

# New Zealand Planning Institute CPD Course Prospectus 2019



## CPD Course Requirements in a Nutshell

The following table provides an overview of those activities that fall under Category 1 of NZPI's Continuing Professional Development (CPD) programme. Please note that whilst there is a focus on CPD courses that are provided by NZPI, members may also attend training programmes facilitated by other organisations or in-house, with these activities meeting the requirements of category 1. There are a number of core CPD courses that need to be completed dependent on the membership level of an individual. These courses are noted below and further details about the core courses, as well as the requirements for categories 1,2 and 3 can be found within the individual CPD Guidelines for Graduate, Intermediate or Full members.

For further information visit the NZPI website or please follow this link: [Learning Centre full CPD details](#)

<b>CPD Requirements - Category 1</b> <b>Courses, education and training that develop knowledge, skills and values</b>		
<b>Membership</b>	<b>Activities may include:</b>	<b>REQUIREMENTS</b>
<b>Graduate</b>	<ul style="list-style-type: none"> <li>➤ Planning-related education and training; formal short courses, part-time courses, external or in-house courses or conference programmes that consolidate or enhance planning knowledge, skills and values;</li> <li>➤ Development of Planning-related knowledge, skills and values that demonstrate the growth (to the Member) of new approaches, applications, values or techniques with a direct application to Planning;</li> <li>➤ Attendance at Planning-related conferences (maximum of 7 points per full day of attendance), relevant seminars, hui or workshops;</li> <li>➤ Attendance as an observer at significant Environment Court hearings;</li> <li>➤ Participation in a Planning-related study tour.</li> </ul>	<b>No Core Courses</b>
<b>Intermediate</b>		<b>No Core Courses</b>
<b>Full</b>		<b>FULL MEMBERS</b> are expected to demonstrate refreshment of their understanding of: <ul style="list-style-type: none"> <li>i. Ethics for Planners</li> <li>ii. Planning from a Maori Perspective</li> </ul>

## The New Zealand Planning Institute offers the following CPD courses:

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## Advanced Policy Writing





Presented by [Janice Carter](#)

This workshop is designed planners with some experience, or less experienced planners currently tasked with policy writing for a Plan required under the RMA. The programme is not suitable for recent graduates.





The programme will begin with a brief overview of the purpose and respective roles of objectives, policies and rules in RMA Plans and then focus on the fundamental aspects of good policy writing. This will include how to express difficult concepts in policy writing, and what policy language is appropriate for a range of resource management issues.

A number of case studies will be used to examine good and bad practice. Time will also be set aside during the programme for planners to put forward particular policy writing issues and difficulties for group discussion. It is considered that the programme will be useful for planners requiring skills in mainly district and regional policy writing in an RMA context.

### Particular case studies that will be covered during the workshop:

-  Residential provisions in the Hamilton District Plan
-  Coastal provisions in the Proposed Taranaki Regional Coastal Plan
-  Lakes, streams and wetlands provisions in the Auckland Unitary Plan
-  Natural hazard provisions in the Christchurch District Plan

### Course Outcomes:

-  Gain an understanding of the context of policy writing in RMA plans.
-  Gain skills, knowledge and confidence to write clear and effective policies in RMA plans.
-  Obtain through the programme a tool box of policy writing 'hot tips'.
-  Gain an understanding of common problems faced by other planners undertaking policy writing.

## Basic Negotiation Skills

Presented by [Gay Pavelka](#)

This course is designed for people who need to build agreements over resource management issues such as, conservation, access to land, building disputes, managing waterways, changing land use practices. We cover methods to problem-solve your way through differences.

This training aims to add to participants' negotiation skills so that more cooperative agreements are reached and less litigation is needed.

The day includes actively testing a range of practical approaches for application in a wide range of resource management situations.

### **Topics to be discusses:**

- Valuing past negotiation experience - Recognise what has made past negotiations successful or difficult
- Talking like a negotiator - Approaches negotiators use to build cooperation, participation and a sense of fairness
- Understanding what people are telling you - What are the messages behind people's words? Look beyond talking to how to really communicate. Understand how we come across to others and how to make the most of each negotiator's contribution
- Negotiation steps - Techniques to build small agreements at each negotiation step aimed at a final settlement

### **The course equips you to deal with situations like:**

- When the council or company has proposed a management plan or strategy and conflict, criticism or complaints need to be resolved
- Prior to a hearing when seeking common ground and solutions can reduce or resolve the differences
- When 'meat in the sandwich' between people demanding opposing solutions e.g. bus routes, water extraction rates, heritage protection

## Case Law Update

### **Presented by Helen Atkins and Stuart Ryan**

Decisions of the Environment Court, District Court, High Court and Court of Appeal pervade the practice of those working in the resource management and planning fields. Case law is literally developing on a daily basis. Keeping abreast of recent changes to law from the Courts is an essential part of any practitioner's knowledge base. This seminar will cover essential 'must know' case law from recent years, focusing on resource consents and plan changes under the RMA.

### **Learning Outcomes:**

- To be updated on important cases relevant to planning practice
- To learn how to apply and refer to such cases in planning evidence

## Coastal Inundation Planning

### **Presented by Nigel Mark-Brown and Robert Scott**

This course will provide information to planners to assist them with decision making to address land use planning in areas of coastal inundation, including the impact of climate change and sea level rise. The course will address the following:

- Summarise the latest science on climate change in relation to sea level rise
- Explain the physical mechanisms of coastal inundation

- Discuss the statutory and regulatory framework for land use planning in areas of potential coastal inundation
- Discuss information sources and methods for assessing the physical parameters of coastal inundation such as extent, flood height and velocity
- Discuss assessment of hazard associated with coastal inundation - i.e. danger to people and property
- Discussion of examples and approaches for managing land use in areas of coastal inundation facilitated discussion of particular problems or issues/subjects provided by the attendees or the presenters

### **Learning Outcomes:**

- Understand basic physical processes of coastal inundation and the influence of climate change on this
- Become familiar with the nature of coastal inundation hazard
- Understand implications of coastal inundation hazard on land use, i.e. human habitation
- Awareness of range of planning responses to coastal inundation

## Economics of Urban Development

### **Presented by Peter Nunns**

The purpose of the Resource Management Act is to enable people and communities to provide for their social, economic, and cultural well-being in a sustainable way. A great deal of emphasis has traditionally been placed on minimising actual or potential adverse effects that may arise as a result of development – but increasing attention is being given to the key role that RMA plans play in shaping where and how people live, work, and play within cities.

In response to this, the planning profession now faces new requirements to incorporate economic analysis into planning practices, in particular due to the National Policy Statement on Urban Development Capacity. The NPS requires councils that are facing significant growth pressure to undertake further work to understand future demand for housing and business space, assess the commercial feasibility of new development that is enabled by district plans, and monitor information on housing prices.

The expectation is that planners will make different decisions in response to this evidence through district plans that enable growth. But what capability and knowledge is required to implement NPS requirements and critically assess the results? And, crucially, how will economic analysis align with traditional 'four well-beings' perspectives on planning?

This course aims to assist planners to understand how economic analysis relates to planning practices and how an understanding of the economics of residential development can assist in making good planning decisions. It will work through key NPS requirements and outline what knowledge and capabilities are required to implement them. To conclude, it will discuss broader questions about how NPS requirements can be integrated with traditional RMA planning practices and perspectives as well as infrastructure planning and funding.

### **The course will:**

- Briefly introduce key principles of economic analysis. This will include:
  - Wider macro-economic factors that affect supply and demand for urban land uses;
  - The importance of public goods and environmental, social, and economic spillovers in establishing the rationale for planning;
  - How households and businesses may respond to regulations; and
  - The role of economic theory versus empirical evidence.
  
- Step through key NPS requirements, with a focus on evidence and monitoring requirements. This will include:
  - Understanding future demand for housing and business land – what are the key drivers and how can they be assessed?
  - Understanding the supply side – what determines whether it is commercially feasible to build new homes or business space?
  - Investigating the NPS monitoring framework – what can (and can't) we learn from prices?
  
- Discuss how economic analysis can be used to inform planning decisions, how it can be critically assessed, and how it relates to more holistic assessments of effects on the 'four wellbeings'.

### **By the end of the course attendees will:**

- Have an increased awareness of development economics and economic analysis as it relates to planning decisions
- Better understand NPS evidence and monitoring requirements and the knowledge and capabilities that are required to implement them
- Be able to critically examine economic analysis and identify implications for planning practices.

### **Who should attend?**

While the course is targeted at intermediate through to senior planners, it is framed to accommodate planners at all levels wanting to get a better understanding of how development economics and planning align. The course will also benefit planners working in plan development, area based planning and those project managing large development resource consent proposals both on the side of the applicant and acting for Council as a reporting planner. The course will also be of benefit to other professionals involved in the development process e.g. surveyors, engineers, developers, consultants, local body politicians and executive staff.

## **Effective Stakeholder Engagement**

**Presented by [Gillian Taylor](#)**

### **Purpose of course**

To help participants become more effective in engaging and influencing others; equipping them with various tools, models and processes to support their success in this area.







## Summary of course

Dealing with people, rather than facts or technical needs, is arguably the single most complex challenge for any Planner. In any business or project situation, there are many different groups and individuals who need to be engaged and kept informed. At times this can seem overwhelming and it is often hard to see how to keep everyone satisfied. Effectively engaging others is fundamental to success, as it ensures higher value outcomes are delivered, people have a more positive experience and risks and cost overheads are reduced.

The course presents proven “how to” steps and processes. It covers the five steps of stakeholder relationship management: identify – prioritise – understand – engage – measure, taking a methodical approach, exploring issues, providing tools to help improve effectiveness and using examples.






As well as this, the course gives an overview of the stakeholder management strategies that can be applied and provides practical guidance on how and when to apply them to different to stakeholders. A number of practical templates and checklists are provided for use by participants. Real life situations are used to demonstrate how the process and ideas have been applied in planning and other situations.

A variety of examples are used, a small sample being:

-  Stimulating engagement through other trusted parties to generate stakeholder interest in long term planning
-  What happened when a developer engaged early and constructively with Council Officers on a plan change
-  An approach that helped resolve conflicting stakeholder requirements in a planning process
-  How a poor relationship between a power company and community was turned around to become more constructive and positive in the interests of both parties
-  A situation where Council and community worked collaboratively in an Environment Court mediation, and the outcome of that approach
-  How a complex bus-way project successfully used a variety of engagement strategies with different stakeholder groups.

This course will help participants become more effective at engaging others by developing their understanding and insight about human relationships. It will also equip them with practical, proven tools and processes to support their success.

## Key Learning Outcomes

-  Understand the process for identifying, prioritising and managing stakeholders
-  Develop deeper understanding of stakeholders & their needs
-  Become more effective at communicating with and influencing others
-  Know what engagement strategies to use and how to use them
-  Understand more about how to plan and manage relationships.

## Key models and methods

The models, methods and ideas introduced will stimulate thinking as well as provide a take-out toolkit. Participants will apply these to their own business situation so that they leave with practical ideas and actions to put in place.



The toolkit provided includes:

- Stakeholder Management process – steps being identify, prioritise, understand, manage, monitor
- Stakeholder prioritisation - based on Influence v interest and Value vs effort
- Stakeholder Engagement Strategies
- The Value Exchange model
- Neuro Linguistic Programming (Visual, Auditory, Kinaesthetic)
- Body Language
- Underlying drivers of human behaviour

#### **Other features:**

- Key concepts explored will include: trust, influence, value, exchange, relationships
- Participants also discuss 'distinctions' – such as wants vs needs, engage vs consult.

## Emerging Leaders in Planning

**Presented by Janis Grummitt and Leigh Auton**

Practical Leadership for Planners – a workshop for emerging leaders in the planning profession. This workshop has been running successfully for the past five years. Planners need to be leaders – people who can influence and inspire others to achieve an outcome. It offers emerging leaders the opportunity to develop their own personal leadership style and practice useful tools and techniques that enable leaders to get results through others. Examples and stories relate to planning and local government requirements.

#### **Who will benefit:**

Young planners in their late 20s and thirties who need to manage various project planning meetings, community groups or who have responsibility for others at work. Those in their 40's and 50's who have not had any formal training or development could also benefit. Also planners who may need to stand in as leader occasionally or who aspire to a more permanent leadership role in future.

#### **What you will learn includes:**

- A framework for leadership action
- The four stages of age related leadership development
- Building emotional control and understanding motivation of self and others
- Knowing your own and others thinking type
- Becoming aware of the effect of two critical personality traits
- Using your own unique approach to leadership
- Practice applying some group process tools that help guide a successful meeting
- Applying practical techniques to successfully facilitate a group, team or public meeting
- Developing confidence in very diverse groups with more senior members than yourself.

#### **How the workshop works:**

- A simple framework that is filled in by examples and stories from Leigh Auton – a planner who became the CEO

- Stories from workshop members
- Practical exercises and discussion
- Fun and a chance to get to know other planners with similar challenges

## Ethics for Planners

**Presented by Dean Chrystal**

This course is designed to introduce members to key concepts in relation to professional ethics as planners, familiarise members with the NZPI Code of Ethics, learn how to identify ethical issues and ways of resolving them, identify appropriate sources for information and support in resolving ethical issues, and to practise applying the NZPI Code of Ethics to everyday ethical issues.

## Expert Witness/Presenting Planning Evidence

**Facilitated by Dave Serjeant and John Kyle**

This seminar is designed to be a practical guide to preparing and presenting evidence at the Environment Court. It will address what it means to be an expert witness, primarily focusing on planning experts however the seminar is of value to all expert witnesses.

It will include commentary on practices designed to assist the Court to determine technical issues where experts offer conflicting opinions. This will include the fairly standard practice of requiring technical witnesses to attend expert conferencing and produce an agreed statement of facts and/or joint statements of evidence.

The seminar also provides guidance on how to conduct one's self under cross-examination.

The facilitators are joined by a senior RMA lawyer and a Judge of the environment Court for the Presentation, providing insights on what is expected from the expert witness from their perspective.

## Managing the Surface and Groundwater Effects of Development and Infrastructure

**Presented by Nigel Mark-Brown**

This course provides planners, engineers and scientists with an overview of the management of water-related effects of development in the RMA context.

### **Overview of Course:**

- Overview of potential effects of development on surface and groundwater. This will include a general description of the sources and mechanisms involved in discharges of contaminants to the land and water and other environmental effects

on land and water from activities and development. Case studies on consenting problems associated with overland flow paths and flooding are presented and discussed.

- Good practice for managing water-related effects. This will give an overview of and examples of good engineering assessment and design practice relating to the planning, design and operation of developments and infrastructure. Case studies on contamination management and consenting are presented and discussed.
- Provisions of RMA plans. This will discuss how RMA plans address the control of effects on water and water bodies and how approaches differ within New Zealand.
- Using RMA plans. This will include a discussion of methods council staff can use to satisfy themselves that appropriate avoidance, remediation or mitigation is incorporated in proposed developments. It will cover what planners/engineers/scientists need to know when preparing and/or reviewing AEEs accompanying resource consent applications. The workshop will show you how to liaise with engineers and other specialists when the effects of activities may be more than minor and/or when applications need technical scrutiny.

### Subject Specific Outcomes:

- Understand the range of potential effects on surface water and groundwater from developments and activities and the role of the RMA in addressing these.
- Identify issues associated with proposed development that may have adverse effects on surface and groundwater.
- Know what is good practice to avoid, remedy or mitigate water-related effects of development or other activities.
- Understand how RMA plans address the water-related effects of developments and how and why approaches differ over regions
- Assess technical information provided with a resource consent application and determine what further information or review what may be required for the consent authority to full consider the application.
- Assess whether an applicant's AEE contains sufficient information for the consent authority to accept the application and to write the officer's report (s 42A RMA)
- Have an awareness of technical matters when liaising with engineers and other specialists.

This course is designed for district and regional council planning and/or engineering staff who are responsible for processing resource consents particularly in rural or greenfields areas. It is also designed for planning and other consultants preparing AEE reports.

## PLANNING FOR MAORI VALUES: ADVANCED

Presented by [Jade Wikaira](#) and [James Whetu](#)

**This course is a compulsory CPD requirement for those members looking to seek Full membership in the future.**

### Learning Outcomes:

- Demonstrate understanding of current practices of Te Ao Maori in resource management planning through discussion, critical reflection and group work.
- Gain an understanding of working with treaty settlement legislation, statutory acknowledgements, iwi management plans and cultural impact assessments in RMA planning (consents and policy)
- Gain an understanding of Maturanga Maori and Maori worldview in Freshwater, Coastal/Marine, Urban Landscapes, and Land
- Demonstrate applied understanding of working with Maori (and planning tools available to Maori) in resource management planning processes and practices

## Planning for Maori Values: Introduction

**Presented by [Jade Wikaira](#) and [James Whetu](#)**

This workshop is designed to provide planners with necessary knowledge and understanding of Te Ao Māori to be able to effectively undertake their roles under the RMA and LGA. It is important that planners understand tangata whenua values in the current environment and how to recognise and provide for these values within their planner roles. Along with understanding values, this workshop covers the legislative framework, including the role of Treaty Settlements, and will provide attendees with a better understanding of the role of the relevant tools in the tangata whenua RMA kete (Iwi Management Plans, Cultural Impact Assessments). Issues in relation to Maori land and its use are complex; this workshop will also assist planners to understand the legislation and constraints facing the use of Māori land, and provide practical information on how to better provide for these issues through our plans and decisions. Finally, this workshop will also cover tools and techniques for planners to effectively engage with tangata whenua in their work.

### **Learning outcomes:**

- Gain an understanding of tangata whenua values in the environment and how to provide for these values as planners
- Understand the legislative requirements under the RMA and LGA for engaging with tangata whenua and Māori
- Understand and make provision for how Treaty Settlements impact on RMA and LGA processes and Council decision making
- Understand the context for and application of Iwi Management Plans and Cultural Impact Assessments
- Gain skills and knowledge to undertake effective engagement with tangata whenua

## PM1: Plan Making – An Update

Presented by [Gina Sweetman](#)

Introduction to Plan Making is part of NZPI's Plan Making stream of CPD. It has been designed for planners in the early stages of their professional careers, or for more experienced planners with limited skills and knowledge of the topic.

This one-day workshop is designed to provide the participants (including planners, local and regional government officers and private consultants, land surveyors and urban designers) with an overview to the plan development and review (both at the regional and local levels) process under the Resource Management Act 1991(RMA) and other relevant pieces of legislation. The workshop includes understanding the importance of s32 through the process, an introduction to drafting provisions and involves a range of case studies and exercises. It equips planners to plan in a post King Salmon world. The workshop draws on Gina's extensive experience, and covers the 2017 amendment to the RMA, relevant case law and case studies from plan reviews and drafting, including:

- EDS vs King Salmon 2014
- Suburban Estates Ltd vs Christchurch CC 2001
- Long Bay – Okura Great Park Society Inc vs ARC 2008
- Kapiti Coast District Council
- Hutt and Upper Hutt City Councils
- Wellington City Council
- Auckland City Council
- Porirua City Council
- Environment Canterbury
- Horizons Manawatu
- North Shore City Council
- Wellington Region
- Ministry for the Environment oversight

### Learning Outcomes:

An understanding of:

- The rational plan-making model that the RMA 1991 and the LGA 2002 are based on
- The Schedule 1 process
- The important role that s32 plays through the plan development process
- The different roles of issues, objectives, policies, methods and rules and how to begin to draft them.

## PM2: Effective Plan Making

Presented by [Gina Sweetman](#)

This one day course is focussed on those involved in plan drafting. Using a range of teaching techniques, it is designed to provide the participants with a good understanding of how to prepare effective s32 evaluations and draft plans that are easy to understand, structurally sound and achieve their intended outcomes in practice.

The workshop learns on lessons affirmed by the Supreme Court through the King Salmon decision. The workshop takes you step-by-step through the plan drafting process, showing how using s32 throughout the process is best practice and results in clearly drafted provisions and reflecting on the lessons that we have learnt through case law.

The workshop includes techniques for determining if the outcomes were achieved and potential barriers to plan quality using a case study examining the landscape and ecology provisions in three different plans through a series of 24 case studies. The workshop draws on Gina's extensive experience, and covers the 2017 amendment to the RMA, treaty legislation, case law and case studies from plan drafting, including:

- EDS vs King Salmon 2014
- Suburban Estates Ltd vs Christchurch CC 2001
- Long Bay's Okura Great Park Society Inc vs ARC 2008
- Kapiti Coast District Council
- Hutt and Upper Hutt City Councils
- Wellington City Council
- Auckland City Council
- Porirua City Council
- Environment Canterbury
- Horizons Manawatu
- Wellington Region
- Ministry for the Environment oversight

## PM3: Running a Good Process

**Presented by [Gina Sweetman](#)**

This one day course is part of the plan making stream of CPD. It assumes a reasonable level of skills and knowledge of the topic, and will appeal to planners with several years of experience who are leading or involved with plan review and change processes. This one-day workshop is designed to provide the participants with the skills they need to run an effective plan making process, using a variety of teaching techniques including case studies, exercises and group discussions. The workshop draws on Gina's extensive experience, and covers the 2017 amendments to the RMA which introduce two new plan making routes, case law, case studies from plan reviews, including:

- Waikato – Tainui Te Kauhanganui v Hamilton City Council NZHC 896 [2010]
- Creswick Valley Residents Association Inc v Wellington City Council [2012] NZHC 644
- Palmerston North City Council v Motor Machinists Ltd [2013] NZRMA 519
- Clearwater Resort Limited v Christchurch City Council HC Christchurch AP34/02, 14 March 2003 (HC)
- Kapiti Coast District Council

- Hutt and Upper Hutt City Councils
- Wellington City Council
- Auckland City Council
- Porirua City Council
- Environment Canterbury
- Wellington Regional Council
- Ministry for the Environment oversight

### **Learning Outcomes:**

- The role of project management in plan review processes
- The role of elected representatives and senior management in plan review processes
- Develop effective consultation strategies for community engagement during the plan making process
- Deal with the legal effect of rules and their impact of the plan making process
- Understand the submission and further submission process and how these impact of the plan making process
- Develop effective report writing and presentation skills for plan making
- Understand the notice of requirement process

## Principles & Practice of Designations under the RMA

### **Presented by Justine Bray and Luke Hinchey**

Designations are a key tool under the RMA for consenting, constructing, operating and future proofing many medium to large scale projects. The practice of establishing, applying for and using designations under the RMA is often not well understood. This is not surprising given that by far the vast majority of development proposals are established through resource consents, which are quite different to designations. Furthermore, there are only limited people or organisations who can exercise designation powers.

Understanding how designations work is an important area of knowledge for all planners, particularly those interested in working with councils, central government organisations and infrastructure providers that help deliver public good projects. The presenters will use case studies including AUT University's South campus designation and that of Ara Tūhono – Pūhoi to Warkworth for the New Zealand Transport Agency.

This one day course aims to introduce designations to those planners who have little experience in their use. It will provide an overview of their statutory framework under the RMA, the status of the designation in a District Plan, how this may be altered and the purposes of an outline plan of works. The course will also address conditions on designations and some case law will be discussed.

## RC1: Resource Consents – An Update

### **Presented by Dr Lee Beattie**

Introduction to Resource Consents is part of NZPI's CPD Resource Consent Stream. It is designed to provide the participants with a general introduction to the resource consent process and requirements under the Resource Management Act 1991(RMA). The course is aimed at recent graduates, professionals with limited knowledge of the RMA and the consent process, and people new to the New Zealand planning system.

This one-day workshop draws on Lee's extensive experience, including as an Independent Hearing Commissioner and Chair of the Auckland Urban Design Panel. It is based around up-to-date case studies, interactive examples and exercises drawing on the relevant case law and how these should be applied in practice, including:

### **Learning Outcomes:**

A general understanding of:

- How plans are developed under the RMA
- How to develop effective assessment of Environmental Effects which meet the requirements of the 4th schedule
- How to apply s.88 and when to request further information or commission reports under s.92.
- Determining whether an application should proceed on a notified (public or limited) or non-notified bases under the RMA
- How to clearly communicate the reasons for your recommendations to the decision maker
- Develop effective and enforceable conditions

## **RC2: Assessing Environmental Effects and Notification Issues**

**Presented by Dr Lee Beattie**

This one-day workshop is designed to provide participants with the essential skills to:

- Develop the ability to scope planning proposals for clients
- Develop effective and sound Assessment of Environmental Effects (AEEs)
- Determine completeness and sufficiency of information required for the Council to accept your application under s.88 and the 4<sup>th</sup> schedule
- Understand the Council's role in accepting applications
- Determining when and where it's appropriate to request further information
- Determining when to notify (public or limited) or not to notify resource consent applications

This one-day workshop draws on Lee's extensive experience, including as an Independent Hearing Commissioner and Chair of the Auckland Urban Design Panel. It is based around up-to-date case studies, interactive examples and exercises drawing on the relevant case law and how these should be applied in practice, including:

- Davison v Marlborough District Council 2017
- Tasti V Auckland Council 2016
- Watercare Services v AC 2011



- Coro Mainstreet (Inc.) v Thames Coromandel District Council 2013
- Sutton v Environment Canterbury 2014
- Ports of Auckland v Auckland Council 2015
- Northcote Manistreet Inc V North Shore City Council 2006
- Affco NZ Ltd v Far North District 1994

## Learning Outcomes

An understanding

- How to scope a planning application
- Develop effective Assessment of Environmental Effects which meet the requirements of the 4<sup>th</sup> schedule
- How to apply s.88 and the 4<sup>th</sup> schedule to determine where or not to accept a resource consent application
- How and when to request further information or commission reports under s.92.
- Determining whether an application should proceed on a notified (public or limited) or non-notified bases under the RMA

## RC3: Conditions, Decisions, Reports and Hearings

Presented by **Dr Lee Beattie**

This one-day workshop is designed to provide the participants with a detailed understanding of how to prepare effective and sound s.42 reports, prepare relevant s.104 recommendations to a range of decision makers with effective and enforceable conditions. It will also assist you to understand your role as a reporting officer, improve your report writing skills, your role during a hearing process and dealing with Hearing Commissioners questioning.

This one-day workshop draws on Lee's extensive experience, including as an Independent Hearing Commissioner and Chair of the Auckland Urban Design Panel. It is based around up-to-date case studies, interactive examples and exercises drawing on the relevant case law and how these should be applied in practice, including:

- Davison v Marlborough District Council 2017
- Tasti v Auckland Council 2016
- Oddfellows v Auckland Council, 2016
- Blue Sky Timber v TCDC 2006
- Ports of Auckland v Auckland Council 2015
- Rodney District Council v Gould 2006
- Queenstown Central Limited v Queenstown Lakes District Council 2013
- Arnott vs. North Shore City Council 2000
- Newbury DC v Sec of State for Environment 1981

## Learning Outcomes

An understanding of:

- The role of a reporting officer within the hearings process and how to present effective evidence to a range of decision makers
- How to write a legally and technically sound s.42A report, appropriate to the nature and type of the resource consent application under consideration
- How to assess the opinions of other experts by reference to the policy direction of the relevant planning documents
- How to clearly communicate the reasons for your recommendations to the decision maker
- Develop effective and enforceable conditions
- Recognise what it takes to write in plain English and communicate your ideas to wide range of different audiences

## RC4: Effective Engagement in Environment Court & Board of Inquiry Processes

**Presented by [Dr Lee Beattie](#)**

This one- day workshop is designed to provide the participants with an understanding of the processes involved when dealing with matters of national significance that either go through the EPA or as with direct referrals. Learn how to effectively contribute to the Board of Inquiry and Environment Court processes and gain a detailed understanding of the resource consent appeals and objections processing, including s.120, appeals, s.357 objections, caucusing and conferencing of expert witnesses, Court assisted and informal mediation.

This one-day workshop draws on Lee's extensive experience, including as an Independent Hearing Commissioner and Chair of the Auckland Urban Design Panel and covers all the relevant issues arising from the 2017 amendments to the Resource Management Act 1991. It is based around up-to-date case studies, interactive examples and exercises drawing on the relevant case law and how these should be applied in practice, including:

- Mainpower NZ v. Hurunui DC 2012
- Waiheke Marinas Limited v Auckland Council 2013
- Tram Lease v Auckland Council 2015
- Waiheke Marina Case 2015
- Water view Tunnel 2009
- Other examples throughout New Zealand

### Learning Outcomes

An understanding of:

- The processes relevant to direct referrals under ss.87C-87I, 198A-198M and s.285 of the RMA and Matters of National Significance under Part 6AA of the RMA
- The ss.120 and 121 appeals process
- The role and obligations of s.274 parties during the resource consent appeal process
- How to effectively deal with s.357 objections

## Soft Skills for Planners

Presented by [Janis Grummitt](#)

Hard skills and knowledge are requirements for professional life – but it is the soft skills that make us successful. A large part of a planner's job involves soft skills. In the planning profession they include:

- The ability to communicate
- Use personal persuasion and connections
- Have confidence, patience, a positive attitude and manage our own energy and time.

This one day interactive workshop is for all planners who need to add soft skills to their professional and legal knowledge. Soft skills enable better results in all planning roles.

### Who will benefit:

Planners in all organisations and roles who need too:

- Gain support from their colleagues
- Work with non-planners including members of the public
- Relate to representatives of communities and politicians

### What you will learn includes how to:

- Communicate well - listening, using body language, persuading, gaining respect
- Manage your own internal energy - self motivate, deal with stress, get things done
- Create social capital - networking, collaborating and building relationships
- Using an ethical approach for communication and decision making

### How the workshop works:

- Simple tools and frameworks with individual, team and group practice
- Learning discussions and support from other planners in the same situation
- A few practical actions that can be built into the every-day work of participants

### Topics to be addressed include:

- Communication Skills
- Listening with the eyes and ears
- Speaking with conviction and confidence
- Creating time and energy
- Managing your time
- Release your energy

## Understanding Noise & Effects

Presented by [Jon Styles](#)

The measurement and assessment of noise and its effects is complex and can often become a major element of any wider planning assessment and one of the primary issues at a hearing. Whilst the very technical aspects should remain with the acoustics experts, a good understanding of how and where noise is measured, how the effects can be mitigated and the relevance of previous cases to the decision making process is vital for the planner and decision-maker when noise issues come to the fore.

### **Jon will cover the basics including the following:**

- The basic methods for the measurement of noise
- Explaining the most common noise level descriptors (Lmax, LAeq, etc)
- Where noise should be assessed from
- An explanation of the different in noise levels for a variety of sources (i.e 3dB - 5dB difference etc.)
- Examples of how noise can be effectively mitigated
- What to expect from an acoustic report and the subsequent expert review
- A discussion of Environment Court and Court of Appeal cases related to noise issues including the following:
  - Ngataranga Bay 2000 Inc. v Attorney General [1994] A16/94 - Can a council impose a stricter duty (than the District Plan noise limits) on the occupier of land through the adoption of the 'best practicable option'
  - North Canterbury Clay Target Association Inc. v Waimakiri Council [2016] NZCA 305, CA21/2015, - Does a Certificate of Compliance and an Existing Use Right protect a noise-generator from encroaching residential use.
  - Empire Entertainment Ltd v Auckland City Council [2010] NZRMA 525 (HC) - The clear intent of s16 of the Act is to limit noise emissions to a reasonable level notwithstanding the requirement to adopt the Best Practicable Option
  - Nelson City Council & Delaware Bay Residents Association Inc v Sharon Harvey & Bruce Reginald Harvey [2011] NZEnvC48 - Is the chronology of development relevant - does it matter if the noise-generator was there before the receiver arrived.

## Urban Design and Planning

**Presented by [Dr Lee Beattie](#) and [Ian Munro](#)**

The New Zealand planning system struggles with design. Too often planners find themselves at the end of the process, trying to make a poorly designed proposal rather less poor. In such cases urban design is a sugar-coating for bad planning. This two-day workshop is aimed at planners. It starts by providing an understanding of the theory, principles and practice of urban design and how this can be applied to planning. The core of the course provides a practical understanding of the role urban design can play throughout the planning process and how planners can effectively engage, evaluate and assess urban design evidence and advice.

Up-to-date case studies using local examples in Auckland, Queenstown, Tauranga, Christchurch and international examples in North America illustrate key points. This is supported by the presenters' own professional experiences with a wide range of urban design

issues and projects, including Ian Munro's experiences as Chair of the Auckland Urban Design Panel.

Participants are encouraged to submit work examples before attending which can be used, where appropriate, as part of the course.

### **By the end of the course you will have:**

- Gained an understanding of urban design theory, principles and practice how this applies to planning and what 'sound urban design practice' could look like.
- Gained an understanding of the role and importance of urban design when seeking to create sustainable urban planning and design outcomes through the planning process, especially during the critical plan making process.
- An introduction to site layout, subdivision, the role of precinct plans and master planning and other urban design approaches to development with the tools and information requirements to deliver these in practice.
- Being confident in identifying and understand the difference between planning, architecture, landscape architecture, and urban design opinions and how these should be applied through the planning process.
- Understand the drivers of the development process in order to deliver your urban design outcomes in practice.
- The ability to ensure urban design policy intentions are effectively incorporated into the plan to ensure you have the mandate for urban design.

This workshop is aimed at planners, but is open to all built environment professionals with an interest in developing effective urban design outcomes in practice. The class will be interactive and draws on the presenters' real life working examples including projects dealing with both small and large scale projects including, master-planning, Special Housing Areas, residential and commercial developments and infrastructure issues.

## Water Quantity & Quality Planning under the RMA

**Presented by [Helen Marr](#) and [Kate McArthur](#)**

Water resource management is a key issue for resource planning in New Zealand. Abundant and good quality water is a scarce resource and managing water effectively to meet competing expectations and values can be complex, confrontational and costly.

This workshop will help to break down the complexity of managing freshwater and giving effect to the National Policy Statement for Freshwater Management. We will provide participants with examples of simple frameworks for management that have been used successfully in many parts of the country, including examples from:

- Manawatu
- Hawke's Bay
- Wairarapa
- Canterbury
- Nelson

The science and technical detail of freshwater will be clearly and simply explained giving you basic science behind water management in New Zealand, quality, quantity and habitat.

Participants will work through practical exercises to apply the skills they have learned, including identifying freshwater issues and setting freshwater objectives, and have the opportunity to learn from the experiences of the presenters and others in the group.

We will spend time helping you to understand the requirements of and potential benefits and pitfalls of the National Policy Statement for Water Management and the National Objectives Framework Strategies. Tools for partnership with iwi and collaborative engagement with stakeholders will also be discussed, with examples of successful approaches from around the country.

You will gain a knowledge of recent approaches taken by other councils and stakeholders to water management planning, including allocation mechanisms, recent case law and providing information to inform consensus decision making through collaborative processes.

## Presenters

### Dave Serjeant

Dave Serjeant is an environmental planner and independent hearings commissioner with a nationwide practice in plan making and large, complex projects. Dave's experience spans a wide range of environments, from inner urban Auckland to the outstanding landscapes of Central Otago, and from landfill operations to marinas. His clients include corporate entities, Councils and non-governmental environmental organisations. He has frequent appearances before the Environment Court as an expert planning witness and related involvement in mediations and expert conferencing. Dave holds the qualifications of Bachelor of Town Planning from Auckland University (1979) and Master in Business Studies (Economics) from Massey University (1985). He is a full member of the New Zealand Planning Institute and a member of the Resource Management Law Association, with 37 years professional experience.

### Dean Chrystal

Dean is a Director at Planz Consultants and has over 25 years planning experience. He has an excellent understanding and knowledge of the local Government environment, having previously worked at a variety of different local authorities. Dean has been involved in a variety of strategic projects including the preparation of statutory plans and planning reports, policy documents, design reports, research studies, the presentation of evidence before Councils and the Environment Court. His skills include workshop presentations, plan preparation, project management, feasibility studies, environmental impact assessments, the preparation and presentation of evidence and working with business and community groups on local initiatives.

### **Dr Lee Beattie**

Dr Lee Beattie is urban planner and designer with over 25 years professional experience in an extensive range of urban planning and design issues. He has work in both local government and private practice and is currently a Hearing Commissioner for Auckland Council and Queenstown Lakes District Council, Deputy Head of the University of Auckland School of Architecture and Planning and a rotating Chair of Auckland Council's Urban Design Panel.

### **Gay Pavelka**

In private practice since 1996, Gay Pavelka has mediated disputes in a wide range of fields since 1984 and facilitated or mediated public issues and environmental conflicts since 1990. She is a Fellow and Panel member of AMINZ (Arbitrator's & Mediator's Institute of New Zealand) and is certified Good Decisions decision-maker. Gay facilitated the South Island Good Decisions team for several years. Gay provides mediation, facilitation and training services to a wide range of clients.

### **Gillian Taylor**

Gillian has a strong track record in helping parties establish successful partnering ventures. She is an experienced consultant, business coach and catalyst for positive change. Gillian has extensive experience in developing business relationships to ensure an effective result. She has developed business partnerships, been involved in (and accountable for) outsourcing and large complex relationships, including alliances between large NZ and Global corporations.

### **Gina Sweetman**

Gina Sweetman is an experienced planner with a wide range of experience, having worked for over 24 years in local and central government and currently private practice. She has a strong knowledge of all aspects of the RMA, with particular strengths in training, statutory planning and implementing best RMA practice into everyday practice. Gina is also an experienced accredited Hearings Commissioner, appointed Development Contributions Commissioner and NZPI Distinguished Service Award recipient.

### **Helen Atkins**

Helen Atkins is one of the founding partners of the boutique environment and public law firm, Atkins Holm Majurey. Helen has worked for a number of years for a variety of private and public sector clients on a range of environmental, local government and public law matters. Helen has served on the both the New Zealand Planning Institute local branch Committee (Wellington) and on the Resource Management Law Assn National Committee (including as president from 2009 to 2011). Helen recently finished an 11 year term as a member of the Hazardous Substances and New Organisms Committee of the Environmental Protection

Authority (ERMA) having previously served as a Board member of the Environmental Risk Management Authority (ERMA) before it became the EPA. Helen is in her 2<sup>nd</sup> year as a co-opted member of the Water NZ Board.

### **Helen Marr**

Helen Marr is a resource management planner with experience and focus on resolving water policy issues. Helen has been involved in water management issues in Manawatu, Hawkes Bay, Wellington and Canterbury. Helen is a Director of Perception Planning, a specialist resource management planning consultancy.

### **Ian Munro**

Ian Munro (B.Plan (Hons), M.Plan (Hons), M.Arch[Urb Des] (Hons), M.EnvLS (Hons), MNZPI, Certified RMA Commissioner) is a self-employed planner & urban designer, Hearings Commissioner with in-depth work experience work across New Zealand, and a member of the Auckland Council's Urban Design Panel.

### **Jade Wikaira**

Jade currently works at Boffa Miskell in the Wellington office in the roles of Strategic Advisor Maori and Resource Management Planner. She has extensive experience in strategic policy, governance and relationship development, where she held policy positions in central and local government. Previously, Jade also held a role advising the Minister of Maori Affairs on environmental resource management and Maori community development matters. Jade is particularly interested in working on collaboration and strengthening relationships across the region. Jade is the interim primary contact for the Te Whanganui a Tara branch of Papa Pounamu.

### **James Whetu**

James is Director and Planner for his consultancy Whetu Consultancy Group, which has a particular focus on incorporating Maori values, perspectives, and maatauranga aa iwi/hapuu into resource management processes and outputs/outcomes. James has harnessed his experience and knowledge as a result of various roles over his 13 year professional career, where he started as a planning consultant in a survey and engineering firm, and progressed through territorial and regional authorities and an iwi authority. James is involved in Maori advisory committees, with an appointment on the Environmental Protection Authority's Ngaa Kaihautuu Tikanga Taiao, as well as community focused committees, such as the Ngaaruawaahia Community Board. James is the primary contact and liaison on the committee for the establishment and advancement of Papa Pounamu branches around New Zealand.



## Janice Carter

Janice Carter has a MSc (Hons) in Resource Management and has been practicing in the field of resource management planning for 25 years. Janice works as a planning consultant for GHD. A large proportion of Janice's work has been in policy writing, from high level strategic policy documents for Councils and other organisations, to drafting district and regional plans. In addition to strong policy writing skills Janice brings a practical approach to resolving resource management policy issues utilising her sound geological sciences background. The most recent plan Janice has been involved with is the Christchurch Replacement District Plan.

## Janis Grummitt

Janis has more than 30 years experience advising senior executives across many organisations spanning central and local Government, the private and not-for-profit sectors. A social anthropologist, Janis also uses her personal knowledge of neuro science to add to her considerable leadership experience. She has been an executive leader and now enjoys mentoring others including individuals, companies and boards.

## John Kyle

John has worked in the field of town and country planning, and resource and environmental management for 25 years. His experience includes a mix of local authority and consultancy resource management work. A lot of his work has been in providing advice in relation to Regional and District Plans, designations, resource consents, and environmental management and environmental impact assessments. This includes extensive experience with large-scale and nationally significant projects. John has backed up his experience with a wealth of further study and industry involvement. He is a member of the Urban Land Institute of America, and has twice studied at Harvard – in master planning, as well as leadership practices.

## Jon Styles

Jon Styles is the Director and Principal of Styles Group, a consultancy specialising in the measurement, prediction and assessment of noise and vibration as it relates to the RMA. Jon has completed the Ministry for the Environment's Making Good Decisions programme and was elected Secretary and Council Member of the Acoustical Society of New Zealand in 2008 and re-elected in 2010 and 2012. Jon has been practising in the acoustics industry for more than 13 years. Most of his work has been in the environmental discipline, including significant transport and infrastructure works. Some recent and significant projects for Styles Group include the Waterview Connection (RoNS), Auckland's City Rail Link, Mackays to Peka Peka (RoNS), Christchurch Southern Motorway (RoNS), Auckland's Unitary Plan.

## **Justine Bray**

Justine is a Partner and Technical Principal for Planning, with over 20 years commitment to Opus International Consultants. She has over 27 years' technical experience in NZ and internationally, including Malaysia, Vietnam and Australia and is a long standing Full Member of the New Zealand Planning Institute. Throughout her career she has managed significant planning projects for Ministers of the Crown, including the role of Expert Witness in the Environment Court for Plan Changes and the Planning Lead or Technical Advisor for new designations throughout New Zealand. Justine has successfully recently delivered a new Notice of Requirement for the development of a new 8.5ha tertiary education campus, which has included the presentation of expert evidence at the hearing before independent commissioners. Building on this experience, Justine is now leading the clients planning team to implement conditions of this designation and directing all planning input associated with the future construction stages that requires an Outline Plan of Works and Regional Consents. Justine also represents a number of Requiring Authorities that are working with Auckland Council to develop the Proposed Auckland Unitary Plan. Her roles include preparing designation 'roll over' notices and leading all aspects of the submission process on behalf of Requiring Authorities, ensuring their designation and consenting requirements are provided for in the new Unitary Plan.

## **Kate McArthur**

Kate McArthur is a water scientist and resource manager with experience in limit setting with councils, iwi and stakeholders. Kate has been involved in developing water management frameworks in the Manawatu-Whanganui, Hawkes Bay, Northland and Nelson and has advised at a national level on the Freshwater National Policy Statement and National Objectives Framework. Kate regularly lectures in planning and environmental science at Massey University and is an RMA Hearings Commissioner. Kate is the Practice Leader – Water Quality for The Catalyst Group, an environmental consultancy based in Palmerston North.

## **Leigh Auton**

Leigh has extensive local government experience including being a former Chief Executive of Manukau City Council. He has a passion for planning, strategic thinking and good governance. He has been involved in issues at national, regional and local levels in New Zealand.

## **Luke Hinchey**

Luke advises private and public clients on the resource management and environmental aspects of projects, litigation and mergers & acquisitions. He has advised on property subdivision and development, district and regional planning processes and public works and land acquisition in industrial, energy, infrastructure, and waste management matters.

### **Nigel Mark-Brown**

Nigel Mark-Brown is a consulting engineer specialising in the environmental effects of development and associated discharges of contaminants to ground and surface water. He is also experienced in stormwater and flood management and in surface and groundwater resource management. Nigel has prepared assessments of environmental effects for a range of proposed developments and urban infrastructure projects. He has completed the Making Good Decisions training for resource consent hearing commissioners and has been a commissioner for a number of resource consent hearings including for stormwater disposal, flood management and wastewater treatment and disposal. He teaches a course on assessing environmental effects and change as part of the Post graduate Diploma in Science in Environmental Management at the University of Auckland.

### **Peter Nunns**

Peter Nunns is Principal Economist at MRCagney, a transport and urban planning consultancy. His work spans land use planning, housing policy, and transport policy. Since 2016 he has advised the Ministry for the Environment and Ministry for Business, Innovation and Employment on the development and implementation of the National Policy Statement on Urban Development Capacity. As part of this, he has assisted in the development of guidance to assist councils to implement the evidence, monitoring, and planning responses requirements. Peter's recent work also includes the development of business cases for a number of major transport projects, including the Auckland Cycling Programme and Auckland's Northwest Rapid Transit Corridor, giving him an in-depth knowledge of the related challenges that councils face in planning and funding infrastructure to support growth.

### **Robert Scott**

Robert has been practising since 1992 and has a wide range of experience in all aspects of the resource management process. His skills include the management of large or complex consent applications and he has specialist skills and experience in affordable housing projects, subdivision and development of Special Housing Areas, subdivision projects, coastal planning projects and projects that are located in sensitive or rural receiving environments. Robert is often called upon as an expert planning witness before Council and Environment Court hearings and has achieved certification (with merit) as a commissioner under the Ministry for the Environment's Good Decisions programme. He is currently on the panel of independent hearing commissioners for Auckland Council.

### **Stuart Ryan**

Stuart Ryan is a barrister with a practice in resource management, public law and local government law. Stuart has 25 years' experience in advising local government, corporates, trade and industry, private individuals, iwi, and public interest groups; and has experience in litigation in a wide range of courts and tribunals including in the District Court, the

Environment Court, High Court, and Supreme Court. He is based in Auckland, and previously practiced as a lawyer in the Bay of Plenty.