

National Planning Standards

Guidance for 14. Definitions Standard

This guidance is intended to help you understand and interpret the planning standard 14. *Definitions Standard* so you can implement it efficiently and effectively. It should be read alongside [Recommendations on submissions report 21 Definitions Standard](#) for further context.

When planning standards definitions apply

Your policy statements and plans must use the definitions in the *Definitions List* for any terms that have the meaning as set out in the *Definitions List*. There is no discretion for you to choose whether to apply the definition.

If a term is used in the same context, then the definition applies. The meaning of a term can be determined from its context in the policy statement or plan.

You cannot use synonyms (terms with the same or very similar meaning) of the terms defined in the *Definitions List*. The defined term must be used instead and the definition applied.

You are not required to include all of the definitions in the *Definitions List*, only those used in context in your policy statement or plan.

Subcategories and narrower definitions

You may define terms or phrases used within a definition (ie, subcategory definition). For example:

- the definition of reclamation refers to the “formation of permanent dry land”. Councils may choose to define “permanent dry land”
- a council may wish to define “causeways” for the purpose of managing reclamations, which is a term defined in the *Definitions List*.

We expect councils to define any such definition accurately and in a way that is consistent with the main definition in the *Definitions List*.

We anticipate narrower applications of definitions in the *Definitions List* where this is necessary to manage specific issues. For example, “ancillary activity” is defined in the planning standards, however a council may provide a definition for a narrower application such as “ancillary industrial activity” if it has concerns about the scope of activities that some might argue are ancillary to an industrial activity (eg, on-site residential activities). Any narrower definitions must be consistent with the meaning of the main definition in the planning standards.

Another example is where some councils wish to manage farm quarries separately from quarries generally. In this case, we suggest councils create a narrower definition for “farm quarry”.

Definitions vs glossary

The definitions in the *14. Definition Standard* include terms that must be applied in your plan and/or policy statement. Definitions prescribe the meaning of a term that must be applied where that term is used in the relevant context. The *14. Definitions Standard* is mandatory.

A glossary is where terms from a specific subject matter, text or dialect are listed with explanations. It explains more specialist terms or ones not easily understood. However, a term must be included in the *Definitions List* where it is in a provision (such as an objective, policy and/or rule) and its interpretation is important in determining the activity status of a rule. For example, te reo Māori terms may be listed and explained in a glossary unless that term is stated within a provision such as a rule. In this case, the te reo Māori term must be defined and listed in the definitions chapter.

Where not specified in a provision, a glossary allows councils to use local te reo Māori terms where relevant. If these were listed in the definitions chapter instead of the planning standards, it would remove the ability for local variations or dialects to be used. Other words of a specialist nature that need an explanation may also be listed in the glossary. The glossary chapter is optional in the planning standards.

Definitions in district and regional plans

The definitions have been drafted broadly so where the meaning of a term is the same or similar, the definition can be used in both regional and district plans. Most definitions may be used by either district or regional plans, where applicable.

The terms “site” and “ground level” are the only terms with a specified application for use in district plans and the district plan component of combined plans.

Displaying definitions in policy statements and plans

Where the definitions in the *Definitions List* are applied, the defined term should be highlighted or marked in accordance with *10. Format Standard* so it is clear to users that a defined meaning applies. Further directions on differentiating defined terms in policy statements and plans are included in directions 11, 12 and 13 of the *10. Format Standard*.

Defining terms not included in the planning standards

14. Definitions Standard does not prescribe all definitions that you may need to use in policy statements and plans. You may define additional terms other than those defined in the planning standards.

Diagrams, nesting tables or venn diagrams

We expect you may wish to use diagrams and/or nesting tables to illustrate complex definitions, or venn diagrams to show the relationship between definitions. The planning standards don’t include these, but nor do the standards preclude their inclusion in policy statements or plans.

Scope of consequential changes to plan provisions as a result of new definitions

We expect most councils will choose to include the definitions as part of a fuller plan review process. This will make the issue of how much of the plan can be amended as a consequential change less of a concern. We encourage this approach because it will enable councils to consider changes at the same time as the initial drafting of the plan and the process of notification, submissions and hearings.

However, for councils intending to implement one or more definitions from the planning standards outside of a broader plan review, there is no intention for any definition to change the meaning or application of rules. Therefore, where changes to plan rules are required to maintain the original meaning and application of the rules once the definitions are included, those changes are likely to be considered consequential and must be made without the Schedule 1 process. We will provide further guidance about the scope of consequential changes as soon as possible.

The purpose statement of the *1. Foundation Standard* makes it clear the planning standards don't alter the effect of policy statement or plan provisions, or outcomes. We expect this to reduce the scope of consequential changes.

If you want to make amendments outside of a broader plan review process that go beyond consequential amendments, or correct minor errors enabled under Schedule 1 clause 20A of the RMA, then you could consider applying to use the streamlined planning process.

Drafting principles

We used the following drafting principles in preparing the final form of the definitions included in the planning standards' *Definitions List*. We recommend you apply these principles when drafting other definitions required in your plan. We also recommend you consider the advice on the Quality Planning website for definitions, that is:

- any definition already contained within the RMA, a national policy statement, national environmental standard or regulation under the RMA, should be applied in the national planning standard where it is fit for purpose
- where a term is also defined in a statute, regulation or New Zealand Standard (NZS) outside of the RMA, the proposed definition should copy verbatim the text of the statutory, regulatory or NZS definition where it is fit for purpose. This will effectively set the definition in time and avoid any unforeseen consequences that future amendments may have on plan provisions
- definitions should avoid containing (or becoming) de facto rules
- definitions should avoid using subjective language such as 'high quality', 'appropriate' or 'approximate'
- where possible, the definitions should be drafted in a clear and concise manner. For example:
 - the language used should be clear, straightforward and provide the plan user with certainty as to the scope of the definition
 - sentences should be short and avoid unnecessary words and jargon
- where a definition contains the word 'includes' and is followed by a list, the list shall be non-exhaustive; conversely, if a definition 'excludes' a list of matters, this shall be treated as exhaustive

- definitions should not give interpretation rights exclusively to one person or organisation (eg, 'which in the opinion of council is...').

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