

# **Appendix 16**

**Section 32 Evaluation Report**

**Checklist**

<b>Section 32 Checklist Section</b>	<b>Provision</b>	<b>Included / comment</b>
<b>Section 74</b>		
<b>74(1)</b>	<b>A territorial authority must prepare and change its District Plan in accordance with a-f below.</b>	
74(1)(a)	Functions under s31. Establishment, implementation and review of objectives and policies and control of any actual or potential effects of the use, development or protection of land.	Consistent with Council's functions. This Plan Change reviews objectives and policies and rules that manage potential effects (risks).
74(1)(b)	Provisions of Part 2.	s5.2 and s5.3.
74(1)(c)	Directions under s25A(2).	s5.9.
74(1)(d)	Obligated to prepare a s32 Evaluation Report.	Entire Report and Specifics of s32 included in Report.
74(1)(e)	Obligation to have regard to an Evaluation Report prepared in accordance with s32.	Regard has been had to the contents of the entire Report in the formulation of the proposal.
74(1)(f)	Any Regulations.	N/A.
<b>74(2)</b>	<b>In addition to the requirements of s75(3) and (4), when preparing or changing a District Plan, a territorial authority shall have regard to a-c.</b>	
74(2)(a)(i)	Proposed Regional Policy Statement.	N/A - Proposed Regional Policy Statement became Operative on 09 May 2016.
74(2)(a)(ii)	Proposed Regional Plans.	There are no Proposed Regional Plans.
74(2)(b)(i)	Management Plans and Strategies under other Acts.	s5.8.
74(2)(b)(ii)	Repealed.	N/A
74(2)(b)(ii)(a)	Relevant entry on New Zealand Heritage List.	s5.10.
74(2)(b)(iii)	Regulations relating to ensuring sustainability or conservation of fishing resources.	s5.11.
74(2)(c)	Whether plan needs to be consistent with adjacent territorial authorities.	s5.12.
74(2A)	Account of relevant iwi planning documents to the extent that its content has a bearing on resource management issues.	s5.13.
74(3)	Must not have regard to Trade Competition.	s5.14.

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<b>SECTION 75</b>		
75(1)(a)	Objectives.	A new Objective is proposed - Refer s1.2.
75(1)(b)	Policies.	New Policies are proposed - Refer s1.2.
75(1)(b)	Rules.	Plan Change proposes to amends rules - Refer s1.2 and s1.3.
75(2)		N/A.
<b>75(3)</b>	<b>A District Plan must give effect to:</b>	
75(3)(a)	Effect to any National Policy Statement.	s5.4.
75(3)(b)	Effect to New Zealand Coastal Policy Statement.	s5.4.
75(3)(c)	Any Regional Policy Statement	s5.6.
<b>74(4)</b>	<b>A District Plan must not be inconsistent with:</b>	
75(4)(a)	Water Conservation Order.	s5.15.
75(4)(b)	A regional plan for any matter specified in s30(1).	s5.7.
75(5)	Any material incorporated by reference under Part 3 of Schedule 1.	s5.16.
<b>SECTION 32</b>		
32(1)(a)	Extent to which objectives of proposal being evaluated are the most appropriate way to achieve the purpose of the Act.	s6.7.
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.	s6.7.
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.	s6.6.
32(1)(b)(c)	Examine whether the provisions of the proposal are the most appropriate way to achieve the objectives by: - summarising the reasons for deciding on the provisions.	s6.6.

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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.	It is considered that this Evaluation Report contains a level of detail that corresponds to the significance of the issue of fire safety. Sections 1.3; 1.4; 2.1-2.4; 3.1; 3.3 and 3.4-3.10 set out research undertaken and implications of the Plan Change.
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: <ul style="list-style-type: none"> <li>- economic growth that is anticipated to be provided or reduced.</li> </ul>	Sections 5.2, 5.13, 6.5 and 6.6.
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"> <li>- employment that is anticipated to be provided or reduced.</li> </ul>	Sections 5.2, 5.13, 6.5 and 6.6.
32(2)(b)	If practicable, quantify the benefits and costs referred to in 32(2)(a)(i & ii).	Sections 6.4 and 6.6.
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.	Sections 3.2 and 6.6.
32(3)(a)	If the proposal (an <b>amending proposal</b> ) will amend a standard, statement, regulation, plan or change that is already proposed or that already exists (an <b>existing proposal</b> ), the examination under subsection 1(b) must relate to: <ul style="list-style-type: none"> <li>- the provisions and objectives of the amending proposal.</li> </ul>	Will not amend a Plan or Change that is already proposed. Plan Change 2 is to be withdrawn. This is a new proposal - refer s1.2.
32(3)(b)(i)	If the proposal (an <b>amending proposal</b> ) will amend a standard, statement, regulation, plan or change that is already proposed or that already exists (an <b>existing proposal</b> ), the examination under subsection 1(b) must relate to:	Will not amend a Plan or Change that is already proposed. Plan Change 2 is to be withdrawn.

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	<ul style="list-style-type: none"> <li>- the objectives of the existing proposal to the extent that those objectives are relevant to the objectives of the amending proposal.</li> </ul>	This is a new proposal refer s1.2.
32(3)(b)(ii)	<p>If the proposal (an <b>amending proposal</b>) will amend a standard, statement, regulation, plan or change that is already proposed or that already exists (an <b>existing proposal</b>), the examination under subsection 1(b) must relate to:</p> <ul style="list-style-type: none"> <li>- the objectives of the existing proposal to the extent that those objectives would remain if the amending proposal was to take effect.</li> </ul>	<p>Will not amend a Plan or Change that is already proposed.</p> <p>Plan Change 2 is to be withdrawn.</p> <p>This is a new proposal - refer s1.2.</p>
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. Refer s5.5.
32(5)	<p>Must make the Evaluation Report available for public inspection:</p> <p>(a) as soon as practicable after the proposal is made (in the case of a standard or regulation);</p> <p>(b) at the same time as the proposal is publicly notified.</p>	This Evaluation Report will be made available for public inspection at the time of notification. The Public Notice specifies that there is an Evaluation Report that accompanies this Plan Change in accordance with sections 32, 74 and 75 of the Resource Management Act.
<b>Objective</b> 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>	An objective is proposed – sections 1.2 and 6.7.
<b>Proposal</b> means	A proposed standard, statement, regulation, plan or change for which an Evaluation Report must be prepared under the RMA.	S1.2 sets out the proposal. The entire Evaluation Report read together provides reasons for the proposal.
<b>Provision</b> means	(a) for a proposed plan or change, the policies, rules or other methods that implement, or	The proposal is to add policies, change Fire Safety Rules (Land

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	<p>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>	<p>Use), add other methods and an outcome to the District Plan.</p> <p>The proposal seeks to retain the subdivision rules as currently written.</p> <p>Sections 1.2; 2.4.1; 2.4.2 and 6.6.</p>