

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

**MEMORANDUM BY COUNCIL TO HEARING COMMISSIONERS RELATING TO IMPLEMENTATION
OF THE NATIONAL PLANNING STANDARDS
1 June 2021**

May it please the Hearing Commissioners:

1. In a memorandum by Council dated 11 February 2020, four options were provided to the Panel with regard to implementing the National Planning Standards (NPS). In summary, these options included:

- a. Option 1: Implement the standards after the plan review;
- b. Option 2: Implement the National Planning Standards structure for single-topic chapters;
- c. Option 3: Implement structure for single-topic chapters and deconstruction of Chapters 4 and 5; and
- d. Option 4: Full implementation as part of this plan review

2. A recommendation was made by Council to undertake Option 3 as part of the District Plan review process.

3. In a direction issued by the Panel on 20 February 2020, paragraph 8 set out:

The panel considers that Option 3 should be the “bottom line” for the process going forward, but that our decisions version of the District Plan should aim, even if only aspirationally, to achieve Option 4 – i.e. full implementation of the NPS - to the extent that this is practically achievable and within scope of the submissions and further submissions received.

4. In response to this direction, Council filed a memorandum dated 17 April 2020 which set out a proposed process and updated timeframes. This included seeking comment from submitters on the restructured Proposed District Plan between December 2020 and February 2021.

5. Council acknowledges that there has been a delay in releasing the restructured Proposed District Plan for comment. This is primarily due to the resources required to prepare reporting and mapping for the upcoming rezoning hearings.

6. A draft of the restructured Proposed District Plan is now complete. This has been undertaken for both Stage 1 and Stage 2 of the Proposed District Plan. This includes GIS mapping which is provided in a new module within Council’s IntraMaps GIS portal. The restructured Proposed District Plan package is made up of the following:

- a. PDF sections of the restructured Proposed District Plan in the NPS structure;
- b. A GIS module, with mapping in accordance with the NPS symbology;
- c. Working tables for each notified PDP chapter which show the recommended rehoming for notified provisions against the NPS structure, and is supported by reasons;
- d. Guiding principles document which records assumptions and approaches. Feedback will also be summarised in this document; and
- e. Two road maps, a wire diagram setting out where notified chapters have been rehomed, and a simplified road map setting out where provision within a zone have been rehomed to.

7. To assist with navigating the numerous PDF documents, a table of contents is set out in Appendix A which lists how the restructured Proposed District Plan has been divided up into PDFs.
8. Given the complexity of this exercise and degree of change from the structure of the notified plan, a simplified road map for the residential zone is provided at Appendix B. This sets out where provisions have been rehomed to under the NPS structure. The location of a specific provision can be found using the detailed working tables.
9. The restructured Proposed District Plan package can be accessed through the following links:

Provisions, working tables, principles document and roadmaps - www.waikatodistrict.govt.nz/NPStranslation under the tab titled *Translation to National Planning Standards*; and

Maps - <http://www.waikatodistrict.govt.nz/nps-translation-maps>
10. The GIS module will be available via this link, but it will not show on Council's standard GIS portal so as not to confuse regular users of that mapping tool.
11. Council's memorandum dated 17 April 2020 was circulated to the following submitters who sought implementation of the NPS:
 - a. Property Council New Zealand [198];
 - b. Kainga Ora [749];
 - c. The Surveying Company [746];
 - d. Ta Ta Valley Limited [574];
 - e. Pokeno Village Holdings [386];
 - f. Zeala Limited [281];
 - g. Anna Noakes [524];
 - h. Heritage NZ [559];
 - i. Withers Family Trust [598];
 - j. Spark New Zealand Trading Limited [644];
 - k. Chorus New Zealand Limited [648]; and
 - l. Vodafone New Zealand Limited [646].
12. As the above submitters raised the NPS in their submissions, it is recommended that this memorandum be circulated to these parties also.
13. We consider that feedback need not be limited to these parties and if feedback is received from others it should be given the same consideration.
14. A period of two weeks is recommended for feedback to be provided by the above submitters. It is recommended this period runs from 2 June 2021 through to 16 June 2021.
15. To assist, Council has identified some questions to focus the feedback. We note that the restructured Proposed District Plan is draft and detailed commentary on cross referencing, or merits is not necessary as this will be addressed in the decisions version of the plan.
16. The feedback Council are particularly interested in is:

- a. The approach to cross referencing in the plan. A simplified approach has been taken, which differs to the detailed cross referencing in the proposed plan;
 - b. The grouping of cascading activity statuses together with the rule in the same table;
 - c. Inclusions of zone statements / descriptions before the objectives and policies of each zone and district-wide chapters;
 - d. The level of rationalisation of district-wide rules. Including whether minor differences between district-wide rules for each zone be rationalised where appropriate. A good example of this is the NOISE - Noise and SIGN - Signs chapters; and
 - e. The NPS GIS mapping module, particularly the structure and order of layers (zones, specific-controls, precincts), colour/style of layers, layout of PDF legend.
17. Following the receipt of feedback, comments will be summarised, and changes made. Where changes raised in feedback are not agreed by Council, reasoning will be provided. A summary of the feedback and an updated version of the restructured Proposed District Plan will then be provided to the Panel by 7 July 2021 to assist with drafting changes for the decisions version of the plan.
18. In Council's memorandum of 17 April 2020, it was recommended that the Panel issue:
- a. A "decisions version" of the Proposed District Plan using the notified structure that includes all the Panel's final decisions on submissions; and
 - b. A draft "National Planning Standards decisions version" that inserts the outputs of the first report into the National Planning Standards structure.
19. Following careful consideration, it is recommended that only one decisions version should be issued by the Panel. Council considers that this decision should be in the NPS structure. The reasons for this are to avoid confusion with the legal standing of two documents and which version is to be relied upon for appeal purposes. It is understood that the Panel is agreeable to this revised approach.
20. As the above process and timeframes are generally in accordance with the previous Directions on this matter, this memorandum will be circulated to submitters (listed at paragraph 9) who sought implementation of the NPS along with an invitation to comment on the restructured Proposed District Plan.

Dated at Ngaruawahia this 1st day of June 2021



Carolyn Wratt, Principal Planner

Appendix A: NPS File Structure

PWDP National Planning Standards	File name
PART 1 – INTRODUCTION AND GENERAL PROVISIONS	
INTRODUCTION	1_Part 1 - Introduction and general provisions
Contents [Drafting note: to be prepared once finalised]	
Purpose	
Description of the district	
HOW THE PLAN WORKS	
Statutory context	
General approach	
Cross boundary matters	
Relationships between spatial layers [Drafting note: this chapter will need to be drafted in order to be consistent with the NPS]	
INTERPRETATION	
Definitions [Drafting note: the NPS definitions will need to be incorporated in future, to be consistent with the NPS]	
Abbreviations [Drafting note: this chapter will need to be updated in future, to be consistent with the NPS]	
Glossary [Drafting note: this chapter will need to be updated in future, to be consistent with the NPS]	
NATIONAL DIRECTION INSTRUMENTS	
National policy statements and New Zealand Coastal Policy Statement [Drafting note: this chapter will need to be updated in future, to be consistent with the NPS]	
National environmental standards [Drafting note: this chapter will need to be updated in future, to be consistent with the NPS]	
Regulations [Drafting note: this chapter will need to be updated in future, to be consistent with the NPS]	
TANGATA WHENUA/MANA WHENUA	
Tangata whenua	
PART 2 – DISTRICT-WIDE MATTERS	
STRATEGIC DIRECTION	2A_Part 2 District-wide matters - Strategic direction
SD – Strategic direction	
UFD - Urban form and development	
ENERGY, INFRASTRUCTURE, AND TRANSPORT	2B_Part 2 District-wide matters - Infrastructure, energy and transport
GENI - General infrastructure	
NATG - National Grid	
ELDIS - Electrical distribution	
ELGEN - Electricity generation	
LFG - Liquid fuels and gas	
MET - Meteorological	
AMAR - Amateur radio	

PWDP National Planning Standards	File name
TERA - Telecommunications and radiocommunications	
WWS - Water, wastewater and stormwater	
TRAN – Transportation	
HAZARDS AND RISKS	2C_Part 2 District-wide matters - Hazards and risks
CL - Contaminated land	
HAZS – Hazardous substances	
NH - Natural hazards	
HISTORICAL AND CULTURAL VALUES	2D_Part 2 District-wide matters - Historical and cultural values
HH - Historical heritage	
TREE - Notable trees	
SASM - Sites and areas of significance to Māori	
DWTW – District-wide Tangata whenua and mana whenua	
NATURAL ENVIRONMENT VALUES	2E_Part 2 District-wide matters - Natural environment values
ECO - Ecosystems and indigenous biodiversity	
NATC - Natural character	
NFL - Natural features and landscapes	
PA - Public access	
SUBDIVISION	2F_Part 2 District-wide matters - Subdivision
SUB – Subdivision	- SUB – Subdivision
GENERAL DISTRICT-WIDE MATTERS	2G_Part 2 District-wide matters - General district-wide matters
ASW - Activities on the surface of water	
CE - Coastal environment	
EW – Earthworks	
LIGHT - Light	
NOISE – Noise	
SIGN - Signs	
TEMP - Temporary activities	
PART 3 – AREA-SPECIFIC MATTERS	
RESZ - Residential zone	
LLRZ - Large lot residential zone	3B Part 3 Area-specific matters - zones - LLRZ – Large lot residential zone
GRZ - General residential zone	3A Part 3 Area-specific matters - zones - GRZ – General residential zone
RURZ - Rural zones	
GRUZ - General rural zone	3C Part 3 Area-specific matters - zones - GRUZ – General rural zone
RLZ - Rural lifestyle zone	3D Part 3 Area-specific matters - zones - RLZ – Rural lifestyle zone
PREC1 – Agriculture research centres	3E Part 3 Area-specific matters - zones - PREC1 – Agriculture research centres
PREC2 – Huntly power station coal and ash water	3F Part 3 Area-specific matters - zones - PREC2 – Huntly power station
PREC3 – Whaanga Coast development precinct	3G Part 3 Area-specific matters - zones - PREC3 – Whaanga Coast development
CMUZ - Commercial and mixed use zones	
COMZ - Commercial zone	3H Part 3 Area-specific matters - zones - COMZ – Commercial zone
TCZ - Town centre zone	3I Part 3 Area-specific matters - zones - TCZ – Town centre zone

PWDP National Planning Standards	File name
INZ - Industrial zones	
GIZ - General industrial zone	3J Part 3 Area-specific matters - zones - GIZ – General industrial zone
HIZ - Heavy industrial zone	3K Part 3 Area-specific matters - zones - HIZ – Heavy industrial zone
PREC4 – Nau Mai Business Park precinct	3L Part 3 Area-specific matters - zones - PREC4 – Nau Mai Business Park precinct
OSRZ - Open space and recreation zones	
OSZ – Open space zone	3M Part 3 Area-specific matters - zones - OSZ – Open space zone
PREC5 – Tamahere Park and Tamahere Village Green precinct	3N Part 3 Area-specific matters - zones - PREC5 – Tamahere Park and Tamahere
SPZ - Special purpose zones	
BTZ - Business Tamahere zone	3O Part 3 Area-specific matters - zones - BTZ Business Tamahere zone
MSRZ - Motor sport and recreation zone	3P Part 3 Area-specific matters - zones - MSRZ – Motorsport and recreation zone
RPZ - Rangitahi Peninsula zone	3Q Part 3 Area-specific matters - zones - RPZ – Rangitahi Peninsula zone
TKAZ - Te Kowhai Airpark zone	3R Part 3 Area-specific matters - zones - TKAZ – Te Kowhai airpark zone
PRECINCTS (MULTI-ZONE)	3S Part 3 Area-specific matters - precincts
PREC6 Lake Te Kauwhata Precinct	(multi) - PREC6 – Lakeside Te Kauwhata
DESIGNATIONS	
Airways Corporation of New Zealand Ltd	3T Part 3 Area-specific matters - designations - all designations
Auckland Council	
Chorus NZ Ltd	
Counties Power	
Hamilton City Council	
Hauraki District Council	
KiwiRail Holdings Ltd	
Minister of Conservation	
Minister of Corrections	
Minister of Education	
Minister of Justice	
Minister of Police	
New Zealand Transport Agency	
Radio New Zealand Ltd	
Transpower New Zealand Ltd	
Vector Gas Ltd	
Waikato District Council	
WEL Networks Ltd	
Waikato Regional Airport Ltd	
Waikato Regional Council	
Watercare Services Ltd	

Appendix B: High Level Roadmap Example for the Residential Zone

Notified PWDP	PWDP in National Planning Standards Structure
<p><i>Chapter 4 Urban Environment</i> Objectives and Policies for the Residential Zone</p>	<p><i>Part 3: Area-specific matters / Zones / Residential zones / GRZ – General residential zone</i></p>
<p><i>Chapter 16 Residential Zone</i> Land- use activities</p>	<p><i>Part 3: Area-specific matters / Zones / Residential zones / GRZ – General residential zone</i></p>
<p><i>Chapter 16 Residential Zone</i> Land- use effects</p>	<p>n/a (refer sub-sections)</p>
<p><i>Chapter 16 Residential Zone</i> Land- use effects - Noise</p>	<p><i>Part 2: District-wide matters / General District-wide matters / NOISE - Noise</i></p>
<p><i>Chapter 16 Residential Zone</i> Land- use effects - Light</p>	<p><i>Part 2: District-wide matters / General District-wide matters / LIGHT – Light</i></p>
<p><i>Chapter 16 Residential Zone</i> Land- use effects - Earthworks</p>	<p><i>Part 2: District-wide matters / General District-wide matters / EW - Earthworks</i></p>
<p><i>Chapter 16 Residential Zone</i> Land- use effects - Maaori Sites and Maaori Areas of Significance</p>	<p><i>Part 2: District-wide matters / Historical and cultural matters / SASM - Sites and areas of significance to Māori</i></p>
<p><i>Chapter 16 Residential Zone</i> Land- use effects – Significant Natural Areas</p>	<p><i>Part 2: District-wide matters / Natural environment values / ECO - Ecosystems and indigenous biodiversity</i></p>

Notified PWDP	PWDP in National Planning Standards Structure
<p><i>Chapter 16 Residential Zone</i> Land- use effects – Natural Character</p>	<p><i>Part 2: District-wide matters / Natural environment values / NATC – Natural character</i></p>
<p><i>Chapter 16 Residential Zone</i> Land- use effects – Natural features and landscapes</p>	<p><i>Part 2: District-wide matters / Natural environment values / NFL – Natural features and landscapes</i></p>
<p><i>Chapter 16 Residential Zone</i> Land- use effects – Hazardous substances</p>	<p><i>Part 2: District-wide matters / Hazards and risks / HAZS – Hazardous substances</i></p>
<p><i>Chapter 16 Residential Zone</i> Land- use effects – Notable trees</p>	<p><i>Part 2: District-wide matters / Historical and cultural matters / TREE – Notable trees</i></p>
<p><i>Chapter 16 Residential Zone</i> Land- use effects – Signs</p>	<p><i>Part 2: District-wide matters / General district-wide matters / SIGN - Signs</i></p>
<p><i>Chapter 16 Residential Zone</i> Land- use building</p>	<p><i>Part 3: Area-specific matters / Zones / Residential zones / GRZ – General residential zone</i></p>
<p><i>Chapter 16 Residential Zone</i> Subdivision</p>	<p><i>Part 2: District-wide matters / Subdivision / SUB – Subdivision</i></p>