

Planning Team - Beca Ltd - Submission on the Draft National Planning Standards

To: Ministry for the Environment

Submission on: Draft National Planning Standards

Name of submitter: Planning Team – Beca Limited

Address: [REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

Contact Person: [REDACTED]

Email: [REDACTED]

This submission on the Draft National Planning Standards is made by the Planning Team: Beca Ltd (**Beca**). Beca is a multidisciplinary international consultancy which originated in New Zealand (**NZ**). Our teams throughout New Zealand (numbering some 2000 staff) are directly involved in projects, and working in partnership with a wide range of clients, that interface with the Resource Management Act 1991 (**RMA**) and its associated regulatory processes.

As part of our project work, through our involvement in professional organisations, and with our clients, Beca has contributed to the development of national planning and strategy. This includes: City/District and Regional planning documents, preparation of Notices of Requirement and resource consent applications (major, medium and smaller scale), and assisting numerous Councils in the processing of resource consent applications.

This submission draws from the collective experience of our planning and environmental professionals to assist the Ministry in developing effective and efficient National Planning Standards. In this respect, it is targeted and limited to “workability” matters.

This submission does not purport to express the views or opinions of any of our client organisations nor does it make submissions on the subject matter of provisions¹.

We have had experience in developing and implementing a variety of RMA planning documents across New Zealand and are keen to participate in the process to help achieve a set of successful National Planning Standards.

Beca is broadly supportive of the concept of National Planning Standards insofar as there are benefits in providing consistency across the country. We work with a number of clients that are regularly required to review different Councils’ plans during plan review processes at considerable time and

¹ We further note that individuals within Beca may be making separate submissions in respect of the Draft National Planning Standards, either on behalf of clients or in relation to their own personal interests.

cost. Setting standards at a national level has the potential to reduce the need for such intensive (and often costly) involvement with reviewing the many similar provisions across the country. There is also the potential for greater consistency in interpretation, another potential efficiency.

We look forward to being involved with future National Planning Standards that focus on consistent standards and technical provisions of plans.

Without limiting the generality of this submission, Beca makes the following points:

General Overview

1. Overall, Beca supports the development of national planning standards to assist in creating RMA documents that are more nationally consistent, usable and accessible. As practitioners and users of plans across the country, consistency in structure and usability will enable us (and our clients) to transition more efficiently between different plans.

Decision sought: Retain this concept, with amendments, as outlined below

2. The staggered implementation of the National Planning Standards in accordance with Section 58I is recognised as sensible given the scale of recent Plan review processes.

S-ASM Area Specific Matters (pages 42-46 of the Draft National Planning Standards)

3. The concept of nationally consistent zone descriptions and ordering is generally supported:
 - a. Knowing that zones and their purposes are consistently applied will assist in providing consistent advice across the country;
 - b. The use of purpose statements will assist with understanding the reason for potential provisions;
 - c. The ability to create additional special zones, as described, allows flexibility for different regions and appropriately recognises the need for bespoke zones at times; and
 - d. There will be improved usability of plans in different locations.

Decision sought: Retain the above features.

4. The inclusion of a single table that includes all relevant information for designations in one area is generally supported. Including a “hierarchy” where there are designations on the same land is also supported.

Potential challenges and opportunities (for clarity) include:

- a. Providing legal descriptions/physical addresses could be difficult for linear infrastructure where there is no legal description / address or it involves many different properties;
- b. Providing for inclusion of a map will provide clarity, particularly where they do not necessarily follow cadastral boundaries; and
- c. The inclusion of conditions within a table format could create challenges where there are a lot of conditions.

Decision sought:

- *Amend the table to retain the ability to include a general description or relevant maps or links to maps which outline the identified designation in lieu of a legal description for linear infrastructure.*
- *Require conditions to sit directly beneath the table, but not within the table.*

S-SAM Schedules, Appendices & Maps (pages 47-48 of the Draft National Planning Standards)

5. The information proposed to be required in schedule tables is supported. Access to information about scheduled features is important to enable appropriate consideration of effects (of an activity) on all values of a scheduled item. It is understood that this may result in effort for Councils, however there are important benefits (for effects assessments) that would arise.

Decision sought: Retain all matters currently required within the Schedule table.

6. Within the schedule tables, require the inclusion of relevant maps (or links to relevant maps) to improve accuracy of mapping and application of provisions – in particular where the mapped items do not align with cadastral boundaries.

Decision sought: Amend to require map/links to be provided for scheduled areas/items.

F-1 Draft Electronic Accessibility and Functionality Standard

7. The Standard for baseline accessibility and functionality requirements along with the Standard for ePlan requirements is supported.

Decision sought: Retain the Draft Standard.

F-2 Mapping (pages 53-56 of the Draft National Planning Standards)

8. Use of standardised colours for the proposed zones is supported. Colours should be distinct such that when viewed on screen or hard copy each can be easily distinguished. At present some colours are too similar to achieve that outcome.

Decision sought: Amend the colours in the palette so each colour is distinct from each other.

9. The proposed faultline and designation colours are similar to Coastal/Flood/Volcanic/Fault hazard overlays. Faultlines are likely to look similar to a stream overlay, and that this may cause confusion. Further, there is presently no ability to distinguish between Coastal/Flood/Volcanic/Fault hazards which may be confusing, particularly if the hazards overlap.

Decision sought: Amend the hazard symbols to ensure they are all distinct from each other and other overlays.

10. It is suggested that zone colours be numbered/identified in a similar manner to the sections with which they correlate (i.e. 'RES - Residential).

Decision sought: Amend the zone identification column to be consistently referenced with the zone.

F-3 Spatial Planning Tools (Regional) (pages 57-58 of the Draft National Planning Standards)

11. There is currently no spatial planning tool for water catchments. Catchments are applicable to the entire country and should be defined and identified consistently across all plans.

Decision sought: Provide clarity around where catchments sit within the regional spatial planning tools.

F-4 Spatial Planning Tools (District) (pages 59-61 of the Draft National Planning Standards)

12. The use of common nomenclature within the spatial planning tools is supported. The zone statements (including the use of the term 'primarily') enable some flexibility but could limit innovation. For example: having no density control, or co-locating mixed uses by managing individual effects. We do note that the identified 'purpose statements' for a number of zones, in particular the Residential zones, have a focus on stating the desired 'character' sought in the zone. We consider that such terminology tends to imply a focus on the 'character' of different areas as they already exist. We consider it would be more beneficial for the zone purpose statements to seek to refer to the type of 'environment' or built form / typology outcome which the zones are seeking to achieve over time.

Decision sought: Enable flexibility in Zone descriptions such that they seek to identify the outcomes the zones are seeking to achieve over time.

F-5 Chapter Form (pages 62-66 of the Draft National Planning Standards)

13. Flexibility for Councils to decide whether to include Rule Tables or an alternative structure for rules is supported. The Rule Table, with the potential for one rule to be spread across several pages, is a clumsy structure. It is our experience that rule requirements or matters of discretion can be lengthy. However, it is acknowledged that a standard table could reduce effort in developing plans.

Decision sought: Retain a standardised table structure and consider how to structure rules to reduce unnecessary text on a page i.e. there could be a drop down option in e-plans for users to operate, manually choosing rules to open that are relevant, while irrelevant rules are hidden.

14. Having a common format for objectives, policies and rules that are grouped in the same location is more important than the specific format between table, text or otherwise.

Decision sought: Retain a common format for objectives, policies and rules that are grouped in the same location.

F-6 Status of Rules, other text and numbers (pages 67-75 of the Draft National Planning Standards)

15. A consistent numbering format is supported, however the proposed form is not clear. We suggest:
- a. A numerical or alphabetical pattern of ordering would be more usable for searching a particular chapter/section e.g. Part 2, C.4.3 O1.
 - b. The alphabetical system proposed for chapter naming uses 2 (e.g. AQ), 3 (e.g. NEV), 4 (e.g. PREC) and 5 (e.g. INTRO) letter acronyms. If an alphabetical number system is to be retained, all chapter name abbreviations should use the same number of letters.

Decision sought: Amend the numbering and ordering system to improve navigation and ease of understanding.

CM-1 Definitions (pages 76-90) of the Draft National Planning Standards)

16. The use of definitions where terms have already been defined is supported, and definitions should be founded in the RMA perspective of the term.

Decision sought: Retain the above.

17. Consideration could be given to how these definitions will be updated if the relevant legislation from where they are derived is amended – and the implications of an additional notified process.

Decision sought: Include a statement or method within the document which details how and when the definitions table will be amended should the referenced legislation change.

18. Where the RMA cross-references to other legislation (e.g. Local Government Act or Hazardous Substances and New Organisms Act), the definition from the other legislation should be included. Examples include:

- a. Hazardous substances (Hazardous Substances and New Organisms Act 1996)
- b. Road (Local Government Act 1974)

Decision sought: Include definitions of 'road' and 'hazardous substances' rather than referring to another document.

19. The proposed definitions of 'building' and 'structure' each use the other term within it. This means there is no ability to use these as separate terms within the Plan. In addition, 'Building' is defined in the Building Act, so a simple cross reference to this existing definition may also suffice.

Decision sought: Amend the definition of structure so that each definition can be self-contained, as follows:

structure “means any ~~building~~, equipment, device or other facility made by people and which is fixed to or located on land; and includes any raft, but excludes motorised vehicles that can be moved under their own power.”

20. As currently drafted the definition of ‘footprint’ can be interpreted in different ways. For example, it could be interpreted that the definition would include eaves of a building and any balcony or deck that protrudes from the building, or that the definition only includes the parts of a structure above the ground floor level area.

Decision sought: Amend the definition of footprint to clarify the meaning. A diagram may assist with this.

21. The definition of ‘ground level’ has three parts. In relation to part (b) the exclusion of areas associated with the construction or alteration of a building could relate to an existing old building, an under-construction building, or a future building. It is suggested that this be clarified.

Decision sought: Amend the definition of ‘ground level’ clause (b) to clarify whether the construction or alteration of a building relates to an historic, current or future building construction.

22. The definition of ‘height’ is more accurately related to land and the Coastal Marine Area, than to district and other plans.

Decision sought: Amend the definitions of ‘height’ as follows:

“Height [in relation to ~~a district plan~~ land]

means the vertical distance between ground level at any point and the highest part of the structure immediately above that point”

“Height [in relation to the coastal marine area ~~a regional plan or regional policy statement or a combined plan that includes a regional plan or regional policy statement~~]

means ~~is~~ the vertical distance between the highest part of a structure and ~~a reference point~~. ~~The reference point outside the coastal marine area is ground level unless otherwise stated in a rule. The reference point inside the coastal marine area is mean sea level”~~

23. Additional terms which are commonly used across plans include those listed below. These may also benefit from a national definition.

- a. Average exceedance probability (AEP)
- b. Floodplain
- c. Impervious area
- d. Managed fill

- e. Overland flow path
- f. Riparian margin
- g. Streams
 - i. Ephemeral
 - ii. Intermittent
 - iii. Permanent

Beca respectfully seeks the following decisions from the Minister on the National Planning Standards:

- A. Addition, deletion or amendment to those matters of the Draft National Planning Standards identified in this submission; and
- B. Such further or other relief, or other consequential or other amendments as are considered appropriate and necessary to address the matters set out herein.

Beca wishes to be heard in support of this submission and provide additional clarification if required should the opportunity be available.

Beca does not consider it can gain an advantage in trade competition through this submission.



PP: Perri Unthank

17 August 2018

On behalf of the Planning team: Beca Ltd

Attention: Bryce Julyan

Address: [REDACTED]
[REDACTED]

Email Address: [REDACTED]