

# Draft first set of National Planning Standards

## SUBMISSION FORM – FOREST OWNERS ASSOCIATION

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

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

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

### Making a submission

You can provide feedback in three ways:

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

### Publishing and releasing submissions

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

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

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

## Submission form

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

## Contact information

Name*	Venise Comfort
Organisation	Forest Owners Association (FOA)
Address	[REDACTED]
Phone	[REDACTED]
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Submitter type*	Individual	<input type="checkbox"/>	
	NGO	<input type="checkbox"/>	
	Business/Industry	<input checked="" type="checkbox"/>	Industry Body
	Local government	<input type="checkbox"/>	
	Central government	<input type="checkbox"/>	
	Iwi	<input type="checkbox"/>	
	Other (please specify)	<input type="checkbox"/>	<a href="#">Click here to enter text.</a>

\* Questions marked with an asterisk are mandatory.

## Draft first set of National Planning Standards

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

- Yes in part  
 No

### We support in part

2. S-RPS: Regional policy statement structure standard

### We support

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

[Click here to enter text.](#)

- b. Part 5 – Evaluation and Monitoring

[Click here to enter text.](#)

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

[Click here to enter text.](#)

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

We suggest that a further theme be added and that is “beds of lakes and rivers” Our reason is that section 13 of RMA provides for uses of beds of lakes and rivers as a separate matter and there are legal presumptions concerning some of the uses that are different to the use of land.

- b. Part 6 – Evaluation and Monitoring

[Click here to enter text.](#)

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

See comments below on General wide matters.

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

The comments above concerning regional plan structure and the suggestion to include a section on “uses of the beds of lakes and rivers” are also applicable.

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

[Click here to enter text.](#)

- a. Introduction chapter

[Click here to enter text.](#)

- b. How plan works chapter

[Click here to enter text.](#)

- c. Interpretation

[Click here to enter text.](#)

- d. Plan integration

[Click here to enter text.](#)

- e. Formation of standards with tangata whenua

[Click here to enter text.](#)

- f. National direction

We support the use of a table 15 to provide details as to which rules are more lenient or stringent to NES standards. This table should assist land uses in being able

to fully assess the rules applicable to their activities and the circumstances where they must look beyond NES standards.

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

Recognition of iwi/hapū chapter

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a. Tangata whenua local-authority relationships chapter

[Click here to enter text.](#)

b. Iwi and hapū planning documents chapter

[Click here to enter text.](#)

c. Consultation chapter

[Click here to enter text.](#)

d. Use of te reo Māori

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

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

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a. Natural Environment Values Chapter

Section 6 a

The provision provides that identification may be by “either mapping or narrative”. These terms are not repeated in any other section referring to identification of a feature. We require that identification must be by mapping. As rules in the coast may be more stringent than other land use rules it is important for enforcement purposes that land owners and councils know exactly where the boundary is.

Section 7 a should be amended to ensure that identification is by mapping. It appears that the draft favours overlays for these matters and therefore it should be clear that identification is by way of mapping.

The same applies to section 17, 18 and 19 matters.

Section 20 should be clear that “amenity” issues would fall within the scope of this section.

b. Environmental Risks Chapter

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c. Community Values Chapter

[Click here to enter text.](#)

d. Infrastructure and Energy Chapter

Section 23c These provisions concerning reverse sensitivity should be rewritten as “provisions to manage and or mitigate reverse sensitivity effects...”

The provision to just “manage” reverse sensitivity effects provides a presumption of priority status for the relevant infrastructure.

e. Subdivisions Chapter

[Click here to enter text.](#)

f. General District Wide Matters Chapter

We question the singling out of “earthworks” as a matter for district wide rules in a district plan.

Most of the controls for earthworks are dealt with by regional council functions concerning soil conservation and water quality matters. District council rules concerning earthworks mostly cover visual and amenity issues. We consider that the visual effect of earthworks would fall within the scope of other community values and there would be no need for a separate matter of “earthworks”.

The visual effect of earthworks would then fall within the scope of amenity values/other community values section and there would be no need for a separate matter of “earthworks”.

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

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a. Zone framework (individual and range)

[Click here to enter text.](#)Purpose statements

It is not clear what are the differences between a rural zone and a rural production zone.

It is not clear where plantation forestry would fit. Plantation forestry is primary production and trees rely on the productive nature of soils. In other words trees do not grow in glass houses. While some may consider that plantation forestry should be located on marginal soils such an approach does not consider the scientific facts that plantation forestry thrives on other soils and operational costs and effects are much lower when one operates on flattish land.

It is therefore not clear why the draft is separately providing for an area that is primarily for primary production activities and for an area that prioritises rural production activities that rely on the productive nature of soils.

We are also not clear why separate terms are used to provide for “rural support

services”. The rural zone provides for “activities which support rural production” but the Rural Production zone provides for “associated rural industry”.

We comment on the definitions of “rural industry” and “industrial activity” in the definitions section. However, with regard to the purpose statements it is not clear if an activity that falls within the scope of the definition of “rural industry” could only be provided for within a Rural Productive zone and not a “Rural zone”. It appears that “rural Zones” could only provide for a rural support activity as long as it did not fit within the definition of an “industrial activity”. This will create a major confusion in rural areas and their existing support services.

It is not clear from any other the consultation documents as to any difference between an “activity that would support rural production” and a “rural industry”.

It is suggested that the Rural production zone be deleted and the purpose for the rural zone be amended to include both “rural industry” and “activities that would support rural production”.

b. Additional special purpose zones and criteria

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c. Precincts chapter

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d. Development areas chapter

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e. Designations chapter

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

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12. F-1: Electronic accessibility and functionality standard

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a. Standard baseline requirements

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b. Level 5 requirements

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13. F-2: Mapping standard

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a. **Zone colour palette**

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b. **Symbology**

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

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a. **Range of tools**

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b. **Zone**

Click here to enter text.

c. **Overlay**

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d. **Specific control**

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e. **FMU**

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f. **Airshed**

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g. **Area**

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

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a. **Range of tools**

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b. **Zone**

Click here to enter text.

c. **Overlay**

Click here to enter text.

d. Precinct

Click here to enter text.

e. Specific control

Click here to enter text.

f. Development areas

Click here to enter text.

g. Designation

16. F-5: Chapter Form standard

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a. Chapter form

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b. Rules

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c. Rule tables

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

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a. Status of rules and other text

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b. Numbering

Click here to enter text.

18. CM-1: Definitions standard

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a. Individual definition

Earthwork

We have concerns about the relationship of this definition and the definition in the National Environmental Standards for Plantation Forestry. We require that either the definition excludes forestry earthworks or that the definition within the NES-PF is referred to and is the definition to be used with regard to earthworks relating to forestry activities.



#### Quarry

we have concerns about the relationship of this definition and the definition in the NES-PF for forestry quarrying. We require either an exclusion of forestry quarrying from this definition or a statement that with regard to forestry activities that the “forest quarrying” definition of the NES-PF will be applicable.

#### Rural Industry and Industrial activity.

Industrial activity does not capture all the activities that already occurring in rural areas and are ancillary to and support forestry. There are a number of truck stops within forests which provide the sale of petrol etc. In the future these facilities could be extended to supplying electricity to electric vehicles.

It is not clear that “distribution” would cover all the activities of a truck stop. We require that the definition be extended to “sale and distribution activities”

With regard to (b) some forestry research activities do not include laboratories. Scion has offices, nursery areas and laboratories on its sites. Accordingly we require the definition to be amended to “research facilities...” rather than just “research laboratories”.

#### b. Additional definitions

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

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#### a. Technical support

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### 20. Implementation

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#### a. ePlanning implementation

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#### b. Timing

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#### c. Support

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#### d. District plan structure guidance

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- e. Regional policy statement and regional plan structure guidance

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- f. District plan spatial planning tools and zone framework guidance

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- g. Regional plan and policy statement spatial tools guidance

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

Click here to enter text.

- i. Additional guidance materials required

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## 21. Future content for standards

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- a. Utilities provisions

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## Other comments

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

Click here to enter text.

## Releasing submissions

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

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

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

## When your submission is complete

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

- PDF

- Microsoft Word document.

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

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