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**Central Hawkes Bay District Council Submission to the Ministry for the Environment on the Draft National Planning Standards**

**Introduction:**

- 1.1 Central Hawke's Bay District Council welcomes the opportunity to provide feedback on the draft National Planning Standards. We appreciate that you have extended the timeframe for submissions so that we were able to brief our Councillors on this feedback.
- 1.2 Central Hawke's Bay District Council agrees with and supports the comments made in the submission from LGNZ on the National Planning Standards.
- 1.3 In principle we are in support of the National Planning Standards and understand what MfE is trying to achieve through the publication and enforcement of these standards. However, we believe that these standards will cause undue cost and delays to our District Plan process as well as uncertainty for our development community.
- 1.4 We welcome feedback from you on our submission and look forward to working with you in the future as the draft NPS progresses.

**Cost:**

- 2.1 The scope of changes proposed in the draft NPS suggest that a significant re-write of the Council's District Plan will be required to implement the final gazetted format and structure changes. The cost associated with introducing these new standards into the Plan will be considerable and in the situation of Central Hawkes Bay District Council, will occur in the period immediately following the adoption of the current review of the Operative Plan District Plan if the period for introducing the standards remains at five years.
- 2.2 The burden on Council of funding the introduction of the planning standards in the period immediately following the review of the District Plan is a significant one to impose on a small local authority with a limited funding base.
- 2.2 The draft NPS have come at a time when Councils have just completed their most recent Long Term Plans, therefore we have not been able to plan for our future spend for any projects that we are required to complete as part of the NPS.

- 2.3 While it is understood why the NPS strives for uniformity amongst Council's in their plans, this does make it harder for smaller Council's to keep up with our bigger peers. We do not have the technical capacity within our teams that bigger Council's will have to undertake projects such as the e-plan, so will be required to go out to consultants, increasing the cost for us to have the same level of standard as all other Council's.
- 2.4 We note that the Ministry may consider providing a contestable fund to support local authorities with a smaller rating base by providing policy planners to travel to local authority's offices to incorporate the standards into plans.

While the proposed approach is supported in regard to assisting local authorities with the introduction of standards we have concerns around the efficiency of an MfE appointed policy planner who is not familiar with either the Plan or the community introducing the standards.

We believe it would be more efficient for the Ministry to offer support to local authorities in the form of a financial fund so that the local authority has the choice to engage consultants who are familiar with the Plan and the community to introduce the standards. The provision of direct funding is considered to be a more practical and effective option than MfE appointed staff to incorporate the standards into the Plan.

- 2.5 We know that you cannot tell the future, and things often do not change overnight with a change of Government, but as the current Government is looking to roll back some of the recent RMA amendments, could this happen with the NPS? We are hesitant to invest money into processes that may change again in 2 years' time.

#### **Delays to our District Plan:**

- 3.1 You have requested that we provide some feedback on the timing of introducing the standards into the District Plan. This matter has been discussed with the elected members and they agree that the most sensible option is to continue with the review of the District Plan and introduce the standards to the Operative Plan.
- 3.2 This option is considered to be the most cost effective and least confusing for the Central Hawkes Bay community in that they will be familiar with the current format and structure of the Plan throughout the complete review process.
- 3.3 However, given that the Council is in the process of reviewing the District Plan at this time and will be during the introduction and implementation period of the standards we request that Central Hawkes Bay be given an exemption to introduce the changes within a seven year period rather than the mandatory five years provided by the standards. An extension to seven years will provide some financial respite for the Council after meeting the costs incurred in reviewing the Plan.
- 3.4 Alternatively the Council request that the introduction of the standards is extended to ten years to align with the statutory review of plans under the RMA.

## **E-Plan:**

- 4.1 We support the move towards a uniform e-plan standard for all Council's to follow and agree that this will provide for a much more streamlined and easier to understand planning process for all users. However, we believe that there is a risk that streamlining and simplifying District Plans will strip the plans of their 'local' flavour and also dumb down the planning profession.
- 4.2 As discussed above in Section 2, the cost to us as a small Council to employ, create, integrate and maintain an e-plan could be prohibitive. We do not know what the costs are yet, as only a few Councils have undertaken this project. It would be appreciated if there was some guidance from MfE on what an appropriate amount to spend on this project would be, and if it is mandatory, some financial assistance from MfE is needed.
- 4.3 We would appreciate an agreed list of service providers for E-plans, or an approved service provider from MfE. This will ensure that all Council's know that the standard of E-plan they are implementing is correct and will be approved by the NPS. This may also help us in planning the implementation of the E-plan, as we are sure there will be many demands on the few E-plan providers in the short timeframe required to implement.

## **Specifics:**

- 5.1 Zoning: As with the comments from Hastings DC, we are concerned that the Rural Zone and Rural Production Zone are not differentiated enough. Our District Plan review is placing an emphasis on protecting our rural production land, we agree with Hastings that the lack of detail in those zones may cause issues in the longer term. We are concerned that the Rural Production Zone is rural productive LAND as well as rural INDUSTRY production.
- 5.2 Definitions:
  - 'Commercial activity' is very vague; does it include office space that supports the trading of goods, equipment or services? Does it include the manufacturing of these goods, if the trading of goods also happens on the site? Does it include retail?
  - 'Coverage': does this include decks? Decks are not covered by any of the definitions.
  - 'Educational facility': what does 'suitably qualified' instructor mean? Who determines what pre-set syllabus is appropriate to include in an educational facility. How often is 'regular teaching'?
  - 'Footprint': how will this definition help in stopping "mushroom" type buildings, whereby the footprint on the ground is small, but the first floor and above protrudes out, thwarting the point of the rule to minimise footprints.
  - 'Ground level': Point (c) is very confusing. Can this be accompanied by a diagram?
  - 'Habitable room': can this include office, as often we see people putting offices on floor plans that have a wardrobe and will clearly be used as a bedroom.
  - 'Land disturbance': does this include scraping?

**Conclusions:**

- 6.1 Central Hawkes Bay District Council is concerned with the timeframes relating to the introduction of the standards and requests that it wither be granted an extension of seven years to introduce the standards or alternatively 10 years to align with the plan review process.
- 6.2 The offer of a contestable fund from the Ministry to provide resources to assist councils with a small rating base to introduce the standards is appreciated and welcomed. It is requested however, that the fund provide a financial grant rather than the provision of personal to introduce the changes.
- 6.3 Council has concerns relating to the cost of introducing the standards, including the cost of the eplan and requests that the Ministry give serious regard to the submission made by LGNZ in relating to this matter.

Once again thank you for the opportunity to make a submission on the NPS and to submit it at the end of August. If you have any queries on the content of this submission please contact either Helen O'Shaughnessy or Alison Francis for clarification.

Yours sincerely



Monique Davidson  
**Chief Executive**