

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

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Submitter type*	Individual	<input type="checkbox"/>
	NGO	<input type="checkbox"/>
	Business / Industry	<input checked="" type="checkbox"/>
	Local government	<input type="checkbox"/>
	Central government	<input type="checkbox"/>
	Iwi	<input type="checkbox"/>
	Other (please specify)	<input type="checkbox"/>

[Click here to enter text.](#)

* 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

In principle, Ravensdown Limited (Ravensdown) supports the intent of the National Planning Standards as a means of achieving national consistency in planning approaches and use of commonly used terminology. However, as detailed in this submission, Ravensdown suggests some amendments to the proposed wording of a number of Definitions (CM-1).

About Ravensdown

Ravensdown exists to enable smarter farming for a better New Zealand. As a farmer-owned co-operative, Ravensdown's products, expertise and technology help farmers reduce environmental impacts and optimise value from the land. Ravensdown is an integral part of the food creation process, whether the food is grown for livestock or for humans. Ravensdown is a science-focused organisation delivering quality agri-products, technologies and services. Ravensdown operates a network of fertiliser bulk stores, quarries and three superphosphate manufacturing plants throughout New Zealand.

Ravensdown takes an interest in a wide range of resource management matters that relate to rural and industrial activities and participates in planning processes at the national and regional level through preparing submissions on regulatory, policy and plan mechanisms prepared under the Resource Management Act 1991. Ravensdown recognises the need for the environmental impacts of farming and its industrial activities to be mitigated and is supportive of an effects-based approach. However, it is important that farmers' ability to operate is protected and they retain the opportunity to innovate and to run farm businesses that are productive, sustainable and profitable. This approach also applies to Ravensdown's stores, quarries and manufacturing sites.

In particular Ravensdown participates in planning processes to ensure policies and regulations incorporated into plans, or other planning mechanisms, seek and find an optimal balance between any necessary controls on farming activities, and the use of the products and systems developed to assist with sustainability, growth and production in the rural sector. The balance is ultimately necessary for the economic and social wellbeing of the rural community and New Zealand generally.

18. CM-1: Definitions standard

Ravensdown supports the drafting principles for definitions, as set out on p23 of the National Planning Standards Consultation Document. Ravensdown particularly supports the principle of referencing definitions already defined in existing legislation or statutes and deemed fit for purpose.

However, Ravensdown considers that amendments to some definitions, as suggested below, are necessary in order to better meet the drafting principles.

The definitions listed below, as currently provided in the Draft First Set of National Planning Standards, are all opposed by Ravensdown. The reasons for Ravensdown's opposition and amendment sought through this submission are also outlined below.

a. Cleanfill

The draft definition refers to the area for disposal, rather than the cleanfill material itself.

Ravensdown considers that clarification of this definition is required. If the definition relates to the cleanfill material, then the definition requires amendment, however if the definition is intended to relate to the disposal area then the defined term should be amended to 'cleanfill disposal area'.

Current regional plan definitions of cleanfill material vary (eg Auckland Unitary Plan, Canterbury Land and Water Regional Plan). Ravensdown does not have a strong preference on wording for cleanfill material and seeks only for the distinction to be

made between 'cleanfill disposal area' and 'cleanfill material' to be made in the National Planning Standards definition.

b. Drinking Water

The draft definition is based on but does not reflect verbatim the Drinking-water Standards for New Zealand 2005 (Revised 2008) (DWSNZ). Ravensdown suggests that the definition be amended to reflect verbatim the DWSNZ definition and a reference to the DWSNZ included:

“Drinking Water has the same meaning as defined in the Drinking Water Standards for New Zealand 2005 (Revised 2008) (as set out in the box below)

Water intended to be used for human consumption, food preparation, utensil washing, oral hygiene or personal hygiene.”

c. Fertiliser

The draft definition is not consistent with a description of fertiliser products which provide essential elements for plant growth (and indirectly for animals). As currently written, water could be classified as a fertiliser because it is a substance that supports or sustains the growth, productivity or quality of plants. It is also inconsistent with the drafting principles for definitions in that it does not reflect an existing statute definition contained in the Agricultural Compounds and Veterinary Medicines (Exemptions and Prohibited Substances) Regulations 2011 (ACVM Regulations) that Ravensdown considers is fit for purpose. While the ACVM Regulations are currently under review, in the absence of the outcome of that review Ravensdown considers that the current ACVM Regulations definition is appropriate and recommends that the following definition for fertiliser is adopted in the National Planning Standards:

“Fertiliser has the same meaning as defined in the Agricultural Compounds and Veterinary Medicines (Exemptions and Prohibited Substances) Regulations 2011 (as set out in the box below)

A substance or biological compound or mix of substances or biological compounds that is described as, or held to be for, or suitable for, sustaining or increasing the growth, productivity, or quality of plants or, indirectly, animals through the application to plants or soil of –

- 1) nitrogen, phosphorus, potassium, sulphur, magnesium, calcium, chlorine, and sodium as major nutrients; or
- 2) manganese, iron, zinc, copper, boron, cobalt, molybdenum, iodine, and selenium as minor nutrients; or
- 3) fertiliser additives; and
- 4) includes non-nutrient attributes of the materials used in fertiliser;

It does not include substances that are plant growth regulators that modify physiological functions of plants.”

d. Height (both definitions)

From a user perspective, the draft definitions of height are confusing. One of the criteria for definitions to be included in the National Planning Standards is that the term is common to both district and regional plans. It is therefore illogical to include separate definitions for the same term, depending on whether the term is used in a

district or regional plan. Ravensdown suggests that if a singular definition for height cannot be agreed then the term should be removed from the National Planning Standards.

e. **Intensive Primary Production**

Ravensdown understands that the definition of intensive primary production is intended to capture those indoor primary production activities that have the potential to cause odour effects and are therefore typically controlled to some degree in statutory planning documents.

In its current form, the definition does not accord with the drafting principles because it includes subjective language (eg principally occurs within buildings). If use of the term 'principally' is intended to capture free-range poultry or pig farming, then further clarity in the definition is warranted.

Ravensdown considers that the definition should extend to include only those primary production activities that take place entirely indoors, in order to confusion with primary production activities that have a mix of indoor and outdoor requirements (eg free-range poultry, animal feed pads).

f. **Reverse Sensitivity**

Ravensdown considers that the definition of reverse sensitivity requires a minor correction so that the final three words read 'the existing activity' rather than 'an existing activity'. This amendment will clarify that the reference to the existing activity is linked to the same activity referred to in the first line, and not any other existing activity. The amended definition would read:

"means the potential for the operation of an existing lawfully established activity to be compromised, constrained, or curtailed by the establishment or alteration of another activity which may be sensitive to the actual, potential or perceived adverse environmental effects generated by the existing activity."

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.

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