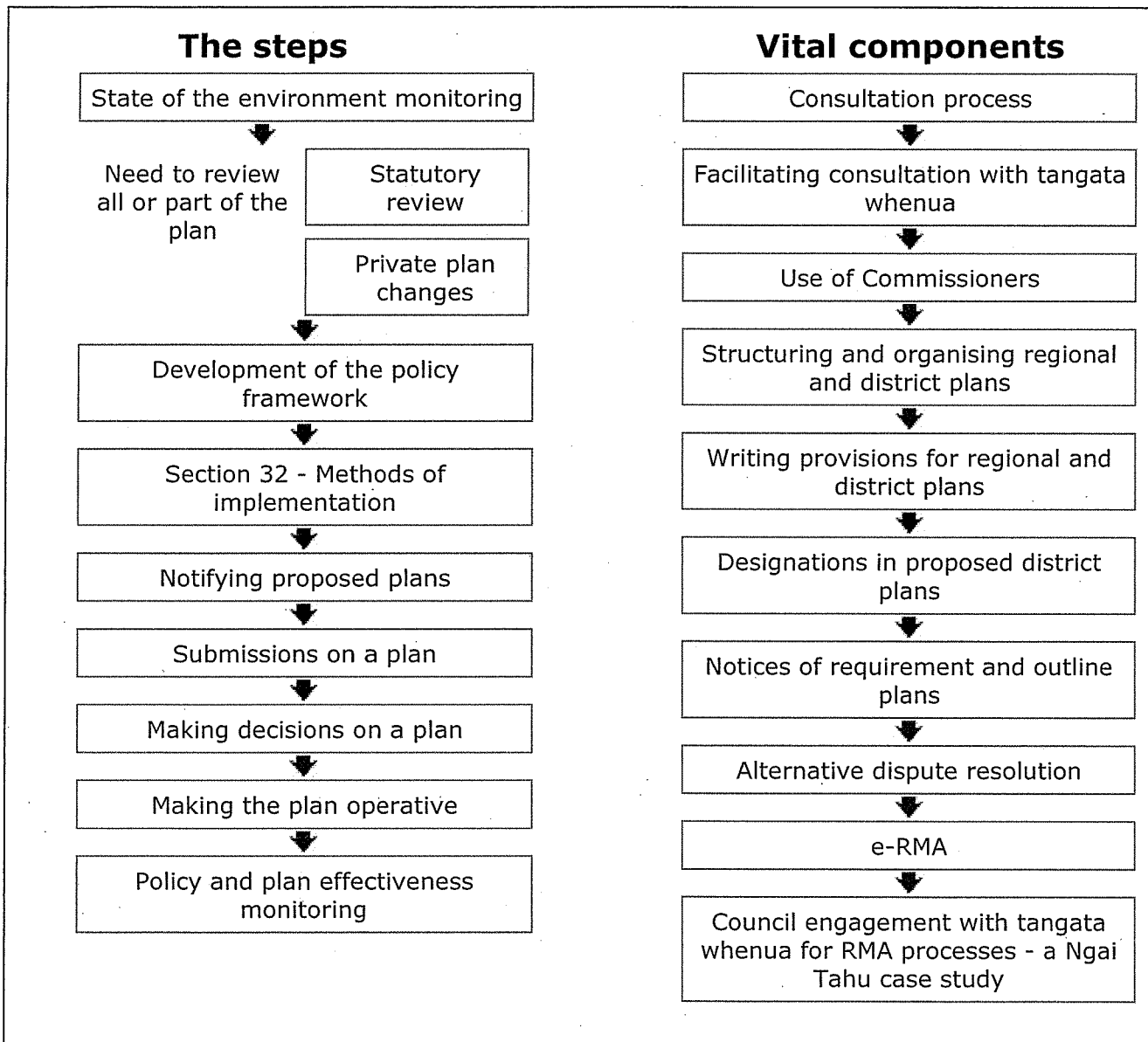


TABLED INFORMATION - 266/12 P(A)

Guidance on the plan development process

Listed below are the main areas of the process for plan development. Click on a link to view the guidance notes or scroll down for a more detailed explanation of each step and component.



[back to top](#)

The Steps - Explanations

State of the Environment monitoring	A local authority is required to monitor the state of the whole or any part of the environment in its region or district, to the
-------------------------------------	--

	extent that is appropriate to enable it to effectively carry out its functions under the Act. This monitoring may identify environmental issues which require changes to be made to the plan (section 35(2)(a)).
Statutory review	All provisions in Regional Policy Statements, regional and district plans must be reviewed at least every 10 years (section 79).
Private plan changes	A district plan may be changed upon a request by any person (known as 'private plan change') (section 73(2); First Schedule, Part II).
Development of the policy framework	When developing a plan, it is important to clearly identify significant resource management issues, to determine the environmental outcomes being sought in resolving those issues, and to develop a comprehensive integrated framework of objectives and policies with the aim of producing those stated outcomes (sections 32, 67 and 75).
Section 32 - Methods of implementation	The most appropriate, efficient and effective methods must be selected to implement policies in order to achieve the stated objectives (section 32).
Notifying proposed plans	The local authority is required to publicly notify a proposed plan (First Schedule, Part I, Clause 5).
Submissions on a plan	Any person may make a submission on a proposed plan, or a further submission in support or opposition to other submissions (First Schedule, Part I, Clauses 6-8A). A local authority must hold a hearing into submissions when submitters wish to be heard (First Schedule, Part I, Clauses 8B-8C). Database management software assists these days in handling the large volume of submissions local authorities receive on plans. Many different techniques have also been developed for the efficient handling of and reporting on submissions, and for preparing decisions.
Making decisions on a plan	While preparing a plan, the local authority must consult with specified government agencies and other key organisations, and may consult with anyone else (First Schedule, Part I, Clause 3).

Making the plan operative	Once decisions are made and notified (First Schedule, Part I, Clauses 9-13), references may be made to the Environment Court. These are usually resolved either by consent order with the agreement of the parties, or by a decision of the Court after a hearing (First Schedule, Part I, Clauses 14-16).
Policy and plan effectiveness monitoring	Local authorities are required to monitor the suitability and effectiveness of their plans, and take appropriate action where this is shown to be necessary (section 35(2)(b)).

back to top

Vital Components - Explanations

Consultation process	Consultation is an essential part of good plan preparation, and should occur throughout the process. Given the level of interest in plans, and the effect they can have on the investment within any region/district, it is vital that consultation be undertaken effectively; using techniques suited to the circumstances and the groups being consulted.
Use of Commissioners	This guidance note provides information on the use of Section 34A, an overview of the use of independent commissioners and councillor commissioners; and an outline of the skills required of commissioners. It also provides guidance on the use of an independent commissioner if requested by an applicant or submitter, in accordance with Section 100A.
Structuring and organising regional and district plans	Regional and district 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 principles for structuring plans, the pros and cons of different types of plan

	structure, and provides examples of plan structures suitable for use in second generation plans.
Writing provisions for regional and district plans	The way in which RMA plans are written can greatly affect their efficiency, effectiveness, and ease of administration and enforcement. Writing an effective, enforceable and user-friendly plan requires robust processes to be followed, skill, and attention to detail. This guidance note is a companion guidance note to 'Structuring and Organising Regional and District Plans ' and provides a starting point for those writing provisions for plans and covers how to write issues, objectives, policies and rules. It also provide commentary on other elements aligned to writing plan provisions such as overarching principles, tips for planning maps, how test whether an issue needs to be included in a plan and much more.
Designations in proposed district plans	Before notifying a district plan, a local authority must invite requiring authorities to state whether any existing designation or heritage order that has not lapsed needs to be included in the new district plan, with or without modification (known as 'rollover' designations) (First Schedule, Part I, Clause 4).
Notices of requirement and outline plans	This note provides guidance on the notice of requirement process for including designations in operative and proposed district plans and the outline plan process for implementing and altering designations. A requiring authority must serve a notice of requirement to designate land, which acts as an interim notice that protects land until the designation is confirmed. An outline plan is a more detailed plan and description of works that a requiring authority proposes to carry out on a designated site.
Alternative dispute resolution	Dispute resolution is an essential skill for policy-makers, and is needed throughout the plan preparation process. In resolving disputes it is important that the views of different parties are given credence, while ensuring that plan provisions remain cohesive and effective policy instruments.

e-RMA	Increasingly, local authorities will be making their plans available on the internet something that will have particular implications in terms of format and style.
Council engagement with tangata whenua for RMA processes - a Ngai Tahu case study	Engagement with tangata whenua is important in many RMA processes. This guidance note provides examples of RMA engagement between Ngai Tahu with councils within the Ngai Tahu takiwa. Although the guidance note focuses on Ngai Tahu examples, the tools and techniques described are relevant and applicable to other tangata whenua and councils as well.

This guidance was updated in November 2010 to reflect RMAA 2009.

