

Proposed National Planning Standard	Support / Oppose / Neutral	Council response
<ul style="list-style-type: none"> • Coastal environment • Landscape, landforms and natural character • Ecosystem and indigenous biodiversity • Environmental risk • Historic heritage • Infrastructure and energy • Land • Water • Special topics 	Oppose	<p>are unclear as to whether it is only those issues raised in the Issues and Objectives chapter that are expected to have a themed chapter.</p> <p>The Part 4 chapter Themes state that if the subject matter is addressed in the regional plan, then it must be included in a 'separate' chapter on that subject. However, the Standard 3 provides for the theme chapter headings to be parts or sub-headings. The Standard 3, and the Standard for Theme chapter titles, seem to be inconsistent.</p> <p>We seek that Standard 3 overrides the text in the Part 4 Theme chapters, to provide flexibility for smaller councils who do not have, or want, separate chapters for all the listed themes.</p> <p>Alternative, we seek that the explanation in Table 3 for each of the theme chapters be amended to refer to Standard 3.</p>
<p>Table 4: Part 4: Theme chapters Coastal Environment</p>	Oppose	<p>The coastal environment chapter will create substantial work for us to implement because it means that we will have to either duplicate conditions from the operative Land and Water Plan rules into the proposed Coastal Plan which may require a Schedule 1 variation as the Coastal Plan presently only applies to the coastal marine area (CMA). Alternatively, when the regional plans are merged in the future, the Coastal Plan and some Land and Water Plan provisions would need to be combined into the Coastal Environment chapter. This latter option could also need a Schedule 1 public notification process. We do not have a set timeframe for merging our regional plans, it will be fitted around implementing the other Standard's and national policy statements.</p> <p>We request that the Standard allows for either a coastal environment chapter or a coastal marine area chapter.</p>
<p>Table 4: Part 4: Theme chapters Landscape, landforms & natural character Ecosystem & indigenous biodiversity Environmental risk Historic heritage Infrastructure and energy</p>	Oppose	<p>We strongly oppose the requirement as worded in Part 4 Themes which requires that if a council addresses matters on any of the themes listed in Table 4, the provisions must be included in a chapter on that theme. This means that we will need separate chapters for the matters listed in the left column of this submission point. However, this is inconsistent with Standard 3 for regional plan structure, which provides for the themes to be used as part or section headings, not just chapter headings. Having separate chapters for these theme provisions is inefficient where there are only a small number of policies, and conditions on rules, for each theme. Standard 3 provides the ability to</p>

Proposed National Planning Standard	Support / Oppose / Neutral	Council response
		<p>include, for example, the small number of landscape, natural character, ecosystem, indigenous biodiversity, heritage, and infrastructure provisions in a Special Topic chapter using these theme titles as section sub-headings. This is a much more streamlined approach.</p> <p>In our current Land and Water, and Coastal Plans, there are natural values, heritage and infrastructure objectives and policies all in one chapter titled “Natural and Human Use Values”. We have very few rules specifically on these matters, so the objectives and policies in this chapter apply to all the other theme chapters in the Regional Plan. The structure of regional plan theme chapters does not necessarily have to copy the RPS, and in some cases it is not appropriate. For situations like ours, the “Natural and Human Use Values” chapter in our Regional Land and Water, and Coastal Plans could be made into a Special Topic chapter, to avoid duplicating its provisions in several theme chapters. To do this, the explanatory text for the Special Topic theme in the Standards needs to be amended.</p> <p>We request that flexibility be provided in the Standard for Special Topic chapters to allow for situations where there are only a small number of provisions on themes which can be combined into a Special Topic chapter, using the theme titles as sub-headings.</p>
S-IGP: Introduction and General Provisions Standard		
<p>Standard 4c If the following matters are addressed in the policy statement/plan, they must be included in the <i>Introduction</i> section: c. local strategic scene setting</p>	Neutral	It is unclear what “local strategic scene setting” means. This should be clarified.
<p>Standards 4, 5 and 11 4. If the following matters are addressed in the policy statement/plan, they must be included in the <i>Purpose</i> section: ... 5. If the following matters are addressed in the policy statement/plan, they must be included in the <i>Region and its Resources, or Description of Region</i></p>	Strongly support	The option to include the matters listed as chapters in the Introduction, or to not include them, is strongly supported. This will enable councils to include information in the Introduction, or not, as appropriate for the region.

Proposed National Planning Standard	Support / Oppose / Neutral	Council response
<p><i>or Description of the District</i> (as relevant for the policy statement or plan) section: ...</p> <p>11. Local authorities must consider whether other sections should also be included in this chapter.</p>		
<p>Standards 7 – 10</p> <p>7. If the following matters are to be addressed in the policy statement/plan, they must be located in the <i>Statutory Context</i> section: (a-c)...</p> <p>8. If the following matters are to be addressed in the policy statement/plan, they must be located in the <i>General approach</i> section: (a-f)...</p> <p>9. If the following matters are to be addressed in the policy statement/plan, they must be located in the <i>Cross boundary issues</i> section: (a-b)...</p> <p>10. If the following matters are to be addressed in the plan, they must be located in the <i>Legal effect of rules</i> section: (a-c)...</p>	Neutral	If a council wants to include in their RPS or regional plan one of the clauses from Standards 7-10, for example 7a, do all of the clauses under Standard 7 have to be included? If not, the flexibility to include or not include all of the clauses in these Standards is supported.
<p>Standard 22</p> <p>22. All policy statements and plans must include a national direction instruments chapter as set out in Table 13: National direction instruments below.</p>	Strongly oppose	We are not convinced that including, in all RPS's and plans, a list of national direction instruments and how they are being given effect to, will add value to planning documents. Such a list may become extremely lengthy, especially in merged plans, and this seems to go against the simplifying and streamlining principle of previous RMA amendments. Most councils will have undertaken a process to review and give effect to the various NES and NPS's, and kept an internal record of this. Councils can make such information available on request. The NPSFM requires councils to provide implementation analysis to MFE, and make this publically available, so requiring the information to be included in planning documents would be duplicating publication of this information. National policies and standards are reviewed and changed by central government, which could create further work for councils to list implementation of the changed national policies in RPS's and plans. The

Proposed National Planning Standard	Support / Oppose / Neutral	Council response
F-1: Electronic Accessibility and Functionality Standard		
Table 18: Standards 1 – 16	Support	<p>We generally support these Standards, most of them are straightforward and already met in our current electronic copies of Regional Plans on our website. Those Standards not yet implemented will not take a significant amount of time for staff to meet. This will pull all those layers and overlays onto one set of maps, and this will give full information to lay people who want to see what applies to their land or a site of interest.</p> <p>At some time in the future we will be looking at combining our regional plans into one document, but this won't be happening within 12 months of gazettal of the Standards. In relation to Standard 16, is there a timeframe to be applied to plans that are merged in the future? Our preference would be to have no timeframe.</p>
F-2: Mapping Standard		
Standard 4 When the District Plan Structure (S-DP), Regional Plan Structure (S-RP) and/or Combined Plan Structure (S-CP) Standards are adopted, the symbols provided in Table 22 below must be applied in maps and ePlans when required.	Neutral	We seek confirmation that the symbols in Table 22 are only required to be included in plans if the features represented by the symbols are provided in plans, for example noise contours, and the coastal environment. If so, a statement should be included in Standard 4 to make this explicit.
F-5: Chapter Form Standard		
Table 26: Rule Table	Neutral	Currently all of our regional plan rules sections are not structured in the table format proposed in this Standard. While we are not opposed to changing the structure of the rules to make them easier for Plan users to follow, we want to make you aware that implementing this Standard may take considerable work.
F-6: Status of Rules and Other Text and Numbering Form Standard		
Table 28: Numbering table		We request that there be options with using the abbreviated codes for chapters, to allow for the changes we have requested earlier in our submission on the chapter themes.
CM-1: Definitions Standard		
Numerous definitions from the RMA are included in the Standards.	Oppose	Some of the definitions within the definitions Standards are the same terms as in the RMA, and we think there is little value in duplicating these in RPS's and plans. The Hearing Panel for the proposed

Proposed National Planning Standard	Support / Oppose / Neutral	Council response
		<p>West Coast RPS (which included independent commissioners with considerable planning experience) recommended removing definitions in the RPS Glossary that are repeated directly from the RMA as they “<i>serve no useful purpose and amounts to unnecessary duplication</i>”. Staff agree with the Hearing Panel recommendation.</p> <p>We request that any RMA definition be removed from the Standards definitions.</p>
<p>Bore: a) means any hole constructed into the ground that is used to— (i) investigate or monitor conditions below the ground surface; or (ii) abstract liquid substances from the ground; or (iii) discharge liquid substances into the ground; but (b) it does not include test pits and soak holes</p>	Partly oppose	<p>It is unclear what is actually covered in this definition. The term “bore” is used in our Regional Land and Water Plan for groundwater bores and pumping tests. However, clause (i) could capture drilling of a rock core sample, or drilling for geotechnical testing. Effects of “bores” and “drilling” can be different, and it would potentially mean changes to our permitted groundwater takes and earthworks rules if we have to include the proposed definition in the Plan as it is currently worded. Drilling is addressed in our Plan under earthworks rules. To avoid confusion, the Standards definition should be clarified to state that it applies to water bores. The confusion could also be avoided by adding a maximum bore size to avoid drilling being classed as a bore. Drilling a water bore and drilling for other purposes have the same initial process, so it is unclear from this definition when it goes from being a bore to being a drill hole.</p> <p>It is also unclear whether “test pits” includes pump tests, the latter is different to test pits. Pump tests check for the groundwater pressure when investigating drilling for a water bore. Test pits are generally open pits used to investigate ground conditions such as soakage or mineral availability or to form an infiltration gallery.</p> <p>We request that the definition is either removed from the Standards, or clarified.</p>
<p>Cleanfill means an area used for the disposal of exclusively inert, non-decomposing material</p>	Oppose	<p>This definition refers to an area rather than the types of materials that can be classed as cleanfill, which does not provide guidance for our consents staff. Our L&WP defines cleanfill in terms of the materials that can be buried, and is copied from the MFE website definition, with an additional clause (f):</p> <p><i>Cleanfill is 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:</i></p>

Proposed National Planning Standard	Support / Oppose / Neutral	Council response
		<p>(a) Combustible, putrescible, degradable or leachable components (b) Hazardous substances (c) Products or materials derived from hazardous waste treatment, hazardous waste stabilisation or hazardous waste disposal practices (d) Materials that may present a risk to human or animal health such a medical or veterinary waste, asbestos or radioactive substances (e) Liquid waste (f) Protruding reinforcing, any reinforcing must be cut off from the concrete face</p> <p>The MFE website also defines cleanfill as “any landfill that accepts only cleanfill material as defined above”. However, cleanfill is not only disposed of at landfill, it is often buried on building sites to replace boggy soils to provide a stronger, more stable foundation for buildings.</p> <p>We request that the Standards definition of cleanfill be amended as follows :</p> <p>Cleanfill means an area used for the <u>burial or</u> disposal of <u>only cleanfill material as defined above.</u> exclusively inert, non decomposing material</p> <p>We also request that Councils are able to use their definition of “cleanfill material” to provide guidance on what materials comprise cleanfill, as it is managed as a discharge to land by regional councils under section 15 of the RMA.</p>
<p>Drain means any artificial watercourse, open or piped, that is designed and constructed, or used, for the purpose of the drainage of surface or subsurface water.</p>	<p>Oppose</p>	<p>The proposed Standards definition is different to the WCRC definition in our Land and Water Plan:</p> <p>Drain refers to an artificial channel or subsurface conduit (e.g. mole drain, tile drain or drainage tunnel, or roadside swale) constructed for the purpose of:</p> <ul style="list-style-type: none"> • Collecting and diverting surface runoff, but also includes water collected from sealed surfaces with no associated reticulated stormwater system such as roadside swales and concrete dish swales, or • Intercepting groundwater in order to lower the water table or divert water (excluding a water race), and directing it to a receiving water body. • The channel must not incorporate the bed of an existing river or creek, or the water from the bed of an existing river or creek. The hollows of humped and hollowed land are considered drains.

Proposed National Planning Standard	Support / Oppose / Neutral	Council response
		<p>While the first bullet point of our Plan definition is similar to the Standards definition, the third point is not covered. This matter is in our Plan definition as we have had, and occasionally do still have, problems about differentiating between drains and waterbodies. Drains can often be permanently flowing due to the amount of rain on the West Coast.</p> <p>As Standards 3(c) and (d) in the Definitions section do not allow councils to have minor variations of the proposed definitions to reflect local circumstances, the third bullet point would be relegated to non-regulatory good practice guidance which could potentially create more work and costs for our Council. Consents and compliance staff may have to spend more time explaining or justifying non-compliance decisions on drains that intercept groundwater or are constructed in river beds. Enforcement action on such non-compliance with the (repealed) Plan definition could also be difficult to undertake as the non-regulatory definitions would not hold much weight in the Environment Court. This could potentially result in outcomes that are contrary to Section 6 protection requirements, where drains taking groundwater or located in a riverbed remove water away from significant wetlands, threatening their existence.</p> <p>If the proposed definition of “drain” is gazetted unchanged, some of the Rules in our Land and Water Plan may need changing under the proposed Standards definition. For example, Rule 79(b)(v) for on-site sewage effluent discharges to land does not permit discharges to be within 20m of a drain. Since the Standards definition of a ‘drain’ includes a piped drain, a sewage effluent discharge would not adversely affect the quality of the water within a piped drain. This means condition (b)(v) will need amending to exclude piped drains. So we question why the definition includes “piped” drains. This may also become an issue if other legislation requires drains to be fenced, as it would not be appropriate or necessary for a piped drain to be fenced.</p> <p>Furthermore, the definition of “water” under Section 2 of the RMA does not include water in any form while in any pipe. The purpose of a drain is to remove water from an area. So if water within a pipe is not considered to be “water” under the RMA definition, then water within a pipe which acts as a drain cannot be considered “water” under this definition.</p> <p>We seek that the definition be either removed from the Standards, or the words “<i>or piped</i>” be removed from the definition.</p>

Proposed National Planning Standard	Support / Oppose / Neutral	Council response
<p>Earthworks Means any land disturbance that changes the existing ground contour or ground level.</p> <p>Land disturbance means the alteration to land, including by moving, cutting, placing, filling or excavation of soil, cleanfill, earth or substrate land.</p>	Strongly oppose	<p>Our Land and Water Plan defines earthworks as <i>“the disturbance of soil or earth by any means including excavation (including subsurface), tunnelling, drilling, infilling, land rehabilitation or restoration, stockpiling, dumping of soil or sand, and the construction / reconstruction of any track, embankment, or drainage channel. “...</i></p> <p>Some earthworks activities do not change the ground contour, such as tunnelling for an underground mine, drilling, or where material is removed and refilled. These activities could have the effect of altering the soil profile and hydrology, so they need to be done in accordance with permitted rule conditions, or by resource consent conditions. If the proposed Standards definition is gazetted as currently worded, such earthworks would not have to meet permitted rule or consent conditions, and could result in adverse environmental effects that are not managed.</p> <p>While the Standards definition for land disturbance covers some types of earthworks activities in our Plan definition, it does not include drilling which generally does not alter land. There seems to be little benefit from having separate definitions for both “earthworks” and “land disturbance”, and the Section 32 Report does not provide the detail to justify this.</p> <p>As Standards 3(c) and (d) in the Definitions section do not allow councils to have variations of the proposed definitions to reflect local circumstances, the second and third bullet points would be relegated to non-regulatory good practice guidance which could potentially create more work and costs for our Council. Consents and compliance staff may have to spend more time explaining or justifying non-compliance decisions on earthworks that retains the ground contour but adversely affects the hydrology. Enforcement action on such non-compliance with the (repealed) Plan definition could also be difficult to undertake as the non-regulatory definitions would not hold much weight in the Environment Court. This could potentially result in outcomes that are contrary to Section 6 protection requirements, for example, where hydrology which maintains significant wetlands is disrupted.</p> <p>Earthworks is one of the most common resource management activities in the West Coast region. Significant revision of our Land and Water Plan may be required if the proposed definition is not changed to ensure that it applies to other types of disturbance.</p>

Proposed National Planning Standard	Support / Oppose / Neutral	Council response
		We request that the land disturbance and earthworks definition be combined, and either be amended to include subsurface earthworks that are referred to in our Plan definition, or remove the earthworks definition from the Standards.
<p>Infrastructure</p> <p>(a) pipelines that distribute or transmit natural or manufactured gas, petroleum, biofuel, or geothermal energy:</p> <p>(b) a network for the purpose of telecommunication as defined in section 5 of the Telecommunications Act 2001:</p> <p>(c) a network for the purpose of radiocommunication as defined in section 2(1) of the Radiocommunications Act 1989:</p> <p>(d) facilities for the generation of electricity, lines used or intended to be used to convey electricity, and support structures for lines used or intended to be used to convey electricity, excluding facilities, lines, and support structures if a person—</p> <p style="padding-left: 40px;">(i) uses them in connection with the generation of electricity for the person’s use; and</p> <p style="padding-left: 40px;">(ii) does not use them to generate any electricity for supply to any other person:</p> <p>(e) a water supply distribution system, including a system for irrigation:</p> <p>(f) a drainage or sewerage system:</p>	Strongly oppose	<p>Our Regional Policy Statement, and Regional Plans have a definition of Regionally Significant Infrastructure (RSI), which generally includes the types of infrastructure listed in the proposed definition, as well as the Regional Council flood protection structures. Our Plan definition has different detail to the proposed Standard, which is relevant to the infrastructure in our region, as it is critically important for the West Coast’s economic and social wellbeing. Given our remoteness, this infrastructure needs to be protected from being adversely affected by other activities that constrain the efficiency and effectiveness of the infrastructure’s operation. Our Plan definition therefore elevates the listed infrastructure to being regionally significant, and does not include all infrastructure. If the Standards definition is gazetted as currently worded, our RSI loses its significance status, along with the important role that the Council’s flood protection structures have in protecting communities from natural hazards. This is inconsistent with the National Policy Statements for Electricity Transmission and Renewable Electricity Generation, as well as Section 6(h) for managing significant natural hazard risk.</p> <p>The Definitions Standards 3(b) does not allow a similar term to be used in RPS’s and plans, and it is unclear whether Standard 3(c), which allows definitions that “...only apply to a subcategory or narrower application of a term”.... would allow us to keep our RSI definition. If not, substantial changes will be needed to our RSI chapter in the proposed RPS which is due to have Decisions released shortly, as well as changes to the RSI provisions in our Land and Water Plan.</p> <p>Regional Land and Water Plan Glossary Regionally significant infrastructure means:</p> <p>i) facilities for the generation of more than 1 MW of electricity and its supporting infrastructure where the electricity generated is supplied to the electricity distribution and transmission networks;</p> <p>ii) the National Grid and electricity distribution and transmission networks defined as the system of transmission lines, sub transmission and distribution feeders and all associated substations and other works to convey electricity;</p> <p>iii) pipelines and gas facilities used for the transmission and distribution of natural and manufactured gas;</p>

Proposed National Planning Standard	Support / Oppose / Neutral	Council response
<p>(g) structures for transport on land by cycleways, rail, roads, walkways, or any other means:</p> <p>(h) facilities for the loading or unloading of cargo or passengers transported on land by any means:</p> <p>(i) an airport as defined in section 2 of the Airport Authorities Act 1966:</p> <p>(j) a navigation installation as defined in section 2 of the Civil Aviation Act 1990:</p> <p>(k) facilities for the loading or unloading of cargo or passengers carried by sea, including a port related commercial undertaking as defined in section 2(1) of the Port Companies Act 1988:</p> <p>(l) anything described as a network utility operation in regulations made for the purposes of the definition of network utility operator in section 166.</p>		<p>iv) the road and rail networks as mapped in the Regional Land Transport Strategy;</p> <p>v) the Westport, Greymouth, and Hokitika airports;</p> <p>vi) the Regional Council stopbanks;</p> <p>vii) telecommunications and radio communications facilities;</p> <p>viii) public or community sewage treatment plants and associated reticulation and disposal systems;</p> <p>ix) public water supply intakes, treatment plants and distribution systems;</p> <p>x) public or community drainage systems, including stormwater systems; and</p> <p>xi) the ports of Westport and Greymouth.</p> <p>We request that either the Standards definition be made optional for councils to include in RPS's and plans, or remove it from the Standards.</p>
<p>Quarry means an area of land where the excavation, with or without the processing, of minerals and other solid natural substances occurs.</p>	Oppose	<p>The terms "excavation" and "minerals" in the proposed definition would capture alluvial and black sand mining. This is not appropriate as these activities are not quarrying.</p> <p>We request that the definition for "quarry" be removed from the Standards, or the definition is amended to avoid it capturing mining.</p>
<p>Reclamation Means the infilling of any part of a waterbody, bed of lake or river or part of waterbody or coastal marine area, to create permanent land, and includes any embankment or causeway, but does not include beach</p>	Oppose	<p>This definition as currently worded could capture rock protection structures under Rule 28 in our L&WP. This should not be the intent of the reclamation definition; we understand that the common purpose of reclamation is to create an area of land that can be used for land-based activities. In contrast, the purpose of rock protection structures is to protect adjoining land from the adverse effects of flooding or erosion. Such structures do not reclaim land at all.</p>

Proposed National Planning Standard	Support / Oppose / Neutral	Council response
re-nourishment or any deposition of material or infilling that is not permanent.		We request that the definition be amended to exclude hazard protection works.
<p>Small scale renewable electricity generation Means renewable electricity generation which does not exceed a power rating of 20kW</p>	Oppose	<p>The Standards definition is problematic for us to implement. Although our Land and Water Plan doesn't have a definition for small-scale renewable electricity generation, our Rule 41 for water take and use or diversion for small scale hydro electricity generation permits takes up to 200 litres per second, along with other conditions. This is appropriate in a region that has plentiful water resources and sloping land. Limiting the water take and other aspects of the generation, rather than the amount of kilowatts produced, is a more effects-based approach. We understand that the amount of electricity produced from small-scale hydro generation varies considerably depending on the volume of water used, the head (height/distance that the water drops), the steepness of slope and size of pipe, amongst other things. Such variation makes it difficult to attribute a kilowatt limit to small scale operations. For example, a take of 200L/second with a 15 metre long head would generate approximately 20kW. On the West Coast, we have various takes of 125L/sec with a 36 metre head, 100L/sec with a 100m head, and 20L/sec with a 600m head occurring. Another generation activity in South Westland generates 22kW, making the 20kw limit arbitrary. Anything over this may unnecessarily require a resource consent. Small-scale hydro electricity generation mostly diverts the water back into the creek or river after use, and is a small-footprint, low impact activity that is encouraged in this region.</p> <p>We request that the definition be removed from the Standards.</p>
<p>Stormwater means water from natural precipitation (including any contaminants it contains) that flows over land or structures (including a network), to a waterbody or the coastal marine area.</p>	Partly oppose	<p>The proposed definition includes contaminants in stormwater, which could be interpreted as allowing contaminants in stormwater. Our Plan definitions do not have the term "contaminants" in them so that they do not give a misleading impression that this is permitted. We are unsure why "contaminant" is included in the Standards definition; the Section 32 Report and the Guidance Document do not explain this. The Standards definition could inadvertently allow stormwater to be directed over a contaminated site as a permitted activity under our Plan rules, making the water contaminated. If the proposed definition becomes gazetted as currently worded, this will potentially mean that we would have to change our stormwater rules.</p> <p>We seek that the wording "(including any contaminants it contains)" be deleted.</p>

Your submission to Draft first set of National Planning Standards

Roderick Aldridge, **Roderick Francis David Aldridge**



Reference no: 48

Clause

Overarching comment

Notes

I agree with the purpose of the Draft first set of National Planning Standards "The planning standards are intended to improve consistency in plan and policy statement structure, format and content so they are easier to prepare, understand, compare and comply with. The standards are also intended to reduce the complexity and cost of creating plans and policy statements, and make plans and policy statements more user friendly." My main concerns are that the standards should be as simple and flexible as possible, that the standards should not prevent change to adapt to changing circumstances, and that Open Standards be used throughout. Open Standards are necessary to ensure that data can be gathered, accessed, exchanged, and compared consistently for all purposes. In particular it is necessary for the best use to be made of the data for purposes that may not have been thought of, and so that the public can interact easily with the planning process, not just just experts and large organisations that can afford large expenses.

WHANGANUI DISTRICT COUNCIL
TE KAUNIHERA A ROHE O WHANGANUI
OFFICE OF THE MAYOR



15 August 2018

Planning Standards
Ministry for the Environment
Manatū Mō Te Taiao
PO Box 10362
WELLINGTON 6143

Dear Sir/Madam

Draft National Planning Standards

Whanganui District Council strongly supports the introduction of Draft National Planning Standards. These Standards will provide a consistency in regulation and application of objectives, policies and rules (including methods) throughout the country and will assist councils which have limited budgets for plan development.

In implementing the DNPS, Council recommends that amendments be made to:

- increase the number of definitions for clarity;
- improve aspects of the colour palette to increase usability; and
- include additional zones that are common to territorial authorities.

Detailed comments are included below.

If you require further information please contact Hester den Ouden on



Yours sincerely

Hamish McDouall
Mayor
Whanganui District Council

Kym Fell
Chief Executive
Whanganui District Council

Strong Support

Whanganui District Council strongly supports the introduction of the Draft National Planning Standards.

These Standards will provide a consistency in regulation and application of objectives, policies and rules (including methods) throughout the country and will assist councils which have limited budgets for plan development. This level of guidance has been long overdue and is therefore very welcome.

The detailed amendments which Council trusts are helpful are as follows:

Amendments

The DNPS would benefit from additional matters either for the purpose of clarification, or consistency and it is recommended that the DNPS also cover the following areas:

S-DP and S-ASM Additional Zones

Additional Zones

While additional special zones are proposed in the DNPS Council recommends that the following additional zones should be included. The following text seeks to provide some structure to this view.

Add Coastal Zone

Add Purpose Statement:

The purpose of the Coastal Zone is to provide primarily for management of the sensitive coastal environment

Reason:

Many districts and regions have a coastal environment within their jurisdictions which under the NZ Coastal Policy Statement is required to be carefully managed. The National Planning Standards would benefit from requiring a coastal environment zone to give effect to the NZ Coastal Policy Statement. Therefore inclusion in the DNPS is considered warranted.

Add Forestry Zone

Add Purpose Statement:

The purpose of the Forestry zone is to primarily provide for production forestry and associated activities

Reasons:

While many definitions of 'Rural Production' include forestry, Plantation Forestry is now of sufficient significance that a National Environmental Standard was promulgated in 2017.

Forestry can have serious adverse effects on the environment as shown by recent flooding in, for instance, Tolaga Bay the activity would benefit from specificity that a specific zone would provide.

Add Historic Heritage Zone or Overlay

Add Purpose Statement:

The purpose of the Historic Heritage zone is to provide primarily for the retention, preservation and restoration of historic heritage within the District.

Reasons:

Whanganui District like many other provincial cities and towns has notable areas, and in our case sizable areas, that contain historic buildings and other heritage items. A specific objectives, policies and rule section would achieve the standardisation that the Ministry seeks. While an Overlay approach could be used, it is considered that because of the significance of historic heritage areas to Whanganui District, along with a number of other councils and the Ministry's desire to standardize District Plan provisions, that the provisions of a zone could be useful to achieving recognise and provide for s 6(f) historic heritage which is a matter of national importance.

Add a Mining Zone

Add Purpose Statement:

The purpose of the Mining zone to provide primarily for mining activities and control over any adverse effects on the environment that may be generated by mining activities

Reasons:

Almost all TLAs have quarrying or mining activities within their districts. A standardised approach to objectives, policies, rules and other methods (if any) would greatly assist in standardisation

across the provisions of District Plans. Adverse effects on the environment from mining activities are very similar in terms of noise, blasting –vibration, dust and transportation, therefore these could be standardized throughout the country.

Add **Overlays**

Overlays provide a very useful tool which defines a set of matters that will in addition to the base zoning such as the provision for the ability to use Overlays notating eg Historic Heritage. It is noted that overlays are contained in the Draft Spatial Planning Tools Section which is supported. However a definition and purpose needs to support the use of Overlays within the body of the Draft National Planning Standards

S-DWM District Wide Matters

Subdivisions and Rooding including Parking

Subdivision and Rooding including parking can be a significant part of council's regulatory workload. There are numerous design and infrastructure standards required of subdivisions and rooding design that would be universal to most if not all councils. The application of such commonly used standards in the DNPS would be a practical advantage and also reduce variations between plans. It would also provide certainty to the community about matters such as parking standards that cannot be re-litigated as they are part of a National Planning Standard.

Therefore further work on the National Planning Standards in these areas is considered necessary to give better guidance and standardisation across the country in the matters of common objectives, policies and rules.

The following is submitted as an example:

CAR PARKING

Purpose

- To ensure that car parking is provided in accordance with National Planning Standards Framework.

Objectives

- To ensure the provision of an appropriate number of car parking spaces, having regard to the demand likely to be generated by the activities on site and the nature of the locality.
- To promote the efficient use of car parking spaces through the consolidation of car parking facilities.
- To ensure that car parking does not adversely affect the amenity of the locality.
- To ensure that the design and location of car parking is of a high standard, creates a safe environment for users and enables easy and efficient use.

Notification of Resource Consents

Council suggests that a chapter be required that clarified which activities, while requiring a resource consent, need not be publicly notified, similar to the Victoria State of Australia's VICSMART PLANNING. Such a set of provisions would make the non-notification process clearer to the general public. This approach would be consistent with s 87AAC RMA, and it would be extremely useful to have this standardised.

CM-1 Definitions

The Definitions section of the DNPS contains both specific (helpful) and some less specific definitions where it is considered that alternative definitions text would be of use. Thirdly there are a number of areas where additional definitions would be useful, helpful for interpretation or for reasons of consistency. The following are recommended for inclusion in the Definitions Standard.

Definition for **Ancestral land**:

means

1. Maori land as defined under Te Ture Whenua Maori Land Act 1993 or
2. Land returned via Treaty Settlement Claims process.

Definition for **Archaeological Site**:

has the same meaning as in section 6 of the Heritage New Zealand Pouhere Taonga Act 2014 (as set out in the box below)

means

- (a) any place in New Zealand, including any building or structure (or part of a building or structure), that—
 - (i) was associated with human activity that occurred before 1900 or is the site of the wreck of any vessel where the wreck occurred before 1900; and
 - (ii) provides or may provide, through investigation by archaeological methods, evidence relating to the history of New Zealand; and
- (b) includes a site for which a declaration is made under section 43(1)

Definition for **Aqua culture activities** has the same meaning as in section 2 of the RMA (as set out in the box below)

- (a) means any activity described in section 12 done for the purpose of the Breeding, hatching, cultivating, rearing, or ongrowing of fish, aquatic life, or seaweed for harvest if the breeding, hatching, cultivating, rearing, or ongrowing involves the occupation of a coastal marine area; and
- (b) includes the taking of harvestable spat if the taking involves the occupation of a coastal marine area; but
- (c) does not include an activity specified in paragraph (a) if the fish, aquatic life, or seaweed—
 - (i) are not in the exclusive and continuous possession or control of the person undertaking the activity; or
 - (ii) cannot be distinguished or kept separate from naturally occurring fish, aquatic life, or seaweed ; and
- (d) does not include an activity specified in paragraph (a) or (b) if the activity is carried out solely for the purpose of monitoring the environment coastal marine area place in the correct alphabetical order ie before “community activity”

Definition for **Dwelling**

has the same meaning as in section 2 of the RMA (as set out in the box below)

means any building, whether permanent or temporary, that is occupied, in whole or in part, as a residence; and includes any structure or outdoor living area that is accessory to, and used wholly or principally for the purposes of, the residence; but does not include the land upon which the residence is sited

Definition for Forestry:

has the same meaning as in section 3 of the RMA and National Environmental Standards for Plantation Forestry Regulations 2017 (as set out in the box below)

- (a) means planting and growing plantation forestry trees on land where there is no plantation forestry and where plantation forestry harvesting has not occurred within the last 5 years; but
- (b) does not include vegetation clearance from the land before planting

Definition for GIS

means geographical information system - an electronic system of information storage, retrieval and presentation used by a Council.

Definition for Local authority

has the same meaning as in section 2 of the RMA (as set out in the box below).

means a regional council or territorial authority

Definitions from the National Policy Statement on Urban Development Capacity;

Business Land, decision-maker, demand, development capacity, development infrastructure, Feasibility etc,

Definitions from the National Policy Statement on Electricity Transmission such as:

Electricity Transmission network, Electricity Transmission and transmission activities/ assets / infrastructure / resources system, National environmental Standard, National grid, Sensitive activities etc

Definitions from National Environment Standards as per:

- Production Forestry,
- Drinking Water,
- Telecommunications,
- Electricity Standards, and
- Assessing and Managing Contaminants in Soil to protect Human Health.

Amend definition of **Net site area:** "...site, but does not include– "but does not include" need not be highlighted in blue.

Amend Definition of Noise:

The definition of noise while being a direct quote from the Act does not actually define - noise. We suggest reference to the Noise Standards NZS 6801: 2008, 6802: 2008, 6803:

1999, 6805: 1992 Airport Noise. 6806:2010 –Road Traffic, 6808: 2010 – Wind Farm Noise,
6809: 1999 – Port noise

Notional boundary “...boundary, if it” the “if it” does not need a highlight

Definition of Plan

has the same meaning as in section 43AA of the RMA (as set out in the box below)

means a regional plan or a district plan

district plan—

- (a) means an operative plan approved by a territorial authority under Schedule 1; and
- (b) includes all operative changes to the plan (whether arising from a review or otherwise)

Definition for Regional plan

has the meaning given in section 43AA of the RMA (as set out in the box below)

regional plan—

- (a) means an operative plan approved by a regional council under Schedule 1 (including all operative changes to the plan (whether arising from a review or otherwise)); and
- (b) includes a regional coastal plan

Definition for Policy Statement

has the same meaning as in section 43AA of the RMA (as set out in the box below)

means a regional policy statement

Definition for Parking Space – this would be universal eg

means land on a site set aside for the parking of motor vehicles.

Definition for Permeability

means: eg

- a. With regard to Roads: The extent to which connections are provided between roads within the roading network.

- b. With regard to fences or boundary structures: The degree to which space is provided that is visually unobstructed from one side to the other.
- c. With regard to ground surfaces, the degree to which water is able to infiltrate through it to ground

Definition for **Place of Assembly** - if retirement villages have a definition so should these facilities means any land and/or building used in whole or in part for the assembly of people for community, social, cultural or religious purposes but excludes commercial activities (including places of entertainment such as cinemas).

Definition for **Primary Production**:

means

- a) means any agricultural, pastoral, horticultural, forestry or aquaculture activities for the purpose of commercial gain or exchange; and
- b) includes any land and auxiliary buildings used for the production of the products that result from the listed activities; but
- c) does not include processing of those products.

Definition for **Residential care facilities**:

means a building or buildings, which provide care for people who require ongoing health care or supervision provided by paid staff in, and includes any private or public restrooms boarding school hostel or other similar places and having accommodation for five or more persons excluding staff.

Definition for **Retail activity**

means an activity which entails the use of a building or buildings for the direct sale of goods to the public. This definition shall not include service stations or fast food restaurants.

Definition for **Reticulated infrastructure**:

means networks of infrastructure services including for the provision of water, wastewater, and stormwater services including pipes, associated pumping stations, treatment works, swales, detention areas, and other ancillary equipment, structure or facilities.

Definition for **Reverse sensitivity**:

means the conflict between incompatible land uses where a newly established activity complains about the effects on amenity (environmental qualities i.e. levels of noise) from a legally established pre-existing activity.

Definition for **Riparian Margin**:

means the strip of land along the edge of a waterbody including streams, lakes and wetlands. The riparian margin starts at the mean high spring water level and extends inland 20 metres.

Definition for **Secondary flow**

means the estimated surface water runoff in excess of the primary design flow of the stormwater network.

Definition for **Secondary flow path**

means the path taken by stormwater runoff in excess of the primary design flow of the stormwater network.

Definition for **Segregation strips**:

means a piece of land, or restrictive covenant, or easement, other means by which prevent land being accessing legal road.

Definition for **Sensitive activities**:

means the following activities:

- a) Residential activities
- b) Farm stays and other buildings used for visitor or tourist accommodation
- c) The accommodation or care for people including hospitals
- d) Educational facilities including childcare facilities, kohanga reo, primary, intermediate and secondary schools.

Definition for **Service Station**:

means a site where the principal activity is the sale of motor vehicle fuels (including petrol, CNG, LPG and diesel) and may include ancillary and incidental activities like car wash, mechanical repair, eg service and inspection of motor vehicles (but excludes panel beating) and the sale of motor car accessories and other goods for the convenience of the travelling public.

Definition for Site coverage:

means the portion of the net site area, expressed in percentage terms, which is covered by buildings and storage space, and includes eaves, and excluding:

- a. uncovered swimming pools
- b. eaves not exceeding 1 meter in width.
- c. Balconies, decks and terraces not exceeding 2.4 meters above ground level.
- d. Any retaining wall less than 1.5m in height measured from the lowest adjoining ground level.
- e. Any fence or wall (other than a retaining wall) less than 1.8 meters in height measured from the lowest adjoining ground level within 1 metre of a property boundary.
- f. Any pool or tank which is less than 1.0m in height measured from the lowest adjoining ground level.
- g. Play equipment and letterboxes.

Definition for Vegetation Clearance:

means the destruction of vegetation by any means, including cutting, burning, clearing or spraying; and

Excludes: clearance of agricultural or horticultural crops, pasture, forest thinnings or coppicing, or any plant defined as a plant pest; or clearance of tracks for the use of foot traffic only; or any clearance for the purposes of a recognised river control scheme or any clearance for the normal maintenance of roads, railway lines and public utility networks; and includes clear felling of forest; and line clearance by bulldozer or similar machine for fences or planting. (Note: Maintenance of roads, railway lines and public utility networks includes the trimming of adjacent vegetation; but does not include vegetation clearance for new installation, roads, or access ways).

Formatting in Definitions Chapter:

- reclamation “lake” needs to be highlighted in blue as it is defined,
- retirement village complex – “... buildings” needs to be in blue,
- rural industry & aqua culture activities need to be defined,
- stormwater – “water” needs to be in blue,

- **wetland** needs blue highlighting to be consistent: as follows:
 includes permanently or intermittently wet areas, shallow **water**, and **land water** margins that support a natural ecosystem of plants and animals that are adapted to wet conditions.

F-5 Draft Chapter Form Standard

Lettering and Numbering:

The use of NPS

The abbreviation NPS is already in use in the resource management arena as it refers to National Policy Statements. Therefore the re-use of NPS in terms of the National Planning Standards will cause confusion rather than the clarity that the DNPS seek to achieve the following are suggested for consideration:

- “NWNPS” - Nation Wide Planning Standards, or
- “PS” - Planning Standards,
- “PSNZ – Planning Standards New Zealand
- “UNC” - Universal National Code,
- “NPR” - National Planning Requirements, or
- “NPM” - National Planning Model.

The use of “P” and other single letter usage

“P” for Permitted. This could also be confused with “P” for Port zone and even “P” for Prohibited. We suggest using a four letter nomenclature to be clear about which each “P” stands for so that we have for instance:

Perm	Permitted
Port	Port
ProH	Prohibited

The same comment applies to the use of other single letters.