

IN THE MATTER of the Resource Management Act 1991

AND

IN THE MATTER of Hearing Submissions and Further Submissions on the Proposed Waikato District Plan (Stage 1)

**MEMORANDUM BY COUNCIL TO HEARING COMMISSIONERS RELATING TO
IMPLEMENTATION OF THE NATIONAL PLANNING STANDARDS
17 April 2020**

May it please the Hearing Commissioners:

1. In the Directions issued by the Hearings Panel on 20 February 2020, paragraph 10 outlined a process for progressing implementation of the National Planning Standards as follows:
 - a. The Hearings Administrator is to provide these Directions to all parties listed in paragraph 3 of the Council memorandum as soon as possible and post them on the Council's website.
 - b. Council staff are to provide the panel with a memorandum setting out a proposed methodology and timetable for implementing the Directions set out in e. – h. below. This memorandum is to be provided no later than 5pm on Tuesday 31 March 2020.
 - c. Any party listed in paragraph 3 of the Council memorandum who wishes to comment on the methodology and timetable prepared by the Council under b. above is to provide these in writing to the Hearings Administrator no later than 5pm on Tuesday 7 April 2020.
 - d. In the event of any disagreement regarding timing the panel will issue any further Directions considered necessary.
 - e. Council staff are to provide the panel and the parties listed in paragraph 3 of the Council memorandum a document setting out a re-structured version of the Proposed District Plan that they consider implements, as a minimum, Option 3, as outlined in the 11 February 2020 Council memorandum, and, to the extent they consider possible, also implements Option 4. This document is to be provided as per the timetable required under b. above. This document should, where possible, also raise any issues of scope.
 - f. The Hearings Administrator is to post the document prepared in accordance with e. above on the District Council's website as soon as possible following its receipt.
 - g. Any submitter or further submitter (and not just those listed in paragraph 3 of the Council memorandum) who wishes to comment on the document prepared by the Council under e. above is to provide these in writing to the Hearings Administrator no later than 5pm on Friday 1 May 2020, or the date specified in the memorandum required under b. above, whichever is the earlier.
 - h. The Hearings Administrator is to post any material received in accordance with g. above on the District Council's website as soon as possible following its receipt.
 - i. Following the completion of the process set out in a. – h. above, the panel will issue any necessary further Directions.
 - j. If any submitter or further submitter wishes to raise any matters concerning these Directions, they are to advise the Hearings Administrator, Ms Sandra Kelly, in writing, no later than 5 pm on Friday 28 February 2020, either by email or in hard copy
2. In response to these Directions, Council sought proposals from suitably qualified planning consultants to assist Council in implementing the National Planning Standards. A key part of the proposals was the development of a robust methodology and achievable timeframe for undertaking the work. Unfortunately due to the disruption caused by COVID-19 and the effort required to transition to alternative ways of continuing the Proposed District Plan Hearings under Alert Level 4, Council has not been able to meet the timeframes established in the Panel's directions. We therefore seek an extension of the timeframes outlined in the Panel's Directions above.
3. In accordance with Clause (b) of the Panel's Directions, we set out the following methodology for implementing the National Planning Standards and a timeframe which will fit within the overall timeframes of the Proposed District Plan. It should be noted that the purpose of this exercise is to re-structure the Proposed District Plan as it was notified in July 2018 into a new structure

that aligns with the directions set out in the National Planning Standards. We understand the Panel's Decision Version of the Proposed District Plan is to be incorporated into the structure mandated by the National Planning Standards as a separate exercise at a later date.

4. The proposed methodology and timeframes for each task are set out below:

Task No.	Description	Timing
1	<p>Guiding Principles Document</p> <p>Prepare a guiding principles document which will consider approaches, the pros and cons, and provide recommendations outlined as specific principles with regard to the implementation of the standards.</p> <p>This document will ensure a consistent approach by establishing principles to guide the re-housing of provisions i.e. by activity (e.g. signs), or by theme (e.g. historic heritage). These principles will be particularly useful where provisions do not have an obvious home in the District Plan Structure Standard or could potentially be re-homed in multiple locations.</p> <p>Some chapters of the Proposed DP will need to be 'deconstructed' (e.g. Chapters 4 and 5), and a key aspect of the guiding principles document will be determining whether to duplicate the objectives and policies for the relevant zones or use cross-referencing; or splitting the policies across separate chapters.</p> <p>This document will also ensure any judgement calls are recorded. It will also be a "live issues" document that can be used to communicate key decisions to the Council on a regular basis.</p>	April – May 2020
2	<p>Seek submitter comments of the Guiding Principles Document</p> <p>Because this document underpins the whole process, it will be developed collaboratively with Council staff, and circulated to the submitters who sought implementation of the National Planning Standards for their review and feedback.</p>	Mid May 2020
3	<p>Match zone framework to the Proposed Waikato District Plan zones</p> <ul style="list-style-type: none"> • Prepare a table of PWPD zones and match these with equivalent zone in accordance with the Zone Framework Standard (drawing on the recommendations from the s42A reports where this exercise has been undertaken) • The zone descriptions in the standards will assist in determining the best match. 	Mid April – mid May 2020
4	<p>Plan Maps</p> <p>Council's GIS team to implement the Mapping Standard, including:</p> <ul style="list-style-type: none"> • Matching of the PWDP zones with the National Planning Standards Zone (including colour palette); • Changes required to the symbology for overlays and controls. • Changes to identification notification for designations 	Completion of the planning maps by December 2020

Task No.	Description	Timing
5	<p>Conversion of the notified provisions of the Proposed District Plan into the National Planning Standards structure</p> <ul style="list-style-type: none"> Restructuring the Proposed District Plan provisions, as notified, into a structure complying with the National Planning Standards – i.e. undertake a mechanical drafting exercise. Document where each provision has been relocated 	Mid May – Early December 2020
6	<p>Seek submitter comments on the restructured Proposed District Plan</p> <p>The documents from tasks 4 and 5 would be made available to the submitters who sought implementation of the National Planning Standards for their feedback.</p> <p>This feedback would be considered and incorporated where appropriate, and the document finalised. The output would simply be a restructured version of the provisions in the Proposed District Plan, as it was notified.</p>	Released for feedback in December 2020 Feedback due by the start of February 2021
7	<p>Issuing of documents</p> <p>Prior to issuing its decisions on submissions, we suggest that the Panel issues two documents:</p> <ol style="list-style-type: none"> A “decisions version” of the Proposed District Plan using the notified structure that includes all the Panel’s final decisions on submissions; and A draft “National Planning Standards decisions version” that inserts the outputs of the first report into the National Planning Standards structure. <p>We suggest that both documents then be made available to submitters and that comment be invited on the structure, but not merits, of the draft “National Planning Standards decisions version”.</p> <p>At that time, we anticipate the Panel would issue appropriate Directions regarding the timing and process for providing comments on the draft “National Planning Standards decisions version”.</p>	July 2021
8	<p>Panel Decision</p> <p>Following receipt of any comments from submitters on the structure of the draft “National Planning Standards decisions version”, we anticipate that the Panel would then issue its formal decision using the “National Planning Standards decisions version”.</p>	By 17 September 2021

5. Chris Scrafton and Adam Jellie from Beca will be assisting Council restructure the Proposed District Plan as it was notified into the National Planning Standards structure. This will be a

procedural / administrative exercise and does not involve any consideration of any submissions from Beca's client submitters / further submitters.

6. Due to the delay in presenting the methodology and timeframes to the Panel, the disruption caused by COVID-19 and the timeframes required for each task, Council respectfully seeks the following amendments to the process set out in the Panel's directions of 20 February 2020:
 - a. The Hearings Administrator is to provide these Directions to all parties listed in paragraph 3 of the Council memorandum as soon as possible and post them on the Council's website.
 - b. Council staff are to provide the panel with a memorandum setting out a proposed methodology and timetable for implementing the Directions set out in e. – h. below. This memorandum is to be provided no later than 5pm on **Friday 17 April 2020**.
 - c. Any party listed in paragraph 3 of the Council memorandum who wishes to comment on the methodology and timetable prepared by the Council under b. above is to provide these in writing to the Hearings Administrator no later than 5pm on **Monday 27 April 2020**.
 - d. In the event of any disagreement regarding timing the panel will issue any further Directions considered necessary.
 - e. Council staff are to provide the panel and the parties listed in paragraph 3 of the Council memorandum a document setting out a re-structured version of the Proposed District Plan that they consider implements, as a minimum, Option 3, as outlined in the 11 February 2020 Council memorandum, and, to the extent they consider possible, also implements Option 4. This document is to be provided in accordance with the timetable set out in **paragraph 4 of Council's memorandum (dated 17 April 2020)**. This document should, where possible, also raise any issues of scope.
 - f. The Hearings Administrator is to post the document prepared in accordance with e. above on the District Council's website as soon as possible following its receipt.
 - g. Any submitter or further submitter (and not just those listed in paragraph 3 of the Council memorandum) who wishes to comment on the document prepared by the Council under e. above is to provide these in writing to the Hearings Administrator no later than 5pm on **Monday 1 February 2021**.

