

16 August 2018

Ministry for the Environment
E-mailed to: planningstandards@mfe.govt.nz



Dear Sir/Madam

Submission from Hutt City Council on the draft National Planning Standards

Please find attached Hutt City Council's submission on the draft National Planning Standards.

Hutt City Council is generally supportive of National Planning Standards that ensure consistency across plans and policy statements and greater clarity for users of plans and policy statements.

However, Hutt City Council has some concerns with what is proposed by the draft National Planning Standards.

Our specific comments are generally aimed at ensuring that what is required by the standards is clear for councils and plan makers.

I highlight our comment on Direction 12 of *F-5: Chapter Form Standard*. We strongly support the ability for a plan to have rule requirements that immediately follow a rule, as opposed to rule requirements being in separate tables accessed by links.

If you have any questions about the points raised in this submission or any consequences of the National Planning Standards for Hutt City Council, please feel free to contact me on either



Yours sincerely

A handwritten signature in blue ink, appearing to read 'Nathan Geard'.

Nathan Geard
ENVIRONMENTAL POLICY ANALYST

HUTT CITY COUNCIL’S SUBMISSION ON THE DRAFT FIRST SET OF NATIONAL PLANNING STANDARDS

S-DP – District Plan Structure Standard		
Standard	Comment	Request
General	<p>In general, HCC supports the structure of the Parts, Chapters and Sections that would be required by the <i>S-DP: District Plan Structure Standard</i>.</p> <p>However, our preference is for all schedules and appendices to be located at the back of the section to which they relate rather than in a separate section at the back of the plan. While we accept that there are two schools of thought on where schedules and appendices should be located, in our opinion, having the schedules and appendices near relevant plan provisions results in a plan that is more accessible for plan users as they don't need to navigate to a completely separate part of the plan to locate the schedules and appendices that they need to view, particularly for large plans where Part 6 could be in a completely separate volume.</p>	<p>Remove the requirement to have Schedules and Appendices in Part 6 of a district plan.</p> <p>Rename Part 6 of the <i>S-DP: District Plan Structure Standard</i> to <i>Part 6 – Maps</i>.</p> <p>Make the necessary consequential amendments to <i>S-DWM: Draft District Wide Matters Standard</i>, <i>S-ASM: Area Specific Matters Standard</i> and <i>S-SAM Schedules, Appendices & Maps Standard</i> to require schedules and appendices to be located at the end of relevant chapters, rather than in Part 6.</p>

S-CP – Combined Plan Structure Standard		
Standard	Comment	Request
General	<p>In general, HCC supports the structure of the Parts, Chapters and Sections that would be required by the <i>S-CP: Combined Plan Structure Standard</i>.</p> <p>However, our preference is for all schedules and appendices to be located at the back of the section to which they relate rather than in a separate section at the back of the plan. While we accept that there are two schools of thought on where schedules and appendices should be located, in our opinion, having the schedules and appendices near relevant plan provisions results</p>	<p>Remove the requirement to have Schedules and Appendices in Part 8 of a combined plan.</p> <p>Rename Part 8 of the <i>S-CP: District Plan Structure Standard</i> to <i>Part 8 – Maps</i>.</p> <p>Make the necessary consequential amendments to <i>S-DWM: Draft District Wide Matters Standard</i>, <i>S-ASM: Area Specific Matters Standard</i> and <i>S-SAM Schedules, Appendices & Maps Standard</i> to require</p>

	<p>in a plan that is more accessible for plan users as they don't need to navigate to a completely separate part of the plan to locate the schedules and appendices that they need to view, particularly for large plans where Part 8 could be in a completely separate volume.</p>	<p>schedules and appendices to be located at the end of relevant chapters, rather than in Part 6.</p>
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S-DWM – District Wide Matters Standard		
Standard	Comment	Request
<p><i>Natural Environment Values</i> chapter</p>	<p>Direction 6a would require maps of the coastal environment to be included in the <i>Coastal Environment</i> section of the <i>Natural Environment Values</i> chapter. However, it would be more appropriate for all maps to be included in the <i>Maps</i> chapter.</p> <p>Direction 6b requires any objectives, policies, rules and other methods that give effect to the NZCPS to be included in the <i>Coastal Environment</i> section of the <i>Natural Environment Values</i> chapter. However, some plan provisions that give effect to the NZCPS would be better located elsewhere in a district plan.</p> <p><u>Examples:</u></p> <p>Provisions to give effect to Policy 9 of the NZCPS (regarding development of ports) would be better located in the <i>Port Zone</i> chapter.</p> <p>Provisions to give effect to Policy 24 of the NZCPS (regarding identification of coastal hazards) would be better located in the <i>Natural Hazards</i> section of the <i>Environmental Risks</i> chapter.</p> <p>Direction 6 should be amended so that councils have discretion over which provisions should be included in the <i>Coastal Environment</i> section and which are better located in other parts of the plan.</p>	<p>Replace Directions 5 and 6 with the following:</p> <p><i>If a district has coastal environment:</i></p> <ol style="list-style-type: none"> a. <i>The relevant district plan or combined plan must include a Coastal Environment section in the Natural Environment Values chapter.</i> b. <i>The coastal environment must either be described in the Coastal Environment section or mapped in the Maps chapter.</i> c. <i>Unless included elsewhere in the plan, plan provisions to address the coastal environment must be included in the Coastal Environment section of the Natural Environment Values chapter.</i>
<p><i>Natural Environment</i></p>	<p>Direction 7a requires identification of landscapes, landforms and</p>	<p>Remove the requirement for a <i>Schedules</i> chapter</p>

<p>Values chapter</p>	<p>natural character in the <i>Landscape, Landforms & Natural Character</i> section of the <i>Natural Environment Values</i> chapter.</p> <p>Our preference is for all schedules to be located in the chapters to which they relate, and for the <i>Schedules</i> chapter to be removed from the standards. However, if the National Planning Standards retain a <i>Schedules</i> chapter, it would be preferable for all schedules in a plan to be in the <i>Schedule</i> chapter, rather than their being some schedules in the <i>Schedules</i> chapter and other <i>Schedules</i> being located in other parts of the plan.</p> <p>In addition, Direction 7 could give clearer instructions on where the schedules, maps and plan provisions should be located, and the standards with which they need to comply.</p>	<p>from the National Planning Standards, and replace Direction 7 with the following:</p> <ul style="list-style-type: none"> a. <i>If a plan identifies landscapes, landforms and areas of natural character that are outstanding, significant or valued by the community, they must be:</i> <ul style="list-style-type: none"> i. <i>Identified in schedule at the end of the Landscape, Landforms & Natural Character section of the Natural Environment Values chapter; and</i> ii. <i>Mapped on maps in the Maps chapter.</i> b. <i>The schedules and maps described by Direction 7a must meet the requirements of National Planning Standard S-SAM.</i> c. <i>If objectives, policies, rules and other methods are included in a plan to address landscapes, landforms and areas of natural character (as identified under Direction 7a), they must be included in the Landscape, Landforms & Natural Character section of the Natural Environment Values chapter.</i> d. <i>The objectives, policies and other methods described by Direction 7a must meet the requirements of National Planning Standards F-5 and F-6.</i> <p>However, if the National Planning Standards retain the requirement for a <i>Schedules</i> chapter, amend Direction 7 so that any schedule of landscapes, landforms and natural character must be included in the <i>Schedules</i> chapter.</p>
<p>Community Values chapter</p>	<p>Direction 17 requires identification of heritage resources in the <i>Historic Heritage</i> section of the <i>Community Values</i> chapter, and for the chapter to cross reference to a schedule in the <i>Schedules</i> chapter. However, this would result in heritage resources being identified twice: once in the <i>Historic Heritage</i> section and once in</p>	<p>Replace Direction 17 with the following:</p> <ul style="list-style-type: none"> a. <i>If heritage resources are identified in a plan, they must be:</i> <ul style="list-style-type: none"> i. <i>Identified in a schedule at the end of the</i>

	<p>the <i>Schedules</i> chapter. It would be simpler to require heritage resources to be identified once.</p> <p>Our preference is for all schedules to be located in the chapters to which they relate, and for the <i>Schedules</i> chapter to be removed from the standards. However, if the National Planning Standards retain a <i>Schedules</i> chapter, it would be preferable for all schedules in a plan to be in the <i>Schedule</i> chapter, rather than their being some schedules in the <i>Schedules</i> chapter and other <i>Schedules</i> being located in other parts of the plan.</p> <p>In addition, Direction 17 could give clearer instructions on where the schedules, maps and plan provisions should be located, and the standards with which they need to comply.</p>	<p><i>Historic Heritage</i> section of the <i>Community Values</i> chapter.</p> <p>ii. <i>Mapped on a map in the Maps</i> chapter.</p> <p>b. <i>The schedule and map described by Direction 17a must meet the requirements of National Planning Standard S-SAM.</i></p> <p>c. <i>If objectives, policies, rules and other methods are included in a plan to address heritage resources and the effects on the heritage values of these resources, they must be included in the Historic Heritage section of the Community Values chapter.</i></p> <p>d. <i>The objectives, policies and other methods described by Direction 17c must meet the requirements of National Planning Standards F-5 and F-6.</i></p> <p>However, if the National Planning Standards retain the requirement for a <i>Schedules</i> chapter, amend Direction 17 so that any schedule of heritage resources must be included in the <i>Schedules</i> chapter.</p>
<p><i>Community Values</i> chapter</p>	<p>Direction 18b refers specifically to Māori Cultural Landscapes in addition to sites of significance to Māori. However, there is no indication in the standards as to what constitutes a Māori Cultural Landscape. Presumably, it refers to an area of significance rather than a single site. The term “landscape” should be avoided, to avoid confusion with established definitions and methodologies around outstanding natural landscapes. The term “landscape” should not be used simply as a fancy way of saying “area”.</p> <p>Also, while it is common sense for sites, areas and landscapes of significance to Māori to be identified through a process that has been agreed with tangata whenua, it is not the role of the National Planning Standards to state how the sites and landscapes should be identified.</p>	<p>Amend Direction 18b as follows:</p> <p><i>Sites and areas that have been identified as significant to Māori.</i></p>

<p><i>Infrastructure & Energy and Environmental Risks</i> chapters</p>	<p>It is unclear whether bulk storage facilities should be addressed through the <i>Infrastructure & Energy</i> chapter (as infrastructure) or the <i>Environmental Risks</i> chapter (as a hazardous facility). It may be that different aspects of bulk storage facilities need to be included in different chapters. The standards should either clarify which chapter should address bulk storage facilities or which aspects of bulk storage facilities should be addressed in each chapter.</p>	<p>Amend standard DWM to clarify how bulk storage facilities should be addressed in a district plan or combined plan.</p>
<p><i>Infrastructure & Energy and Noise & Light</i> chapters</p>	<p>It is unclear whether reverse sensitivity effects on network utilities from noise sensitive activities should be addressed through the <i>Infrastructure & Energy</i> Chapter or the <i>Noise & Light</i> section of the <i>General District Wide Matters</i> chapter.</p> <p><u>Example</u> The City of Lower Hutt District Plan includes provisions that address the reverse sensitivity effects of noise sensitive activities within 40m of state highways and railway corridors. The provisions include insulation standards that need to be met for noise sensitive activities to be undertaken as a permitted activity. If the standards are breached, resource consent is required as a restricted discretionary activity.</p> <p>Direction 23c states that provisions to manage reverse sensitivity effects between infrastructure and other activities must be addressed in the <i>Infrastructure and Energy</i> chapter. However, Direction 31d states that sound insulation requirements for sensitive activities or limits to the location of noise sensitive activities relative to noise generating activities must be located in the <i>Noise & Light</i> section of the <i>General District Wide Matters</i> chapter.</p> <p>A plan could comply with both of these directions by including the rules in the <i>Infrastructure and Energy</i> chapter and the standards in the <i>General District Wide Matters</i>. However, it would be better to keep the provisions together.</p>	<p>Amend standard DWM to clarify how reverse sensitivity effects on network utilities from noise sensitive activities should be addressed in a district plan or combined plan.</p>

	<p>Our preference would be for the provisions to be included in the <i>District Wide Matters</i> chapter. It is unreasonable to expect a plan user to think to look at the <i>Infrastructure & Energy</i> chapter if they are actually interested in a residential site that is just in the vicinity of infrastructure. An alternative would be to have a <i>Reverse Sensitivity</i> chapter that could include all provisions that are included in the plan to address reverse sensitivity effects, including effects on industrial and commercial areas.</p>	
-	<p>The standards should further control how district plans address the transport network, including:</p> <ol style="list-style-type: none"> Whether roads should be designated, an overlay, a specific zone or none of the above; Whether district plans should provide zones under roads; What rules should apply for non-roading activities on roads, and what provisions apply when a road is uplifted (to avoid the situation of an area of former road having no zone and requiring a plan change to apply a zone); and Where different provisions relating to the design of the Transport Network should be located in District Plans (such as road design, access and carparking requirements). <p>We assume that the standards do not address these matters to allow councils to decide what is appropriate for them. However, if the purpose of the National Planning Standards is to make plans and policy statements more consistent, this should extend to how plans address the transport network. Alternatively, MfE should provide guidance on how to address the transport network.</p>	<p>Amend the standards to specify how district plans and combined plans should address the transport network.</p> <p>Alternatively, provide guidance on the options for how the transport network can be addressed through the framework set by the National Planning Standards.</p>

S-ASM – Area Specific Matters Standard		
Standard	Comment	Request

<p><i>Special purpose zone chapter</i></p>	<p>Direction 7 lists three situations where an additional special purpose zone can be created. However, it is unclear whether just one or all three of these situations need to be present for an additional special purpose zone to be included in a plan. Our assumption is that the intention of the standard is for all three situations to be present for an additional special purpose zone to be included in a plan. Direction 7 should be amended to make this clear.</p> <p>Secondly, as councils usually have no control over whether a designation is included in their district plans (other than when the council is the requiring authority for a designation), Direction 7 should not refer to designations.</p> <p>Thirdly, if proposed land use activities and anticipated development cannot be enabled by any other zones, overlays, precincts, development area or specific controls, district plans should be able to use an additional special purpose zone, regardless of whether they are significant to the district or region. Otherwise, there would be no way for district plans to enable the proposed land use activities and anticipated developments.</p>	<p>Amend Direction 7 as follows:</p> <p><i>An additional special purpose zone must only be created when the proposed land use activities and anticipated development within the defined area:</i></p> <p>a. are significant to the district or region; <i>b.a. could not be enabled by any other zone; and</i> c.b. could not be enabled by the introduction of an overlay, precinct, designation, development area, or specific control.</p>
<p>Zone chapters – Purpose statements - General</p>	<p>The purpose statements usually say that the purpose of the zone is to provide <i>primarily</i> for a specific type of activity. While this leaves the types of activities that can be provided within a zone open, it would be useful for the purpose statements to make it clear that other types of activities can be provided for within these zones if the effects are appropriate. This clarification has been included in the purpose statement for the Commercial Zone, and should be extended to all other zones.</p> <p>For example, the zone statement for the Residential Zone should be amended to say “<i>The purpose of the Residential Zone is to provide primarily for residential activities in areas of suburban character, as well as other activities with effects that are compatible with residential activities.</i>”</p>	<p>Amend the purpose statements to clarify that the zones provide for more than just the activities that are primarily provided for, and in what situations.</p>

<p>Zone chapters – Purpose statements – Mixed Use Zone</p>	<p>The purpose statement of the Mixed-Use zone indicates that a Mixed Use Zone would have to provide for residential, commercial, light industrial, recreational and community activities. However, it should be up to councils to determine which mix of uses are provided for within a Mixed Use Zone.</p> <p>For example, the Seaview Marina provides for a mix of recreational, commercial, light industrial and community activities. However, due to risks from natural hazards and hazardous facilities in the surrounding area, the Seaview Marina does not provide for residential activities. As a result, the Marina would not meet the purpose statement for a Mixed Use Zone, despite being a location of a mix of uses.</p>	<p>Amend the purpose statement of the Mixed Use Zone so that a Mixed-Use Zone provides for a mix of residential, commercial, light industrial, recreational and community activities, but not necessarily all of them.</p>
<p><i>Development Areas</i> chapter</p>	<p>It is unclear where the conceptual plans for development areas would be located. Our preference is for conceptual plans to be located at the end of the section for a Development Area.</p>	<p>Amend standard S-ASM to clarify where conceptual plans for developments areas would be located.</p>
<p><i>Designations</i> chapter</p>	<p>Table 16 of Direction 18 requires a designation table to include the conditions of a designation. However, some designations can have several pages of conditions and associated attachments. For example, the City of Lower Hutt District Plan includes a designation for a state highway interchange that includes 38 conditions and an associated map.</p> <p>It would be more appropriate for conditions of a designation to be included in an appendix that is appended to the <i>Designations</i> chapter.</p>	<p>Following Table 16, add the following new direction:</p> <p><i><u>If a designation is subject to conditions, the conditions must be included in an appendix that is appended to the Designations chapter, and the designation table must have a reference to this appendix.</u></i></p>
<p><i>Designations</i> chapter</p>	<p>Table 16 of Direction 18 requires the designation table to include the “Designation hierarchy”. While we assume this refers to which designation would take precedence under s177 of the RMA, it is unclear.</p>	<p>Amend the fifth row of Table 16 of Direction 18 as follows:</p> <p><i>“Designation hierarchy under s177 of the RMA (primary or secondary)”</i></p>

S-SAM – Schedules, Appendices & Maps Standard

Standard	Comment	Request
Maps	<p>Directions 10 and 11 state that if an electronic plan is used, that no separate map set is required, but that if a paper-based plan is produced, a separate map set must be produced. It is unclear what is meant by a “map set”. Our understanding is that all maps of a district plan are to be included in a <i>Maps</i> chapter in <i>Part 6 - Schedules, Appendices & Maps</i>. However, the term “map set” makes it sound like there is a set of maps that is separate from the district plan. Directions 10 and 11 should refer to the <i>Maps</i> chapter, and not a map set.</p>	<p>Replace Direction 10 with the following:</p> <p><i>If an electronic plan is connected to an online GIS viewer, the electronic plan does not need to include a Maps chapter. The online GIS viewer must meet the requirements of F-2: Mapping Standard, F-3: Spatial Planning Tools (Regional) Standard and F-4: Spatial Planning Tools (District) Standard.</i></p> <p>Replace Direction 11 with the following:</p> <p><i>Maps of paper-based plans must be located in a Maps chapter. Maps must meet the requirements of standard F-2: Mapping Standard, F-3: Spatial Planning Tools (Regional) Standard and F-4: Spatial Planning Tools (District) Standard.</i></p>

F-1 – Electronic Accessibility and Functionality Standard		
Standard	Comment	Request
Instruction 4	<p>Instruction 4 instructs plans to comply with Web Accessibility Standard 1.0. This is a complicated standard. Guidance from MfE on how electronic plans can comply with the standard would be helpful.</p>	<p>Provide guidance on how an electronic plan can meet the Web Accessibility Standard 1.0.</p>
Instruction 5	<p>Instruction 5 states:</p> <p><i>“Local authorities must provide <u>hyperlinks</u> to their plans ... and inform the Ministry for the Environment if the <u>hyperlink</u> changes.”</i></p> <p>Hyperlink is the incorrect term in this context. Local authorities would provide MfE with the <i>web address</i> of their plans. If MfE chose to link to the plans through an MfE website, MfE would</p>	<p>Amend Instruction 4 as follows:</p> <p><i>Local authorities must provide hyperlinks to <u>web addresses</u> for their plans and regional policy statements to the Ministry for the Environment and inform the Ministry for the Environment if the hyperlink <u>web address</u> changes.</i></p>

	<p>create a hyperlink on that website using the web address provided by the local authorities.</p>	
<p>Instruction 7</p>	<p>Instruction 7 would require rules in plans to include advice notes that advise plan users that their proposed activity may also require resource consent from another plan. The example given in the instruction would be for an advice note and link from a rule in a regional plan to a rule in the district plan.</p> <p>If it is necessary to include advice notes and links to resource consent requirements in other plans, it would also be necessary to include advice notes and links to resource consent requirements in the same plan, as well as relevant permitted activity rules. However, this would result in a plan needing a lot of links to other rules in the plan and rules in other plans, all of which will need updating with future plan changes, including plan changes of another council.</p> <p>In addition, it is unclear in which situations district plans would need these advice notes, as some activities technically could require consent under multiple rules in multiple plans. For example, a residential activity could technically require resource consent for the construction of a dwelling, earthworks (which could require links to rules in both a regional plan and district plan), the discharge of dust during construction (which could require links to rules in both a regional and district plan), the emission of noise during construction and onsite transport facilities (such as carparking and manoeuvring areas). It will be difficult for a plan to include links to all other rules that may be relevant in all situations, and if a link is ever missed, a plan user may assume that no other rules are relevant for their proposed activity as links to other relevant rules are usually provided.</p> <p>It could also be difficult to include a hyperlink to a specific rule in a plan because of the capabilities of electronic plans and the coordination that would be required between territorial and</p>	<p>Replace Instruction 7 with the following:</p> <p><i>Where a rule addresses an activity that may also need to comply with another rule or rules of a district or regional plan, the council may include an advice note to advise plan users of the other relevant rules for the activity.</i></p>

	<p>regional authorities.</p> <p>Our preference is for plans to advise plan users that they may need to comply with multiple rules, including rules of other plans, through the <i>How the plan works</i> chapter of <i>Part 1 – Introduction and General Provisions</i>. This could also include advice on approvals that may be required under other legislation, such as building consents and archaeological authorities. Councils should be given the option of including advice notes in their plans if they consider it necessary for a particular activity, rather than it being a mandatory requirement for all rules.</p>	
Instruction 8	<p>Instruction 8 requires links between “significant” planning provisions. However it is unclear what planning provisions are significant enough to require links. Instruction 8 should specify which links are required.</p>	<p>Reword Instruction 8 to clarify what links are required.</p>
Instruction 9	<p>HCC supports the requirement for plans and policy statements to include a word search function. However, Instruction 8 only requires this function where plans and policy statements are presented as PDFs. This function should be required in all electronic plans.</p>	<p>Amend Instruction 9 so that it applies to all electronic plans and policy statements.</p> <p>Replace Instruction 9 with the following:</p> <p><i><u>Electronic plans and regional policy statements (including those in a PDF format) must include a word search function.</u></i></p>
Instructions 11 and 12	<p>Instruction 11 requires a council to have all versions of the current plan that have existed since the plan became operative available on their website. Instruction 12 requires a council to have the first operative version and the final operative version of all plans available on the council website (as a PDF).</p> <p>This instruction has significant implications for HCC.</p> <p>The City of Lower Hutt District Plan was made operative in part in 2003 and operative in full in 2004. Since 2003, HCC has been reviewing its District Plan through a rolling review. This rolling</p>	<p>Remove Instruction 11.</p> <p>Alternatively, replace Instruction 11 with the following:</p> <p><i><u>From [insert date National Planning Standards have effect], a copy of all operative versions of district and regional plans (including maps) must be retained and made available on the local authority’s website.</u></i></p>

	<p>review has included 50 plan changes and 34 district plan updates.</p> <p>Instruction 11 would require HCC to have 36 versions of the City of Lower Hutt District Plan on the website. HCC does not have electronic versions of previous versions of the District Plan, and it would take a long time to reproduce them, particularly if we also need to reproduce previous versions of the District Plan maps.</p> <p>Complying with this instruction would require a lot of resources, with relatively little benefit. Currently, if someone is interested in what provisions applied for a property in the past, they are able to contact HCC and ask us to investigate it for them.</p> <p>If it is necessary to show all previous versions of a current operative plan on the website so that plan users can investigate what provisions previously applied to a property at a particular point in time, by the same logic it would also be necessary to show all previous versions of previous operative plans.</p> <p>In addition, having multiple, out of date, versions of a district plan on the council website could be confusing for inexperienced plan users. It would be preferable for them to contact the council rather than attempt to determine which parts of an out of date district plan were either operative or had legal effect at a specific point in time.</p> <p>With the introduction of electronic plans, it is a lot easier to retain electronic versions of plans that were created as an electronic plan. If we are required to retain an electronic copy of the District Plan whenever it changes in the future, it is easy enough to achieve and make available on the Council's website.</p>	
Instruction 15	Instruction 15 is for plans and policy statements, between notification and becoming operative, to differentiate which provisions:	Amend Standard F-1: Electronic Accessibility & Functionality Standard to clarify how it applies to proposed plans and policy statements (including

	<ul style="list-style-type: none"> • Are proposed, • Have been decided on, • Have been appealed, and • Are operative. <p>This suggests that plans and policy statements are meant to comply with the National Planning Standards, including the Electronic Accessibility and Functionality Standard, prior to becoming operative.</p> <p>At HCC, we only add provisions to our electronic district plan once they have become operative, with advice notes in the plan to advise plan users if a chapter they are viewing would be impacted by a proposed plan change.</p> <p>The standards need to make it clear whether proposed plan changes are required to meet the Electronic Accessibility & Functionality Standard, as well as how the standard applies to proposed changes to existing plans and policy statements (including maps).</p>	<p>maps) and proposed changes to existing plans and policy statements (including proposed changes to maps).</p>
<p>Instruction 16</p>	<p>Instruction 16 is for plans and policy statements to indicate whether provisions are regional policy statement provisions, regional plan provisions, regional coastal plan provisions or district plan provisions. It needs to be clear that this is for regional plans and combined Plans, and not for stand-alone district plans. Also, there seems to be little benefit in identifying which provisions are regional plan provisions vs regional coastal plan provisions.</p> <p>Instruction 16 also requires electronic plans to make these provisions <i>“searchable and able to be compiled”</i>. It is unclear what this means. Our assumption is that it means that plan users need to be able to:</p> <ul style="list-style-type: none"> • Search the provisions for the type of planning document 	<p>Amend Instruction 16 so it does not apply to stand-alone district plans.</p> <p>Amend Instruction 16 to clarify what is meant by making provisions <i>“searchable and able to be compiled”</i>.</p>

	<p>in which they are interested (for example, search within provisions that are regional plan provisions without getting search results from regional coastal plan provisions); and</p> <ul style="list-style-type: none"> • Display all the provisions from a specific type of planning document (we think this is what is meant by “compiled”, but it’s very unclear). <p>If this is what is meant by searchable and able to be compiled, while HCC doesn’t oppose the requirement, it may be beyond the ability of current electronic planning tools.</p>	
<p>Tables 19 and 20 and Figure 1</p>	<p>While guidance from MfE on ePlanning is supported, the National Planning Standards should solely state what councils are required to provide for through an electronic plan. It would be better to include the Electronic Accessibility and Functionality Scale along with more detailed guidance on ePlanning, and not within the National Planning Standards.</p> <p>In addition, the information in <i>Table 20: Additional description of levels</i> on Levels 5 and 6 should be rewritten as the requirements for electronic plans, not as a description of levels.</p>	<p>Provide guidance on ePlanning outside the National Planning Standards</p> <p>Remove Figure 1 and Table 20, and replace Instruction 3 of Table 19 with the following:</p> <p><i>Local authorities must provide an electronic version of their plans and regional policy statements (“an ePlan”) on their websites. An ePlan must include:</i></p> <ol style="list-style-type: none"> <i>Text of the plans/regional policy statements and a GIS viewer of associated maps;</i> <i>The ability to view both the full document or specific provisions;</i> <i>The ability to query the ePlan to display the provisions that apply to a specific property or for a specific activity;</i> <i>The ability to display the provisions that apply to a specific property by selecting that property in the GIS viewer;</i> <i>A service that enables electronic submissions on proposed plan changes, or integration with a similar service outside of the ePlan;</i> <i>The ability to download and print a paper-copy of the entire regional policy statement or plan, in</i>

		<p><i>part or for the entire plan;</i></p> <p>g) <i>For the ePlan and any downloaded or printed copy from the ePlan, the seal of the local authority and an electronic signature verifying its authenticity;</i></p> <p>h) <i>The GIS viewer must:</i></p> <ul style="list-style-type: none"> i. <i>Include all layers of the District Plan maps;</i> ii. <i>Enable plan users to search for a specific property;</i> iii. <i>Enable plan users determine which layers are displayed.</i>
Table 20	<p>The second bullet of the Level 5 description refers to being able to view just the results of a user query and gives the examples of property and/or activity queries. This bullet point should be amended to make it clearer which types of queries must be provided for in an electronic plan, rather than just giving a couple of examples of queries.</p> <p>While HCC's electronic plan currently provides for activity queries, we have only provided for seven activities (accessory building, childcare facility, dwelling, earthworks, home occupation, subdivision and additions). Each new activity query requires additional work from council staff to set-up, and ongoing maintenance is required due to take account of plan changes.</p>	<p>Amend the requirements for electronic plans to clarify which types of queries must be provided for in an electronic plan.</p>
Table 20	<p>The fourth bullet of the Level 5 description refers to including the ability to download and print a copy of the plan, including maps. It needs to be clear whether this needs to be through the electronic plan or whether it can be elsewhere on the website.</p> <p>While you can download and print any chapter or section of the HCC District Plan through the HCC ePlan, it is a bit awkward to download and print the entire plan. For the District Plan to be downloaded or printed through the ePlan, the ePlan needs to</p>	<p>Amend standard F-1: <i>Electronic Accessibility & Functionality Standard</i> to enable printing of a full version of a district plan to be done through a council's website, but not necessarily directly through a council's electronic plan.</p>

	<p>create a PDF of the entire District Plan, and this can be constrained by computing power and network speeds. This is only a problem when printing the entire plan or large chapters, and is not a problem when printing smaller sub-chapters or specific provisions.</p> <p>It is also awkward to try to download or print the District Plan maps through our District Plan GIS viewer.</p> <p>Our current solution is that council staff create 'cached' PDFs (that is, pre-prepared PDFs) and put them on the Council website separately from the ePlan. Then if someone needs to print the entire plan or maps, we can direct them to those PDFs.</p> <p>It would be preferable to be able to provide continue to enable the full District Plan (including maps) to be downloaded or printed on the Council website but not from within the ePlan.</p>	
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F-2 Draft Mapping Standard		
Standard	Comment	Request
Tables 21 and 22	<p>Some of the colours for zones are too similar, particularly the colours for the Low-density and Medium-density zones. There may also be issues for the rural and open space/recreation/conservation zones.</p> <p>In addition, the Hazard and Statutory Acknowledgement symbols in the Symbology Table require layers that would have a partially transparent fill. The transparent fills would cause the underlying zoning to have a different colour. For example an area in the High-Density Residential Zone would appear as a lighter shade of yellow if it were in a Statutory Acknowledgement Area, or a more green colour if it was in a Hazard Area.</p> <p>No maps have been provided that use the zone colour palette of</p>	<p>Review the legibility of the proposed colours and symbols for zones and overlays by producing maps that use the proposed colours and symbols.</p>

	<p>the National Planning Standards. This makes it difficult for us to comment on the legibility of maps that use the palette. Before settling on a zone colour palette in the National Planning Standards, maps should be produced that use real world situations to assess whether the zone colour palette will result in legibility issues for users of both electronic maps and paper maps. If these maps are produced, they should include both zones and overlays.</p>	
<p>Table 22 - Descriptions</p>	<p>In general, the Descriptions of the symbology for overlays could be stated more simply and clearly. In addition, the Descriptions are not always consistent.</p> <p><u>Examples</u></p> <p>Designations, Heritage Areas and Statutory Acknowledgement Areas would all be displayed with polygons. However, the level of information given to describe these polygons is different. For example, the Designation description gives information on the fill but the Heritage area description does not. This should be kept consistent.</p> <p>Noise contours are described as a Geometry polygon and the Coastal environment are described as a Line fill symbol. As these are similar types of overlays, the description in the standards should be more consistent, including the level of information included in the description.</p> <p>The descriptions refer to features as <i>geometry</i> points, <i>geometry</i> lines and <i>geometry</i> polygons. It would be simpler to call them points, lines and polygons.</p> <p>When specifying outline and line widths, the standards should specify that the units used are points. For example, the <i>Line width</i> for the Coastal Environment overlay should be <i>1pt</i>, and the <i>Outline width</i> for the Coastal Environment overlay should be <i>2pt</i>.</p>	<p>Review the Descriptions in Table 22 to make the descriptions simpler, clearer and more consistent throughout the table.</p>

	The description for the Designation symbology doesn't need to specify that it is the Designation identifier.	
Table 22 – Noise contours	The Name for the Noise contours shouldn't specify that the noise contours are for airports and ports. While these are examples of when noise contours would be used in a plan, it should be left to councils to determine when noise contours are used.	In Table 22 , change the Name of the noise contours entry to “Noise contours (<u>for example, ports, airports and quarries</u>)”
Table 22 - Hazards	Table 22 indicates that all hazard areas are to be shown using the same symbology. Lower Hutt has some areas that will be impacted by multiple hazards. For example, some parts of Petone are potentially impacted by fault hazards (fault rupture and liquefaction) and coastal hazards (sea-level rise, tsunami and storm surges). Using the same symbology to show all of these layers may make it difficult to determine which hazard(s) apply.	In Table 22, amend the symbology for hazards so that different hazards have different symbology.
Table 22 - Hazards	Table 22 lists Coastal hazards, Flood hazards Volcanic hazards and Fault hazards. Where the table refers to Fault hazards, it should be clearer whether Fault hazards include areas that are susceptible to liquefaction. Where the table refers to Coastal hazards, it should be clearer whether Coastal hazards include areas at risk from sea-level rise.	In Table 22, amend the Names of the hazard overlays to clarify whether Coastal hazards include areas at risk from sea-level rise and whether Fault hazards include areas that are susceptible to liquefaction.
Table 22 - Faultline Hazard	Table 22 gives two symbols that relate to fault hazards: <ul style="list-style-type: none"> • The <i>Fault Hazard</i>, which is a blue polygon that is used to map several different hazards; and • The <i>Faultline Hazard</i>, which is a blue line. <p>Our assumption is that the <i>Faultline Hazard</i> layer is meant to show the specific location of a fault, while the <i>Fault Hazard</i> is meant to show a hazard area, such as an area where specific provisions apply due to the its proximity to the fault. However, this could be made clearer by referring to the <i>Faultline Hazard</i> layer as the <i>Faultline</i>.</p>	In Table 22, amend the Description of Faultline Hazard to allow both polygons and lines to be used.

	<p>In addition, the City of Lower Hutt District Plan includes maps that show where we believe the Wellington Fault is located. However, as it is difficult to locate the exact position of the fault, we have mapped the fault as an area (the <i>Wellington Fault Special Study Area</i>). Councils should be able to map faults with a polygon rather than a line. This could be achieved with similar symbology.</p>	
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F-4: Spatial Planning Tools (District) Standard		
Standard	Comment	Request
Direction 3 – Overlays	<p>The description of the function of an Overlay (in Table 24) does more than describe the function. It also states that the overlay would be the result of a district-wide assessment. However, a council may want to introduce an overlay that as the result of an assessment that only covers part of a district. The description of the function of the overlay should only describe the function, not how the overlay is identified.</p>	<p>Replace the description in Table 24 of the function of Overlays with the following:</p> <p><i>An overlay identifies area(s) and/or feature(s) that, due to their common characteristics, require different management from that of the underlying zone(s).</i></p>
Direction 3 - Overlays	<p>Table 24 states that overlays would only be able to be identified through polygon or point data.</p> <p>It is unclear why the National Planning Standards would restrict overlays to only being polygon or point data. While it may be uncommon for overlays to be represented by lines, there are situations where a council may want to address linear features through an overlay, and it may be more appropriate to identify these as lines. While most linear features would be able to be identified as polygons instead of lines, there is no benefit in preventing a council from using lines if it wishes to do so.</p>	<p>Amend the description in Table 24 of the types of data that can represent an Overlay as follows:</p> <p><i>Polygon, line or point data [cc cross reference Mapping Standard]</i></p>
Direction 3 - Precincts	<p>The description of the function of a Precinct (in Table 24) states that a precinct is for situations where “two or more additional provisions apply which modify the policy approach of the underlying zone(s) or refine or modify land use outcomes.”</p>	<p>Replace the description in Table 24 of the function of Overlays with the following:</p> <p><i>A Precinct identifies a specific location where additional provisions apply that manage the land use in a different</i></p>

	<p>While most precincts would be used in situations where there are multiple additional provisions for an area, it is unclear why the National Planning Standards would prevent precincts from being used when a single additional provision applies. Our assumption is that the intention is that a Specific Control would be used if there is a single additional provision. However, this could be awkward if the single additional provision was intended for multiple properties that cross multiple zones. It would be clearer in some situations to use a precinct.</p> <p>In addition, the description of the function could be clearer and more concise.</p>	<p><i>manner from the what is provided for by the provisions for the underlying zone.</i></p>
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F-5: Chapter Form Standard		
Standard	Comment	Request
Direction 6 - Issues	Direction 6 states that <i>“Local authorities must consider whether issues need to be addressed in each chapter.”</i> There is always an issue that needs to be addressed by a chapter. If there are no issues, then there is no need for the chapter.	<p>Reword Direction 6 as follows:</p> <p><i>Local authorities must consider whether issues need to be <u>explicitly stated</u> addressed in each chapter.</i></p>
Directions 8 and 10 - Objectives and Policies	<p>Directions 8 and 10 of standard F-5 make it look like the objectives and policies should just be numbered O1, O2, O3 ... and P1, P2, P3 ... However, Direction 12 of Standard F-6 states that the reference for an objective or policy needs to include the chapter reference. This is misleading.</p> <p>The purpose of Directions 8 and 10 is to state that objectives need to be grouped together and policies need to be grouped together, and this is clear enough without the examples.</p>	<p>Delete the examples from Directions 8 and 10.</p> <p>Alternatively, reword Directions 8 and 10 as follows:</p> <p><i>Where provided, objectives must be grouped together.</i></p> <p><i>For example,</i> <i>Number for first objective (from standard F-6) O1 and its “short title”</i> <i>Text for first objective Text objective 1</i></p> <p><i>Number for second objective (from standard F-6) O2 and its “short title”</i> <i>Text for second objective Text objective 2</i></p>

		<p><i>Where provided, policies must be grouped together.</i></p> <p><i>For example,</i> <i>Number for first policy (from standard F-6) O1 and its "short title"</i> <i>Text for first policy Text policy 1</i></p> <p><i>Number for second policy (from standard F-6) O2 and its "short title"</i> <i>Text for second policy Text policy 2</i></p>
<p>Directions 8 and 10 - Objectives and Policies</p>	<p>When giving an example of objectives and policies, Directions 8 and 10 refer to "short titles". However, short titles are not referred to anywhere else in the standards.</p> <p>It is unclear whether objectives and policies are required to have short titles under the standards, or whether they are even allowed. Our preference would be for these titles to be optional.</p> <p>At HCC we endeavour to have concise objectives and policies. As a result, our objectives and policies are often very short. In some cases, if we were to give an objective or policy a title, the title would repeat the objective or policy.</p>	<p>Either delete the examples from Directions 8 and 10 or reword the directions as follows:</p> <p>Where provided, objectives must be grouped together.</p> <p>For example, O1 and its "short title" Text objective 1</p> <p>O2 and its "short title" Text objective 2</p> <p>Where provided, policies must be grouped together.</p> <p>For example, O1 and its "short title" Text policy 1</p> <p>O2 and its "short title" Text policy 2</p> <p>In addition, amend standard F-6 to clarify which plan</p>

		provisions are required to have, sites are allowed to have titles or are prohibited from having titles.
Direction 11 - Methods	It is unusual to have the methods section above the rules section. It is more common to have other methods other than rules in a section titled "Other Methods", below the rules section.	Move the Methods section below the Rules section, and rename it "Other Methods".
Direction 12 - Rules	It is difficult to follow how the rules table would work. Examples should be given of how these tables are to be implemented in different scenarios.	Amend Standard F-5 to include examples of the Rules Overview, Rules and Rule Requirements tables will work in practice for a range of scenarios.
Direction 12 - Rules	<p>Our interpretation of Direction 12 is that a <i>Rules</i> section would only be required to have a Rules table that includes all the rules of that section while the Rules Overview table and the Rule Requirement tables are optional.</p> <p>Our strong preference is for each rule to have its own table that includes the relevant rule requirements. This is easier for plan users as they don't need to flip to a separate part of the plan and search through a separate table to find the relevant requirements.</p> <p>We also think that there should be clear separation between activities (for example, childcare facilities) and building or development standards (for example, building height) and both should be assigned their distinct rule requirements (for example, up to 5 children = permitted or up to 8m = permitted). We have attached a copy of HCC's proposed Chapter 4A (which is part of Proposed District Plan Change 43) as an example.</p> <p>We agree that the Rules Overview table should be optional.</p>	Amend Direction 12 to allow plans to have a Rule table for each rule, immediately followed by a Rule Requirements table that has just the requirements that are specific to that rule.

F-6: Status of Rules and Other Text and Numbering Form Standard		
Standard	Comment	Request
Status of Rules and	Instruction 1 requires shading of certain types of text between	Amend the National Planning Standards to clarify

<p>other text – Instruction 1</p>	<p>when a plan or policy statement is notified and becomes operative. However, it was never made clear that the standards apply to proposed plans and policy statements and proposed changes to existing plans and policy statements. If this is the intent, it is unclear how this would be implemented for plans that are developed through a rolling review (particularly standards F-1 and F-2).</p> <p>The National Planning Standards need to make it clear whether the standards apply to proposed plans and policy statements and proposed changes to existing plans and policy statements, and guidance in addition to the standards may be required.</p>	<p>whether they apply to proposed plans and policy statements.</p> <p>Amend the National Planning Standards to clarify whether they apply to plan changes.</p>
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CM-1: Draft Definitions Standards		
Defined Term	Comments	Requested Amendments
General	Some definitions could be improved with diagrams, such as the definition for <i>maximum height</i> , <i>height in relation to boundary/recession plane</i> and <i>setback</i> . While Direction 3f enables definitions in district plans to include diagrams, it would be preferable for diagrams to be consistent.	Review which definitions in the <i>CM-1: Definitions Standard</i> should include diagrams, particularly the definitions of <i>maximum height</i>, <i>height in relation to boundary/recession plane</i> and <i>setback</i>.
Building	It is unclear why a building only becomes a building if it is enclosed by 2 or more walls and a roof. It is also unclear what is meant by “any structure that is similarly enclosed”. It would be clearer to class all enclosed structures as buildings.	Amend the definition of <i>building</i> as follows: means any <i>An enclosed 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.</i>
Commercial activity	The definition of commercial activity refers specially to activities that have the <i>primary</i> purpose of trading goods, equipment and services. However, district plans need to be able to address the effects of an activity that involve the trading of goods, equipment and services, regardless of whether this is the primary purpose of the activity or not.	Amend the definition of <i>commercial activity</i> as follows: means an activity with the primary purpose of <i>The trading in of goods, equipment or services.</i>

Community facility	The definition of community facility states that it is a facility that is primarily for community purposes. However, district plans need to be able to address the effects of facilities that are used for these purposes regardless of whether these purposes are the primary use of the facility or a secondary use of the facility.	<p>Amend the definition of <i>community facility</i> as follows:</p> <p>means a <u>A non-profit facility primarily for recreational, sporting, cultural, safety and welfare, religious or similar community purposes.</u></p>
Educational facility	<p>The definition of education facility indicates that a facility is only an educational facility if the facility's primary purpose is regular teaching and training. However, district plans need the ability to address the effects of facilities where the teaching and training is not necessarily the facility's primary purpose.</p> <p>Also, an education facility is a location, where the definition defines the use of a location.</p>	<p>Amend the definition of <i>education facility</i> as follows:</p> <p>(a) means the use of <u>Land or building(s) used for the primary purpose of regular teaching or training in accordance with a pre-set syllabus by suitably qualified or experienced instructors, ;</u> but (b) does not include <u>excluding any industrial activity.</u></p>
Footprint	It would be better to have a term that refers to the footprint of an individual footprint. That would enable councils to refer to either the footprint of an individual building as well as the footprints of all buildings on a site.	<p>Replace the definition of <i>footprint</i> with the following:</p> <p><i>The area of the ground floor of a structure and any area above the ground floor that protrudes beyond the ground floor of the structure.</i></p>
Functional need	Definition could be simplified. It doesn't need to refer to a proposal, because it is always the activity that would be proposed by the proposal that actually has the functional need, not the proposal itself.	<p>Amend the definition of <i>functional need</i> as follows:</p> <p>means <u>t The need for a proposal or an activity to traverse, be located or operate in a particular environment location because the activity can only occur in that environment location.</u></p>
Hazardous substances	The definition of hazardous substances refers to the RMA definition, then displays the RMA definition in a box. However, the RMA definition just refers to the definition in the Hazardous Substances and New Organisms Act (HSNOA). It would be better to either refer directly to the definition in the HSNOA or to also include a box with the HSNOA definition. Our preference is for the definition to refer to the RMA definition, then include both the RMA and HSNOA in the box.	<p>Amend the definition of <i>hazardous substances</i> as follows:</p> <p>has the same meaning as in <u>As defined in section 2 of the RMA; (as set out in the box below)</u></p> <div style="border: 1px solid black; padding: 5px; margin-top: 10px;"> <p><u>Section 2 of the RMA</u> <u>"includes, but is not limited to, any substance defined</u></p> </div>

		<p><i>in section 2 of the Hazardous Substances and New Organisms Act 1996 as a hazardous substance.”</i></p> <p><u>Section 2 of the Hazardous Substances and New Organisms Act 1996</u></p> <p><i>“means, unless expressly provided otherwise by regulations or an EPA notice, any substance—</i></p> <p><i>(a) with 1 or more of the following intrinsic properties:</i></p> <p><i>(i) explosiveness;</i></p> <p><i>(ii) flammability;</i></p> <p><i>(iii) a capacity to oxidise;</i></p> <p><i>(iv) corrosiveness;</i></p> <p><i>(v) toxicity (including chronic toxicity);</i></p> <p><i>(vi) ecotoxicity, with or without bioaccumulation; or</i></p> <p><i>(b) which on contact with air or water (other than air or water where the temperature or pressure has been artificially increased or decreased) generates a substance with any 1 or more of the properties specified in paragraph (a)”</i></p>
<p>Height in relation to boundary</p>	<p>It is unclear how the term <i>height in relation to boundary</i> could be expressed as a development standard without using the concept of a recession plane. Our preference is for the <i>CM-1: Definitions Standard</i> to adopt and define the term <i>recession plane</i>.</p> <p>The Auckland Unitary Plan uses a very similar definition for <i>height in relation to boundary</i> to that of the draft <i>CM-1: Definitions Standard</i>. However, when that plane applies the height in relation to boundary, it is often only as a heading to a standard. The standard itself falls back on the term and concept of recession planes and provides a diagram to explain the concept of a recession plane in the chapter (for example, <i>Chapter H3: Residential - Single Housing Zone</i>).</p>	<p>Replace the definition of <i>height in relation to boundary</i> with the following definition of <i>recession plane</i>:</p> <p><i>A plane that slopes away from the boundary of a site from a specific height at the boundary and at a specific angle. This plane sets the maximum height of a structure in relation to the boundary.</i></p> <p>Alternatively, amend the definition of <i>height in relation to boundary</i> as follows:</p> <p>means <i>The maximum height of a structure relative to its distance from either the boundary of a site or from</i></p>

	<p>In addition, the definition of <i>height in relation to boundary</i> states that it is the height in relation to the boundary of a site or other specified location. This can be read in two ways:</p> <ol style="list-style-type: none"> The height in relation to the boundary of a site and the height in relation to <i>any other specified location</i>; or The height in relation to the boundary of a site and the height in relation to <i>the boundary of any other specified location</i>. <p>If the definition of <i>height in relation to boundary</i> is retained, it should be amended to clarify that it is referring to some other specified location (which may be a boundary). Alternatively, this term should only refer to site boundaries, and plans should use other terms for other height controls.</p>	<p><u>some other specified location.</u></p>
Home business	<p>The proposed definition would include any craft as a home business, even if it is a hobby. Crafts that are not hobbies would be classed as occupations.</p>	<p>Amend the definition of <i>home business</i> as follows:</p> <p>means a <u>An occupation, craft, service or profession that is secondary to the use of the site for a residential activity.</u></p>
Industrial activity	<p>The definition of industrial activity refers to an activity's "primary" purpose. However, the definition should include industrial activities regardless of whether it is the activity's primary purpose or secondary purpose.</p>	<p>Amend the definition of <i>industrial activity</i> as follows:</p> <p>means an activity for the primary purpose of— <u>Any</u></p> <ol style="list-style-type: none"> manufacturing, fabricating, processing, packing, storing, maintaining, or repairing goods; or research laboratories used for scientific, industrial or medical research; or yard-based storage, distribution and logistics activities; or <u>and</u> any training facilities for any of the above activities.
L_{Aeq} , $L_{AF(max)}$, L_{A90} , L_{peak} , L_{dn}	<p>It is inappropriate for the definitions in a plan to refer to NZS 6801:2008 rather than stating the definitions, as a plan user would need to either purchase the NZS document to view the</p>	<p>Investigate making NZS 6801:2008 freely accessible to the public.</p>

	<p>definitions or request the definitions from the council.</p> <p>In general, there's a fundamental natural justice issue in requiring district plan users to meet standards which are then made difficult to access and are hidden behind copyright and pricing walls.</p> <p>The Government could purchase/resolve the copyright of key standards so that direct links from district plans can be given to the standards, enabling plan users to readily access the standards they are required to meet, including the associated definitions. The issue is akin to making legislation freely available.</p> <p>However, even if NZS 6801:2008 is made freely accessible to users of plans and policy statements, the definitions from NZS 6801:2008 that are to be adopted in plans and policy statements should be repeated in the plans and policy statements, rather than just being referred to.</p> <p><i>Note: The issue of impeded access to key standards that are often referred to in district plans is not limited to the NZS 6801:2008. This is also a problem for NZS and AS/NZS standards that relate to transport and subdivision. Hutt City Council would support any investigation that is made into making these standards, or similar standards, freely available to plan makers and users.</i></p>	<p>For the definitions of L_{Aeq}, $L_{AF(max)}$, L_{A90}, L_{peak}, L_{dn}, replace the references to NZS 6801:2008 with the definitions given in that standard.</p>
Landfill	<p>A landfill is the location where waste is disposed. However, the definition defines the use of the location. Either the term that is defined should be altered to match the definition or the definition should be altered to match the defined term.</p> <p>In addition, a site that is used for the disposal of waste should meet the definition of landfill regardless of whether it is the location's primary or secondary purpose. Otherwise, rules that</p>	<p>Amend the definition of <i>landfill</i> as follows:</p> <p><i>means <u>A location that is used, or has been used, the use, or the previous use, of land for the primary purpose of the disposal of waste.</u></i></p>

	address the effects of the disposal of waste may not apply to sites where the disposal of waste is secondary to another activity on the site (such as a small landfill on an otherwise agricultural property).	
Minor residential unit	<p>The definition of minor residential unit requires the unit to be ancillary to the principal residential unit of the site and to be held in common ownership. However, a small scale residential unit should be able to be referred to as a minor residential regardless of whether it is associated with another residential unit on the site or whether it is in common ownership.</p> <p>HCC is currently proposing a change to its district plan that would enable minor residential units, referred to in the proposed plan change as “minor additional dwellings”. As part of that proposed plan change, a minor additional dwelling does not need to be ancillary to, or held in common ownership with, a principal residential unit as the effects of the minor additional dwelling would be the same.</p> <p>If a council wishes to restrict minor residential units to being ancillary to, and in common ownership with, the principal residential unit on the site, they should do this through conditions on the relevant rule, not through the definition.</p>	<p>Amend the definition of <i>minor residential unit</i> as follows:</p> <p>means a self-contained <u>A residential unit that is ancillary secondary to a the principal residential unit on the same site and is held in common ownership with the principal residential unit on the same site, which can be attached to the principal building or be a detached stand-alone building.</u></p>
Notional boundary	<p>If a term is needed to refer to a buffer from a building that contains a noise sensitive activity, it should be a clearer term than <i>notional boundary</i>, like “noise sensitive activity buffer”.</p> <p>In addition, the definition shouldn’t define the specific distance of a boundary from the noise sensitive boundary as a Council may determine that a distance other than 20m is more appropriate.</p>	<p>Replace the term “<i>notional boundary</i>” with “<i>noise sensitive activity buffer</i>” and amend the definition as follows:</p> <p>means a <u>Either a line 20 metres that is a specified distance from any side of a building that contains an activity that is sensitive to noise, or the legal boundary of the site of the building, whichever is closer to the building. if it is closer to that building</u></p>
Outdoor living space	The definition of <i>outdoor living space</i> should include the requirement for the space to be unoccupied and unobstructed by	Amend the definition of <i>outdoor living space</i> as follows:

	buildings, accessways and parking or manoeuvring areas.	means —an area of open space for the use of the occupants of the residential unit or units to which the space is allocated <u>which is required to be unoccupied and unobstructed by buildings, pedestrian accessways and parking or manoeuvring areas</u>
Reverse sensitivity	Instead of defining the concept of reverse sensitivity, it would be clearer to define the term “reverse sensitivity effect”.	Replace the term “reverse sensitivity” with “reverse sensitivity effect” and amend the definition as follows: means <i>The potential for effect on the operation of an existing lawfully established activity to be compromised, constrained, or curtailed by the more recent establishment or alteration of another activity which may be sensitive to the actual, potential or perceived adverse environmental effects generated by an</i> <u>the</u> existing activity.
Root protection area	Given the standards do not show the final diagram that would be included, we can't comment on whether the image would be appropriate. However, the diagram that is shown as an example adds confusion rather than clarity as it suggests that the type of tree has an impact on how the root protection area is calculated. In addition, the definition is clear enough without a diagram.	Do not add a diagram to the definition of root protection area.
Rural industry	The term that is defined is for an industry, where the definition is for an activity within that industry. Either the term that is defined should be changed to an activity or the definition should define the industry (our preference is for the term to change to “rural industrial activity”).	Replace the term “rural industry” with “rural industrial activity”
Sign	The definition of a sign states that a sign is only a sign if it is visible beyond the site boundary. There are situations where a district plan may need to address the potential effects of a sign when the sign is only visible within a site, particularly if it is a public site. For example, the Seaview Marina is a single site that	Amend the definition of sign as follows: (a) means a <u>Any device, character, graphic or electronic display, whether temporary or permanent, that is visible from beyond the site</u>

	<p>is owned by a council owned organisation. It is a mix of public and private recreation space and commercial and industrial businesses. The Council may wish to address the effects of a sign that is visible within the Marina on the amenity values of users of Marina users.</p> <p>In general, the National Planning Standards shouldn't be <i>distorting</i> a common term away from its everyday meaning. Most people wouldn't imagine that a sign is not technically a sign under a district plan because it is not visible beyond a site boundary.</p> <p>In addition, the definition of sign is trying to explicitly state too many different types of signs, most which is redundant. For example, there is no need to state that a sign may be illuminated by an internal or external light source. No one is going to argue that something isn't a sign because it's illuminated.</p>	<p>boundary, for the purposes of—</p> <p>(i) identification of and provision of information about any activity, site or structure;</p> <p>(ii) providing directions;</p> <p>(iii) promoting goods, services or forthcoming events; and</p> <p>(b) includes the frame, supporting device and any associated ancillary equipment that whose principal function is to support the message or notice; and</p> <p>(c) may be two or three dimensional, and manufactured, painted, written, printed, carved, embossed, inflated, projected onto, or fixed or attached to, any structure or natural object; and</p> <p>(d) may be illuminated by an internal or external light source.</p>
Special audible characteristics	<p>The term “special audible characteristics” refers to the characteristics of a sound, not the sound itself. As this is the case, the definition should define the characteristics, not the sound that has those characteristics.</p> <p>In addition, use of the term “special” should be avoided as it is a meaningless term that is too often used in planning to fill a perceived gap. It would be better to use a more meaningful descriptor.</p>	<p>Amend the definition of <i>special audible characteristics</i> as follows:</p> <p>means sound that has a d <u>Distinctive characteristics of a sound, such as tonality or impulsiveness, which affects its the sound's subjective acceptability.</u></p>
Visitor accommodation	<p>The definition of visitor accommodation only refers to land and buildings that are <i>primarily</i> for accommodating non-residents. It could be interpreted that if land or buildings are used for accommodating residents as a secondary activity (such as a commercial or residential property that provides visitor accommodation on the side), that it wouldn't meet the definition of visitor accommodation. If land or buildings are used to accommodate visitors, district plans still need to be able to</p>	<p>Amend the definition of <i>visitor accommodation</i> as follows:</p> <p>Means <u>Land and/or buildings used primarily for accommodating non-residents, subject to payment of a tariff, being paid</u></p>

	address their effects, regardless of whether the land or buildings are <i>primarily</i> used for this purpose.	
Water sensitive design	<p>The definition of water sensitive design includes a lot of redundant information that, while often part of water sensitive design, should not be included in a definition of water sensitive design.</p> <p>For example, the definition states that water sensitive design is “an interdisciplinary approach”. This implies that if multiple disciplines are not involved in the design of a development, that it can’t be a water sensitive design. This definition should be simplified.</p>	<p>Replace the definition of <i>water sensitive design</i> with the following:</p> <p><u><i>Design that minimises adverse effects on freshwater, coastal water and the associated ecology.</i></u></p>