



# Proposed Plan Change 43 – Introductory Chapters Review

## Section 32 Evaluation Report

March 2017

# 1. Introduction

- 1.1 Proposed Plan Change 43 (the Plan Change) updates the Introduction, General Procedures and Zoning chapters (Chapters 1 – 3) of the Operative Upper Hutt City Council District Plan (hereon referred to as the Introductory Chapters). It also moves *Chapter 35 – Definitions* to the front section of the District Plan.
- 1.2 The purpose of the review is to ensure that the District Plan reflects current best-practice standards and legislative updates of the Resource Management Act 1991 (2009 and 2013 amendments). The objective of this Plan Change is to improve the functionality and efficiency of the District Plan as it relates to the Introductory Chapters.
- 1.3 This report provides an overview of the changes proposed in Plan Change 43 and the reasoning for these changes. Section 32 of the Resource Management Act (RMA) 1991 is concerned with the extent to which the objectives of the proposal are the most appropriate way of achieving the purpose of the Act, and whether the provisions are the most appropriate way to achieve the objective.
- 1.4 Chapters 1 and 2 contain general administrative guidance on the Plan, including information on how to use the District Plan and information that must be included in resource consent applications. The proposed Plan Change updates the information contained within these chapters.
- 1.5 Chapter 3 contains an issue, one objective and two policies in relation to the various zones and is essentially an introduction to the use of zoning and overlays in the District Plan. Therefore, it was considered relevant to include this chapter as part of the Introductory Chapters Review. It is proposed to remove this chapter as part of this Plan Change.
- 1.6 It is proposed to move Chapter 35 (definitions) to the front of the District Plan for improved functionality. The content of Chapter 35 has not been reviewed as part of the Plan Change. Definitions will instead be reviewed with the review of each chapter.
- 1.7 The purpose of the proposed Plan Change is largely administrative, with the removal of only redundant objective and policies; therefore a full section 32 analysis is not required for this Plan Change. However, it was considered appropriate to undertake an evaluation informed by the requirements of section 32, including to consider options, costs and benefits. Therefore, Section 5 of this report provides an assessment against section 32 considerations.
- 1.8 This Plan Change removes a single resource management issue. Therefore, compared to other Plan Changes, the scale and significance of this Plan Change is small. The level of analysis contained in this report is at a level of detail that corresponds to this level of scale and significance.

## 2. Rolling review

- 2.1 Under Section 79 of the RMA, each provision of the District Plan must be reviewed within 10 years. Rather than review the District Plan in its entirety (a Full Review), Upper Hutt City Council (UHCC) has elected to do a Rolling Review. The District Plan will be reviewed through a number of scheduled Plan Changes over a 10 year period. Each Plan Change will address different areas or topics within the Upper Hutt District Plan.
- 2.2 This proposed Plan Change is part of the Rolling Review. Although some provisions in the Introductory Chapters have been amended or added as a result of other Plan Changes, Chapters 1, 2, and 3 have not been reviewed as a whole since the Plan became operative in 2004 and are therefore due for review.
- 2.3 A key element of the Rolling Review is the adoption of a new structure and format for the District Plan. As the introduction chapter sets the scene for the District Plan, this Plan Change is important in ensuring this new structure and format is clearly established so that it is carried on throughout the Rolling Review. The proposed new structure has been attached as Appendix 3 to this report.

## 3. Issues and opportunities

- 3.1 The following section provides a summary of the issues and opportunities with the current Introductory Chapters and the proposed changes to the operative District Plan.

### **Opportunities to simplify and modernise**

- 3.2 The existing Introductory Chapters set the scene for the content in the District Plan. However, much of the material could be simplified, while still providing a sufficient level of detail, such as in the case of the information requirements section described above.
- 3.3 The text of the Introductory Chapters currently places a heavy reliance on quoted text from the RMA. The Introductory Chapters were written over 10 years ago and reflect Resource Management Act provisions at the time. The Act has been reviewed and amended multiple times through various Amendment Acts since the District Plan became operative in 2004, outdating these references. The Plan Change would create an introductory chapter which reflects the purpose of the Act, without providing a direct reference, effectively future-proofing the District Plan.

### **Opportunity to increase usability**

- 3.4 As key users of the District Plan, the Upper Hutt City Council's Resource Consents team were asked to provide feedback on the usability and functionality of the existing Introductory Chapters. Feedback from the team suggested that the Introductory Chapters are rarely used.

- 3.5 This was considered to be a potential issue as the Introductory Chapters set out the information requirements for resource consent applications. Councils have the ability to reject an application under Section 88 of the RMA, if these information requirements are not met. If the Resource Consents team rarely uses the Introductory Chapters due to their current format and usability, then the public are less likely to use these chapters for their intended use. Amending the usability of these chapters will therefore assist both the public and the Resource Consents team in meeting their statutory requirements (it should be noted that the level of information required for a resource consent will depend on the scale and nature of the application, meaning that information held within these chapters may not apply to all resource consent applications).

### **Opportunity to establish updated plan structure**

- 3.6 As part of this rolling review, the format of the District Plan will also change. This change will principally combine the objectives, policies, and rules for each zone or city wide issue into a single chapter, rather than being spread over two different chapters. This amendment is intended to improve the usability and readability of the District Plan. An example is the placement of the sections on the relationship of the District Plan with other plans and documents before the sections on structure and how to use the Plan. As these sections are focused on background and context they are more appropriately positioned at the start of the chapter.
- 3.7 The order of the plan changes are in part a response to their priority and importance and to enable this new structure. The proposed Plan Change provides an opportunity to define this new structure directly in the proposed Introduction chapter, which will be continued through future plan changes.

### **Pre-notification consultation**

- 3.8 Pre-notification statutory consultation was undertaken in December 2016. This was in the form of a letter to Schedule 1, Clause 3 parties. It outlined the intention to review Chapters 1, 2, 3 and to reposition Chapter 35. The purpose of the review was described, with feedback sought.
- 3.9 No feedback was received from pre-notification.

### **Review context and research**

- 3.10 Various plans were assessed to inform the structure and content of the proposed Plan Change. Plans reviewed included, but were not limited to the: Ashburton District Plan 2014; Wellington District Plan 2004; and, the Operative Christchurch District Plan 2015<sup>2</sup>. These plans demonstrated that the definitions section was mostly contained within a single chapter, with direct quotes from the RMA kept to a minimum.

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<sup>2</sup> The Christchurch District Plan was made partly-operative in 2015. As of writing, the plan is not yet fully operative.

## 4. Brief summary of proposed changes

- 4.1 The issues identified above have been addressed by various changes to the Introductory Chapters. These are summarised in the table below.
- 4.2 Previous Plan Changes have used a “track-changes” system where it is possible to view the proposed changes against the operative plan change text, as shown by underlined new wording and struck-through operative wording. Appendix 1 and 2 provide a track-changes overview of how chapters and references within other chapters will be updated.
- 4.3 It should be noted that as a result of this proposed Plan Change, Chapters 3 and 35 will be removed and remain vacant. The numbering of other chapters will remain unchanged until they are updated throughout the rolling review process.
- 4.4 To aid in understanding the changes, the following table provides a brief description of the most significant changes to the Introductory Chapters, compared to the operative Plan. The proposed plan change text can be viewed in full in *Appendix 1: Plan Change text*.

<b>Table 1 – Details of Proposed Plan Change</b>	
<b>Change</b>	<b>Description</b>
<i>Removal of duplicated RMA text</i>	The current introduction chapter quotes sections from the RMA. These sections, in particular sections that justify inclusion of quoted material, do not add value to the introduction chapter. The Plan Change removes most quoted RMA sections, except for the definition of sustainable management as this is integral to the purpose of the Act and in effect, is the intention of the District Plan.
<i>Removal of Chapter 3</i>	Chapter 3 contains an issue, objective and two policies that provide reasoning for the zones within the District Plan, and the inclusion of overlays to recognise special features within the district.  This does not add significant value to the District Plan, principally because the objective and associated policies are non-directive and emphasise principles already contained within the RMA. This chapter has therefore been removed, as the intent of the chapter is upheld through the RMA and specific zoning chapters within the current District Plan.
<i>Include summary of tangata whenua</i>	The Treaty of Waitangi and the role of tangata whenua in the resource management is a key part of the RMA and the District Plan has a role in recognising this under provisions of the Act. Therefore, the Plan Change introduces a new section on tangata whenua as part of the overall introduction to the District Plan.

<i>Information Requirements</i>	The information requirements of Chapter 2 have been moved into the single introduction chapter. Many of the requirements were introduced by various Plan Changes and are specific to particular rules found within other chapters, so the wording has not been reviewed by this Plan Change. However, the information requirements have been abbreviated where possible elsewhere.
<i>Definitions (Chapter 35)</i>	The definitions are currently contained in Chapter 35 of the District Plan. Given their importance and role in the interpretation of terms used with rules they are better placed at the front of the Plan. Therefore, they are proposed to be retained within a single chapter but moved to form a new Chapter 2 – Definitions.
<i>Updating chapter references</i>	References to Chapters 1, 2, 3, 35, and any associated parts of the plan where policies are stated, will be updated accordingly. The following sections will require an update. <ul style="list-style-type: none"> <li>• 16.1 (Chapter 35 reference)</li> <li>• 18.0 (Policy 3.4.1 reference)</li> <li>• 18.12 (Chapter 35 reference)</li> <li>• 18.5 (Policy 3.4.1 reference)</li> <li>• 19.0 (Policy 3.4.1 reference)</li> <li>• 20.0 (Policy 3.4.1 reference)</li> <li>• 20.5 (Policy 3.4.1 reference)</li> <li>• 21.0 (Policy 3.4.1 reference)</li> <li>• 22.0 (Policy 3.4.1 reference)</li> <li>• 22.6 (Policy 3.4.1 reference)</li> <li>• 23.2 (Chapter 35 reference)</li> <li>• 23.3 (Chapter 35 reference)</li> <li>• 23.4 (Chapter 35 reference)</li> <li>• 25A.2 (Chapter 35 reference)</li> </ul>

## 5. Section 32 considerations

5.1 Section 32 of the RMA requires an evaluation of the most appropriate means to achieve the desired outcomes of a plan change (section 32 evaluation). The following evaluates options, and whether the proposal is the most effective and efficient means to consolidate the Introductory Chapters of the Upper Hutt District Plan.

5.2 This section of the report is structured as follows: an explanation of approach to the analysis undertaken; a summary of proposed amendments to the Chapters; and evaluation section focusing on the costs and benefits of the following options:

- **Option 1:** the status quo;
- **Option 2:** a comprehensive review by consolidating appropriate sections and updating to current RMA practice; or
- **Option 3:** maintaining overall chapter structure and only updating outdated sections where required. Chapter 35 would be a section within Chapter 1.

- 5.3 This Plan Change focuses on updating and consolidating the Introductory Chapters. The analysis provided assesses broad changes to each chapter, rather than assessing sectional changes within chapters. This approach is considered to be the most effective means to identify and assess the costs and benefits of each change. The minor scale of this proposal when compared to other plan changes (which address objectives and provisions), means that only the following three options have been assessed.
- 5.4 An evaluation of the opportunities for economic growth and employment (as required under section 32) has not been undertaken because the nature of this Plan Change is administrative and will not alter private property rights.
- 5.5 An overview of the removed issue, objective and policies of Chapter 3 is provided in Section 5.10 of this report. This includes a discussion of the appropriateness of removing this chapter compared to amending it.
- 5.6 As Option 3 would retain the overall plan structure, the content of Chapter 3 would be retained. Under this option, objectives and policies would become more directive, rather than the broad principles currently contained within the chapter (See Table 4). Overall, Option 2 is the preferred option. The following details the evaluation of this option.
- 5.7 Proposed amendments to *Chapter 1 – Introduction to the Plan*:

Updated sections

- (1) Introduction to the Plan
- (1.1) Sustainable Management
- (1.2.1) Zoning
- (1.2.4) Non-Regulatory Methods
- (1.4) How to use Plan

Amalgamated/Moved sections

- (1.2) Planning Strategy – renamed to “Plan Structure”
- (1.2.2) Listed activities – incorporated into Resource Management section
- (1.2.3) Standards – incorporated into Resource Management section
- (1.3) Format of Plan (complete) – Amalgamated into Resource Consents section
- (1.5) Resource Management Framework – Quotes from RMA removed and generally simplified
- (1.6) District Plan – Amalgamated into section 1.1.1 description and simplified
- (1.7) Other Council Documents – Amalgamated into Sustainable Development description
- (1.8) Plans from other Authorities – simplified to only describe neighbouring districts

Removed sections

- (1.9) International Plan

**Table 2 – Costs and Benefits of Chapter 1 Amendments**

	<b>Option 1: Status Quo</b>	<b>Option 2: Plan Change 43</b>	<b>Option 3: Maintaining structure</b>
<b>Costs</b>	<ul style="list-style-type: none"> <li>• Fails to meet obligations under the RMA to review the District Plan.</li> <li>• Outdated references to the RMA.</li> <li>• The lack of a section describing the district context means the current state of the district is not articulated in the Plan.</li> <li>• Potential for additional transaction costs to members of the public and applicants in administering the Plan due to the separation of introductory content and information requirements between separate chapters.</li> </ul>	<ul style="list-style-type: none"> <li>• Minor financial costs during the plan change process.</li> <li>• Potential adjustment period for the public and applicants with the new plan layout.</li> </ul>	<ul style="list-style-type: none"> <li>• The updating of selective sections may further fragment the chapter.</li> <li>• Minor financial costs during the plan change process.</li> </ul>
<b>Benefits</b>	<ul style="list-style-type: none"> <li>• No costs to prepare and process the plan change.</li> <li>• Plan structure remains unchanged and familiar to the public and applicants.</li> </ul>	<ul style="list-style-type: none"> <li>• Meets obligations under the RMA.</li> <li>• Reflects the current state of the Upper Hutt District<sup>3</sup>.</li> <li>• Is current with RMA best practice for structure and content.</li> <li>• The re-ordering, consolidation and the introduction of new sections means the chapter is more appropriately structured.</li> <li>• Improves legibility and use of the District Plan.</li> </ul>	<ul style="list-style-type: none"> <li>• Meets obligations under the RMA.</li> <li>• Reflects the current state of the Upper Hutt District.</li> <li>• Reduces overall time cost in the preparation and processing of the plan change.</li> </ul>

<sup>3</sup> For example, the inclusion of a “District Context” section at the beginning of the chapter, and describing other Council and plans, such as the recently adopted Upper Hutt - Land Use Strategy 2016-2043.



<b>Efficiency &amp; Effectiveness</b>	<ul style="list-style-type: none"> <li>• The Plan is less effective in detailing the objective and use of the plan.</li> <li>• Additional time would be needed to clarify the disconnect between the Plan and the RMA.</li> </ul>	<ul style="list-style-type: none"> <li>• Most efficient and effective means in achieving a coherent and relevant introduction to the plan.</li> <li>• The consolidation and simplification of sections will reduce overall time needed to administer the Plan.</li> </ul>	<ul style="list-style-type: none"> <li>• The process of the review would be efficient but would be an ineffective means to detail the Plan due to the retention of a fragmented structure.</li> </ul>
<b>Most appropriate Option</b>	<p>Plan Change 43 is the most appropriate means to ensure the Plan is relevant to the current state of the Upper Hutt District and will assist in interpretation and administration of the Plan, and ensuring that best practice is used. There are costs associated with the option, but they are expected to be outweighed by the anticipated benefits.</p>		

5.8 Proposed amendments to *Chapter 2 – General Procedures*:

Updated sections

- *(2.6) Information Required with Applications for Resource Consent Applications – updated to reflect current requirements and best practice*

Amalgamated/Moved sections

- *(2.1 to 2.4) Resource Consents; Types of Activities; Resource Consent Procedure; and, Notification – amalgamated into section 1.4 of the updated Plan.*
- *(2.9) Procedures for addressing cross-boundary issues – now addressed under 1.1*
- *(2.11) Review of the District Plan – now addressed under 1.2*

Removed sections

- *(2.0) Section 9 RMA description*
- *(2.5) Plan Changes*
- *(2.7) Financial Contributions*
- *(2.8) Designations*
- *(2.10) Procedures for Monitoring (complete)*

**Table 3 – Costs and Benefits of Chapter 2 Amendments**

	<b>Option 1: Status Quo</b>	<b>Option 2: Plan Change 43</b>	<b>Option 3: Maintaining structure</b>
<b>Costs</b>	<ul style="list-style-type: none"> <li>• Fails to meet obligations under the RMA to review the District Plan.</li> <li>• Conflicts with outdated definitions within the RMA.</li> <li>• The lack of a section describing the District Context means the current state of the district is not articulated in the Plan.</li> <li>• Potential for additional transaction costs to the public and applicants and for plan administration.</li> </ul>	<ul style="list-style-type: none"> <li>• Minor financial costs during the plan change process.</li> <li>• Potential adjustment period for the public and applicants with the new plan layout with the removal of 2.0, 2.5, 2.7, 2.8 and 2.10.</li> </ul>	<ul style="list-style-type: none"> <li>• The updating of selective sections may further fragment the chapter.</li> </ul>
<b>Benefits</b>	<ul style="list-style-type: none"> <li>• Plan structure remains unchanged and familiar to public and applicants.</li> <li>• No costs to prepare and process the plan change.</li> </ul>	<ul style="list-style-type: none"> <li>• Meets obligations under the RMA to review the Plan.</li> <li>• Is current with RMA best practice for structure and content.</li> <li>• The re-ordering, consolidation and the introduction of new sections means the chapter is more appropriately structured.</li> <li>• The resource consent process, particularly the information requirements section, is simplified and updated.</li> <li>• The probability that consent applications are made in the prescribed form is increased.</li> <li>• Sections related to the RMA which are outdated and not required to be stated within the Plan are removed (2.0, 2.5, 2.7, 2.8 and 2.10).</li> <li>• Sections already covered in other sections of the Plan are removed.</li> </ul>	<ul style="list-style-type: none"> <li>• Meets obligations under the RMA;</li> <li>• Reduces overall time cost by removing the need to rearrange chapters.</li> <li>• Would generally maintain familiarity that the public and applicants have with the current Plan.</li> </ul>

<b>Efficiency &amp; Effectiveness</b>	<ul style="list-style-type: none"> <li>The Plan details the resource consent process in a fragmented manner.</li> <li>Additional time would be needed to clarify the disconnect between the Plan and the RMA.</li> </ul>	<ul style="list-style-type: none"> <li>Most efficient and effective means in communicating the resource consents procedure.</li> <li>The simplification of sections will reduce overall time needed to administer the Plan.</li> </ul>	<ul style="list-style-type: none"> <li>The process of the review would be efficient but would be an ineffective means to detail the Plan due to the retention of a fragmented structure.</li> </ul>
<b>Most appropriate Option</b>	Plan Change 43 is the most appropriate means to ensure the Plan will assist in interpretation and administration of the Plan and ensures that best practice is used. There are costs associated with the option but the benefits are considered to significantly outweigh the costs.		

5.9 Proposed amendments to *Chapter 3 – Zoning* under Option 2:

- Chapter 2 is proposed to be removed under Option 2. Subsequent Plan Changes during the rolling review will instead address zoning matters within relevant chapters of the Plan. Zoning has also been addressed within Chapter 1 of this Plan Change through the inclusion of a short section describing what the zones within the District are.
- The removal of *Chapter 3 – Zoning* will result in the removal of Issue 3.2.1, Objective 3.3.1, and Policies 3.4.1 and 3.4.2. The chapter and associated policies essentially embody the purpose of the RMA and is the same in nature as the statutory obligations of Territorial Authorities under the Act. Therefore, the intention of this chapter is already encompassed within the RMA. Standards contained within the chapter focus on the characterisation of areas principally through zoning mechanisms. This is described below:
  - ❖ **Issue 3.2.1:** Highlights the need for developments to be reflective of the surrounding environment. Explanation details how there is potential for the character of certain areas to be adversely effected with incompatible activities;
  - ❖ **Objective 3.3.1:** Developments need to respect resource management issues relevant to different sections of the district;
  - ❖ **Policy 3.4.1:** The Plan must use zoning mechanisms to reflect the diversity of character and resource management issues across the district. The explanatory note details different zones across the district and the types of development that is expected in the zone.
  - ❖ **Policy 3.4.2:** The need to identify specific issues within the city through the use of overlays on planning maps to highlight these issues.
- Zoning characterisation currently described within Chapter 3 will in effect be retained through relevant zoning sections described through Chapters 4 to 8 of the District Plan. The removal of these Chapter 3 sections is therefore considered appropriate because current policies lack direction and are better suited to be incorporated within relevant sections.

**Table 4 – Costs and Benefits of Chapter 3 Amendments**

	<b>Option 1: Status Quo</b>	<b>Option 2: Plan Change 43</b>	<b>Option 3: Maintaining structure</b>
<b>Costs</b>	<ul style="list-style-type: none"> <li>• Fails to meet obligations under the RMA to review the District Plan.</li> <li>• Potential to conflict with current and updated objectives and policies within the Plan.</li> <li>• Additional transaction costs to the public and applicants for those administering the current Plan.</li> </ul>	<ul style="list-style-type: none"> <li>• Minor financial costs during the plan change process.</li> </ul>	<ul style="list-style-type: none"> <li>• Minor financial costs during the plan change process.</li> <li>• The chapter is broad and adds little value to the District Plan.</li> <li>• Retaining the objective and policies means potential duplication and conflict with other parts of the Plan which could add to transaction costs.</li> </ul>
<b>Benefits</b>	<ul style="list-style-type: none"> <li>• Plan structure remains unchanged and familiar to the public and applicants.</li> <li>• No costs to prepare and process the plan change.</li> </ul>	<ul style="list-style-type: none"> <li>• Meets obligations under the RMA to review the Plan.</li> <li>• Avoids conflicts within the Plan with current and ongoing zoning descriptions.</li> <li>• Simplifies understanding and overall content of the Plan.</li> </ul>	<ul style="list-style-type: none"> <li>• Meets obligations under the RMA to review the Plan.</li> <li>• Sections are updated to be more targeted by reflecting local issues.</li> <li>• Reduces repetition and the potential conflict within Plan provisions.</li> </ul>
<b>Efficiency &amp; Effectiveness</b>	<ul style="list-style-type: none"> <li>• Repeats matters already addressed within Chapter 1.</li> <li>• Additional time would be needed to clarify the disconnect between RMA process currently quoted.</li> </ul>	<ul style="list-style-type: none"> <li>• Most efficient and effective means in communicating the resource consents procedure.</li> <li>• The simplification of sections will reduce overall time needed to administer the Plan by the public.</li> </ul>	<ul style="list-style-type: none"> <li>• Limited effects on efficiency by maintaining the matters already detailed within the Act and other parts of the Plan.</li> <li>• Reduces the potential overall time applicants would need to adjust to the overall amendments to the Plan.</li> </ul>
<b>Most appropriate Option</b>	<p>Plan Change 43 is the most appropriate means to ensure the Plan is relevant to the current state of the Upper Hutt District and ensures that best practice is used. There are costs associated with the option but the benefits are overall considered to outweigh the costs.</p>		

5.10 Proposed amendments to *Chapter 35 – Definitions*:

- The entire chapter will be moved to become Chapter 2. No changes to the content of this chapter is proposed as part of this Plan Change.

**Table 5 – Costs and Benefits of Chapter 35 Amendments**

	<b>Option 1: Status Quo</b>	<b>Option 2: Plan Change 43</b>	<b>Option 3: Chapter 1 Section</b>
<b>Costs</b>	<ul style="list-style-type: none"> <li>No significant costs are associated with this approach.</li> </ul>	<ul style="list-style-type: none"> <li>Minor financial costs during the plan change process.</li> <li>Potential adjustment period for the public and applicants with new plan layout.</li> </ul>	<ul style="list-style-type: none"> <li>Minor financial costs to prepare and process the plan change.</li> <li>Potential adjustment period for the public and applicants with new plan layout.</li> </ul>
<b>Benefits</b>	<ul style="list-style-type: none"> <li>Plan structure remains unchanged and familiar to public and applicants.</li> <li>No costs to prepare and process the plan change.</li> </ul>	<ul style="list-style-type: none"> <li>Increases the use of the Introductory Chapters by aligning the chapter adjacent to the Resource Consents section.</li> <li>Improves the usability of the District Plan.</li> <li>Compared to option 3, would still be retained in a separate chapter.</li> <li>The layout has greater consistency with other District Plans, including within the Greater Wellington Region.</li> </ul>	<ul style="list-style-type: none"> <li>Potential increase in the use of definitions by locating the section to adjoin the Resource Consents section within Chapter 1.</li> <li>Improves the usability of the District Plan.</li> </ul>
<b>Efficiency &amp; Effectiveness</b>	<ul style="list-style-type: none"> <li>Separates requirements of the resource consent process and the definitions associated with the process.</li> <li>Additional time may be needed to accurately interpret resource consent process due through the use of outdated references to the RMA.</li> </ul>	<ul style="list-style-type: none"> <li>Most effective means in communicating the definitions.</li> <li>Aligns the explanation of the resource consent process with the definitions following thereafter.</li> </ul>	<ul style="list-style-type: none"> <li>Efficiency and effectiveness measures are similar in nature to Option 1.</li> <li>Aligns the explanation of the resource consent process with the definitions under the plan, creating a single section (a single chapter) to administer.</li> </ul>
<b>Most appropriate Option</b>	Plan Change 43 is the most appropriate means to ensure the Plan is relevant to the current state of the Upper Hutt District and ensures that best practice is used.		

5.11 Tables 2 to 5 of have demonstrated that the proposed amendments to Chapters 1, 2, 3 and 35 as part of Plan Change 43 are the most appropriate means to achieve the purpose of the RMA.

5.12 It is important to consider the risk of not acting when preparing a plan change. The current District Plan contains references to outdated provisions of the RMA. Not updating these sections within the Plan may result in risks concerning interpretation and implementation by the public and applicants alike. Furthermore, by retaining the broad Chapter 3

provisions there is the risk of there being conflict within the Plan between provisions, creating issues of clarity and certainty within the Plan. Lastly, without updating the Resource Consents information requirements there is a risk that applications are made which are incomplete.

## **6. Conclusion**

- 6.1 Plan Change 43 has sought to provide a structural change to the Introductory Chapters of the Upper Hutt District Plan to increase its usability and functionality. In addition, it has created an opportunity to update these parts of the Plan to be in line with resource management best practice.
- 6.2 The implementation of the preferred option (maintaining overall chapter structure while updating outdated sections) will consolidate four chapters of the existing Plan into two. This evaluation has shown that this is the most appropriate option, as it represents the most effective means to integrate the Introductory Chapters of the District Plan in a manner reflective of today's best practice.

## Appendix 1: Plan Change text

## Appendix 2: Reference Updates



**Appendix 3: Proposed new plan structure**