

	Resource Management Act 1991 Waimakariri District Council Waimakariri District Plan Section 32 Report	Plan Change 6
Technical amendments to the District Plan		

This report assesses Plan Change 6 in terms of Section 32 of the Resource Management Act 1991; it should be read in conjunction with the Plan Change Report.

Section 32 requires Territorial authorities to:

- A. Examine:
1. The extent to which each Objective (in the plan) is the most appropriate way to achieve the purpose of the Act, and
 2. Whether, having regard to their efficiency and effectiveness, the Policies, Rules, or Other Methods are the most appropriate for achieving the Objectives.
- B. Take into account in the course of that evaluation:
1. The likely benefits and costs of Policies, Rules, or Other Methods, and
 2. The risk of acting or not acting if there is uncertain or insufficient information.

1.0 THE PURPOSE OF THE ACT

The purpose of the Resource Management Act 1991 is contained in Section 5 of the Act and is stated as being:

‘.....to promote the sustainable management of natural and physical resources’.

“...sustainable management means managing the use, development, and protection of natural and physical resources in a way, or at a rate, which enables people and communities to provide for their social, economic, and cultural well being, and for their health and safety while –

- (a) *Sustaining the potential of natural and physical resource (excluding minerals) to meet the reasonable foreseeable needs of future generations; and*
- (b) *Safeguarding the life-supporting capacity of air, water, soil, and ecosystems; and*
- (c) *Avoiding, remedying, or mitigating and adverse effects of activities on the environment.”*

The Waimakariri District Plan sets out the resource management issues of the District. Relative to the identified Issues are appropriate Objectives and Policies. The Objectives and Policies in the District Plan should represent the most suitable mechanisms by which to promote the sustainable management of natural and physical resources within the District, and thereby to achieve the purpose of the Act. Rules provide for the implementation of those Objectives and Policies. If they do not, it is appropriate to change them so that they do.

In addition sections 6 (Matters of national importance) and 7 (Other matters) set out certain matters that are to be addressed in the process of achieving sustainable management of natural and physical resources.

2.0 EXTENT TO WHICH THE OBJECTIVES IN THE DISTRICT PLAN ACHIEVE THE PURPOSE OF THE ACT

A process of public consultation was undertaken during the development of the District Plan to identify:

- Issues of resource management importance within the District
- Objectives that identify an appropriate state of the environment with regards to the identified Issue.

It is therefore appropriate to interpret the Objectives as achieving the purpose of the Act i.e. sustainable management of natural and physical resources within the Waimakariri District.

2.1 Appropriateness of the Policies, Rules, or Other Methods in achieving the Objective.

In assessing whether the Policies, Rules, or Other Methods are appropriate, the Council must have regard to the efficiency and effectiveness of those Policies and Rules in achieving the Objectives.

- *Effectiveness* refers to the chosen option being a practical and workable solution with the potential to generate desired environmental outcomes, as determined by the Objectives of the District Plan.
- *Efficiency* refers to the ratio of benefits to costs of a particular option. The option that produces the greatest level of environmental, economic, and social net benefits to the community is the most efficient option. Efficiency is measured in both monetary and non-monetary terms.

Through a process of public consultation and community involvement, the Council has developed:

- Policies that promote actions that will potentially result in the achievement of the Objectives.
- Rules that achieve the Policies.

While amendments to various parts of the District Plan will from time to time be required to achieve sustainable management in a changing environment, when those various components are not under challenge they can be regarded as appropriate to achieve sustainable management. However, minor inconsistencies and areas of uncertainty within the District Plan nevertheless surface from time to time, particularly when implementing Rules in relation to resource consent applications. It is necessary to remedy these matters to ensure that the Objectives are achieved in an efficient and effective manner.

3.0 THE PLAN CHANGE – EVALUATION OF OPTIONS

3.1 Benefits and costs

The Council is required to evaluate the changes in terms of the potential costs and benefits to the community. The Plan Change proposes multiple minor amendments to the District Plan that will ensure effective and efficient functioning and correct interpretation of its contents. This will provide benefits to both the Council and

resource consent applicants by removing uncertainty and inconsistencies. Overall, the benefits of the Plan Change are considered to be greater than the costs.

3.2 The risk of acting or not acting

The Resource Management Act requires evaluation of the risk of acting or not acting if there is uncertain or insufficient information.

There is no discernable risk from undertaking the Plan Change as proposed.

The risk of not undertaking the Plan Change as proposed is that uncertainty, inconsistencies and incorrect interpretations will continue to adversely affect efficient and effective implementation of the District Plan. Section 5 of the Act is therefore unlikely to be achievable.

3.3 Is the Plan Change an appropriate means to achieve efficient and effective outcomes?

The Council is required to determine whether, having regard to efficiency and effectiveness, the changes are appropriate to achieve the Objectives of the District Plan.

It has been determined above that the correction of minor inconsistencies and providing clarification will assist effective and efficient implementation of the District Plan. It can be expected that outcomes from that implementation will also be more efficient and effective.

TABLE 1: ANALYSIS OF EFFICIENCY AND EFFECTIVENESS OF POLICIES, RULES, OR OTHER METHODS IN ACHIEVING THE OBJECTIVE

Analysis Criteria – Rules and Other Methods

	Dependable	Acceptable	Enforceable	Monitoring feasible/affordable	Practically feasible	Minimal time required to take effect	Low financial cost of implementation	Equitable
No amendments	X	X	X	X	X	✓	✓	X
Amendments as proposed	✓	✓	✓	✓	✓	✓	✓	✓
Liaison	X	?	NA	NA	✓	X	X	?
Monitoring	X	X	X	X	X	✓	X	X

TABLE 2: Environmental benefits and costs of Options relative to the Objectives and Policies of the District Plan.

APPROACH	Environmental Benefits	Environmental Costs	Economic & Social Benefits	Economic & Social Costs
OPTION 1 – No amendments	Benefits may not be realised due to confusion and inconsistency	Outcomes sought may not be achieved	Will allow development to occur within prescribed guidelines	Adverse effects from inappropriate development and uses may occur
OPTION 2 – Amendments as proposed	Avoidance or mitigation of potential adverse effects to amenity values, character of the rural environment and environmental quality.	None perceived	More certainty about the environmental outcomes to be expected	May constrain some activities or opportunities

4.0 REASONS FOR ADOPTING THE CHOSEN OPTION

The Objectives, Policies and Rules of the District Plan must be achieved in the most efficient and effective way if sustainable management of natural and physical resources within the Waimakariri District is to be realized. The amendments proposed in Plan Change 6 will assist effective and efficient achievement of the Objectives and Policies. Increased efficiency and effectiveness will assist in:

- Providing for integrated management of the environment in the District.
- Providing the greatest amount of environmental, economic and social benefits.

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