



Ministry for the
Environment
Manatu Mo Te Taiao

IMPACT SUMMARY:

National Planning Standards

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Section 1: General information

Purpose

1. The Ministry for the Environment is solely responsible for the analysis and advice set out in this Regulatory Impact Summary (RIS), except as otherwise explicitly indicated. This analysis and advice has been produced for the purpose of informing final decisions to proceed with a policy change (the first set of national planning standards (planning standards)) to be taken on behalf of the Minister for the Environment and the Minister for Conservation).
2. Future sets of planning standards may have a broader scope as outlined within this Regulatory Impact Summary.

Key limitations or constraints on analysis

3. This analysis of the planning standards is limited by the requirements within the Resource Management Act 1991 (RMA), which mandates that the first set of planning standards must be completed by April 2019, and what this first set must include. Section 58G of the RMA states that:

(2) The first set of national planning standards must include the following minimum requirements (the **minimum requirements**):

(a) a structure and form for policy statements and plans, including references to relevant national policy statements, national environmental standards, and regulations made under this Act; and

(b) definitions; and

(c) requirements for the electronic functionality and accessibility of policy statements and plans.
4. Therefore, a ‘do nothing’ option cannot be considered in this case. Rather, this RIS considers whether or not more than the minimum mandated planning standards should be promulgated. If more than the mandated planning standards are promulgated, this RIS also considers how much more would be optimal.
5. The RMA also sets out the purpose of the planning standards. The first three objectives used to assess the options in this RIS are based on the purpose of the planning standards in the RMA and other RMA requirements.
6. The Ministry has a high level of confidence in the evidence used and the extent of consultation and collaboration undertaken with councils and other stakeholders in the course of developing and finalising the planning standards.

Lesley Baddon
Director
Planning Standards
Ministry for the Environment

Section 2: Problem definition and objectives

2.1 What is the policy problem or opportunity?

7. The RMA is a devolved system, in which councils have the ability to tailor their individual regional and district plans and policy statements to their particular circumstances and community. This has led to a large amount of variation – these plans and statements are currently inconsistently formatted and drafted, and are time- and resource-intensive to prepare and use. This is because councils have generally developed their plans and policy statements independently of each other, and without any standard structure or format as a reference point. This raises the question of whether or not there is too much variability in matters that do not require local variation between council plans and statements.
8. This situation has created a number of problems, including that:
 - using council plans and policy statements can be costly and time-consuming for the public, RMA consultants, environmental non-government organisations, businesses and other groups, particularly when using more than one plan
 - some plans and policy statements are overly complex, making them difficult to use
 - council implementation of national direction is inconsistent
 - it requires a lot of resource for councils to develop content that does not affect local planning provisions
 - best planning practice is not routinely applied
 - Ministry guidance alone is not sufficient to address variation problems¹.
9. Central government has provided guidance to address some of these issues through the Quality Planning website. This guidance has had limited effectiveness in standardising plans.
10. The problem of inconsistent plans and policy statements was defined and canvassed during the legislative process for the [Resource Legislation Amendment Act 2017](#) (RLAA), when the concept of the planning standards was introduced. The variety and complexity of RMA plans has also been identified as an issue for many years, and many parties have suggested a “Template Plan” since the RMA was introduced in 1991. The Ministry began work on a template plan called the “Arcadia” plan in 1999, before focusing on producing best practice guidance.
11. To address this issue, nine sections² were added to the RMA by the RLAA. These sections mandate the Ministry to develop the first set of national planning standards. The purpose of the planning standards is to set out requirements (around the structure, format or content of RMA plans) to create national consistency in resource management plans. The first set of planning standards promulgated must include a structure and form for local government plans and policies, standard definitions and requirements for these plans and policies to be electronically accessible. The requirement to create the first set of planning standards and the reasoning for the planning standards themselves was discussed in the [RLAA RIS](#).
12. Therefore, this RIS does not consider whether or not to promulgate planning standards but assess what level of planning standards should be provided in this first set.

¹ Ministry for the Environment. 2017. [Introduction to the National Planning Standards](#) Wellington: Ministry for the Environment.

² Section s 58B to 58 J of the RMA.

13. The Ministry prepared 11 discussion documents about relevant planning standards topics. These were released for feedback in May 2017. These discussion documents were based on a large amount of research commissioned, or carried out, by the Ministry. These [24 reports](#) consider what the problems are with plans and what changes could be made to improve their usability. The reports cover a range of topics including plan structure and form, definitions, zones and overlays, regional policy statements and metrics.
14. The Introduction to *the National Planning Standards discussion document* included the following table that sets out examples of unnecessary variation in plans around the country. This evidence provided the basis for determining the identified options.

Table 1: Elements that vary considerably among plans³

Plan elements	Examples of variation
District plan structure	The biggest variation in district plans occurs in how the objectives, policies and rules for different topics/themes or zones relate to each other, and where these are located in a plan.
Zones and overlays	Current plans now contain 2272 different zones and overlays in 170 documents. Sometimes the same planning controls have different names and are used in different ways.
Definitions	Research in 2015 on 25 district plans and 11 regional plans found 8700 terms that were defined in the plans. The research concluded a core set of approximately 330 definitions could be developed for district and regional plans.
Metrics	There is wide variation in the way technical elements of plans are addressed. For example, noise is variously measured using dBA, dBA L10, dBA Lmax, and dB LAeq.
Regional plan structure	There are four main types of plan structure, but there were multiple variations in how provisions were structured within each plan type.
Form of plans	Plans use markedly different approaches in formatting policies, rules, contents pages and section organisation. Numbering systems and the use and style of cross-referencing is also highly variable. Some plans are succinct, formatted well, and drafted in plain English. Other plans are more difficult to follow and interpret.
Plan maps	There is no consistent way of creating plan maps. Different colours and symbols are used for similar zones and map notations in plans.
How plans are accessed online	All RMA plans are online, but they appear in significantly different formats. Older formats such as static PDFs can lack the ability to be interrogated and searched by users. Increasingly councils are starting to use fully interactive ePlans.

³ [Ministry for the Environment. 2017. *Introduction to the National Planning Standards*. Wellington: Ministry for the Environment](#)

15. Introducing the planning standards will support the implementation of National Environmental Standards, National Policy Statements and regulations under the RMA. It will make plans and policy statements easier to understand and comply with.
16. The planning standards are an opportunity to standardise the basic elements of RMA plans and policy statements. They are intended to improve consistency in plan and policy statement structure, format and content so they are easier to prepare and compare. The planning standards are also intended to reduce the complexity and cost of creating plans and policy statements and improve the user-friendliness of plans and policy statements.
17. This RIS proposes a set of planning standards that create an appropriate level of standardisation, that is also able to be implemented within reasonable timeframes and existing council resources wherever possible.

Objectives

18. The first three objectives used in this RIS to assess the options for the National Planning Standards are based on the requirements of the Act, and the purpose of the planning standards. The fourth objective is based on the practicality and feasibility of implementation of the planning standards which is a critical success factor for the planning standards as a whole.

Objective 1: An appropriate level of standardisation is achieved for matters that don't need local variation.

19. There are certain things that all plans and policy statements have to cover, and some of these can be standardised nationally. Achieving this objective should mean that local authorities and businesses spend less time on issues that can easily be standardised across the country, without affecting issues that require local variation and community input.
20. In addition, due to the differing layout of plans and policy statements around the country, the implementation of national direction has, in some cases, been patchy, and can be difficult to track for the Ministry. Having a standardised way of incorporating national direction will help councils spend less time doing this, and allow central government to more easily monitor the implementation of national direction.
21. The planning standards will require significant council resources for implementation. Considering the level of input required it is important that the level of benefit derived from standardisation is enough to justify the resource requirements.
22. Given these factors, this objective aims to:
 - avoid duplication of effort
 - ensure that only matters that do not need local input are included in the planning standards
 - standardise how national direction is represented and implemented in plans and policy statements
 - result in planning standards where the effort put in by councils to implement the planning standards is commensurate with the level of standardisation achieved.

Objective 2: Improve the accessibility and usability of plans and policy statements.

23. The planning standards need to make plans and policy statements easier to understand and easier to access and use for the public. At present, even experienced planners can have issues understanding different plans around the country. This is unnecessary and causes inefficiencies which add to the costs of the overall planning system, particularly for resource consent applicants.
24. In addition, while there have been many advances in geo-spatial technology, they have not all been implemented by all councils. Ensuring that councils use such online interactive plans (ePlan) technology will assist plan users accessing, understanding and using plans and policy statements.
25. Accordingly, under this objective, the ideal option will ensure that:
- plans and policy statements are easier to access
 - plans and policy statements are easier to understand
 - electronic functionality is used to improve accessibility wherever possible.

Objective 3: Improve plan-making baseline performance.

26. By standardising plans and policy statements where possible, councils should save time and resources in the process of plan-making (after the initial implementation phase of the first set of planning standards). In addition, members of the public using plans will also save time and resources.
27. The planning standards will also improve the baseline quality of plans and policy statements, by making it easier to produce high quality structure and content.
28. By having more standardised plans and policy statements, it will also be easier for councils to adopt good practice. For example, if a local authority has recently dealt with an issue successfully and efficiently, it will be easier for surrounding councils to use their content where appropriate.
29. The planning standards will allow councils to focus their RMA plan-making efforts on matters that make a difference to the local community as opposed to issues such as the structure of the plan.
30. Under this objective, plans and policy statements will:
- have shorter timeframes
 - be less resource intensive to produce
 - be more focused on local outcomes
 - assist in good practice being adopted in a more timely manner.

Objective 4: Implementation of the planning standards is practical and feasible

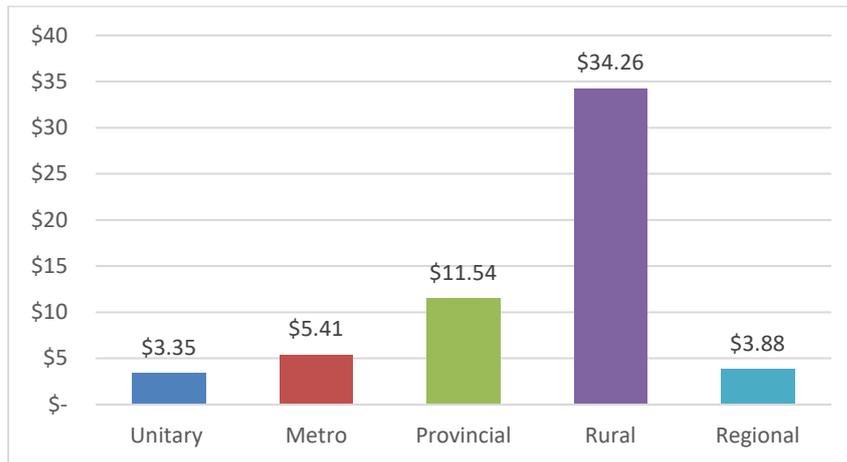
31. Central government needs to assist with the implementation of the planning standards. This work would potentially increase as the breadth of the planning standards increases. Central government will also be the “owner” of the planning standards, keeping them up to date and possibly taking a role in defending the planning standards against legal challenge. It is possible that the process followed to create the planning standards could be judicially reviewed by the High Court, and matters that are unclear under the RMA are clarified via declarations in the Environment Court. All of these tasks will require significant resourcing.
32. Councils and central government need to implement the planning standards. Councils will need to amend their plans and policy statements so that they are in line with the planning standards. This could take significant work, depending on the planning standards that are adopted. In addition, when councils are implementing the planning standards and amending their plans and policy statements there will be opportunity costs, as there is other work that the councils could be carrying out. This work includes implementing other national direction. It is important to strike the right balance and take opportunities to align plan changes on different topics where possible.
33. Under this objective, the following factors must be taken 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 planning standard.

2.2 Who is affected and how?

34. The planning standards aim to focus the effort of planning activity in councils on matters that affect the local area, as opposed to issues like the structure of the plan or common definitions.
35. Councils will be required to implement the planning standards and the majority of councils will need to substantially re-organise their plans and policy statements. In some cases, councils will need to re-write parts of their plans and policy statements to meet the planning standards.
36. As a result, the response to the planning standards from councils has been mixed. Initial engagement in 2017 revealed that some councils were supportive of the concept of the planning standards, and others were not. The level of support from councils, no matter what their size, is often commensurate to how recently they produced their latest plan change, and therefore how much extra work the planning standards will create for them. Around one third of New Zealand’s councils have recently changed their plans, and so will be more affected by the planning standards. Feedback on the draft planning standards from councils is discussed in more detailed in section 5 of this report.
37. Having recently completed a plan change means that, under the default planning standards deadlines in the RMA, these councils will need to bring forward their next plan review (rather than waiting a further 10 years for their next review as required by the RMA). This will place a greater cost burden on such councils.

38. However, all councils will face costs as a result of the planning standards. Castalia prepared an economic analysis of the planning standards for the Ministry. This analysis identified that if the preferred option (Option 2) is implemented, the largest councils in the country will incur the biggest overall costs as a result of the planning standards. This is because their plans are larger and more complex, and they are likely to have a higher number of interested parties take part in the planning process. However, this analysis also found that smaller councils will incur the largest proportional cost per capita (see Figure 1).

Figure 1: Council costs of implementation of the preferred option (Average Per Capita)⁴



39. Engagement in 2017 showed that the planning standards are welcomed by the majority of private consultants and businesses that operate under the RMA throughout the country, as they see benefits in improving the ease of understanding plans.

40. We also know that lay plan users who have used available ePlans have found accessing plan information much easier in this format. Improvements in the usability and accessibility of council plans should lead to improved plan quality overall.

41. The first set of planning standards will standardise administrative matters at a national level. As a result, councils will have more time to focus on local environmental issues when producing their plans and policy statements. This will create opportunity benefits for individual planning processes and the planning system as a whole, by enabling more council resources to be directed to managing environmental effects.

42. On the basis of quantitative and qualitative evidence, the Castalia analysis concluded that, once implemented, the planning standards would generate council time savings of 10 per cent. Similarly, the analysis assumed a cost reduction of five per cent from fewer public enquiries (as a result of the ePlan planning standards).

2.3 Are there any constraints on the scope for decision-making?

43. As discussed earlier, section 58G of the RMA limits the scope for decision-making in this RIS to:

- a. whether or not more than the minimum mandated planning standards should be added to this first set of planning standards and if so

⁴ Castalia. 2018. *Economic Evaluation of the Introduction of the National Planning Standards*. Prepared for the Ministry for the Environment. Wellington: Ministry for the Environment.

- b. how much more than the minimum planning standards should be added.
44. There are also interdependencies between this programme and other national direction that is proposed. This is because any new national direction or any updates to existing national direction instruments, would also require councils to change their plans and policy statements. If councils are facing too many pressures from central government on their plans and policy statements at the same time, they may have to prioritise work or look for opportunities to align work. This could lead to some national direction not being implemented within original planned timeframes. The Ministry is coordinating its work on national direction, to ensure that these pressures on councils are minimised.

Section 3: Options identification

3.1 What options have been considered?

45. The following options were identified when considering what to include in the first set of planning standards. All of the options identified meet the requirements of the Act.

Option 1 – Minimum RMA requirements.

46. This option would mean that the first set of planning standards would only mandate the minimum requirements of section 58G of the RMA. The planning standards would outline the structure and form of plans and policy statements, set some national level definitions of common terms, and require some level of online interactivity of plans and policy statements (such as online access to all plans being available).

Option 2 – Minimum requirements (to a greater level of detail) plus zone framework, mapping planning standards, noise planning standards and metrics – Preferred option.

47. This option includes all of option one, but to a greater level of detail. This would include more definitions, a more detailed structure for plans and policy statements, and more specific online interactive plan functionality requirements.

48. The planning standards would also include a zone framework and spatial layers as an element of structure and format. The spatial layers-related standards set out the functions of tools such as zones, overlays and precincts and how they should be represented in plans. The zone framework would include a certain number of zones that councils can choose to use in their area. This would reduce variation in zone names and content across the country and make provisions easier to find and understand. These additions standardise plans to a greater level than Option 1.

49. In addition, this option includes requirements around how mapping must be represented in plans and policy statements; and noise standards and metrics. Mapping is included so that the zones framework can be represented in a consistent way across the country, which would make plan maps easier to understand for users. Noise metrics are included as they can ensure that all councils around the country are measuring noise in the same way. Noise metrics are the simplest metrics to implement and will ensure many councils do not have to go through a RMA schedule 1⁵ plan change process to update their noise measurement methods.

50. The online interactive plan requirements would include more than minimum levels of functionality for online plans. Examples of additional functionality include requiring that users can search per site or address and have all of the relevant rules related to the site displayed on-screen, and requiring councils to have a way for submissions to be submitted online.

⁵ The Schedule 1 process refers to the process set out in Schedule 1 of the RMA that councils are required to follow when they develop or amend a policy statement or plan, including public notification and a call for submissions.

51. The Tāngata Whenua/Mana Whenua Standard includes a chapter for content within the proposed Structure and format for issues that relate to Māori/iwi. It also includes a Māori purpose zone, overlays and mapping tools for sites of significance. This prompts councils to consider representing tāngata whenua/mana whenua issues in a consistent location in plans and policy statements, while still being able to create content reflecting the local situation and priorities.

Option 3 – Minimum requirements plus option 2 and some metrics and standards and priority zone objectives and policies.

52. This option includes all of option two in greater detail. This would include even more definitions, a more detailed structure for plans and policy statements ie, chapter level provisions for district plans and more specific online interactive functionality requirements. This option also includes standards ie, bulk and location standards and metrics.

53. One possible example of metrics would be car parking metrics. These would standardise how carparks and vehicle access are calculated around the country (ie, car park size, turning circles and vehicle access widths). Another example would be bulk and location metrics. These could include site coverage rules, height-to-boundary rules and yard rules. These options would make the content of plans more similar and mean that certain requirements are predictable around the country.

54. This set of planning standards would also include objectives and policies for priority zones, such as common residential and commercial zones. These objectives and policies would contain many that currently are common in plans and policy statements, such as “retaining residential amenity” in residential zones. This would mean that each council would have some set content for zones that they did not need to spend time and resources drafting and consulting on.

Option 4 – Minimum requirements plus Options 2 and 3, and methodologies for determining Section 6 matters.

55. This option includes all of options one, two and three, as well as some methodologies for determining section 6 matters. Section 6 matters refer to certain plan overlays such as outstanding natural features and landscapes (ONLs), and areas of significant biodiversity.

56. These are matters of national importance under the RMA, and their representation in plans and policy statements often causes tensions. Issues such as overlays for ONLs and biodiversity are often appealed to the courts. Methodologies for such areas could be developed with the relevant professional groups (eg, landscape architects for ONLs) and thoroughly tested. These methodologies would ensure that these overlays were created in a more standardised way around the country and lead to a reduction in appeals over time.

Table 2: National Planning Standard Options

	What	Detail	
Option 1	Minimum first set required by the RMA – to the minimum level of detail	<ul style="list-style-type: none"> • Structure and form • Definitions • ePlans 	} 1
Option 2 (Preferred Option)	Minimum first set required by RMA – to a greater level of detail and: <ul style="list-style-type: none"> • common content 	<ul style="list-style-type: none"> • Structure and form (including zones framework and Spatial Layers) } to a greater level of detail than option 1 • Definitions • ePlans • Mapping • Noise Standard content/metrics • Tangata Whenua/Mana Whenua Standard 	} 1 } 2
Option 3	Minimum first set required by RMA – to a greater level of detail and: <ul style="list-style-type: none"> • common content • high level content for core zones • additional high use metrics 	<ul style="list-style-type: none"> • Structure and form(includ } to a greater level of detail than option 2 ing zones framework and SPTs) • Definitions • ePlans • Mapping • Noise Standard content/metrics • Tangata Whenua/Mana Whenua Standard • Metrics and Standards eg, car parking, and bulk and location metrics • Priority zone objectives and policies 	} 1 } 2 } 3
Option 4	Minimum first set required by RMA - to a greater level of detail and: <ul style="list-style-type: none"> • common content • high-level content for core zones • additional high-use metrics 	<ul style="list-style-type: none"> • Structure and form(includ } to a greater level of detail than option 2 ing zones framework and SPTs) • Definitions • ePlans 	} 1

	<ul style="list-style-type: none"> key methodologies for determining areas which relate to matters of national importance under section 6 of the RMA any other content to achieve consistency 	<ul style="list-style-type: none"> Mapping Noise Standard content/metrics Tangata Whenua/Mana Whenua Standard 	} 2
		<ul style="list-style-type: none"> Metrics and Standards eg, car parking, and bulk and location metrics Priority zone objectives and policies 	} 3
		<ul style="list-style-type: none"> Methodologies for determining Section 6 matters (such as outstanding natural features and landscapes and significant areas of indigenous biodiversity) 	} 4

57. Tables 3 and 4 below assess the options above. Table 3 outlines the general advantages and disadvantages of each of the options based on research, experience and knowledge of how the planning system operates. Table 4 considers how well each option meets each of the objectives of the standards. In Table 4 a cross indicates that an objective is not met and a tick indicates that an objective is met. A double tick indicates that an option meets an objective well.

Table 3: Advantages and disadvantages of Options 1 to 4

	Advantages	Disadvantages
Option 1	<ul style="list-style-type: none"> Simple implementation. Lowest implementation costs for councils. 	<ul style="list-style-type: none"> Will not create a meaningful level of standardisation across plans and policy statements. Does not truly recognise the purpose of the planning standards that is, will only effect superficial changes. Will not encourage councils to incorporate the views of Māori in their plans.
Option 2 (Preferred Option)	<ul style="list-style-type: none"> Medium level of implementation cost for councils compared to other options. Gives an achievable level of plan standardisation that will also achieve concrete benefits. The addition of mapping would ensure a smooth transition of planning system as a whole to a digital platform. Will enhance the ability of 	<ul style="list-style-type: none"> Will have a higher level of costs to councils than the minimum requirements. Has an opportunity cost of not standardising the matters contained in Options 3 and 4. Will need the Ministry to provide a higher level of support to councils than Option 1.

	<p>users to understand plans and policy statements.</p> <ul style="list-style-type: none"> • Will lead to zones in district plans being consistent and therefore easier to find and understand • Tangata whenua/mana whenua standard will further encourage councils to incorporate the views of Māori in their plans. • The Ministry has carried out the appropriate research and analysis for this level of standard. 	
<p>Option 3</p>	<ul style="list-style-type: none"> • Would give a higher level of plan standardisation than Options 1 and 2. • The addition of mapping would ensure a smooth transition of planning system as a whole to a digital platform. • Will enhance the ability of users to understand plans and policy statements. • Will lead to zones in district plans being consistent and therefore easier to find and understand. • Tangata whenua/mana whenua standard will further encourage councils to incorporate the views of Māori in their plans. 	<ul style="list-style-type: none"> • Bulk and location measures could be perceived as removing local level decision-making and public input on issues that are likely to affect the community. • Would require a high level of resource from local authorities to implement (greater than Options 1 and 2). • Would require significantly more analysis by the Ministry to develop metrics and understand consequences of implementation in every council context (than Options 1 and 2).
<p>Option 4</p>	<ul style="list-style-type: none"> • Would give the highest level of plan standardisation. • Could reduce the number of court cases for section 6 overlays in plans and policy statements, as these are parts of plans and policy statements that are often subject to appeal. • The addition of mapping would ensure a smooth transition of planning system as a whole to a digital platform. • Will enhance the ability of users to understand plans and policy statements. • Will lead to zones in district 	<ul style="list-style-type: none"> • Could remove some local level decision-making on section 6 matters. • Would raise implementation costs for local government, because of the higher degree of standardisation (highest implementation cost to councils of all options). • Could be seen as taking away some rights to be involved in important issues from local communities. • The current timeframes do not allow adequate time to create appropriate methodologies for section 6 matters, and carry out the necessary consultation with experts and the public. • Potentially not enough time for

	<p>plans being consistent and therefore easier to find and understand.</p> <ul style="list-style-type: none"> • Tangata whenua/mana whenua standard will further encourage councils to incorporate the views of Māori in their plans. 	<p>councils to implement this option.</p> <ul style="list-style-type: none"> • Bulk and location measures could be seen by some as removing local level decision-making and public input on issue that are likely to affect the community. • Would require the highest level of resource from local authorities to implement.
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Table 4: Alignment of Options 1 to 4 with the Objectives (refer to section 3.2 for further detail)

Option #	Objective 1: An appropriate level of standardisation is achieved for matters that don't need local variation	Objective 2: Improve the accessibility and usability of plans and policy statements:	Objective 3: Improve plan-making baseline performance:	Objective 4: Implementation of the planning standards is practical and feasible, while taking into account the:
	<ul style="list-style-type: none"> ▪ avoid duplication of effort; ▪ ensure that only matters that do not need local input are included in the planning standards ▪ standardises how national direction is represented and implemented in plans and policy statements ▪ aims to result in planning standards where the effort put in by councils to implement the planning standards is commensurate with the level of national plan standardisation achieved 	<ul style="list-style-type: none"> ▪ plans and policy statements are easier to access ▪ plans and policy statements are easier to understand ▪ electronic functionality is used to improve accessibility wherever possible. 	<ul style="list-style-type: none"> ▪ shorter timeframes ▪ less resource intensive; ▪ more focus on local outcomes ▪ assisting in adopting good practice in a more timely manner. 	<ul style="list-style-type: none"> ▪ 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.
1	✓	✓	✓	✓✓
2	✓✓	✓✓	✓✓	✓✓
3	✓	✓✓	✓✓	X
4	X	✓✓	✓✓	X

3.2 Which of these options is the proposed approach?

58. Although option 1 would meet the requirements of Section 58G of the RMA, it would not create a significant level of standardisation in plans. This would mean that many of the anticipated benefits of the planning standards would not occur. For example, without a zone framework, each plan would still have different zones. This would mean that plans will more superficially standardised, and navigating between different plans would still be difficult.
59. A number of the additional planning standards proposed in options 3 and 4 are also valuable. However, as this is the first set of planning standards, these options are likely to put significant pressure on councils implementing them. Also, these options would put significant pressure on central government to assist with implementation, keep the planning standards up to date and to defend them in court if necessary. The additional pressure on central government and councils if these options were implemented as part of the first set of planning standards is not considered to be commensurate to the improvement in the system at this time. These options may be deemed to be appropriate at a later stage after the implementation of a first set of planning standards, when both central government and councils have experience implementing planning standards and are likely to have better capacity and capability to implement further planning standards, as well as experience with implementing the first set.
60. We consider that option 2 is the best option for the first iteration of the planning standards. This is because it balances an effective level of standardisation with the ability of councils to implement the planning standards, and central government's ability to support implementation and effectively "own" the planning standards as New Zealand's environmental steward.
61. Option 2 will lead to plans being consistent in their structure, and in some content including certain definitions. The introduction of the spatial layers standard will mean that the level of standardisation of plans is higher. The proposed planning standards will mean the public can access a plan anywhere in the country and anticipate where certain content will be. The planning standards will also make using plans online significantly easier. The zone framework will lead to more visible and meaningful standardisation, especially as lay plan users generally prefer to immediately access their own zones.
62. Option 2 will assist in making plans easier and less expensive to prepare and understand. The planning standards will also improve transferability of best practice between district plans, enabling ease of navigation and comparison. Option 2 is considered to provide a platform for collaborative opportunities for local authorities developing plans. Similarly, it will also facilitate better, more targeted monitoring of plans and create opportunities for easier transferability of findings from case law and declarations.
63. Proposed option 2 is also compatible with the Government's *'Expectations for the design of regulatory systems'* as the planning standards:
- a. have clear objectives
 - b. have scope to evolve in response to changing circumstances or new information

- c. have clear objectives
- d. are proportionate, fair and equitable in the way they treat regulated parties
- e. have scope to evolve in response to changing circumstances or new information.

Table 5: Summary table of costs and benefits

Affected parties	Comment: nature of cost or benefit (eg, ongoing, one-off), evidence and assumption (eg, compliance rates), risks	Impact <i>\$m present value, for monetised impacts; high, medium or low for non-monetised impacts</i>
Additional costs of proposed approach, compared to taking no action		
Councils	Local council staff time costs – total FTEs to implement standard (excluding time required for Schedule One processes), by council type	\$11.41 million
	Schedule 1 process costs – cost to go through Schedule 1 process by council type (Between \$92,000 and \$263,500)	\$3.50 million
	Appeals process costs – potential cost to councils to go through full appeal of plan process including court (between \$60,000 and \$200,000)	\$4.12 million
	Technology costs – upfront costs of upgrading to an ePlan (\$70,000 for councils that do not currently have ePlans)	\$3.13 million
	Technology costs – ongoing technology costs (cost of ongoing ePlan subscription fees)	\$13.58 million \$23,000 per council per year
The Ministry for the Environment	Central government staff time costs – FTE by standard type (between 1 and 6 Fully loaded FTE= \$111,228)	\$937,066
Plan users	Appeals process costs – compliance costs to appellant for going through the full appeal process (between \$60,000 and \$200,000)	\$4.12 million
Total monetised cost		\$40.8 million
Non-monetised costs		N/A

Section 4: Impact Analysis (Proposed approach)

64. Table 5 summarises the costs and benefits of the preferred option. A [section 32 Evaluation report](#) and [32AA Evaluation report](#) have also been prepared for the planning standards along with the [economic analysis](#) as previously noted. The information in table 5 comes from the economic analysis prepared by Castalia.

Table 5: Summary table of costs and benefits

Affected parties	Comment: nature of cost or benefit (eg, ongoing, one-off), evidence and assumption (eg, compliance rates), risks	Impact <i>\$m present value, for monetised impacts; high, medium or low for non-monetised impacts</i>
Additional costs of proposed approach, compared to taking no action		
Councils	Local council staff time costs – total FTEs to implement standard (excluding time required for Schedule One processes), by council type	\$11.41 million
	Schedule 1 process costs – cost to go through Schedule 1 process by council type (Between \$92,000 and \$263,500)	\$3.50 million
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The Ministry for the Environment	Central government staff time costs – FTE by standard type (between 1 and 6 Fully loaded FTE= \$111,228)	\$937,066
Plan users	Appeals process costs – compliance costs to appellant for going through the full appeal process (between \$60,000 and \$200,000)	\$4.12 million
Total monetised cost		\$40.8 million
Non-monetised costs		N/A

Expected benefits of proposed approach, compared to taking no action

Councils	Savings from council FTEs dedicated to plan changes (10 per cent savings on FTE dedicated to council plan changes every 10 years by council type)	\$8.38 million
	Public enquiries savings (number of enquiries by council type with 5 per cent savings and assumption of 15 minutes per enquiry)	\$1.22 million
	Ongoing appeals process savings. savings to councils from reduced future appeal costs (appeal process including court)	\$3.26 million 5 per cent savings of average council appeal costs (between \$300,000 and \$1 million) during future plan reviews
Plan users	User hour savings per standard by user type, per consent Between 0 and 2 hours per consent, depending on Standard Single plan user value of 1 hour: \$7.09 Multiple plan user value of 1 hour: \$57.69	\$46.28 million
	Ongoing appeals process savings – savings to appellants from reduction in future appeal costs (appeal process including court)(5 per cent savings of average council appeal costs – between \$300,000 and \$1 million – during future plan reviews)	\$3.26 million
General public	Faster consent processing/ removal of barrier to entry for "mum and dad developers" leading to enhanced infrastructure development	Medium
	Admin savings flow through to rates decreases – multiplier effect on economic activity	Low
	Flexibility in labour movement around the country among the planning industry to move between districts due to consistency	Low
	Having plans more accessible to the public by being more user-friendly and available online has social benefits such as increasing government transparency, empowering citizens, creating opportunities and solving public problems	Medium
Total Monetised Benefit		\$62.4 million
Non-monetised Benefits		Medium

4.1 Levels of certainty

65. There is a good level of certainty about the scale of the costs and benefits of the proposed policy, as Castalia (who prepared the economic analysis) carried out interviews with councils and other plan users to gain information about possible costs and benefits.
66. There are uncertainties around how the planning standards will be implemented in a consistent manner by councils. This could lead to the planning standards not achieving the level standardisation anticipated. This will be addressed by the Ministry providing comprehensive implementation support.

Section 5: Stakeholder views

5.1 What do stakeholders think about the problem and the proposed solution?

67. To ensure the success of the planning standards, the Ministry has made a strong effort to consult a wide range of different stakeholders and interested parties.
68. As part of this, the Ministry has taken an evidence-based and collaborative approach to the development of the planning standards, including:
- publication of 11 [discussion documents](#) – these were informed by more than 20 research reports that examined the different components of plans and identified points of commonality and difference. The Ministry also sought public submissions on these papers
 - 16 workshops with resource management professionals in 14 locations across the country
 - face-to-face meetings with local authorities and other stakeholders
 - testing draft planning standards with a ‘council pilot programme’, comprising a representative mix of 27 councils across the country. These councils were selected to provide a broad cross-section of large, small, urban and rural councils
 - meeting with sector groups, including representatives from national utility operators, and other industry sectors
 - meeting with other central government agencies and collaborating where appropriate (such as the New Zealand Transport Authority and Land Information New Zealand)
 - engaging with our practitioners drafting group and Māori advisory group, who are providing advice on technical planning matters.
69. The practitioners’ drafting group was set up with professional resource management practitioners including consultant planners, a senior council planner and an RMA lawyer. This group has four to five members (depending on the meeting). The Ministry used this group to peer review the draft planning standards in detail, and to support the drafting process. The group has also been used to support other parts of the process, including development of the template for the section 32 report.
70. The Ministry took feedback from all of these sources into consideration when drafting the draft planning standards. In addition, the planning standards were drafted in an iterative process, with officials consulting with the pilot councils, the practitioners group and sector groups above throughout the process of the original drafting. This was intended to ensure that the standards were developed following thorough consultation.

71. The draft planning standards were publicly notified on 6 June 2018 under Section 58D of the Resource Management Act 1991 (RMA), allowing a 10-week period for submissions to 17 August 2018. During this period the Ministry held 18 presentations around the country discussing the contents of the draft planning standards to inform submitters.
72. Two hundred and one submissions were received. The submissions were comprehensive and constructive, and represented interests from a wide range of sectors. The majority were from business/industry (70) and councils (57⁶), with the remainder from individuals (26), iwi (15), “other organisations” (15), central government (7), non-government organisations (8) and professional bodies (4).
73. Submissions are publically available on the [Ministry for the Environment’s website](#) and addressed in detail in the [Recommendations on submissions reports](#) prepared by the Ministry for the Environment. This report discuss individual standards, the submissions received on them and any changes recommended to the planning standards.
74. Approximately two-thirds of the 201 submissions indicated support for the planning standards, including support in principle and support in part. Approximately 10 per cent opposed the planning standards. Nearly 20 per cent did not specifically indicate their stance.
75. Almost all submissions requested changes, mostly focused on improving the planning standards’ workability. Amendments ranged from overarching comments on the structure of regional policy statements and combined, regional and district plans, through to technical amendments on individual standards such as definitions. A significant number of submissions also commented on implementation matters. Some submission points were easily addressed but others were more complex with conflicting views expressed.
76. The common position of the main sectors were:
- Councils generally provided in-principle support to the concept of the planning standards. Their main concerns were on the complexities of applying the changes to their plans, particularly determining what changes could be undertaken without the full RMA Schedule 1 process. A small number of councils supported the implementation timeframes, but most requested they be increased to match their plan review cycle. Most unitary councils expressed concern with the combined plan structure. The greatest concern for small councils was whether they would have the capacity or funds to implement electronic plan (e-plan) requirements.
 - Business/industry expressed support for the consistency and efficiencies the planning standards would bring. Their most common concern was the potential for provisions relating to their activities to be re-litigated again through the RMA Schedule 1 process.

⁶ A total of 57 councils were represented in the submissions. Some councils prepared joint submissions and some councils were represented by more than one submission. Local Government New Zealand also submitted on behalf of councils.

- Iwi generally supported the planning standards and Tāngata whenua/mana whenua structure standard. The most common concern was to ensure Māori values/perspectives are integrated throughout regional policy statements and plans.

77. The other main themes of submissions were:

- structuring plans for integrated management
- technical improvements to the structure and format standards
- the zone framework and spatial planning tools for district plans
- implementing the planning standards.

78. Of the 201 submissions on the draft planning standard, 70 included comments on the implementation timeframes. Of these, 59 submitters thought more time was needed. This view came from councils as well as professional bodies, nationwide companies and interest groups.

79. Submitters were concerned about:

- the cost of early plan reviews triggered by the planning standard for plans recently finalised, often after a long process
- the level of external support that some councils will need to implement the planning standard
- increasing amounts of national direction resulting in councils delaying the implementation of the planning standard or other national direction
- policy statements and plans being amended to implement the planning standard at the same time will not help councils maintain a proper plan hierarchy (ie, RPS directing district and regional plans) and will impact on the ability to achieve an integrated planning framework
- the efficiencies of implementing some planning standards, particularly definitions, before a full plan review
- the costs and efficiencies of requiring smaller councils to implement an eplan within five years.

80. During the submission analysis period, and while refinement of the standards were being considered, the Ministry continued to undertake testing and some workshops to ensure the refined standards would address the issues raised. A list of the groups contacted is included below. More detail about the groups and what they were informed of, or had the opportunity to feedback on, is included in the [Recommendations on submissions 1. Overview report](#) prepared by the Ministry for the Environment.

- Pilot councils
- Western Bay of Plenty DC support

- Regional Council Sub Group
- Unitary councils
- Auckland Council
- Māori Advisory Group
- New Zealand Acoustical Society
- Airport Association
- Rural Sector Group
- New Zealand Defence Force
- Land Information New Zealand
- Department of Internal Affairs and Statistics New Zealand
- Department of Corrections.

81. This engagement has helped to further shape the final planning standards, to ensure they are fit for purpose and trusted by all stakeholders before they are gazetted in April 2019.

Section 6: Implementation and operation

6.1 How will the new arrangements be given effect?

Default RMA timeframes

82. The proposed planning standards will be gazetted in April 2019. From that time, the RMA sets a default timeframes of one-year and five-year implementation deadlines for different types of directions within planning standards.
83. Significant concern was expressed about these default deadlines, as councils consider they do not have the resources to carry out plan changes within the timeframes (particularly the one year deadline for mandatory directions). The default timeframes would have meant that a significant number of councils need to carry out plan changes well before they were due for their next review. The timeframes would have also led to poor plan quality as the planning standards would have to be implemented at different times. This could lead to overly complex plans in some cases. The one-year deadline for mandatory directions was particularly considered to be problematic in regard to the ability of councils to deliver the changes required.

Draft timeframes at notification

84. The RMA allows the Minister to set out the implementation deadline for any standard within the standard itself. In response to council concerns, the Minister decided on implementation deadlines in the draft planning standards of five years for the majority of councils and an additional two years for certain other councils who have notified the decisions version of a plan within three years of the planning standards being gazetted (ie, between April 2016 and April 2019).

Recommended timeframes

85. In response to submissions, a more nuanced set of implementation timeframes for the planning standards were recommended to, and agreed by the Ministers for the Environment and Conservation.
86. Some previously consulted on implementation timeframes remain unchanged, these being:
- one year for all councils to implement the baseline e-accessibility standards
 - five years for most district councils and seven years for district councils who have recently completed a plan review to implement the majority of the planning standards.
87. Changes were instead recommended that address specific issues and opportunities including:
- An opportunity to manage the workload of regional and unitary councils by requiring that Regional Policy Statements (RPS) be implemented within three years (ie, bring the

RPS forward), but provide a longer timeframe for all other regional plans and for unitary councils preparing unitary plans (10 years). RPSs being amended first ensures some plans implement the planning standards in a shorter timeframe, while the longer timeframe for regional plans provides councils with greater flexibility to decide how to implement them alongside the multiple plan changes anticipated to reflect other national direction.

- Auckland Council has been given 10 years to implement the planning standards, irrespective of decisions made for other unitary councils. Multiple submitters noted that significant investment in the Auckland Unitary Plan (AUP) meant that plan users should be allowed to benefit from the certainty provided for at least 10 years.
- District councils consider the definitions will require further changes to many parts of their plans (that they believe cannot be considered consequential). The five- and seven-year implementation timeframes for all other standards for district councils have been retained, but a further two years has been provided to implement the definitions standard to provide flexibility.
- Councils collaborating on a combined district plan have been given seven years to implement the planning standard. This recognises the efficiencies gained, while recognising the longer initial inception period of combined district plan processes.
- Smaller councils noted the cost of implementing an ePlan. Councils with fewer than 15,000 ratepayers have been given 10 years to implement the ePlan standard. Exceptions from the ePlan requirements have also been given for plans prepared for the Chatham Islands, Outer Islands and Subantarctic Islands which all have very small populations.

Figure 1: Recommended implementation timeframes

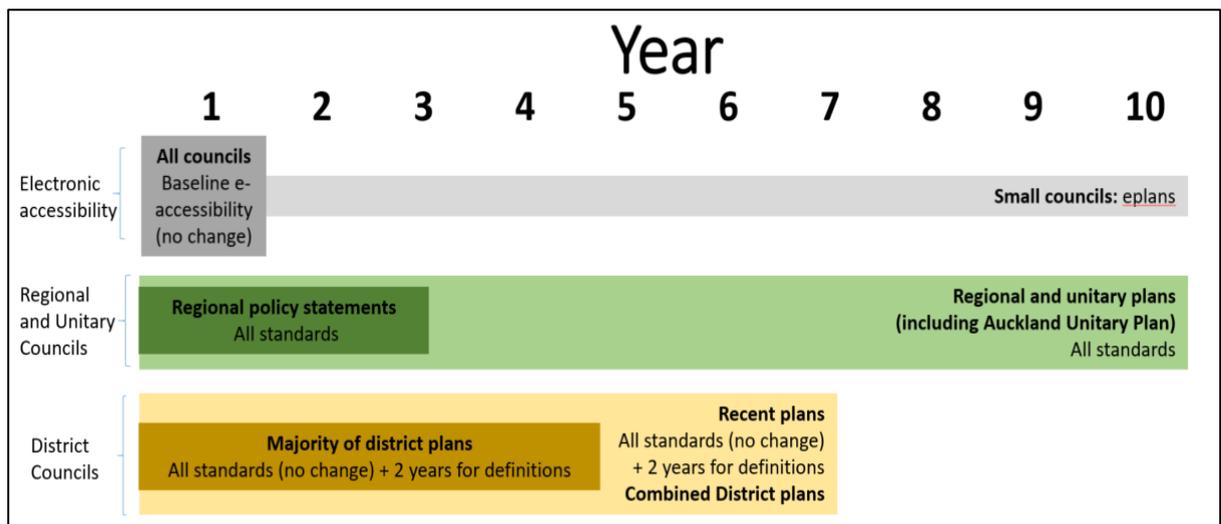


Table 6: Summary of recommended changes to implementation timeframes and their rationale

Recommended Changes	Explanation	Reasons
<p>No change for most councils to previously agreed timeframes</p>	<p>1 year for baseline e-accessibility standard. 5 years for most district councils to implement the planning standards. 7 years for district councils who have recently completed a plan review.</p>	<ul style="list-style-type: none"> • This was the option consulted on in the draft planning standards. • This option presents efficiencies over and above the default timeframes in the Act as it brings most councils closer to planned plan reviews and allows integrated implementation of all planning standards.
<p>Regional councils change RPS first</p> <p>Then regional plans and unitary plans⁷ up to 10 years</p>	<p>Regional councils have 3 years to amend their RPS to implement the planning standard.</p> <p>Regional and unitary councils must implement the planning standard in any new plans, or within 10 years (whichever is earlier).</p>	<ul style="list-style-type: none"> • District and regional plans must give effect to RPSs. This is easier if these are already aligned with planning standard (especially the definitions). • RPSs can be amended more quickly than other plans as they tend to be less complex and do not include rules. • Regional and unitary plans face significant changes from national direction and central government policy. • There are a wide variety, range and number of regional and unitary plans. The degree of change needed for some of them to comply with the planning standard is high. • This option was tested with regional council policy managers in October 2018, and no wholesale disagreement was noted.
<p>Definitions in district plans have an extra 2 years</p>	<p>The definitions standard must be implemented within 5 or 7 years depending on how recently a district plan has been reviewed.</p>	<ul style="list-style-type: none"> • Most councils are risk adverse and consider that a full Schedule 1 process will be required to implement the definitions (because they consider their ability to carry out consequential amendments to be narrow). All other standards and their consequential changes either will not need a Schedule 1 process, or the scope of the process will be limited (eg, zones). • Councils have expressed that implementing the definitions standard will be the most time consuming of all the planning standards as identifying all

⁷ 'Unitary plans' referred to here are combined regional and district documents prepared by Unitary Authorities

		<p>of the flow-on effect from a change to a definition will be resource intensive.</p> <ul style="list-style-type: none"> • Regional councils already have 10 years to incorporate definitions into a plan review (as per recommendation above). • Requiring new plans to incorporate the new definitions ensures early implementation where this is efficient.
7 years for councils developing a combined district plan	7 years from gazettal for councils who develop a combined district plan (ie, there is a council resolution, MOU and/or similar statutory obligation) combined plans under s80 (3)-(6).	<ul style="list-style-type: none"> • Councils going through joint council processes to merge multiple RMA plans generally need more time. • Promotes the long-term efficiency of combined plans. • Currently applies to the Wairarapa and West Coast councils.
10 years for small councils to develop an eplan	Gives district/unitary councils with plans serving fewer than 15,000 ⁸ residential ratepayers (Appendix 2) 10 years to implement eplan requirements, excluding councils preparing combined district plans.	<ul style="list-style-type: none"> • These councils have low ratepayer bases, often have a lack of eplanning and GIS expertise available, and also have low RMA plan use. • Allows more time for broadband-speed uptake in rural areas and small communities. • Gives these councils more time to fund ePlans.
Eplan exemptions for plans serving very few residents	Exempt the Outer Islands (DIA and DOC-managed) Subantarctic Islands (DOC-managed) and Chatham Islands from the eplan standard.	<ul style="list-style-type: none"> • Recognises the very small populations (Outer Islands 37, Chatham Islands 640 and the Subantarctic Islands 0) and limited plan use in these areas. • The level of usability in the eplan standard is not justified by the amount of use the plans gets. • These plans can be quickly read and understood.

88. Although the timeframes for implementation partially mitigate the risk of councils not amending their plans, this will still be a possible issue for some councils. The Ministry intends to provide significant implementation support, including guidance and workshops and one-on-one council support where deemed necessary. In all this work, the Ministry will prioritise action to ensure the implementation of the planning standards results in the greatest possible impact.

89. The Ministry plans to stay in close contact with councils, and monitor the uptake of the planning standards and assess implementation needs over the implementation timeframes.

⁸ Both the Wairarapa and West Coast Council are preparing or have a combined plan. These serve more than 15,000 ratepayers. The cost of these ePlans will be shared across the councils, so these they would be excluded from this extension.

Section 7: Monitoring, evaluation and review

7.1 How will the impact of the new arrangements be monitored?

90. The Ministry is still considering the monitoring and evaluation of the planning standards. However, the Ministry is the steward of the planning standards, and so aims to gain the maximum benefit from them for New Zealand. To ensure the success of the planning standards, the Ministry considers the monitoring and evaluation of the implementation of the planning standards will include:

Data gathering

- Amending existing questions in the National Monitoring Survey for councils to take into account the stage of implementation of the planning standards and how they have been given effect to as a new national direction instrument.
- Keep an up-to-date plan database to check the stage of implementation of the planning standards and to plan when implementation support may be required.

Plan compliance reviews

- Ministry officials will request that councils give them an opportunity to review draft plans that are intended to give effect to the planning standards for compliance. If the requested drafts are not provided, the Ministry will monitor policy statements and plans as they are published.

Need for future standards

- Monitoring issues that may require new planning standards to address matters of national consistency or support national direction. This includes coordination within the Ministry to monitor matters that may be of national significance, and should be included on the national direction forward work programme or feed into the next set of planning standards.

Effectiveness

- Ministry officials will monitor the effectiveness of the first planning standards and the need for any changes to the planning standards and guidelines. This includes repeating focus groups testing on plan usability⁹ that was conducted before the standards were drafted to examine whether plan usability has improved.

Reporting

- Include the implementation of the planning standards in any national direction programme updates to the Minister.

⁹ Colmar Brunton and 4Sight Consulting. 2017. *Research on RMA plan-user experience*. Wellington: Colmar Brunton and 4Sight Consulting. <http://www.mfe.govt.nz/publications/rma/research-rma-plan-user-experience>

7.2 When and how will the new arrangements be reviewed?

91. The Ministry's proposed approach to the review of the planning standards is a three-tiered review, with:
 - a. the eplans standard being reviewed within three years after gazettal (as technology moves quickly)
 - b. any standards with content (ie, the noise and vibration standard and definitions sourced from legislation) from another source will be reviewed whenever the source content is updated and
 - c. a review of the planning standards within six years of gazettal based on any plans or policy statements that have implemented the planning standards at the time.

92. These timeframes will give the Ministry the ability to track the progress of the planning standards and consider how they are working in practice.

93. These reviews are not required by the RMA or set out within the standards themselves but are considered good practice by the Mnistry.