

Appendix 6 – Section 32AA Evaluations

1. Where the Panel agrees with amendments to the notified provisions as recommended in the s42A reports or right of reply, the Panel adopts the further evaluations prepared under the requirements of s32AA of the RMA as provided in those documents.
2. Where the Panel recommends amendments to provisions that are different from or additional to the recommendations contained in the s42A reports or right of reply, the Panel provides the following further evaluations for those changes as required by s32AA of the RMA.
3. The evaluation is undertaken at a level of detail that corresponds to the scale and significance of the changes, and builds upon the discussion and evaluation already undertaken in the Panel's recommendation report. As a consequence, the recommendation report and the s32AA evaluation below must be considered together.

SARZ-S7

4. As set out in the Panel's recommendation report, it is recommended that the maximum number of shooting days for the Hutt Valley Clay Target Club as proposed by SARZ-S7 is amended from 100 days to 80 days as per the existing certificate of compliance.
5. The recommended amendments to SARZ-S7 in response to matters raised by submitters are more appropriate in achieving the relevant objectives of PC49 than the notified provisions. In particular:
 - (a) The recommended amendment will not have any greater environmental, social, or cultural costs than the notified provisions. However, there may be increased economic costs on the Hutt Valley Clay Target Club as a result of having to prepare a resource consent application complete with supporting evidence to seek an increase to the maximum number of annual shooting days.
 - (b) The recommended amendment will ensure that the existing effects arising from the operation of the Club on the wider rural environment will not increase without sufficient supporting evidence and the identification of potential methods to avoid, remedy or mitigate adverse effects on the environment. The amendments are more efficient and effective than the notified provisions in achieving the objectives of PC49 and the existing objectives of the District Plan including those located within the Rural Zone chapter and the Noise chapter.
 - (c) The recommended amendment to SARZ-S7 will not have any greater environmental, social, or cultural effects than the notified provisions, but may result in increased economic effects on the Hutt Valley Clay Target Club as a result of having to apply for resource consent to increase the maximum number of annual shooting days as discussed above. It is considered that the amendment may result in a reduction in environmental and social effects on occupants of the surrounding sites due to reduced noise effects arising from fewer shooting days compared to the notified provisions.

- (d) The recommended amendment provides greater certainty than the notified provisions through limiting the noise effects on the surrounding rural environment to those already known. Increasing the number of shooting days would require an appropriate evidence base and potential supporting methods to avoid, remedy, or mitigate adverse effects. This provides greater certainty regarding actual and potential adverse effects on the environment that may arise from an increase in shooting days.
- (e) The potential impacts on economic growth and employment are considered to be low.
- (f) There are considered to be no risks in making the recommended amendment to SARZ-S7, and there is considered to be sufficient information on the subject matter.

Correction of errors, improve clarity, consistency, address unanticipated outcomes

- 6. For the reasons specified in the Panel's recommendation report, it is recommended that amendments are made across numerous PC49 provisions to correct errors, improve clarity, consistency, and address unanticipated outcomes.
- 7. The recommended amendments in response to matters raised by submitters are more appropriate in achieving the relevant objectives of PC49 than the notified provisions. In particular:
 - (a) The recommended amendments to multiple provisions across PC49 are more efficient and effective than the notified provisions in achieving the objectives of the of PC49 as the amendments will ensure the provisions can be implemented with greater clarity and fewer unanticipated outcomes.
 - (b) The recommended amendments will not have any greater environmental, social, cultural, or economic effects or costs than the notified provisions. There will be benefits for plan implementation as a result of greater clarity.
 - (c) There are no risks associated with the recommended amendments.

NOSZ-P6

- 8. For the reasons specified in the Panel's recommendation report, it is recommended that proposed policy NOSZ-P6 be deleted.
- 9. The recommended deletion of NOSZ-P6 in response to matters raised by submitters is more appropriate in achieving the relevant objectives of PC49, Variation 1, and those of the operative District Plan than the notified provisions. In particular:
 - (a) The recommended amendment will not have any greater environmental, social, economic or cultural costs than the notified provisions. However, there may be economic benefits to the Council resulting from more efficient and less contentious resource consent processes due to the removal of policy conflict within the Natural

Open Space Zone. The term 'enable' could not be achieved via the rules and standards proposed by Variation due to the existence of higher-level operative rules within other chapters of the District Plan.

- (b) The recommended deletion of NOSZ-P6 will not have any greater environmental, social, economic or cultural effects than the notified provisions. The removal of policy conflict that did not align with the relevant operative rules for roading and network utility infrastructure will not alter the consent path, or the more directive policy direction for considering the actual and potential effects of a road and associated infrastructure on the site.
- (c) The recommended deletion will improve plan implementation by eliminating a clear policy conflict that would otherwise exist between NOSZ-P6 and more directive proposed policies for the Natural Open Space Zone. It will also eliminate the potential policy conflict with the direction within proposed policy NOSZ-P7 with respect to the avoidance of specific adverse effects on indigenous biodiversity within the identified SNA on the Silverstream Spur site. This increased certainty for plan implementation may result in more cost and time efficient regulatory processes as the policy conflicts will not need to be resolved as part of the resource consent process.
- (d) The potential impacts on economic growth and employment are considered to be low.
- (e) The deletion of NOSZ-P6 will reduce risk and uncertainty by removing significant policy conflicts within the NOSZ zone provisions. It is acknowledged that the deletion of the policy does not help deliver the infrastructure-specific provisions that were intended for the site, however as set out in the recommendation report the intention for site-specific infrastructure provisions to treat the site differently to other sites could not be delivered by the notified provisions.
- (f) In terms of potential alternative methods to achieve the Council's aim of enabling infrastructure on the site, it is noted that Council has requiring authority powers under the RMA. It is considered the notice of requirement process may provide a more efficient and effective method to achieve the Council's intentions for the site.

NOSZ-P7

- 10. For the reasons specified in the Panel's recommendation report, it is recommended that amendments be made to proposed policy NOSZ-P7 so that the policy direction for the management of adverse effects on the identified SNA on the Silverstream Spur gives effect to the requirements of the NPS-IB.
- 11. The recommended amendments to NOSZ-P7 in response to matters raised by submitters is more appropriate in achieving the relevant objectives of PC49, Variation 1, and those of the operative District Plan than the notified provisions. In particular:
 - (a) The recommended amendments will give effect to the requirements of clause 3.10 of the NPS-IB, therefore ensuring the Council is meeting its statutory requirements. The policy direction sets a primary avoidance direction for adverse effects on indigenous biodiversity within the identified SNA, followed by the application of the effects management hierarchy for other adverse effects. The recommended amendments to

the policy clearly sets the nationally-prescribed policy direction, resulting in increased clarity and more efficient and effective decision-making processes for applicants and the Council.

- (b) The recommended amendments to NOSZ-P7 will not have any greater environmental, social, or cultural effects or costs than the notified provisions. However, there may be increased economic costs resulting from the higher effects threshold for the adverse effects on indigenous biodiversity that must be avoided. Addressing this as part of the resource consent process would require site-specific ecology evidence, however, as the policy direction is nationally-prescribed there is no avoiding this potential outcome.
- (c) The recommended amendments reduce risk that would otherwise be present as a result of Variation 1 provisions not giving effect to national direction. The higher effects threshold for the adverse effects on indigenous biodiversity that must be avoided within the identified SNA carries a higher risk that resource consent applications for development within the SNA could not be approved. However, this would require the site-specific analysis of the actual and potential adverse effects on indigenous biodiversity that would result from a specific development proposal. This falls beyond the scope of a plan change, however it is a risk worth noting. Once again, as the amendments are to give effect to national direction, the potential increase in consenting risk is considered to be unavoidable.
- (d) The potential impacts on economic growth and employment are considered to be low.

NOSZ-R15 and NOSZ-S4

- 12. For the reasons specified in the Panel's recommendation report, it is recommended that NOSZ-R15 and standard NOSZ-S4, which proposed to provide a controlled activity consent path for a road corridor and associated network utility infrastructure, be deleted.
- 13. The recommended deletion of NOSZ-R15 and NOSZ-S4 in response to matters raised by submitters is more appropriate in achieving the relevant objectives of PC49, Variation 1, and those of the operative District Plan than the notified provisions. In particular:
 - (a) The recommended deletion of these provisions will not have any greater environmental, social, economic or cultural costs than the notified provisions. Controlled activity status for the activities is not possible due to operative rules that either override the proposed rule and standard, or would need to be bundled with the rule. However, there may be economic benefits to the Council resulting from more efficient and less contentious resource consent processes due to the removal of rule conflict between the Variation and operative rules located elsewhere in the District Plan. It is noted that once combined with all relevant rules from other chapters of the District Plan, proposed rule NOSZ-R15 and standard NOSZ-S4 would never enable a road and associated network utility infrastructure on the site as a controlled activity.
 - (b) The recommended deletion of NOSZ-R15 and standard NOSZ-S4 will not have any greater environmental, social, economic or cultural effects than the notified provisions. The removal of the rule conflict will not alter the consent path of a road corridor and associated infrastructure on the site once all relevant provisions of the District Plan are

applied.

- (c) The recommended deletions will improve plan implementation by eliminating a significant rule conflict that would otherwise exist between NOSZ-R15 and NOSZ-S4 and the operative higher level rules for roads and network utility infrastructure located within the Transport and Parking and the Network Utilities chapters.
- (d) The potential impacts on economic growth and employment are considered to be low.
- (e) The deletion of NOSZ-R15 and NOSZ-S4 will reduce risk and uncertainty by removing rule conflicts with operative provisions. It is acknowledged that the deletion of the rule does not help deliver the infrastructure-specific provisions that were intended for the site, however as set out in the recommendation report the intention for site-specific infrastructure provisions to treat the site differently to other sites could not be delivered by the notified provisions.
- (f) In terms of potential alternative methods to achieve the Council's aim of enabling infrastructure on the site, it is noted that Council has requiring authority powers under the RMA. It is considered the notice of requirement process may provide a more efficient and effective method to achieve the Council's intentions for the site.