



Section 32 Evaluation Report

IWIK Trust

1. Introduction

This report has been prepared to fulfil the statutory requirements of Section 32 of the Resource Management Act 1991 (RMA). It is a record of the processes and evaluation undertaken for the Plan Change Request to the Whanganui District Plan – Operative 2024 (District Plan), in accordance with section 32 of the RMA. The Applicant proposes to rezone the 4,773m² site from *Open Space Zone* to *General Residential Zone*.

This report should be read in conjunction with the Assessment of Environmental Effects and technical assessments prepared in support of this Private Plan Change Request which provides an overview of 21A Manuka Street and the Broader requirements of the RMA. When preparing a Plan Change Request under the RMA, an evaluation under section 32 of the Act must be prepared. This evaluation must occur prior to the notification of any proposed plan change. A section 32 evaluation report examines:

1. The extent to which the objectives of the proposal are the most appropriate way to achieve the purpose of the RMA (s32(1)(a)); and
2. Whether the provisions in the proposal are the most appropriate way in which to achieve the objectives in terms of their efficiency and effectiveness by identifying other reasonably practicable options for achieving the objectives; assessing the efficiency and effectiveness of the provisions in achieving the objectives; and summarizing the reasons for deciding on the provisions (s32(1)(b)).

The evaluation report must contain a level of detail that corresponds to the scale and significance of the environmental, economic, social, and cultural effects that are anticipated from the implementation of the proposal (s32(1)(c)).

Such an evaluation must take into account:

- the benefits and costs of the environmental, economic, social, and cultural effects that are anticipated from the implementation of the provisions, including opportunities for economic growth and employment that are anticipated to be provided or reduced (s32(2)(a)) and, if practicable, quantify them (s32(2)(b)); and
- the risk of acting or not acting if there is uncertain or insufficient information about the subject matter of the provisions (s32(2)(c)).

Section 32(3) notes that if the proposal (an amending proposal) amends a plan that already exists (an existing proposal), the examination under section (1)(b) must relate to –

- a. The provisions and objectives of the amending proposal; and
- b. The objectives of the existing proposal to the extent that those objectives –
 - i. Are relevant to the objectives of the amending proposal; and
 - ii. Would remain if the amending proposal were to take effect

In addition subsection (6) states:

(6) In this section, -

objectives means,—

- (a) for a proposal that contains or states objectives, those objectives:
- (b) for all other proposals, the purpose of the proposal

proposal means a proposed regional policy statement, plan, or change for which an evaluation report must be prepared under this Act

provisions means,—

- (a) for a proposed plan or change, the policies, rules, or other methods that implement, or give effect to, the objectives of the proposed plan or change:
- (b) for all other proposals, the policies or provisions of the proposal that implement, or give effect to, the objectives of the proposal.

In this proposal, the above have the following meanings:

- Objective (here, “purpose of the proposal”): to zone the site to make the most efficient use of the underutilised land resource in a way that mitigates adverse effects on the environment and helps to increase housing supply in Whanganui.
- Proposal means: To rezone 4,773m² of Open Space Zone to General Residential Zone.
- Provisions means: Rezone existing Open Space Zone to General Residential Zone as outlined in the Operative District Plan

The matters in section 32(1)-(3) are assessed below:

2. Analysis of Proposal Objective to achieve the Purpose of the RMA

Section 32(1)(a) of the RMA requires an evaluation to examine the extent to which the objective of the proposal is the most appropriate way to achieve the purpose of the RMA.

The proposal does not involve any new or alteration of the Operative District Plan Objectives (refer [Appendix 4](#)). The existing objectives are assumed to be the most appropriate for achieving the purpose of the RMA, as they seek to:

- Avoid, remedy or mitigate adverse effects associated with contaminated land, natural hazards, earthworks, and noise
- Provide high quality residential areas that deliver a variety of housing forms and densities that can be integrated with the provision of infrastructure while maintaining and enhancing amenity values to meet the reasonably foreseeable needs of future generations.

With regards to the objective of the proposal, being the purpose of the proposal, the objective is *to zone the site to make the most efficient use of the underutilised land resource in a way that mitigates adverse effects on the environment and helps to increase housing supply in Whanganui.*

The evaluation must consider the extent to which this objective achieves the purpose of the Act. The relevant matters assessed below are:

- Section 5 – Purpose
- Section 6 – Matters of National Importance specifically
- The relationship of Māori and their culture and traditions with their ancestral lands, water, sites, waahi tapu, and other taonga.
- the management of significant risks from natural hazards.

Overall, the objective of the proposal is the most appropriate way to achieve the purpose of the RMA, as the Rezoning:

- Will efficiently use an underutilised large site to meet the reasonably foreseeable needs of future generations and enable people to provide for their wellbeing
- Safeguards the life supporting capacity of water and soil and mitigates adverse effects on the environment by relying on existing provisions in the ODP and NES-CS.

2.1.1 Section 5 - Purpose

The purpose of the RMA is to promote the sustainable management of natural and physical resources (section 5). This is further defined to mean managing the use, development and protection of natural and physical resources in a way which enables people and communities to provide for their social, economic and cultural well-being and for their health and safety; while sustaining those resources for future generations; safeguarding the life supporting capacity of ecosystems; and avoiding, remedying or mitigating any adverse effects of activities on the environment.

The objective of the Plan Change is consistent with Section 5 of the RMA for the following reasons:

- Provides for the sustainable management of existing urban land with available infrastructure connections to enable people and communities to provide for their social, economic, and cultural wellbeing.
- Continues to protect natural and physical resources, being the land, water and air resources which surround the subject site, in manner that sustains the resources for future generations and safeguards the life supporting capacity of these ecosystems.
- Manages the use of the large site by enabling residential development, on a site that is no longer utilised for open-space purposes, in a way which provides for the health and safety of people and communities through the adoption of the Operative District Plans Residential Zone.

Overall, the objective of the Plan Change is the most appropriate way of achieving Section 5 of the RMA.

2.2.1 Section 6 - Matters of National Importance

Section 6 of the RMA sets out the matters of national importance which must be recognised and provided for in achieving the purpose of the RMA. Of relevance, this includes the preservation of the natural character of the coastal environment (including the coastal marine area), wetlands, and lakes and rivers and their margins; protection of outstanding natural features and landscapes, the protection of areas of significance indigenous vegetation and significant habitats of indigenous fauna; maintenance and enhancement of public access to and along the coastal marine area, lakes, and rivers; the relationship of Māori and their culture and traditions with their ancestral lands, water, sites, waahi tapu, and other taonga; the protection of historic heritage; the protection of protected customary rights and the management of significant risks from natural hazards.

The objective of the Plan Change does not compromise the recognition of, or provision for these matters of national importance. The Plan Change area is not located in or near the coastal environment, any outstanding natural features or landscapes, areas of significant indigenous vegetation or habitats, or known protected historic heritage areas. There are wetlands, lakes and rivers which surround the site in which provision has and will continue to be made to ensure adverse effects on these areas are mitigated to ensure their on-going protection.

Engagement with mana whenua and iwi with interests in the River have been sought throughout the preparation of this plan change. To the best of our knowledge, the relationship of Māori and their culture and traditions with their ancestral lands, water, sites, waahi tapu, and other taonga will not be impacted by this Plan Change.

Furthermore, the proposal will not involve significant risk from natural hazards.

Providing for housing development on this large site will help ease pressure on areas that do have section 6 values within in Whanganui. It also avoids development on sites that have section 6 values.

Overall, the objective of the Plan Change is considered to be the most appropriate way of achieving Section 6 of the RMA.

2.1.2 Section 7 – Other Matters

Section 7 of the RMA identifies other matters which all persons shall have particular regard to. Those other matters which are relevant to this Plan Change are:

- *(b) The efficient use and development of natural and physical resources* – The Plan Change will support the efficient use and development of natural and physical resources by applying the General Residential Zone provisions to the future use of the site. The bowls club, and underlying zoning is no longer fit for purpose. Rezoning the site to residential will utilise existing services and respond positively to varied housing demand and the landscape character of the area. As assessed in Appendix 4, the

proposed plan change will add to development capacity in accordance with UFD-O1 and UFD-P6 of the Manawatū-Whanganui Regional Plan

- *(c) The maintenance and enhancement of amenity values* – As has been assessed in this Plan Change application, the General Residential Zone provisions have been designed to ensure the use and development of the site maintains the amenity values of all immediate persons and the surrounding environment.
- *(f) Maintenance and enhancement of the quality of the environment* – Again, as has been assessed in this Plan Change application, the General Residential Zone provisions have been designed to ensure the use and development of the site, alongside those District Wide provisions will maintain the quality of the environment.

Overall, the objective of the Plan Change is considered to be the most appropriate way to achieving Section 7 of the RMA.

2.2.3 Section 8 – Treaty of Waitangi

Section 8 of the RMA requires all persons exercising functions and powers under it, in relation to the management of use, development and protection of natural and physical resources, shall take into account the principles of the Treaty of Waitangi.

It is considered that this proposal will not conflict with the principles of the Te Tiriti o Waitangi (Treaty of Waitangi). In particular, the Applicant has actively sought to consult with mana whenua to understand any potential support or concerns for the Plan Change including its objective.

2.2.4 Objectives Conclusion

The Plan Change is the most appropriate way to achieving the sustainable management purpose of the RMA. Overall, it is considered that the provision for additional residential development will help meet the reasonably foreseeable needs of future generations in a way that mitigates adverse effects on the environment. It is considered that this is a more appropriate objective than retaining the existing open space zoning on an unused bowling green, particularly as the site is a large brownfields site within the existing serviced urban area.

3. Appropriateness of the Provisions to achieve the Objective

Section 32(1)(b) of the RMA requires an evaluation to examine whether the provisions (e.g. policies and methods) of the Plan Change request are the most appropriate way to achieve its objective of the plan change request by:

- Identifying other reasonably practicable options for achieving the objectives;
- Assessing the efficiency and effectiveness of the provisions; and
- Summarising the reasons for deciding on the provisions.

This Plan Change Request amends the Whanganui District Plan zoning, the above assessment must relate to the provisions and objectives of the Plan Change Request, and the

objectives of the District Plan to the extent that they are relevant to the Private Plan Change Request and would remain if the Plan Change were to take effect.

3.1 Other reasonably practicable options

The following identifies reasonably practicable options for achieving the objective of the plan change. These are:

Option 1: Status quo – Retain Open Space Zoning

This option retains the Open Space Zoning which anticipates recreational activities and open space. The purpose of this zone is to provide adequate provision and distribution of recreational facilities and opportunities for communities.

Residential activities and buildings are not contemplated and would require resource consent as a Discretionary Activity and subject to the standard s95 and s104 tests of the RMA each time a residential activity or building is proposed.

Option 2: Proposed Plan Change – Rezone to General Residential Zoning

This option involves rezoning the site to the General Residential Zone. The rezoning will apply to the standard General Residential Zone objectives, policies, and provisions.

Option 3: Rezone to another Residential Zone such as the Coastal Residential Zone

An analysis of the options in achieving the objectives is provided in *Table 1* following.

The ministry for the Environment Guidance on s32 Evaluations recommends a pragmatic approach in screening options and then assessing the costs and benefits and effectiveness and efficiency of the key options under s32.

Two of the three options have been selected for comparison:

Option 1 Status quo – Retain Open Space Zoning

Option 2 Proposed Plan Change – Rezone to General Residential Zoning

Option 3 has been ruled out because other residential zones such as the Coastal Residential Zones or more intensive residential Zones provided for within the National Planning Standards have already been assessed as being inappropriate for this area as part of the District Plan review and this area is not within the coastal environment.

These options are assessed in the tables below:

TABLE 1: OPTIONS ANALYSIS

Option A – Status Quo – Retain Open Space Zoning – Resource Consents Required	
<ul style="list-style-type: none"> Objective – to increase housing capacity in Whanganui by enabling certainty for residential development. <p>This option would retain the Open Space Zone. A full copy of those provisions is attached at Appendix 10. To summarise, Residential activities are not specifically provided for under the Open Space Zone rules of the Operative District Plan. Under Rule OSZ-R3 2A any residential buildings(s) or activities would require a Discretionary Activity Resource Consent. This is a ‘catch-all’ rule which states that any activity not listed as a Permitted or Restricted Discretionary Activity will be assessed as a Discretionary Activity.</p> <p>The objectives and policies of the Open Space Zone do not restrict types of activities but whether or not recreational activities meet and enhance the needs and values of the surrounding environment and its people. It should be noted that these objectives and policies do not restrict residential activities but rather control recreational ones and would not be relevant to a residential activity on site.</p> <p>OSZ-P1 identifies the need for the provision of recreational facilities and opportunities (open space and reserves). As discussed in the AEE, the private ownership of this site limits ‘public use’ therefore, any residential development would not result in a loss of public open space. There are 3 parks and reserves available to service the Castlecliff area.</p> <p>The costs and benefits of retaining the open space zone to meet the objective of the plan change has been assessed as the costs outweighing the benefits.</p>	
Costs	Benefits
<p>Environmental</p> <ul style="list-style-type: none"> Environmental effects to be identified and managed (avoided, mitigated or remedied) through consent conditions which will change constantly depending on what is proposed on site & will require compliance management. Uncertainty on environmental outcomes in relation to amenity, character, and infrastructure over the longer term. 	<p>Environmental</p> <ul style="list-style-type: none"> Adaptive planning to manage the environmental effects of any future development. Open discretion to implement consent conditions and control environment effects.

<ul style="list-style-type: none"> • Less control on streetscape amenity. • Less control over bulk and amenity. • A higher allowance for noise from 7pm-10pm having an effect on the ambient noise quality of the surrounding residential zone. • Vehicle crossing sizes are not controlled based on how many lots/units they are servicing. Adverse effects on the land transport network and those using the site could result. 	
<p>Economic</p> <ul style="list-style-type: none"> • On-going costs of seeking and obtaining Discretionary Resource Consents. High potential that all consents would require some level of notification. • Consent restraints result in inability to add or alter dwellings and properties to support resident needs. 	<p>Economic</p> <ul style="list-style-type: none"> • Removes cost of initiating a plan change.
<p>Social</p> <ul style="list-style-type: none"> • Landowner uncertainty associated with seeking and obtaining future resource consents which may be required for residential activities and buildings including accessory buildings/garages. • This option presents no efficiency in constantly seeking written approvals from neighbours or notifying applications. • Consistently approaching neighbours for affected party approval creates uncertainty for all parties and could create tensions. 	<p>Social</p> <ul style="list-style-type: none"> • None identified.
<p>Cultural</p> <ul style="list-style-type: none"> • None identified. 	<p>Cultural</p> <ul style="list-style-type: none"> • Potential for iwi/hapu engagement in consenting process.

Efficiency

This option is inefficient because residential activities are not contemplated under the Open Space Zone. This option does not provide future owners or dwellers, flexibility or certainty residents flexibility or certainty for any changes to their property.

Effectiveness

Residential activities are not contemplated under the Open Space Zone and these provisions are not effective in achieving the objective of the proposal. This option does not provide certainty to the surrounding environment in relation to the future use and development of the subject site.

Option B – Proposed Plan Change to Rezone to General Residential Zone

Objective – to increase housing capacity in Whanganui by enabling certainty for residential development.

This option would rezone the site to the General Residential Zone. A full copy of this provision is attached as Appendix 11. To summarise, Residential activities are anticipated and controlled by this zone. Any residential development would be controlled in accordance with the rules of this zone being noise, light and glare, minor residential units, and all other structures. These rules are provided to set a standard for bulk, density, character, and amenity of the General Residential Zone. Any future development would have to comply these rules or apply for resource consent where effects would be assessed and controlled in accordance with the intention of the General Residential Zone.

The objectives and policies of the General Residential Zone seek to enable high quality residential areas described under GRZ-O1. The policies seek to protect and enhance the surrounding landscape and visual character of the urban environment by maintaining the existing bulk and scale, avoiding or mitigating nuisance, requiring low traffic on roads for residential use, and requiring development to be integrated with infrastructure.

The rezoning to General Residential Zone has been assessed as having benefits that outweigh the costs, in alignment with the plan change objective.

Costs

Environmental

- Provision for density higher than surrounding properties.

Benefits

Environmental

- Effects managed by rules that support the objective.
- Provision for greater density to add to the housing supply of Castlecliff.
- Environmental effects to be identified and managed (avoided, mitigated or remedied) through consent conditions which will change constantly depending on what is proposed on site & will require compliance management.
- Greater certainty of environmental outcomes in relation to amenity, character, and infrastructure over the longer term.

	<ul style="list-style-type: none"> • Greater control on streetscape amenity. • Greater control over bulk and amenity. • A lower expectation for noise from 7pm-10pm having an improved effect on the ambient noise quality for neighbouring properties in in the general residential zone. • Vehicle crossing sizes controlled based on how many lots/units they are servicing avoiding adverse effect of increased density on the land transport network.
<p>Economic</p> <ul style="list-style-type: none"> • Cost of initiating a plan change, including technical assessments to support. 	<p>Economic</p> <ul style="list-style-type: none"> • Reduced costs associated with needing to obtain resource consent and associated technical assessments as lesser activity status (permitted and controlled activity) applied. • Reduces on-going future resource consent process costs. • Improvement to housing affordability by boosting the competitive land and development markets in Castlecliff. • Positive impact on housing supply which would have a positive impact on housing supply in Castlecliff. • The merge of Castlecliff bowling club with Gonneville Bowling Club will reduce overhead and administrative costs and provide greater resilience to economic challenges.
<p>Social</p> <ul style="list-style-type: none"> • None identified. 	<p>Social</p> <ul style="list-style-type: none"> • Provides greater certainty for the Council, community, and landowners for residential development and activities.

	<ul style="list-style-type: none"> • The merge of the bowling club with Gonville bowling club will promote a larger membership base and the continuation of a bowls club within Castlecliff and Gonneville. • By merging, both clubs can preserve their histories and traditions while creating a new, shared legacy for future generations.
<p>Cultural</p> <ul style="list-style-type: none"> • None identified. 	<p>Cultural</p> <ul style="list-style-type: none"> • Potential for iwi engagement through plan change process.
Efficiency	
<p>The provisions support the objective and enable residential activities as a permitted activity. This option utilises the existing General Residential Zone framework to manage the site and is consistent with the surrounding land.</p> <p>The zoning is consistent with the National Planning Standards.</p>	
Effectiveness	
<p>This option is effective in enabling residential activities whilst managing effects on the environment. A clear direction and expectations for the site are set and are consistent with the surrounding environment.</p>	

3.2 Risk of Acting or Not Acting

Section 32(2)(c) states

“An assessment under subsection (1)(b)(ii) must—

- assess the risk of acting or not acting if there is uncertain or insufficient information about the subject matter of the provisions”

In this case, there is sufficient information about the subject matter of the provisions to determine the range and nature of environmental effects of the options set out above. For this reason, a detailed assessment of the risk of acting or not acting is not required.

For completeness I have provided a summary of the risks of acting or not acting. The risk of acting (accepting the private plan change) would result in positive environmental, economic, social, and cultural benefits. These have been described in the AEE and the assessment of 32(2)(a) being:

- The plan change will release land for residential development in an environment that is nearing its infill capacity.
- Better management of neighbouring amenity and streetscape effects for a residential characterised environment.
- Better management of the effects from development of the site on the land transport network.
- Contaminated land remediation.
- Minor loss of private open space

The risks of not acting include:

- Uncertainty on environmental outcomes in relation to amenity, character, and infrastructure over the longer term.
- The potential for the site to become derelict.
- Landowner uncertainty associated with seeking and obtaining future resource consents which may be required for residential activities and buildings including accessory buildings/garage.
- The site would not be immediately remediated.

3.3 Alignment with existing District Plan objectives

Section 32(3)(3) of the RMA(1991) states:

*If the proposal (an **amending proposal**) will amend a regional policy statement, plan, or change that is already proposed or that already exists (an **existing proposal**), the examination under subsection (1)(b) must relate to—*

(a) the provisions and objectives of the amending proposal; and

(b) the objectives of the existing proposal to the extent that those objectives—

(i) are relevant to the objectives of the amending proposal; and

(ii) would remain if the amending proposal were to take effect.

This plan change request seeks to rezone the site at 32A Manuka Street to General Residential Zone. The proposal is not an 'amending proposal' as described above but rather a rezoning that will adopt the general residential zone provisions – an existing proposal.

The objectives of the Residential Zone have been assessed against the objective of the Plan Change Request in Appendix 4. I have provided a bullet point summary of these below. These should be read in conjunction with the AEE and Appendix 4.

- Tangata Whenua and Papakainga. The applicant has considered the objectives of te awa tupua and is undergoing consultation with iwi / hapū. The plan change has engaged appropriately with iwi to reflect and embody a culturally inclusive community.
- Contaminated Land: a DSI has been provided which indicates the site is appropriate for residential development and can be remedied.
- Natural Hazards: The subject site is in an area identified as having moderate liquefaction susceptibility, overland flow paths, and depression areas greater than 300mm. The applicant has engaged a Orogen and Land Development Engineers limited who state residential development is feasible. By any means, these matters can be considered and mitigated at RC stage where a site-specific method of mitigation can be implemented.
- Earthworks: The site will require earthworks upon future residential development as a result of this plan change request. A geotechnical report is attached as Appendix 8 and states that Residential Land Use will be appropriate on the site and that any effects can be appropriately addressed via a future resource consent.
- Noise: The surrounding area and adjacent properties are all zoned residential and will align with the proposed plan change request to rezone open space land to general residential. Reverse sensitivity effects will not result from the proposal.
- *General Residential Zone*: This plan change request will release land for residential development and will align with the surrounding residential amenity value and character through the adoption of the general residential zones provisions.
- Subdivision: This plan change request has considered the appropriate integration of future subdivisions with infrastructure. Orogen has been engaged and has provided a high-level servicing report which indicates the rezoning from open space zone to general residential zone is appropriate. This report has considered the setting in which the site sits including but not limited to the natural and physical features of the site such as the overland flow paths connected with the site. This has been outlined further in the AEE.

The outcomes and actions of Whanganui District Councils Housing Strategy 2019 are given effect to by this plan change request to rezone the site to General Residential. A full assessment has been provided in section 11.4.1 of the AEE.

4. Conclusion

This Report provides the Section 32 Evaluation of the proposed PPC. The purpose of this plan change is to rezone the site from Open Space Zone to General Residential Zone. The entire 4,773m² will be zoned General Residential Zone under the Whanganui District Plan.

The objective of the Plan Change Request is found to be consistent with the objectives of the Whanganui District Plan.

As assessed in section 2 and Appendix 4 of this report, the proposed objectives of the Whanganui District Plan General Residential Zone and District Wide are the most appropriate way to address the resource management issues identified and to achieve the purpose of the RMA. Pursuant to Section 32(1)(a), the objectives of the General Residential Zone and District Wide chapters are the most appropriate way to achieve the purpose of the Act.

This report demonstrates that the proposed provisions are efficient and effective in achieving the objectives. In accordance with Section 32(1)(b) the provisions of the GRZ and District Wide chapters will effectively and efficiently recognise and support the rezoning.

In accordance with Section 32(1)(c) this evaluation, in conjunction with the AEE contains a level of detail that corresponds to the scale and significance of the environmental, economic, social and cultural effects that are anticipated from the rezoning.

In accordance with S32(3) the plan change request aligns with the plan's objectives described above and in Appendix 4 of the AEE.

As a result of this S32 Assessment there is no reason to decline the Private Plan Change Request under Clause 25 of Schedule 1 of the RMA (1991).