

Manawatū District Plan

Proposed Plan Change I: Minor Amendments

Section 32 Report

October 2024

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Part 1 – District Plan Review

1. Purpose of Proposed Plan Change I: Minor Amendments

The purpose of Proposed Plan Change I: Minor Amendments (PCI) is to better align the Manawatū District Plan with the Resource Management Act 1991 (the Act). PCI does this by proposing to delete those sections of the operative Manawatū District Plan that are no longer required by the Act. These changes will improve the focus of the District Plan to only those matters required to be included in a District Plan. Transitioning in the future to an ePlan as required under the National Planning Standards will also be easier. A change in definition is also proposed to remove two terms being used to mean the same thing.

2. Background and Scope

Council recently completed reformatting the District Plan to be consistent with the National Planning Standards 2019. Key drivers of the reformatting project were to make the District Plan more navigable for the user, slot easily into an ePlan format, and enable future substantive plan changes more easily than the previous structure. As a result of that process, a number of minor changes were identified that would help the Plan to be clearer, and delete text that is no longer required to be in a District Plan. These changes affect most chapters within the District Plan.

The key changes to the Manawatū District Plan that are proposed as part of Plan Change I include:

- Deleting the Resource Management Issues, Explanations, Environmental Results Anticipated, Other Methods, and Consent Procedures sections from the various chapters in the District Plan
- Deleting the assessment criteria for Discretionary Activities in the GEN-General Approach chapter

Plan Change I includes two further administrative changes:

- Deleting the term 'dwelling' from the District Plan and replacing 'dwelling' with 'residential unit' where it is used throughout the Plan. The definition for 'dwelling' is proposed to be subsequently deleted. Note the definition of 'residential unit' is already contained in the District Plan and no change to that definition is proposed.
- Deleting a Notable Tree from TREE-SCHED1.

This Plan Change is limited in scope to the above matters only. PCI does not seek to incorporate all definitions within the National Planning Standards. This will be done as substantive sections are reviewed as part of the wider Sectional District Plan review process.

3. Operative District Plan Review

The current District Plan became operative in December 2002. Section 79 of the Resource Management Act 1991 (RMA) requires Council to commence a review of its District Plan every 10 years. The District Plan can be reviewed in full or in sections. Manawatū District Council is reviewing the District Plan as a sectional plan review to lessen the administrative burden of reviewing the entire Plan within required statutory timeframes. It also enables the public to make comment on specific topics raised in the plan change. Council is conscious of the need to maintain a holistic view of the future to ensure that research and consultation for the Plan still achieve a high level of integration. Key focus areas for the review process are ensuring provisions are relevant for a local context,

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ensuring that the plan change gives effect to mandatory national standards and policy statements, and ensuring that the context and scale of any rules are appropriate to manage the issues raised.

Plan Change I proposes changes to align the District Plan with the Resource Management Act and sits adjacent to the Sectional District Plan Review project as it is more administrative in nature. PCI seeks to delete out-of-date content and improve the overall relevance of provisions for decision making. The deletion of these select sections within the Plan do not substantively affect the objectives, policies and rules which are fundamentally unchanged as a result of PCI.

Part 2 – Assessment Report

4. Plan Change Development

4.1 Plan Change I Direction

The scope of PCI is narrowed to those matters identified in Table 1 below.

Table 1 Key PCI Matters

Deletion of Issues, Explanations, Environmental Results Anticipated, Monitoring and Review Procedures, District Plan Methods, Other Methods, The Content and Structure of the District Plan, Procedural information, and Consent Procedures

Due to changes in legislation since the District Plan became operative in 2002, some material in the Plan has no legal status, is out of date or is not necessary for decision making under the District Plan. The sections proposed to be deleted under PCI include:

- Resource Management Issues
- Explanations
- Environmental Results Anticipated
- Monitoring and Review Procedures
- District Plan Methods
- Other Methods
- The Content and Structure of the District Plan
- Procedural information
- Consent Procedures

Given the comprehensive detail contained in the explanations, a specific assessment has been undertaken to assess the potential impact of their deletion. This assessment can be found in the Technical Planning Report: Evaluation of Explanations in Appendix 1.

The proposed removal of resource management issues has also been assessed in the Technical Planning Report: Evaluation of Resource Management Issues in Appendix 2.

The proposed removal of the Environmental Results Anticipated, Monitoring and Review, Methods, The Content and Structure of the District Plan, Procedural information, and Consent Procedures sections are all similar to the assessment of the Resource Management Issues in that they are not required to be included in District Plans under the Act. To avoid unnecessary repetition separate reports for these additional provisions has not been provided as they would merely repeat the report in Appendix 2.

Deletion of Assessment Criteria for Discretionary Activities

The Manawatū District Plan contains Assessment Criteria (AC) in its GEN-General Approach chapter which are associated with Discretionary Activities throughout the Plan. These provisions were previously contained in Rule A1. An evaluation of each criteria has been undertaken to assess whether the existing objectives and policies of the plan provide sufficient guidance for decision makers when assessing resource consent applications. The findings of the assessment can be found in the Technical Planning Report: Evaluation of Assessment Criteria for Discretionary Activities in Appendix 3.

For the avoidance of doubt, assessment criteria in the following chapters is not within the scope of PCI:

- KEN-Boarding Breeding and Training Kennels (KEN)
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- HH-Historic Heritage (HH)
- GRZ-General Residential Zone (GRZ) (specifically those provisions relating to the Maewa area of Feilding covered in GRZ-MAE-AC21 to 26).

Replacing ‘dwelling’ with ‘residential unit’ and deleting ‘dwelling’

Parts of the District Plan use ‘dwelling’ to define housing while sections reviewed more recently use the term ‘residential unit’. This has created a situation where the Operative District Plan has two terms to cover the same activity, thereby potentially creating confusion for Plan users. PCI proposes to undertake a Plan-wide replacement of dwelling with residential unit. The deletion of the definition of ‘dwelling’ is required as a consequential change. The definition of ‘residential unit’ is already contained in the District Plan. Making this change is consistent with the requirements of the National Planning Standards.

Consequential deletions of the term ‘dwelling’ have also occurred where the term appears throughout the Plan.

Delete Tree 4 from Notable Trees Schedule

The TREE-Notable Trees Chapter identifies a list of Notable Trees in the District Plan. Tree 4 at 3 Ranfurly Road, Feilding is proposed to be deleted from the Notable Trees Schedule (TREE-SCHED1). The tree suffered damage in a recent storm event which created a health and safety risk. This tree was cut down as a result and therefore is no longer appropriate to list in the District Plan.

Appendix 4 – Amended District Plan Chapters contains the complete changes to affected chapters of the District Plan.

Where deleted material has been cross-referenced throughout the Plan, a consequential deletion is required for consistency across the District Plan.

4.2 Chronology

The following table outlines the key milestones in preparing Proposed Plan Change I: Minor Amendments to date:

Table 2 PCI Chronology

Date	Activity
1 November 2019	National Planning Standards gazetted
17 June 2022	MDC commences work to transition the District Plan to National Planning Standards Format.
21 July 2023	Iwi and hapū contacted re: early engagement of potential changes.
10 October 2023	Council MakeYourMark engagement page online with information about the National Planning Standards project.
15 August 2024	Draft Plan Change released to Clause 3 Parties & District Plan stakeholders for comment.
30 August 2024	Clause 3 Feedback window closes.

September 2024	Proposed Plan Change I: Minor Amendments finalised and approval to notify sought from Council.
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5. Statutory Basis

This report has been prepared under Section 32 of the Act. A Section 32 evaluation requires an analysis to determine the extent to which the proposed objectives (the plan change) are the most appropriate way to achieve the purpose of the Act.

5.1 Part 2 of the Resource Management Act 1991

Section 5 sets out the purpose of the RMA, which is to promote the sustainable management of natural and physical resources. In achieving this purpose, authorities need also to recognise and provide for the matters of national importance identified in Section 6, have particular regard to other matters referred to in Section 7 and take into account the principles of the Treaty of Waitangi referred to in Section 8.

Under Section 5(2), sustainable management means managing the use, development, and protection of natural and physical resources to enable people and communities to provide for their social, economic and cultural wellbeing and for their health and safety.

Therefore this Report assesses whether the proposed plan change is the most appropriate way to achieve the purpose of the RMA.

5.2 Section 74 : Purpose and matters to be considered within District Plan

Section 74 of the RMA requires that where a district plan is changed, it must be changed in accordance with its functions under section 31, the purpose of the Act in section 5 and the other matters under sections 6, 7 and 8. The following section provides an overview of the relevant requirements and matters that need to be considered by district councils and district plans.

Functions of District Councils – Under section 31 of the Act, the functions of district councils includes the establishment, implementation and review of objectives, policies and methods to achieve integrated management of the effects of the use, development, or protection of land and associated natural and physical resources of the district.

Purpose of District Plans – Under section 72 of the Act, the purpose of district plans are to assist local councils in carrying out their functions in order to achieve the purpose of the Act.

Preparation of District Plans – Section 73 states that there must be one district plan at all times. It must be prepared by the Council in a manner set out in Schedule 1 of the Act.

Matters to be Considered by Territorial Authorities – the matters to be considered by a district council when preparing or changing its district plan are set out in section 74 of the Act. This requires councils to act in accordance with its functions under section 31, the provisions of Part 2, and its duty under section 32.

5.3 Section 32

Section 32 outlines the requirements for preparing and publishing evaluation reports. The evaluation report focuses only the changes proposed under the plan change.

Section 32 of the RMA –

- (1) *“An evaluation report required under this Act must -*
- (a) *examine the extent to which the objectives of the proposal being evaluated are the most appropriate way to achieve the purpose of this Act; and*
 - (b) *examine whether the provisions in the proposal are the most appropriate way to achieve the objectives by -*
 - (i) *identifying other reasonably practicable options for achieving the objectives; and*
 - (ii) *assessing the efficiency and effectiveness of the provisions in achieving the objectives; and*
 - (iii) *summarising the reasons for deciding on the provisions; and*
 - (c) *contain a level of detail that corresponds to the scale and significance of the environmental, economic, social, and cultural effects that are anticipated from the implementation of the proposal.*
- (2) *An assessment under subsection (1)(b)(ii) must -*
- (a) *identify and assess the benefits and costs of the environmental, economic, social, and cultural effects that are anticipated from the implementation of the provisions, including the opportunities for -*
 - (i) *economic growth that are anticipated to be provided or reduced; and*
 - (ii) *employment that are anticipated to be provided or reduced; and*
 - (b) *if practicable, quantify the benefits and costs referred to in paragraph (a); and*
 - (c) *assess the risk of acting or not acting if there is uncertain or insufficient information about the subject matter of the provisions. ...*
- (5) *The person who must have particular regard to the evaluation report must make the report available for public inspection –*
- (a) *as soon as practicable after the proposal is made (in the case of a standard, regulation, national policy statement, or New Zealand coastal policy statement); or*
 - (b) *at the same time as the proposal is notified.*
- (6) *In this section, –*
- objectives** *means, –*
- (a) *for a proposal that contains or states objectives, those objectives;*
 - (b) *for all other proposals, the purpose of the proposal*
- proposal** *means a proposed standard, statement, national planning standard, regulation, plan, or change for which an evaluation report must be prepared under this Act*
- provisions** *means, –*
- (a) *for a proposed plan or change, the policies, rules, or other methods that implement, or give effect to, the objectives of the proposed plan or change;*

(b) for all other proposals, the policies or provisions of the proposal that implement, or give effect to, the objectives of the proposal.”

This Report follows the requirements outlined in Section 32 above.

6. National Direction

6.1 National Policy Statements

There are seven National Policy Statements that have legal effect under the RMA. They are:

- National Policy Statement for Indigenous Biodiversity 2023
- National Policy Statement for Highly Productive Land 2024
- National Policy Statement on Urban Development 2020
- National Policy Statement for Freshwater Management 2020
- National Policy Statement for Renewable Electricity Generation 2011
- New Zealand Coastal Policy Statement 2010
- National Policy Statement for Electricity Transmission 2008

None of the National Policy Statements listed above are directly relevant to the limited scope of Plan Change I. Future plan changes will seek to give effect to national direction where relevant.

6.2 National Environmental Standards

The following National Environmental Standards (NES) are currently in force:

- NES for Commercial Forestry 2023
- NES for Storing Tyres Outdoors 2021
- NES for Freshwater 2020
- NES for Marine Aquaculture 2020
- NES for Telecommunication Facilities 2016
- NES for Assessing and Managing Contaminants in Soil to Protect Human Health 2011
- NES for Electricity Transmission Activities 2009
- NES for Sources of Drinking Water 2007
- NES for Air Quality 2004

None of the National Environmental Standards listed above are directly relevant to the limited scope of Plan Change I. Future plan changes will seek to give effect to national direction where relevant.

7. Other National Direction

7.1 National Planning Standards 2019

The National Planning Standards are the key piece of national direction informing Plan Change I. The Standards set out a required structure for District, Regional and Unitary plans. The reformatting of the District Plan completed in 2024 highlighted that parts of the District Plan could be further updated to delete material that is no longer required under the Act to be included in the Plan.

Deletion of this material will enable a smoother transition to an ePlan format in the future, as required by the National Planning Standards. Future plan changes will further implement the National Planning Standards where relevant.

8. Regional Direction

8.1 Regional Policy Statement – Horizons Regional Council One Plan

Horizons Regional Council's One Plan combines the Regional Policy Statement and Regional Plan into one document. The Manawatū District Plan is required to give effect to the Regional Policy Statement under section 75(3) of the RMA, and must not be inconsistent with a Regional Plan (section 75(4)(b)).

Given the narrow scope of PCI as outlined in section 4.1 of this Report, limited consideration of the One Plan is required. However, it is noted that the deletion of the explanations (and in some cases the assessment criteria) will mean that the District Plan better reflects the direction of the One Plan. This is because parts of the District Plan pre-date the One Plan. Future substantive plan changes, such as Plan Change A: Rural and Flood Channel Review will more appropriately address consistency with the One Plan as part of the wider Sectional District Plan Review.

9. Iwi Management Plans

At the time of preparing this Section 32 Report, one iwi management plan has been formally lodged with Manawatū District Council:

- **Rangitāne o Manawatū – Environmental Management Plan**

The Rangitāne o Manawatū Environmental Management Plan shows the statutory boundaries and areas of interest for the iwi. The document also outlines expectations when engaging with councils, one of which is Manawatū District Council.

Two iwi management plans are formally lodged with Horizons Regional Council, which have relevance to the Manawatū District:

- **The Rangitīkei Catchment Strategy and Action Plan**

Ngā Puna Rau o Rangitīkei (NPRR), of which Ngāti Hauiti is part of, has developed the Rangitīkei Catchment Strategy and Action Plan to provide a clear picture of how they would like to see the health and wellbeing of the Rangitīkei Awa and its tributaries, and the work programme that they think will result in restoration of the health of Awa and its catchment.

- **Ngāti Tūwharetoa Environmental Iwi Management Plan (2003)**

The Environmental Iwi Management Plan (EIMP) describes a number of issues related primarily to the Taupō rohe. Ngāti Tūwharetoa have a statutory area of interest in the Manawatū District, but this is not factored into the EIMP. Statutory interest areas for Tūwharetoa in the Manawatū District are mainly around the Reu Reu Valley, near Reu Reu Road and Pryces Line. The wider area of interest is shared across the river in the Rangitīkei District.

Given the narrow scope of PCI, this plan change is not considered to have a material impact on matters raised in the listed iwi management plans. Future plan changes will need to review all iwi management plans for relevance to the specific topic.

10. Local Direction

There are no specific Council documents or strategies that are considered relevant to PCI given the limited scope of this plan change. PCI is essentially an administrative plan change and does not seek to implement Council's strategic planning and direction.

11. Technical Advice and Input

In considering and preparing PCI, the Council has completed three Technical Planning Reports. The reports are as follows:

- Technical Planning Report: Evaluation of Explanations - a report to assess the potential implications of deleting explanatory text (explanations) from the District Plan. Refer to Appendix 1 for a copy of this Report.
- Technical Planning Report: Evaluation of Resource Management Issues - a report to assess the potential implications of deleting the Resource Management Issues from the District Plan. Refer to Appendix 2 for a copy of this Report.
- Technical Planning Report: Evaluation of Assessment Criteria for Discretionary Activities - a report to assess the potential implications of deleting Assessment Criteria for Discretionary Activities. Refer to Appendix 3 for a copy of this Report.

The key findings of each report are discussed below.

Technical Planning Report: Evaluation of Explanations

This Report outlines the various explanations in the District Plan and whether they include substantive matters that are essential to the implementation of the District Plan. The Report assesses each explanation throughout the various chapters of the District Plan and notes where the explanations have no legal effect, nor can they be used to support or justify a resource consent application or decision. The Report identifies that in most cases the explanations contain discussions similar to what is now expected within a Section 32 Report where the new provisions are explained and justified.

Overall the Report identifies that the explanations are unnecessary, and their deletion does not materially change the Objectives, Policies and Rules or the workability of the District Plan. All explanations throughout the District Plan are recommended to be deleted. Refer to Appendix 1 for a copy of this Report.

Technical Planning Report: Evaluation of Resource Management Issues

This Report considers the resource management issues in the District Plan and their relationship to the Act. The Report concludes that issues are no longer required to be included in district plans following amendments made to the Act in 2005, which made them optional for inclusion under section 75. The Report found that, while resource management issues have been part of the plan since it became operative in 2002, they cannot be used in resource consent processes to justify decision-making.

Overall the Report identifies that the resource management issues are not required, and their deletion does not substantially change the direction of the Objectives, Policies and Rules of the District Plan. The Resource Management Issues throughout the District Plan are recommended to be deleted. Refer to Appendix 2 for a copy of this Report.

Technical Planning Report: Evaluation of Assessment Criteria for Discretionary Activities

This Report analyses parts of the District Plan which contain assessment criteria for discretionary activities. These provisions were previously contained in Rule A1 of the old District Plan format and are now in the GEN-General Approach chapter. The assessment criteria in the GEN-General Approach chapter limit Council's discretion over Discretionary Activity applications. The Report discusses how, at the time these criteria were included, the Act did not describe Restricted Discretionary as an activity class. This change in the Act occurred in 2005. The Report finds that the assessment criteria are largely already included in the relevant chapter objectives and policies, or repeat the Act's requirements.

Overall, for these reasons outlined in the Report, the assessment criteria associated with discretionary activities in GEN-General Approach chapter are not required and it is recommended they are deleted from the District Plan. Refer to Appendix 3 for a copy of this Report.

12. Consultation

Clause 3 of the First Schedule of the RMA specifies those who must be consulted in the preparation or changing of a plan as follows:

3 Consultation

- (1) *During the preparation of a proposed policy statement or plan, the local authority concerned shall consult—*
 - (a) *the Minister for the Environment; and*
 - (b) *those other Ministers of the Crown who may be affected by the policy statement or plan; and*
 - (c) *local authorities who may be so affected; and*
 - (d) *the tangata whenua of the area who may be so affected, through iwi authorities; and*
 - (e) *any customary marine title group in the area.*
- (2) *A local authority may consult anyone else during the preparation of a proposed policy statement or plan. [...]*
- (4) *In consulting persons for the purposes of subclause (2), a local authority must undertake the consultation in accordance with section 82 of the Local Government Act 2002.*

4A Further pre-notification requirements concerning iwi authorities

- (1) *Before notifying a proposed policy statement or plan, a local authority must—*
 - (a) *provide a copy of the relevant draft proposed policy statement or plan to the iwi authorities consulted under clause 3(1)(d); and*
 - (b) *have particular regard to any advice received on a draft proposed policy statement or plan from those iwi authorities.*
- (2) *When a local authority provides a copy of the relevant draft proposed policy statement or plan in accordance with subclause (1), it must allow adequate time and opportunity for the iwi authorities to consider the draft and provide advice on it.*

To achieve the requirements of the Act, a range of consultation and information sharing initiatives have been carried out since the commencement of Plan Change I as outlined in the Chronology Section above.

12.1 Stakeholder Consultation

Council undertook clause 3 engagement in August 2024. A combination of methods were used to engage directly affected and interested parties for PCI, including: a public notice in the local paper, emails to District Plan stakeholders and Clause 3 parties, a letter to the owners of Notable Tree 4, and updates to Council’s consultation webpage Make Your Mark on Manawatū. Feedback on PCI was received from three (3) parties. Key issues raised in feedback on the Draft Plan Change I 2024 material included are outlined in Table 3 below.

Table 3 Key themes from stakeholder consultation

Stakeholder	Key themes
Horticulture New Zealand	<ul style="list-style-type: none"> • Supports alignment with the National Planning Standards • Supports the deletion of the specified notable tree • That use of the term ‘residential activity’ supports seasonal workers accommodation in the Rural Zone • Whether the ‘Introduction’ section of each chapter could be strengthened with the deletion of issues statements, to reflect the importance of each zone and the need to prioritise activities and manage effects at zone boundaries.
Federated Farmers	<ul style="list-style-type: none"> • Supports deletion of unnecessary wording • Supports consistency with the National Planning Standards
Kāinga Ora	<ul style="list-style-type: none"> • No comment to make at this time

Feedback on the draft proposal is generally supportive. Horticulture New Zealand have asked for consideration of seasonal workers accommodation. This matter will be included in the substantive Plan Change A: Rural and Flood Channel Review that Council is working on.

In relation to the Horticulture New Zealand comments about strengthening the ‘Introduction’ sections of each chapter, Council is working on a Sectional District Plan Review project. The substantive chapter-by-chapter reviews are the best place to review relevant content of the ‘Introduction’ sections. It is noted that the Introductions do not hold any substantive weight in terms of District Plan implementation.

12.2 Consultation with tangata whenua

Clause 4A of Schedule 1 of the RMA sets out the requirements for local authorities to consult with iwi authorities before notifying a proposed plan and to have particular regard to any advice received from those iwi authorities. Draft PCI was sent to all iwi authorities, marae and hapū throughout the District. At the time of preparing this report no feedback had been received.

Part 3: Statutory Evaluation

13. Scale and Significance

Section 32(1)(c) of the Act directs that this Evaluation Report needs to *contain a level of detail that corresponds to the scale and significance of the environmental, economic, social, and cultural effects that are anticipated from the implementation of the proposal.*

The eight factors below are used to assess the scale and significance of PCI. Each factor is scored low, low-moderate, moderate, moderate-high or high. This is consistent with the Ministry for the Environment’s guidance on section 32 reports.

The level of detail undertaken for the evaluation of the changes proposed in PCI has been determined by completing an assessment of the scale and significance of their implementation. The scale and significance assessment considers the environmental, economic, social and cultural effects of the provisions. In making this assessment regard has been had to whether the provisions meet the criteria in Table 4 below.

Table 4 Summary of Scale and Significance

	Low	Low-moderate	Moderate	Moderate-high	High
Degree of change from the Operative Plan	X				
Effects on matters of national importance (s6 RMA)	X				
Scale of effects – geographically (local, district wide, regional, national)	X				
Scale of effects on people (how many will be affected – single landowners, multiple landowners, neighbourhoods, the public generally, future generations?)	X				
Scale of effects on those with particular interests	X				
Degree of policy risk – does it involve effects that have been considered implicitly or	X				

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explicitly by higher order documents.					
Does it involve effects addressed by other standards/commonly accepted best practice	X				
Likelihood of increased costs or restrictions on individuals, businesses or communities.	X				

Due to the limited scope of PCI, the proposed changes do not materially change the objectives, policies or rules within the Operative District Plan. PCI is seeking to delete those sections of the District Plan that do not have legal weight, or where the existing objectives and policies provide sufficient guidance for decision makers when considering resource consent applications.

The overall scale and significance of this proposal has therefore been assessed as being low, recognising the proposed changes do not alter the overall direction of the District Plan provisions. This means that this evaluation report needs to contain a low level of detail and analysis including:

- A planning analysis of the approach to make the changes as outlined in Section 4 of this report,
- The conclusion of specific Technical Planning Reports (as outlined in Section 11 of this Report), and
- Engagement with key stakeholders, and consideration of their feedback.

14. Evaluation of Changes

Section 32 Reports are required to evaluate any proposed objectives as to whether they are the most appropriate to achieve the purpose of the Act. Section 32(6) of the Act provides direction around what objectives need to be assessed in this report:

objectives means,—

(a) for a proposal that contains or states objectives, those objectives:

(b) for all other proposals, the purpose of the proposal.

In this instance, PCI does contain one Objective that is subject to a minor change. GRZ-O1.1 in the General Residential Zone is proposed to be amended – replacing the word *dwelling* with *residential unit*. This change in terminology is not considered substantive.

Given there are no changes proposed to any of the other existing objectives, nor any additional objectives proposed, this assessment of the Objective is limited. The assessment completed at the time the objectives were introduced to the District Plan, either through the original adoption in 2002 or through subsequent plan changes, remains relevant and appropriate.

On the basis that PCI includes a number of changes which are unrelated to GRZ-O1.1, it is considered more appropriate to complete this S32 assessment against the *purpose of the proposal*.

The purpose of the proposal is:

to better align the Manawatū District Plan with the requirements of Resource Management Act 1991 (the Act). PCI does this by proposing to delete those sections of the operative Manawatū District Plan that are no longer required by the Act. ... A change in definition is also proposed to remove two terms being used to mean the same thing.

As outlined above in this Report, the deletion of those sections of the Plan that are no longer required by the Act does not alter the substantive provisions or direction contained in the Objectives, Policies and Rules of the District Plan. The administrative change regarding the deletion of the dwelling definition and replacing all references to residential unit throughout the plan are consistent with the National Planning Standards direction. Overall, for the matters outlined in this section 32 Report the purpose of PCI is considered to be the most appropriate (and only viable) way to achieve the purpose of the Act.

15. Section 32(1)(b) Evaluation of Provisions (Policies, Rules and other methods)

This section of the Report evaluates whether the provisions proposed under PCI are the most appropriate way to achieve the objectives by identifying other reasonably practicable options, assessing the efficiency and effectiveness of the provisions in achieving the objectives, and summarising the reasons for deciding on the provisions.

The assessment must identify and assess the benefits and costs of environmental, economic, social and cultural effects that are anticipated from the implementation of the provisions, including opportunities for economic growth and employment. Given the conclusion of the assessment in section 13 of this Report, specific quantification of the benefits and costs is not considered necessary. Instead the assessment below identifies generally where any additional cost(s) may lie. The assessment must (if practicable) quantify the benefits and costs and assess the risk of acting or not acting if there is uncertain or insufficient information available about the subject matter.

The changes proposed by PCI have been bundled to avoid unnecessary repetition.

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15.1 Deleting Resource Management Issues, Explanations, Environmental Results Anticipated, Monitoring and Review Procedures, District Plan Methods, Other Methods, The Content and Structure of the District Plan, Procedural information, and Consent Procedures

Plan topic: Deleting Resource Management Issues, Explanations, Environmental Results Anticipated, Monitoring and Review Procedures, District Plan Methods, Other Methods, The Content and Structure of the District Plan, Procedural information, and Consent Procedures			
Topic	Costs	Benefits	Risk of acting/not acting if there is uncertainty or insufficient information about the subject matter of the provisions
	<p>Environmental</p> <p>No environmental costs have been identified associated with the deletion of the above sections as they do not impact the existing objectives of the District Plan.</p> <p>Economic</p> <p>No economic costs have been identified associated with the deletion of the above list of sections. These sections have no legal effect on the consideration of resource consent applications or decisions under the District Plan.</p> <p>Social</p> <p>There are no social costs associated with the deletion of the sections listed above. The provisions are not required to be included in District Plans. Retaining the sections has the potential for greater confusion for plan users.</p> <p>Cultural</p>	<p>Environmental</p> <p>There are no clear environmental benefits resulting from the proposed deletion of the above sections as they have no legal effect when administering the District Plan. The deletion does not alter the substantive direction of the objectives, polices and rules in the District Plan.</p> <p>Economic</p> <p>There is potential confusion for plan users that the listed sections have legal weight in making decisions under the District Plan when they do not. The deletion of these sections from the District Plan will provide plan users with more certainty especially when there are conflicting statements in some sections of the Plan compared with the objectives, policies and plans.</p> <p>The deletion of these sections will assist in the future transition to an ePlan format as only the substantive matters will be within</p>	<p>As referenced earlier in this Report and in the relevant Technical Planning Reports in Appendix 1 and 2, the sections proposed to be deleted are not required to be included in the District Plan under section 75 of the Act.</p> <p>Council has sufficient information to make the proposed changes as a result of the evaluation undertaken in preparing this Plan Change. The deletion of these sections will also reduce the complexity for Council when transitioning the District Plan into an ePlan in the future.</p> <p>The legal effect of existing Objectives, Policies and Rules does not change as a result of the deletion of the listed sections of the District Plan.</p>

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Plan topic: Deleting Resource Management Issues, Explanations, Environmental Results Anticipated, Monitoring and Review Procedures, District Plan Methods, Other Methods, The Content and Structure of the District Plan, Procedural information, and Consent Procedures			
	<p>No cultural costs were identified with the deletion of the sections as they have no legal effect and do not alter the substantive provisions in the District Plan relating to tangata whenua matters.</p>	<p>an future ePlan, which will reduce the costs to Council at that time.</p> <p>Social</p> <p>Plan-users are able to find the sections they are looking for much easier with the deletion of those parts of the existing District Plan that have no legal effect.</p> <p>Cultural</p> <p>No cultural benefits have been identified with the deletion of the sections as they do not alter the substantive provisions in the District Plan.</p>	
<p>Effectiveness and Efficiency</p>	<p>Effectiveness</p> <p>The proposed deletion of the sections listed above is the most effective method to achieve a District Plan that only contains those matters required under the Act.</p> <p>One possible alternative approach exists. Council has been reviewing the District Plan on a chapter-by-chapter basis as part of the ongoing District Plan Review project. Council could choose not to delete these sections as part of PCI, and wait for the relevant chapter-by-chapter substantive review. This alternative option is not considered to be as effective. While a chapter-by-chapter reviews allows for a full substantive review, that project will continue to occur over a longer timeframe. This means that the District Plan will remain inconsistent in content for the foreseeable future. Equally, much of the text does not reflect updates to the Resource Management Act and practice since 2002.</p> <p>As outlined above, the sections being deleted have no substantive relevance to decision making. The significant benefit of making the changes is that savings that will apply when the plan is transitioned into an ePlan in the future. The deletion of the sections will improve the effectiveness of the Plan by removing potential conflict and confusion these sections could have for plan users, particularly as they have no legal effect.</p> <p>Efficiency</p>		

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	The proposed deletion of these sections is the most efficient way to remove those aspects of the District Plan that are not required under the Act. Deleting the sections now will assist future substantive plan changes which can focus analysis on the objectives, policies and rules of the specific chapter being reviewed. This will also increase efficiency when the District Plan is transitioned into an ePlan in the future.
Overall Evaluation	<p>The proposed deletion of the resource management issues, explanations, environmental results anticipated, monitoring and review procedures, other methods and the consent procedures is considered to be the most appropriate way to achieve the Act because:</p> <ul style="list-style-type: none"> • The changes reflect the provisions in section 75 of the Act that these sections are not required • Much of the content dates back to 2002 and has not been updated • The provisions have no legal effect and their deletion has not impact on the implementation of the District Plan, nor any future decision making on resource consent applications, and • Enables a streamlined transition to the ePlan format in the future.

15.2 Deleting Assessment Criteria for Discretionary Activities from the GEN-General Approach Chapter

District Wide			
Plan topic: Deleting Assessment Criteria for Discretionary Activities from the GEN-General Approach Chapter			
	Costs	Benefits	Risk of acting/not acting if there is uncertainty or insufficient information about the subject matter of the provisions
	<p><i>Environmental</i></p> <p>No direct environmental costs have been identified as the existing Objectives and Policies of the District Plan already provide appropriate guidance for consent decision making as outlined in the Technical</p>	<p><i>Environmental</i></p> <p>No specific environmental benefits have been identified on the basis that the existing objectives and policies of the District Plan already require the consideration of environmental matters. The deletion of the</p>	<p>As a result of the analysis undertaken in the Technical Planning Report for Assessment Criteria contained in Appendix 3, Council has sufficient information available to act. The analysis demonstrates that the assessment criteria for Discretionary Activities within the GEN-General Approach</p>

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District Wide			
Plan topic: Deleting Assessment Criteria for Discretionary Activities from the GEN-General Approach Chapter			
	Costs	Benefits	Risk of acting/not acting if there is uncertainty or insufficient information about the subject matter of the provisions
	<p>Planning Report: Assessment Criteria for Discretionary Activities in Appendix 3.</p> <p>Economic</p> <p>No economic costs have been identified as the deletion of the assessment criteria has no material impact on development outcomes under the Plan. The matters the criteria require to be considered by decision makers are already covered in the objectives and policies of the relevant chapters.</p> <p>Social</p> <p>No social costs have been identified with the deletion of the assessment criteria as social matters are already covered by the existing objectives and policies of the District Plan where relevant.</p> <p>Cultural</p> <p>No cultural costs have been identified as the deletion of assessment criteria is not considered to have an impact on tangata whenua matters when considering</p>	<p>assessment criteria removes any ambiguity on how these additional, and often repetitive provisions apply when considering full discretionary activity resource consent applications.</p> <p>Economic</p> <p>No economic benefits have been identified as the matters covered by the criteria are also covered in existing objectives and policies in the Plan.</p> <p>Social</p> <p>As outlined above, the criteria largely repeat the existing objectives and policies of the Plan. There is sufficient provisions in the existing District Plan to address social aspects of proposed activities in the future.</p> <p>Cultural</p> <p>No cultural benefits have been identified as the criteria do not directly consider tangata whenua matters. These provisions are already contained in the District Plan.</p>	<p>chapter largely repeat the existing objectives and policies of the relevant chapter in the District Plan.</p> <p>Not acting and retaining the assessment criteria within the GEN-General Approach chapter of the District Plan is considered to be an unnecessary duplication and would continue to create potential confusion for plan users.</p>

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District Wide			
Plan topic: Deleting Assessment Criteria for Discretionary Activities from the GEN-General Approach Chapter			
	Costs	Benefits	Risk of acting/not acting if there is uncertainty or insufficient information about the subject matter of the provisions
	resource consent matters through the Plan.		
Effectiveness and Efficiency	<p>Effectiveness</p> <p>As demonstrated in the Technical Planning Report in Appendix 3 the assessment criteria in the GEN-General Approach chapter merely repeat the existing objectives and policies or the Act provisions, and potentially create confusion on the weight that should be given to them in decision making processes. As outlined in the Technical Planning Report these criteria were introduced at a time when Restricted Discretionary Activities were not formally a consent classification option in the Act. The deletion of the GEN-AC is considered to be effective in achieving the objective of the Act as it reduces confusion and unnecessary repetition within the Plan. The deletion will also enable the future substantive plan changes to more easily identify changes for the objectives and policies as the decision making guidance is contained in one chapter.</p> <p>Efficiency</p> <p>The proposed deletions do not materially change how decision makers will process resource consent applications given that the assessment criteria in the GEN-General Approach chapter largely repeat existing provisions in the Plan. There are efficiencies with the objectives and policies for each chapter being in one place, rather than also having to refer to the Assessment Criteria in a General Approach chapter, particularly as the Plan transitions to an ePlan in the future.</p>		
Overall Evaluation	<p>The proposed deletion of the GEN-AC criteria is considered to be the most appropriate way to achieve the Act because:</p> <ul style="list-style-type: none"> • The Technical Planning Report in Appendix 3 demonstrates that the criteria largely repeat the existing objectives and policies of the Plan • The deletion of the criteria for Discretionary Activities provides greater clarity to plan users that the objectives and policies of the relevant chapter are considered in future decision making on resource consent applications, and • Enables a streamlined transition to the ePlan format in the future. 		

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15.3 Replacing ‘dwelling’ with ‘residential unit’, and deleting the definition of dwelling

Plan topic: Replacing ‘dwelling’ with ‘residential unit’, and deleting the definition of dwelling			
Topic	Costs	Benefits	Risk of acting/not acting if there is uncertainty or insufficient information about the subject matter of the provisions
	<p>Environmental</p> <p>No environmental costs have been identified as this change removes unnecessary duplication of provisions with the Plan. Environmental matters as outlined in the performance standards for housing will still be considered.</p> <p>Economic</p> <p>No economic costs have been identified as the change to residential unit and deletion of the dwelling definition does not alter the existing rule framework for housing under the Plan.</p> <p>Social</p> <p>As outlined above there are no changes to the performance standards for housing. On that basis there are considered to be no social costs have been identified as a result of this proposed change.</p> <p>Cultural</p> <p>No cultural costs have been identified as the replacement does not impact tangata whenua provisions in the Plan. Papakāinga</p>	<p>Environmental</p> <p>No additional environmental benefits have been identified as the change to residential unit and deletion of the dwelling definition will not impact the existing performance standards for housing in the District Plan.</p> <p>Economic</p> <p>No economic benefits have been identified as the proposed changes do not impact on the requirement to achieve the performance standards in the Plan to be permitted activities, nor alter the rules where the permitted activity is not achieved.</p> <p>Social</p> <p>As this is a definition change and there are no changes to the rule structure, no specific social impacts are expected as a result of this change. There is additional clarity for plan users as only one definition for housing will be used rather than the two currently in the District Plan. This will make the Plan easier to navigate for Plan users.</p> <p>Cultural</p>	<p>There is sufficient information for Council to act now and replace the term dwelling with residential unit throughout the District Plan, and to delete the dwelling definition. The term residential unit is already in the District Plan and is consistent with the National Planning Standards definition. No changes to the rules for dwellings or residential units are proposed meaning that there is no substantive change to how housing is provided for in the District Plan.</p> <p>Specific changes to housing provisions are being considered with Plan Change A: Rural and Flood Channel Review, Plan Change B: Residential and Plan Change E: Town Centre Review. On that basis, it is considered Council has sufficient information to make this change to the District Plan as proposed.</p>

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Plan topic: Replacing 'dwelling' with 'residential unit', and deleting the definition of dwelling			
Topic	Costs	Benefits	Risk of acting/not acting if there is uncertainty or insufficient information about the subject matter of the provisions
	development in the General Rural Zone is proposed to be updated through Plan Change A: Rural and Flood Channel Review.	No specific cultural benefits have been identified as the definition replacement does not impact tangata whenua provisions in the Plan. As noted earlier, papakāinga development in the General Rural Zone is proposed to be updated through Plan Change A: Rural and Flood Channel Review and consultation with tangata whenua is occurring through that process.	
Effectiveness and Efficiency	<p>Effectiveness</p> <p>While this change is a relatively minor definition change, it does remove unnecessary duplication of terms that essentially mean the same thing in the District Plan. This change also seeks to align the District Plan with the National Planning Standards definition for housing. This change does not seek to amend any rules that relate to dwellings or residential units. Any substantive changes will be through future plan changes as identified above.</p> <p>Efficiency</p> <p>Reducing the amount of terms referring to essentially the same thing is an appropriate way to achieve the Act and avoid any confusion for plan users.</p>		
Overall Evaluation	<p>There is an overall neutral assessment when assessing the overall costs and benefits of this specific change to the District Plan. There are currently two definitions for housing in the District Plan being dwelling and residential unit. As discussed earlier in the report the definitions essentially refer to the same thing and therefore this change is considered to be a minor change to the District Plan. Any substantive changes to housing rules in the District Plan will be part of future plan changes as identified above.</p>		

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15.4 Deletion of Tree 4 from TREE-SCHED1

Tree 4 was a red oak tree (*Quercus rubra*) at 3 Ranfurly Road, Feilding. The tree sustained damage during a storm, while also damaging nearby property. After being deemed unsafe, the tree was cut down. As the tree no longer exists, it is no longer appropriate for this tree to be listed in TREE-SCHED1.

Plan topic: Deletion of Tree 4 from TREE-SCHED1			
Topic	Costs	Benefits	Risk of acting/not acting if there is uncertainty or insufficient information about the subject matter of the provisions
	<p>Environmental</p> <p>No environmental costs identified</p> <p>Economic</p> <p>No economic costs identified</p> <p>Social</p> <p>No social costs identified</p> <p>Cultural</p> <p>No cultural costs identified</p>	<p>Environmental</p> <p>No environmental benefits identified</p> <p>Economic</p> <p>No economic benefits identified</p> <p>Social</p> <p>No social benefits identified</p> <p>Cultural</p> <p>No cultural benefits identified</p>	<p>Council has information to act in this case. There is no requirement to retain a listed item when it has already been removed from its site for appropriate reasons.</p>
Effectiveness and Efficiency	<p>Effectiveness</p> <p>The proposed changes are effective in ensuring the District Plan Schedule is up to date and remains relevant.</p> <p>Efficiency</p> <p>As the proposed changes are a deletion rather than an addition, the proposed changes are efficient in that they do not create any cost to society.</p>		
Overall Evaluation	<p>Deletion of the Tree is an administrative update to the District Plan and ensures the District Plan schedule is up to date and remains relevant.</p>		

15.5 Section 32 Part 2 Conclusion

On the basis of the above assessment and accompanying Technical Planning Reports, the proposed changes presented in proposed Plan Change I: Minor Amendments are consistent with Council's statutory obligations under the Act.

This evaluation has been undertaken in accordance with Section 32 of the Act in order to identify the need, benefits and costs arising from proposed Plan Change I. Care has been taken to evaluate the appropriateness of the proposed approach with regard to its effectiveness and efficiency relative to other means of achieving the purpose of the Act. The evaluation demonstrates that the proposed plan change meets the requirements of Section 32 of the Act.

Appendices

Appendix 1 – Technical Planning Report: Evaluation of Explanations

Appendix 2 – Technical Planning Report: Evaluation of Issues

Appendix 3 – Technical Planning Report: Evaluation of Assessment Criteria for Discretionary Activities

Appendix 4 – Amended District Plan Chapters