



17 August 2018

Planning Standards
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Dear To Whom It May Concern

Draft National Planning Standards - Joint Southland Councils Technical Submission

Thank you for the opportunity to submit on the first set of draft National Planning Standards, the Southland Councils have developed their submissions in collaboration – as such this submission has been endorsed by all four Councils and can be read as from Gore District Council, Invercargill City Council, Southland District Council and Southland Regional Council (Environment Southland). The Councils have developed two submissions – one from a technical (officer) perspective and one from a governance perspective.

This submission follows the question format of the consultation document provided by Ministry for the Environment published June 2018.

Q1. *What are your thoughts on this proposed package of planning standards? If you consider changes necessary, how would these affect the anticipated outcomes?*

We support the Planning Standards in principle but request that any standards are prepared in manner that is future proofed to enable easy transition to web based delivery of planning information and advice.

From a practitioners perspective standardising planning documents will make it more efficient to draft and produce plans in terms of time and cost to our ratepayers and resources to be focused on the meaningful planning matters that are addressed through plans.

The standards will also enable easier comparison between the different approaches to matters dealt with in these documents across different Council areas. It is questionable that these efficiencies will benefit a significant number of public users given the majority of people's experiences of the District and Regional Plans are for one off resource consents for discrete projects.

It is clear that the draft Standards for accessibility, functionality and e-Plan requirements will mean that district and regional plans will need to be electronically cross-referenced and spatially integrated. These requirements will require an ambitious work programme, which will have significant costs, and require major work to align the planning provisions, data and record management systems.

We do note however, that if District and Regional Plans are going to be predominantly e-plans in the future - the physical layout and structure of the provisions will be less important. Any National Planning Standards established will need to be constructed in such a manner so that they are future proofed for a transition to a more web based manner of interacting with plan users and our communities.

From a funding perspective we note that Councils have just completed their Long Term Plan cycle and an opportunity to discuss allocation of any significant funding towards implementing the ePlan requirements under the National Planning Standards may be constrained until the next cycle in three years' time.

Q2. *What topics or matters should be investigated for future planning standards?*

We consider it would be advantageous across the country to have consistent standards regarding:

1. Provisions relating to development around Significant Infrastructure such as:
 - a. the National Electricity Grid (TransPower)
 - b. Airports (especially the management of Noise)
 - c. State Highways (the management of Noise, Vibration, sight distances)
 - d. Main Railway Trunk Line (Kiwi Rail)
2. Temporary Military Training Activities
3. Hazardous Substances (and the role of HASNO and Work safe)
4. Contaminated Land
5. Climate Change adaptation including sea level rise and managed retreat
6. Activities within National Park/DoC controlled land – and clarification regarding the perceived/real duplication of approvals under Conservation Act / Resource Management
7. Section 6 Matters (e.g. consistent methodology and provisions relating to Outstanding Natural Features and Landscapes, Biodiversity and the Coastal Environment).

Any development of future planning standards will need to carefully consider the potential for creating a continual cycle of plan alignment and updating without allowing the first cycle to complete. This type of work absorbs a significant level of resource and time, not just of Councils but also from both the community and potential submitters involved in this process.

Therefore if these standards are to be implemented within 5-7 years the timing of the next set of planning standards will need to be past the completion of that work.

While this work seems superficial at first glance there are a number of changes that may trigger wider reviews – for example standardising definitions may necessitate amending the associated activity rule to ensure the intended outcome is still achieved. A Council may have to change its provisions to put the definitions into context and then change the provisions again following the release of further standards.

Q3. Do you agree with the level of standardization proposed in the plan structure standards?

We generally agree with what is proposed.

From a District Plan perspective we have some concerns regarding the implications of amending definitions and the administration aspects of the referencing. More detailed discussion of our concerns is provided further on in this submission.

Specific Comments regarding the drafting of this part of the standard:

With regard to S-DWM D7b (pg. 38) – we question the use of requiring that objectives, policies and methods, including rules (if any) address the “life supporting capacity of the systems” given this relates to Landscape, Landforms and natural character – we consider that the direction is to protect the values associated with those features and landscapes where they are outstanding and managed where they are not outstanding.

With regard to S-DWM D9 – we consider this could provide direction in line with what Part 2 of the Resource Management Act already state in a similar format to the topics above it – Coastal Environment and Landscapes and Features.

From a regional plan perspective it is concerning that the Standards have not been tested on an existing Regional Policy Statement or Regional Plan. We have attempted to apply the proposed standards to the Introduction chapter of our Regional Policy Statement and encountered the issues in the following table. It should be noted that this is by no means a comprehensive analysis but illustrates that there are likely to be numerous issues with applying the Standards that will need to be worked through.

Standard/section	Comment
S-IGP/S-INTRO	Our current Regional Policy Statement includes the date the policy statement was made operative and the local authority seal as part of the Foreword. The Standards would require these to be in the Introduction section rather than the Foreword/Mihi section, which would be messy to implement.
S-INTER	Table 11 only applies to District Plans, was this intended? If so, why does it not apply to other Plans and Policy Statements?
S-INTER	The prescriptive table formats and requirement to split interpretation into three different tables means that implementing this standard will be quite a time consuming task.
S-NDI	How will the national planning standards be updated when there are new/changes to national direction instruments?
S-NDI	Instruction 3 – The standards should include the hyperlinks to the national instruments rather than require each Council to find the hyperlinks and risk mistakes coming in.
S-NDI	It is not clear whether the second column of Table 14 may/should contain information in addition to the choices in Instruction 4.

Standard/section	Comment
S-NDI	The text for the National Environmental Standards needs editing. It contains errant apostrophes and interchangeably refers to national environment standards and national environmental standards.
S-NDI	Table 15 is not relevant to Regional Policy Statements, as they do not contain rules.
S-NDI	It may be impractical to list the rules that are more lenient or stringent than NESs. For example, the National Environmental Standard for Plantation Forestry has resulted in a 23 page table describing which of the rules in the proposed Southland Water and Land Plan are more stringent than the NES.
S-NDI	It is not clear what the point of the Regulations section is – it does not appear to add anything useful to a Plan or Policy Statement. In addition, Instruction 9 is unclear about what is required to be included.

In addition, the rationale for the order of chapters within regional plans and regional policy statements is not clear. We recommend that the rationale be articulated.

Q4. Are there other topics that would benefit from a chapter structure standard?

No Comment.

Q5. Does the tangata whenua part structure standard help meet RMA requirements for iwi authorities and tangata whenua input into RMA plans? Will this help tangata whenua and Councils work together?

Generally we agree that having a structure standard will ensure that requirements are met. From our perspective in Southland we do not believe that the proposed changes to the provisions in the plan will make a great difference to how Councils work together with tangata whenua. These provisions are largely in our plans anyway.

From a layout perspective we have specific Tangata Whenua Objectives and Policies in our current District Plans and it is unclear from the documentation provided whether these would fit within this section of the plan or in the District Wide provisions in the Community Values chapter. Guidance on this would be helpful.

With regard to the drafting of the standards we question how the objectives of the strategic direction standard (On pg. 36 of the Planning Standards Strategic Direction Standard 3. Bullet point 4.) differ from those of this section? Guidance on this would be helpful.

This proposed layout in the standards, while ensuring minimum standards are met, could potentially restrict those plans which exceed the requirements by fully integrating Tangata Whenua principles throughout the document. Local tangata whenua issues are also woven through the different provisions through our Plans. Iwi and cultural issues cannot, for example, be separated from landscapes, biodiversity or water related issues. It will be important to be able to retain reference to these values throughout the planning documents and not attempt to separate them.

Q6. *Should we have a standard set of zones? Would this make plans across NZ easier to use?*

Generally we support the theory behind this.

We note that this is a discretionary direction under Planning Standard S-ASM. Currently if this became mandatory it would only require that the zone is selected from this list and that any provisions are tested against the stated purpose of that zone.

Where the standardisation becomes more complicated is in the provisions that attach to the activities undertaken within those zones.

There will be variation across New Zealand in terms of intensity of development provided for and this has evolved as individual communities have shaped the provisions to achieve their aspirations. This has the potential to confuse those plan users that are working across districts and regions for similar activities. While this will not be insurmountable any move towards standardised provisions within zones will need to be carefully tested and still provide for local variations within reason.

For example, the Rural Zone in one plan may have a minimum lot size of 20ha, while another District may interpret the zone as providing for lots down to 2ha. The different plans may provide for different commercial activities and a different scale of activity within the “commercial zone”. Invercargill’s Hospital Zone may provide for development at a different scale to the hospital zone in Auckland. The existing complications may not therefore have been remedied.

Q7. *Are some zones missing, or are some zones not needed?*

No Comment.

Q8. *Is the inclusion of purpose statements for zones useful for guiding how they may be used?*

We consider they are useful, but see our comments above under Q6.

We also note that a number of terms are used to help describe the nature of particular environments within specific zones – but that the terms are not defined. Suburban- Urban Character, High – Low Density, Urban Density, Heavy – Light Industrial.

While each Council may have its own interpretation of what these terms mean it may be helpful to provide guidance and examples to support consistency in the use of these zone descriptions.

Q9. *Do the purpose statements help you understand which zones you currently have in your plan, and how they fit into the planning standard’s zone?*

We consider they are useful.

We will need to do some work to address all the environments that the community has asked us to provide for within some of our District Plans. See also our comments under Q6 above.

Q10. *Is ‘Level 5’ of the Electronic Accessibility and Functionality Scale an appropriate standard for Council e-Plans? Should it be more or less ambitious? What would you include/exclude?*

We support this concept, however, it will take significant resources and time to develop for the Southland Councils. This may be achievable depending on the amount of direction provided by Central Government. Five years is a very ambitious timeframe and we may not be able to meet this.

Council website search functions can be variable in quality, with some bringing up search responses of questionable relevance. This is a source of frustration for customers using the website search functions. **We recommend that a website search functionality standard be included in the baseline accessibility and functionality standards, or considered for future National Planning Standards.**

F-1 Table 18 Plan accessibility and functionality:

Due to a lack of integration of information between Southland's four Councils, we consider that providing links between district plans and regional plans as required by Instruction 7 will be challenging to provide within the one (1) year timeframe. Further, this would result in significant 'wasted' work given that ePlans will be required later on. Under the proposed standard, we are required to make substantial changes to existing plans within a short timeframe, and then to carry out further, though more comprehensive, updates later. **We recommend that the links required by Instruction 7 be incorporated as part of the development of ePlans rather than baseline electronic accessibility and functionality.**

We consider that the meaning of the word 'version' is unclear in the context of Instruction 11. Our reading is that Councils would be required to include versions of plans on their websites even in cases where there was a minor correction to a plan. We consider that providing iterations of plans to this level of detail is a significant level of workload for Councils, with minimal value to our customers. In addition, it is unclear whether older versions of the current plan required on the website should be included three clicks from the homepage as per Instruction 2.

We recommend that Instruction 11 is altered to better define what a 'version' of a plan is. In our view, the definition of a 'version' should exclude minor wording changes as the result of correcting errors in any plan, but should include:

- amended versions of plans issued as a result of national direction from Central Government; and
- any notified version, decisions version, or operative version of a plan.

We recommend that it be made clear that superseded versions of operative plans could be located in an archive rather than on that plan's landing page, as providing older versions of a plan on that plan's landing page may generate confusion.

F-1 Table 18 Data Standards:

We support the provision of publicly-accessible existing digital plan data, and we are already heading towards implementation of Instruction 13. **We recommend that this Instruction be retained.**

We seek clarification of the use of New Zealand Vertical Datum 2016 (NZVD2016) as required by Instruction 14. Our reading of the Instruction is that all planning datasets are required to

incorporate this datum. However, the datum is largely used in scientific contexts, and has applicability to planning data in only very specific circumstances, such as managing water resources and assessing hazards. Arranging all existing spatial data in NZVD 2016 will present significant workload, system, and financial burdens, to potentially limited benefit.

We recommend that:

- a. the provision of all planning data in NZVD2016 be made optional; or
- b. contexts in which data must be provided in NZVD2016 be clarified in the standard.

We consider that there is scope to include additional standards covering the type, format, and content of metadata that Councils should be required to present as part of any online plan dataset. Metadata standards should be included in Standard F-1, or considered for inclusion in future National Planning Standards.

F-1 Table 19 standard for ePlan requirements:

Councils have numerous regulatory functions that sit outside of the RMA (including bylaws, biosecurity regulations, and harbourmaster regulations in the regional context). Including regulatory information under other Acts within an ePlan, so that all of Councils' regulatory information is available in one place, would have advantages from a customer service and data integration perspective. **We recommend that a clause be included in Table 19 which advises Councils that they are not prohibited from including other regulatory information within their ePlans.**

From a wider planning perspective we have concerns regarding the separation of regulatory controls from the policy framework that supports them. Many ePlans are useful when looking at the different rules that may apply to a parcel of land, but the objectives and policies behind those provisions are not as easy to find. These provisions are important, particularly for explaining the rationale behind the rules – which can be a common question asked of Councils, and for the resource consent process. Careful consideration of how to maintain these linkages needs to be undertaken as part of this shift to a different way of doing things.

We consider that, in order to enhance the level of ePlanning service delivery, incentives should be provided to encourage Councils to provide ePlan accessibility beyond Level 5, as described in Figure 1 and Table 20. Incentives for Councils who provide ePlan accessibility and functionality beyond Level 5 could include (but are not limited to):

- extensions of implementation timeframes;
- financial incentives; and/or
- greater and earlier involvement in MfE consultation on changes to National Planning *Standards in future.*

Q11. For Councils: what type of support would be useful to help you implement the ePlan standard?

Clear direction from Central Government on any preferred suppliers, programmes or platforms and technical support for Council information system teams.

With the intention that plans look the same and can enable easy cross-plan/cross-District comparisons, it would make sense that there was consistency between what these ePlans look like and how they function, otherwise there will be the potential for ePlans to develop like the hard copy of the paper-based plans has with variances between districts and regions. There is a risk that while the hard copies of the plans will look the same following these standards, the ePlans will look and work significantly differently. Guidance from Central Government on this will be important.

If we then have to use a set platform, each Council will need to undertake significant work to ensure that that works with existing database and consent processing programmes. It is likely that Southland will try to integrate their planning information on the same platform so that it appears as seamless as possible for the user.

We consider that there is potential for the development of nationally-consistent ePlanning software. Ideally, this software would be cloud-based, and be a 'turnkey'-type setup where Councils input data into an existing framework. We consider that this approach to an ePlanning solution would have the following advantages:

- saving duplication of work, by eliminating the need for 78 Councils to develop or otherwise source ePlanning solutions separately;
- increase standardisation of ePlanning formats, and encourage collaboration across Councils in developing integrated ePlanning solutions; and
- enable Central Government to provide a single tool for migrating data into ePlans.

We recommend that a national tender for a nationally-consistent ePlanning software solution be carried out, and that a nationally-consistent ePlanning software solution be adopted as a result of this tender process.

Further to this specific ePlan question – the Councils would also like to highlight that the correlated exercise of collection data and monitoring the effectiveness of plans and consenting processes would significantly benefit from a common platform. Currently national monitoring system does not allow data to be collected upfront and absorbs a significant amount of data. Changes to this current approach supported with a national platform managed by MfE could provide real time benefits rather than an annual data collection and would put a greater emphasis on plan effectiveness monitoring data rather than focusing on numeric data such as dates.

Q12. *Does the mix of map colours and symbols mix well for your plan(s)?*

We generally agree that what is proposed will be workable for our planning maps and GIS mapping, subject to the detailed comments below. Some of our District Plans do provide more information on our planning maps than is catered for by the symbols, but we note that the planning standards F-2 D. 5 provides that we may include additional symbols in maps and eplans.

As discussed above it would be helpful and cost effective if there was one platform to provide the planning maps/ePlans on given that each Council will need to invest time and resource in systematically working through making these changes to align existing symbology to what is required.

We note that many of the zone colours are very similar, and may be difficult to distinguish on screen or on paper when viewing planning maps at a range of scales and resolutions. **We suggest that the zone colour palette be given more variety, in order that plan users can more easily distinguish between different zones.**

We consider that the faultline hazard symbol, in its current form, may be confused with waterway symbols, due to its blue colouration. **We suggest a brighter colour more indicative of a hazard be used.**

The statutory acknowledgement area symbol is difficult to read, and may be difficult to render on different devices. **We suggest that a more visually appealing symbology for statutory acknowledgement areas be used.**

Further we consider that a national platform that spatially displays existing data common across Councils and plans (e.g. Earthquake, LiDAR, natural hazards, Land Information New Zealand, Heritage New Zealand, Access, and Department of Conservation) could provide a better multi agency information source.

Q13. *Should other symbols or mapping instructions be included in the first set or future sets of planning standards?*

We are concerned that there is only one symbol/colour used to describe a number of hazards. Some of our District Plans have identified different levels of flood risk, areas that may be subject to storm surge or coastal hazard. This information is important to the context of Invercargill, Gore and Southland communities and planning into the future. It is information that we have that is of value to the public. If there is only one symbol for all hazards, for example, the wealth of this information will be potentially lost and more difficult to decipher from a visual perspective. One possibility may be to have a different colour for each hazard category. Otherwise we will need to consider creating variations on the proposed standard or retain the existing map approach to ensure the information is retained.

Other important symbols consistent across all District Plans that need to be developed relate to:

- Areas that are identified as Significant Areas of Indigenous Biodiversity (SNA's)
- Outstanding Natural Features and Landscapes (ONFL's).
- A standard colour for unformed roads
- A surface water zone colour (or a colour for water)
- The CMA
- Archaeological sites
- Railway corridors/view lines
- Airport approach and transition lines

The standards will need to be accompanied by some detailed guidelines. For example, for the national grid line – is there a requirement to place the 'x' where the structures are on the ground.

Currently some planning maps use a symbol for the national grid line and one for the national grid structure itself. This way people are aware of what properties the structures sit on and can determine whether a rule applies to them or not.

While the layers of information may be able to be found on a GIS/electronic mapping programme, the images will need to also make sense in a 'printed' version for reports and applications. If there are specific requirements or instructions on how to achieve good alignment between the two types of information display they should be included in the mapping instructions.

We consider that there should be greater consistency between Standards F-2 and F-3. For example, regional spatial planning tools that are specific, in particular freshwater management units (FMU) and airsheds, should have some baseline symbology included in F-2. Councils should still be able to produce additional symbology for these spatial planning tools, but having a baseline would provide greater standardisation across plans.

Q14. *Can these spatial planning tools be used to address the planning issues in your community?*

Within Southland, we are considering moving towards a more integrated planning approach. We consider that the Draft Spatial Planning Tools (Regional) Standard in their current form may pose a potential barrier to this.

In particular, Table 23 states in relation to zones that they only apply to the coastal marine area (CMA) within regional plans. This creates uncertainties in managing across the CMA boundary, and the implementation of novel planning approaches such as coastal environment plans, 'one plans', or combined plans.

The standard as written appears to preclude the creation of a 'coastal environment' zone, where the zone extends landward of the CMA to incorporate coastally-influenced features and processes. **We consider that this wording would make the development of coastal environment plans difficult and should be revised.**

It is unclear whether multiple zones can be applied within the CMA; or whether in the current wording of Standard F-3, the CMA must exist within regional and combined plans as a single zone.

With regard to the detail contained in F-4 Table 24 – we wish to comment on the terminology. Specific controls refers to a provision controlling an issue or matter. This is a very regulatory approach and we consider that regard should be had to the potential for positive responses within a specific control. For example, some plans identify areas where certain provisions do not apply – such as central city "parking areas" within which business do not need to provide on-site parking. **We request that the terminology be reviewed to ensure that these types of enabling provisions are able to be provided for within a "specific control".**

Q15. *Should additional spatial planning tools be included?*

No comment

Q16. Do you agree with the level of prescription in the Chapter Form Standard?

We generally agree with the level of prescription in F-5, but do not agree with the content of the Standard, as discussed below.

We do not support the proposed manner of abbreviation. We consider that this does not achieve a significant improvement in the look and feel of planning documents, and may in fact create confusion for plan users. For example, in the scheme of the rules table there is actually very little difference in space taken up by the word ‘permitted’ and the abbreviation “P”. Policies are also abbreviated to P so will there be some confusion?

We agree standardisation is valuable, but if something is abbreviated there needs to be a good reason for it and it should result in a plan being easier to understand. The level of jargon proposed will introduce a whole new set of planning jargon. Where a significant proportion of our Plan users are not ‘planners’ we need to be careful that the resulting document can be interpreted by the average member of the public.

We would strongly recommend that Guidelines on this section including working examples be developed to ensure that the form is interpreted accurately. Our Plans do not currently utilise tables and so we would need to see how these work in practice to assess whether to incorporate them or not. For example, the manner in which some plans are currently drafted result in general performance standards being referenced in the permitted activity rules and listed at the end of the rules which avoids repetition and reduces the amount of text. Standard F-5 would require integration of these performance standards and create a considerable increase in text within a chapter.

We note and support that it is not mandatory at this stage to use the rule tables.

Q17. Would the acronym and alphanumeric code approach work well for your plans? If not, what changes would work better?

As discussed above we do not support the proposed manner of abbreviation. Our concerns relate to the practical application of the appropriate proposed, given these will need to be referred to in reports and when talking to lay members of the public so again, it is important that the results of the changes are actually to make the Plan more user-friendly and not just a jumble of indecipherable letters and numbers.

Practically some of our Councils have found that a range of two-four letter abbreviation or acronym works well and gives sufficient information for someone to understand what the subject the rule is referring to. The abbreviations that have been used in our plans follow common sense. For example, SIGN (signage), BIO (indigenous vegetation). NFL (natural features and landscapes), CE (coastal environment). Policies and Rules are labeled as per their topic and numbered for example, Policy BIO.1 or Rule BIO.1 etc. Alternatively abbreviations for the rules only could be developed as this is the most used part of the plan for the majority of plan users.

We recommend that these proposed suggestions are considered or alternatively if these are not accepted that the use of abbreviations as set out in the standard are not a mandatory requirement.

It would be helpful if the standards would also cover:

- A standard for referencing notes or issues if relevant
- Explanations for policies and any associated numbering system.
- Standardisation of common requiring authorities names

Q18. *Are these drafting principles suitable for definitions? Should they be changed or expanded?*

The principles are considered to be appropriate, however, the execution is inconsistent.

For example, the principle is to include the definitions from any legislation referred to and yet the definitions from relevant NZ standards is not also required. For example, the definitions for the noise standards just refer back to the standard without expanding on what those definitions are, which seems to be the opposite approach to including the full definitions from the RMA or other legislation. The definition of road refers to the RMA definition, which then refers to the Local Government Act and Government Roading Powered Act. This is particularly unhelpful and seems to contradict the principles and standard 3(f). We suggest that the definitions be reviewed against the principles and amended where situations like those described above exist.

The Plan layout states that there is to be a Glossary of Te Reo Māori terms. However, these terms have been included in amongst the definitions. Is there some guidance as to which terms sit in the glossary and which sit in the definitions? The Māori terms defined use the RMA definitions, which is consistent with the drafting principles stated. However, in our District Plans the local Iwi Management Plan definitions are used, which are worded slightly differently. Is there scope to amend these definitions in consultation with tangata whenua?

There are over 40 definitions that would need to be amended in our Regional and District Plans with related implications for the provisions that rely on these terms. Some definitions expressly exclude terms that are not otherwise currently used in the Councils’ District Plans and will therefore trigger the consideration of additional provisions. For example, “Accessory buildings” expressly excludes ‘minor residential units’. ‘Minor residential units’ is not a term used and therefore Councils may need to consider adding this term into the Plans, or at least adding it into the definitions section to ensure the definition makes sense.

The full impact of the required changes has not yet been assessed, however feedback from the Councils indicates that it is not just the impact on interpretation of rules that will generate additional plan change work, but also interpretation notes that have been added to Plans to assist plan users. Alternative methods for providing guidance for plan users will need to be considered to ensure that the same level of support is provided.

With regard to the impact on regional planning, Environment Southland staff have assessed the effect of five of the definitions on the Regional Policy Statement and Regional Plans. This analysis is included as a separate Excel sheet.

An example of a definition across all plans is also provided below:

Cleanfill is defined in the standard as:

“Means an area used for the disposal of exclusively inert, non-decomposing material”

However, the Invercargill District Plan defines it as:

“Cleanfill: Means material that when buried will have no adverse effect on people or the environment. Cleanfill material includes virgin natural materials such as clay, soil and rock, and other inert materials such as concrete or brick that are free of:

- combustible, putrescible, degradable or leachable components.
- hazardous substances.
- products or materials derived from the treatment, stabilisation or disposal of hazardous waste.
- materials that may present a risk to human or animal health such as medical and veterinary waste, asbestos or radioactive substances.
- liquid waste.”

The Southland District Plan definition is very similar to the one above. This definition is utilised to achieve consistency with the Regional Plan rules relating to clean fill. The proposed definition itself may be better, however the further explanation in the District Plans will be lost for the plan user. (Unless it is put in a guidance note). We also note that the cleanfill definition proposed in the NPS differs from those given MfE’s guidance entitled, ‘*A Guide to the Management of Cleanfills?*’. We consider the definitions in that document more appropriate in this instance.

Definitions standard 3(g) states that diagrams can be included to aid in the interpretation of a definition – Guidance is required on whether this applies only to diagrams included to aid the mandatory definitions, or whether this can also apply to locally defined terms.

We appreciate the ability within the Standards to be able to include definitions that only apply to a subcategory or narrower application of a term defined in the Definitions table. Guidance is required to clarify whether this includes definitions that apply just for certain rules.

Q19. What other definitions should be standardized in the future sets of planning standards?

Future definitions to be standardised should relate to the topics covered in any future standards developed. See the response provided under question 2. The extent of additional standardisation will depend on how prescriptive those standards are. The opportunities for further alignment across definitions will become clearer once the first round of plans are completed under the 2019 Standards.

Q20. Is it appropriate to use NZ Standards as the basis for noise metric and vibration standards?

Yes, this is appropriate, however the definitions from the standards should be included in the Definitions section of the Plan, not just reference to the standard. Ideally, the Plan user would not have to flick between documents. The standards are not all easily accessible and it

would be easier for these definitions to be included in the Plans. The approach to defining these standards is inconsistent with the approach to defining terms from legislation. Clear guidance is needed on the process applicable for updating references to external standards when updated versions are released. This should not require a first schedule process.

Some of our plans reference additional standards, guidance is required on whether these will be able to be retained.

For example the Invercargill City District Plan requires that in some environments, noise sensitive activities are designed to meet internal design sound levels set in AS/NZS2107:200 *Recommended design sound levels and reverberation times for building interiors*.

For vibration in the Rail Network Corridor the Norwegian Standard NZ 8176E: *2nd edition September 2005 Vibration and Shock Measurement of Vibration in Buildings from Land Based Transport and Guidance to Evaluation of its Effects on Human Beings*.

Councils also use:

NZS6807:1994 *Noise Management and Land Use Planning for Helicopter Pads* ,

AS 2670.1-2001 Evaluation of human exposure to whole-body vibration – General requirements,

AS 2670.1-2001 Evaluation of human exposure to whole-body vibration – Continuous and shock induced vibration in buildings (1-80Hz).

While it is considered appropriate to use the NZ Standards we would also request that the implications of requiring these documents to be accessible to plan users. It is our understanding that this would require all Councils to have the standards available for plan users and that we would be required to all pay a subscription fee individually. It would be more efficient if the Ministry for the Environment enabled the standards to be available on their website and the Councils were able to refer to one source for this information.

Q21. *Should the planning standards set noise limits for certain zones?*

We note that the current NZ standard indicates that the noise limits contained within the standard should be used as a base unless there is justification for a more stringent or lenient limit.

The Councils are amendable to this idea in principle provided that there is still the ability for exceptions to the standard allowed to provide recognition for unique localised environments. There may be a case for standard noise provisions along transportation corridors addressing reverse sensitivity.as well as this is an area of commonality across most District Plans. See also our comments under question 2.

Q22. *How will these implementation timeframes affect your Council?*

It is likely that the Councils will be able to meet the required timeframes by setting aside staff time and resources to review and prepare amended documents over the 5-7 years. It is expected that the standards will necessitate changes that range from purely superficial reformatting through to reviewing the basis for particular policy and regulatory frameworks within the plans.

Currently Southland and Gore District Councils are required to have amended their plans to align with the national standards within 5 years of the gazettal of the NPS. The Regional Policy Statement and the Invercargill City District Plan are exempted and provided a 7 year timeframe.

The Southland District Plan decisions were released in October 2014 and several appeals were received on the District Plan. The court effectively placed the appeal process on hold requiring that the higher order Regional Policy Statement appeals were resolved first. This resulted in a substantial delay in resolving the District Plan appeals with the Southland District Plan not being made operative until January 2018 (after the RPS was made operative).

It should be noted that any review of plans would need to be consistent with the higher order policy documents. Therefore the review of the Regional Policy Statement would need to be completed first to ensure that the lower order plans are able to consistent and give effect to the strategic policy direction within that document. **This could have the potential to impact on the ability for regional and district plans to be completed within the required timeframe.**

These standards also provide an opportunity for the local Councils to work collaboratively towards integrating planning documents. **To this end it is requested that the Southland Councils have a consistent timeframe applied to meeting the timeframes.**

This would require the 5 year time frame be extended to 7 years for Southland District Council and Gore District Council. It is considered this would have a positive outcome for our communities and those that use the District Plans across the region.

Q23. *What sort of guidance and support would be useful to plan users and Councils? What guidance should we prioritise?*

The electronic functionality aspects of the standards impose a significant resource requirement on the Councils. **The identification of preferred ePlan platforms, systems and or preferred suppliers by Central Government would enable consistency across Councils and shorten implementation timeframes significantly. In addition centralised support for Council information technology departments would be of considerable benefit to implementation and day to day running of any increased functionality.**

With regard to resourcing, we consider that MfE needs to:

- a. **consult with Councils about their financial and logistical needs in relation to implementation of the National Planning Standards;**
- b. **articulate the nature and extent of the financial and logistical support for implementation of the National Planning Standards prior to their gazettal.**

We are conscious that the support of the Council's information technology staff is essential in meeting the requirements imposed by the standards and would request that there is consideration of how to engage and involve these key staff in the process of preparing the guidance and support in relation to this topic. We consider that the development of a nationally-consistent ePlanning solution would save duplication of work and increase standardization.

In addition to the support and guidance outlined above working examples of how the plans are to look in practice and how the changes work in the practical sense of writing

applications and reports would be useful. Alongside having staff available to help with questions on the application of the standards.

With regard to Plan Effectiveness Monitoring we are interested in how MfE proposes to follow up on the implementation of the National Planning Standards and how these changes will impact on plan effectiveness monitoring report requirements. **It would be helpful for any guidance to address these matters once the standards have been confirmed.**

Please also see comments we have made throughout this document for additional specific guidance requested.

Q24. *Should MfE target its implementation support to smaller Councils with fewer resources?*

Assistance for smaller Councils would be sensible. Recruiting staff into planning policy positions can be difficult in smaller centres and this is an additional piece of work to be completed on a planning document that may have recently been reviewed. With the raft of other planning work to be completed, this is another requirement that will put pressure on small offices.

Once again, thank you for the opportunity to submit on the first set of draft National Planning Standards. Staff from the joint Southland Council working group are available to meet, discuss or provide further clarification on the contents of this submission. We are also available to assist the Ministry to work through any further changes that may be developed prior to gazettal in April 2019. Please feel free to contact me on [REDACTED] or via email at [REDACTED] as necessary.

Yours faithfully

Rebecca Blyth – Senior Policy Planner

On behalf of Gore District Council, Invercargill City Council, Southland District Council and Environment Southland