Draft first set of National Planning Standards

SUBMISSION FORM

Contact information

<table>
<thead>
<tr>
<th>Name*</th>
<th>Vishal Ramduny</th>
</tr>
</thead>
<tbody>
<tr>
<td>Organisation (if applicable)</td>
<td>Waikato District Council</td>
</tr>
<tr>
<td>Address</td>
<td>[Redacted]</td>
</tr>
<tr>
<td>Phone</td>
<td>[Redacted]</td>
</tr>
<tr>
<td>Email*</td>
<td>[Redacted]</td>
</tr>
<tr>
<td>Submitter type*</td>
<td>Individual</td>
</tr>
<tr>
<td></td>
<td>NGO</td>
</tr>
<tr>
<td></td>
<td>Business / Industry</td>
</tr>
<tr>
<td></td>
<td>Local government</td>
</tr>
<tr>
<td></td>
<td>Central government</td>
</tr>
<tr>
<td></td>
<td>Iwi</td>
</tr>
<tr>
<td></td>
<td>Other (please specify)</td>
</tr>
</tbody>
</table>

* Questions marked with an asterisk are mandatory.

Draft first set of National Planning Standards

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

☒ Yes
☐ No

Please note that support is subject to the provision of the relief sought in this submission.

Submission

This submission seeks only the inclusion of Waikato District Council ("WDC") into the list of councils who are to receive a proposed two year extension in implementation timeframes, resulting in implementation of the National Planning Standards occurring after seven years from the date of gazettal, instead of five years.
The application of the proposed two year extension from 5 years to 7 years relies on councils meeting the following criterion:

*The council has notified, or is due to notify, the decisions version of an RMA plan, or a partial decision that encompasses the majority of the plan, between April 2016 and April 2019.*

Although WDC does not meet the criterion, the Waikato Proposed District Plan (Stage 1) ("PDP") was notified on 18 July 2018 and its progression through Schedule 1 of the Resource Management Act 1991 ("RMA") is expected to be in accordance with the following timetable:

- Submissions close on 9 October 2018 with further submissions to be accepted until the end of December 2018.
- Notification of Stage 2 (Natural Hazards and Climate Change) of the PDP is to take place in February/March 2019.
- Hearings for both stages to commence in approximately June 2019.
- Decisions will be made at the end of 2019 into the beginning of 2020 and appeals commencing at the beginning of 2020.

It is the view of the WDC that, as a matter of fairness, it should be included in the list for the reasons set out below:

**Timing of implementation**

The gazetted of the Draft National Planning Standards ("Standards") is expected to occur by 18 April 2019. WDC would be required to fully implement the Standards by 2024. The proposed timeframe for the implementation of the Standards coincides with the Schedule 1 process for the PDP.

Given the strategic importance of WDC’s proximity to two major cities of Auckland and Hamilton, both with high population growth, it is anticipated that a significant number of submissions and appeals will be received on the PDP. This will result in WDC expending considerable resources (both officers time and financial resources) to complete the Schedule 1 process for the PDP.

In light of the timing of the implementation of the Standards and the progress of the PDP running parallel to each other, the WDC’s primary focus will be on resolving and progressing the Schedule 1 process for the PDP as opposed to the implementation of the Standards.

**Impacts on council**

If the WDC is not granted the two year extension and is instead required to comply with the implementation timeframe of five years (by 2024), immediately upon the completion of the Schedule 1 process for the PDP (expected to be in 2022-2023), it is estimated that it will effectively have only approximately 12 months to fully implement the Standards. This is a significantly shorter timeframe than other councils.

In order to ensure that WDC is able to comply with the five year timeframe for the implementation of the Standards whilst at the same time progressing the PDP, WDC would require additional resources to meet their obligations under both processes. The WDC has not budgeted for such additional resources within this timeframe.

Having completing the Schedule 1 process and made the PDP fully operative, WDC will then have to immediately implement the Standards within a timeframe that is significantly less than other councils...
and at a significant cost. This results in the WDC being placed in a position where they are prejudiced more than other councils.

Further, the proposed five year timeframe for the implementation is likely to confuse the public as they will simply see two similar processes being carried out one after the other (or in parallel with each other) which may result in a reduction in public confidence in the WDC and the Schedule 1 process.

The consultation document released simultaneously with the Standards provides that the proposed implementation timeframes gives councils greater flexibility and lower costs. Further the document suggests that the implementation periods enables councils to make ‘choices’ about their approach to implementing the Standards into their plans. This position is not reflected in the case of WDC. Without the extension, WDC will incur greater costs and does not have a choice with regards to how or when the Standards will be integrated into their plan.

Furthermore, the risk of WDC being unable to comply with their obligations in relation to the implementation of the Standards within the standard timeframe of five years is likely to result in a further reduction in public confidence.

**Relief Sought**

The WDC seeks to be included in the list of councils who receive a seven year implementation timeframe. To do so will ensure it can meet its obligations in relation to the PDP and the Standards without having to require additional resources, lose public confidence or elect which process will take priority.

The criterion by which the list is determined is, in WDC’s submission, arbitrary and inflexible. It does not take into account any circumstances other than the date of notification of a decisions version of an RMA plan and does not reflect unique situations such as WDC’s.

It is WDC’s understanding that it is the only local authority in the country who has notified a proposed plan between the release of the Standards and the expected date of gazetted of 18 April 2019. In the circumstances, there is no reason why WDC should not be included in the list of other councils who have seven years to implement the Standards.

\[Signature\]

Vishal Ramduny
Planning and Strategy Manager, Waikato District Council

9 August 2018