

Appendix 25

Resource Management Act Check List

SECTION	PROVISION	INCLUDED / COMMENT
SECTION 74		
74(1)	A territorial authority must prepare and change its district plan in accordance with a-f below	
74(1)(a)	Functions under s31 (Vires)	Private Plan Change will be processed by Council
74(1)(b)	Provisions of Part 2	Section 8, in particular sections 8.1.1, 8.2.1, 8.2.3, 8.2.4
74(1)(c)	Directions under s25A(2)	NA
74(1)(d)	Obligated to prepare a s32 evaluation	Entire Report & Specifics of s32 included in Part II of Report
74(1)(e)	Obligation to have regard to an evaluation report prepared in accordance with s32	Section 9 of the report
74(1)(f)	Any Regulations	NA
74(2)	In addition to the requirements of section 75(3) and (4), when preparing or changing a district plan, a territorial authority shall have regard to a-c	
74(2)(a)(i)	Proposed Regional Policy Statement	Section 8.2.2
74(2)(a)(ii)	Proposed Regional Plans	Section 8.2.3, 8.2.4, 8.2.5
74(2)(b)(i)	Management Plans & Strategies under other Acts	Section 6.2.2, Non Statutory – Section 8.2.10.1- 8.2.10.4
74(2)(b)(ii)	Repealed	NA
74(2)(b)(ii)(a)	Relevant entry on NZ Heritage List	NA
74(2)(b)(iii)	Regulations relating to ensuring sustainability or conservation of fishing resources	NA
74(2)(c)	Whether plan needs to be consistent with adjacent territorial authorities	No requirement
74(2A)	Account of relevant iwi planning documents to the extent that its content has a bearing on resource management issues	Section 6.2.2
74(3)	Must not have regard to Trade Competition	Appendix 8
SECTION 75		
75(1)(a)	Objectives	No Change to Objectives
75(1)(b)	Policies	No Change to Policies

75(1)(b)	Rules	Plan Change amends rules & seeks to include CPTED & other matters
75(2)		NA
75(3)	A District Plan must give effect to	
75(3)(a)	Effect to any national policy statement	Section 8.1.9
75(3)(b)	Effect to NZ Coastal Policy Statement	Section 8.2.1
75(3)(c)	Any regional policy statement	Section 8.2.2
74(4)	A District Plan must not be inconsistent with	
75(4)(a)	Water Conservation Order	NA
75(4)(b)	A regional plan for any matter specified in s30(1)	Section 8.2.3-8.2.5
75(5)	Any material incorporated by reference under Part 3 of Schedule 1	NA
SECTION 32		
32(1)(a)	extent to which objectives of proposal being evaluated are the most appropriate way to achieve the purpose of the Act	Section 8,10,11,12
32(1)(b)(i)	examine whether the provisions of the proposal are the most appropriate way to achieve the objectives by - identifying other reasonably practical options for achieving objectives	Section 8,10,11,12
32(1)(b)(ii)	examine whether the provisions of the proposal are the most appropriate way to achieve the objectives by - assessing the efficiency and effectiveness of the provisions in achieving the objectives	Section 8,10,11,12
32(1)(b)(c)	examine whether the provisions of the proposal are the most appropriate way to achieve the objectives by - summarizing the reasons for deciding on the provisions	Section 10,11,12
32(1)(c)	contain a level of detail that corresponds to scale and significance of the environmental, economic, social and cultural effects anticipated from the implementation of the proposal	Appendix 23
32(2)(a)(i)	Identify and assess the benefits and costs of the environmental, economic, social and cultural effects that are anticipated from implementation of provisions, including - economic growth that are anticipated to be	Section 9,10,11,12 Appendix 8

	provided or reduced	
32(2)(a)(ii)	Identify and assess the benefits and costs of the environmental, economic, social and cultural effects that are anticipated from implementation of provisions, including <ul style="list-style-type: none"> - employment that are anticipated to be provided or reduced 	Section 9,10,11,12 Appendix 8
32(2)(b)	If practicable, quantify the benefits and costs referred to in 32(2)(a)(i & ii)	Section 9,10,11,12 Appendix 8
32(2)(c)	Assess the risk of acting or not acting if there is uncertain or insufficient information about the subject matter of the provisions	Section 12
32(3)(a)	If the proposal (an amending proposal) will amend a standard, statement, regulation, plan or change that is already proposed or that already exists (an existing proposal), the examination under subsection 1(b) must relate to <ul style="list-style-type: none"> - the provisions and objectives of the amending proposal 	Will not amend a Plan or Change that is already proposed. Will amend existing Plan
32(3)(b)(i)	If the proposal (an amending proposal) will amend a standard, statement, regulation, plan or change that is already proposed or that already exists (an existing proposal), the examination under subsection 1(b) must relate to <ul style="list-style-type: none"> - the objectives of the existing proposal to the extent that those objectives are relevant to the objectives of the amending proposal 	Section 11,12
32(3)(b)(ii)	If the proposal (an amending proposal) will amend a standard, statement, regulation, plan or change that is already proposed or that already exists (an existing proposal), the examination under subsection 1(b) must relate to <ul style="list-style-type: none"> - the objectives of the existing proposal to the extent that those objectives would remain if the amending proposal were to take effect 	Section 11,12
32(4)	If the proposal will impose a greater prohibition or restriction on an activity to which a national environmental standard applies than the existing prohibitions or restrictions in that standard, the evaluation report must examine whether the prohibition or restriction is justified in the circumstances of each region or district in which the prohibition or restriction would have effect	Does not impose greater prohibitions or restrictions to which any NES applies See Appendix 19 and Section 6.2.6
32(5)	Must make the evaluation report available for public inspection <ul style="list-style-type: none"> (a) as soon as practicable after the proposal is made (in the case of a standard or regulation (b) at the same time as the proposal is publicly notified 	Intention to make evaluation report available at the proposal is publicly notified

Objective means	<p>(a) for a [*]proposal that contains or states objectives, those objectives:</p> <p>(b) for all other proposals, the purpose of the proposal</p>	Applied
Proposal means	a proposed standard, statement, regulation, plan, or change for which an evaluation report must be prepared under this Act	Applied
Provision means	<p>(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:</p> <p>(b) for all other proposals, the policies or provisions of the proposal that implement, or give effect to, the objectives of the proposal.</p>	Applied