

National Planning Standards

District Plan Structure

Discussion Paper B

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This document may be cited as: Ministry for the Environment. 2017. *National Planning Standards Discussion Paper B – District Plan Structure*. Wellington: Ministry for the Environment.

Published in May 2017 by the
Ministry for the Environment
Manatū Mō Te Taiao
PO Box 10362, Wellington 6143, New Zealand

ISBN: 978-0-908339-90-7 (online)

Publication number: ME 1318

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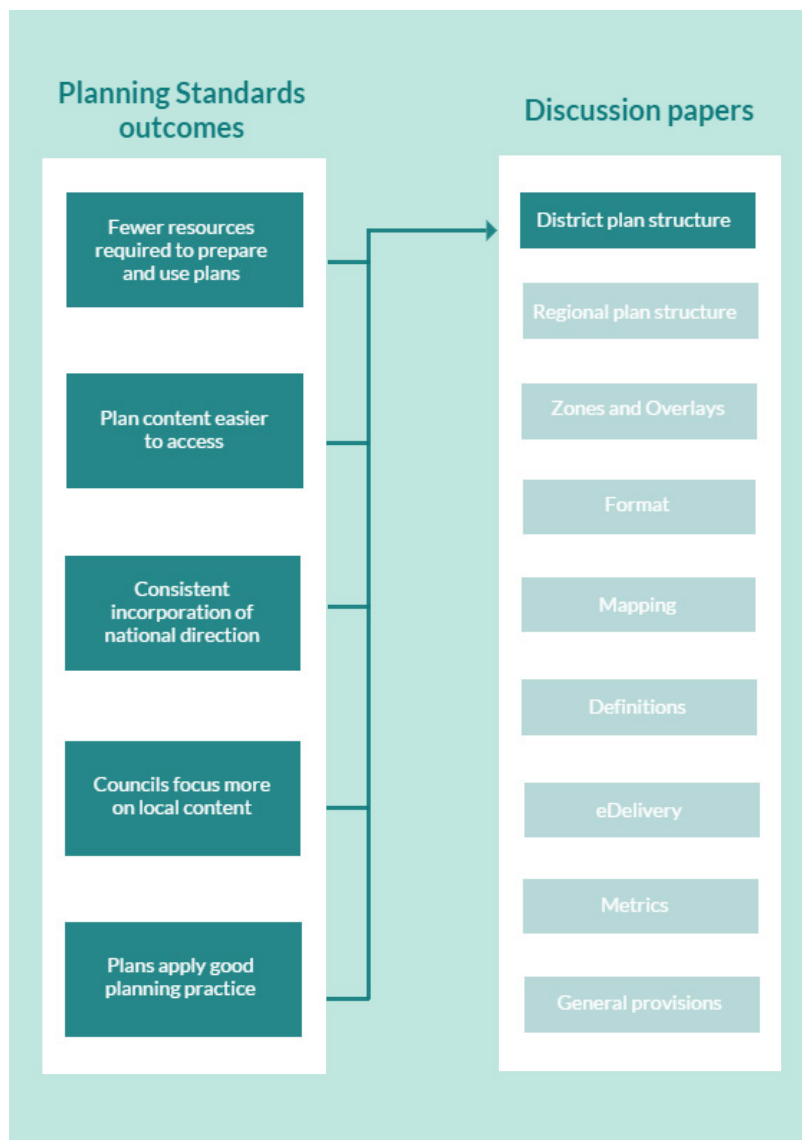
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Context

Unnecessary plan variation impacts the planning system by making plans difficult to understand and onerous to prepare. To address this, the first set of National Planning Standards includes minimum requirements for structure, form and core content for policy statements and plans. This discussion paper presents our ideas for using National Planning Standards to achieve a more consistent structure and understanding of district plans. Specifically, it focuses on chapter organisation, policy framework and method structure and how other specific plan provisions are referred to and used.

This paper sets out our ideas for how the National Planning Standards could provide a more consistent approach to the structure of district plans. Specifically it focuses on chapter organisation, how the policy framework and methods are structured, and how other specific provisions are referred to and used in plans. Any national planning standard needs to address these core elements of plan structure to ensure the benefits of a standardised plan structure are achieved. Figure 1 demonstrates which of the National Planning Standards outcomes can be addressed through the development of standards detailed in this discussion paper.

Figure 1: How the National Planning Standards outcomes can be addressed through standards in this paper



Exploring the problems and opportunities

There are 67 territorial authorities (including unitary authorities) and each is required by the RMA to have a district plan to manage the natural and physical resources in its area.

Allowing councils to define resource management outcomes and specific land use management tools in district plans is a key aspect of the devolved nature of the plan-making process under the RMA. It has, as expected, resulted in plans that reflect local values and content. However, an **unanticipated outcome** is the extent of variation from plan to plan in their core structural elements, their terminology and spatial management tools.

Our research shows that **district plan structure is highly variable** despite all district plans covering similar topics and zones. The biggest variation between plans occurs in how the objectives, policies and rules for different topics or zones relate to each other and where these are located within a plan. At a more detailed level, it is also about how different provisions are dealt with in each plan and the spatial tools and layers used to represent them. We consider this is an unnecessary variation in the planning system and is one of the main drivers for the National Planning Standards.

Unnecessary variation between plans has resulted in a resource management system that is **overly complex** and consequently **difficult for plan users to navigate**. A lack of a common, coherent structure results in confusion for plan users and costs more to applicants, submitters and others as they seek to understand how a particular plan works compared with another plan.

The ability to make different decisions on plan structure results in **duplication of work** for councils. It also contributes to a **lack of integration between district and regional plans**. There is also variation in how plans acknowledge and implement **national direction**, affecting the efficacy of those planning instruments.

An example of how these problems manifest themselves in plans is shown in table 1 below.

Table 1: 3 plans , 3 approaches and 3 ways to say the same thing

Chapter name and topics covered	Map or Schedules
<p>Below are 3 examples of the same issue of indigenous biodiversity's can have different terminology, chapter headings and location in a district plan.</p> <p>Chapter 5 Natural Environment objectives, polices and rules for:</p> <ul style="list-style-type: none"> - significant indigenous biodiversity - natural character of the coastal environment 	<p>Identified as "Features of ecological significance" on planning maps</p> <p>Listed in Appendix 1 schedule of identified ecological features</p>
<p>Section C City Wide Provisions</p> <p>Chapter 10 Natural Environment objectives polices and rules for:</p> <ul style="list-style-type: none"> - indigenous biodiversity - landscape and natural character <p>Appendix 10A Protected Indigenous species</p>	<p>Identified as "Areas of Significant Conservation Value" on the planning maps</p> <p>A1.2 Schedule of areas of significant conservation value</p>
<p>Section 2 Objectives and Policies</p> <p>2.17 Indigenous Biodiversity</p> <ul style="list-style-type: none"> - Indigenous biodiversity <p>Section 17 Natural Environment Rules</p> <ul style="list-style-type: none"> - significant natural areas <p>General and zone specific rules to protect unscheduled areas</p>	<p>Identified as "SNA's" on Planning Maps</p> <p>Schedule 2 Significant Natural Areas</p>

Implementing a standardised approach to preparing and presenting district plans will impose a transitional cost, both to central government in developing the standards and to local government as

they amend their plans. However, the longer term benefits to central and local government will be a better more efficient plan making system. Similarly, it will achieve a clearer understanding and use of resource management plans by plan users, and a more consistent application of the resource management system overall.

By having certain aspects of district plans standardised, local government have the opportunity to develop policy and methods that manage local environmental issues and community values. One of the challenges of National Planning Standards, is to provide direction that balances a sense of familiarity between district plans yet provides flexibility to allow communities to include local content in a way that suits them.

The increasing level of uptake by councils delivering their plans in an “online interactive” format, is an emerging opportunity as it can overcome problems associated with paper based plans. Issues regarding plan size and complexity, repetition and cross referencing can be overcome more easily with online interactive plans. However, it is still important for plans delivered in the “online interactive” format be presented in a logical and coherent way.

There has been a significant increase in **national direction** from central government during the past 10 years. However, variation still exists in how plans acknowledge, refer and implement national direction. The opportunity exists to mandate how plans refer to, and provide, a more consistent implementation of national direction.

A plan structure needs to be **enduring** and any planning standard specifying plan structure needs to provide for future changes to the legislative framework. It is important that any planning standard addresses the key aspects of planning that are unlikely to change and those that reflect common or accepted practice.

The importance of district plan structure

Structure means the way the district plan is laid out, its order, and the way objectives, policies and rules relate to each other. Plan structure is a compulsory part of the first set of the National Planning Standards.

A consistent district plan structure is important because it will:

- assist those who use several council plans to quickly locate information (for eg, businesses, resource management professionals and the Environment Court)
- help members of the public understand the role of RMA plans and improve usability
- allow quick identification of similarities and differences between plans
- enable a consistent reference to, and implementation of, national direction.

What our research tells us

Comprehensive research into the structure and content of district plans has been conducted. Our research tells us district plan have the following in common:

- **zones**, also called effects areas, management areas, activities areas or environments, used to define where plan provisions will apply
- maps to spatially define where those areas are
- **plan provisions** such as objectives, policies and rules that address similar topics (including earthworks, network utilities, heritage, outstanding natural landscapes, natural hazards, financial contributions or mana whenua values).

While the research shows a “common core” content between district plans, there is no one “look and feel”. Research has also identified an unnecessary variation between the way plans are structured and the terminology used to describe the same thing.

Other key findings from our research:

- not one single district plan format stood out due to the extent of variations
- second generation plans were generally shorter than their first
- inconsistent approach to the way objectives, policies and rules relate to each other
- a mixture of zone based and topic based chapter use
- complexity and scale increased proportionately with the district or the issue(s) the district faces
- a large variation between how district plans acknowledge and refer to national direction and regional policy statements.

Elements that influence district plan structure

There are a variety of influences on plan structure; we have identified six broad factors below. The Quality Planning website outlines other factors to consider when designing a plan structure.

Factors affecting plan structure

1. Section 75 of the RMA

Section 75 of the RMA specifies what must or may be included in a district plan. Objectives, policies and rules, if any, are mandatory. Issues, other methods, principal reasons, anticipated environmental results, monitoring procedures, cross boundary issues, information to be included in a resource consent and other information to do with a territorial authorities functions, are optional. The way objectives, policies and rules are organised and relate to each other and the inclusion of optional matters affect the length, structure and usability of district plans.

2. Local issues, context and complexity of issues and local authority size

District plans that address a larger number of issues tend to be more complex. This complexity can be reflected in the structure and layout of the district plan. The extent to which different topics are covered often reflects the importance of that issue to that district. Plans may be structured around one or more specific locally important issues such as high growth, geothermal resources or mining.

3. Legacy provisions and decisions on approaches to plan reviews

Councils that have chosen to undertake a rolling review of their district plan are typically constrained by the structure or format used previously. Where there is a desire to change the structure of the plan through a rolling review, there may be a transition period where chapters within a plan are structured differently. In addition the structure of a plan may be altered to address submissions or as a result of decisions on submissions.

4. Effects based versus activity based philosophy

An effects based approach to rules can result in a predominately topic based approach to chapters in a plan. This approach considers the effects of activities on the environment and seeks to manage those effects. An activity based approach to rules assumes that certain effects are associated with an activity. This approach generally uses a more zone based approach and lists activities appropriate for each zone. While the majority of plans have a mix of zone and topic based chapters, there is a large degree of variation in the combination of topic based chapters and zone based chapters. There is also variation in what topics have zone based provisions and what topics have a standalone chapter.

5. **A trend towards more concise, user-friendly plans**

Second generation plans have removed material no longer required by the RMA (such as anticipated environmental results, issues and other methods) reducing the overall length of plans and allowing the removal of entire chapters. Considering how plans are used, collating parts used most frequently by lay people together, such as plan rules, has influenced district plan structure.

6. **eDelivery of plans online**

Fully interactive ePlans (such as database plans) make the process of searching plans more user-friendly. The ePlan software doesn't change the plan's essential elements, however, some decisions made about plan structure have become less significant (such as whether objectives and rules should be co-located within the same chapter), while others have become more important. For example, to make property based queries accurate and meaningful, the structure and layout of provisions such as activity status tables and performance standards need careful consideration.

Plan provision: terminology and use

Working towards common terminology and use of core plan elements

One of the challenges in discussing plan structure is the variability in terminology used for core plan elements such as zones, overlays and other plan rules. Variability in what may be included as a zone provision, an overlay provision or represented by another spatial tool compounds the issue. Despite plans containing many common elements, the variation of plan approaches and terminology use is large.

To explore plan structure at chapter and provision level, it is necessary to establish a framework for thinking about plan content before providing options for plan structure using that framework.

OUR TERMINOLOGY AND USE

To establish that framework we have placed common plan content in categories and given each element a name. This allows you to think about the options for plan structure with an understanding of the plan content envisaged within each element. Your comments on what we have called each element and what each element should contain are welcome.

The following framework has been developed to support the options developed.

National, Regional and Strategic Matters include:

- a list and description of all national and regional directions, and how the district plan gives effect to these
- identification of any strategic issues a district may have.

This section will support plan users to understand the broader resource management context, specifically the national and regional policy drivers influencing the direction of relevant chapters.

District Wide Nationally Significant Matters provide for and address:

- all relevant Section 6 RMA matters, such as heritage and landscape
- the provision of nationally significant infrastructure, for example the national grid.

Generally located before zone chapters, these would apply across zones and are usually represented by an overlay on the planning maps. Variations exist between the options as to whether the

objectives, policies and rules should be together, or whether the rules should be located within zone based chapters.

District Wide Amenity Matters provide for and address:

- matters that give effect to Section 7 RMA or
- matters that are common across the district.

These matters relate to district plan provisions that maintain and enhance the quality of the environment, provide for the efficient use of natural and physical resources, and maintain and enhance amenity values. These topics are common to every zone such as noise, lightspill and transport, and are used to manage adverse effects on the environment. They may have the same rule or threshold applying across the entire district, or different rules and threshold when influenced by the underlying zone.

Note: specific zone provisions such as building controls will also give effect to Section 7.

Managing land use activities and development (zoning):

- areas with similar character, or land use, or desired future land use, are identified as a zone.

Zoning is the primary tool to manage land use and can include residential, commercial, industrial, open space, and special purpose (to name a few). Provisions are zone specific and a variety of tools are used to manage land use, the effects of activities and development.

The table in appendix 1 provides additional detail on the main components of a plan framework, and the topics we think each framework category should address. In addition, the *Zones and Overlays Paper* discusses how that framework translates into zones and overlays.

Questions

B.1 Do you agree with the framework and matters addressed for plan structure identified in Table 1?

B.2 Do you agree with the terminology used to describe each category?

Principles of good plan structure

Best practice guidance from the Quality Planning website identifies a number of principles for the good organisation of plan material. These principles suggest that:

- material should be arranged in a logical order
- general provisions should be followed by specific provisions and exceptions
- provisions relating to the same subject should be grouped together
- significant provisions should come before provisions of lesser importance.

The principles apply to both the “big picture” structure of a plan and to the structure within chapters.

Tiers of plan structure

Together these six elements and the Quality Planning website principles have been used to identify four tiers of plan structure. It is how the tiers are combined that provides the variation between plans and the range of different options for plan structure.

Table 2: Four tiers of plan structure

Tier	Description	Paper this issue is discussed in
1	<p>Chapter level structure</p> <p>The main elements of chapter structure are outlined in figure 2 Chapter Level Structure</p> <p>The majority of plans take a logical approach with an Introduction at the beginning, zone and topic based chapters in the middle, and Schedules or Appendices at the end. Maps are typically located in a separate volume or increasingly on an online GIS viewer. Definitions can be located at the beginning or end of a plan.</p> <p>However, there is considerable variation in the way plans deal with the zone or topic based chapters. This paper focuses on three main plan typologies that can influence plan structure at the chapter level. These are topic-based plans, zone-based plans and combination plans.</p>	<i>District Plan Structure Paper</i>
2	<p>Plan provisions’ structure (objectives, policies and methods)</p> <p>At the plan provision level, there are multiple ways of structuring the policy framework and associated rules (or methods) within the chapter structure. This paper identifies the main options and considers their relative merits.</p>	<i>District Plan Structure Paper</i>
3	<p>Zones and overlays</p> <p>The research demonstrates significant variation in how specific planning tools are referred to and used to manage effects and activities. There is a need to develop a common understanding and application of key planning tools such as zones, overlays, other spatially defined areas, and other forms of plan notations. Similarly there is a need to standardise how these planning tools relate and interact with each other. Addressing these aspects of unnecessary variation in plans in the planning standards will greatly benefit how well understood plans are.</p>	<i>Zones and Overlays Paper</i>
4	<p>Objective, policy and method (rule) format</p> <p>The consideration of how objectives, policies and rules could be formatted in plans.</p>	<i>Plan Format Paper</i>

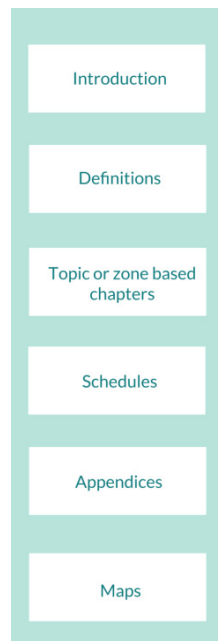
At each of these tiers, there are a multitude of choices that can be made, which helps to explain how district plans have become so varied in their structure and organisation.

The majority of this paper concentrates on the first two tiers of plan structure, identified above. Options are considered relating to tiers one and two. Tier three issues are briefly described in the paper and more fully explored in the zones and overlays discussion paper.

Questions

B.3 Are there other elements that strongly influence district plan structure?

Figure 2: Chapter level structure



Tier 1: Exploring the three common plan structures used

District Plans are often characterised as being effects based, activities based or hybrid/combination plans. These approaches are typically influenced by how the plan approaches rule drafting, but also ultimately affects plan structure overall.

We identified three main plan structures:

- topic-based – effects based rules
- zone-based – activity based rules
- combination – hybrid rules and a combination of topic and zone based chapters.

Topic-based plans

Topic-based plans are organised by topic (such as vegetation clearance or buildings). These plans have predominately effects based rules, few zones¹ and are cited as being consistent with the philosophy of the RMA. Variation in these plans is created by whether the objectives, policies and rules are in the same chapter, or whether topic-based objectives and policies are separated from the topic-based rules.

A topic-based plan has provisions that apply to an activity in multiple locations in the plan. This structure negatively impacts user-friendliness as it requires most or the entire plan to be read before determining whether a resource consent is required. This structure may respond to the effects based philosophy of the RMA, but is more difficult for plan users to navigate or have certainty about the status of a proposed activity.

One advantage of effects based rules within this structure is the adaptability to new activities, not originally anticipated by the plan. The lack of specific activity lists means that where an activity meets the performance standards it is permitted. Plan drafters need to be certain that all possible

¹ Any way in which land is spatially defined to distinguish where different plan provisions apply.

effects or a wide range of activities have been considered to avoid undesirable activities becoming permitted.

Zone-based plans

Zone-based plans have provisions relating to a defined spatial area. This approach may adopt either effects based or activity based rules. Again variation exists as to whether the objectives, policies and rules for each zone are within the same chapter or separate. Variation can exist between zones in the same plan, depending on whether they adopt an effects based or activity based approach. For example, some plans may have a strong effects based central business district zone chapter, but may strictly control activities in residential zones.

A zone-based plan typically contains all provisions relating to a particular area in a single zone chapter. Plan users only need to refer to the chapter that applies to their zone. This improves the plan's user-friendliness and may also increase confidence by the plan user that all relevant provisions have been identified and considered.

As the district wide provisions are repeated in every zone, these plans are lengthy and can seem overly complex. Inconsistencies between provisions may creep into the plan over time as provisions that are repeated in more than one chapter can be amended separately over time. Where provisions need to be updated, changes must be made across all zones and chapters.

An example of a simple zone or topic based structure is included in appendix 2.

Combination plans

Combination plans combine topic and zone based approaches. Combination plans use zoning to specify zone specific provisions, and have topic-based chapters to apply district wide provisions. They may also contain a combination of activity based, effects based and hybrid rules depending on the topic or zone.

A combination plan is the most common approach to plan structure. The advantages include having issues that apply district wide in specific district wide chapters, and provisions that apply to a specific area in zone based chapters. These plans have less repetition than purely zone-based plans. Good cross referencing is required to provisions in topic-based chapters to avoid issues and effects being missed.

A combination plan offers the most practical approach to addressing a range of topics and zones common to many district plans. These plans provide a more optimal balance of certainty to plan users for common activities, and provide a framework for those activities where the effects are not known at the outset. The district plan structure options explored in this paper are based on the combination plan approach, as they offer the best balance of certainty with flexibility.

Questions

B.4 Do you prefer a topic, zone or combination approach? Why?

B.5 Do you agree or disagree that the combination plan approach provides the best balance of certainty and flexibility?

Other common plan chapters

Definitions at the beginning or the end of a plan?

The definitions section is important to how a plan is used and interpreted. A national set of definitions is one of the “compulsory” parts of the first National Planning Standards, and the content of a definitions section is discussed in the Definitions Paper. In a paper based plan, definitions are typically located at the beginning of a plan or the end of the plan.

Interactive ePlans will eventually make this issue of where definitions are located largely redundant. Interactive plans have multiple ways of showing definitions alongside the body of text where the defined word is used.

As there will be a transition period before all plans become fully interactive, a decision is required for the logical placement of definitions within a plan structure.

Location of issues, anticipated environmental results and methods (if used)

Content that is optional under Section 75 of the RMA will also be optional in the planning standards. However, the planning standards may require a specific location for the optional matters included in the district plan structure.

Many of these common district plan matters are usually found in the introductory section. These are considered in the *General Provisions Paper*.

Introduction, general and administrative provisions

The majority of plans have a section at the front that outlines a range of general and administrative provisions, such as information to be submitted with a resource consent, where district plans sit within the RMA framework, how to apply for a resource consent and sometimes the background or history of the district. A section containing tāngata whenua values acknowledging the issues and importance to Iwi is commonly found at the front.

The *General Provisions Paper* discusses whether some of the common matters found in district plans should have mandatory content and if they should be located within, or outside of the district plan.

Tier 2: Matters influencing the structure of plan provisions

There are a number of ways in which provisions within a plan can relate to each other. Provisions can be organised by **provision type** (objective, policy or rule) or by a **topic or zone**. Provision type creates a horizontal hierarchy while topic or zone type creates a vertical hierarchy.

Provision type – horizontal hierarchy plans

Plans organised according to provision type place all objectives and policies together, then all rules together. Some plans take this a step further by placing all performance standards in a separate chapter to rules. This approach uses the principle of “ordering the general before the specific” (as used in legislation) and enables a clear line of sight between objectives and policies. Having rules all together is viewed as user-friendly as users can quickly determine the status of their activity. When the connection between policies to rules is less obvious, good cross referencing is required.

Topic or Zone type – vertical hierarchy plans

Plans with provisions organised by topic or zone enable a clear line of sight from objectives through to rules for a topic or area. Very little cross referencing between chapters is required when all provisions relating to a zone are in one place. However, the ability to refer to all rules that may apply to a particular activity is made difficult by a large amount of moving between chapters (either paper or electronic), and reading through objectives and policies.

Different plan users may prefer a different structure

A preference on which approach is used may be influenced by the type of plan user.

Professional plan users are usually keen to understand how all relevant provisions work for a given activity, preferring plans that provide a clear line of sight between the policy and rule framework.

Lay people, or occasional plan users, may prefer a structure that has rules and performance standards in a separate and easily accessible chapter. With increasingly more interactive plans available online, it is possible their needs will be met through online property or activity based searches. We are testing these assertions further, with research currently underway.

Questions

B.6 Should plan provisions be organised by provision type, or by topic or zone ? Why?

B.7 Do you think occasional and professional plan users have different structure preferences? If

B.8 How should these needs be reconciled?

Options for district plan structure – tiers 1 and 2

Our research clearly showed a high degree of variation in plan structure. This is a result of the multiple decisions that need to be made during the drafting of each tier of the plan structure.

We know that few plans adopt a purely topic based approach, as the majority of plans have adopted a zone-based combination approach. A zone-based combination approach provides a higher degree of certainty compared to purely topic-based plans that spread provisions throughout the plan. At its most simple, a combination plan would be a series of zones with district wide nationally important objectives and policies in a separate chapter with all rules in the zone-based chapter (see option 1).

The options presented below are all based on the combination approach. In all options, the national, regional and strategic direction section is placed before other sections, recognising the need for the district plan to give effect to these provisions.

The diagrams of district plan structure have been simplified and are a representation of a possible district plan structure. Please keep this in mind when considering the options and questions below.

Option 1: Zone-based plan with separate topic based objectives and policies

In this option, **zone** chapters are self-contained except for **District Wide Nationally Significant** objectives and policies that would be in a separate plan section. Specific zone-based objectives and policies would be in the zone chapters. All rules, including those relating to **District Wide Amenity Matters** would be located in zone chapters. This is the most basic of the combination plan options.

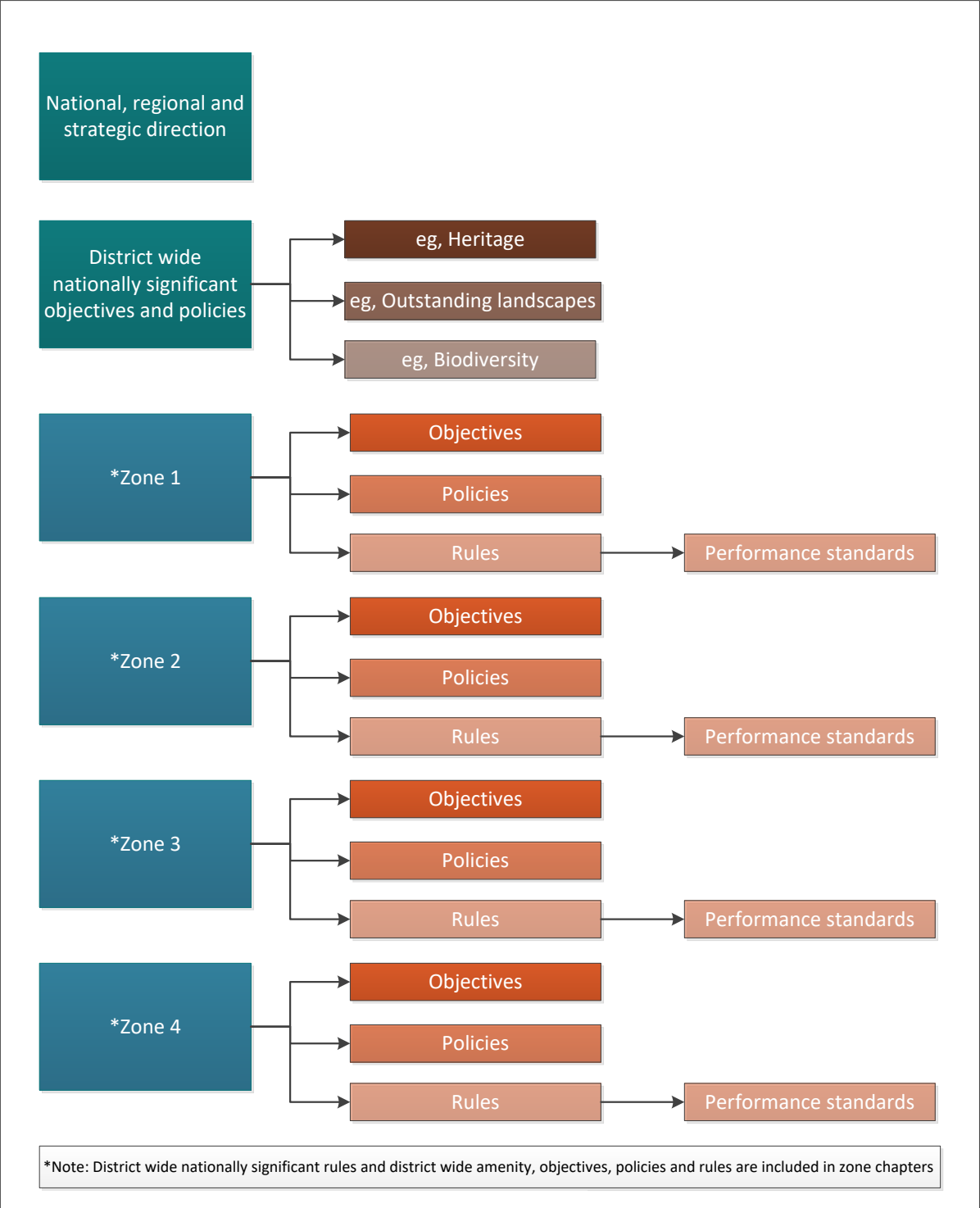


Table 3: Advantages and disadvantages of option 1

Advantages	Disadvantages
All zone based objectives, policies and rules are in one place for ease of reference.	Good cross referencing is needed where zone rules require consideration of district wide nationally significant objectives and policies.
All district wide nationally significant and district wide amenity matters are included with zone based rules, providing a “one stop” chapter for each zone.	No clear line of sight exists between district wide nationally significant objectives and policies and the rules that relate to them, making it harder for people to understand rationale for the provisions.
The most frequently used matters (zone based provisions) are together.	Significant repetition, as district wide amenity matters and district wide nationally significant provisions are repeated in each zone based chapter.
A clear line of sight exists between zone based rules and zone based objectives and policies.	The number of zone based provisions is large. Matters that may be less relevant to common application types, such as district wide amenity matters. may “clutter” more commonly used provisions.
Simple for a lay person to use and understand.	

Option 2: Combination zone and topic-based plan with integrated objectives, policies and rules

In this option, each district wide national significant or district wide amenity and zone based chapter includes all the relevant objectives, policies, rules and performance standards. As rules are located in several parts of the plan, good cross referencing is needed.

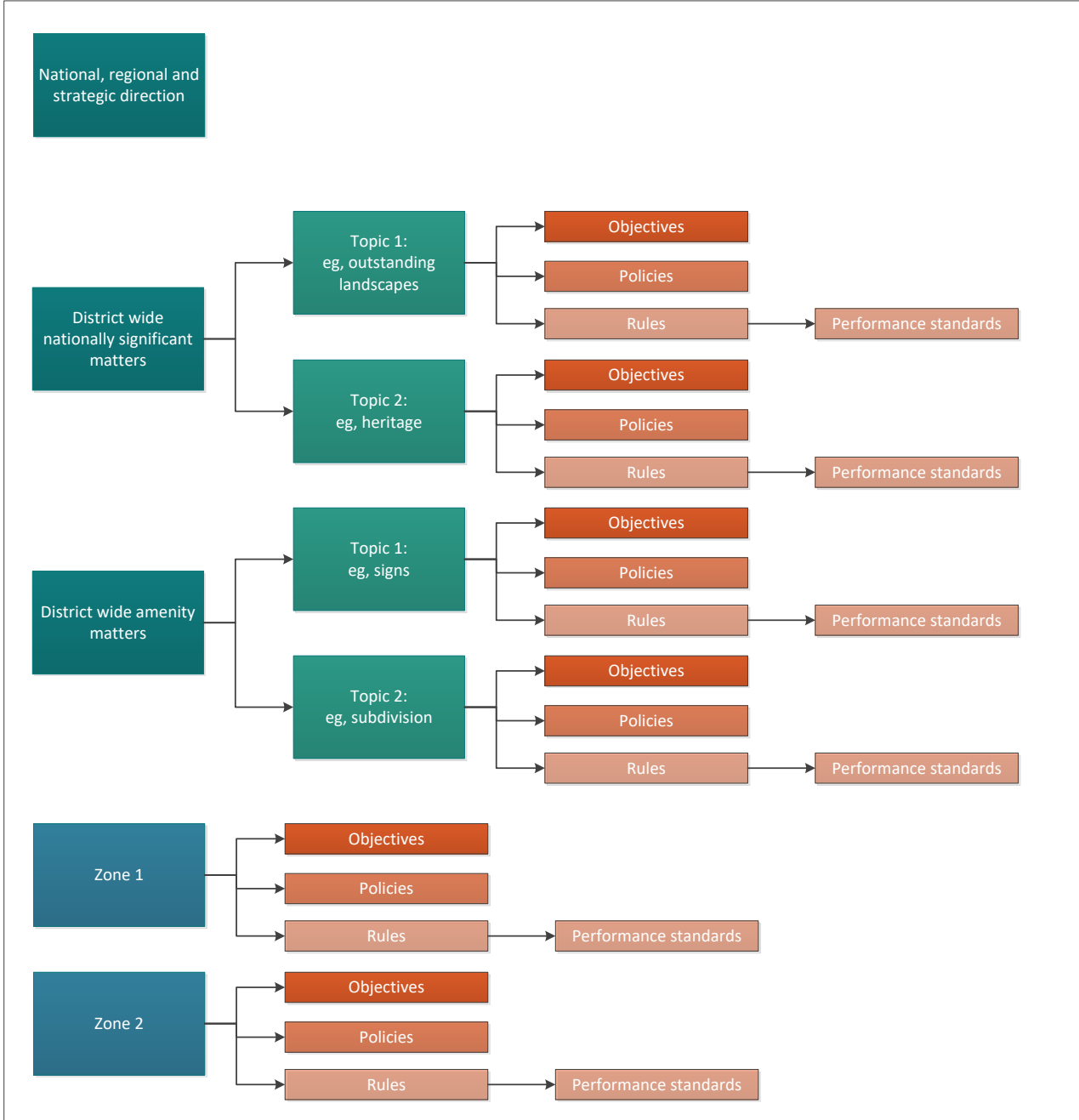


Table 4: Advantages and disadvantages of option 2

Advantages	Disadvantages
Clear line of sight exists between objectives, policies and rules.	Have to refer to a range of chapters for rules that may apply to an activity.
Less repetition of provisions. As district wide nationally significant matters and district wide amenity matters are in their own chapter, they are not repeated in every zone chapter.	As rules for an activity may be located in more than one chapter, good cross referencing is required to ensure all relevant activity rules are found.
Zone based provisions that are the most commonly referred to are together and not cluttered by district wide amenity matters that may not be relevant (such as signs or noise).	The complete “policy” story for the district is fragmented across chapters. Complicated consents would require plan users to refer to and interpret policies from multiple chapters.
District wide amenity matters are clearly identified and only need to be referred to if relevant to an application.	The “policy” story for a zone is not easily discernible as other relevant provisions will be located in topic chapters.
Easily adaptable to the number of zones and topics required by a district plan to be addressed (both simple and complex plans).	Increased opportunity for inconsistencies between zones and topics to arise over time, if rolling reviews are undertaken.
Easily adaptable to eDelivery and a fully searchable ePlan environment.	

Option 3: Combination topic-based objectives and policies with separate rules

In this option, elements are organised by provision type. The plan would be divided into two sections, with all objectives and policies together (District Wide Nationally Significant, District Wide Amenity Matters and zone), and all the rules and performance standards together. In the option below, the rules chapter is divided into district wide nationally significant and zone. However, an alternative option would be to include all District Wide Nationally Significant Rules within each zone.

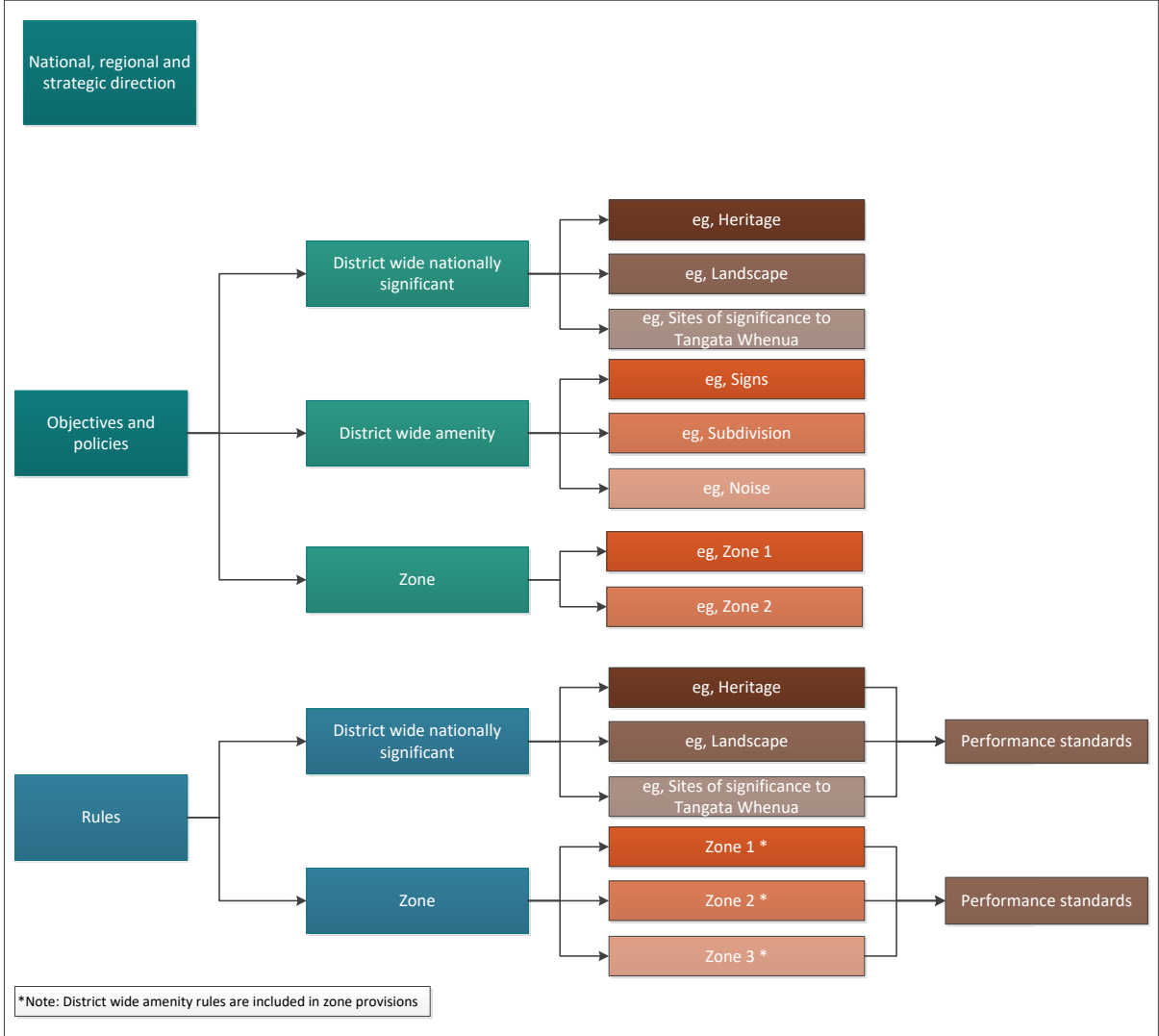


Table 5: Advantages and disadvantages of Option 3

Advantages	Disadvantages
All rules are located in the same plan section.	District wide nationally significant rules are separated from zone rules.
Objectives and policies are in a separate chapter and do not interfere with rules.	Will require good cross referencing between rules and objectives/policies.
Easy to see the entire “policy” story for the district across topics and zones.	When a resource consent is required, it may be difficult to identify all relevant objectives and policies.
Clear distinctions between district wide nationally significant rules and zone based provisions.	No clear line of sight between objectives, policies and rules, which may make it difficult to see where the rules have come from.
Less repetition of provisions as district wide amenity objectives and policies common across zones do not need to be repeated.	
Rules relating to both zone content and district wide amenity matters are together.	

Questions

B.9 Which option do you prefer, and why?

B.10 What level of plan element and plan structure detail should the National Planning Standards specify?

Questions specifically for local government

B.11 Which option would be easiest for your plan to convert to?

B.12 Is 12 months an achievable timeframe within which to change your plan into a different structure? If not what would be required (eg 2 years, 5years, when you undertake a full review?)

B.13 If not how long do you estimate it would take? Can this be achieved with existing staff resources?

B.14 What percentage of your plan would need to go through a separate plan change process?

Relationship of district plan structure to combined plans by unitary authorities

A unitary authority is a territorial authority that has the responsibilities, duties and powers of a regional council as well. New Zealand has five unitary authorities – Auckland Council, Gisborne District Council, Tasman District Council, Nelson City Council and Marlborough District Council.

Unitary authorities are required to prepare resource management plans for both district and regional functions under the RMA. Increasingly, these councils are working towards fully integrated “combined plans”. Section 80 of the RMA provides for combined regional and district documents in a unitary authority context.

A unique feature of unitary authority combined plans is the ability to develop fully integrated district and regional plan provisions. Any national planning standard for district or regional plan structure

will need to be applied to these combined plans but will need to have a greater level of flexibility to work in a way that works for unitary authorities.

The *Regional Plan Structure Paper* and the *District Plan Paper* both propose a similar plan structure to option 2. MfE considers that unitary authorities should be able to use the overall structure being proposed for district and regional plans. However, we accept there are likely to be some unique situations relating to fully integrated plans, that make it difficult to apply the planning standards without some flexibility.

Table 6 below breaks down key elements of plans and seeks feedback on questions about the practicality of applying a national planning standard to combined district and regional plans.

Table 6: Unitary authorities – combined district and regional plans

Plan Element or MfE Discussion Paper	Relevancy to and implications for combined regional policy statement regional and district plans	Questions
Regional Policy Statement	Combined RPS and regional plan. Separate chapter for RPS at the front.	See <i>Regional Plan Structure Paper</i>
Regional Plan Structure	Option 2 – topic based with integrated objectives, policies and rules.	B16 Does option 2 provide a structure that will work for a combined plan?
District Plan Structure	Option 2 – topic and zone based with integrated objectives, policies and rules. Elements of plan structure such as district wide nationally significant matters are relevant to both regional and district plans	Which elements of the preferred proposed structure will not work for combined plans?
Zones and Overlays	The common zones could be adopted for the district plan functions, but flexibility may be required to allow inclusion of additional regional plan content (such as regional rules in traditional district plan zones).	B17 Would combined plans be able to use option 3 framework (27 zones)? B18 What modifications to the zone framework would be required to accommodate combined plans? B19 Would combined plans map regional council functions separately (see implications for regional plan discussion in <i>Zones and Overlays Paper</i>) or use the district plan zoning framework to manage these functions?
Definitions and Metrics	Definitions and metrics are relevant to both regional and district plans.	B20 Do you envisage any challenges adopting the definitions that are different for a district or regional council?
Plan format	Using a prescribed layout for objectives, policies and rules is relevant to regional and district plans. The principles that apply to standardising the use of plain English and plan navigational aids should also apply to combined plans.	See <i>Plan Format Paper</i> .
Mapping Standards	Currently this paper focuses on district plan functions but we anticipate that the principles adopted for district plans could equally apply to regional plan maps.	B21 Are there any particular mapping challenges when preparing combined district and regional plans?

Our preferred option

Option 2 is our preferred option. This plan structure minimises repetition in paper based plans and can accommodate both simple and complex plans. It provides a clear “line of sight” between objectives, policies and rules allowing users to understand the reason for a rule.

Although rules may appear in different parts of the plan, with the move to ePlans (which can accommodate property and activity based searches), having all the rules and performance standards in different locations will not be a significant issue.

The major advantage of this structure is that it can work across both district and regional plans, creating a sense of familiarity across all plan types. The *Regional Plan Structure Paper* identified that rules can either be located with the objectives and policies or in a separate “rules” chapter. The *Regional Plan Structure Paper* doesn’t make a recommendation in respect of the location of the rules. The approach to district and regional plan structure should ideally be the same to enable plans developed by unitary councils (combined plans) to also adopt the same approach. Feedback on the regional plan structure paper will also inform the discussion and decision regarding district plan structure.

In making a choice about which plan structure we prefer, we have balanced the needs of different plan users, the overall objectives of the National Planning Standards and the ability to accommodate both simple and complex plans.

Next steps

We are currently in a scoping phase for the National Planning Standards. The *'Introduction to the National Planning Standards'* overview document details the process and engagement opportunities during each stage of development. The flow chart below shows each stage of the development process and anticipated timeframes.



Feedback

We now welcome your feedback on the ideas and options we've presented in this paper. Please use the questions in this paper as a guide. You do not have to answer all of them and can give other constructive comments where you wish. To ensure your point of view is clearly understood, please explain your rationale and provide supporting evidence where appropriate.

We encourage you to send us feedback throughout the initial engagement period, which closes on 31 July 2017. Please send feedback to the email address below.

Contact

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Appendix 1

Table A1.1: Framework for plan structure

District Plan Section	Purpose/Description of Plan Section	Type of provision, or spatial layer required
<p>National, Regional and Strategic Direction</p>	<p>A district plan is required to give effect to a national and regional policy statement and a national environmental standard replaces district plan rules (unless provided for in the NES). To provide a list and description of all national direction and how the district plan gives effect to it at a high level and also provide a description of the Regional Policy Statement and how the district plan gives effect to it.</p> <p>Provide a place for identification of any district strategic issues such as:</p> <ul style="list-style-type: none"> – growth management (high or low) – infrastructure provision – resources of the district that require specific management. <p>This section will support plan users to understand the broader resource management context, specifically the national and regional policy drivers influencing the direction of specific provisions in the District Plan.</p>	<p>Non statutory plan provisions.</p> <p>Identification of strategic issues for the district.</p> <p>Strategic objectives and policies.</p> <p>Zone or district wide rules that identify where the plan is more or less restrictive than national environmental standards*</p> <p>*<i>Note:</i> it is expected that national environmental standards will be stand alone documents outside the district plan.</p>
<p>District Wide Nationally Significant Matters</p>	<p>District wide nationally significant matters provide for and address Section 6 RMA matters and the provision of nationally significant infrastructure.</p> <p>Matters covered would include:</p> <ul style="list-style-type: none"> – coastal environment – outstanding natural landscapes and features – significant indigenous biodiversity – public access to CMA, lakes and rivers – sites of significance to tāngata whenua – heritage – nationally significant infrastructure (such as the national grid) – natural hazards. <p>The matters included in this category are matters identified by the RMA as a Section 6 Matter or as nationally significant by national direction.</p>	<p>Referred to and shown on planning maps as district wide nationally significant overlays – a spatial layer that identifies specific sites or areas of the district to which specific provisions apply. Generally occurs across zones.</p> <p>District wide nationally significant overlay objectives and policies.</p> <p>District wide national significant overlay rules.</p> <p>Zone specific rules.</p>
<p>District Wide Amenity Matters</p>	<p>Matters that give effect to Section 7 RMA and relate to district plan provisions that:</p> <ul style="list-style-type: none"> – maintain and enhance the quality of the environment – provide for the efficient use of natural and physical resources 	<p>These provisions include objective and policies and rules.</p> <p>They can be represented by:</p>

District Plan Section	Purpose/Description of Plan Section	Type of provision, or spatial layer required
	<ul style="list-style-type: none"> – maintain and enhance amenity values. <p>Matters that apply across the district and include:</p> <ul style="list-style-type: none"> – noise – transport – signs – light spill – subdivision – network utilities – landscaping and screening – three waters infrastructure – earthworks – temporary activities. <p>These matters are common across zones, which the majority of plans address. They either have the same rule/threshold across the entire district, or apply in each zone but with a different standard/threshold. These matters are dependent on local circumstances and are often influenced by legacy provisions. (<i>Note: these matters are not the only way that a plan gives effect to Section 7 RMA, zone and sub zone provisions are also relevant to giving effect to Section 7.</i>)</p>	<ul style="list-style-type: none"> • polygons or lines on maps. Within zones such as verandah cover strips or across zones, such as vehicle access restrictions or roading hierarchy • district wide rules such as temporary activities, or zone specific rules such as noise and signs • map notations or appendix maps. <p>Provisions may apply to all zones, but the thresholds for certain activities may change due to influences of the underlying zone.</p>
<p>Managing land use and development</p>	<p>Spatially defining areas to manage land use and development. Areas are identified that have similar character/land use or are identified to create a specific character/land use desired in the future.</p> <p>May include zones for (not a comprehensive list):</p> <ul style="list-style-type: none"> – residential – commercial – industrial – open space – future growth areas. 	<p>These provisions include objectives, policies and rules:</p> <ul style="list-style-type: none"> • Zoning (on planning maps) – the spatial division of the entire district into areas where certain provisions apply • Sub zone (on planning maps) – parts of a larger zone where one or two specific rules/performance standards apply. The additional rule/performance standard may be more enabling or more restrictive and used to manage an identified issue, such as character or one aspect of character that is different, such as height.

Appendix 2

Introduction

Definitions

