Ministry for the
Environment
Manatū Mō Te Taiao

Proposed National Planning Standards evaluation report 2018

Part 2A – Plan and policy statement structure and format

Evaluation for the proposed first set of National Planning Standards

New Zealand Government

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Manatū Mō Te Taiao

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Context to this document

This document forms part of the *Evaluation Report for the Proposed National Planning Standards*. This document should be read in conjunction with the other documents that make up the report as a whole. The *Evaluation Report for the Proposed National Planning Standards* report is set out as follows:

Part 1 – Overall assessment – this document

Part 2 – Individual standard assessments

Part 2A Plan and policy statement structure and format

Part 2B Spatial planning tools and zone framework

Part 2C Definitions

Part 2D Noise and vibration metrics

Part 2E Electronic functionality and accessibility and mapping

Part 2F Tangata whenua provisions

Part 3 – Implementation

Contents

1   Introduction

This chapter includes standards for:

- regional policy statement structure (S-RPS)
- regional plan structure (S-RP)
- district plan structure (S-DP)
- combined plan structure (S-CP)
- policy statement and plan format (F-5) and (F-6).

One of the minimum requirements for the first standards is that they include references to relevant National Policy Statements (NPSs), National Environmental Standards (NESs), and regulations made under the Resource Management Act 1991 (RMA) (section 58G(2)(a)). These are collectively referred to as "national direction".

The structure and form standards cover how policy statements and plans are laid out, their order and the way their provisions (objectives, policies and rules) relate to each other. This standard also has strong links to the tangata whenua, zone framework, and spatial planning tools standards outlined in other chapters.

1.1   Background

There are 78 local authorities in New Zealand, and each is required by the RMA to have policy statements and/or plans to manage the natural and physical resources in its area.[1] Allowing councils to define resource management outcomes and use management tools in policy statements and 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, the extent of structural variation from plan to plan was not anticipated, including variation in the way plans are laid out, their internal order, and the way objectives, policies and rules relate to each other.

Unnecessary variation between plans has resulted in a resource management system that is overly complex and difficult for plan users to navigate. A lack of common, coherent structures and formats creates confusion for plan users who use more than one plan, and increases costs for applicants and submitters to find the information they need. Users are required to spend time understanding how a particular plan works compared with another plan so that they can work out what the plan provisions mean for their particular use or development.

> "The way in which a plan is structured and the content within which it is organised is critical in assisting the understanding and effectiveness of that plan. Good structure and organisation can help ensure important plan provisions are not overlooked, enable better integration between provisions, and improve understanding as to the origin and intent of provisions (particularly rules)."[2]

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[1] In addition, the Minister of Conservation has the responsibilities, duties and powers of a regional council in respect of the coastal marine area of the Sub Antarctic and Kermadec Islands; and the Minister of Local Government is the territorial authority for a number of offshore islands that are not included in the boundaries of an established territorial authority.

[2] Quality Planning website: see www.qualityplanning.org.nz/index.php/plan-steps/structuring-plans/plan-structure-overarching-principles.

The legal framework allows completely independent decisions on plan structure, which has resulted in duplication of effort and contributed to a lack of integration between district and regional plans. The breadth and complexity of planning issues is increasing, and plans are becoming more expensive to prepare.[3] While variation on local issues is expected, it is questionable whether so much variation in the basic structure of plan is effective or efficient.

An example of how these problems manifest themselves in plans is shown in table 1. The table provides three variations in the way indigenous biodiversity is represented in plans including different terminology, chapter headings and location.

Table 1: Differences in location of indigenous biodiversity provisions in three plans

Plan 1	Plan 2	Plan 3
Chapter 5 Natural environment objectives, policies and rules for: • significant indigenous biodiversity • natural character of the coastal environment.	Section C City-wide provisions Chapter 10 "Natural environment" objectives policies and rules for: • indigenous biodiversity • landscape and natural character.	Section 2 Objectives and policies 2.17 Indigenous biodiversity indigenous biodiversity Section 17 Natural environment rules significant natural areas.
Mapped as: "Features of ecological significance" Schedule of identified ecological features.	Mapped as: "Areas of significant conservation value" Schedule of areas of significant conservation value.	Mapped as: "Significant natural areas" Schedule of significant natural areas.

Another area of inconsistency in policy statements and plans is that it is not always clear where or if they have given effect to national direction. This can make it difficult for plan users who have to compare multiple documents to determine whether their proposed activity complies with the plan to establish whether they need resource consent. Variation in how policy statements and plans acknowledge and incorporate national direction also affects the implementation and monitoring of those planning instruments.

Where it is not clear that plan provisions are giving effect to national direction (some plans are yet to give effect to some NPSs), submitters and councils may spend time debating issues that have been resolved at the national level.

An examination of a selection of current district plans shows that at present the way designations[4] are conveyed in plans is also not consistent.

1.2　Challenges and opportunities of the structure and format standards

One of the challenges of National Planning Standards (planning standards, or standards) is to provide direction that balances a sense of familiarity between policy statements and plans yet provides flexibility to allow communities to include local content in a way that suits them.

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[3] Average RMA plan costs increased from $2.5 million for first-generation plans to $3.5 million in 2014/15 (Ministry for the Environment internal National Monitoring System data). This does not include costs to submitters or economic impact of delays.

[4] Quality planning website – "A designation is a planning technique used by Ministers of the Crown, local authorities and network utility operators approved as requiring authorities under section 167 of the RMA. Only these parties, ... can designate land for a public work, project or work; ... where a restriction is necessary for the safe or efficient functioning or operation of a public work, project or work"

A consistent policy statement and plan structure is important because it will:

- enable local government to focus on developing policy and methods that manage local environmental issues and community values

- assist those who use several council plans to quickly locate information (eg, businesses, resource management professionals, non-government organisations (NGOs) 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 consistent reference to, and implementation of, national direction.

It is important that the first set of National Planning Standards address the key aspects of planning that are unlikely to change to reflect local conditions and seek to reflect common or accepted practice. At the same time a policy statement and plan structure needs to be enduring. Structure standards need to have a degree of flexibility to cope with potential changes to the legislative framework.

1.3   Regional policy statements research

Regional policy statements (RPSs) are the heart of the resource management system.[5] They identify and address significant issues for the region as a whole and set direction for the subordinate plans. A consistent approach to RPSs is important for the efficiency of the whole system.

RPSs throughout the country largely cover the same major topic areas (water, air, land), but some councils add more specialised areas according to their needs, such as minerals or geothermal activity. The Ministry for the Environment reviewed RPS structures in 2015, and identified a core set of themes addressed in regional policy statements, and a hierarchy between issues, objectives, policies and methods. There was wide variation in how these are structured and located.[6] External research built on this work in 2016,[7] examining eight more recent policy statements (including proposed statements).

Three main approaches were discerned:

1. Structure by **theme**, for example: 'mana whenua', 'fresh water', '[place name] whaitua', 'growth management', 'built environment'.
2. Structure by RMA **provision** type, for example: major chapters are 'objectives', 'policies', 'methods'.
3. Structure by broad outcome sought, for example 'Otago has high quality natural resources and ecosystems'.

The most common approach was to structure by **theme** at the highest level of the document, and then to order the provisions either horizontally by **type** (all the issues for the identified topic are together, then all objectives, all policies and so on); or vertically by **sub-theme** (all the issues,

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[5] *North Shore CC v Auckland RC* [1994] NZRMA 521.

[6] Regional Policy Statement Structure and Format – a summary of findings. Ministry for the Environment internal report, 2015.

[7] Beca Ltd. 2016. Review of Regional Policy Statements. Report prepared for the Ministry for the Environment. Wellington: Ministry for the Environment.

objectives and policies are grouped together with that sub-theme). While approach 2 – structure by provision type – was less common, it had been chosen in several recent policy statements.

1.4   Regional plans research

The review of regional plans found that plans are generally becoming more streamlined and concise, tending to contain only issues, objectives, policies and rules.[8] Most regional plans are structured around topics or domains, with a few structured around activities. A brief explanation of these concepts follows.

A domain-based structure reflects the broad resources for which regional councils are responsible (land, air, water, and so on). Individual 'domain' plans characterise the early RMA years (for example, a coastal plan plus one or two others such as air or water). Domain structures are easy to understand but having separate documents prepared at different times makes it more difficult to achieve integrated management across the domains, and may require a high degree of repetition. An increasing level of national direction is also adding complexity to domain planning.

A structure by topic looks across the domains through a topic lens, for example, a chapter on biodiversity would cover all the domains for which the regional council had responsibility (land, fresh water, coastal and so on). This structure works well for objectives and policies by minimising repetition. However, it can result in repetition of rules as many address more than one topic.

A structure by activity looks at the types of activities that a council regulates (sections 12 to 15 of the RMA) and structures the plan around those; for example, a chapter on discharges or a chapter on structures in the beds of lakes and rivers. On one hand this approach is user friendly because plan users can think about the types of activity they are likely to generate (for example, a discharge to land) and go directly to the relevant rule. However, it does not encourage applicants to consider the wider environmental effects of their proposal, and requires activities to be foreseen when the plan is written. It may result in repetition at the objective and policy level but works better for rules.

The review recommended a fully combined plan, including the RPS component. It "is a practicable option and offers advantages of integration and convenience for users".[9]

1.5   Description of the regional policy statement and plan standards

The standards will provide one structure for regional policy statements and one for regional plans. Most elements of the structure are required, but the plan structure provides the option of discussing issues and objectives before the theme chapters in Part IV of the proposed structure standard. Various forms of this structure are already widely used across councils and it is intended that the limited flexibility provided will assist in implementation without detracting from a consistent structure.

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[8] Beca Ltd. 2016. *Review of structure and format of regional plans and interaction with district plans*. Report prepared for the Ministry for the Environment. Wellington: Ministry for the Environment.

[9] Beca Ltd. 2016. *Review of Regional Policy Statements*. Report prepared for the Ministry for the Environment. Wellington: Ministry for the Environment.

Overall, the level of prescription is high at the front 'administrative' end of the structure, and becomes more flexible in the resource 'theme' chapters, where subordinate sections can be created as needed. This enables councils to use activity-based descriptions at a subchapter or rules level.

The standards will regulate the following aspects of RPSs and plans:

- how they are laid out

- the names and order of parts and chapters

- what subject material the chapters must or may contain

- how issues, objectives policies and methods relate to each other.

1.6   District plan structure research

There are 61 territorial authorities (11 are city councils and 50 are district councils) in New Zealand, each tasked with developing and implementing a district plan that prescribes how they will manage land use and land subdivision in their jurisdiction. Only one grouping of district councils in New Zealand (the Wairarapa councils of Masterton, Carterton and South Wairarapa district councils) has developed a 'combined district plan' collectively. All other district/city councils have their own plan.

The Ministry for the Environment undertook research[10] into the structure and content of district plans. The research showed that plan structure is highly variable, despite 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 in a plan. The research identified four tiers of plan structure, as shown in table 2. How the tiers are combined results in variation between plans and the range of different options for plan structure.

Table 2: Variation in elements of district plan structure

Tier	Description
1	**Chapter level structure**
	The main elements are: introduction, definitions, topic- or zone-chapters, schedules, appendices, maps. 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.
2	**Structure of plan provisions (objectives, policies and methods)**
	At the plan provision level, there are multiple ways of structuring the policy framework and associated rules (or methods) in the chapter structure.
3	**Spatial planning tools (eg, zones)**
	The research demonstrates significant variation in how specific planning tools are referred to and used to manage effects and activities.
4	**Objective, policy and method (rule) format**
	How objectives, policies and rules are formatted in plans.

At each of these tiers, there are a multitude of choices that can be made in terms of structure, which explains how district plans have become so varied in their structure and organisation. The research also highlighted that the three main types of plan structure are centred around topics, zones or a combination of both types.

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[10] Ministry for the Environment, Wellington. 2013. *Internal Research – Structure and Format of Plans*. Wellington: Ministry for the Environment.

The Ministry commissioned research[11] into the benefits and limitations of effects-based, activity-based and hybrid-based plans using current council plans as case studies. Research[12] to obtain a better understanding of the experience of lay people using plans prepared under the RMA was also commissioned. This research found that lay people interact with the RMA with an end goal in mind. They will generally seek the answer to the question "Do I need resource consent?" and they want to find the answer to this question in the most efficient way. However, RMA plans/council websites do not facilitate this behaviour. The plans are inherently complex, and lay people acknowledge that they are likely written from a legal and technical perspective.

1.7   Description of the district plan standard

This standard will prescribe the name and order of key parts, chapters and sections of district plans, and what subject material they must/can contain, including national direction and designations. The standard will allow councils to add locally derived sections if required. The standard will also prescribe where plan provisions are located in the structure and how they should be laid out. The standard includes supporting descriptions and guidance to aid council implementation.

This standard will provide one structure. It will regulate the following parts of district plans:

- how they are laid out

- the names and order of parts, chapters and sections

- what subject material chapters and sections may or must contain if they are included in the included in the plan

- the way in which issues, objectives policies, rules, methods and anticipated environmental effects relate to each other.

1.8   Combined plan structure research

Unitary authorities are required to prepare resource management plans for both their district and regional functions under the RMA. Section 80 of the RMA provides for combined regional and district documents, including in a unitary authority context. A unique feature of unitary authorities is their ability to develop fully integrated district and regional plan provisions. Increasingly, these councils are working towards fully integrated 'combined plans'. Any national planning standard relating to plan structure for district or regional plans will apply to these combined plans but will need to have a greater level of flexibility to work within this context. Even though there are only five unitary authorities in New Zealand, there is also a large amount of variation in approaches they have taken to combined plan structures. The provisions in section 80 also extend beyond unitary authorities; they allow any local authority (for example, combined regional policy statement and regional plan) and multiple local authorities to prepare and administer shared combined plans.

1.9   Description of the combined plan standard

The standard will regulate the following aspects of combined plans:

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[11] 4sight Consulting. Wellington 2016. *Analysis of Efficacy of Effects Based Planning in relation of the National Planning Template*. Wellington: Ministry for the Environment.

[12] Colmar Brunton, 4Sight Consulting. 2017. *Research on RMA Plan-User Experience*. Prepared for the Ministry for the Environment by Beca Ltd. Wellington: Ministry for the Environment

- how they are laid out

- the names and order of parts and chapters

- what subject material the chapters must or may contain

- how issues, objectives policies and methods relate to each other.

1.10 Policy statement and plan format research

Formatting, such as the design of objectives, policies and rules, contents pages, font style, numbering systems and illustrations, varies between policy statements and plans. There are also diverse ranges of formats for rules, which can take the form of tables, columns, flow charts or text.

For users who regularly work across multiple policy statements and plans, diverse formats add complexity, time and cost due to the need to locate, interpret and apply relevant objectives, policies and rules. The use of consistent formatting can address these problems by helping users to more readily identify the similarities and differences across plans.

Contents pages are easiest to use when they are limited to one to two pages at the beginning of a plan, and supplemented by shortened contents pages at the start of each chapter. Research also highlighted the advantages of interactive contents pages in a web-based environment, particularly in terms of improved navigability.[13]

Numbering systems were identified as a formatting issue, in that they vary significantly. This is an area were real benefit could be obtained in ensuring consistency around the country, and there is an opportunity to ensure efficient and effective written and verbal reference. A common practice review was undertaken, finding that a traditional numeric listed system, similar to legislation, and designed for paper-based plans, was most common.

Discussions with ePlan councils and providers identified alpha-numeric numbering as advantageous, as policy statement/plan sections can be added without doubling up on numbers (for example, section 2, section 2aa, and so on). Deciding to define rules and standards by an alpha-numeric system makes it clear what provision is being referred , and can be applied consistently around the country; for example, everyone knows reference to R1 is a rule.

Cross referencing was also highly variable in its use and style, with some plans including very little cross referencing, while others included extensive and complicated cross references. The basis for successful cross referencing is having a good (meaning clear and concise) numbering system in place.

Rules are where plan users identify whether an activity or effect is permitted or requires resource consent. Rules can be as straightforward as one rule in one section that permits residential units in residential areas, to a set of rules, performance standards, matters of council discretion, and/or methods for large-scale industrial uses located in various chapters and sections of the plan. Rules are the most used part of plans; they are where plan users find out the viability of projects, and if a project is non-complying and requires public notification. We also know through research[14] that when the public use a plan they do it primarily to answer the question "do I need resource consent?", and the rule content will answer this for them.

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[13] Beca Ltd. 2016. *Ministry for the Environment – Review of Structure and Format of Regional Plans and Interaction with District Plans*. Prepared for the Ministry for the Environment by Beca Ltd. Wellington: Ministry for the Environment.

[14] Colmar Brunton, 4Sight Consulting. 2017. *Research on RMA Plan-User Experience* Prepared for the Ministry for the Environment by Beca Ltd. Wellington: Ministry for the Environment.

New Plymouth District Council has undertaken significant work on developing an ePlan. A key lesson for them was that prescribing rule format was essential to delivering a fully functional, integrated ePlan. Retrofitting their existing rules into a format that works in an ePlan was considered to be very challenging.

Research on the structure and format of regional plans made the following recommendations on the format of regional plan rules:[15]

- the activity status of each rule should be located in the heading of the rule (or in the rule row, when using a table format)

- activity status summary tables should be used at the start of each chapter

- matters of control and discretion should be located with the rule rather than in a separate section.

1.11 Description of policy statement and plan form standard

This standard will prescribe a mandatory form for:

- numbering plan provisions that is an alpha-numeric numbering format (for example, RES – R1 – Residential Zone Rule 1)

- rule format that is a table structure compatible with an ePlan format with optional elements for plan drafters to apply if depending on local circumstances (that is, rule summary tables).

- prescribing that the legal effect of provisions must be showed as policy statement and plans are developed and provides guidance on how this is to be done.

It should be noted that it is considered that the numbering format standard will improve the basis of cross referencing. The specifics of how to cross reference are not included in the format standard but will be included as guidance.

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[15] Beca Ltd. 2016. *Review of Structure and Format of Regional Plans and Interaction with District Plans.* Prepared for the Ministry for the Environment by Beca Ltd. Wellington: Ministry for the Environment; Beca Ltd. 2017. *Regional Rules Structure and Format*. Prepared for the Ministry for the Environment by Beca Ltd. Wellington: Ministry for the Environment.

2 Statutory context – the Resource Management Act 1991 (RMA)

2.1 Introduction

The ability to create planning standards was introduced through the Resource Legislation Amendment Act 2017 (RLAA). New sections 58B-J of the RLAA provide the specific requirements as to what planning standards can contain and how they are created and amended. The standard on the structure and form of policy statements and plans is one of three 'minimum requirements' that must be in effect at all times.

These standards address the minimum requirement element in section 58G(a) in that they provide a structure and form for district and regional plans and policy statements, and a home for national direction in the plan structure. Other important provisions for statutory context are listed below, and will be discussed in turn.

- Part 2
- section 18A procedural principles
- sections 61, 66 and 74
- sections 62, 67 and 75.

2.2 Part 2 (Sections 6, 7, and 8)

There is a strong connection between sections 6, 7, and 8 of the RMA and the structure and format of plans. Plans and policy statements should be arranged in such a way as to enable these sections to be efficiently considered in decision-making. Providing for explicit consideration of 'national direction' documents and iwi relationships will increase the overall visibility of Part 2 matters in plans.

2.3 Section 18A

Section 18A of the RMA states procedural principles that set out how people exercising powers and functions under the RMA must act. The structure and format standards help to achieve some of the requirements of this section, as set out in table 3.

Table 3: How the structure and format standards assist councils in meeting section 18A procedural principles

Section	Provision	How these standards assist
18A(a)	(a) use timely, efficient, consistent, and cost-effective processes that are proportionate to the functions or powers being performed or exercised	The standard will assist to make plans efficient to develop and use, as well as being more consistent with one another, as their basic structure and format elements will be set.
18A(b)(ii)	(b) ensure that policy statements and plans— (ii) are worded in a way that is clear and concise; and	The standard will prescribe the name and order of key sections and chapters of district plans in a clear and concise way. The standard will assist to make plans clearer and more concise by standardising objectives, policies and rule format

18A(c)	(c) promote collaboration between or among local authorities on their common resource management issues.	The standard will promote collaboration between local authorities, as increasing consistency in the structure of plans will allow best practice to be shared and transferred more easily.
		and will apply a numbering convention for use in all plans and policy statements

2.4 Sections 61, 66 and 74 – preparing policy statements and plans

These sections set out the matters to be considered by a council when preparing regional policy statements and plans. Among other things, these documents must be prepared and changed in accordance with a national policy statement, a New Zealand coastal policy statement, and a national planning standard.

2.5 Sections 62, 67, 75 and 80 – contents of policy statements and plans

These sections set out what must be included in policy statements and plans. Some matters are mandatory while others are optional. A planning standard on structure should help plan drafters meet the mandatory requirements and provide a clear place for the optional elements to be included.

Planning practice is moving towards only including required matters, but the discretionary items still have a place and are important in some regions or situations. For example, they may be highly used by councils currently or would benefit from consistency of location or format (for example, regional monitoring).

The approach to structuring regional plans therefore reflects the RMA provisions; that is, focusing on the required items as the core elements of the plan, while providing a place for the optional matters. For regional policy statements this means that there are more 'administrative-type' requirements but potentially fewer topics as only 'significant' issues need be addressed.

Plans on the other hand are not mandatory (apart from coastal plans). So apart from the coastal environment chapter, all the theme chapters in the regional plan structure are optional. Plans require only objectives, policies and rules (if any). The district and regional plan standard will therefore prescribe how the mandatory elements and cross-boundary issues are structured and formatted. Issues, other methods, principal reasons, anticipated environmental results, and monitoring are provided for in the structure but are optional. The standard does not require councils to use these provisions but if they are, they must be placed in the chapter provided.

2.6 National instruments

National instruments under the RMA include national policy statements, national environmental standards, and regulations. While the structure and format standards do not directly implement any national instruments, providing a 'home' for national direction in the RPS/plan structure assists plan drafters to consider national instruments, and plan users to understand how the plan responds to these national requirements.

There are five national policy statements (NPSs) currently in force. All planning standards must give effect to NPSs.

2.6.1   NPS on Freshwater Management 2014 (NPS-FM)

The provision for catchment (freshwater management unit) planning in the regional plan structure will assist local authorities to give effect to the NPS-FM. The ability to integrate the 'land' and 'water' chapters also assists in addressing the requirements of policies C1 and C2.

2.6.2   NPS Electricity Transmission 2008; NPS for Renewable Electricity Generation 2011

The combined chapter on infrastructure and energy will assist plan readers to understand the plan's response to electricity transmission and generation.

2.6.3   New Zealand Coastal Policy Statement

In the RPS and regional plan structure standard, the coastal environment chapter enables a 'home' for NZCPS-related policies while allowing more specialised policies such as natural hazards to be dealt with under a more specific chapter if desired. In the district plan structure standard the optional coastal environment section is located in the natural environmental values chapter (for the districts with a coastline) and more specialised policies such as natural hazards can be located in environmental risks chapter in the natural hazards section.

There are also six national environmental standards (NESs) currently in effect; all planning standards must be consistent with NESs.

2.7   National guidance documents

RPSs are the primary planning instrument for achieving integrated management of resources.[16] It therefore follows that best practice is important not only for the statements themselves but for the flow-on effect for other instruments in the planning hierarchy. In the guide *Strengthening Second Generation Regional Policy Statements[17]*, the authors identify four aspects of best practice relating to the form and structure of RPSs:

- support the selection of significant issues with a summary of analysis (that is, bring some commentary out of the section 32 assessment, to make the RPS more robust and transparent)

- be selective about which issues are 'significant', only including issues that have a clear analytical basis and for which direction is required; issues are presented in a strategic, integrated way

- design the RPS for easy access via the web (for example using hyperlinks to move between sections or access other information)

- structure the RPS to facilitate integrated management of the region's resources (for example using a combination of domains, topics and providing for 'sub-regional' chapters, which may be based on ecological units such as catchments).

Item 3 is addressed by the electronic accessibility and functionality standard.

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[16] *St Columba's Environmental House Group v Hawkes Bay RC* [1994] NZRMA 560

[17] Environmental Defence Society. 2011. *Strengthening Second Generation Regional Policy Statements.* Auckland

Best practice advice from the Quality Planning website advocates structuring plans around user expectations and conventions. The 'structuring and organising plans' chapter contains high-level overarching principles on plan structure, being:

- structure around user expectations and conventions

- keep it simple

- keep the bigger picture in mind

- consider how the plan will be monitored and enforced.

The Quality Planning website covers key plan structure types, basic ideas for plan usability, and a possible plan structure for second generation plans and an order of sections. It contains common examples of organising plan provisions, including numbering and good practice tips on the use of clear language.

The Quality Planning website content has been not been updated to reflect more recent advances in ePlanning. For example, in relation to maps, the guidance still assumes these will be presented in a paper format, whereas increasingly GIS viewers are being used.

Table 4: Quality Planning website information on plan structure

Document	Relevant information
Quality Planning website	Possible second generation plan structure – www.qualityplanning.org.nz/index.php/plan-steps/structuring-plans/a-possible-second-generation-plan-structures Overarching principles of plan structure – www.qualityplanning.org.nz/index.php/plan-steps/structuring-plans/plan-structure-overarching-principles

3 Research and practice that informed the development of these standards

3.1 Auckland and Christchurch plan independent hearing panels

Current best practice has been considered, with particular examination of the practice recommendations arising from the hearings panels appointed to make recommendations on the decisions of Auckland Unitary Plan and Christchurch Replacement District Plan.

These plans were selected because they:

- include recent plan changes/reviews that have addressed similar issues
- involved recommendations that have some relevance to the structure and format standards.

The place of strategic issues in a plan was an important part of the recommendations of both panels. The Auckland panel considered the structural relationship between the regional policy statement (RPS) and the regional plan. The place of the RPS is to focus on overview and strategic matters, and the role of the regional and district plans to implement and give effect to the RPS.[18] The panel saw the RPS as a distinct component of the unitary plan, and recommended that the RPS provisions remain separate from the regional plan provisions, at the front of the plan. This maintains the focus of the RPS on overview and strategic matters, and provides clear visibility for the high-level overarching policy framework.

The Ministry for the Environment's proposal translates this approach (which is also used by several regions) into a combined RPS/plan, with the RPS as the first part of the document. There is an option for regional councils to keep the RPS physically separate if this is needed to maintain a clear line of sight to district plans.

Table 5: Auckland Independent Hearings Panel recommendations on plan structure

Recommendations by Auckland panel
- Don't repeat narrative or advisory material that can be elsewhere.
- Locate all environmental risks in one section: natural hazards, hazardous substances, contaminated land and GMOs.
- Organise, number and format to make it easy to find and navigate between provisions.
- For unitary plans, clearly identify the provisions that are: RPS, regional coastal plan, regional plan and district plan.
- Give each activity its individual number.
- Group the objectives and policies for a topic with the relevant rules.

The Christchurch panel agreed with the council's proposal to incorporate a strategic directions chapter in the replacement plan. *Chapter 3 Strategic Directions* provides the overarching direction for other chapters through high-level objectives and policies for the district as a whole. Objectives and policies in the other chapters of the plan must be consistent with these strategic objectives.[19]

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[18] Independent Hearings Panel on the Auckland Unitary Plan. Auckland 2016. Report to Auckland Council. Overview of recommendations on the proposed Auckland Unitary Plan

[19] Independent Hearings Panel on the Christchurch Replacement District Plan. 2015. *Decision 1 Strategic Directions And Strategic Outcomes (And Relevant Definitions)* 26 February 2015

The proposed structure for district plans continues this approach by providing a strategic direction chapter where key resource management issues are discussed.

3.2 Australian Experience – New South Wales (NSW), Queensland and Victoria

Ministry for the Environment staff researched the NSW, Queensland and Victoria systems during 2015 and 2016 to gain insight into the process and implementation of the various Australian state planning tools that have been in place in those jurisdictions. Table 6 gives the key insights from the research.

3.2.1 Key insights from Australian planning tools

- Core basics of the standards should be comprehensive to ensure the benefits to the planning system are delivered, accepting the costs of the change process for councils. Core basics include structure and format of plans of plans.

- There was a consistent view across states (and all practitioners) that standard approach to structure/format/zones/definitions had made significant impact on the planning system in terms of improved communication, plans being easier to navigate, reduced process and discussions on basic plan semantics.

- NSW have had their standard instrument in place for 10 years now and all plans are updated to reflect it. Benefits reported include:

    - more consistency (naming of zones, definitions, consistent clauses, for example tree preservation, format and structure)

    - plans are more readable and easier for planners and developers to work across councils.

- Queensland highlighted the need to consider the cumulative benefits of a consistent system. Structure and format is essential to standardise as this means councils do not have to re-litigate.

Victoria kept their standard instrument basic at the start and built on it.

4 Initial approach for consultation on the structure and format standards

The Ministry for the Environment prepared and released for feedback a series of technical discussion documents papers in June–July 2017 on the key elements of the proposed first set of National Planning Standards. These documents outlined the context, evidence, approach and options for each type of Standard.

4.1.1 Regional policy statement (RPS) and regional plan standard

Given the recommendations of both the Auckland independent hearings panel and the Beca report on regional plans, the starting point for regional planning was a combined structure that places the RPS at the start of the document. In this structure, two options were then proposed, the first using a 'policy provision' structure and the second a 'theme' structure based on a mix of domains and topics.

Option 1 uses the types of policy provision listed in the Resource Management Act 1991 (RMA) (issues, objectives, policies and so on) to form the high-level chapters and therefore overall structure of the combined plan. It results in greater 'horizontal integration' – that is, all the issues for a theme are together, then all the objectives and then all the policies. It helps clarify the relationship between all the issues for a region but how each issue is dealt with can take longer to discern. Linkages between different problems are clearer but links between a particular problem and its solution are less obvious.

Option 2 is structured according to theme (topic, environmental domain). Subservient chapters are then issues based, and the methods, objectives and other matters for that issue are placed in the same sub-chapter. This 'vertically integrated' structure cascades each type of policy provision (objective, policy, method and so on) directly under each topic, maintaining a 'line of sight'. It allows users to see the relationship within an issue and how the provisions cascade to address it. But it risks de-emphasising the connections between issues.

In making a choice about which plan structure was preferred, the Ministry considered the needs of different plan users, the overall objectives of the National Planning Standards and the ability to respond to emerging approaches such as catchment-based planning. Option 2 was the preferred option as it:

- maintains visibility between issues and how they are addressed; this is an important discipline in a regulatory context, to ensure that the level of regulation is effective and fair

- is easier for new plan users to find the area of the plan they need, while seeing the context for the rules they may need to comply with

- can be adapted to new ways of planning

- is already (at least partly) used by many councils, so decreases the time required for councils to restructure their plans.
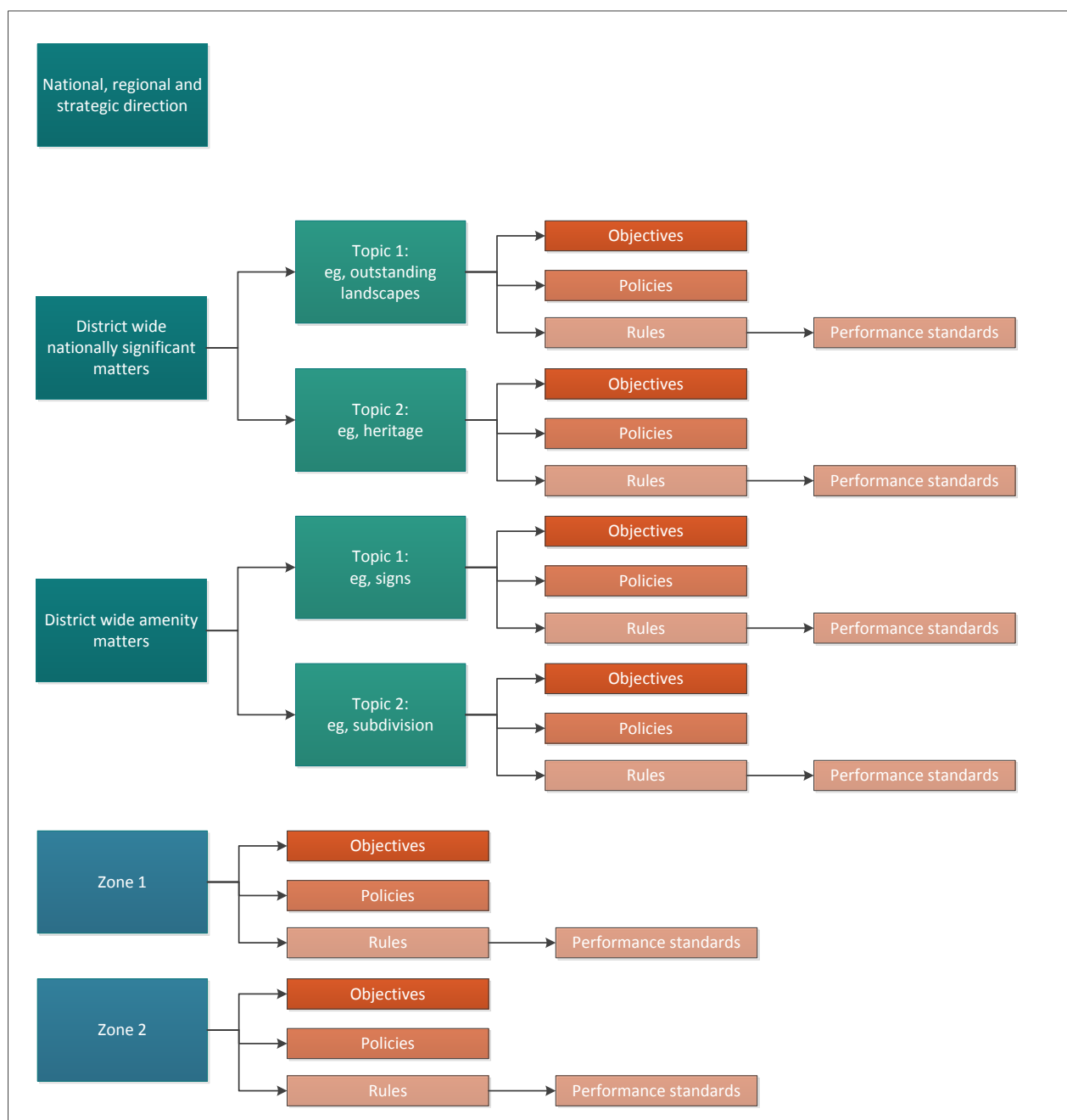
4.1.2   District plan structure standard

In analysing the options for district plan structure the Ministry identified a preferred approach being a combination zone- and topic-based plan structure, as shown in figure 1. In this structure, each of the main chapters includes all the relevant objectives, policies, rules and performance standards (that is, a vertically integrated structure).

In making a choice about which plan structure was preferred, the Ministry sought to balance the needs of different plan users, the overall objectives of the National Planning Standards, and the ability to accommodate both simple and complex plans. This structure was preferred as it:

- minimises repetition in paper-based plans and can accommodate both simple and complex plans

- provides a clear "line of sight" between objectives, policies and rules allowing users to understand the reason for a rule

- could work across both district and regional plans, creating a sense of familiarity across all plan types.

Plan rules may appear in different parts of the plan, however with the move to ePlans (which can accommodate property- and activity-based searches), having all the rules and performance standards in different locations is not a significant issue affecting a plan user's interaction with plan rules. However this approach does require good cross referencing.

Figure 1: Combination zone and topic-based district plan with integrated objectives, policies and rules

Evaluation Report Proposed National Planning Standards – Structure and form of policy statements and plans

Figure 2: Topic-based combined regional policy statement and plan
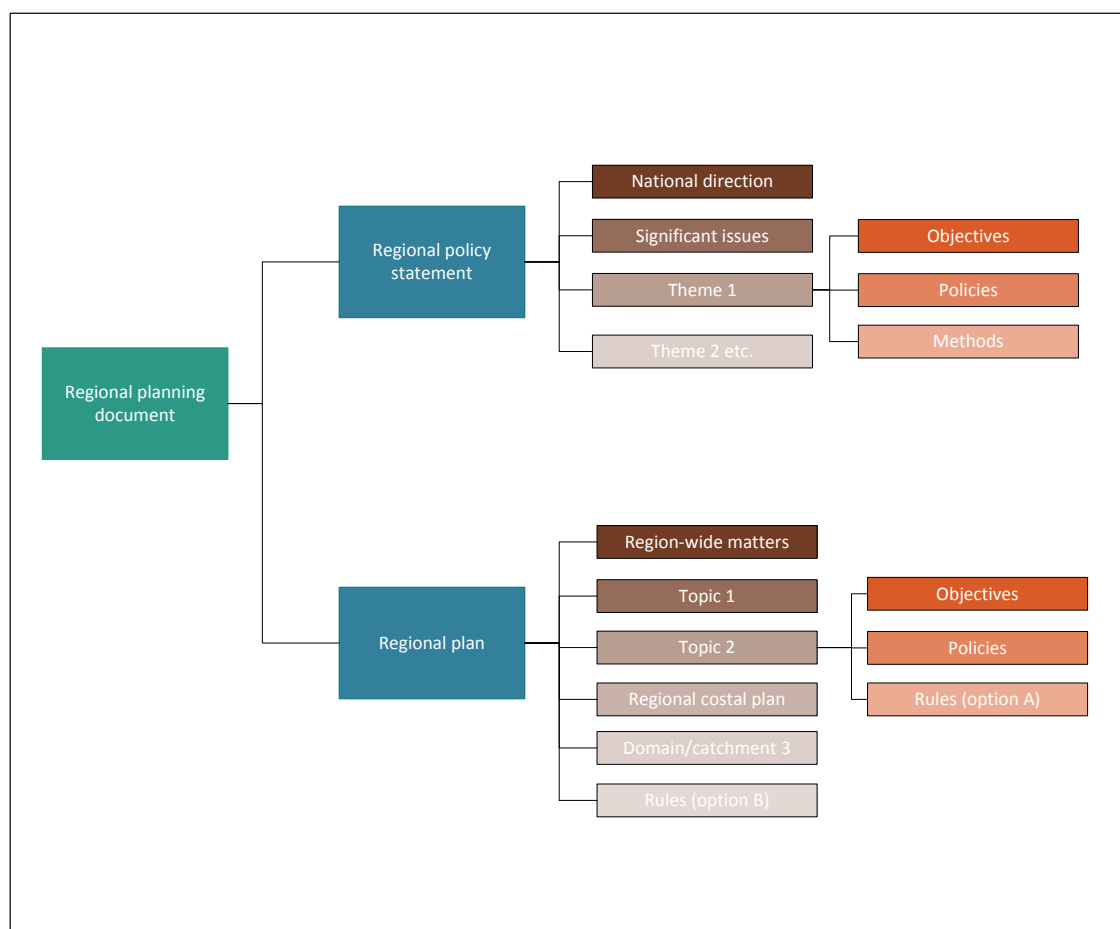
4.1.3   Combined plan structure

An additional standard has been prepared to clarify how the individual plan structures may be combined when a combined planning document meets the RMA requirement for two or more of the following: an RPS, a regional plan, and/or a district plan. The standard aims to provide clarity over how the individual structure standards may be combined, while minimising the duplication that would occur if the individual structure standards were applied to a combined document; for example, multiple interpretation chapters and the duplication of objectives and policies.

One of the lessons learnt from the proposed Auckland Unitary Plan process was that it is important that the RPS provisions are clearly identifiable and that direction on the RPS should be provided before the regional plan and district plan decisions are made. For these reasons, the combined plan structure has kept the RPS as a separate part of the plan and at the start of the plan.

Providing the structure for combined documents will enable local authorities to focus on the local content rather than spend time developing the structure for the combined document, which will help make the development of combined documents more efficient.

4.1.4   'Home' for national direction in the policy statement/plan structure

The Ministry for the Environment identified the general provisions chapter of the policy statement and plan structures. Various options were assessed for how to provide a 'home' for national

direction in the policy statement/plan structure, and how much detail the standards would require councils to include. The Ministry assessed three high-level options, as outlined in table 7.

Table 6: Options for providing for national direction

Option	Description
Option 1	Located in a general provisions chapter, with councils required to provide simple, factual information. Councils would be required to document whether their plan has been reviewed and amended to give effect to each national direction (ND) instrument and provide details of any plan rules that are more lenient or stringent than a national environmental standard (NES).
Option 2	Located in general provisions chapter, with councils required to write a brief description about how their plan gives effect to each ND instrument.
Option 3	Located in general provisions chapter, with councils required to provide a full matrix showing all of the plan's objectives, policies and rules that are linked to each ND instrument.

Option 1 is the preferred option as it will provide useful information for plan users around whether the plan has been reviewed following the release of national direction instruments without opening up the council to unnecessary risk or work. This would entail recording the outcome of the plan review, which should occur anyway following the release of national direction. The initial update following the release of national direction could occur without a schedule 1 process and when plan changes occur to give effect to the national direction it could also amend the national direction table.

Options 2 and 3 were discounted because they could lead to different descriptions in each plan depending on the characteristics of the council area. While the Ministry could provide a standardised summary, this would never be able to cover the full complexity of the national direction instruments. It was also considered that the workload that would be played on councils to achieve this option is not justified for the limited benefits that would be achieved

4.1.5 Designations within the plan structure

Designations were covered very generically in the general topic technical discussion paper, therefore a further scoping report and questions were sent out to specific stakeholders for comment. The responses to this consultation were considered before deciding the content of the designations section of the district plan structure standard.

4.1.6 Policy statement and plan format standards

The technical discussion paper on policy statement and plan format outlined some key areas that could be standardised based on research. The paper provided text and table options for the formatting of objectives, policies and rules. It also outlined best practice in relation to:

- table of contents
- numbering
- text legibility
- illustrations
- strategic use of colour.

5 Consultation undertaken

A significant amount of feedback was received on the plan and policy statement structure and plan and policy statement format throughout the consultation and external testing process. See table 8.

Table 7: Summary of consultation

Who	What and when	Issues/actions
Unitary Authorities	Workshops – reviewed and discussed the draft options for structure and format of regional policy statements (RPS)/regional/district plans in the standards (October 2015 and December 2016) Visits to Gisborne (November 2017) and Nelson councils (January 2018)	Suggestion that for unitary plans, look at key functions and their respective component. "Key organising principles" instead of a fixed plan structure. **Action:** Work through the key principles and criteria to help make the most robust choice. January 2018 feedback suggested that the Ministry for the Environment should prepare a structure standard showing how the individual structures could be combined for unitary plans.
Coastal SIG (special interest group)	Workshop (September 2016)	Scope of coastal plans in the standards – should they be broader coastal environment plans (CEPs) or restricted to the coastal marine area (CMA)? Many activities can only occur in the CMA, but also need links to other sections of a combined plan, eg, heritage, landscapes. Ability for a 'coastal' chapter to link with other provisions.
Utilities providers	Utilities Group meetings (January 2017–February 2018)	Agreed that an infrastructure and energy chapter is included in the district plan structure in structure.
Councils and practitioners (planners and lawyers)	Discussion paper 'B' (district plan structure)[20] as a basis for online interaction, roadshow discussion and written feedback (March–July 2017)	Overall high level of support for standardising some aspects of plans and district plan structure. Issues raised on: confusing content with structure the level at which district plan structure is pitched (eg, broad outline vs detailed table of contents) any structure being made mandatory, with more support for an optional standard. Majority support for a combination zone- and topic-based plan structure with integrated rules. **Action:** Continue to develop a combination zone- and topic-based plan structure
Councils and practitioners (planners, lawyers)	Discussion document 'D' (RPS and Regional Plan Structure) as a basis for online interaction, roadshow discussion and written feedback. (March - July 2017)	There should be a choice for the location of the RPS, ranging from a separate document through to full integration with the regional plan. The structure of the RPS and the regional plan should be broadly consistent but allow for the different function of the RPS to be apparent. A topic-based structure was strongly favoured in workshops but only slightly favoured in written submissions. The clarity of links between

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[20] : Ministry for the Environment. 2017. *National Planning Standards Discussion Paper B – District Plan Structure*. Wellington: Ministry for the Environment.

Who	What and when	Issues/actions
		the provisions and the 'policy story' behind them was thought more important than the actual structure chosen.
		Opinion was divided on whether rules should sit with the relevant objectives and policies, or be placed in a separate chapter.
Councils and practitioners (planners and lawyers	Discussion Document 'E' (policy statement and plan format)[21] as a basis for online interaction, roadshow discussion and written feedback (March–July 2017)	Support for standardisation of some elements of policy statement and plan form being: • form of headings and subheadings • provision numbering (although feedback on what the standard could be varied) • identifying the status of policy statement/plan provisions that are not fully operative but that are subject to national direction (and therefore cannot be appealed) • rule format is a general sense, with mixed views on how it is to be presented. Considered unnecessary to specifically state the required font style or size, as this could detract from councils' corporate branding and the consistency of documents across the organisation. Consider table of contents and legibility under the electronic accessibility and functionality standard, due to its links with the interactivity of plans. Do not progress specific standards on font size, format of illustrations or strategic use of colour (with the exception of colour relating to zones and other spatial tools – these are covered in separate standards).
Pilot councils, eg, Waikato, Wellington	Meeting with Waikato Regional Council (May 2017) A series of meetings with Greater Wellington Regional Council (November–December 2017)	Discussions on how readily their RPSs and plans could be moved to the proposed new structure.
Think Tank	Meetings and group discussions (September 2015–August 2017)	Discussion and critique of ideas on regional and district plan structure as the Ministry for the Environment's thinking progressed. Support for standardisation through to district plan sections, eg, sign and subdivision provisions. Support for some level of flexibility to remain in the district plan structure.
Practitioners' drafting group	Iterative process to input and testing of specific proposals (September 2016–August 2017)	Proposals tested as policy was developed. Specific comments taken into account as work developed.
Pilot councils	Feedback on example of rule format standard	More direction needed on how the rule format example relates to the wider structure.

[21] Ministry for the Environment. 2017. *National Planning Standards Discussion Paper E – Policy Statement and Plan Format*. Wellington: Ministry for the Environment.

Who	What and when	Issues/actions
	(August 2017)	Issues about the separation of performance standards from the rule content, requiring cross-referencing.
		Issues about the implementation of the rule format standard.
		Rule format is fundamental to the ability of a council to deliver information to their community in an ePlan.
		Action: Further develop and test rule format, especially its ability to deliver in an ePlan.
Pilot councils	Feedback on draft high level district plan structure (October–November 2017)	Strategic resource management issues needs to be elevated in the structure.
		More clarity needed on what elements are mandatory and what are optional in the structure.
		Using the prescribed structure will mean the standards need to give some direction on cross-referencing.
		Action: Develop purpose statements further to provide more detail and direction on different chapters of descriptors.
Regional Council Policy SIG (special interest group) and coastal planners	Workshop in Wellington attended by Department of Conservation (DOC) and all councils except Gisborne and Marlborough (November 2017)	Concern about the costs of implementing standards vs the benefits likely to be achieved (documents may not be any better than they are now).
		Would like structure to support integrated management (some think that a policy-provision structure does this better, others the use of 'catchments'). Acknowledge that having a consistent structure will not by itself improve integrated management. Clearer plan writing is also needed.
		Request for a simple and flexible structure. Current proposal is too fixed/'boxed'.
		Tangata whenua provisions need to be able to be placed throughout the document.
		Consider the implications (benefits) of having ePlans. Some believe that structure becomes less relevant or may constrain how an ePlan operates.
		Concern about the timing of implementation – needs to be done at the next plan review if costs are to be manageable.
Pilot councils	Feedback on draft district plan – district-wide purpose statements and descriptive characteristics (November 2017)	The role and legal status of mandatory purpose statements required under a standard was questioned, whether these statements acquire a statutory status and the implications of the wording of the purpose statements if it does.
		General statement that the draft standards are not as clear and succinct as they could be.
		Action: Need absolute clarity on what is 'purpose' 'mandatory requirements' and 'guidance' within the national planning standards).
Māori/iwi interest group	Consulted group on the best way to include tangata whenua content in the plan structure, chapter titles, purpose statements and descriptive characteristics (November 2017)	Having a set place for process- and consultation-related information is important. As it means that this information can consistently be found in one place across district plans. This does not preclude other provisions or values from being incorporated throughout the plan.
		Action: Reflect this in the structure and provide guidance on tangata whenua process-related information.
Designations consultation	Scoping document and questions sent out for response	Considered that conditions for designations should be included in the plan. Conditions that are not attached to the designation or in an appendix in the plan are generally lost or difficult to locate in council

Who	What and when	Issues/actions
	(December 2017)	records.
		A requirement should be added to state whether the designation is the primary designation on the site. This lets plan users know who to contact for permission for works when there is more than one designation on the site.

6   Summary of the issues

Based on the analysis and consultation carried out, table 9 outlines the issues.

Table 8: Summary of issues identified through consultation

Issue	Comment	Response
Compulsory nature of regional policy statements (RPSs) and plan structure. It should be largely optional, to provide more flexibility and reduce the changes required at implementation stage.	There was general concern about a detailed structure being required; and a call for most of the structure to be optional, with a 'menu' of chapters to choose from.	The Resource Management Act 1991 (RMA) requires standards to be put in place for the structure and form of policy statements and plans. The main elements of structure need to be 'fixed' to achieve the necessary consistency. Providing options of more than one structure will not achieve this. However, a menu of topic chapters is provided and councils may choose the topics most relevant to them. An optional issues and objectives part has been introduced in the regional plan, providing an element of choice for councils who wish to group these policy provisions together.
Policy provision structure doesn't facilitate integrated management	Planning practitioners generally preferred a topic-based structure. However the councils already using a policy provision structure tended to have strong views in favour of that structure, as they believe that it better facilitates integrated management.	An additional chapter was added to the regional plan structure, allowing objectives and policies to be discussed as a group. Provision is also made for grouping by policy provision in each of the theme chapters, provided that the same approach is maintained throughout the plan. However there are varying and strongly held views about the best structure that can't be fully accommodated within the concept of a standard.
RPS needs to be separate to give line of sight to districts	The importance (to some) of keeping the RPS separate, as it directs districts as well as regions.	An option is provided to keep the RPS separate from the regional plan.
Possibly cannot require integration of coastal plans as section 64 of the RMA enables them to be separate	There may be legal issues with having a structure that requires councils to integrate coastal plans. Section 64(2) of the RMA gives regional councils discretion as to whether a regional coastal plan is separate or part of another regional plan.	The interaction between sections 58G ("minimum requirements") and 64(2) has not been fully tested. Therefore an option is provided in the structure to retain standalone coastal plans.
RPS and plan structure needs flexibility to enable local variation when necessary	The need to maintain some flexibility of structure so that matters of importance to the region/district can be included and non-important ones left out.	For regions, a menu is provided in that chapter headings and order must be followed, but there is not a requirement to populate chapters that are not important to a region (eg, a menu of chapters). For districts, chapter and section headings and their order must be followed, additional locally derived sections are allowed in the appropriate chapter.

Issue	Comment	Response
Cost of implementation	The structure and content of plans are interwoven, so that restructuring is not a trivial exercise.	The Ministry for the Environment may need to provide additional resources to support some councils. Alternative implementation timeframes from default timeframes in the RMA proposed to recognise realistic timeframes.
Adverse effects on council relationships with communities	Some councils foresaw issues around the effects of restructuring on the relationship with their communities, including iwi, who have been fundamentally involved in developing the structure of current RPSs and plans.	Provide information to councils about planning standards, which is suitable for use with their stakeholders – explaining the rationale for the standards and that the content that the stakeholders have helped developed will not be lost.
The focus of the standard should be on content not structure	Time and effort better spent tackling relevant topic issues rather than structure	The structure standard will continue to focus on structure and form of policy statements and plans, as this fulfils statutory obligations. It will not prescribe actual written topic content.
Infrastructure and network utilities should be separate in the district plan structure	Feedback on the discussion document showed support for separation on infrastructure and the network utilities chapters	We did not agree that there is a need to separate these into different chapters. There is the ability to include network utilities as a section in the infrastructure and energy chapter of the district plan structure if a council chooses. We saw benefit in having infrastructure and network utilities provisions in a chapter together from a plan user's point of view, as they can cover similar types of provisions.
The plan structure and form standard needs to work well for all councils irrespective of where they sit in terms of ePlan delivery	Feedback at various stages of consultation relayed the issue of different capabilities and resourcing in terms of ePlan delivery	Councils are in a transition phase and in various stages of their journey towards a fully integrated ePlan. Policy statement and plan structure and form standards need to respond to both paper and ePlan needs, but on some issues a policy decision needed to be made (eg, rule format). The default position in drafting the standards is to consider what works in an ePlan context. We expect councils that have paper-based or PDF-type plans will employ appropriate methods to achieve the intent of the particular standard requirements in a paper/PDF context.
The scope of the national planning standard on policy statement and plan format is narrow	A wider range of elements were consulted on in the initial discussion paper relating to policy statement and plan format. The draft standard proposes to standardise numbering, rule format and how to show the legal effect of national direction provisions as the plan is developing	We have taken this approach to focus on the elements of form that can have direct benefits to the planning system by creating greater consistency across plans and policy statements and enhancing plan usability. We also want plans to reflect best practice. Some elements of form (eg, strategic use of colour) were considered to create difficulties with councils' corporate branding.
What designation requirements are included with the plan	Some parties consulted wanted more designation requirements added in the standards.	A requirement was added to include the relevant conditions of a designation in the plan. A requirement was added to state whether the designation is the primary designation on the site.

7 Amendments to the standard as a result of consultation and external testing

As a result of submissions and feedback, a number of amendments were made to the content and extent of each standard. The following are the main amendments were made to the standards in the areas most commented on by submitters, or when a standard is no longer being pursued or when the direction of part of a standard has changed.

Table 9: Regional policy statement (RPS) and regional plan standards

Main amendments to the standard	Why
Provide choice between a stand-alone RPS and one that is combined with a regional plan.	RPS provide direction for district as well as regional plans, so for some councils, having the RPS as a first chapter of a regional document may not provide sufficient line of sight.
RPS chapter added on significant issues.	Significant issues are the heart of the RPS and should be given visbility. It also allows multi-topic issues to be addressed in a more integrated way.
RPS and regional plan chapter added on monitoring and evaluation.	Monitoring both the effectiveness of provisions and the state of resources is an important local government responsibility under the Resource Management Act 1991 (RMA) and therefore should be visible in planning documents. Links may be provided to strategies or other documents outside the plan.
Regional plan chapter on the coastal marine area (CMA) has been broadened to coastal environment.	Allows councils that are taking a wider coastal environment approach to continue this, while not precluding the more directed CMA focus in the same chapter.
Regional plan coastal environment chapter not further divided into sections.	Further time is needed to develop a structure that is workable in light of the dynamic nature of coastal planning. A subsequent standard or guidance material on coastal structure could be prepared.
Regional Plan chapter added before the themes, providing for objectives and policies	Many objectives and policies are interlinked; this chapter seeks to maintain the benefits of horizontal integration where connections between issues are more visible and therefore better addressed at the methods stage.

Table 10: District plan structure standard

Main amendments to the standard	Why
Develop and refine the overall district plan structure headings terminology further.	Remove the distinction between district-wide nationally significant matters and district-wide amenity matters, and rename to district-wide matters – the separation of what would be nationally significant and what would be amenity matters was considered to be artificial. It was not considered helpful to organise a plan around the section 6 and 7 matters but better to think about the topic and what you are trying to protect and how. There are also a range of matters that district plans deal with that are topics and not necessarily amenity matters, the titles may give a false sense of why they are being addressed.
	Remove reference to regional direction in the district plan structure – this will be addressed in the RPS, and the district plan must give effect to it, therefore it should be addressed by the plan as a whole not in a specific section.
	Move strategic direction matters to a chapter in the district-wide matters section – the issues in this chapter will be the strategic matters relating to that district.

Main amendments to the standard	Why
	Create a separate national direction instruments chapter. The original intention was for the national, significant matters to be a home for national direction, however this category was interpreted in a range of different ways. The decision was made to elevate national direction in the structure for increased visibility.
	Create a separate tangata whenua provisions part. Having a set place for process- and consultation-related information was found to be important so that this information can consistently be found in one place across district plans. This will not preclude other provisions or values from being incorporated throughout the plan.
	Included requirements for designations – set out specific requirements for how councils must show designations in their plan. These requirements include what information must be included and where it should be located.
Reassessed the "how to use the plan" section.	Remove much of the process direction that did not add value in policy statements and plans.
Amend language to ensure it is in line with RMA terminology.	For example, amend section titles to "Indigenous biodiversity", where the spatial layer will be "Sites of significance to indigenous biodiversity", "Sites of significance to flora", and "Sites of significance to fauna".
Relocation of plan roading provisions in the plan structure.	Move discussion of how plans deal with roads from the introduction section to infrastructure and energy section.
Elevate subdivision provisions in the plan structure and require all technical aspects of subdivision to be located in this chapter.	Subdivision provisions are highly used in plans and need to be easily accessed. There are mixed views on whether technical subdivision provisions should be in the zone chapter they relate to or in a single subdivision chapter. The proposed structure locates all technical aspects in the subdivision chapter, as they can be similar across zones so locating them in one place will reduce repetition. An ePlan property search will still result in the relevant subdivision provisions being provided to plan users.
Locate protected tree provisions in the natural environment chapter (not the heritage section).	Trees can be protected for a range of values; heritage is only one of those values. Protected tree provisions need to all be in one place. Plan users predominantly associate trees with the natural environment so it makes sense to locate them in that section. This also reflects the decisions of the independent headings panel on the Auckland Unitary Plan. Providing the values are clear in the associated schedule, and the objectives and policies protect those values, then it will still be possible to have regard to any heritage values.
Include a method to reflect the legal status of provisions in plans and policy statements as they go through their development phases.	This is considered to be best practical and fundamental to the RMA
Develop an alpha-numeric standard based on the requirements of an ePlan.	Discussions with ePlan councils and providers identified alpha-numeric numbering as advantageous as the structure standards will allow councils to add sections without resulting number lengthening (eg, councils can add sections in without doubling up on numbers (ie, section 2, section 2aa etc), the alpha-numeric numbering makes it clear what provision is being referred to (eg, everyone knows reference to R1 is a rule) and it can be consistently applied around the country.
Developed the rule format standard based on the requirements of an ePlan	Mixed views on how to standardise rules via a rule format standard for application to all plans. Councils and ePlan providers have told us that rule format is critical to how well an ePlan works in practice. As noted, the planning standards are developed to be future focused, so ensuring the rule format works in an ePlan content was important.

8   Quantification of benefits and costs

The Ministry for the Environment commissioned an economic report by Castalia Strategic Advisors to provide a cost-benefit analysis of the planning standards.[22]

Their research across all of the areas of the planning standards concluded that there was a benefit-cost ratio (BCR) of 1.53 for every dollar invested (assuming a five-year implementation period). The structure and form standards were grouped together because of the similar costs and benefits with these standards, and found to have a BCR of 1.76 – the highest of the groups. The shared costs are similar and involve similar tasks such as council planners re-ordering plans to fit the new structure. The shared benefits are also similar, for example regular users of multiple plans being able to find the same information more easily across plans. Implementation costs are lower than the other two categories of standards: implementing the definitions includes Schedule 1 costs and associated appeals, and electronic functionality includes IT costs.

The cost-benefit analysis was made under the following assumptions:

- standard will not require significant drafting of new material, but re-working of material into the specified headings and order

- majority of time spent on implementation will be related to re-working into the new structure.

The Castalia report is available from the Ministry for the Environment website and should be read in conjunction with this report.

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[22] Castalia Limited. 2018. *Economic Evaluation of the introduction of national planning standards*. Report for the Ministry for the Environment by Castalia Limited. Wellington: Ministry for the Environment.

9 Options assessed

Reasonably practicable options for achieving the proposed objectives must be identified.

"Reasonably practicable" is not defined in the Resource Management Act 1991 (RMA), but may include options that:

- are both regulatory and non-regulatory

- are targeted towards achieving the goal/objective

- are within the council's resources, duties and powers

- represent a reasonable range of possible alternatives.

For each potential approach an evaluation has been undertaken relating to the costs, benefits and the certainty and sufficiency of information in order to determine the effectiveness and efficiency of the approach, and whether it is the most appropriate way to achieve the relevant objective(s). These evaluations are contained in the tables below.

9.1 Scale and significance

As noted in Part 1 of this evaluation report,[23] section 32(1)(c) of the RMA states that a section 32 evaluation must contain a level of detail that corresponds to the scale and significance of the effects of the proposal. It is considered that the National Planning Standards as a package are of a large scale and of high significance. However, each individual standard will be of varying scale and significance.

The structure and format standards are considered to be of large scale and high significance because they will require fundamental changes to the structural and formatting of all regional policy statements (RPSs) and plans produced by councils in New Zealand. The level of change, resources and costs are dependent on the current structure and format of the RPS and plans and where the council is up to in its plan review cycle when the standards come into effect. This is reflected in the level of analysis contained in the following table.

9.2 Costs assessed

As these standards will not directly affect material changes in environmental outcomes, the costs and benefits considered in table 12 are not categorised as environmental, economic, social and cultural costs and benefits as often occurs in RMA plan section 32 assessments.

Although the standards will not have a direct effect on environmental outcomes, they will create opportunity benefits for individual planning processes and the planning system as a whole, by enabling more resources to be directed to managing environmental effects instead of administrative matters.

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[23] **Ministry for the Environment.** In press**. *Proposed National Planning Standards Evaluation Report 2018. Part 1 – Overall Assessment*.** Wellington: Ministry for the Environment.

9.3 Options assessment structure and format

9.3.1 Introduction

Table 11 outlines benefits across all of the main sectors that interact with resource management plans for the policy statement and plan structure and form standards. To achieve consistency there is a need to find the right level of prescription in the structure and format standards while ensuring that the effort put in by councils to implement the standards is commensurate with the level of national plan standardisation achieved.

Table 11 shows three options considered as part of the regional and district policy statement and plan structure and format standard assessment:

- flexible structure and format standards

- semi-flexible structure and format standards

- more rigid structure and format standards.

The costs and benefits differ for regional and district structure and format standards. Therefore, the assessment of options has been separated in some instances (and noted).

An overall assessment of efficiency and effectiveness against the objectives of the National Planning Standards is undertaken after assessment of the costs and benefits, to give a better overall picture of this assessment.

Table 11: Structure and format planning standards options

	Option 1: Flexible	Option 2: Semi flexible	Option 3: More rigid
A. policy statement and plan structure	Basic standardisation • standardise the first level of RPS and plan structure – parts (eg, Part 1 – Introductions and general, Part 2 – Tangata Whenua, Part 3 - District-wide matters, Part 4 – Area-specific matters, and so on) • provide a home for national direction within a part • require plans to be zone-based or topic-based • the elements of structure that are standardised are subject to alpha-numeric numbering standards • prescribe a form to show the legal effect of provisions that are subject to national direction and cannot be appealed during policy development • separate domain-based plans (air, water, etc) possible but discouraged **(regional-specific element)**.	Medium-level standardisation • standardise the first and second level of RPS and plan structure – parts and chapters, and their order • standardise section headings and their order relating to the plan administrative matters only (ie, Part I Introduction and general provisions only) • provide a home for national direction and tangata whenua values in structure via part and chapter headings • additional chapters permitted only if issue is specific to the region/district and unable to be covered by other (special topic) chapters • chapters may be placeholders, ie, not contain provisions if council hasn't drafted any • require plan provisions to be vertically-aligned in chapters but allow high-level/overarching issues to be located together to assist with integrated management • the elements of structure that are standardised are subject to alpha-numeric numbering standards • rule format standard applies • prescribe a form to show the legal effect of provisions that are subject to national direction and cannot be appealed during policy statement/plan development • regional plans must be combined together as one document; separate RPS is allowed **(regional-specific element)**.	Fully standardised structure • standardise all of the tiers of RPS and plan structure – parts, chapters and sections, and their order • provide a home for national direction and tangata whenua values in structure via part and chapter headings with further standardisation using prescribed sections • additional chapters not permitted • there are no placeholders (ie, all chapters must contain at least issues and objectives) • prescribe what is expected in each chapter and section, including what is expected in the chapter home for national direction • allow councils to add sections under relevant chapters • plan provisions are fully vertically-integrated (ie, Issue, Objective, Policy, Rule, Method) in plan chapters and sections • the elements of structure that are standardised are subject to alpha-numeric numbering standards • rule format standard applies • prescribe a form to show the legal effect of provisions that are subject to national direction and cannot be appealed during policy statement/plan development • regional plans and RPS must be combined into one plan **(regional-specific element)**.

Table 12: Option 1 – Flexible structure and format

Option 1 – Flexible standard	Costs	Benefits
	Councils Continued: • costs to all to councils to determine plan chapters and sections of their individual plans • costs to councils to work with technology providers to tailor policy statement/plan requirements to deliver individual ePlans • court costs for each council debating elements of plan structure and form • costs and inefficiencies incurred for new staff and consultants to learn how locally specific plan structure and form works. • costs to assist implementation of national direction instruments, to manage and include provisions in different places in their plans. ***Tangata whenua*** Continued: • inefficiencies and costs associated with using multiple plans with different structure and formats • lack of recognition of tangata whenua process and resource management issues in plans. ***Plan users*** Inefficiencies and costs continue for users of multiple plans who spend time establishing how plans are structured and formatted. ***Court*** Inefficiencies and current costs continue for judges and commissioners in determining how plans and policy statements are structured and dealing in varied numbering formats during court/hearing procedures. ***General public*** Continued frustrations trying to locate plan provisions to answer key question of 'do I need resource consent? and to do this in a fast/efficient/familiar way.	***Councils*** Less time to implement the structure and form standard ***Plan users*** Some time and resource savings by having policy statements and plans structured in a similar way at a high level ***Ministry for the Environment, central government*** Less implementation support required to councils ***Tangata whenua*** Ability to continue to determine locally specific provisions.

Option 1 is not a preferred option for both regional policy statement and plan structure and format. Requiring only the high level structure of plans to be standardised will not achieve benefits over and above the status quo. Research showed us that most second generation district plans are combination zone-based plans already. Requiring this as a National Planning Standard will not result in much change. The way that provisions are set out is vital to plans' effectiveness and usability. The way in which plans are formatted (ie, unique and simple numbering system and set rule format) aids in the council being able to deliver information effectively to their communities.

Table 13: Option 2 – Semi flexible plan structure and format

Option 2 – Semi flexible standard	Costs	Benefits
	Councils	***Councils***
	• continued costs to all councils determining non-administrative sections of their individual plans	• with flexibility councils would be able to add more locally determined special topic chapters and include additional sections
	• some continued costs to councils in working with technology providers to tailor policy statement/plan requirements to deliver individual ePlans	• some time and resource savings at plan review to determine what structure to use
	• continued court costs for each council debating some elements plan structure and form	• plan changes (private and council) will need to fit within the standard framework, helping to preserve the structure of the plan over its lifetime
	• some continued costs and inefficiencies incurred for new staff and consultants to learn how locally specific plan structure and form works	• more aligned plans, create opportunities to share resources between councils more easily
	• costs required implementing the structure by retrofitting existing policy statements and plans (particularly rule format); the size of these costs will vary according to:	• ability to cooperate more effectively on cross-boundary resource management issues identified in plans
	- individual council plan review timeframes	• more easily able to incorporate best practice used in other plans when the structure is the same
	- existing alignment with the proposed structure	• reduced court costs defending structural matters
	- pressure to implement other national direction.	• requiring an ePlan format will contribute to councils' ability to deliver their plans effectively to their communities in a fast/efficient/familiar way.
	• increase implementation costs associated with rule format standard. Where rules are very different to the standard rules, will need to be re-written to fit the rule format standard, requiring significant work	***Ministry for the Environment, central government***
	• time and resource cost to communicate to iwi and the community why the structure they had agreed will now change	• some improvement in the ability to understand and compare policy statements and plans to get a better picture of implementation at a national level
	• may have to manage issues with of public confidence in plan-making	• national direction will be more easily transferable to plans once they follow the

	process for councils that have just undertaken a significant plan review. ***Ministry for the Environment, central government*** • some inefficiencies continue in the ability to understand and compare policy statements and plans to get a better picture of implementation of an issue at a national level and facilitated best practice • costs in supporting councils to implement the new structures • possible costs of defending or legal challenge to new structures; or participating in a declaration application • ongoing monitoring of compliance with new structure. ***Tangata whenua*** • some continued inefficiencies and costs associated with using multiple plans with different structure and formats • continued lack of recognition of tangata whenua process and resource management issues in district plans. ***Plan users*** • some inefficiencies and current costs continue for users of multiple plans determining how plans are structured and formatted • initial time needed to understand new structure. ***Court*** Some inefficiencies and current costs continue for judges and commissioners in determining how plans and policy statements are structured and formatted during court/hearing procedures.	same plan structure. ***Tangata whenua*** Some improvements in understanding of tangata whenua processes and integration of content. ***Plan users*** • some consistent ordering and naming of plan structure creates some sense of familiarity for multiple plan users (eg, house building companies) • some consistency in chapter names and locations makes it easier to find information across plans and between plan versions • research on plan provisions will be more efficient • ability to open any plan and generally know where to find the provisions that apply to a desired activity/area • easier to make submissions for people who have interests in more than one district/region • some reduction in consultancy fees with plans being easier to work with. **Court** • some efficiencies for judges and commissioners in understanding how plans and policy statements are structured and numbered to enable them to apply during court/hearing procedures • case law is more easily transferable. ***General public*** • plan rules are the most commonly used part of plans and the one that the public (often users of a single plan) most interact with, formatting rules in a way that supports ePlan delivery has benefits for their ability to access to rule information in a fast, efficient and effective way • some reduced costs to councils may mean rates can be better spent elsewhere • some reduced consultancy fees with plans being easier to work with.
General comment on Option 2	Standardising chapter headings and their order (as opposed to just Parts in option 1) results in a greater overall level of standardisation. While there are short-term costs, the benefits to the various stakeholders increase. Creating a home for national direction within the plan structure also has a number of benefits for central government and plan users. This is the preferred option for RPS and regional plan structure and format, for the reasons outlined in the **Overall evaluation of options** below. This is not the preferred option for district plan structure and format for the reasons given in the **Overall evaluation of options** below.

Table 14: Option 3 – More rigid structure and format

Option 3 – More rigid standard	Costs	Benefits
	Councils	*Councils*
	• increased implementation costs to comply with a more rigid structure standard	• time and resource savings determining what structure and form they should use in their plan
	• costs required implementing the structure by retrofitting existing policy statements and plans (particularly rule format); the size of these costs will vary according to:	• increased ability to focus time and resource on local planning issues
	- individual council plan review timeframes	• increased ability to cooperate more effectively on cross-boundary resource management issues identified in plans
	- existing alignment with the proposed structure and rule format	• increased ability to share best practice approaches
	- pressure to implement other national direction.	• reduced court costs debating structural matters
	• time and resource cost to communicate to iwi and the community why the structure they had agreed will now change	• ease in moving toward ePlan delivery, including time and resource savings associated with using pre-populated ePlan formats provided by technology providers
	• may have to manage issues with of public confidence in plan-making process for councils that have just undertaken a significant plan review.	• easier for planners to move between councils to assist with council resourcing peaks
	Ministry for the Environment, central government	• ease of including national direction in plans.
	Increased implementation costs above Option 2 to support councils in implementing a more rigid standard.	*Ministry for the Environment, central government*
	Plan users; tangata whenua; general public	• plans are easier to understand and compare at a national level to get a better picture of implementation of an issue
	Loss of ability to influence plan structure and format.	• easier to see where councils are at in terms of their policy statement/plan cycle
		• best practice easier to facilitate at a national level
		• a home for national direction would be created in plans; easier to see how councils have given effect to national direction
		• national direction will be more easily transferable to plans once they follow the same plan structure
		• public guidance on how to use plans will be easier to prepare.
		Tangata whenua
		• tangata whenua documents, processes and relationships are more transparent

	and available in plans
	• time and resource savings in having to understand and use different plan structures and formats
	• increased ability to focus time and resource on local planning issues.
	Court
	• increased efficiencies and cost saving for judges and commissioners in understanding how plans and policy statements are structured and numbered to enable them to apply during court/hearing procedures
	• case law is more easily transferable.
	Plan users
	• consistent ordering and naming of plan structure creates sense of familiarity for multiple plan users (eg, house building companies)
	• time and resource savings in having to understand different plans
	• increased ability to focus time and resource on local planning issues
	• reduced consultancy fees with plans being easier to understand.
	General public
	• in the long term, rates may be able to be used in other areas as plan-making becomes more efficient
	• makes move to an ePlan, easier access to information, particularly answering of the key question 'do I need a resource consent'
	• central government guidance on how to use plans and be involved in the RMA may become more useful.
General comment on option 3	This is the preferred option for district plan structure and format, for the reasons outlined in the **Overall evaluation of options** below.
	This is not the preferred option for RPS and regional plan structure and format, for the reasons given in the **Overall evaluation of options** below.

9.4   Overall evaluation of options

9.4.1   Regional structure standard

A medium level of standardisation, option 2, is the preferred option for the RPS and regional plans structure standard.

Regional plans are optional (apart from coastal plans), and they are tasked with managing resources across various domains. This means that councils may have several separate plans for a region for different environmental domains, or they may have one combined plan. In some cases councils may not even have a plan for a certain domain. All of this leads to significant variation in how regions structure their plans.

For all of these reasons there is an extremely wide range of regional plans, so prescribing a rigid format for regional plans would cause too much change and disruption, over and above the status quo. However option 3 may be considered appropriate in the future once these changes are fully embedded.

Approaches to regional planning are also changing. Regional councils are working to manage their resources in a more integrated manner; this is leading to developments in planning approaches, for example combining individual domain plans into one document; broadening the scope of coastal plans to cover the wider coastal environment. Therefore it is considered that at this stage it is better encourage this locally-mandated momentum with a semi-flexible structure.

It is also important to note that the discussion document and later work with stakeholders did not canvas opinions and gain feedback on a more rigid structure for regional plans. This work has always focused on two different forms of a semi-flexible structure.

9.4.2   District structure standard

Option 3 is the preferred option for the district plan structure standard.

The level of change required by councils to comply with the standard is similar to option 2, but does not have the same level of benefits in relation to the issues that districts/cities deal with; that is, with no prescribed direction on what each chapter and section should contain (other than plan administrative matters) it is possible that plans continue to be significantly inconsistent with each other. The increased benefits are particularly felt by plans' users, as district plans will be structured the same and provisions on similar issues will be located in the same place in plans (through prescribed topic/issue based sections), meaning they can work more efficiency and effectively with different plans on the same issues.

Councils' ability to be flexible and include local contents variation is not affected, as councils are still able to include locally derived sections, but these are restricted to sections in existing sets of chapters (additional chapters are not permitted).

With increased standardisation there will be an increase in implementation costs; this will be dependent on where councils are at with their plan review.

9.4.3   Format standard

The format standard in relation to alpha-numeric numbering and the requirement for policy statements/plans to show the legal effect of rules is not a distinguishing factor in our analysis. There

is no change in the costs and benefits in terms of formatting, apart from the benefits associated with an increasing number of standardised policy statement/plan elements that will be subject to standardised alpha-numeric numbering.

It terms of rule format, both options 2 and 3 require application of the rule format standard, therefore all regional and district plans will be required to comply with this standard. There is a large variation in rule format across plans, so there are benefits across the board to a standardised approach. Standardising rule format has benefits for plan users (working with multiple plans) comparing rule content more easily, and for the general public, as encouraging the move to ePlans increases councils' ability to deliver plan information on a property-search basis (as opposed to the general public finding this in plans). There is a high degree of variation in cost to councils to implement the rule format standard (depending on where they are in their plan review cycle, and how different the councils current rule format is to the draft standard).

9.4.4 Efficiency and effectiveness against objectives

Table 2A1.14 below gives a detailed assessment of options against the National Planning Standard Objectives.

Table 15: Assessment of efficiency and effectiveness against objectives

	Option 1 – Fully flexi	Option 2 – Semi flexi	Option 3 – More rigid
Objective 1: An appropriate level of standardisation is achieved for matters that don't need local variation: • avoid duplication of effort • ensure that only matters that do not need local input are included in the standard • standardises how national direction is represented and implemented in plans • result in standards where the effort put in by councils to implement the standards is commensurate with the level of standardisation achieved	**Regions and districts – not achieved** Only the very highest level elements of plans would be standardised so that significant variation would remain. Inefficient to implement because plans would still need to be 're-housed', but for little benefit as significant variation would remain. Duplication of effort would still occur in structuring plans. Few requirements for national direction.	**Regions – achieved** The 'skeleton' of the RPS and plan would be standardised. Local variation is provided for in not having to write provisions for chapters that do not currently exist in a plan in that region (ie, a 'menu' of topics). The 'semi-flexi' approach recognises the optional nature of regional plans, making it more efficient to implement. Home of national direction provided (at a high level). **Districts – partly achieved** Some duplication avoided. Home of national direction provided. Local input on plan headings (part and chapter) would not be allowed, additional sections allowed. Considerable effort required to restructure plans with only medium level standardisation achieved.	**Regions – partly achieved** Most of the structure of the RPS and plan would be standardised (down to section level). This means that duplication of effort is minimised but it includes elements of structure that restricts regional councils' ability to be flexible on topics that would normally need local input, such as the treatment of freshwater management units in RPS and plans. (Note – this option may become more efficient in future if significant standard content is also provided, eg, as a result of national direction.) **Districts – achieved** More duplication avoided, by standards prescribing more detail. Local input on plan headings (part and chapter) would not be allowed, additional sections allowed. Home of national direction provided. Considerable effort required to restructure plans with high level of standardisation achieved.
Objective 2: Improve the accessibility and usability of plans: • plans are easier to access • plans are easier to understand • electronic functionality is used to improve accessibility wherever possible.	**Regions and districts – not achieved** Plans would still have a very different look and feel. Becoming familiar with one plan will be of limited relevance when working with other plans.	**Regions – achieved** Basic structure of plan is fixed – the user will know where to go to find the required content. **Districts – achieved** With a medium-level structure, standardised plans will be easier to understand as there will be some commonality.	**Regions – partly achieved** Plans will appear to be consistent. Plans will be easier to access but not necessarily to understand, due to widely varying approaches being forced into one structure. **Districts – achieved** More standardisation means district plans are structured in a more commonly understood way to

	Option 1 – Fully flexi	Option 2 – Semi flexi	Option 3 – More rigid
		Plans will be easier to access and electronic functionally will be increased as prescribed rule format will be used (that is compatible with ePlans) and standardised elements of plans will be numbered in a common way.	more parties. Plans will be easier to access and electronic functionally will be increased as prescribed rule format will be used (that is compatible with ePlans) and standardised elements of plans will be numbered in a common way.
Objective 3: Improve plan-making baseline performance: • shorter timeframes • less resource intensive • more focus on local outcomes • assist in good practice being adopted in a more timely manner.	**Regions and districts – not achieved** Little difference from status quo.	**Regions – achieved** Plans are easier to prepare and change as framework is already in place. Menu approach encourages focus on regional outcomes. Good practice can be adopted and adapted for the region. **Districts – partly achieved** Plans are shorter to prepare with less resource as some elements standardised. Local matters still enabled by the structure. Increased common structure in plans means good practice displayed by one council is more easily applied by others (including instances of good practice relating to national direction).	**Regions – partly achieved** Good practice can be more readily adopted as there will be less variability in where new provisions can go. However, the focus on regional outcomes is reduced as some substance in all chapters is required, with less provision for regional differences. **Districts – achieved** Plans are shorter to prepare with less resource as more elements are standardised and more direction given through standards on what each sections should contain. Local matters still enabled by the structure. As plans have more common structure, good practice displayed by one council is more easily applied by others (including instances of good practice relating to national direction).
Objective 4: Implementation of the standards is practical and	**Regions and districts – achieved**	**Regions – partly achieved**	**Regions – partly achieved**

	Option 1 – Fully flexi	Option 2 – Semi flexi	Option 3 – More rigid
feasible, while taking into account the: • resource intensity needed to implement the planning standards • capacity and capability of councils to implement the planning standards • efficiency of central government having ownership, associated ongoing responsibility and maintenance costs for this level of standard.	Standards easy to implement because only low level of change required.	Standards are moderately easy to implement for most councils. More difficult for councils with a very different structure and rule format to what the standard proposes. **Districts – partly achieved** Standards are moderately easy to implement for most councils. More difficult for councils with a very different structure and rule format to what the standard proposes.	More councils will have to make more extensive changes to their existing plan/RPS structure. This means that implementation costs will be high. The efficiency of central government stewardship for the standard is initially low due to the amount of monitoring required but improves over time as staff and councils become familiar with the structure. **Districts – partly achieved** More difficult for councils with a very different structure and rule format to what the standard requires. The efficiency of central government stewardship for the standard is initially low due to the amount of monitoring required but improves over time as staff and councils become familiar with the structure.

10 Risk of acting/not acting if there is uncertain or insufficient information about the subject matter of the standard

An assessment of the risks of acting or not acting if there is uncertainty or insufficient information is usually undertaken for each reasonably practicable option in a regular section 32 report. However, as established in Part 1 of this report, the National Planning Standards require evaluation following a slightly different methodology. As the structure and format standards are mandatory and the options outlined above are essentially a sliding scale from flexible standards to rigid standards, the risks of acting or not acting if there is uncertainty or insufficient information are considered to be the same for all of the options. Therefore, they are addressed collectively here.

It is considered that there is certain and sufficient information on which to base the proposed standards, as:

- an extensive amount of research has been undertaken in the development of the National Planning Standards, including specific research into the different structure and formats of regional policy statements (RPSs), regional plans and district plans and the costs and benefits of the different approaches

- the proposed standards are the result of extensive consultation and revision of an initial option identified by research as being most suitable; multiple channels were used to obtain feedback from many different stakeholders including online, email, at workshops and one-on-one meetings to ensure the development process was inclusive, capturing as many viewpoints as possible

- the structure and form standards returned a BCR of 1.76, the highest of the groups assessed

- there are some uncertainties around how the structure and format changes will be made by councils in the required timeframes; this will be addressed by supporting councils with comprehensive implementation guidance.

11   Conclusion/summary of rationale for the preferred option

A planning standard for the structure and format of policy statements and plans is one of the three 'minimum requirements' that must be included in the first set of planning standards and must remain in force at all times. The structure and format standards provide long-term benefits to the planning system by making policy statements and plans throughout the country easier to make and use.

The level of standardisation set by the standards is considered to improve accessibility of plans and plan-making performance, while still enabling councils to include local derived content. The longer term benefits include a more efficient plan-making system, and a more consistent application of resource management principles.

Current variation in plan structure and format means significant time is needed to understand how different plans work. Implementation of the structure standards will enable best practice and case law to be disseminated more efficiently as consistent structures allow learning to be readily integrated into different plans. Planner skills and experience are also more readily transferred. Having a moderate- to high-level of standardisation in plans enables planners and councils to focus time and resources on developing local provisions that are focused on good environmental outcomes. When plan reviews are initiated, the structure of the plan is already in place.

The draft structure standards are set at different levels of standardisation for regions and districts.

1. For RPS and regional plans the planning standard sets most of the structure to two plan-level tiers, being part and chapter. The 'front end', administrative and tangata whenua chapters contain a greater level of detail, with additional section headings.
2. For district plans the planning standard sets the structure at all three plan-level tiers, being part, chapter and sections (both plan administrative and plan issues/topics), with additional sections permitted.

Regional policy statements (RPSs) are compulsory, high-level strategic documents containing objectives and policies for the significant resource management issues for a region. They are not exhaustive and do not contain rules, so prescribing a finer level of structure to section level was not considered necessary.

For regional plans, a wide variation of practice has developed that requires a degree of flexibility to bring together into one structure. In addition a momentum of combining individual domain plans into one document has arisen with second-generation regional plans that we wish to allow for. Therefore a high level of prescription was considered less desirable at this stage.

The increased level of standardisation resulting from the more rigid district plan structure benefits more plan users, as district plans will be structured the same and provisions on similar issues will be located in the same place in plans (through prescribed topic/issue based sections). Plan users can work more efficiency and effectively with different district plans on the same issues.

District councils' ability to be flexible and include local contents variation is not affected by the planning standards, as councils are still able to include locally derived sections, but these are restricted to sections in existing set of chapters.

The structure and format standards have been developed to be future focused and work in an ePlan context. ePlans 'pull' plan provisions from the plan parts, chapters and sections and present them via property-based searches. The format standards that prescribe an alpha-numeric numbering system and a rule format for plans are considered to be particularly useful elements in aiding this shift.

Changes to RPS and plan structures, and a push towards providing plans in an ePlan format will increase implementation costs for councils, depending on where councils are at with their plan review. Throughout the development of the draft standards we have heard that implementing new structures will impose transitional costs, especially to local government. This is acknowledged. In designing the new structure standards we have built on existing practice with a goal of achieving consistency without radically changing the way in which plans are constructed now. The longer term benefits include a better, more efficient plan-making system, a clearer understanding and application of resource management plans by plan users, and a more consistent application of the resource management system overall.