</td>
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<tr>
<td>dry abrasive blasting</td>
<td>There are no similar term(s) defined in the Unitary Plan</td>
<td>Support</td>
<td>Support the inclusion of this term in the National Planning Standards, in its present form.</td>
<td>Include in definitions standard</td>
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<tr>
<td>dust</td>
<td>There are no similar term(s) defined in the Unitary Plan</td>
<td>Support</td>
<td>Support the inclusion of this term in the National Planning Standards, in its present form.</td>
<td>Include in definitions standard</td>
</tr>
<tr>
<td>earthworks</td>
<td>There is a similar term defined in the Unitary Plan: Earthworks. There are associated terms defined in the Unitary Plan: Land disturbance, trenching, ancillary farming, earthworks, cultivation, and ancillary forestry earthworks.</td>
<td>Amend</td>
<td>The draft definitions proposed for both 'earthworks' and 'land disturbance' are not supported. The proposed definition of 'earthworks' is very broad and focuses on the end result (land contour and level) rather than the processes and activities involved. This approach is confusing and reading between the two definitions, certain critical aspects will be missed out that are currently provided for in the Unitary Plan definitions of 'earthworks' and 'land disturbance'. For example, there are a number of the inclusions in the Unitary Plan definition of 'earthworks' comprising of 'boring, ripping, trenching and thrusting' that are not covered under the Standard definition of 'earthworks', as the Standard definition is solely restricted to changes in contour or ground level. This is of significant concern to Auckland Council. It is unclear for example, where the act of creating a trench to put in stormwater pipes then refilling would sit – land disturbance or earthworks? It is also not clear what the underlying intention of this definition is. If the intention is to look at the change in the character of an area rather than the effects caused by land disturbance then this should be explicitly stated, otherwise it should be deleted and concentrate on refinements to the land disturbance definition. Seek clarification and amendments to the definition to address concerns raised.</td>
<td>Refine and amend both definitions - 'earthworks' and 'land disturbance' to address concerns raised.</td>
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<tr>
<td>educational facility</td>
<td>There is a similar term defined in the Unitary Plan: Education facility. There are associated terms defined in the Unitary Plan: Tertiary education facility, Care centre, Student accommodation and Community use of education and tertiary facilities.</td>
<td>Support</td>
<td>Support the inclusion of this term in the National Planning Standards, in its present form. However, it is noted that a new definition of secondary education facility is likely to be required in the Unitary Plan.</td>
<td>Include in definitions standard</td>
</tr>
<tr>
<td>effect</td>
<td>There are no similar term(s) defined in the Unitary Plan</td>
<td>Support</td>
<td>Agree it is appropriate in this instance to default to the definition in section 3 of the Resource Management Act 1991. Support the inclusion of this term in the National Planning Standards, in its present form.</td>
<td>Include in definitions standard</td>
</tr>
<tr>
<td>environment</td>
<td>There are no similar term(s) defined in the Unitary Plan</td>
<td>Support</td>
<td>Agree it is appropriate in this instance to default to the definition in section 2 of the Resource Management Act 1991. Support the inclusion of this term in the National Planning Standards, in its present form.</td>
<td>Include in definitions standard</td>
</tr>
<tr>
<td>esplanade reserve</td>
<td>There are no similar term(s) defined in the Unitary Plan</td>
<td>Support</td>
<td>Agree it is appropriate in this instance to default to the definition in section 2 of the Resource Management Act 1991. Support the inclusion of this term in the National Planning Standards, in its present form.</td>
<td>Include in definitions standard</td>
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<tr>
<td>esplanade strip</td>
<td>There are no similar term(s) defined in the Unitary Plan</td>
<td>Support</td>
<td>Agree it is appropriate in this instance to default to the definition in section 2 of the Resource Management Act 1991. Support the inclusion of this term in the National Planning Standards, in its present form.</td>
<td>Include in definitions standard</td>
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<tr>
<td>fertiliser</td>
<td>There is a similar term defined in the Unitary Plan: Fertiliser. There are associated terms defined in the Unitary Plan: Agrichemical, Treated effluent, Dairy effluent and Biosolids.</td>
<td>Amend</td>
<td>Support standardisation of the term and definition, but disagree with approach to not provide for animal effluent as a form of fertiliser. Animal effluent can be a significant and important source of nutrients. It is requested that this be incorporated into the definition.</td>
<td>Refine and amend definition to include animal effluent as a form of fertiliser.</td>
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<tr>
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<tr>
<td>footprint</td>
<td>There are no similar term(s) defined in the Unitary Plan. There is an associated term defined in the Unitary Plan: Building coverage.</td>
<td>Amend</td>
<td>Support standardisation of the term and definition in principle, however clarification is sought. Based on the current wording, it is not clear whether elements such as, an entrance which is between the ground level and the underground basement area to a car park constitutes ‘at ground floor level’? There is likely to be ambiguity around what ‘directly’ above the ground means in application. It is also noted that, the definition wording in the Section 32 Evaluation Report on the Draft Definitions Standard (Part 2C) is different to the draft National Planning Standards document. The section 32 version is preferred because it does not refer to &quot;any section of those structures...&quot;.</td>
<td>Refine and amend definition: - Clarify through wording refinements what ‘directly’ above the ground constitutes.</td>
</tr>
<tr>
<td>freshwater</td>
<td>There are no similar term(s) defined in the Unitary Plan There are associated terms defined in the Unitary Plan Freshwater systems.</td>
<td>Support</td>
<td>Agree it is appropriate in this instance to default to the definition in section 2 of the Resource Management Act 1991. Support the inclusion of this term in the National Planning Standards, in its present form.</td>
<td>Include in definitions standard</td>
</tr>
<tr>
<td>functional need</td>
<td>There is a similar term defined in the Unitary Plan: Functional need.</td>
<td>Support</td>
<td>Support the inclusion of this term in the National Planning Standards, in its present form. The draft definition is similar to the Unitary Plan definition. Minor differences are grammatical sentence structure only, not technical.</td>
<td>Include in definitions standard</td>
</tr>
<tr>
<td>green infrastructure</td>
<td>There are no similar term(s) defined in the Unitary Plan.</td>
<td>Amend</td>
<td>Support standardisation of the term and definition in principle. Inclusion of this term as a mandatory definition supports the use of green infrastructure and how it has the potential to integrate into the environment and community differently to traditional infrastructure. It is noted however that as currently written, ‘green infrastructure’ would include many wastewater systems that rely on natural processes - oxidation ponds, work based systems and bacteria based systems. It is not clear if this is the intention. Clarification is sought.</td>
<td>Clarification is sought to whether ‘green infrastructure’ would include many wastewater systems that rely on natural processes - oxidation ponds, work based systems and bacteria based systems. Clarify is required or amendments to the definition to remove confusion.</td>
</tr>
<tr>
<td>greywater</td>
<td>There are no similar term(s) defined in the Unitary Plan</td>
<td>Support</td>
<td>Support the inclusion of this term in the National Planning Standards, in its present form.</td>
<td>Include in definitions standard</td>
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<tr>
<td>gross floor area</td>
<td>There is a similar term defined in the Unitary Plan: Gross floor area. There are associated terms defined in the Unitary Plan: Net internal floor area, Floor area ratio and Average floor area.</td>
<td>Amend</td>
<td>Support standardisation of the term and definition in principle. The core aspect of this draft definition, relating to the sum of the total area of all floors of all buildings on the site, measured from the exterior faces of exterior walls or from the centre lines of walls separating 2 buildings is workable, and can be accepted. It is requested that voids such as, service shafts, lifts or stairwells should not however contribute towards the gross floor area. Clarification is sought more generally to whether basements and areas below ground are intended to be included. The definition refers to buildings ‘on’ the site. This language may lead a reader to interpret that gross floor area relates to only above ground portions of buildings.</td>
<td>Refine and amend definition to address concerns raised.</td>
</tr>
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<tr>
<td>ground level</td>
<td>There is a similar term defined in the Unitary Plan: Ground level.</td>
<td>Amend</td>
<td>Support standardisation of the term and definition in principle. There is concern however that enforcement issues may arise with ground level being able to be modified in breach of plan provisions and parties applying ‘the existing surface level of the ground’. This is a different approach to the Unitary Plan. It is suggested that a word such as 'lawful' may need to be included as a qualifier for (b), if the ground level cannot be identified. It is also noted that in relation to trees, the Unitary Plan definition of ‘ground level’ includes a specific explanation for the measurement of the girth of a tree, whereby ground level must be taken from the uphill side of the tree trunk. The draft definition would not be the best fit for the measurement of trees. Clarification is sought that a definition of ‘measurement of ground level for tree girth’ could be introduced, if not, it is considered important that: In relation to the measurement of the girth of a tree, ground level must be taken from the uphill side of the tree trunk.</td>
<td>Refine and amend definition to address concerns raised.</td>
</tr>
<tr>
<td>groundwater</td>
<td>There is no similar term of ‘groundwater’ in the Unitary Plan. There are associated terms defined in the Unitary Plan: Groundwater diversion, Infiltration and receiving waters.</td>
<td>Amend</td>
<td>Support standardisation of term and definition. The definition should provide clarity and be explicit to either include or exclude geothermal water whilst it is in the ground, from the definition.</td>
<td>Refine and amend definition to provide clarity and be explicit to either include or exclude geothermal water whilst it is in the ground, from the definition.</td>
</tr>
<tr>
<td>habitable room</td>
<td>There is a similar term defined in the Unitary Plan: Habitable room.</td>
<td>Amend</td>
<td>Support standardisation of term and definition but recommend including boarding houses as it appears this is missing, but is an important inclusion.</td>
<td>Amend definition as follows: means any room in a residential unit, visitor accommodation, educational facility, commercial activity, boarding house or healthcare facility used for the purposes of teaching or respite care or used as a living room, dining room, sitting room, bedroom, or similarly occupied room.</td>
</tr>
<tr>
<td>Hazardous Substance</td>
<td>Relevant Unitary Plan Term(s)</td>
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<tr>
<td>Hazardous substance</td>
<td>There is a similar term defined in the Unitary Plan: Hazardous substance. There are associated terms defined in the Unitary Plan: Hazardous facility and Hazardous waste.</td>
<td>Amend</td>
<td>While it is considered appropriate to default to the definition in section 2 of the Resource Management Act 1991, it is recommended the definition of 'hazardous substances' is expanded to also include substances with radioactive properties or high biological oxygen demand more than a specific amount. This would relate to any substance with one or both of the following intrinsic properties: • radioactivity; and • high biological oxygen demand (BOD5) more than a specified amount (recommended to be set at 10,000mg/l). While measurements are discouraged under the Standard definitions, there is a metrics in the definition of 'small scale renewable electricity generation' and in this instance measurements are appropriate and necessary. Recommend not to default to the definition in the RMA but to provide additional clarification and words requested above.</td>
<td>To ensure consistency in approach, it is recommended that the further definition/interpretation text within the definition box for 'Hazardous substances' under section 2 (Interpretation) of the Hazardous Substances and New Organisms Act 1996 is explicitly set out, for the avoidance of doubt, and to be consistent with CM-1: 3f.</td>
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<td>Height in relation to a regional policy statement or a combined plan that includes a regional plan or regional policy statement</td>
<td>see below</td>
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<tr>
<td>Height in relation to a district plan</td>
<td>There is a similar term defined in the Unitary Plan: Height.</td>
<td>Amend</td>
<td>Support this definition in part in part. Council requests that the option of applying the average height method as well as the rolling height method is included in the definition. The Section 32 Evaluation Report for Draft Definitions Standard (Part 2C) has outlined that it is considered that better environmental outcomes are often achieved when the form of development reflects the contour of slope where it is located. This is not always considered to be the case, especially in the Auckland planning context. This may end up with peculiar outcomes where sites are not well contoured but are steep. Providing for both solutions can enable more design solutions and environmental outcomes.</td>
<td>Refine and amend definition to enable height to be measured using the average height as well as the rolling height methodology.</td>
</tr>
<tr>
<td>Height in relation to boundary</td>
<td>There is a similar term defined in the Unitary Plan Height in relation to boundary. There is an associated term in the Unitary Plan: Height.</td>
<td>Support</td>
<td>Support the inclusion of this term in the National Planning Standards, in its present form. The draft definition sufficiently addresses the core aspects contained within the Unitary Plan definition and provides a sound technical definition.</td>
<td>Include in definitions standard</td>
</tr>
<tr>
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<tr>
<td>historic heritage</td>
<td>There are no similar terms defined in the Unitary Plan. There are associated terms defined in the Unitary Plan: Non-contributing buildings, structures or features; Contributing buildings, structures or features, Archaeological investigations and archaeological site.</td>
<td>Support</td>
<td>Agree it is appropriate in this instance to default to the definition in section 2 of the Resource Management Act 1991. Support the inclusion of this term in the National Planning Standards, in its present form.</td>
<td>Include in definitions standard</td>
</tr>
<tr>
<td>home business</td>
<td>There is a similar term defined in the Unitary Plan: Home occupation.</td>
<td>Support</td>
<td>Support the inclusion of this term in the National Planning Standards, in its present form. The draft definition sufficiently addresses the core aspects contained within the Unitary Plan definition.</td>
<td>Include in definitions standard</td>
</tr>
<tr>
<td>industrial activity</td>
<td>There is a similar term defined in the Unitary Plan: Industrial activity. There are associated terms defined in the Unitary Plan: Industrial laboratory, Light manufacturing and servicing and Industrial or trade activity.</td>
<td>Amend</td>
<td>Support standardisation of term and definition. It is sought that the definition is expanded to also include ‘the processing of raw materials and other accessory activities’, as per the Unitary Plan definition. Amend definition as follows: means an activity for the primary purpose of— (a) manufacturing, fabricating, processing, packing, storing, maintaining, or repairing goods; or (b) research laboratories used for scientific, industrial or medical research; or (c) yard-based storage, distribution and logistics activities; or (d) any training facilities for any of the above activities; or (e) the processing of raw materials and other accessory activities.</td>
<td></td>
</tr>
<tr>
<td>infrastructure</td>
<td>There is a similar term defined in the Unitary Plan: Infrastructure.</td>
<td>Support</td>
<td>Agree it is appropriate in this instance to default to the definition in section 2 of the Resource Management Act 1991. Support the inclusion of this term in the National Planning Standards, in its present form.</td>
<td>Include in definitions standard</td>
</tr>
<tr>
<td>intensive primary production</td>
<td>There is a similar term defined in the Unitary Plan: Intensive farming. There are associated terms defined in the Unitary Plan: Animal feedlots, Intensive poultry farming and Animal breeding or boarding.</td>
<td>Amend</td>
<td>Support standardisation of term and definition in part. However not sure on the use of ‘primarily’ as this can be subjective. Similar subjective issues have arisen with the current Unitary Plan definition of ‘intensive farming’ in relation to using the words ‘limited dependence’. This has resulted in difficulty in an enforcement context and various interpretations. It is suggested that the definition is made clearer around intensive primary production including such farming activities outside of buildings i.e. ‘feedlots’ and ‘feed pads’. Refine and amend definition to address concerns raised.</td>
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<tr>
<td>National Planning Standards proposed term</td>
<td>Relevant Unitary Plan Term(s)</td>
<td>Council’s position [Support / Oppose / Amend]</td>
<td>Reasons</td>
<td>Recommendation</td>
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<tr>
<td>iwi authority</td>
<td>There is no definition of 'iwi authority' in the Unitary Plan. The term 'iwi' is in the Glossary section of the Unitary Plan.</td>
<td>Support</td>
<td>Agree it is appropriate in this instance to default to the definition in section 2 of the Resource Management Act 1991. Support the inclusion of this term in the National Planning Standards, in its present form.</td>
<td>Include in definitions standard</td>
</tr>
<tr>
<td>kaitiakitanga</td>
<td>There is no definition of 'Kaitiakitanga' in the Unitary Plan. The term 'Kaitiakitanga' is in the Glossary section of the Unitary Plan.</td>
<td>Support</td>
<td>Agree it is appropriate in this instance to default to the definition in section 2 of the Resource Management Act 1991. Support the inclusion of this term in the National Planning Standards, in its present form.</td>
<td>Include in definitions standard</td>
</tr>
<tr>
<td>LA90</td>
<td>There are no similar term(s) defined in the Unitary Plan</td>
<td>Support</td>
<td>Defaults to the definition provided in New Zealand Standard 6801:2008 Measurement of Environmental Sound. Support the inclusion of this term in the National Planning Standards, in its present form.</td>
<td>Include in definitions standard</td>
</tr>
<tr>
<td>LAeq</td>
<td>There are no similar term(s) defined in the Unitary Plan</td>
<td>Support</td>
<td>Defaults to the definition provided in New Zealand Standard 6801:2008 Measurement of Environmental Sound. Support the inclusion of this term in the National Planning Standards, in its present form.</td>
<td>Include in definitions standard</td>
</tr>
<tr>
<td>LAF(max)</td>
<td>There are no similar term(s) defined in the Unitary Plan</td>
<td>Support</td>
<td>Defaults to the definition provided in New Zealand Standard 6801:2008 Measurement of Environmental Sound. Support the inclusion of this term in the National Planning Standards, in its present form.</td>
<td>Include in definitions standard</td>
</tr>
<tr>
<td>lake</td>
<td>There are no similar term(s) defined in the Unitary Plan</td>
<td>Support</td>
<td>Agree it is appropriate in this instance to default to the definition in section 2 of the Resource Management Act 1991. Support the inclusion of this term in the National Planning Standards, in its present form.</td>
<td>Include in definitions standard</td>
</tr>
<tr>
<td>land</td>
<td>There are no similar term(s) defined in the Unitary Plan</td>
<td>Support</td>
<td>Agree it is appropriate in this instance to default to the definition in section 2 of the Resource Management Act 1991. Support the inclusion of this term in the National Planning Standards, in its present form.</td>
<td>Include in definitions standard</td>
</tr>
<tr>
<td>land disturbance</td>
<td>There is a similar term defined in the Unitary Plan: Land disturbance. There are associated terms defined in the Unitary Plan: ancillary farming, earthworks, ancillary forestry earthworks, and earthworks.</td>
<td>Amend</td>
<td>The definitions proposed for both 'earthworks' and 'land disturbance' are not fully supported. There is concern that the draft definition of 'earthworks' excludes many things the Unitary Plan includes, which could not readily be inserted as a standard or rule, and are more appropriate kept within the definition. The Unitary Plan uses these two definitions the other way round. The Unitary Plan definition of earthworks links to the associated defined Unitary Plan terms of 'ancillary farming earthworks' and 'ancillary forestry earthworks'. It is critical that these can remain as</td>
<td>Refine and amend both definitions - 'earthworks' and 'land disturbance' to address concerns raised, before including these terms into the Standards.</td>
</tr>
<tr>
<td>National Planning Standards proposed term</td>
<td>Relevant Unitary Plan Term(s)</td>
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<tr>
<td>landfill</td>
<td>There is a similar term defined in the Unitary Plan: Landfill. There are associated terms defined in the Unitary Plan: Cleanfill, Cleanfill material, Managed fill, Managed fill material and Aftercare.</td>
<td>Amend</td>
<td>Support standardisation of term and definition in principle, however, it is critical that the Unitary Plan is able to retain the definition of 'managed fill', and 'cleanfill material' as they comprise of different waste materials and have different effects on receiving water, which is also linked to activity statuses in the Unitary Plan. It is of the view that these are not synonyms of ‘landfill’ or ‘cleanfill’ as defined in the draft Definitions Standard, and if the Unitary Plan associated definitions are considered synonyms then this current definition would be of significant concern. Clarification is sought that these two definitions could remain as distinctly separate definitions within the Unitary Plan as locally defined terms and not synonyms of the term ‘landfill’.</td>
<td>Clarification is sought that ‘managed fill’ and ‘managed fill material’ can remain as distinctly separate definitions within the Unitary Plan.</td>
</tr>
<tr>
<td>Ldn</td>
<td>There are no similar term(s) defined in the Unitary Plan</td>
<td>Support</td>
<td>Defaults to the definition provided in New Zealand Standard 6801:2008 Measurement of Environmental Sound. Support the inclusion of this term in the National Planning Standards, in its present form.</td>
<td>Include in definitions standard</td>
</tr>
<tr>
<td>Lpeak</td>
<td>There are no similar term(s) defined in the Unitary Plan</td>
<td>Support</td>
<td>Defaults to the definition provided in New Zealand Standard 6801:2008 Measurement of Environmental Sound. Support the inclusion of this term in the National Planning Standards, in its present form.</td>
<td>Include in definitions standard</td>
</tr>
<tr>
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<tr>
<td>mana whenua</td>
<td>There is a similar term defined in the Unitary Plan: Mana Whenua. The term ‘mana whenua’ is also in the Glossary section of the Unitary Plan.</td>
<td>Oppose</td>
<td>Council disagrees with defaulting to the Resource Management Act 1991 definition. In the Unitary Plan, the definition for mana whenua was developed, and agreed, with the Auckland iwi authorities. The Unitary Plan definition is: &quot;Mana Whenua - Māori with ancestral rights to resources in Auckland and responsibilities as kāiāiwi over their tribal lands, waterways and other taonga. Mana Whenua are represented by iwi authorities.&quot; This term is also in the glossary: &quot;Mana Whenua - The people of the land who have mana or customary authority; their historical, cultural and genealogical heritage are attached to the land and sea.&quot; This definition was debated during the Unitary Plan Hearings. The term is defined in the Local Government (Auckland Council) Act 2009 to refer to iwi or hapū groups who are mana whenua in Auckland. In the Auckland context, mana whenua is represented by iwi authorities. The Independent Hearings Panel accepted that based on the inclusion of this term in the Local Government (Auckland Council) Act 2009, the term &quot;Mana Whenua group&quot; and &quot;Mana Whenua&quot; have generally been used in Auckland’s planning documents to refer to iwi or hapū groups who are mana whenua in Auckland. This is discussed and outlined in IHP Report to AC on Topic 009 Mana whenua 2016-07-22, pages 8-9. There has been significant debate on this matter in previous hearings processes and with iwi authorities in Auckland. National generalisation of the term makes sense for the glossary but not in the definitions section. Council opposes standardisation of this term and instead councils should be allowed to define mana whenua in their relevant areas.</td>
<td>Delete term and definition from the Standards.</td>
</tr>
<tr>
<td>mining</td>
<td>There is no similar term(s) defined in the Unitary Plan. There are associated terms defined in the Unitary Plan: Mineral exploration, Mineral extraction activities and Mineral prospecting.</td>
<td>Support</td>
<td>Agree it is appropriate in this instance to default to the definition in section 2 of the Resource Management Act 1991. Support the inclusion of this term in the National Planning Standards, in its present form.</td>
<td>Include in definitions standard</td>
</tr>
<tr>
<td>National Planning Standards proposed term</td>
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<tr>
<td>minor residential unit</td>
<td>There is a similar term defined in the Unitary Plan: Minor Dwelling. There are associated terms defined in the Unitary Plan: Building and Accessory building.</td>
<td>Amend</td>
<td>Support standardisation of term and definition in principle, however disagree with the use of the word 'ancillary' within the draft definition for 'minor residential unit'. The Section 32 Evaluation Report for Draft Definitions Standard (Part 2C) notes that there is a desire to steer away from 'smaller and secondary' however the use of the word ancillary, which means subordinate or secondary is not considered to sufficiently overcome that. Support the second half of the definition in terms of the minor residential unit being held in common ownership with the principal residential unit on the same site, and clarifying within the definition that the minor unit can be attached to the principal building or be a detached stand-alone building. The Section 32 commentary notes that floor area limits can achieve the same result through a permitted standard. While this may be the case, based on the framework of most activity/rules tables, a breach of that standard is generally not a prohibited activity, and applications can therefore be made to breach the permitted standard. This can result in a 120m² minor residential unit. Conversely, if embedded within a definition, a failure to meet the specific size, results in the building simply not meeting the definition and therefore, become a second dwelling, subject to wider considerations. While metrics in definitions is discouraged, it is noted that in instances such as this simply placing the metric into a standard does lead to the potential for quite different outcomes. As a minor non-technical matter, it is noted that a full stop is present at the end of this term. This is not consistent with the style used throughout all the other definitions and this typo should be deleted.</td>
<td>Refine and amend definition to address concerns raised.</td>
</tr>
<tr>
<td>natural and physical resources</td>
<td>There are no similar term(s) defined in the Unitary Plan</td>
<td>Support</td>
<td>Agree it is appropriate in this instance to default to the definition in section 2 of the Resource Management Act 1991. Support the inclusion of this term in the National Planning Standards, in its present form.</td>
<td>Include in definitions standard</td>
</tr>
<tr>
<td>natural hazard</td>
<td>There are no similar term(s) defined in the Unitary Plan. There are associated terms that fall under the category of 'natural hazard' that is defined in the Unitary Plan: coastal erosion hazard area, coastal storm inundation, flood plain, land which may be subject to land instability.</td>
<td>Support</td>
<td>Agree it is appropriate in this instance to default to the definition in section 2 of the Resource Management Act 1991. Support the inclusion of this term in the National Planning Standards, in its present form.</td>
<td>Include in definitions standard</td>
</tr>
<tr>
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<td>net floor area</td>
<td>There is a similar term defined in the Unitary Plan: Net internal floor area. There are also associated terms defined in the Unitary Plan: Average floor area and Gross floor area</td>
<td>Amend</td>
<td>Support standardisation of term and definition in principle, however, it appears it is directed first and foremost to commercial buildings and activities. It should also provide for residential activities with specific inclusions and exclusions, such as, the exclusion of decks and balconies. It is also noted that the Section 32 Evaluation Report on the Draft Definitions Standard (Part 2C) version of the definition does not refer to ‘c) (iv) required parking areas’. The inclusion of ‘c)(iv)’ in the definition is supported.</td>
<td>Refine and amend definition to address concerns raised.</td>
</tr>
<tr>
<td>net site area</td>
<td>There is a similar term defined in the Unitary Plan: Net site area. There are associated terms defined in the Unitary Plan: Access site and Site.</td>
<td>Amend</td>
<td>Support standardisation of term and definition in principle, but there is concern with the use of ‘primarily’ in the context of this definition. As with the use of ‘principally’ and ‘primarily’ in other definitions, there is a level of subjectivity that can be undesirable. Clarity required.</td>
<td>Refine and amend definition to address concerns raised.</td>
</tr>
<tr>
<td>network utility operator</td>
<td>There are no similar term(s) defined in the Unitary Plan</td>
<td>Support</td>
<td>Agree it is appropriate in this instance to default to the definition in section 166 of the Resource Management Act 1991. Support the inclusion of this term in the National Planning Standards, in its present form.</td>
<td>Include in definitions standard</td>
</tr>
<tr>
<td>noise</td>
<td>There are no similar term(s) defined in the Unitary Plan</td>
<td>Support</td>
<td>Agree it is appropriate in this instance to default to the definition in section 2 of the Resource Management Act 1991. Support the inclusion of this term in the National Planning Standards, in its present form.</td>
<td>Include in definitions standard</td>
</tr>
<tr>
<td>notional boundary</td>
<td>There is a similar term defined in the Unitary Plan: Notional boundary.</td>
<td>Support</td>
<td>Support the inclusion of this term in the National Planning Standards, in its present form. The draft definition is similar to the Unitary Plan definition.</td>
<td>Include in definitions standard</td>
</tr>
<tr>
<td>official sign</td>
<td>There are no similar term(s) defined in the Unitary Plan. There are associated terms defined in the Unitary Plan: Sign, Billboard, Changeable message signage, Comprehensive development signage, and Free standing sign.</td>
<td>Support</td>
<td>Support the inclusion of this term in the National Planning Standards, in its present form. Further consideration may need to be given to signs otherwise related to aspects of public safety.</td>
<td>Include in definitions standard</td>
</tr>
<tr>
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<tr>
<td>outdoor living space</td>
<td>There is a similar term defined in the Unitary Plan: Outdoor living space. There are associated terms defined in the Unitary Plan: Dwelling, Minor Dwelling and Building.</td>
<td>Support</td>
<td>Support the inclusion of this term in the National Planning Standards, in its present form. The definition provides a clear description of what outdoor living space constitutes and is written in such a way this can relate not just to outdoor living space at ground level. As commented in the section 32 document, outdoor living space to be at ground floor level is clearly unachievable in relation to many apartments.</td>
<td>Include in definitions standard</td>
</tr>
<tr>
<td>peak particle velocity</td>
<td>There is a similar term defined in a number of specific designations of the Unitary Plan, but not in the definitions section of the Unitary Plan: peak particle velocity.</td>
<td>Support</td>
<td>Support the inclusion of this term in the National Planning Standards, in its present form.</td>
<td>Include in definitions standard</td>
</tr>
<tr>
<td>primary production</td>
<td>There are similar terms defined in the Unitary Plan: Rural production activities and Farming. There are also associated terms defined in the Unitary Plan: Rural commercial services, Rural industries, On-site primary produce manufacturing, Forestry, Horticulture, and Farming and multiple others definitions.</td>
<td>Amend</td>
<td>The definition of primary production proposed in the Standard is of significant concern for several reasons. In the context of the Unitary Plan, it consumes farming within its definition, instead of providing for 'farming' and 'primary production' as two distinct definitions. The draft definition in practice, could mean activities with only a limited underlying relationship with the rural environment may be able to fall under this definition. While the current draft definition is supported by some of the rural sector (as referred to in the Section 32 Evaluation Report on the Draft Definitions Standard), it is not considered to be the most effective or appropriate definition wording for 'primary production'. It is sought that the definition is refined to explicitly state that these activities need to 'have a functional need for a rural location'. Without this qualifier embedded within the definition, there is concern that this could lead to inappropriate activities. There is also no inclusion of 'intensive primary production' within the definition. This is currently provided for in the Unitary Plan rural production definition, and does not appear to be a subset included under any of the associated terms. Furthermore, it is not concurred with that it is consistent to use the term auxiliary rather than ancillary just because it is used in the Act definition of production land. The same term used elsewhere in the definitions section should be set out.</td>
<td>Refine and amend definition to address concerns raised.</td>
</tr>
<tr>
<td>quarry</td>
<td>There is no similar term defined in the Unitary Plan. There are associated terms defined in the Unitary Plan: Mineral, Mineral exploration, Mineral extraction activities and Mineral prospecling.</td>
<td>Amend</td>
<td>Support standardisation of term and definition in principle, but not clear what is intended by &quot;other solid natural substances&quot;. Clarification required.</td>
<td>Refine and amend definition to address concerns raised on what is intended by &quot;other solid natural substances&quot;. Clarification required.</td>
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<tr>
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<tbody>
<tr>
<td>raft</td>
<td>The term ‘raft’ is mentioned as an inclusion to the ‘coastal marine area structure’ definition in the Unitary Plan. There is no definition of raft in the Unitary Plan.</td>
<td>Support</td>
<td>Agree it is appropriate in this instance to default to the definition in section 2 of the Resource Management Act 1991. Support the inclusion of this term in the National Planning Standards, in its present form.</td>
<td>Include in definitions standard</td>
</tr>
<tr>
<td>rating level</td>
<td>There is a similar term defined in the Unitary Plan: Noise (rating) level.</td>
<td>Support</td>
<td>Defaults to the definition provided in New Zealand Standard 6802:2008 Measurement of Environmental Sound. Support the inclusion of this term in the National Planning Standards, in its present form.</td>
<td>Include in definitions standard</td>
</tr>
<tr>
<td>reclamation</td>
<td>There is a similar term defined in the Unitary Plan: Reclamation.</td>
<td>Amend</td>
<td>Support standardisation of term and definition in principle, however the draft standard should be qualified. Reference to “bed of lake or river or part of a waterbody” should be removed, as the term “waterbody” definition includes lakes and rivers. “Part of a waterbody” is included twice. The term “to create permanent land” is misleading. The RMA definition of land includes land in the Coastal Marine Area and reclamation is about creating dry land. “Dry” is needed because the RMA definition of ‘land’ can include land in the CMA. Several coastal plans specify that reclamation does not include structures, particularly seawalls. Northland, Bay of Plenty and Auckland also specify that reclamation does not include breakwaters. It is confusing for the planning standards to now include embankments and causeways. An embankment could be a rock revetment along a shoreline. Normally these are not reclamations. The inclusion of “embankment” in reclamation should be qualified. The dictionary definition of embankment is “A wall or bank of earth or stone built to prevent a river flooding an area.” A secondary definition is “A bank of earth or stone to carry a road or railway over and area of low ground (railway embankment).” The definition also refers to “permanent”. We have proposals for temporary reclamations, often associated with construction activities”. Question how do these fit into the definition. The word ‘permanent’ of course stems from the unlimited duration afforded to reclamations. Amend definition to read as follows: Reclamation means the filling of any part of a waterbody - bed of lake or river or part of a waterbody - or coastal marine area, to create permanent dry land, and includes any embankment or causeway constructed to create permanent dry land, but does not include beach re-nourishment or any deposition of material or infilling that is not permanent or structures such as boat ramps, rubble mound breakwaters, moles, groynes or sea walls, or culverts in rivers that are parallel to the direction of water flow.</td>
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<tr>
<td>residential activity</td>
<td>There are no similar term(s) defined in the Unitary Plan. There are associated terms provided through various types of residential activities under the residential nesting table (Table J1.3.5 Residential) such as, Dwelling.</td>
<td>Amend</td>
<td>Support standardisation of term and definition in principle. Clarification is required if an activity is separately defined then it cannot be considered as part of the definition of ‘residential activity’ for example retirement village premises. This is a use versus development question. Clarification is needed on this. Proceed to include in the final Standard and provide further separate clarification on matter raised.</td>
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<tr>
<td>residential unit</td>
<td>There is a similar term defined in the Unitary Plan: Dwelling. There is an associated term defined in the Unitary Plan: Minor dwelling.</td>
<td>Support</td>
<td>Agree it is appropriate in this instance to default to the definition in section 226A of the Resource Management Act 1991. Support the inclusion of this term in the National Planning Standards, in its present form.</td>
<td>Include in definitions standard</td>
</tr>
<tr>
<td>retirement village premises</td>
<td>There is a similar term defined in the Unitary Plan: Retirement village. There is an associated term in the Unitary Plan: Supported residential care.</td>
<td>Support</td>
<td>Agree it is appropriate in this instance to default to the definition in section 226A of the Resource Management Act 1991. Support the inclusion of this term in the National Planning Standards, in its present form.</td>
<td>Include in definitions standard</td>
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<tr>
<td>reverse sensitivity</td>
<td>There are no similar term(s) defined in the Unitary Plan</td>
<td>Amend</td>
<td>Support standardisation of term and definition. Much of the draft definition appears to have come from the notified Proposed Auckland Unitary Plan definition of reverse sensitivity (with variation to the last part of the draft definition). This definition was not followed through into the Unitary Plan Operative in Part as a result of the Independent Hearing Panel’s recommendation that it best sits outside the Unitary Plan. The view of the Panel was that: Reverse sensitivity has been identified in case law as a type of effect. While the proposed definition does describe the nature of that effect, the Panel does not consider it appropriate to include a definition of this in the Plan as it is not a thing which can be specified by these words for types of cases and all the circumstances that may arise. This statement can be found in ‘IHP Report to AC Topic 065 Definitions 2016-07-22’, pages 12 - 13. There is concern that the use of ‘existing activity’ captures consented but unimplemented activities, which have not lapsed. It is sought that consideration be given to what the most appropriate wording is.</td>
<td>Refine and amend definition to address concerns raised.</td>
</tr>
<tr>
<td>river</td>
<td>There is a similar term defined in the Unitary Plan: River or stream. There are associated terms defined in the Unitary Plan: Riparian margin, permanent river or stream, ephemeral stream, intermittent stream, and natural stream management area.</td>
<td>Amend</td>
<td>Reliance on the RMA definition raises a concern around ephemeral streams. Be clear that the term ‘rivers’ excludes ephemeral streams and includes all activities within streams. In the Auckland context, the Unitary Plan definition excludes ephemeral streams as many people define them as intermittent, and the Unitary Plan definition refers to ‘rivers and streams’ instead of the RMA definition of ‘river’ as it reflects the Auckland situation i.e. lots of streams not many rivers and the Unitary Plan definition alerts people that streams are managed as many people think streams are not rivers.</td>
<td>Amend the definition to ensure it is clear that the term ‘rivers’ excludes ephemeral streams and includes all activities within streams.</td>
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<tr>
<td>road</td>
<td>There is a similar term defined in the Unitary Plan: Road.</td>
<td>Support</td>
<td>Support the inclusion of this term in the National Planning Standards, in its present form. The term is already in Chapter J Definitions of the Unitary Plan and refers the reader to the same meaning of ‘road’ as in section 315 of the Local Government Act 1974, and includes motorways</td>
<td>Include in definitions standard</td>
</tr>
<tr>
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<tr>
<td>root protection area</td>
<td>There is a similar term defined in the Unitary Plan: Protected root zone.</td>
<td>Amend</td>
<td>Support standardisation of term and definition. The proposed definition aligns with the current Unitary Plan definition and is adequate to generally protect the root area of trees. As the root distribution of individual trees varies considerably, there will always be some deficiency in a simplified root protection area applicable to all situations, as this may not necessarily take account of very tall columnar species or those with multiple stems. However, there is a balance between imposing simpler/standardised methodologies which are easier to understand and implement and protect the majority of a tree’s root area, against complex ones which are difficult and complex to implement but may result in maximum protection. An amendment is sought to the diagrams. Propose separate diagrams for circular and columnar trees are produced as part of the Standard. The Unitary Plan definition takes account of the columnar tree, as it specifies columnar root area to be half the height of the tree.</td>
<td>Refine and amend definition to address concerns raised.</td>
</tr>
<tr>
<td>rural industry</td>
<td>There is a similar term defined in the Unitary Plan: Rural industries. There are associated terms defined in the Unitary Plan: New aquaculture, Experimental aquaculture activities, Lawfully established aquaculture activities, Rural production activities, Rural commercial services, Rural industries and Farming and On-site primary produce manufacturing.</td>
<td>Amend</td>
<td>Support standardisation of term and definition in principle, however, the wording ‘principal function’ is not as strong as the current language in the Unitary Plan definition. Expanding upon this with the inclusion of wording such as, ‘a clear connection to’ is sought to ensure the activities linking back to this definition have a defensible link back to needing it to be in a rural environment/zone.</td>
<td>Refine and amend definition to address concerns raised.</td>
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<td>setback</td>
<td>There is a similar term defined in the Unitary Plan: Yard. There are associated terms defined in the Unitary Plan: Front yard, Rear yard, Side yard, Coastal protection yard, Lakeside yard, National Grid yard, Riparian yard, Transport storage yard and Building link restriction.</td>
<td>Support</td>
<td>Support the inclusion of this term in the National Planning Standards, in its present form. The draft definition sufficiently addresses the core aspects contained within the Unitary Plan definition. Particular sections, such as the current Unitary Plan yard exclusions can be redeveloped into setback standards.</td>
<td>Include in definitions standard</td>
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<td>sewage</td>
<td>There is a similar term defined in the Unitary Plan: Sewage. There are associated terms defined in the Unitary Plan: Biosolids and Sewage sludge.</td>
<td>Amend</td>
<td>Support standardisation of term and definition in principle, but disagree with the use of the word ‘water’ in the definition. Sewage should be differentiated from ‘water’. It is a waste and a contaminant. Suggest to replace ‘water’ with ‘liquid’. Agree the definition is simple, however it misses out on: - ‘(c) drainage from spaces containing living animals’ from the definition of ‘sewage’ provided in the Resource Management (Marine Pollution) Regulations 1998; whereby the proposed definition on ’sewage’ should include a reference to any excrement from animals from a working farm/rural environment; and - need to recognise that there is an existing definition in Marine Pollution Regulations for ships and offshore installations. The definition should be amended to include a reference to the regulations for the coastal marine area.</td>
<td>Refine and amend definition to take into consideration: - sewage should be differentiated from water; replace the term ‘water’ with ‘liquid’; - include a reference to any excrement from animals from a working farm/rural setting; and - include a reference to the regulations for the coastal marine area.</td>
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<tr>
<td>sign</td>
<td>There is a similar term defined in the Unitary Plan: Sign. There are associated terms defined in the Unitary Plan: Billboard, Free standing sign, Changeable message signage and Comprehensive development signage.</td>
<td>Support</td>
<td>Support the inclusion of this term in the National Planning Standards, in its present form. It sufficiently aligns with the Unitary Plan definition of sign. All associated Unitary Plan definitions are not synonyms and should be able to remain within the Unitary Plan Definitions chapter.</td>
<td>Include in definitions standard</td>
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<tr>
<td>site</td>
<td>There is a similar term defined in the Unitary Plan: Site. There are associated terms defined in the Unitary Plan: Rear site and Front site.</td>
<td>Amend</td>
<td>Support standardised definition in principle, however it is noted that reference made under (d) of the draft definition to the Unit Titles Act 1972 is incorrect. This was repealed on 1 October 2012, by section 218 of the Unit Titles Act 2010 (2010 No 22)). The definition of ‘site’ in the Unitary Plan includes a diagram to identify the additional definitions provided in the plan i.e. entrance strip, rear site, access site, front site, corner site (see Figure J1.4.8: in Chapter J Definitions in the Unitary Plan). This diagram helps in the interpretation of which development controls and rules apply to the site.</td>
<td>Amend definition to reflect the most up to date legislation. Include a diagram to illustrate the types of ‘site’ defined in the plan.</td>
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<td>small scale renewable electricity generation</td>
<td>There are similar terms defined in the Unitary Plan: Small scale electricity generation, and Community scale electricity generation.</td>
<td>Amend</td>
<td>We note that the Board of Enquiry for the NPSREG did not agree with putting a fixed amount of MW in the definition of small or community scale electricity generation, as the national planning standards propose to do; [114] The Board is not satisfied that the limit of what is to be regarded as small and community-scale distributed REG should be arbitrarily fixed at 4 MW, or even 10 MW, as suggested by some submitters. The difficulty with fixing a capacity cut-off is that the adverse environmental effects of different technologies may vary considerably. The advances of technology over 15 years will also allow for the provision of more electricity output for the same or fewer adverse environmental effects. (<a href="http://www.mfe.govt.nz/sites/default/files/nps-reg-board-of-inquiry.pdf">http://www.mfe.govt.nz/sites/default/files/nps-reg-board-of-inquiry.pdf</a>) We note the NPS-REG definition is wide. In the Unitary Plan, there are metrics that define small scale electricity generation in the form of permitted activity standards (height of small electricity turbines etc (E26.2.5.3(13), (14), numbers of turbines (15), noise (16), and setbacks (21). There is also a height limit for the community scale wind turbine, which is higher than the small scale ones (17). The height of solar panels above the roof is also limited (20).</td>
<td>Propose a definition for ‘community-scale electricity generation’ is included into the Standards with a definition on ‘small-scale electricity generation’. This will provide more clarity to the NPS-REG definition in plans and policies. The reference to 20MW provides a certain limit, however we question the limit as expressed by the Board of Enquiry for NPSREG. As this is a national standard, any differentiations to what is considered a ‘community or small scale’ electricity generation should be left to local plans whereby performance standards and rules can be used to manage any bulk, location or plan-specific matters.</td>
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| special audible characteristic | There are no similar term(s) defined in the Unitary Plan | Support | Defaults to the definition provided in New Zealand Standard 6802:2008 Measurement of Environmental Sound. Support the inclusion of this definition as set out in the draft National Planning Standards June 2018 document. | Include in definitions standard |

| stormwater | There is a similar term defined in the Unitary Plan: Stormwater. There are associated terms defined in the Unitary Plan: Infiltration, Overland stormwater and Runoff. | Amend | Disagree with the definition proposed. The key element that makes stormwater different to runoff or sheet flow (which is how the proposed definition reads) is that the runoff is diverted and discharged to a receiving environment. The act of diverting and discharging is key in stormwater and also sets the scene for stormwater management provisions. The description of receiving environments is also too narrow as it would exclude situations where stormwater may be diverted to land. | Recommend that the definition be worded to include diversion and discharge and to widen the receiving environments to land and water. |

<p>| structure | There are no similar term(s) defined in the Unitary Plan. There are associated terms defined in the Unitary Plan: Building, Vessel and Houseboat. | Amend | The draft definition is a significant change from the Unitary Plan approach, which provides structures within the definition of building. The draft definition will provide a significant degree of streamlining. This will require quite a lot of re-working throughout the Unitary Plan, but is generally supported; it is noted that there is a slight discrepancy in wording between the Section 32 Evaluation Report on the Draft Definitions Standard (Part 2C) wording and CM-1. The wording in the draft National Planning Standards is preferred over the Section 32 version. | Retain the draft definition as stated in the draft Standard. |</p>
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<tr>
<td>subdivision</td>
<td>There are no similar term(s) defined in the Unitary Plan. There is an associated term defined in the Unitary Plan: Boundary adjustment.</td>
<td>Support</td>
<td>Agree it is appropriate in this instance to default to the definition in section 218 of the Resource Management Act 1991. Support the inclusion of this term in the National Planning Standards, in its present form.</td>
<td>Include in definitions standard</td>
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<td>sustainable management</td>
<td>There are no similar term(s) defined in the Unitary Plan</td>
<td>Support</td>
<td>Agree it is appropriate in this instance to default to the definition in section 5 of the Resource Management Act 1991. Support the inclusion of this term in the National Planning Standards, in its present form.</td>
<td>Include in definitions standard</td>
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<tr>
<td>swale</td>
<td>The term 'swale' is mentioned as an inclusion to the 'stormwater management devices' definition in the Unitary Plan</td>
<td>Oppose</td>
<td>The purpose of including this specific definition is unclear. The definition of Green Infrastructure would include swales. If swales were to be defined then there would be many other green infrastructure devices that should be defined too (e.g. rain gardens, green roofs, infiltration trenches, etc). A swale has been designed to have treatment qualities, usually by the inclusion of vegetation to trap and filter contaminants. It is also considered that the term 'watercourse' should not be used. The Unitary Plan approach is to define stormwater management devices which lists a number of green infrastructure device types as well as proprietary devices. It is considered that a definition for swale is unnecessary and should be deleted from the Standards.</td>
<td>Delete term and definition from the Standards.</td>
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<tr>
<td>tangata whenua</td>
<td>There is no definition of 'tangata whenua' in the Unitary Plan The term 'tangata whenua' is in the Glossary section of the Unitary Plan.</td>
<td>Support</td>
<td>Agree it is appropriate in this instance to default to the definition in section 2 of the Resource Management Act 199. Support the inclusion of this term in the National Planning Standards, in its present form.</td>
<td>Include in definitions standard</td>
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<td>Territorial Authority</td>
<td>NA</td>
<td>NA</td>
<td>NA</td>
<td>NA</td>
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<td>visitor accommodation</td>
<td>There is a similar term defined in the Unitary Plan: Visitor accommodation.</td>
<td>Amend</td>
<td>Support standardisation of term and definition in principle. However we agreed that Air BnB and BookaBach are significant issues and remains unresolved from providing this definition. The Section 32 Evaluation Report on the Draft Definitions Standard (Part 2C) notes that, 'primarily for accommodating non-residents' allows for the scale and frequency of the activity to be considered. The openness of the word 'primarily' is subjective, which can be problematic in a definition. While this is intended to enable different plans the ability to decide flexibility, it may generate significant interpretation issues, especially where it is being debated if the activity in question is a permitted activity. The provision for a tariff being paid is considered to be an important part of the definition and this aspect of the definition is supported.</td>
<td>Refine and amend definition to address concerns raised.</td>
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<td>wastewater</td>
<td>There is a similar term defined in the Unitary Plan: Wastewater.</td>
<td>Support</td>
<td>Support the inclusion of this term in the National Planning Standards, in its present form.</td>
<td>Include in definitions standard</td>
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<td>water</td>
<td>There are no similar terms defined in the Unitary Plan to ‘water’. There are associated terms defined in the Unitary Plan: Receiving waters.</td>
<td>Support</td>
<td>Agree it is appropriate in this instance to default to the definition in section 2 of the Resource Management Act 1991. Support the inclusion of this term in the National Planning Standards, in its present form.</td>
<td>Include in definitions standard</td>
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<td>water sensitive design</td>
<td>There are no similar term(s) defined in the Unitary Plan</td>
<td>Support</td>
<td>Support the inclusion of this term in the National Planning Standards, in its present form. The definition is supported in principle and similar to a definition presented by Auckland Council as part of Topic 065 Definitions hearings evidence on the proposed Unitary Plan. It is noted that the definition of water sensitive design did not however proceeded into Recommendations version of the Unitary Plan by the Independent Hearings Panel. Judge Kirkpatrick Chair of the Independent Hearings Panel, queried whether the definition could be limited to just the first sentence, as the rest in the Judges opinion imparted a policy determination not seen as suitable for inclusion in a definition. The Judge had concern that the definition with the list of inclusions was undefined and would be defined by officers. The definition did not get carried through to the Decisions version and now Operative in part version of the Auckland Unitary Plan.</td>
<td>Include in definitions standard</td>
</tr>
<tr>
<td>waterbody</td>
<td>There are no similar term(s) defined in the Unitary Plan</td>
<td>Support</td>
<td>Agree it is appropriate in this instance to default to the definition in section 2 of the Resource Management Act 1991. Support the inclusion of this term in the National Planning Standards, in its present form.</td>
<td>Include in definitions standard</td>
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<td>wet abrasive blasting</td>
<td>There are no similar term(s) defined in the Unitary Plan</td>
<td>Support</td>
<td>Support the inclusion of this term in the National Planning Standards, in its present form.</td>
<td>Include in definitions standard</td>
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<td>wetland</td>
<td>There are no similar term(s) defined in the Unitary Plan</td>
<td>Support</td>
<td>Agree it is appropriate in this instance to default to the definition in section 2 of the Resource Management Act 1991. Support the inclusion of this term in the National Planning Standards, in its present form.</td>
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