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.

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

<table>
<thead>
<tr>
<th>Name*</th>
<th>Wendy Saunders</th>
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<tbody>
<tr>
<td>Organisation (if applicable)</td>
<td>GNS Science</td>
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<tr>
<td>Address</td>
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<td>Phone</td>
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<td>Email*</td>
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* 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?
   
   X Yes
   
   □ No
In principle yes, with recommended amendments discussed in the following sections.

By way of background, GNS Science has been researching planning for natural hazards, and applying this research, for more than 15 years. We now have a team of three planners with a sole focus of natural hazards planning. This research has produced a number of guidance documents, science reports, and journal articles, many with the support of MfE, and all of which are publicly available. We undertake our research with the intention of improving planning practice for natural hazards in New Zealand. We therefore wish to contribute our knowledge to the development of the National Planning Standards. Our submission points are focused on improving the way the Draft National Planning Standards enable best practice planning for natural hazards, noting that the general aspects of best practice for natural hazards are also best practice for all planning.

2. **S-RPS: Draft Regional Policy Statement Structure Standard**

We recommend that ‘Natural Hazards’ is specifically identified as a theme for inclusion in regional policy statements, in Part 4 – Themes. Regional policy statements are essential for setting the direction for natural hazard management within a region, and are particularly important in the absence of any national direction on natural hazards. The management of significant risk from natural hazards is now a matter of national importance in section 6 of the Resource Management Act 1991 (RMA), which justifies the specific identification of this theme in the national standards. Every regional council in New Zealand has natural hazards it needs to manage, and s30 of the RMA specifies the control of the use of land for the purpose of the avoidance or mitigation of natural hazards as being a function of regional councils. It is not appropriate to include natural hazard risk as a sub-set of ‘environmental risk’ – it warrants its own specific chapter in an RPS.

3. **S-RP: Draft Regional Plan Structure Standards**

For the reasons given above, we recommend that ‘Natural Hazards’ is specifically identified as a theme for inclusion in regional plans, in Part 4 – Themes. Regional councils play a significant role in the management of natural hazards, and regional rules and maps, in particular, are essential tools.

4. **S-DP: Draft District Plan Structure Standards**

While we are supportive of natural hazards being identified as a district-wide matter, we recommend that it is included as its own matter, rather than as a sub-set of ‘environmental risk’. This would more appropriately give effect to the fact that the management of significant risk from natural hazards is a matter of national importance.

We recommend some improvement to the way the spatial planning tools in the Forms standards are integrated with the structure standards. Spatial planning tools are a key part of the overall planning framework. Some sort of mapping is essential to the operation of most rules. Therefore, a reference to the spatial planning tools that are available, in the structure standard, would be helpful. In addition, it appears there is an intention to standardise the use of particular spatial planning tools with particular types of chapters, as the consultation document supporting the Draft National Standards states (on page 16) that “topic-based chapters apply district-wide provisions and provisions that apply within overlays.” This is not made clear in the structure standard. While it may be obvious that the zone spatial tool would be used in conjunction with the zone chapters, it is less obvious which type of chapters would use the other spatial tools, for example overlays.
5. **S-CP: Draft Combined Plan Structure Standards**

We recommend that our requests outlined in the sections above for the structure of regional policy statements, regional plans and district plans, be applied to the combined plan structure as well, for the reasons given above.

6. **S-TW: Draft Tangata Whenua Structure Standard**

GNS Science is currently undertaking research on the role of Iwi Management Plans in hazard management. We are supportive of the structure standards for the tangata whenuia chapter.

7. **S-DWM: Draft District Wide Matters Standards**

In line with our recommendations above, we recommend that an additional chapter is added to the district wide matters standards, so that natural hazards has its own chapter, rather than being a section within the ‘environmental risk’ chapter. This would more appropriately give effect to the fact that the management of significant risk from natural hazards is a matter of national importance.

8. **S-ASM: Draft Area Specific Matters Standards**

We recommend that a ‘hazard avoidance zone’ and a ‘hazard management zone’, or similar, be included in the list of possible zones for district plans. There are certain hazard management situations where a zone is necessary, rather than an overlay, as the only rules that should apply within the area relate to hazards. For example, a fault avoidance zone needs its own specific rules, supported by objectives and policies, and would not operate appropriately as an overlay, where underlying zone rules still apply. In addition, should managed retreat be progressed in plans as a means of managing impacts of hazards or sea level rise, a managed retreat zone may be implemented, with a complete set of objectives, policies and rules to manage this process.

We are concerned that the current wording of Mandatory Direction 7 would preclude a council using a Special Purpose zone for hazard avoidance. This is because Mandatory Direction 7 (pasted below) is set up for enabling activities and development, and does not appear to contemplate use of a zone to restriction or prohibit development. Therefore, we see the need for an additional hazard avoidance zone and hazard management zone.

**Mandatory Direction 7:**

An additional special purpose zone must only be created when the proposed land use activities and anticipated development within the defined area:

a. are significant to the district or region
b. could not be enabled by any other zone
c. could not be enabled by the introduction of an overlay, precinct, designation, development area, or specific control.

Possible wording for the purpose statement of a hazard avoidance zone could be: *the purpose of the hazard avoidance zone is to avoid risk from natural hazards within the zone.*

Possible wording for the purpose statement of a hazard management zone could be: *the purpose of the hazard management zone is to control activities to manage risk from natural hazards and/or sea level rise.*
9. **F-2: Draft Mapping Standard**

In line with our request above to include an additional hazard avoidance zone and hazard management zone, we recommend that two additional rows be added to Table 21: Zone colour palette table, for these two types of zones. We recommend that more than one colour shade is made available in each zone, to give flexibility to councils that need to use more than one hazard avoidance zone or hazard management zone with different corresponding rules, policies and/or objectives (e.g. fault avoidance and erosion avoidance).

Table 22 (Symbology table) includes one symbol for four types of hazard (coastal, flood, volcanic, fault) and one symbol for fault lines. This limited range has the potential to severely limit the ability of councils to appropriately manage risks from natural hazards, including significant risk, which is a matter of national importance. GNS Science supports the concept of standards for mapping natural hazards, and recognises that the proposed standard is a minimum. However, we recommend that the overlay options for hazards, and how they are represented on planning maps, be further reviewed, and we would welcome the opportunity to contribute further to the development of this standard. Appendix 1 to this submission provides details on the key matters we suggest are considered when reviewing the mapping standard. Dr Wendy Saunders has a report pending on mapping of natural hazards for land use planning, which will be forwarded to MFE once it is officially released. In addition, GNS Science has produced a number of publications that comment on and make recommendations on mapping of natural hazards in RMA plans. Our suggestions in Appendix 1 are informed by this research. Appendix 1 also provides examples of relevant guidance, and a list of relevant GNS Science publications.

10. **F-3: Draft Spatial Planning Tools**

We support the inclusion of zones as spatial planning tools, but are concerned that the draft standard limits their application in regional plans. The function statement includes the following sentence: *In regional plans, a zone only applies to the coastal marine area.* We recommend that this sentence is deleted. While zones may usually only be used in coastal marine areas in regional plans, there is no barrier in the RMA to using them in other circumstances. In particular, we do not want to see the option of regional councils using zones for hazard management foreclosed, when this is an option open to regional councils under the RMA. Regional rules are the only method currently available under the RMA to manage and override existing use rights, and so are an important tool in the context of management of significant risk and managed retreat. It is not unforeseeable that a ‘managed retreat zone’, or similar, may be a tool used in a regional plan in the future.

Overlays are a key spatial planning tool for managing the risks from natural hazards. In line with our submission points above, we consider that natural hazards need to be acknowledged separately, and not as a sub-set of environmental risk. As such, we recommend that the wording of the function of an overlay is changed so that it specifically refers to natural hazards, as well as environmental risk.

11. **F-4: Draft Spatial Planning Tools (District)**

We request that our recommendation above for separately identifying natural hazards in the overlay function description is also applied to this district plan standard.

12. **F-6: Draft Status of Rules and Other Text and Numbering Form Standard**

In line with our requests above for natural hazards to be specifically identified as its own theme and chapter, rather than as a sub-set of environmental risk, we recommend that the objectives example on page 69 is changed. In addition, we recommend that Table 28 (numbering table) is updated to reflect our request.
13. **CM-1: Draft Definitions Standard**

We support the inclusion of a definition of natural hazards that replicates the definition in the RMA.

We would like to see other definitions relevant to natural hazard management included in future National Planning Standards, and would appreciate the opportunity to contribute to the development of these.

**Other comments**

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

This submission has been drafted by Dr Wendy Saunders and Emily Grace, Natural Hazard Planners at GNS Science. It is based on the information provided in the June 2018 Ministry for the Environment report, Draft National Planning Standards, and informed by the significant body of research on planning for natural hazards undertaken at GNS Science. Please let us know if you would like to discuss our submission, or would like advice on the outcomes of our research.

**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 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.
Appendix 1: Summary of key considerations for mapping of natural hazards

Using hazard zones and overlays on planning maps is an essential component to implementing an effective planning framework for the management of natural hazards. The maps work in conjunction with the rules, and the mapping of natural hazards cannot be considered separately from the management approach contained in the objectives, policies and rules.

Following are five key matters that we suggest are considered in the further development of the mapping standard (based on the extensive research we have done on planning for natural hazards).

1. Types of hazards

The National Planning Standard needs to allow for more hazards than it currently does. Detailed and specific hazard management approaches need to be able to apply different rules and standards within different mapped hazard areas. All hazards have varying consequences, and there needs to be an ability to tailor planning responses appropriately. For example, different floor levels for buildings may apply within different flood hazard areas (e.g. river corridor, overflow path, ponding). Volcanic hazards include pyroclastic flow areas, lahar paths, bombs, ashfall, geothermal activity, and caldera boundaries, which could all be managed with different types of rules and standards (although we note that volcanic hazards are very rarely included in RMA plans). Similarly, ‘coastal’ could include inundation, erosion, sea level rise, and tsunami, again, each with their own unique planning responses required. Liquefaction is not currently specified, but poses a hazard in a number of locations across New Zealand, and needs to be included in the mapping standards, again, with different sub-categories to match the different planning response required. Landslides area also not currently included, but also pose a hazard in a number of locations across New Zealand, and can be triggered by both extreme weather and earthquake shaking. Land instability needs to be included as a separate hazard, with the option for sub-categories.

2. Management of uncertainty

Different rules and standards are needed to address different levels of uncertainly in hazard extent. This requires the ability to include different overlays to identify different levels of uncertainty. For example, for active faults, different categories of well defined, distributed or poorly constrained location, with corresponding rules with varying degrees of control, can be, and are, used successfully in RMA plans (see Figure 1 below). The option of applying a detailed and specific planning framework to manage natural hazards needs to be kept open in the National Planning Standards.

In addition, the ability to implement an adaptive management framework to address issues such as climate change, which is a framework for addressing uncertainty in the timing of the onset of particular consequences, needs to be maintained in the mapping standard.

3. Addressing ‘overlapping’ hazards

Locations can often be affected by multiple natural hazards. For example, a parcel of land can have an active fault located through it, as well as being on a flood plain. If one polygon is provided for each of these i.e. you cannot differentiate between the two, then the policy and rule framework will not be able to provide appropriate restrictions. It also does not provide certainty as to what the hazard is that has required the overlay. An example of a district plan map which provides multiple hazard overlays is shown in Figure 1.
Figure 1: Excerpt from Map 02 Natural Hazards, Kapiti Coast District Council Planning Maps, 2010.

Figure 1 clearly shows the location of the Ohariu fault and flood areas, with subcategories. If these areas were all one polygon (as under the current draft mapping standard), the details of these – and associated policies and rules - would be lost.

4. Managing risk

The Christchurch City Plan provides an example of subcategories for land instability, which implements a very specific rule framework that addresses varying levels of risk (rather than just hazard) (Figure 2 below). Mapping of risk is rare in RMA plans, but should be enabled and encouraged, as it is a very sophisticated and effective way to achieve the purpose of the RMA. The Christchurch framework would not work without the ability to include a number of different overlays for different levels of risk. The mapping standard should maintain this ability.
5. **Consistency in mapping format**

In addition to the above natural hazard specific points, the following good practices should be encouraged for all maps, and included in the National Planning Standard:

- North point
- Scale
- Title
- Clear readable legend
- Date
- Publisher (e.g. Council name)
- Map reference number


**Publications**

Examples of guidance on planning for natural hazards, including mapping, are listed in Table 1 below.

<table>
<thead>
<tr>
<th>Agency</th>
<th>Year</th>
<th>Publication</th>
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<tbody>
<tr>
<td>Ministry for the</td>
<td>2003</td>
<td>Planning for the development on land on or near active faults (Kerr et al., 2003)</td>
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<tr>
<td>Agency</td>
<td>Year</td>
<td>Publication</td>
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<tr>
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<td>2008</td>
<td>Coastal hazards and climate change: a guidance manual for local government in New Zealand (MfE, 2008)</td>
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<tr>
<td></td>
<td>2009</td>
<td>Preparing for coastal change: a guide for local government in New Zealand (MfE, 2009)</td>
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<tr>
<td></td>
<td>2010</td>
<td>Tools for estimating the effects of climate change and flood flow: a guidance manual for local government in New Zealand (MfE, 2010b)</td>
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<td>2010</td>
<td>Preparing for future flooding: a guide for local government in New Zealand (MfE, 2010a)</td>
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<td></td>
<td>2008</td>
<td>Managing flood risk: a process standard NZS 9401 (Standards New Zealand, 2008)</td>
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<tr>
<td></td>
<td>2009</td>
<td>Risk management – principles and guidelines AS/NZS 31000 (Standards Australia/New Zealand, 2009)</td>
</tr>
<tr>
<td>GNS Science</td>
<td>2007</td>
<td>Guidelines for assessing planning policy and consent requirements for landslide prone land (Saunders &amp; Glassey, 2007)</td>
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<td></td>
<td>2008</td>
<td>Pre-event recovery for land use in New Zealand (Becker, Saunders, Hopkins, Wright, &amp; Kerr, 2008)</td>
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<td></td>
<td>2011</td>
<td>Incorporating tsunami inundation modelling into land-use planning (Saunders, Prasetya, &amp; Leonard, 2011)</td>
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<td></td>
<td>2012</td>
<td>When should liquefaction be considered in land use planning? (Saunders &amp; Berryman, 2012)</td>
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<td></td>
<td>2013</td>
<td>Risk based land use planning for natural hazard risk reduction (Saunders, et al., 2013)</td>
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<td>2004</td>
<td>Planning for natural hazard risk in the built environment (CAENZ, 2004)</td>
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<td>2009</td>
<td>Land-use planning for natural hazards: stewardship for the future (CAENZ, 2009)</td>
</tr>
<tr>
<td>Other</td>
<td>1986</td>
<td>Creating flood disasters? (Ericksen, 1986)</td>
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<tr>
<td></td>
<td>2013</td>
<td>Quality Planning ‘natural hazard’ guidance note (Quality Planning, 2013)</td>
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</table>

**More recent guidance:**

- **Case study D: Static versus dynamic inundation mapping.** In Bell, R., Lawrence, J., Allan, S., Blackett, P., & S. Stephens, 2017: *Coastal hazards and climate change: guidance for local government.* Ministry for the Environment, Wellington (i.e. p157).
- **Assessment and mapping.** In Ministry for the Environment & Ministry for Innovation, Business & Employment, 2017: *Planning and engineering guidance for potentially liquefaction-prone land,* Ministry for Innovation, Business & Employment, Wellington (e.g. p58)
Relevant GNS Science publications:


Saunders, W.S.A.; Beban, J.G.; Kilvington, M. 2013 *Risk-based land use planning for natural...*
