



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	[REDACTED]
Organisation	Whangarei District Council
Address	Private Bag 9023, Whangarei 0148
Phone	[REDACTED]
Email	[REDACTED]
Submitter type	Local Government

Draft first set of National Planning Standards

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

Whangarei District Council generally supports the concept of National Planning Standards, however, issues have been identified where clarification is required or where the Standards fail to meet practical requirements.

2. S-RPS: Regional policy statement structure standard

- a. Parts 3 and 4 – Core policy statement provisions
- b. Part 5 – Evaluation and Monitoring

3. S-RP: Regional plan structure Standard

- a. Parts 3, 4 and 5 – Core plan provisions
- b. Part 6 Evaluation and Monitoring

4. S-DP: District plan structure standard

No consideration has been given to referenced documents in the structure. The ability to include an additional section for reference documents should be included.

5. S-CP: Combined plan structure standard



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

Listing versions of the District Plan is impractical where the rolling review process is used as the resulting list would be too long and not user friendly. Generally, this would limit accessibility and the length of this list would invalidate its usefulness. This will be particularly unmanageable prior to the transition to an ePlan.
 - b. How plan works chapter
 - c. Interpretation
 - d. Plan integration
 - e. Formation of standards with tangata whenua
 - f. National direction

Some of this information seems more appropriate in s32 documents rather than in the District Plan. Guidance is needed to ensure there is not an expectation to have an overly detailed assessment within the Plan.
7. S-TW: Tangata Whenua structure standard – Part 2 of all plans and policy statements
 - a. Recognition of iwi/hapū chapter

Whangarei District Council generally supports the concept of the Recognition of iwi/hapū chapter.
 - b. Tangata Whenua local-authority relationships chapter
 - c. Iwi and hapu planning documents chapter
 - d. Consultation chapter
 - e. Use of Te Reo Maori
8. S-SD: Strategic direction structure standard – Part 3 of District plans
9. S-DWM: District wide matters standard – Part 4 of District plans
 - a. Natural Environment Values Chapter
 - b. Environmental Risks Chapter
 - c. Community Values Chapter



d. Infrastructure and Energy Chapter

The Whangarei District Plan uses district wide overlays to provide for the operation, maintenance, upgrading and development of the National Grid and some other infrastructure which has been identified as regionally significant (by the Northland Regional Policy Statement).

The draft National Planning Standards clearly provide for the use of special purpose zones, requirements or designations to address the matters specified for a district wide Infrastructure and Energy (S-IE) chapter; the draft National Planning Standards for not appear to provide for the use of a district wide overlay.

Whangarei District Council introduced district wide overlay provisions for the National Grid in PC123A recently as part of the rolling review of the Whangarei District Plan. The risk of re-litigation of this plan change because of potential unavailability of district wide overlays to use for Infrastructure and Energy matters is concerning to us.

Whangarei District Council seeks that the use of district wide overlays complement objectives, policies and methods (rules) for Infrastructure and Energy is explicitly provided for within the National Planning Standards.

e. Subdivisions Chapter

Support point 27. However, it is unclear what rules are meant to be within the Subdivision Chapter. For example, are there meant to be rules around geotechnical/stability issues or transport/access matters when subdividing? Or do those rules sit within the Infrastructure and Energy Chapter? Is the subdivision chapter meant to just be rules around minimum lot sizes, frontage widths site shapes, etc.? If so this could be difficult for plan users as they will need to refer to many chapters when subdividing.

f. General District Wide Matters Chapter

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

a. Zone Frame work (individual (and range)

A zone for a “Waterfront” or “Tourism” type Zone would be a useful addition. Many Districts include waterfront type areas with a focus on tourism that do not neatly fit into a mixed-use type zone.

Additionally, a zone for Large Format or Bulk Format Retail would be a useful addition. Many Districts within New Zealand have areas designated for these types of activities and none of the proposed standard zones capture this concept well.

b. Purpose Statements

c. Additional special purpose zones and criteria

d. Precincts chapter

e. Development areas chapter

f. Designations chapter

Whangarei District Council supports the use of alpha numerically presented tables to present designations within a district plan.



Use of a separate schedule for designations is not supported because numerous conditions are often attached to designations and do not suit presentation in table form. Designation conditions are often altered using RMA processes outside of a district plan review and if they are listed within the district plan then an alteration to the district plan must also be made.

Whangarei District Council considers that the use of a reference to a designations conditions (for example a resource consent file number or consent order number) within each designation table would be a much more pragmatic and user friendly approach.

Whangarei District Council seeks that conditions of designations are explicitly provided for by way of incorporation by reference within each designation table.

From an accessibility viewpoint, ePlans provide the ability for those interested in specific designations to access referenced content via click to view and mouse over functionality. Given that Draft Standard F-1.18.7 requires the referencing of other plans and acknowledges the ability to utilise hyperlinking to achieve this it is consistent to also allow referencing of other materials in this way.

11. S-SAM: Schedules, appendices and maps standard – Part 6 – Regional policy statements, Part 7 – Regional plans, Part 6 – District plans, Part 9 – Combined plans

Point 6 requires more clarity as it appears to indicate that all sites with an overlay will need to be scheduled (e.g. any site that contains an ONL would need to be listed in a schedule).

12. F-1: Electronic accessibility functionality standard

a. Standard baseline requirements

The standard baseline requirements are generally supported however, the use of embedded hyperlinks within PDF documents suggested in instruction 8 is counter intuitive, these are not universally compatible and there is no practical way to monitor the health of these hyperlinks, as a result accessibility and functionality may be reduced. The use of embedded hyperlinks should be discouraged in PDF plans.

Point 7 is could result in an excessive amount of notes within District Plans which would not assist in simplifying and streamlining.

Instruction 11 is also impractical for authorities undertaking a rolling review, the quantity of versions and specific nature of changes would result in a quantity of similar versions which would both be unmanageable and not user-friendly.

b. Level 5 requirements

13. F-2: Mapping standard

a. Zone colour palette

Whangarei District Council supports the concept of a consistent colour palette however the use of a single colour for special purpose zones does not offer enough ability to distinguish between zones and will cause an oversaturation of that colour.

Several zone colours are too similar and hard to distinguish between – need more variety in colour pallets.



It is suggested that a colour palette could be established for section 6 matters such as Outstanding Natural Landscapes, Features, Vegetation to improve consistency.

b. Symbology

Whangarei District Council does not support the 1 symbol for coastal hazards, flood hazards, volcanic hazards and fault hazards will not work and would be confusing for plan users. In addition, there are other symbols that could be standardised such as Outstanding Natural Landscapes, High Natural Character, instability hazard areas, roading hierarchies, etc.

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

a. Range of tools

b. Zone

c. Overlay

d. Specific control

e. FMU

f. Airshed

g. Area

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

a. Range of tools

b. Zone

c. Overlay

d. Precinct

e. Specific control

f. Development areas

g. Designation

16. F-5: Chapter From standard

a. Chapter form

b. Rules



c. Rule tables

It is not entirely clear how the rule tables are meant to work. Further guidance, and possibly examples of the rule tables in practice, would be useful.

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

a. Status of rules and other text

b. Numbering

18. CM-1: Definitions standard

Whangarei District Council generally supports the concept of standard definitions however, more consideration is required as to the potential effects of introducing these definitions as a mandatory direction without a Schedule 1 process. Introducing these definitions will have significant effects on the rules and more guidance is required as to what constitutes “consequential amendments”.

a. Individual definition

The term “non-profit” within the ‘community facility’ definition is not appropriate as it will create uncertainty. For example, would a church that accepts donations or a sports club that has monthly fund raising events be non-profit? It is suggested to delete the term “non-profit” as the RMA effects of an activity are still the same whether it is profit or non-profit.

The definition for “intensive primary production” is too broad and would capture too many small-scale activities.

The definition for “outdoor living space” lacks clarity as it does not specify within the definition if the area has to be outdoor or whether or not balconies and decks would meet the definition. Suggested wording could be: “An area of outdoor open space including balconies, decks and roof terraces, available for the exclusive use of the occupants of the residential unit to which the space is allocated, that has direct access to a main living space and that does not contain structures that would impede its use for outdoor living purposes.”

b. Additional definitions

The following common and useful terms should also be included:

- *Existing Use Rights*
- *Forestry*
- *Front Site*
- *Frontage*
- *Impervious area*
- *Indigenous vegetation*
- *Minor Upgrade / alteration*
- *Rear Site*
- *Sensitive Activities*
- *Temporary activities*

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

a. Technical support

20. Implementation



- a. ePlanning implementation
- b. Timing

Whangarei District Council does not support the timing. Council has competing timeframes to review and undertake plan changes as dictated by National and Regional policy. To meet these requirements Council will have to progress plan changes early in the 5-year timeframe to implement the Standards.

The National Policy Statement for Urban Capacity requires a plan change to ensure feasible capacity within 12 months of completing the capacity assessment.

The Northland Regional Policy Statement requires plan changes within 2 years of the operative date to implement protection of biodiversity and hazard management. Northland Regional Council have a 7-year timeframe to meet the Standards, there is a risk that the district plan will fall out of step with the regional direction.

Implementation timeframes need to be reconsidered as Northland Regional Council has been afforded 7 years but Whangarei District Council has only been afforded 5. In order to give effect to Regional Plans and Policy Statements the District Plan will need to be reviewed after regional policy in which case the District Plan will need a timeframe of at least 9 years.

- c. Support
- d. District plan structure guidance
Additional guidance for district councils that are currently undertaking rolling reviews of their district plans would be beneficial as to how it is envisaged that the standards will be implemented in a rolling review.
- e. Regional policy statement and regional plan structure guidance
- f. District spatial planning tools and zone framework guidance
- g. Regional plan and policy statement spatial tools guidance
- h. Chapter form and status of rule and other text numbering guidance
- i. Additional guidance materials required

21. Future content for standards

- a. Utilities provisions

Other Comments

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



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.