Draft first set of National Planning Standards

SUBMISSION FORM

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

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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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Submitter type*

- Individual
- NGO
- Business / Industry
- Local government
- Central government
- Iwi
- Other (please specify)

Click here to enter text.

* 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
Our submission is representative of professional planners within [redacted] and our comments are not necessarily representative of any of our clients.

generally supports standardising the format, terminology and definitions of plans prepared under the Resource Management Act 1991 (RMA) to improve their ease of use and accessibility, particularly on small screen digital platforms (such as mobile devices). We believe that a key objective of this project should be to ensure that all RMA plans are digitalised and useable on the small screens of digital mobile devices, which is how most information on the internet is being consumed.

also asks whether the project should be delayed until a decision has been made on whether to reform the RMA. Some of our comments refer to the appropriateness of zoning as a default setting for District Plans, when overseas methods of managing land uses may be more appropriate in dense and complex urban settings. Whatever form standardisation takes, position is that it must not stifle innovation or roadblock adoption of overseas best-practice.

2. S-RPS: Regional policy statement structure standard

No specific comment on this topic.

   a. Parts 3 and 4 – Core policy statement provisions
      
      No specific comment on this topic.

   b. Part 5 – Evaluation and Monitoring
      
      No specific comment on this topic.

3. S-RP: Regional plan structure standard

No specific comment on this topic.

   a. Parts 3, 4 and 5 – Core plan provisions
      
      No specific comment on this topic.

   b. Part 6 – Evaluation and Monitoring
      
      No specific comment on this topic.

4. S-DP: District plan structure standard

supports, in principle, the intention of standardising the structure of District Plans throughout New Zealand to improve their ease of use. works with District Plans, nationwide, on a daily basis and we acknowledge that it can take time to adjust to the structure, format, and written style of each District Plan.

Our observation is that an activity-based approach is easier for non-planners to navigate because the majority of the rules that apply to a site are located within a single chapter. The approach is appropriate for authorities where there is comparatively fewer local issues, or there is comparatively less complex local issues to address. In our experience, District Plans for smaller rural authorities can successfully cover all of the rules that apply to a land use zone within the one chapter (for instance, subdivision, natural hazards, earthworks, etc.). The advantage is that most of the answers to most of the questions are contained within the one chapter and the risk of overlooking a critical provision is greatly reduced.

An activity/ zoned based approach is appropriate for most projects, pursued by people with the widest range of
backgrounds (e.g. garages and residential extensions).

However, where there are a range of more complex resource management issues at play or a range of competing issues to manage (particularly in larger urban areas), it has been our experience that such an approach struggles to concisely list all of the rules and development controls that may apply, and the readability of the District Plan consequently suffers. In such cases, supports separating issues into topic-based layers from base activity/zone base layers, with the objectives/policies/rules set-out in separate chapters of the District Plan from the zone rules. generally accepts that a topic based/effects based approach can provide much needed structure to a District Plan, simplifying the readability of the District Plan by reducing the number of rules contained within a chapter in comparison to if a zone based/activity based only approach were adopted.

preference is to roll-out a Combination Plan Approach (topic and zone based) as a standardised format because it can be adapted to suit a variety of local circumstances. also believes that the combination approach provides greater scope to insert additional chapters/overlays overtime, as issues arise, without losing the coherence of each zone chapter. The drawback of having to read the entire plan to reach a conclusion can be addressed through professional assistance and as e-plan software evolves overtime.

In our experience, separate topic chapters work best for managing resource management issues that apply across all or most zones within a District, such as Significant Natural Areas, heritage features, or other specific management areas. Overlays are widely understood and it is easy to link rules to objectives and policies and issues. is of the opinion that the layers themselves should only be standardised when the assessment criteria used in their application are also standardised and consistently applied throughout the country. For instance, the value of Category A and B listed heritage features is understood throughout the country because it is based on standard assessment criteria.

Precincts and Structure Plan areas are more challenging to address through a combination approach, particularly in situations where some of the base rules of a zone apply alongside rules of the precinct or structure plan may apply instead of others. suggests that the usability of the District Plan may improve if precinct and structure plan rules stand on their own as a complete rule set without relying or cross-referencing rules of a base zone. This approach will also make it easier to separate plan changes to zone provisions that may or may not be suitable for the precinct/structure plan area.

5. S-CP: Combined plan structure standard

(See above comments)

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

No specific comment on this topic.

a. Introduction chapter

No specific comment on this topic.

b. How plan works chapter

No specific comment on this topic.

c. Interpretation

No specific comment on this topic.

d. Plan integration

No specific comment on this topic.

e. Formation of standards with tangata whenua
f. National direction
   No specific comment on this topic.

7. S-TW: Tangata whenua structure standard – Part 2 of all plans and policy statements
   No specific comment on this topic.
   a. Recognition of iwi/hapū chapter
      No specific comment on this topic.
   b. Tangata whenua local-authority relationships chapter
      No specific comment on this topic.
   c. Iwi and hapū planning documents chapter
      No specific comment on this topic.
   d. Consultation chapter
      No specific comment on this topic.
   e. Use of te reo Māori
      No specific comment on this topic.

8. S-SD: Strategic direction structure standard – Part 3 of District plans
   No specific comment on this topic.

9. S-DWM: District wide matters standard – Part 4 of District plans
   No specific comment on this topic.
   a. Natural Environment Values Chapter
      No specific comment on this topic.
   b. Environmental Risks Chapter
      No specific comment on this topic.
   c. Community Values Chapter
      No specific comment on this topic.
   d. Infrastructure and Energy Chapter
      No specific comment on this topic.
   e. Subdivisions Chapter
      No specific comment on this topic.
   f. General District Wide Matters Chapter
      No specific comment on this topic.
In our opinion the risk of standardising zone content is that it could limit Councils’ ability to respond to specific space-related requirements which can differ significantly between cities and regions in New Zealand and even between different areas within the same city. Standardizing the zones themselves will provide sufficient consistency across the country and assist national-level data collection without restricting spatial specificities.

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

No specific comment on this topic.

a. Zone framework (individual and range)

The proposed standard zones- whichever option is adopted – will inevitably result in canonising zoning as the only available planning tool for urban development for the long-term future and we question if this is the intended approach by the proposed National Planning Standards, particularly as this is not a prescribed requirement under the Resource Management Act for plan making. Zoning may not always be the best way to achieve mixed use areas within the urban environment because, due its inherent segregation of land uses, zoning cannot in isolation facilitate the sustainable goal of vibrant mixed developments envisaged in larger urban areas. Furthermore, zoning cannot guide a cohesive development on land with segregated ownership, whereas the adoption of alternative planning tools, such as form-based codes, can ensure coherent development within a longer period of time on land where individual lots are owned by different owners. considers that further review is required to allow flexibility in terms of available planning tools in the National Planning Standards by enabling other methods to be used such as form-based coding, or similar.

b. Purpose statements

No specific comment on this topic.

c. Additional special purpose zones and criteria

No specific comment on this topic.

d. Precincts chapter

No specific comment on this topic.

e. Development areas chapter

No specific comment on this topic.

f. Designations chapter

No specific comment on this topic.

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

No specific comment on this topic.

12. F-1: Electronic accessibility and functionality standard

believes that having a consistent national GIS platform would be important to ensure that users have a consistent experience across the country, regardless of the software they are using.

a. Standard baseline requirements
13. F-2: Mapping standard

supports the proposed mapping standards and agrees that it would be helpful to have them standardised. However, we also think that it would be good to not rely on colours alone to distinguish zoning. One possibility could be to have a small label to specify zoning (e.g. MHU for the Residential Mixed Housing Urban zone in Auckland). Switchable layers could further assist the visual appearance of the maps by allowing the user to choose which map information is visible.

also supports the use of standard scale for maps as long as there are a number of options available depending on the size of the detail required by the user (i.e. 1:20, 1:50; 1:100; 1:200; 1:250; 1:500; 1:1000; 1:2000; 1:2500; 1:5000).

a. Zone colour palette

thinks that the choice of colour should avoid the use of complementary colours (e.g. red-green or yellow-blue) within the same map to assist colour blind people and avoid the use of very subtle colour differences which may be difficult to differentiate between due to differences in computer monitor colour settings or printer colour settings.

b. Symbology

No specific comment on this topic.

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

No specific comment on this topic.

a. Range of tools

No specific comment on this topic.

b. Zone

No specific comment on this topic.

c. Overlay

No specific comment on this topic.

d. Specific control

No specific comment on this topic.

e. FMU

No specific comment on this topic.
f. Airshed

No specific comment on this topic.

g. Area

No specific comment on this topic.

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

No specific comment on this topic.

a. Range of tools

No specific comment on this topic.

b. Zone

No specific comment on this topic.

c. Overlay

No specific comment on this topic.

d. Precinct

No specific comment on this topic.

e. Specific control

No specific comment on this topic.

f. Development areas

No specific comment on this topic.

g. Designation

16. F-5: Chapter Form standard

No specific comment on this topic.

a. Chapter form

No specific comment on this topic.

b. Rules

No specific comment on this topic.

c. Rule tables

No specific comment on this topic.

17. F-6: Status of rules and other text and numbering form standard
No specific comment on this topic.

a. Status of rules and other text

No specific comment on this topic.

b. Numbering

supports the use of consistent numbering systems as it would make the use of district plans much more straightforward and efficient.

18. CM-1: Definitions standard

supports some standardisation of Plan definitions to address variation, has provided general feedback on standardising definitions and not commented on the specific draft definitions that have been provided on Page 77 of the Draft National Planning Standards document.

Standardising definitions will have noticeable impact where the terminology is frequently used and is common between Plans, but where there can also be a small differences in the purpose of the terminology. For instance, has encountered small differences between the intent of an “impervious surface.” In some Districts, a low slatted deck and an in-ground swimming pool are defined as impervious surfaces because this definition is used to manage character and amenity, in addition to stormwater issues. In other areas, it is only a stormwater management tool and slatted decks are excluded.

notes that definitions within RMA plans are generally specific to the application of the rule of a Plan. For instance, it is common for a definition relating to home occupations to be embedded with specifics around the number of people working at the site. is therefore concerned that standardising definitions may trigger the redrafting of rules. This may compromise the significant investment made on redrafting the second generation plans if not phased in over time.

Terminology such as ‘height in relation to boundary’ or ‘yard,’ which are fundamentally rules that vary from zone to zone depending upon the outcome that they seek to achieve, are best described outside of the definition chapter and within the rule itself in order to reduce the number of cross-references within the Plan. Professional, standardised diagrams could be created and made available to Council’s to include within plans to explain these terms.

is of the opinion that it would be beneficial to standardise the definition of ‘building height,’ as there is significant variation between plans on how it is measured and what is excluded.

is of the opinion that nesting tables (a table within a table) is not an effective way of presenting information, particularly as information is now being displayed digitally on the internet and being consumed on mobile devices with small screens, where it is not easy to view information in table form. Statistics show that more information is now being accessed from mobile phones and tablets than desktop computers. Also of note is that Facebook’s web browser (accessed via mobile phone), is now that the third most used web browser, behind Chrome (1st) and Safari (2nd).

is strongly of the view that whatever form RMA plans take, they must be digitally accessible and easily consumed on mobile devices.

a. Individual definition

has chosen not to make a submission on the individual draft definitions listed in Table 29 of the Draft National Standards (Definitions Table).

However, to emphasise the points that we have raised in Section 18 of this submission.
notes that the proposed definition of ‘building’ (to include an enclosed space and to define everything else as a ‘structure’), will trigger many changes to the rules of a Plan as many Plans include structures within the definition of building.

b. Additional definitions

No specific comment on this topic.

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

supports standardising how earthworks, noise and light spill are measured. For instance has experienced variation in how the volume of earthworks is calculated. In some Plans, volume is calculated with cut and fill being calculated separately and added together to determine compliance. In other Plans the calculation is based on the total amount of earth that is being disturbed, with no double-up on cut and fill totals for example, 100m³ of cut and 100m³ of fill is 100m³ of earthworks, not 200m³ of earthworks as in other Plans).

The NPS provides the opportunity to also resolve the following matters relating to earthworks:

• Whether or not ‘fill’ over 1m in height above natural ground level is defined as ‘building coverage’.
• Whether earthworks relating to landscaping is excluded from the metric.
• Whether engineered material (e.g. metal) is included in the metric.
• Time period during which earth is moved (e.g. twelve month period).

strongly supports the logic of standardising how noise and vibration is measured and for aligning District Plans to NZ Standards. Removing variation would allow Acoustic Engineers to focus on the issue rather than to explain how a Plan might differ from a NZ Standard.

would have reservations where the standardisation of metrics would in effect standardise the rule. Therefore supports leaving the maximum and minimum thresholds to Council’s to reflect local situations, following consultation with the local community.

a. Technical support

No specific comment on this topic.

20. Implementation

generally supports the timeframes for local authorities to implement the mandatory requirements of the NPS, so that the changes are rolled out with the next plan review.

a. ePlanning implementation

No specific comment on the timing of digitalising plans. However, believes that through the guidance provided by the NPS, local authorities should be aiming to draft plans that are easier to use on small screen devices.

b. Timing

generally supports the timeframes for local authorities to implement the mandatory requirements of the NPS, so that the changes are rolled out with the next plan review.

c. Support

No specific comment on this topic.
d. District plan structure guidance
   No specific comment on this topic.

e. Regional policy statement and regional plan structure guidance
   No specific comment on this topic.

f. District plan spatial planning tools and zone framework guidance
   No specific comment on this topic.

g. Regional plan and policy statement spatial tools guidance
   No specific comment on this topic.

h. Chapter form and status of rule and other text numbering guidance
   No specific comment on this topic.

i. Additional guidance materials required
   No specific comment on this topic.

21. Future content for standards
   No specific comment on this topic.

   a. Utilities provisions
      No specific comment on this topic.

**Other comments**

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

No further comments.

**Releasing submissions**

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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 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.

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