

2013

Plan Steps

Structuring & Organising Regional & District Plans



Structuring Plans

For resource management matters, regional or district plans are the primary policy reference document. Such plans should be easy to read and navigate while enabling councils to meet their statutory duties. Since 1991 many different plan structures and styles have evolved, and while there are good reasons for policy to vary from place to place, it is in the interest of all plan users that plans are well structured with some consistency in organisation. The intention of this guidance note is to assist the development of the next generation of RMA plans. It is a companion to the "Writing Provisions for Regional and District Plans" guidance note. This guidance note looks at:

This guidance note concludes in combining the themes above to provide a short discussion around, and examples of, what second generation regional and district plans could look like (in terms of structure and organisation).

Guidance note

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Plan structure: Common First Generation Types

Plan structure: Ideas for Usability

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Introduction

The way in which a plan is structured, and the content within it 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). However, where the intent and origins of plan provisions are unclear, or not well integrated, then those provisions could become prone to legal challenge and be less defensible.

The Resource Management Act (RMA) contains provisions relating to the overall content of plans but little guidance has been available as to the structure and organisation of plans. The philosophy that local authorities should decide for themselves has, consequently, seen the structure and organisation of plans vary markedly between, and sometimes within councils.

A degree of commonality and consistency in plan structure and organisation is important to:

- assist those who use the plans of many councils (such as consultants and the Environment Court) to quickly find the information they need without having to first work out the structure and organisation of each plan and internal linkages
- better enable business and the public to understand the role and structure of RMA plans through adopting a structure that is familiar to them regardless of which plan they are looking at
- allow similarities and differences between plans to be quickly identified and evaluated by those preparing, using or monitoring plans
- make it easier for central government to prepare national policy statements and national environmental standards that align with how plans are structured, organised and written
- allow staff transferring from one council to another to quickly adapt to using the plan of their new employer (thereby creating less down time and greater efficiencies in administration).

This guidance note suggests an example structure to assist in achieving a degree of commonality and consistency between plans; is it not intended to remove the ability of local authorities to structure plans in a way they consider best meets local circumstances.

Who the plan is for?

The purpose of regional or district plans under the RMA is to assist a regional council or territorial authority to "carry out [any of] its functions in order to achieve the purpose of this Act" (ss63 and 72). This implies that the intended primary users are local authorities.

The reality is that district and regional plans are also regularly used by others including the general public and businesses (who may be considering applying for a resource consent for the first time), developers, consultants, surveyors, architects, lawyers, judges, commissioners, various environmental or business interest groups. The level of knowledge and regularity of use by each of these parties varies widely but catering to their need for quick and easy access to the information they need from a plan will benefit all.



Plan structure - overarching principles

Before deciding on a particular plan structure and organisation, consider a number of key principles.

1. **Structure around user expectations and conventions:** Many publications follow a particular organisational style and format that people sub-consciously absorb and expect to see in other documents (tables of content and an introduction at the start, appendices and an index at the back, for example). The format of legislation also follows a set pattern and style. These styles reflect writing, non-fiction publishing and legal conventions and principles.
2. **Keep it simple:** Avoid the temptation to put 'everything' into the plan (thereby adding additional sections and chapters that most readers will never use). It can be helpful to ask the following when considering sections or chapters that are not related to core provisions:
 - Does this add value to the plan and make it easier to use?
 - Would plan users actually need, or use, this information?
3. **Keep the bigger picture in mind:** Second generation regional and district plans form part of a much wider suite of plans and strategies than those prepared in the 1990s. For example, plans [give effect](#) to regional policy statements; take into account planning documents recognised by iwi authorities, and should have some form of relation with Long Term Plans, and with Regional Land Transport Strategies. The following links demonstrate some of the relationships with other documents:
 - [Linkages between RMA plans and documents](#)
 - [Linkages between plans and selected non-RMA documents](#)
4. **Consider how the plan will be monitored and enforced:** Developing the plan monitoring strategy (or monitoring indicators) alongside the plan provisions is very useful for improving clarity and enforceability of plan provisions (e.g. how the council knows provisions are being complied with), weed out provisions (or possible monitoring indicators) that may be unnecessary or impractical, and better align monitoring reports (particularly those under s35(2A)) with plans.

Plan structure: Common First Generation Plans

Most first generation regional and district plans in use in New Zealand generally fall into one of six basic plan-types.

1. Area-based plans

The area management approach could best be thought of as a series of plans rather than a single plan. Each 'sub-plan' covers a particular geographic area that may have been delineated from others by physical, geographic, political, ecological, or historical characteristics.

Each 'sub-plan' could be developed at the same time as the others, or sequentially. They may be identical in layout and organisation or could differ in approach as a reflection of the characteristics of the area being planned for, or as each new plan builds on lessons in previous plans.

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Sample organisation

Management Area 1 Coast	Management Area 2 Plains	Management Area 3 Hills
<p>Introduction</p> <p>Contents</p> <p>How to use this plan</p> <ul style="list-style-type: none"> • General Resource Management Issues • Objectives • Policies • Rules <p>Development Controls</p> <ul style="list-style-type: none"> • Definitions • Rules <p>Noise, Signs and Lighting</p> <ul style="list-style-type: none"> • Issues • Objectives and policies • Environmental results expected • Methods • Rules <p>Financial Contributions</p> <ul style="list-style-type: none"> • Issues • Objectives and policies • Anticipated results • Methods • Rules <p>Transportation</p> <ul style="list-style-type: none"> • Issues • Objectives and policies • Environmental results expected • Methods • Rules <p>Appendices</p> <p>Maps</p>	<p>Introduction</p> <ul style="list-style-type: none"> • Contents • How to use this plan <p>Town Centre Zone</p> <ul style="list-style-type: none"> • Issues • Objectives • Policies • Methods • Rules • Environmental results expected <p>Rural Zone</p> <ul style="list-style-type: none"> • Issues • Objectives • Policies • Methods • Rules • Environmental results expected <p>Residential Zone</p> <ul style="list-style-type: none"> • Issues • Objectives • Policies • Methods • Rules • Environmental results expected <p>Definitions</p> <p>General Provisions</p> <ul style="list-style-type: none"> • Heritage provisions • Network utilities • Transportation <p>Appendices</p> <p>Maps</p>	<p>Introduction</p> <ul style="list-style-type: none"> • Contents • How to use this plan <p>Resource Management Issue 1</p> <ul style="list-style-type: none"> • Issue statement • Objectives • Policies • Methods • Rules • Environmental results expected <p>Resource Management Issue 2</p> <ul style="list-style-type: none"> • Issue statement • Objectives • Policies • Methods • Rules • Expected Environmental results <p>Resource Management Issue 3</p> <ul style="list-style-type: none"> • Issue statement • Objectives • Policies • Methods • Rules • Expected environmental results <p>Definitions</p> <p>General Provisions</p> <p>Appendices</p> <p>Maps</p>

Advantages

- Lessons learnt from the first sub-plans to be developed can be applied to subsequent sub-plans.
- The size of each sub-plan can be relatively small as each sub-plan does not need to contain the provisions that relate solely to the other sub-plans.
- Challenges made to a sub-plan in one area may not affect the sub-plans of other areas (so the unaffected sub-plans may be operative earlier).
- Each sub-plan could be produced quicker than a single large plan (less provisions to be included in each sub-plan, and also less material open to challenge).
- Better able to reflect local interest and attitudes (each sub-plan can adopt local variations to provisions without the need for a complex series of sub-zones, policy areas, or rule exceptions).

Disadvantages

- Each plan may adopt a different style, format, internal organisation, or way of expressing provisions (thereby increasing overall complexity of administration).
- May be difficult to integrate or promote standardised approaches that cross the boundaries administered by several sub-plans.
- The environmental management of some areas may lag behind others (due to some sub-plans being proposed or made operative ahead of others working under older, previous, plans). This may result in inconsistencies in policy frameworks, desired outcomes, or a poor level of integration in responding to district/region wide issues.
- Vulnerability to conflicting (or misalignment of) desired outcomes and provisions at the interface where the area administered by one sub-plan abuts another.
- May be more complex to administer for the consent authority if staff are based in a central office (they may need to have intimate knowledge of several sub-plans and how each works).
- Using a definition section for each sub-plan may cause inconsistencies and confusion.

2. Topic-based plans

Topic-based plans tend to be based around dealing with a single issue, or a specific group of issues associated with a particular topic (such as on-site effluent management). In New Zealand they are often associated with the first generation of regional plans.

A variation on the topic-based plan is the comprehensive topic-based plan. Such plans may deal with a series of topics in sequential fashion, with each topic being (sometimes entirely) contained in a discrete section or chapter within one overall document. Such an approach is increasingly being used by regional councils and unitary authorities.

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Sample organisation

Table of Contents

Resource Description: Air Quality

Introduction

- Purpose of plan
- Plan preparation process
- Plan structure

Statutory Framework

- Resource Management Act
- Functions of Regional Council
- Other regional plans
- District plans

Iwi Perspective

Management Approach

- Role of Air Quality Guidelines and Codes of Practice
- Best Practicable Option
- Education and provision of Information

Significant Air Quality Issues

- Objectives
- Policies
- Methods
- Principal reasons for adopting objectives, policies and methods

Rules

- Rules for discharges to air
- Rules for discharges of contaminants to air from industrial premises
- Information requirements
- Assessment criteria

Administrative Matters

- Notification and non-notification



- Joint hearings
- Duration of resource consents
- Objections and appeals

Bonds and Financial Contributions

- Objectives
- Policies
- Circumstances and purposes for which financial contributions may be required

Definitions

Appendices and Maps

Advantages

- A topic-based plan is able to deal with effects in a transparent manner as provisions are clearly linked to the specific topic or issue the plan covers.
- Each individual plan can be smaller than one large plan (less intimidating for the plan reader).
- Plans can be developed with relatively limited resources (as not every topic has to be researched and developed at once).
- Each individual plan can cover a lot of detail relating to the issue, and the methods by which the issue is to be managed. (This may not be so practicable in the comprehensive topic model due to the resulting size.)

Disadvantages

- The approach may result in a large number of individual plans (if not combined into a comprehensive topic model). This may mean that it becomes easy to miss linkages with other plans that may have a bearing on a particular development or resource use proposal.
- Research and the development of policy for some topic areas may lag behind others, so that at times policy is not compatible or fully integrated, or all effects on the environment are not able to be managed.
- Less suitable for district plans or regional plans that have to deal with many wide-ranging issues, issues that are closely interrelated, or those that require a strategic overview approach for their management.
- Plans may vary in style, wording, and organisation over time. This may result in added complexity and confusion in their administration.
- Applicants with complex proposals may find themselves having to deal with several plans (adding to complexity, bulk, or the likelihood that provisions will be missed).

3. Self-contained zone plans

This type of plan is related to the 'area-based plans' in that each chapter is similar to being a small plan in itself. All policy framework elements and rules applying to a particular zone are contained in discrete chapters that can be read without having to cross-reference to any other part of the plan other than planning maps. Some regional



councils approached the management of certain issues or areas in a similar fashion in the past but derivations of it are more commonly found amongst district plans.

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Sample layout

Introduction

Policy and legal framework

Statement of tangata whenua values

Residential Zone

- Issues
- Objectives
- Policies
- Methods
- Environmental results expected
- Rules for subdivision and development
- Rules for natural and man-made heritage
- Rules for transportation and parking
- Rules for hazards and hazardous substances
- Financial contributions
- Definitions

Rural Zone

- Issues
- Objectives
- Policies
- Methods
- Environmental results expected
- Anticipated environmental results
- Rules for subdivision and development
- Rules for natural and man-made heritage
- Rules for transportation and parking
- Rules for hazards and hazardous substances
- Financial contributions
- Definitions

Commercial Zone



- Issues
- Objectives
- Policies
- Methods
- Environmental results expected
- Rules for subdivision and development
- Rules for natural and man-made heritage
- Rules for transportation and parking
- Rules for hazards and hazardous substances
- Financial contributions
- Definitions

Maps

Advantages

- Self-contained zone plans are seen as user-friendly because all the rules pertaining to a particular area are contained in a single chapter without the need to look elsewhere in the plan.
- Helps ensure integrated management of all environmental issues within a zone by reducing the potential for cross-references to other chapters being missed.
- Able to accommodate local variations in circumstances within zones without complicated exceptions or tables.
- Provides the ability for the plan to be split up into sections at the front counter (like a series of mini plans) so that customers need only see the section that applies to their zone.

Disadvantages

- These plans can be bulky due to repetition of common provisions in every chapter or zone; having a definition section in each chapter may lead to inconsistencies or confusion.
- The addition of new zones or management areas increases plan bulk further (as all district or region-wide provisions needed to be repeated again).
- Increased care is needed to ensure that region or district-wide issues are covered in every zone (thereby avoiding 'holes' where issues could slip through).
- Potential for inconsistencies in provisions and approaches to occur when dealing with effects that cross zone boundaries;
- Plan changes to common provisions will need to be followed though all zones or chapters, with any alteration able to be challenged (so that there could be multiple challenges, or a challenge to the provision in one zone resulting in provisions that consequently become out of step with provisions in the others).

4. Activity-based plans

Activity-based plans centre on known activity types, or clusters of activities, and how they are to be managed. The approach is often used in conjunction with one of the other plan typologies such as 'zone' or 'topic-based' plans (and can therefore be seen in both regional and territorial council environments). This plan is based around activity types on the basis that certain effects are known to be associated with certain activities.



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Sample layouts

<p>Contents</p> <p>General Definitions Notification Information requirements</p> <p>Issues, Objectives, Policies and Methods</p> <ul style="list-style-type: none"> • Tangata whenua • Natural environment • Rural development • Urban development • Infrastructure <p>Residential Activity Rules</p> <ul style="list-style-type: none"> • Noise, light and vibration • Bulk and location of structures • Home-based businesses • Car parking and traffic generation • Advertising <p>Manufacturing Activity Rules</p> <ul style="list-style-type: none"> • Noise, light and vibration • Hazardous substances • Parking and access • Advertising <p>Sport and Recreation Activity Rules</p> <ul style="list-style-type: none"> • Financial contributions for development • Noise, light and vibration • Bulk and location of structures • Advertising • Temporary events 	<p>Contents</p> <p>Introduction</p> <ul style="list-style-type: none"> • Character of the coast • Ecology • Use and development <p>Background</p> <ul style="list-style-type: none"> • Plan preparation process • Legislation • NZCPS <p>Management Approach - Use and Development</p> <ul style="list-style-type: none"> • Issues • Objectives • Policies • Methods of implementation • Principal reasons <p>Management Approach - Marine Management</p> <ul style="list-style-type: none"> • Issues • Objectives • Policies • Methods of implementation • Principal reasons <p>Rules:</p> <ul style="list-style-type: none"> • Recreational activities • Temporary military training • Structures for navigation and telecommunications • Reclamations • Stormwater discharges
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<p>Subdivision Rules</p> <ul style="list-style-type: none"> • Allotment size • Existing buildings • Hazards • Esplanade reserves <p>General Rules</p> <ul style="list-style-type: none"> • Heritage sites and protected trees • Indigenous forest <p>Appendices</p> <ul style="list-style-type: none"> • Schedules of heritage resources • HFSP procedures <p>Maps</p> <p>Advantages</p>	<ul style="list-style-type: none"> • Sewage discharges • Discharges to air • Taking or use of water • Dredging and spoil disposal • Moorings, marinas and boat refueling • Boat painting and maintenance • Signs • Marine farming • Sand extraction <p>General Performance Standards</p> <p>Definitions</p> <p>Appendices</p> <p>Schedules</p>
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- User-friendly (in that the plan is based around known activities and terms that many people readily identify with).
- It can be easier to check the activity status and see the standards that may apply to a proposal.

Disadvantages

- The reasoning for provisions may be less transparent (it can be harder to see the link back to the effects that are to be managed).
- The plan may not deal appropriately with activities not envisaged during drafting (for example activities that should be 'permitted' become subject to consent processes as they were not listed, or activities that needed to be subject to resource consent are not).
- Can result in lengthy lists of activities.
- Much depends on the definition of each activity and there can be debates as to whether certain activities (or derivations thereof) fit within those definitions.

5. Effects-based plans

As their name suggests, these are plans based around environmental effects rather than the activities that generate them (so that the type of activity that is managed may not actually be mentioned) For convenience some plans group effects into management areas based on the perceived acceptability of the effects in that area or the particular values to be maintained.

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Sample organisation

Contents

The City's Environment

Maps (water resources, landscapes and landforms, vegetation)

Tangata Whenua

Issue - Effects on Water Quality

- Objectives, policies, methods
- Monitoring indicators and environmental results expected

Issue - Effects on Native Vegetation and Fauna

- Objectives, policies, methods
- Monitoring indicators and environmental results expected

Issue - Effects on Land

- Objectives, policies, methods
- Monitoring indicators and environmental results expected

Issue - Effects on Ecosystem Stability

- Objectives, policies, methods
- Monitoring indicators and environmental results expected

Issue - Effects on Amenity Values, Health and Safety

- Objectives, policies, methods
- Monitoring indicators and environmental results expected

Issue - Effects on Heritage

- Objectives, policies, methods
- Monitoring indicators and environmental results expected

Explanation of Objectives Policies and Methods

City-wide Rules (including definitions, information requirements and prohibited activities)

Natural Environment Rules



- Vegetation alteration
- Earthworks
- Impermeable surfaces
- Buildings

Human Environment Rules

- Residential density
- Building location, height and scale
- Privacy and amenity
- Non residential uses
- Car parking and driveways
- Noise
- Signs
- Infrastructure

Note that the above rules are duplicated across the following:

- Living environment
- Open space environment
- Community environment
- Working environment
- Countryside environment
- Coastal villages environment

Scheduled Sites

Special Areas

Subdivision Rules

Maps

Advantages

- Management techniques are more directly linked to the environmental effects they seek to manage (i.e. the plan starts with the effects that are to be managed and provisions are allocated to those effects as appropriate). This is consistent with the philosophy of the RMA being an 'effects-based' statute.
- The plan is adaptable to new activities not originally anticipated by the local authority (i.e. there is potential to accommodate any activity provided the effects of the activity are managed in accordance with the plan).

Disadvantages

- Those checking whether an activity complies with a plan may need to read all or most of the plan to determine whether a resource consent is required, and what for.



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- Reading and working out the implications of the plan can be difficult for the public (effects-based decision-making does not provide for quick and easy answers at the front counter or over the phone).
- There may be lack of certainty for applicants who do not understand or have information on all the effects that may relate to their proposal.
- Plan drafters need to be certain that all possible effects have been considered to avoid undesirable activities becoming permitted through oversight.
- Requires good information on all effects types and thresholds of what is acceptable in any given area.

6. Hybrid-plans

This style of organisation represents the most common approach to district plans. Some issues are dealt with issue by issue (typically where they occur throughout a district regardless of activity type or zone) while others are zone-related, with certain issues and management solutions being dealt with solely within a zone or management area. Such plans also tend to mix the zone-based and activity-based organisational styles.

These six types represent a simplification of styles and approaches and in reality most plans incorporate some features from more than one type. 'Activity-based plans' still incorporate standards relating to environmental effects, and 'effects-based plans' still use some form of spatial differentiation ('zones', 'environments' or 'management areas') to detail where certain effects are more or less acceptable, for example.

Of the six plan types outlined, the topic-based model was the style most commonly used by regional councils for first generation regional plans, while the hybrid model was most commonly used by territorial authorities in preparing their district plans.

Hybrid plans allow for region or district-wide issues to be incorporated into the same plan as localised issues without repeating provisions in each zone or area-based chapter. Those issues that are found throughout a region or district can be incorporated into 'general chapters' and be cross-referenced from other parts of the plan; those issues specific to an area, zone or (in the case of regional plans) possibly district can be dealt with in discrete chapters that relate solely to those areas. As councils look at preparing combined planning documents, it is likely that their plans will also bear an increased resemblance to the hybrid style.

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Sample layout

Introduction

Definitions

Tangata Whenua

General

- Information requirements
- Signs
 - o Issues
 - o Objectives and policies
 - o Methods and rules
- Noise
 - o Issues
 - o Objectives and policies
 - o Methods and rules

Subdivision

- Issues
- Objectives and policies
- Methods
- Rules for residential zones
- Rules for business zones
- Rules for recreational zones
- Rule for rural zones

Residential Zone

- Issues
- Objectives and policies
- Methods and rules

Business Zone

- Issues
- Objectives and policies
- Methods and rules

Recreation Zone

- Issues
- Objectives and policies
- Methods and rules

Rural Zone



- Issues
- Objectives and policies
- Methods and rules

Transportation

- Issues
- Objectives and policies
- Methods and rules

Utilities and Designations

Maps

Advantages

- Easy to ensure consistency and integration within the plan through having all issues dealt with in the same document, with cross-referencing between chapters or sections as necessary.
- Less repetitious than self-contained zone plans as issues and management solutions common to the whole district or region can be placed in specific district or region-wide issues chapters.
- Rules that apply to certain activity types are able to be found more quickly than in effects-based plans (more friendly for people who read and use plans on an irregular basis).
- Provides greater certainty for most uses than purely effects-based plans (as activities that are permitted or that require resource consent are often named).
- More capable of dealing with interface issues than zone-based plans or area-management plans.

Disadvantages

- Relies on cross-referencing to be thorough and accurate to avoid issues and effects being missed.
- Needs rigour applied to its structure and order to avoid it becoming a confused mix of styles.

Plan Structure: Ideas for Usability

Having a plan structure that mirrors what people are intuitively looking for, and matches the writing and drafting conventions familiar to readers, goes some way to making that plan useable. A number of other practical measures that can be undertaken to assist in making plans more user-friendly:

- a detailed table of contents (front of plan) and keywords index (back of plan)
- an overview of the structure of the plan (front of plan). This should explain to the reader where different types of provisions are to be found, and could also explain the need to look at both general (district or region-wide provisions) and area-specific provisions
- users guides to the plan (these may sit outside the plan itself)
- glossary of terms or definitions (all in the one place, either at the front or back of the plan so that they are easy to find)
- a clear, distinct [numbering system](#) that easily distinguishes between issues, objectives, policies and rules (no bulleted lists)
- [cross-referencing](#) (rules to policies, policies to objectives, and between related provisions).
- clear illustrations, diagrams that explain rules, and tables (eg, activity status tables)
- clear, [detailed maps](#) and aerial photographs
- references to documents and strategies used outside the plan that contain or implement methods, other than rules in the plan, to manage issues or achieve plan objectives.



Plan Content: Issues, Objectives, Policies and Rules

Incorporation of issues, methods, explanations, reasons and environmental results expected is at the discretion of each local authority. Local authorities have a wide scope to decide what policy framework elements they will place in their regional or district plans. Sections 67 and 75 require plans to contain the following three items:

- objectives
- policies to implement the objectives
- rules (if any) to implement the policies.

A focus on these three items aims to make plans shorter, less complex, and easier to read. It also reflects the reality that most users, including the Environment Court, often refer to little more than the objectives, policies and rules of a plan when making decisions on resource consents. If issues are to be contained in plans they have the benefit of providing:

- a means to enable clear linkages to matters contained in other strategic or higher-level documents (Long Term Plans, growth strategies, and regional policies statements) that do not sit within the regional or district plan
- the context to the plan provisions that followed
- a logical starting point or heading around which related objectives and policies could be grouped.

While making plans longer, the inclusion of methods (other than rules) may make other ways of meeting objectives and policies of the plan more obvious. A number of local authority practitioners have found that many methods (other than rules) in their plans were referred to infrequently while other methods were not used at all (apparently due to lack of support, the cost to implement them, or time constraints).

Methods could be contained in documents other than the plan itself, and simply referred to by way of an explanatory note (underneath the relevant policy, for example). Reference documents that could then contain the methods (other than rules) may include:

- section 32 evaluation reports (which must examine whether the provisions, including methods, are the most appropriate way to achieve the objectives - 32(1)(b))
- external 'guides to the plan '
- codes of practice
- urban design strategies
- Regional Land Transport Management Strategies
- Long Term Plans
- Annual Plans.

To a lesser extent, reserve management plans and asset management plans could also contain methods that are applicable to meeting the objectives and policies of a regional or district plan.

Arranging Plan Provisions

Provisions in plans are typically arranged within plan chapters in one of three ways.

1. **Grouping according to issues or topics:** where provisions flow naturally from one or more issues down to rules, before moving on to the next issue or set of topic-grouped issues.
2. **Grouping according to type of provisions:** where provisions are grouped together according to whether they are issues, objectives, policies or rules.
3. **Rules grouped separately:** often a derivative of 1 or 2 above, in which the rules are physically separated from the issues, objectives and policies, often through inclusion in one or more separate chapters, or occasionally in an entirely separate plan volume.

Examples of each type (and their advantages and disadvantages) are outlined in [organising plan provisions](#).

In the example structures provided in this guidance note, the 'rules grouped separately approach' has been adopted as it is believed to be easier for plan readers to find the provisions (rules) that most affect them. Many plan readers are unlikely to have to refer to the objectives or policies unless they are applying for a resource consent, so are primarily concerned with the content of rules. In addition, rules often derive from a range of issues, objectives and policies, so collating rules can avoid significant repetition.

The 'rules grouped separately approach' can also allow for a basic issue-objective-policy flow that, if done simply, can reduce or eliminate cross-referencing in policy chapters of the plan. However there is still a need for cross-referencing from rules back to policies so that linkages are clear.



Possible Second Generation Plan Structures

Type of plan:

The example second generation plan structure shown in this guidance note can be referred to as the 'quadrant approach' to structuring a plan. It is an adaption of the [hybrid-style of plan](#), chosen for its ability to cover a broad range of issues and topics that occur over a range of differing geographic scales and locations. Provisions are grouped according to issue or topic, but rules are separated from objectives and policies and are consolidated instead.

The 'quadrant' approach to structuring a plan

Commentary	Diagram	
Step One: The RMA requires plans to contain Objectives, Policies, and Rules.	Objectives Policies Rules	
Step Two: For the purposes of organising material into groups and demonstrating the origin of provisions, 'issues' are added.	Issues Objectives Policies Rules	
Step Three: Issues can occur at either the region or district-wide level, or may be particular to a certain area, or sub-region. Step three requires identifying the geographical extent of each issue and dividing them (and their associated provisions) into two parallel plan provision streams.	District/Region Wide Issues Objectives Policies Rules	Area Specific Issues Objectives Policies Rules
Step Four: Many plan users will only need to refer to the rules of the plan. Only when a consent is required is reference to policy needed. Rules are therefore separated from policy and grouped together. There are thus four parts to the basic plan structure.	District/Region Wide Issues Objectives Policies	Area Specific Issues Objectives Policies
	Rules	Rules
Step Five: Following the rule of 'general before	District/Region Wide	Area Specific



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<p>specific':</p> <ol style="list-style-type: none"> 1. policy framework is kept in front of rules 2. District/Region-provisions are placed in front of their area-specific counterparts (this occurs in respect of both the policy framework and rules) <p>This then provides a natural order for the quadrants.</p>	<p>1</p> <p>Issues Objectives Policies</p>	<p>2</p> <p>Issues Objectives Policies</p>
	<p>3</p> <p>Rules</p>	<p>4</p> <p>Rules</p>
<p>Step Six: It is unlikely that a plan can be written in the quadrant form shown in the diagram, so reorganising it into list form it becomes.</p>	<p>1: District/Region Wide Policy Framework Issues Objectives Policies</p> <p>2: Area-specific Policy Framework Issues Objectives Policies</p> <p>3: District/Region-wide Rules</p> <p>4: Area-specific Rules</p>	
<p>Step Seven: Finally, most plans will need introductory materials, appendices/annexes and maps to be workable. This becomes additional material that is placed either side of the four main parts. The additional material is ordered according to legislative drafting and publishing conventions.</p>	<p>Contents Pages Plan Overview Definitions</p> <p>1: District/Region Wide Policy Framework Issues Objectives Policies</p> <p>2: Area-specific Policy Framework Issues Objectives Policies</p> <p>3: District/Region-wide Rules</p> <p>4: Area-specific Rules</p> <p>Appendices Schedules</p>	



	Maps
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Why use the quadrant approach?

The quadrant approach is based on trying to structure a plan in a way that it follows a logical progression, is able to handle complexity without repetition, and is orientated to what most users will be looking for.

To avoid duplication, provisions are grouped in terms of whether issues apply across a district or region, or to only part of the district or region - so avoiding repetition of district-wide issues in every chapter. This is used in relation to both the policy sections and rules sections of the plan.

The policy sections run in logical fashion from issues through to policy, so that cross-referencing for these sections is minimised and the relationship from issue to policy (and back again) clearly evident.

Most people use a plan to determine how to design their proposal to fit plan rules and thereby avoid the need to obtain a resource consent. In this respect, most plan users are primarily interested in the rules that apply to them. Having all rules together without the need to sift through pages of issues, objectives and policies is beneficial to plan users. If a resource consent is required, cross-references can refer the plan user back to the relevant policy, objective or issue.

Types of provisions included

Under the RMA, plans are required to contain objectives, policies and rules. In addition it is suggested that issues are also included in this suggested structure so as to provide a convenient and logical way of grouping objectives and policies, and provide context as to their origin. The structure outlined below assumes that environmental results expected, and monitoring procedures, have been transferred to a monitoring strategy (such as one used to fulfill s35 duties). Methods (other than rules) and principal reasons have been identified in the s32 evaluation report and, where appropriate, other documents such as the Long Term Plan. Explanatory notes (such as in the margins of the policy chapters) could be used to alert plan readers to the location of other methods contained in external documents.

Order of plan parts

1. **Frontispiece carrying the council seal:** This page carries the title of the plan, the seal to show that the plan is officially operative, and the date the plan was made operative. It is important that readers are quickly able to make a decision on the status of the plan and whether it is the most recent version.
2. **Contents page:** This is critical to the reader's navigation of the plan as it can provide an overview of the structure of the plan and where information is most likely to be found. The contents page should at least show the parts (or chapters) of the plan and key headings (possibly down to the objective level in regard to the policy chapters, and activity class headings within each chapter of rules).



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3. **Purpose of Plan:** This is a short section to explain the purpose of the plan and provide an overview of the matters it covers. This is placed close to the front so that first-time plan readers can quickly understand what the plan covers (important when a local authority has multiple plans, or for the public to distinguish between regional and district plans). This should state if the plan is a combined plan and, if so, how it will identify the provisions of the regional policy statement, the regional plan and/or the district plan.
4. **Definitions:** Definitions and maps are among the most referred-to sections in a plan. Definitions are critical to interpretation of the plan and need to be in a place that enables them to be located quickly. Intuitively many people will look at the front or the back of the plan (expecting definitions to be in an introduction, glossary, or an appendix). Ideally the front of the plan should be used as:
 - a. it matches the structure often found [legislation](#); and
 - b. the terminology used in the plan should be consistent throughout; hence definitions are as important to the policy sections of the plan as they are to the rules. Having the definitions before the policy chapters reflects this.

All definitions should be in a single 'definitions' section of a plan rather than scattered throughout the document. This avoids definitions being overlooked, enables the plan writer to avoid inadvertent duplications or unintended minor variations to the same definition, and enhances usability and certainty. The exception is where particular rules need to use a term in a manner that differs from the primary meaning (for example 'building height' is usually measured from ground level but could be measured from mean sea-level in some circumstances).

For terms that are defined by other statutes, it is suggested that a glossary could follow the definitions chapter. The glossary should be marked out as not forming part of the plan, so as to avoid the need to go through the plan change process should those terms be altered in legislation through an amendment.

5. **Issues, objectives and policies dealing with region-wide (if a `regional plan) or district-wide (if a district plan) matters:** These are separated from, and placed ahead of, those relating to specific locations (zones or policy areas for example). This order reflects the importance, and often integrated nature, of region or district-wide issues. It avoids the need to replicate general issues, objectives and policies in each zone or area-specific chapter (or section) in the plan and also matches [legislative drafting convention](#) of putting the general before the specific.
6. **Issues, objectives and policies for specific geographic areas or zones:** These chapters of the plan contain issues, objectives and policies that relate solely to a particular zone or defined area, and do not apply across the region or district generally. For some regions, there may be specific rules that only apply in specified territorial authority districts, catchments, or management areas for example. For district plans, these sections could contain the policy framework zones or 'environments'. The order of each section or chapter within this part could be arranged alphabetically according to territorial local authority name, management area, or zone name.
7. **Rules for region or district-wide issues:** These are placed ahead of those relating to specific geographic areas, thus:
 - a. reflecting the need to ensure district or region-wide issues are managed in an integrated manner;



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- b. ensuring that those who read the plan for the first time will most likely encounter them before the area or zone-specific rules (and are therefore less likely to overlook them);
 - c. reducing the need to repeat the same rules in each area management or zone chapter of the plan;
 - d. matching the philosophy of sequencing according to 'writing and considering the general before the particular' and 'placing the fundamental before less fundamental' (see '[Legislative Drafting Style](#)', while noting that in general terms of weighting rules, the specific overrides the general).
8. **Rules applying to specific geographic areas:** These chapters contain rules that are specific to zones, policy areas, or management areas (depending on the terminology the plan uses). Reference as to where to find the region or district-wide rules can be made as part of, or at the end of, each set of zone or policy area rules, to ensure that the region or district-wide rules are not overlooked. These could take the form of statements such as :
- a. "For rules relating to transportation refer to Chapter X"; or
 - b. "For general rules relating to diffuse source discharges to water see X.Y"; or
 - c. "Compliance is also required with rule W.W.Y".
9. **Appendices/Annexes/Schedules:** Following publishing and legislative drafting convention, these sections are placed at the back of the plan. Often these will contain material (large tables or small maps) whose size or format cannot be easily incorporated into plan provisions in the main text of the Statutory acknowledgements that relate to the area the plan covers could also be placed here in the plan (depending on their nature and whether they directly affect plan provisions).

Good practice ideas for plan preparation

While the only legal requirements with regard to statutory acknowledgements in the preparation of plans and policy statements is to attach them to the relevant planning document, they provide a clear statement of the interests of tangata whenua that can be used to inform plan preparation.

For example, statutory acknowledgements could be used to:

- create a starting point for consultation
 - assist in drafting plan provisions
 - identify activities/circumstances in which the iwi authority may consider waiving its right to receive summaries of applications; for example where particular activities are not considered to affect the associations identified in the SA
 - using controlled, restricted discretionary and discretionary activity status where activities are likely to result in adverse effects on particular sites or issues of concern identified in the statutory acknowledgement, which can include the requirement to obtain written approval from the claimant group.
 - identify areas of importance to an iwi, or where consultation with iwi is to be encouraged through their incorporation into planning maps, or alert layers within GIS.
10. **Maps:** These form a separate volume to allow them to be open at the same time as the provisions volume, and to be printed on paper of a larger size. Plans with relatively few maps (due to the small size of the area covered by the plan for example) could incorporate maps as another appendix.



Examples of Second Generation Plan Structures

The following example structures have been drawn up to mimic a table of contents that could be found within the plan itself (though less detailed as to heading wording and content). Page numbers have been replaced by explanatory comments for the purposes of this guidance note; in most instances actual provision headings are absent or abbreviated to save space.

Possible structure for a combined regional plan (all regional plans in the one document)

Structural component	Comments
<p>Frontispiece</p> <ul style="list-style-type: none"> • Official name of title of plan • Date notified/made operative • Declaration as to being a true copy and being operative [as appropriate] • Signatures of Chairperson and Chief Executive • Council seal [if appropriate] 	<p>Single page at the very front of the plan carrying information on what the plan is to be called, information as to which version of the plan this document is, and the legal status of the plan. The reverse side could carry publishing information and references to other key documents.</p>
<p>Contents Page</p>	<p>Key navigational tools for the plan, need to be easy to find so they are placed up front. There should be sufficient detail to demonstrate the plan structure and where key topics or provisions can be found.</p>
<p>Plan Purpose</p> <ul style="list-style-type: none"> • Legislative requirement (mandate) for the plan • Functions of regional and district councils under the RMA (types of matters covered by the plan) • Strategic overview and linkages to other planning documents • Outline of plan structure 	<p>Provides the reader with a quick explanation as to the mandate for the plan, what it can cover by law, and how it fits in with other documents (Long Term Plans, RPS, other plans, s32 evaluation reports, monitoring reports). This section is considered useful but is not mandatory.</p>
<p>Definitions</p> <p>Glossary [optional - see note regarding status]</p>	<p>Definition of key terms used in the objectives, policies and rules of the plan arranged alphabetically. A glossary of terms defined in legislation may precede or follow the definitions section. If a glossary is included be clear that it does not have the status of being part of the plan but is a resource provided for the benefit of readers (i.e. explanatory).</p>
<p>Issues Overview:</p> <ul style="list-style-type: none"> • Description of region [optional] 	<p>Short section outlining the origin of issues in the plan and how they interrelate. This section is considered useful but is not mandatory.</p>



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<ul style="list-style-type: none"> • Distribution of issues across region [optional] • Cross-boundary issues [optional] • Relationship between issues. 	
<p>[Tangata Whenua]</p> <p>[World View]</p> <p>[Issues]</p> <p>[Objectives]</p> <p>[Policies]</p>	<p>Optional separate chapter for those councils that have chosen to have a chapter dealing specifically with tangata whenua values and concerns. This chapter could include either an overview of tangata whenua values and concerns that contains details as to how the plan manages these, or a more fulsome policy framework.</p>
<p>[Regional Policy Statement]</p> <p>[Significant Issues For The Region]</p> <p>[Objectives]</p> <p>[Policies]</p>	<p>The RPS could be inserted in here for those councils that have chosen to combine their RPS and regional plans. The document must clearly identify that these are the provisions of the RPS.</p>
<p>Region-wide issues, objectives and policies:</p> <p>Air</p> <ul style="list-style-type: none"> • Issues • Objectives • Policies <p>Coastal</p> <ul style="list-style-type: none"> • Issues • Objectives • Policies <p>Hazards</p> <ul style="list-style-type: none"> • Issues • Objectives • Policies <p>Integration of infrastructure and land use</p> <ul style="list-style-type: none"> • Issues • Objectives 	<p>This section contains the policy framework for issues that are found throughout the region. Issues are grouped according to the resources or topics areas to which they related. Each resource or topic is arranged alphabetically. The topics shown are for example purposes only but do reflect regional council areas of responsibility.</p> <p>The issues of this section should be the same, or a refinement of the issues notes in the 'Issues Overview' section (if the plan contains that section).</p>



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<ul style="list-style-type: none"> • Policies <p>Soil</p> <ul style="list-style-type: none"> • Issues • Objectives • Policies <p>Water</p> <ul style="list-style-type: none"> • Issues • Objectives • Policies 	
<p>Issues, objectives and policies related to certain districts, specific zones or areas [if any]</p> <p>Issues Specific To Districts</p> <p>Haumuri District</p> <ul style="list-style-type: none"> • Issue • Objective • Policies <p>Wairaki District</p> <ul style="list-style-type: none"> • Issue • Objective • Policies <p>Issues Specific To Management Areas</p> <p>Tohatoha Geothermal Field Management Area</p> <ul style="list-style-type: none"> • Issue: Extraction of water and geothermal energy • Objectives • Policies 	<p>This section contains the policy framework for issues that are limited in their geographic distribution and impact to discrete and identifiable areas of the region. These chapters can be left out of plan if there are no issues specific only to certain districts or management areas.</p> <p>Following the 'general' before 'specific' principle, any issues related directly to individual districts are listed before issues that are related to regional council defined management areas or environments (on the assumption that the latter are smaller in scale).</p> <p>The order in which districts or management areas are listed is alphabetical. Issues within are then listed according to the resource they relate to, which each resource also listed in alphabetical order.</p>
<p>Region -wide Rules</p> <p>Air</p> <ul style="list-style-type: none"> • Permitted • Controlled 	<p>This section of the plan contains rules for managing the issues that apply across the city or district. Rules are arranged under issue or topics alphabetically for ease of reference. Cross-references within rules link back to</p>



<ul style="list-style-type: none">• Restricted Discretionary• Discretionary• Non-complying• Prohibited <p>Coastal</p> <ul style="list-style-type: none">• Permitted• Controlled• Restricted discretionary• Discretionary/Restricted Coastal Activities <p>Hazards</p> <ul style="list-style-type: none">• Permitted• Controlled• Restricted Discretionary• Discretionary• Non-complying• Prohibited <p>Integration of infrastructure and land use</p> <ul style="list-style-type: none">• Permitted• Controlled• Restricted Discretionary• Discretionary• Non-complying• Prohibited <p>Land</p> <ul style="list-style-type: none">• Permitted• Controlled• Restricted Discretionary• Discretionary• Non-complying• Prohibited <p>Soil</p> <ul style="list-style-type: none">• Permitted• Controlled• Restricted Discretionary• Discretionary• Non-complying• Prohibited	<p>issues, objectives and policies as necessary.</p> <p>(see notes regarding cross-references under this table)</p>
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<p>Water</p> <ul style="list-style-type: none"> • Permitted • Controlled • Restricted Discretionary • Discretionary • Non-complying • Prohibited 	
<p>District/Zone/area-specific Rules [if any]</p> <p>Rules Specific To Certain Districts</p> <p>Haumuri District</p> <ul style="list-style-type: none"> • Permitted • Controlled • Restricted Discretionary • Discretionary • Non-complying • Prohibited <p>Wairaki District</p> <ul style="list-style-type: none"> • Permitted • Controlled • Restricted Discretionary • Discretionary • Non-complying • Prohibited <p>Rules Specific To Management Areas</p> <p>Tohatoha Geothermal Field Management Area</p> <ul style="list-style-type: none"> • Permitted • Controlled • Restricted Discretionary • Discretionary • Non-complying • Prohibited 	<p>Zone or area-specific rules are grouped according to each geographic area they are specific to. All zones or areas are listed in alphabetical order to enable them to be found easily in tables of contents etc. The names shown in this document are examples only. Councils are able to select those that best reflect their city or district.</p>
<p>Schedules [or Appendices]</p> <ul style="list-style-type: none"> • Schedule One: Airshed boundaries • Schedule Two: Minimum Flows and Water Allocation Tables 	<p>Schedules or appendices may contain information that is too large, in a format that does not fit with the general format of the plan, or which provides assistance in understanding plan provisions. Copies of Statutory</p>



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<ul style="list-style-type: none"> • Schedule Three: Statutory Acknowledgments and deeds of recognition. • Schedule Four: Wetlands of Significance 	<p>Acknowledgement could be inserted here for example.</p>
<p>Maps</p> <ul style="list-style-type: none"> • Plan index map • Broad scale maps <ul style="list-style-type: none"> ○ Aquifer protection areas ○ Statutory acknowledgement areas ○ Tohatoha Geothermal Field Management Area ○ Water Catchment Boundaries • Small scale maps <ul style="list-style-type: none"> ○ CMA boundaries at river mouths ○ Wetlands of significance • Special policy areas • Structure plans • Index of main streets, roads, rivers, streams, lakes, and other key landmarks 	<p>Maps are in a separate volume to allow them to open alongside plan provisions and printed on paper of a different size.</p> <p>Maps are arranged so that the largest scale and more general maps are place first and the smaller-scale and more detailed maps toward the back.</p>

Notes as to cross-referencing

The combined plan model presents a number of challenges due its complexity. The format above means that prospective consent applicants will be looking at provisions from either a topic orientated or geographic location point perspective (or both).

Extensive use of explanatory notes and cross-references would most likely be required to:

- ensure that those who are looking at provisions related to a particular district or management area are also referred back to region-wide provisions that apply.
- that those who are looking at provisions in the region-wide chapters are also referred to any district-specific or management area provisions that also apply.

Possible structure for a single-topic regional plan (Example for Water)

Structural component	Comments
<p>Frontispiece</p> <ul style="list-style-type: none"> • Official name or title of plan • Date notified/made operative • Declaration as to being a true copy and being operative [as appropriate] 	<p>Single page at very front of plan carrying information on what the plan is to be called, information as to which version or the plan the document is, and the legal status of the plan. The reverse side could carry publishing information and</p>



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<ul style="list-style-type: none"> • Signatures of Chairperson and Chief Executive • Council seal [if appropriate] 	<p>references to other key documents.</p>
<p>Contents Page</p>	<p>Key navigational tools for the plan, need to be easy to find so they are placed upfront.</p>
<p>Plan Purpose</p> <ul style="list-style-type: none"> • Legislative requirement (mandate) for the plan • Functions of regional (or unitary) councils under the RMA (types of matters covered by the plan) • Strategic overview and linkages to other planning documents 	<p>Provides the reader with a quick explanation as to the mandate for the plan, what it can cover by law, and how it fits in with other documents (Long Term Plan, RPS, other plans, s32 reports, monitoring reports).</p> <p>This section is considered useful but is not mandatory.</p>
<p>Definitions</p> <p>Glossary [optional - see note as to status]</p>	<p>Definition of key terms used in the objectives, policies and rules of the plan arranged alphabetically. A glossary of terms defined in legislation may precede or follow the definitions section. If a glossary is included, be clear that it does not have the status of being part of the plan but is a resource provided for the benefit of readers (i.e. explanatory).</p>
<p>Issues Overview:</p> <ul style="list-style-type: none"> • Description of resource [optional] • Distribution of issues around region or district [optional] • Cross-boundary issues [optional] • Relationships between issues 	<p>Short section outlining the origin of issues in the plan and how they interrelate.</p> <p>This section is considered useful but is not mandatory.</p>
<p>[Tangata Whenua]</p> <p>[World View]</p> <p>[Issues]</p> <p>[Objectives]</p> <p>[Policies]</p>	<p>Optional separate chapter for those councils that have chosen to have a chapter dealing specifically with tangata whenua values and concerns. This chapter could include either an overview of tangata whenua values and concerns that contains details as to how the plan manages these, or a more fulsome policy framework.</p>
<p>Region-wide issues, objectives and policies:</p> <p>Issue 1: Use of water adversely affecting ecosystems</p> <p>Objective 1.1: Maintenance of biological</p>	<p>This section contains the policy framework for issues that are found throughout the region. The issues and provisions shown are for example purposes only and do not represent either the content required or the way provisions should be worded.</p>



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<p>diversity</p> <p>Objective 1.2: Enabling sustainable use of water resource</p> <p>Policy 1.1.1 Discharges into water</p> <p>Policy 1.1.2 Minimum flows</p> <p>Issue 2: Structures in waterways exacerbating or causing hazards</p>	
<p>Issues, objectives and policies related to certain districts, specific zones or areas</p> <p>Issue 3: Adverse effects of nutrient levels in Lake Paraharaha</p> <p>Objective 3.1: Improving water quality in Lake Paraharaha</p> <p>Policy 3.1.1 Capping of phosphorous levels</p> <p>Issue 4: Water takes for horticulture in the Wherowai Water Management Area</p>	<p>This section contains the policy framework for issues that are limited in their geographic distribution and impact to discrete and identifiable areas of the region. The areas are arranged in alphabetical order.</p>
<p>Region-wide Rules</p> <ul style="list-style-type: none"> • Permitted <ul style="list-style-type: none"> ○ Control of invasive aquatic plants ○ Discharge of stormwater • Controlled <ul style="list-style-type: none"> ○ Alterations to course of river with flow up to WWW ○ Utility structures on river or lake beds. • Restricted discretionary <ul style="list-style-type: none"> ○ Flood protection works ○ Taking of ground water • Discretionary <ul style="list-style-type: none"> ○ Alterations to course of river with flowWWW ○ Dams with a storage capacity exceeding XXX • Prohibited <ul style="list-style-type: none"> ○ Discharge to water from nuclear facilities. 	<p>This section of the plan contains rules for managing the issues that apply across the city or district. Rules are arranged by activity class and then under issue or topics alphabetically for ease of reference. Cross-references within rules link back to issues, objectives and policies as necessary.</p>
<p>District/Zone/area-specific Rules</p> <ul style="list-style-type: none"> • Rules for Lake Paraharaha 	<p>Zone or area-specific rules are grouped according to each geographic area they are specific to. Each zone or area is listed</p>



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<ul style="list-style-type: none"> ○ Permitted ○ Controlled ○ Restricted Discretionary ○ Discretionary ○ Non-complying ○ Prohibited ● Rules for the Wherowai Water Management Area <ul style="list-style-type: none"> ○ Permitted ○ Controlled ○ Restricted Discretionary ○ Discretionary ○ Non-complying ○ Prohibited 	<p>in alphabetical order to enable them to be found easily in tables of contents etc. The names shown in this document are examples only. Councils should select those that best reflect their region or district.</p> <p>Within each zone or area rules are set out according to the hierarchy of activity classes.</p> <p>Cross-references within rules link back to issues, objectives and policies as necessary.</p>
<p>Schedules (or Appendices)</p> <ul style="list-style-type: none"> ● Schedule One: Minimum flows and Allocation Tables ● Schedule Two: Natural Values For Surface Water ● Schedule Three: Wetlands of Significance ● Schedule Four: Statutory Acknowledgements 	<p>The schedules [or appendices] contain information that is too large for, or would interrupt, the flow of provisions if placed into policies and rules.</p> <p>As with other provisions of the plan, they are arranged in alphabetical order as much as practicable. Those shown here are for example purposes only. It is expected that councils will choose their own on an 'as needed' basis.</p>
<p>Maps and Structure Plans</p> <ul style="list-style-type: none"> ● Plan index map ● Large-scale maps <ul style="list-style-type: none"> ○ Aquifer protection areas ○ Catchment boundaries ○ Lake Paraharaha Management Area ○ Statutory acknowledgement boundaries ○ Wherowai Water Management Area ● Small-scale maps <ul style="list-style-type: none"> ○ CMA boundaries at river mouths ○ Wetlands of significance. ● Special policy areas [optional] <ul style="list-style-type: none"> ○ Taipu River gravel extraction area ● Index of main streets, roads, rivers, streams, lakes, and other key landmarks (text of names with map and grid reference numbers) 	<p>Maps are in a separate volume to allow them to open alongside plan provisions and printed on paper of a different size.</p> <p>Maps are arranged so that the largest-scale and more general maps are placed first and the smaller-scale and more detailed maps toward the back.</p>



Possible District Plan structure

Structural component	Comments
<p>Frontispiece</p> <ul style="list-style-type: none"> • Official name of title of plan • Date notified/made operative • Declaration as to being a true copy and being operative [as appropriate] • Signatures of Mayor and Chief Executive • Council seal [if appropriate] 	<p>Single page at the very front of the plan carrying information on what the plan is to be called, information as to which version of the plan this document is, and the legal status of the plan. The reverse side could carry publishing information and references to other key documents.</p>
<p>Contents Page</p>	<p>Key navigational tools for the plan, need to be easy to find so they are placed up front.</p>
<p>Plan Purpose</p> <ul style="list-style-type: none"> • Legislative requirement (mandate) for the plan • Functions of district and city councils under the RMA (types of matters covered by the plan) • Strategic overview and linkages to other planning documents 	<p>Provides the reader with a quick explanation as to the mandate for the plan, what it can cover by law, and how it fits in with other documents (Long Term Plan, RPS, other plans, s32 evaluation reports, monitoring reports).</p>
<p>Definitions</p> <p>Glossary [optional - see note as to status]</p>	<p>Definition of key terms used in the objectives, policies and rules of the plan arranged alphabetically. A glossary of terms defined in legislation may precede or follow the definitions section. If a glossary is included be clear that it does not have the status of being part of the plan but is a resource provided for the benefit of readers (i.e. explanatory).</p>
<p>Issues Overview:</p> <ul style="list-style-type: none"> • Distribution of issues across the district [optional] • Relationship between issues. 	<p>Short section outlining the origin of issues in the plan and how they interrelate.</p> <p>This section is considered useful but is not mandatory.</p>
<p>[Tangata Whenua]</p> <p>[World View]</p> <p>[Issues]</p> <p>[Objectives]</p> <p>[Policies]</p>	<p>Optional separate chapter for those councils that have chosen to have a chapter dealing specifically with tangata whenua values and concerns. This chapter could include either an overview of tangata whenua values and concerns that contains details as to how the plan manages these, or a more fulsome policy framework.</p>
<p>District-wide issues, objectives and</p>	<p>This section contains the policy framework</p>



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<p>policies:</p> <ul style="list-style-type: none"> • Cultural and Built Heritage <ul style="list-style-type: none"> ○ Issues ○ Objectives ○ Policies • Infrastructure <ul style="list-style-type: none"> ○ Issues ○ Objectives ○ Policies • Natural Heritage <ul style="list-style-type: none"> ○ Issues ○ Objectives ○ Policies • Transportation <ul style="list-style-type: none"> ○ Issues ○ Objectives ○ Policies 	<p>for issues that are found throughout the region. They are arranged alphabetically. The issues shown are for example purposes only.</p>
<p>Issues, objectives and policies related to specific zones or areas</p> <ul style="list-style-type: none"> • Commercial A Zone <ul style="list-style-type: none"> ○ Issues ○ Objectives ○ Policies • Industrial Zone <ul style="list-style-type: none"> ○ Issues ○ Objectives ○ Policies • Natural Environment Zone <ul style="list-style-type: none"> ○ Issues ○ Objectives ○ Policies • Residential A Zone <ul style="list-style-type: none"> ○ Issues ○ Objectives ○ Policies • Residential B Zone <ul style="list-style-type: none"> ○ Issues ○ Objectives ○ Policies • Residential C Zone <ul style="list-style-type: none"> ○ Issues ○ Objectives ○ Policies • Rural A Zone <ul style="list-style-type: none"> ○ Issues ○ Objectives ○ Policies • Rural B Zone 	<p>This section contains the policy framework for issues that are limited in their geographic distribution and impact to discrete and identifiable areas of the region.</p>



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<ul style="list-style-type: none"> ○ Issues ○ Objectives ○ Policies 	
<p>District-wide Rules</p> <ul style="list-style-type: none"> • Cultural and Built Heritage <ul style="list-style-type: none"> ○ Permitted ○ Controlled ○ Restricted Discretionary ○ Discretionary ○ Non-complying ○ Prohibited • Infrastructure <ul style="list-style-type: none"> ○ Permitted ○ Controlled ○ Restricted Discretionary ○ Discretionary ○ Non-complying ○ Prohibited • Natural Heritage <ul style="list-style-type: none"> ○ Permitted ○ Controlled ○ Restricted Discretionary ○ Discretionary ○ Non-complying ○ Prohibited • Transportation <ul style="list-style-type: none"> ○ Permitted ○ Controlled ○ Restricted Discretionary ○ Discretionary ○ Non-complying ○ Prohibited 	<p>This section of the plan contains rules for managing the issues that apply across the city or district. Rules are arranged under issue or topics alphabetically for ease of reference. Cross-references from rules link back to issues, objectives and policies as necessary.</p>
<p>Zone / area-specific Rules</p> <ul style="list-style-type: none"> • Commercial A Zone <ul style="list-style-type: none"> ○ Permitted ○ Controlled ○ Restricted Discretionary ○ Discretionary ○ Non-complying ○ Prohibited • Industrial Zone <ul style="list-style-type: none"> ○ Permitted ○ Controlled ○ Restricted Discretionary ○ Discretionary ○ Non-complying ○ Prohibited 	<p>Zone or area-specific rules are grouped according to each geographic area they are specific to. Each zone or area are listed in alphabetical order to enable them to be found easily in tables of contents etc. The names shown in this document are examples only. Councils are able to select those that best reflect their city or district.</p>

<ul style="list-style-type: none"> • Natural Environment Zone <ul style="list-style-type: none"> ○ Permitted ○ Controlled ○ Restricted Discretionary ○ Discretionary ○ Non-complying ○ Prohibited • Residential A Zone <ul style="list-style-type: none"> ○ Permitted ○ Controlled ○ Restricted Discretionary ○ Discretionary ○ Non-complying ○ Prohibited • Residential B Zone <ul style="list-style-type: none"> ○ Permitted ○ Controlled ○ Restricted Discretionary ○ Discretionary ○ Non-complying ○ Prohibited • Residential C Zone <ul style="list-style-type: none"> ○ Permitted ○ Controlled ○ Restricted Discretionary ○ Discretionary ○ Non-complying ○ Prohibited • Rural A Zone <ul style="list-style-type: none"> ○ Permitted ○ Controlled ○ Restricted Discretionary ○ Discretionary ○ Non-complying ○ Prohibited • Rural B Zone <ul style="list-style-type: none"> ○ Permitted ○ Controlled ○ Restricted Discretionary ○ Discretionary ○ Non-complying ○ Prohibited 	
<p>Schedules / Appendices</p> <ul style="list-style-type: none"> • Schedule of designations • Schedule of heritage sites and items • Significant landscapes • Statutory Acknowledgements (if any) 	<p>The schedules (or appendices) contain information that is too large for, or would interrupt the flow of provisions if placed into policies and rules.</p> <p>As with other provisions of the plan, they are arranged in alphabetical order as much as practicable. Those shown here are for</p>



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	example purposes only. It is expected that councils will choose their own on an 'as needed' basis.
<p>Maps and Structure Plans</p> <ul style="list-style-type: none"> • Plan index map • Large scale maps <ul style="list-style-type: none"> ○ Maps coveting rural areas of district ○ Maps covering large surfaces of water (e.g. harbours) • Small scale maps <ul style="list-style-type: none"> ○ Residential areas ○ Commercial areas ○ Hazard maps • Special policy areas <ul style="list-style-type: none"> ○ Areas and sites subject to designations • Structure plans <ul style="list-style-type: none"> ○ Te Whakatu Residential Growth Area ○ Turewhenua Commercial Park • Index of streets, roads, and key landmarks (text with associated map number and grid reference) 	<p>Maps are in a separate volume to allow them to open alongside plan provisions and printed on paper of a different size.</p> <p>Maps are arranged so that the largest-scale and more general maps are place first and the smaller-scale and more detailed maps toward the back.</p>

Organising plan provisions

There are three principal ways in which RMA plan provisions can be grouped or arranged. Examples of the three types are set out below. Note that these examples do not take into account further delineation that may be associated with splitting provisions up into 'general' and 'zone' or 'area-specific' chapters.

Grouping according to issues or topics	Grouping according to type of provision	Splitting rules from rest (issue-grouped example)
<p>Issue 1</p> <p>Objective 1.1 Objective 1.2</p> <p>Policy 1.1.1 Policy 1.1.2 Policy 1.2.1 Policy 1.2.2</p> <p>Rules:</p> <p>1.1.1.1</p>	<p>Issue 1 Issue 2</p> <p>Objective 1.1 Objective 1.2 Objective 2.1 Objective 2.2</p> <p>Policy 1.1.1 Policy 1.1.2 Policy 1.2.1 Policy 1.2.2 Policy 2.1.1</p>	<p>Issue 1</p> <p>Objective 1.1 Objective 1.2</p> <p>Policy 1.1.1 Policy 1.1.2 Policy 1.2.1 Policy 1.2.2</p> <p>Issue 2</p> <p>Objective 2.1</p>



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1.1.1.2	Policy 2.1.2	Objective 2.2
1.1.2.1	Policy 2.2.1	
1.1.2.2	Policy 2.2.2	Policy 2.1.1
1.2.1.1		Policy 2.1.2
1.2.1.2	Rules:	Policy 2.2.1
1.2.2.1		Policy 2.2.2
1.2.2.2	1.1.1.1	
Issue 2	1.1.1.2	Rules:
	1.1.2.1	
Objective 2.1	1.1.2.2	1.1.1.1
Objective 2.2	1.2.1.1	1.1.1.2
	1.2.1.2	1.1.2.1
Policy 2.1.1	1.2.2.1	1.1.2.2
Policy 2.1.2	1.2.2.2	1.2.1.1
Policy 2.2.1	2.1.1.1	1.2.1.2
Policy 2.2.2	2.1.1.2	1.2.2.1
	2.1.2.1	1.2.2.2
Rules:	2.1.2.2	2.1.1.1
	2.2.1.1	2.1.1.2
2.1.1.1	2.2.1.2	2.1.2.1
2.1.1.2	2.2.2.1	2.1.2.2
2.1.2.1	2.2.2.2	2.2.1.1
2.1.2.2		2.2.1.2
2.2.1.1		2.2.2.1
2.2.1.2		2.2.2.2
2.2.2.1		
2.2.2.2		

Grouping according to issues or topics

Advantages

- Less cross-referencing required compared to other alternatives.
- Easy to see flow from issue through to rules.

Disadvantages

- May require an 'overview section' or explanations to show linkages between issues.
- The ability to quickly refer to all rules that may be applicable is lessened by having to read through objectives and policies in between.
- The overall document structure is less compatible with 'general' before 'specific' organisation principle (though the flow of provisions under each issue is).

Grouping according to provision type

Advantages



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- Compatible with 'ordering the general before the specific' principle used in legislation.
- Provides good overview of issues and a chance to demonstrate the inter-relatedness of issues (as they are all located close together).
- Rules are located together so consent applicants and those processing consents can quickly reference them without having to read through other, higher-level, provisions located in between.

Disadvantages

- Requires a good numbering system and potentially detailed cross-referencing to show linkages between rules, policies, objectives and issues.

Splitting rules from issues, objectives, and policies

Advantages

- Compatible with 'ordering the general before the specific' principle used in legislation.
- Less cross-referencing is required than when grouping according to provision type.
- Enables the relationship between issues, objectives, and policies to be clearly seen.
- Rules are all together so consent applicants and those processing consents can quickly reference them.

Disadvantages

- Flow of policy from issues through to rules less obvious than in the 'Grouping by Issues' approach.
- Requires a good numbering system and a thorough cross-referencing between rules and policy.

Legislative drafting style - key points

The Law Commission's [Report 35 Legislation Manual: Structure and Style \(1996\)](#) contains useful material on matters of drafting style. The Parliamentary Counsel Office has incorporated material from this report in its own drafting manual and adopts many of the drafting practices and policies recommended by the Commission.

The Parliamentary Counsel Office considers that all legislation, whether primary or secondary, should seek to comply with the following criteria.

Good organisation of material

- Material should be arranged in a logical order.
- General provisions should be followed by specific provisions and exceptions.
- Provisions that relate to the same subject should be grouped together.
- Provisions should be arranged in temporal sequence.
- Provisions that are significant should come before provisions of lesser importance.
- Sections and clauses should be limited in the number of subclauses they contain. As a general rule, a clause should have no more than six subclauses.



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- Division into parts and the use of headings and subheadings breaks up a long document and aids comprehension.
- Sections and clauses should be numbered.

Use of clear language

The drafting should be as simple as possible. It should also be precise so that the document has its intended effect. The instrument must be workable but at the same time drafted in language and in a style that ensures it can be readily understood by its readers. Clarity of drafting should encourage clarity and simplicity of policy.

- Sentences should be short and well structured.
- Sentences should not contain excessive embedded and relative clauses.
- The active rather than the passive voice should be used.
- Archaic language and expressions should be avoided.
- Gender-neutral language should be used.
- The drafting should be consistent. Words should be used in the same sense. If the sense is changed, this should be made clear.
- Overuse of capitals should be avoided.
- Propositions should be expressed in positive rather than negative terms.
- Similar propositions should be expressed in similar language.
- Repetition and unnecessary words should be avoided.
- Excessive cross-references and qualifications should also be avoided.
- Expressions in common or everyday use should be used wherever possible. Jargon should be avoided. However, technical terms will be necessary in legislation that deals with technical subject matter.
- Paragraphs and subparagraphs can break up blocks of text but multiple paragraphs and subparagraphs, while having the appearance of clarity, can often involve several ideas or concepts and be difficult to understand.

The use of outline parts that give a reader an overview of an Act and that explain the scheme and key concepts in it may assist users. Graphics and diagrams that explain procedures and processes may also be useful aids. Including examples to explain the operation of complex or technical definitions or provisions may also be appropriate. The Interpretation Act 1999 now expressly recognises that this material may be referred to in ascertaining the meaning of legislation.

Extract from:

Legislation Advisory Committee (2001): [Guidelines on Process & Content of Legislation](#),
Legislation Advisory Committee, Wellington



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