

Natural Form and Function – section 32AA assessment

This table sets out only the provisions of the notified proposed Plan on this topic **for which submissions were specifically received**. This table does not include provisions for which no specific submissions were received but that may be affected by consequential amendments. Where the officer has recommended amendments, these are set out below. Additions to the notified text are in underline and deletions are ~~strike-through~~ text. The section 32AA assessment follows alongside for each of the provisions where amendments have been recommended by the officer. If the officer does not recommend any changes, the provision appears in grey.

Red text amendments = recommendations from the officer's s42A report

Red Text and italics – amended recommendations in response to pre-circulated evidence

Blue text amendments = updated recommendations from the officer's Right of Reply

Note that requests for **new** provisions are not included in these tables.

Table 1 Evaluation of Objectives in accordance with RMA s.32A(1) (a) the extent to which the objectives of the proposal being evaluated are the most appropriate way to achieve the purpose of this Act

Amendment no./Submission no.	Chapter	Provision	Text of provision with any recommended amendments	Evaluation of amendment (section 32AA assessment)
	2 Interpretation	Natural processes		
	3 Objectives	3.4 Natural character, form and function		
Issue 2	3 Objectives	Objective O17: Natural character	<p>Objective O17: The natural character of the coastal marine area, <u>natural wetlands</u>, and rivers, lakes, and their margins and natural wetlands is preserved and protected from inappropriate use and development.</p>	<p>Effectiveness and efficiency The recommended alternative Objective O17 is a minor change, that reflects s.6(a) of the RMA. It promotes a clear outcome with which decision-makers and plan users can assess proposed activities that may affect the natural character of the coastal marine area and of freshwater.</p> <p>Costs and Benefits:</p>

Amendment no./Submission no.	Chapter	Provision	Text of provision with any recommended amendments	Evaluation of amendment (section 32AA assessment)
				<p>There are no additional costs. RMA s.6(a) already requires that adverse effects on natural character (which includes natural processes) be recognised and the preservation of those natural resources are to be protected from inappropriate use and development.</p> <p>The benefits of the alternative Objective O17 are clear obligations around matters to be considered in decision making.</p> <p>Risk of acting or not acting There are no additional risks of not acting</p> <p>Decision about most appropriate option The alternative Objective O17 addresses a resource management issue in a manner consistent with RMA s.6(a), and, together with other provisions, gives effect to the higher order planning documents. It is considered to be more appropriate in achieving the purpose of the RMA than the notified version of the objective.</p>
Issue 6	3 Objectives	Objective O19: Natural processes	<p>Objective O19: The interference from use and development on natural nNatural processes, is minimised. managed to ensure that including natural elements, patterns and ecological processes continue to occur, and the integrity and functioning of natural processes and forms are retained.</p> <p>Revised recommendation: Objective O19: Use and development</p>	<p>Effectiveness and efficiency The revised recommended changes to Objective O19 is simpler and clearer, and clarifies outcomes associated with the management of natural processes, which contribute to the plan giving effect to the NZCPS 2010 and NPS FW 2014.</p> <p>Costs and Benefits: The proposed change clarifies the existing policy intent and provides for better management of the natural processes associated with the coastal environment (including the coastal marine area), wetlands, and lakes and rivers and their margins, and the protection of them from inappropriate subdivision, use, and development as a matter of national importance.</p>

Amendment no./Submission no.	Chapter	Provision	Text of provision with any recommended amendments	Evaluation of amendment (section 32AA assessment)
			<i>does not adversely impact on the integrity and functioning of</i> natural processes.	<p>Risk of acting or not acting</p> <p>Risks of not acting include failure to recognise the components of freshwater ecosystems and natural processes as a part of natural character, and potential for irreversible changes to natural processes from use and development.</p> <p>It is not considered to be possible to quantify the benefits and costs referred to above</p> <p>Decision about most appropriate option</p> <p>The alternative Objective O19 addresses a resource management issue, in a manner consistent with RMA s.6(a) and, together with other provisions, gives better effect to the higher order planning documents than the notified version of Objective O19. As such, it is considered to be the most appropriate way to achieve the purpose of the RMA.</p>
	3 Objectives	Objective O32: Outstanding natural features and landscapes		
	3 Objectives	Objective O36: Significant geological features		
	3 Objectives	Objective O37: Significant surf breaks		
	3 Objectives	Objective O38: Special amenity landscapes		

Amendment no./Submission no.	Chapter	Provision	Text of provision with any recommended amendments	Evaluation of amendment (section 32AA assessment)
	4 Policies	4.4 Natural form and function		
	4 Policies	Policy P24: Outstanding natural character		
Issue 4	4 Policies	Policy P25: Natural character	<p>Policy P25: Natural character</p> <p>Use and development shall avoid significant adverse effects on natural character in the coastal marine area (including high natural character in the coastal marine area) and in the beds of natural wetlands, lakes and rivers, and avoid, remedy or mitigate other adverse effects of activities, taking into account:</p> <ul style="list-style-type: none"> (a) the extent of human-made changes to landforms, vegetation, biophysical elements, natural processes and patterns, and the movement of water, and (b) the presence or absence of structures and buildings, and (c) the particular elements, features and experiential values that contribute significantly to the natural character value of the area, and the extent to which they are affected, and (d) whether it is practicable to protect natural character from inappropriate use and development through: 	<p><u>Effectiveness and efficiency</u></p> <p>The alternative Policy P25 is considered to be more efficient and comprehensive in implementing Objectives O17 and O19 than the notified version, and give better effect to the higher order planning instruments.</p> <p><u>Costs and Benefits:</u></p> <p>The proposed change clarifies the existing policy intent and provides for better management of the natural character of the coastal environment (including the coastal marine area), wetlands, and lakes and rivers and their margins, and the protection of them from inappropriate subdivision, use, and development as a matter of national importance.</p> <p>The benefits to decision making and resource consent applicants of making a clear link between the provisions in the plan that manage freshwater resources and their contribution to managing natural character and natural processes, includes clearer obligations around matters to be considered in decision making, and when consultation is required or additional specialist expertise and involvement is needed.</p> <p>The potential costs of adding sub-clauses to Policy P25 are not considered to be significant. The effects on components of natural character are managed in other parts of the plan, and the additional sub-clause places those matters in the context of their contribution to natural processes and natural character.</p>

Amendment no./Submission no.	Chapter	Provision	Text of provision with any recommended amendments	Evaluation of amendment (section 32AA assessment)
			<p>(i) using an alternative location, or form of development that would be more appropriate to that location, and</p> <p>(ii) considering the extent to which functional need or existing use limits location and development options.⁴</p> <p><u>(d) alternative locations, design or form of development that have less adverse effects, and</u></p> <p>(e) the extent to which the activity has a functional need to be located in the coastal marine area that limits location and development options, and</p> <p><u>(e) the extent to which the activity has a functional need and operational requirement to be located in the coastal marine area that limits location and development options, and</u></p> <p><u>(f) the ecosystems, natural flow characteristics and hydrodynamic processes, and the natural pattern and range of water level fluctuations in rivers, lakes and natural wetlands and their margins.²</u></p>	<p>The costs are outweighed by the direct benefits to environmental, cultural and social well-being identified in the plan. The RMA requires that the council, in exercising its functions, recognise and provide for the matters of national importance in RMA s.6(a).</p> <p>There is no less or greater opportunities for economic growth anticipated to be provided or reduced; or employment anticipated when compared to the notified Policy P49.</p> <p>The amendment to Policy 25(f) has no additional costs as it is similar in approach to the operative freshwater plan policy 4.2.9.</p> <p><u>Risk of acting or not acting</u></p> <p>Risks of not acting include failure to recognise the components of freshwater ecosystems and natural processes as a part of natural character, and potential for irreversible changes to natural processes from use and development.</p> <p>It is not considered to be possible to quantify the benefits and costs referred to above</p> <p><u>Decision about most appropriate option</u></p> <p>The additional sub-clauses are necessary to make a clear link between the objectives managing natural character associated with rivers, lakes, wetlands and their margins; and natural processes supporting ecosystems associated with those freshwater natural resources. While other provisions in the plan manage the characteristics of natural character associated with freshwater, these are not expressly dealt with in the provisions that implement the objectives that manage natural</p>

¹ Rangitane o Wairarapa Inc S279/090 submission accepted in part

² Fish and Game (S308/018) submission on Objective O17 accepted in part

Amendment no./Submission no.	Chapter	Provision	Text of provision with any recommended amendments	Evaluation of amendment (section 32AA assessment)
				character and natural processes.
	4 Policies	Policy P26: Natural processes		
	4 Policies	Policy P48: Protection of outstanding natural features and landscapes		
Issue 10	4 Policies	Policy P49: Use and development adjacent to outstanding natural features and landscapes and special amenity landscapes	<p>Alternative Policy P49: Use and development adjacent to outstanding natural features and landscapes and special amenity landscapes</p> <p>Use and development in the coastal marine area on sites adjacent to an outstanding natural feature or landscape or special amenity landscape identified in a district plan shall be managed by:</p> <p>(a) protecting visual and biophysical linkages between the site and the outstanding natural feature or landscape, and</p> <p>(b) avoiding adverse cumulative effects on the <u>values characteristics and qualities</u> of an outstanding natural feature or landscape.</p>	<p><u>Effectiveness and efficiency</u></p> <p>The recommended changes to Policy P49 uses the terms from the higher order planning documents, and make a clear link between the matters that are managed by Objective O32 and Objective O38.</p> <p><u>Costs and Benefits:</u></p> <p>The proposed change clarifies the existing policy intent. There are no additional costs or benefits from the proposed change.</p> <p>There is no less or additional opportunities for economic growth anticipated to be provided or reduced; or employment anticipated when compared to the notified Policy P49.</p> <p><u>Risk of acting or not acting</u></p> <p>There are no significant risks associated with not acting, and not accepting the alternative Policy P49, because the policy intent remains the same for both the notified and the alternative Policy P49.</p> <p><u>Decision about most appropriate option</u></p> <p>Alternative Policy P49 is expressed in the same terms used in the NZCPS and the RPS, creating a stronger link with the relevant objectives and the higher order planning documents. In my opinion the proposed alternative Policy P49 is the most appropriate way to implement</p>

Amendment no./Submission no.	Chapter	Provision	Text of provision with any recommended amendments	Evaluation of amendment (section 32AA assessment)
				Objectives O32 and O38.
	4 Policies	Policy P50: Significant geological features		
	4 Policies	Policy P51: Significant surf breaks		
	6 Methods	Method M24: Outstanding natural features and landscapes and high natural character		
	12 Schedules	Schedule J: Significant geological features in the coastal marine area		
	12 Schedules	Schedule K: Significant surf breaks		
	13 Maps	Map 24: Significant surf breaks (Schedule K)		