



# Draft first set of National Planning Standards

## SUBMISSION FORM

The Government is seeking views on the draft first set of National Planning Standards.

For more information about the Government's proposals read our National planning standards consultation document available at <http://www.mfe.govt.nz/consultation/draft-national-planning-standards>.

**Submissions close at 5:00 pm on Friday 17 August 2018.**

## Making a submission

You can provide feedback in three ways:

1. Use the online submission form available at <http://www.mfe.govt.nz/consultation/draft-national-planning-standards>. This is our preferred way to receive submissions.
2. Complete this submission form and send it to us by email or post.
3. Write your own submission and send it to us by email or post.

## Publishing and releasing submissions

All or part of any written submission (including names of submitters) will be published on the Ministry for the Environment's website [www.mfe.govt.nz](http://www.mfe.govt.nz). Unless you clearly specify otherwise in your submission, we will consider that you have consented both your submission and your name being posted to the Ministry's website.

Contents of submissions may be released to the public under the Official Information Act 1982 following requests to the Ministry for the Environment. Please advise if you have any objection to the release of any information contained in a submission and, in particular, which part(s) you consider should be withheld, together with the reason(s) for withholding the information. We will take into account all such objections when responding to requests for copies of, and information on, submissions under the Official Information Act.

The Privacy Act 1993 applies certain principles about the collection, use and disclosure of information about individuals by various agencies, including the Ministry for the Environment. It governs access by individuals to information about themselves held by agencies. Any personal information you supply to the Ministry in the course of making a submission will be used by the Ministry only in relation to the matters covered by this consultation. Please clearly indicate in your submission if you do not wish your name to be included in any summary of submissions that the Ministry may publish.

# Submission form

The questions below are a guide only and all comments are welcome. You do not have to answer all of the questions. To ensure your point of view is clearly understood, please explain your rationale and provide supporting evidence where appropriate. The structure of this form is in line with the draft first set of national planning standards as shown in the overview section tables 1 and 2.

## Contact information

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<b>Submitter type*</b>	Individual	<input type="checkbox"/>
	NGO	<input type="checkbox"/>
	Business / Industry	<input checked="" type="checkbox"/>
	Local government	<input type="checkbox"/>
	Central government	<input type="checkbox"/>
	Iwi	<input type="checkbox"/>
	Other (please specify)	<input type="checkbox"/> <a href="#">Click here to enter text.</a>

\* Questions marked with an asterisk are mandatory.

## Draft first set of National Planning Standards

1. Do you support the draft first set of National Planning Standards?

- Yes
- No

As a firm who deals with multiple planning documents from all over New Zealand on a daily basis, we support in principle the standardisation of plans however we have concerns regarding the following aspects of the NPS:

- Zone Framework;
- Timing; and
- Definitions.

These concerns are set out in further detail below.

2. S-RPS: Regional policy statement structure standard

[Click here to enter text.](#)

- a. **Parts 3 and 4 – Core policy statement provisions**

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- b. **Part 5 – Evaluation and Monitoring**

[Click here to enter text.](#)

**3. S-RP: Regional plan structure standard**

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- a. **Parts 3, 4 and 5 – Core plan provisions**

[Click here to enter text.](#)

- b. **Part 6 – Evaluation and Monitoring**

[Click here to enter text.](#)

**4. S-DP: District plan structure standard**

[Click here to enter text.](#)

**5. S-CP: Combined plan structure standard**

[Click here to enter text.](#)

**6. S-IGP: Introduction and general provisions standard – Part 1 of all plans and policy statements**

[Click here to enter text.](#)

- a. **Introduction chapter**

[Click here to enter text.](#)

- b. **How plan works chapter**

[Click here to enter text.](#)

- c. **Interpretation**

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- d. **Plan integration**

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- e. **Formation of standards with tangata whenua**

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- f. **National direction**

[Click here to enter text.](#)

**7. S-TW: Tangata whenua structure standard – Part 2 of all plans and policy statements**

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- a. Recognition of iwi/hapū chapter  
[Click here to enter text.](#)
- b. Tangata whenua local-authority relationships chapter  
[Click here to enter text.](#)
- c. Iwi and hapū planning documents chapter  
[Click here to enter text.](#)
- d. Consultation chapter  
[Click here to enter text.](#)
- e. Use of te reo Māori  
[Click here to enter text.](#)

8. S-SD: Strategic direction structure standard – Part 3 of District plans

[Click here to enter text.](#)

9. S-DWM: District wide matters standard – Part 4 of District plans

[Click here to enter text.](#)

- a. Natural Environment Values Chapter  
[Click here to enter text.](#)
- b. Environmental Risks Chapter  
[Click here to enter text.](#)
- c. Community Values Chapter  
[Click here to enter text.](#)
- d. Infrastructure and Energy Chapter  
[Click here to enter text.](#)
- e. Subdivisions Chapter  
[Click here to enter text.](#)
- f. General District Wide Matters Chapter  
[Click here to enter text.](#)

10. S-ASM: Draft area specific matters standard – Part 5 of District plans, Part 6 – Combined plans

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- a. Zone framework (individual and range)

We anticipate that existing zones in most plans would be largely consistent with the prescribed zones, meaning that implementation is unlikely to cause significant issues. However, the Auckland Unitary Plan is a possible exception, given the plethora of zones, in particular residential zones, designed to account for the significant growth and associated housing pressures being experienced.

While some of these zones may fit within the prescribed residential zones, others (for example the Mixed Housing Urban Zone or Mixed Housing Suburban Zone) would more appropriately be identified as a sub-zone rather than a precinct or overlay (which Auckland Council would need to use to differentiate between similar density zones for different areas). Given the resource applied to the creation of the current zones, simply removing them or subsuming even some of them into the prescribed zone seems unnecessary. While overlays and precincts could assist in distinguishing these zones, using these tools to affect what is really a zoning matter seems akin to trying to fit a square peg into a round hole.

Our solution would be to amend the timeframes for implementation of the prescribed zones to the point when the relevant Council is undertaking its next full review.

b. Purpose statements

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c. Additional special purpose zones and criteria

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d. Precincts chapter

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e. Development areas chapter

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f. Designations chapter

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11. S-SAM: Schedules, appendices and maps standard – Part 6 – Regional policy statements, Part 7 – Regional plans, Part 6 – District plans, Part 8 – Combined plans

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12. F-1: Electronic accessibility and functionality standard

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a. Standard baseline requirements

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b. Level 5 requirements

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### 13. F-2: Mapping standard

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#### a. Zone colour palette

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#### b. Symbology

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### 14. F-3: Spatial planning tools (Regional) standard

Click here to enter text.

#### a. Range of tools

Click here to enter text.

#### b. Zone

Click here to enter text.

#### c. Overlay

Click here to enter text.

#### d. Specific control

Click here to enter text.

#### e. FMU

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#### f. Airshed

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#### g. Area

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### 15. F-4: Spatial planning tools (District) standard

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#### a. Range of tools

Click here to enter text.

b. Zone

[Click here to enter text.](#)

c. Overlay

[Click here to enter text.](#)

d. Precinct

[Click here to enter text.](#)

e. Specific control

[Click here to enter text.](#)

f. Development areas

[Click here to enter text.](#)

g. Designation

16. F-5: Chapter Form standard

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a. Chapter form

[Click here to enter text.](#)

b. Rules

[Click here to enter text.](#)

c. Rule tables

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17. F-6: Status of rules and other text and numbering form standard

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a. Status of rules and other text

[Click here to enter text.](#)

b. Numbering

[Click here to enter text.](#)

18. CM-1: Definitions standard

The implementation of certain definitions is likely to cause significant problems for councils where a definition has an impact on the wider operation of the relevant plan. In some instances, any change will require widespread amendment not just to the definition, but to the rules themselves. In a number of cases, both the existing definitions and the way they are used in the

relevant Plan have been subject to significant debate and consideration by submitters and Councils/Panels in the course of their review. Consequently it makes little sense to us for those definitions to be replaced with the proposed definitions (and the consequent amendments required to the relevant rules) until such time as the relevant district plan is scheduled for review as a whole.

We therefore consider that implementation of the prescribed definitions (other than those already defined in the RMA and the relevant National Policy Statements) should occur only when a council next undertakes a full review of its Plan. This would avoid replacing definitions with new provisions which have been developed without reference to each particular setting in which they will operate, avoiding wasting the significant resource expended to create the existing definitions.

a. Individual definition

“Building” is one example of a prescribed definition which, if included in the Christchurch District Plan for example, will require consequential amendments to many other rules simply in order to make those rules coherent. The current definition of “building” in the Christchurch District Plan includes “any erection, reconstruction, placement, alteration or demolition of any structure or part of any structure within, on, under or over the land”. In that sense, the definition effectively operates as a rule in itself. The prescribed definition of “building” in the standards however is: “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”. Consequently, if the prescribed definition is included in the Christchurch District Plan, any activity description for “building” must also be amended (possibly using the Schedule 1 process) to include the action of erection, reconstruction, placement, alteration or demolition of any structure.

There are a number of other examples of prescribed definitions which will not only impact on the operation of the wider plan, but which may also inadvertently exclude activities which have relied on existing definitions to establish in certain areas. The prescribed definition of “community facility” for example requires the facility to be “non-profit”, a somewhat arbitrary characteristic which does not feature as an exclusive requirement in the Auckland Unitary Plan definition or the Christchurch District Plan definition.

b. Additional definitions

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19. CM-2: Draft noise and vibration metrics standard

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a. Technical support

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20. Implementation



If a council has recently completed its plan (and therefore has seven years to implement the changes under the proposed rules), implementation should not occur until that council undertakes its review of its plan as part of its normal process. This will avoid a re-draft of rules before the next plan review.

a. ePlanning implementation

[Click here to enter text.](#)

b. Timing

Councils who have been identified as having seven years until implementation should not be required to comply with the NPS until the time the relevant plan is next up for review. This is particularly crucial for Auckland and Christchurch, where both councils have recently completed extremely expensive and intensive plan reviews, comprising appointed Judges and panels under special legislation. To require the resultant plans to be amended prematurely is a disservice to the process used to enable those plans to become operative and fails to acknowledge the particular drivers in those locations that necessitated the expedited processes.

c. Support

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d. District plan structure guidance

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e. Regional policy statement and regional plan structure guidance

[Click here to enter text.](#)

f. District plan spatial planning tools and zone framework guidance

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g. Regional plan and policy statement spatial tools guidance

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h. Chapter form and status of rule and other text numbering guidance

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i. Additional guidance materials required

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## 21. Future content for standards

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a. Utilities provisions

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## Other comments

22. Do you have any further comments you wish to make about the Government's proposal?

As RMA specialists we support the intent of the planning standards however we consider that for the full value to be realised they must be implemented in a practical manner that ensures resources are not expended for limited return. We do not think the current implementation requirements meet that test.

## Releasing submissions

Your submission may be released under the Official Information Act 1982 and will be published on the Ministry's website. Unless you clearly specify otherwise in your submission, we will consider that you have consented to both your submission and your name being posted on the Ministry's website.

**Please check this box** if you would like your name, address, and any personal details withheld.

Note that the name, email, and submitter type fields are mandatory for you to make your submission.

## When your submission is complete

If you are emailing your submission, send it to [PlanningStandards@mfe.govt.nz](mailto:PlanningStandards@mfe.govt.nz) as a:

- PDF
- Microsoft Word document.

If you are posting your submission, send it to National Planning Standards, Ministry for the Environment, PO Box 10362, Wellington 6143.

**Submissions close at 5:00 pm on Friday 17 August 2018.**