



Draft first set of National Planning Standards

SUBMISSION FORM

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. 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*	Poultry Industry Association of NZ (PIANZ) and Egg Producers Federation of NZ (EPFNZ)	
Organisation (if applicable)	Poultry Industry Association of NZ (PIANZ) and Egg Producers Federation of NZ (EPFNZ)	
Address	[Redacted]	
Phone	[Redacted]	
Email*	[Redacted]	
Submitter type*	<input type="checkbox"/> Individual <input type="checkbox"/> NGO <input checked="" type="checkbox"/> Business / Industry <input type="checkbox"/> Local government <input type="checkbox"/> Central government <input type="checkbox"/> Iwi <input type="checkbox"/> Other (please specify)	<p>PIANZ is the national organisation that represents the interests of poultry companies nationwide and EPFNZ is the national organisation that represents the interests of commercial egg producers.</p> <p>Click here to enter text.</p>

* 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

PIANZ and EPFNZ generally support the Draft National Planning Standards (The Standards). The Standards will provide a clear and consistent framework for managing the activities and effects associated with the poultry industry across New Zealand.

There are two main concerns that we would encourage the Ministry for the Environment (The Ministry) to consider further. These relate to the use of abbreviations and implementation of The Standards.

The format and structure proposed is likely to make district plans easier to use and more accessible. However, the extensive use of abbreviations is of concern. One of the purposes of The Standards is to assist people to comply with the procedural principles set out in section 18A of the RMA. This includes ensuring that policy statements and plans are worded in a way that is clear and concise. Abbreviations are a form of nomenclature that can make text difficult to decipher. Poultry farmers want to be able to quickly and easily find and understand rules and rule requirements in both district and regional plans.

The changes required to district and regional plans across the country will require significant financial and human resources to implement. It is expected that most council's will adopt a Schedule 1 process. Serious thought needs to be given to a 'ripping the bandage' approach over 'dragging the chain'. Furthermore, there are no incentives for complying with the statutory timeframes (or apparent disincentives for not complying). To address this, we suggest that The Ministry set out a programme to monitor and evaluate progress annually or even bi-annually. This will allow The Ministry and industry stakeholders to understand what is happening in all the districts and regions across the country.

2. F-1: Electronic accessibility and functionality standard

The requirement for all regional and district policies and plans to be made available online is supported. This will provide better access to planning documents for poultry farmers living in rural areas.

3. F-2: Mapping standard

A set of nationally consistent mapping standards is supported. This will make it easier to spatially identify the rules that are relevant to poultry activities.

4. F-5: Chapter Form standard

a. Chapter form

There does not appear to be direction for providing an 'Explanation' section or similar for the objectives and policies sections. This can be a useful reference when preparing or considering a resource consent for and land use activity, including poultry activities.

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

a. Numbering

The significant use of abbreviations proposed in Table 28 should be seriously reconsidered. The American Psychological Association (<http://www.apastyle.org/learn/faqs/use-abbreviations.aspx>) prefers that abbreviations are used sparingly to prevent text and communication becoming

garbled. Some testing should be done to understand how the proposed nomenclature will affect the way information is communicated to and between poultry industry stakeholders, farmers, professionals and council officers. This does not appear to have been looked at in any of the accompanying research reports. By way of example, consider the following example:

“The property is zoned Rural within PREC3. RUR-R2 and GDW-R6 is relevant but the activity doesn’t comply with RUR-REQ4 or GDW-REQ9. You will also need to consider APP-1 and NH-R3 to ensure you meet ER-OBJ1.”

compared to:

“The property is zoned Rural within the River Margin Precinct. Rural Rule 5.2 and General Rule 8.6 are relevant but the activity doesn’t comply with Requirements 5.2.4 or 8.6.9. You will also need to consider Appendix 1 and Natural Hazard Rule 10.3 to ensure you meet Environmental Risk Objective 1.”

The proposed approach is a fundamental change to the way planning regulations are communicated in New Zealand. If a nationwide alphanumeric system is to be developed it should be thoroughly tested for workability with all stakeholders.

6. CM-1: Definitions standard

The creation of nationally consistent definitions is strongly supported. Considerable poultry industry resources are directed towards submitting on proposed definitions in an attempt to secure consistency between districts and regions as well as promoting best practice. Councils sometimes (intentionally or unintentionally) use definitions as de facto objectives, policies and rules. This is both frustrating and confusing for the poultry industry.

a. Individual definition

Building – supported. This is a clear and concise definition that cannot be used to indirectly control poultry activities.

Functional need – supported. Many poultry activities rely on being able to establish themselves in rural zones.

Primary production and Intensive primary production – Poultry accounts for an estimated 35% of total meat consumed in NZ (2010). By its very nature, poultry farming is an intensive form of primary production. These proposed definitions remove emotive language and allow poultry farming to be considered as part of the wider primary production sector. This will allow council’s to develop objectives and policies that include all forms of primary production while at the same time controlling the potential adverse effects that are specific to intensive primary production.

It is important to the poultry industry that the use of buildings for intensive primary production are not considered to compromise areas of high land use capability. The recognition that a type of primary production can occur principally within buildings is therefore welcomed.

The wording used in the definitions for ‘primary production’ and ‘intensive primary production’ are strongly supported.

Reverse sensitivity – The use of the term ‘existing lawfully established’ could create undesirable and potentially litigious situations:

1. It requires existing activities to provide ‘evidence’ of their lawfulness. Existing use rights can be notoriously difficult to prove. Such a definition could lead to reverse sensitivity effects being disregarded due to a technicality or simply a lack of historic documentation.
2. It fails to recognise the permitted baseline and receiving environment. Proposed land use activities should consider reverse sensitivity in relation to permitted uses. This will ensure that activities are not inadvertently precluded in areas where they are intended to be located.

In the poultry industry, reverse sensitivity is an ongoing issue. Whether an activity has existing use rights is not considered to be a pre-requisite for defining reverse sensitivity. A broader definition removing the word ‘lawfully’ and including the permitted baseline and receiving environment is requested.

Rural industry – supported. This is a clear and concise definition that enables the industries (like feed mills) that are required to support poultry activities rural zones.

7. Implementation

a. Timing

We are concerned about the timeframes proposed. It is unclear whether section 37 of the RMA applies to the timeframes and clarification of this would be appreciated by the poultry industry. Ultimately, the timeframes proposed only delay the inevitable and are likely to disadvantage the poultry farmers in some regions and districts over others. *The Economic Evaluation of the Introduction of National Planning Standards* report by Castalia calculates an Overall BCR of 1.5 for both the 3 year and 5 year implementation timeframes. This indicates that there is no apparent financial justification for a 5 year timeframe over a 3 year timeframe.

It has been suggested that the extended 7 year timeframe for some council’s is because a plan review has recently been completed. The Castalia report indicates that a period less than 8 years (from gazettal) will not allow The Standards to ‘dovetail’ with most decennial plan reviews. Alternatively it could result in these plan reviews being started earlier than required by the RMA.

What is important to the poultry industry is certainty. In this respect, the preferred implementation approaches are to either get this done as quickly as possible or to defer it so that it is integrated to the natural cycle of plan reviews.

A third approach is to have regional policy statements and plans promulgated first, followed by district plans. This would ensure top down consistency and assist with managing ‘consultation fatigue’.

8. Future content for standards

Farming generally is an area where considerable further work could be done to introduce more standardisation. There is already considerable regulation through the Ministry of Primary Industries and NPS-FM for example. These could be consolidated into district and regional plans through directive national guidance.

If further standards to manage farming are considered for inclusion, we would like to be involved as early as possible.

Other comments

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

The opportunity to provide this feedback is greatly appreciated.

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.