



Hastings District Plan

**Proposed Plan Change 2: Engineering
Code of Practice 2020**

Section 32 Summary Evaluation Report

Hastings District Plan

Proposed Plan Change 2: Engineering Code of Practice 2019

Section 32 Summary Evaluation Report



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1 Introduction

1.1 Purpose of this Report

This report presents the summary evaluation in accordance with Section 32 of the Resource Management Act 1991 (RMA) on proposed Plan Change 2 to the Hastings District Plan (District Plan) in accordance with Section 32 of the Resource Management Act (1991) (RMA)

Proposed Plan Change 2 is required to update the District Plan in response to the recently reviewed Hastings Engineering Code of Practice, 2020 (ECOP (2020)) including adopting the New Zealand Transport Agency's 'One Network Road Classification' (ONRC) hierarchy.

This report is required to accompany proposed Plan Change 2 at the time of public notification under Schedule 1 under the RMA.

1.2 Outline of Proposed Plan Change 2 to the Hastings District Plan

The key changes to the updated ECOP (2020) include:

- An updated district roading hierarchy based on the New Zealand Transport Agency's 'One Network Road Classification' (ONRC);
- Recognition of latest construction practices;
- Clearer guidance in the Standard Construction Drawings including amendments to Drawing C6, C7, C19 & C19A, C31;
- Amended guidance for three waters reflecting recent changes in policy and regulation including a new set of Water Services Drawings (WS101 – 108, WS101-207; WS301- 303, WS 401-4-7, and WS501 509);
- Introduction of Drawings LD1 and LD2 providing typical tree planting detail for trees in road reserves; and
- Introduction of a Street Lighting Code of Practice including a set of Standard Drawings SL000 – SL0006.

As a document embedded in the District Plan, it is necessary to amend the District Plan to ensure referencing to the correct version of the ECOP and to make any consequential changes to ensure that subdivision and land development in Hastings District continues to be designed and implemented in accordance with latest relevant policy and engineering best practice.

No significant changes are required to plan objectives or policies, or rules and, with the exception of the amended roading hierarchy, most changes relate to updating the various references to the Engineering Code of Practice in the District Plan to reflect the latest version.

Key proposed changes to the District Plan include:

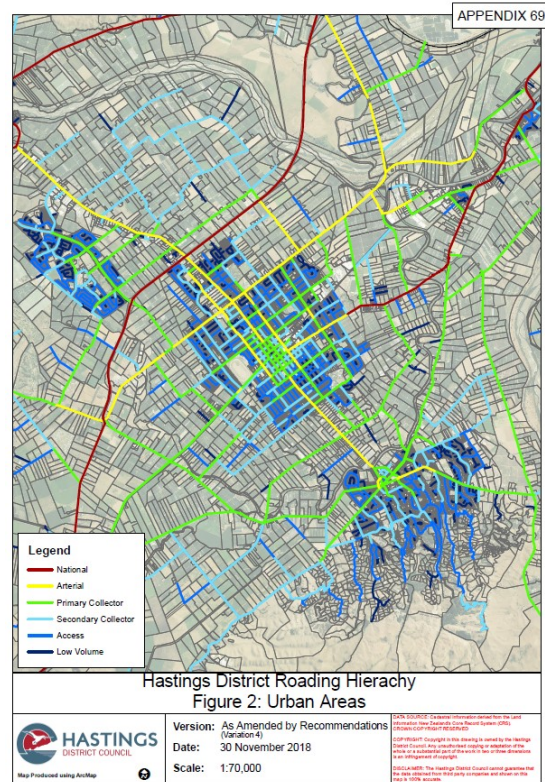
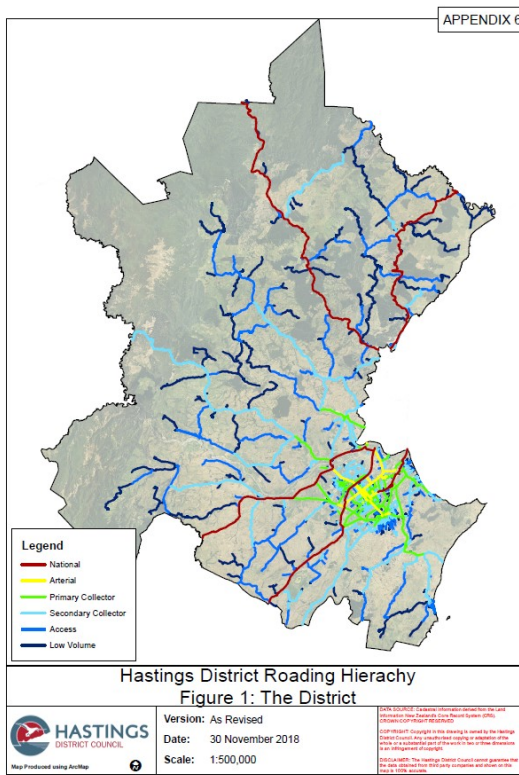
Amended and consistent referencing to the Engineering Code of Practice (2020) across the District Plan

- The Plan currently references the Engineering Code of Practice variously as 'ECOP', 'Code of Practice', 'Engineering Code of Practice 2011'; 'Engineering Code of Practice for Subdivision and Land Development (2011)' and 'Engineering Code of Practice Standards (for public roads)'. This Plan Change proposes using consistent referencing to 'Engineering Code of Practice (2020)' or 'Engineering Code of Practice', with an associated new definition in Section 33.1 linking it to the latest code as follows:

Engineering Code of Practice:	Means Engineering Code of Practice (2020)
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Changes to District Plan Roding Network Classification

- A new Roding Hierarchy has been adopted that reflects the New Zealand Transport Agency’s ‘One Network Road Classification’ (ONRC). This Plan Change provides new maps to replace Appendix 69, and proposes inclusion of an associated ‘Roding Hierarchy Table’ alongside Appendix 69 that describes the characteristics and types of roads included in the hierarchy:



HASTINGS DISTRICT RODING HIERARCHY		
CLASSIFICATION	DESCRIPTION	ROAD TYPES INCLUDED
Arterial	Roads of strategic regional importance and contributing significantly to the regional economy. Linking regionally significant places, industries, ports or airports. Additionally, may perform a ‘lifeline’ function.	State Highways (<i>not managed by Council</i>) and major local roads that are of an inter-regional nature and provide links between significant areas of population and other inter-urban links.
Primary Collector	Roads of strategic importance which provide significant links within the local economy. Links to arterials or state highways.	Links between areas of activity within a community, providing alternative links between centres of population and contributing significantly to the movement of goods or produce.
Secondary Collector	These roads link population and economic sites. Locally preferred routes or within areas of population and activities.	Road giving connectivity between local populations areas and places of interest. Most roads within an industrial area would be collector roads.
Access Roads (includes roads identified as low volume)	These roads provide access and connectivity. Roads whose primary function is a street for people, public space, meeting, gathering as well as accessing	All Council roads not categorised in the above hierarchies and servicing land use activities including cul-de-sacs.

	property. These also provide access to the wider network.	
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Note: The exception to this classification are all those routes not managed by Council.

- An accompanying amendment to the definition for ‘Transport Hierarchy’ contained within Part F, Section 33.1 Definitions, and renaming it ‘Rooding Hierarchy’ to ensure consistent terminology across the District Plan, as follows:

<p>Transport Hierarchy:</p>	<p>Rooding</p>	<p>Classifies roads within the Hastings District Transport Rooding Network depending on their function, location and traffic carrying capacity. The hierarchy adopts a four level classification:</p> <ul style="list-style-type: none"> · <i>Regional Arterials:</i> Routes which are of strategic regional importance, and a significant element in the regional economy. · <i>District Arterials:</i> Routes which are of strategic importance and a significant element in the local economy. · <i>Collector Routes:</i> Routes which are locally preferred between or within areas of population or activities and complimentary arterials · <i>Local Streets:</i> Routes whose primary function is property access • Arterial: Roads of strategic regional importance and contributing significantly to the regional economy. Linking regionally significant places, industries, ports or airports. Additionally, may perform a ‘lifeline’ function. • Primary Collector: Roads of strategic importance which provide significant links within the local economy. Links to arterials or state highways. • Secondary collector: These roads link population and economic sites. Locally preferred routes or within areas of population and activities. • Access Roads: These roads provide access and connectivity. Roads whose primary function is a street for people, public space, meeting, gathering as well as accessing property. These also provide access to the wider network. The low volume roads are included under this classification.
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- Subsequent changes to terminology throughout the District Plan to reflect the amended rooding hierarchy classification as outlined in above.

2 Section 32 Evaluation Requirements (RMA)

Clause 5(1) of Schedule 1 of the RMA requires preparation of an evaluation report for any proposed plan (including any proposed change to a district plan) in accordance with section 32, and for Council’s to have particular regard to that report when deciding whether to proceed with the statement or plan.

Section 32 evaluations effectively ‘tell the story’ of what is proposed and the reasoning behind it. The Section 32 evaluation aims to communicate the thinking behind the proposal to the community and to decision-makers. The evaluation also provides a record for future reference of the process, including the methods, technical studies, and consultation that underpin it, including the assumptions and risks.¹

¹ Ministry for the Environment. 2017. *A guide to section 32 of the Resource Management Act: Incorporating changes as a result of the Resource Legislation Amendment Act 2017*. Wellington: Ministry for the Environment.

Therefore, under section 32(1), Proposed Plan Change 2 to the Hastings District Plan (District Plan) must:

- (a) *examine the extent to which the objectives of the proposal are the most appropriate way to achieve the purpose of the RMA; and*
- (b) *examine whether the provisions in the proposal are the most appropriate way in which to achieve the objectives by –*
 - (i) *identifying other reasonably practicable options for achieving the objectives; and*
 - (ii) *assessing the efficiency and effectiveness of the provisions in achieving the objectives; and*
 - (iii) *summarising the reasons for deciding on the provisions.; and*
- (c) *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.*

Under section 32(2) an evaluation must also:

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

Section 32(3) provides that if the proposal (an **amending proposal**) will amend a standard, statement, national planning standard, regulation, 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.*

In this case, proposed Variation 8 (the proposal) does not of itself contain or state ‘objectives’. Therefore, pursuant to section 32(6)(b), ‘objectives’ in this setting relate to the purpose of the proposal which is:

Purpose of Proposal

To ensure the latest Engineering Code of Practice for subdivision and land development is applied to new development in Hastings District and that the national ‘One Network Road Classification’ is adopted throughout the District Plan.

Similarly, the ‘provisions’ to be evaluated are those provisions identified in section 1.2 above which give effect to the proposal, namely:

- Updated referencing to embed the Engineering Code of Practice (2020) in the District Plan;

- A replacement Rooding Hierarchy map (Appendix 69) and associated table describing the Rooding Hierarchy characteristics and consequential changes to Rooding Hierarchy referencing across the Plan to reflect the amended Rooding Hierarchy classification.

The first part of the evaluation therefore has to address whether making amendments to the identified provisions of the Hastings District Plan is the most appropriate way to achieve the purpose of the RMA.

Secondly, in evaluating the provisions of the proposal in terms of efficiency and effectiveness, the evaluation has to address whether amending the identified provisions is the most appropriate way to improve the administration of the District Plan, reduce inconsistencies and aid understanding and interpretation.

Section 32(4A) requires the evaluation report to:

- (a) summarise all advice concerning the proposal received from iwi authorities under the relevant provisions of Schedule 1; and
- (b) summarise the response to the advice, including any provisions of the proposal that are intended to give effect to the advice.

The following evaluation fulfils Council's statutory obligations under Clause 5(1) of Schedule 1 of the RMA, in accordance with section 32, for proposed Plan Change 2 to the District Plan.

3 Statutory Basis

Section 74 of the RMA outlines the requirements for District Councils for the preparation of, and any change to, their district plan in accordance with their functions under section 31 and the provisions of Part 2 of the RMA.

3.1 Part 2 (Purpose & Principles) of the RMA

Adopting the methods outlined in ECOP (2020), as provided for by proposed Plan Change 2, will ensure subdivision and land development meets the requirements of the RMA, thus giving effect to its purpose, which is *'the sustainable management of natural and physical resources'*. Section 5 of the RMA defines 'sustainable management' as:

'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 wellbeing, and for their health and safety, while:

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

Proposed Plan Change 2 updates referencing to the reviewed ECOP (2020) that provides improved and new methods for compliance with the District Plan and RMA when undertaking subdivision and land development in line with current best practice. As such it will enable people and communities to provide for their social and economic wellbeing while meeting the reasonably foreseeable needs of future generations; safeguard the life-supporting capacity of air, water, soil and ecosystems; and address adverse effects on the environment.

Section 6 identified matters of national importance. No specific matters of national importance are impacted by this proposal.

Section 7 identifies other matters requiring particular regard. Of particular relevance are:

- (b) the efficient use and development of natural and physical resources:*
- (c) the maintenance and enhancement of amenity values:*
- (d) intrinsic values of ecosystems:*
- (f) maintenance and enhancement of the quality of the environment.'*

ECOP (2020) refines the 2011 version by providing improved guidance for innovative subdivision and land development design thus enabling sustainable environmental outcomes with respect to potable water supply, treatment and disposal of wastewater, dealing with stormwater issues and design of roads. In this respect, the proposal to embed the updated code in the District Plan will provide improved guidance to surveyors, designers, engineers and land developers to give appropriate regard to relevant section 7 'other matters' (b) (c) (d) and (f).

Section 8 requires developers to take into account the principles of the Treaty of Waitangi. The existing Code provides guidance in respect of the discovery of archaeological and cultural materials, and no changes have been made in this respect. The proposal remains consistent with this requirement. The proposed Code also encourages early consultation with tangata whenua where they have an interest in a development, and an early site analysis that includes, among other things, identification of any heritage and cultural elements. Developments that are consistent with this ECOP guidance will therefore appropriately reflect the requirements of section 8.

3.2 Part 4 (Functions, Powers & Duties) of the RMA

The particular statutory functions of the District Council in giving effect to the Act as contained in section 31 of the Resource Management Act 1991 also provide a clear mandate for addressing long term land-use and infrastructure issues in a District Plan. In particular:

- '(1)(a) the establishment, implementation, and review of objectives, policies, and methods to achieve integrated management of the effects of the use, development, or protection of land and associated natural and physical resources of the district:*
- ...
- (b) the control of any actual or potential effects of the use, development, or protection of land, including for the purpose of—*
 - (i) the avoidance or mitigation of natural hazards: and*
 - (iia) the prevention or mitigation of any adverse effects of the development, subdivision, or use of contaminated land:*
 - (iii) the maintenance of indigenous biological diversity:*
- ...
- (d) the control of the emission of noise and the mitigation of the effects of noise;*
- (e) the control of any actual or potential effects of activities in relation to the surface water in rivers and lakes:*
- ...
- (2) the methods used to carry out any functions under subsection (1) may include the control of subdivision.'*

Proposed Plan Change 2 seeks to amend plan provisions to embed ECOP (2020) into the District Plan and in doing so will further enable surveyors, designers, engineers and land developers to achieve integrated management of the effects of the use and development of land, and appropriate protection of land and associated natural and physical resources of the District, through implementing sustainable design and engineering methods .

3.3 Hawke's Bay Regional Policy Statement

In addition, Section 75 of the RMA states that a district plan 'must give effect to' any regional policy statement (RPS). The Hawke's Bay RPS, is included in the Hawkes Bay Regional Resource Management Plan (RRMP), and of particular relevance to ECOP (2020) are the overarching resource management objectives (OBJ 1, 2 and 3); and RPS Chapters 3.1A 'Integrated Land Use and Freshwater Management' and 3.1B 'Managing the Built Environment'.

3.3.1 Overarching Resource Management Objectives

OBJ 1 *To achieve the integrated sustainable management of the natural and physical resources of the Hawke's Bay region, while recognising the importance of resource use activity in Hawke's Bay, and its contribution to the development and prosperity of the region.*

OBJ 2 *To maximise certainty by providing clear environmental direction.*

OBJ 3 *To avoid the imposition of unnecessary costs of regulation on resource users and other people.*

Explanation and Reasons

2.3.1 *These objectives have been adopted by the HBRC to set the overarching resource management framework for the region's resources. Hawke's Bay Regional Council recognises the integrated nature and importance of both resource use and environmental quality and the need for this to be apparent in the Plan.*

2.3.2 *These objectives build on the sustainable philosophy of the RMA, while also incorporating the private sector's and the public's desire for efficient and accountable decision-making.*

2.3.3 *These are the key Regional Policy Statement objectives. ...'*

This Plan Change is consistent with these objectives. ECOP (2020) provides an acceptable means of compliance for surveyors, designers, engineers and land developers to meet their obligations under the RMA through providing certainty and clarity for the achievement of environmental objectives. Improved design guides and direction with respect to the sustainable management of water, and adoption of the One Network Road Classification, to achieve consistency in levels of service with adjacent local authorities, will encourage a more integrated and sustainable development of the district's valuable resources, thus contributing in a positive way to the development and prosperity of the region.

3.3.2 Integrated Land Use and Freshwater Management

This chapter of the RPS gives effect to the 2014 National Policy Statement for Freshwater Management by setting out a broad overall framework for improving integrated management of the regions freshwater and land resources. Of particular relevance to Proposed Plan Change 2 is Objective LW2:

OBJ LW2 *Integrated management of fresh water and land use development.*

The management of land use and freshwater use that recognises and balances the multiple and competing values and uses of those resources within catchments.

Where significant conflict between competing values or uses exists or is foreseeable, the regional policy statement and regional plans provide clear priorities for the protection and use of those freshwater resources.

Proposed Plan Change 2, that seeks to embed ECOP (2020) into the District Plan, will provide improved direction and clearer guidance to developers on acceptable wastewater and stormwater management methods, and safe drinking water provisions. These changes take into account recent policy direction and legislation changes including the results of the Government Inquiry in response to the Havelock North Drinking-water Outbreak, as well as the Governments three waters review, pending Regional

Council TANK² catchment plan, the Hawke's Bay Regional Policy Statement (with respect to land use and freshwater management), the National Policy Statement for Freshwater Management (2014) and the direction indicated by the draft National Policy Statement for Freshwater Management that is currently out for consultation. Adherence to this updated Code will ensure that development balances land use with freshwater use in a way that safeguards public health and the environment.

3.3.3 Managing the Built Environment

This chapter of the RPS seeks to ensure that urban growth occurs in the most sustainable manner avoiding the encroachment of urban activities onto the versatile soils of the Heretaunga Plains in ad hoc or unplanned ways. In particular Objective UD1 seeks the creation of an '**urban form throughout the Region, that:**

(a) achieves quality built environments that:

...

iv. are healthy, environmentally sustainable, functionally efficient, and economically and socially resilient, ...

Proposed Plan Change 2 to embed ECOP (2020) into the District Plan will provide improved guidance that reflects updated policy and best practice and thus will encourage quality built environments in a way that is consistent with this objective.

The adoption of the ONRC Rooding Hierarchy will provide greater consistency of provision across the local, regional and national rooding network, contributing to the achievement of a more functionally efficient rooding network.

4 Background to Proposed Plan Change 2

Section 11 of the RMA requires local authorities to control subdivision, and to make specific provision for subdivision in the District Plan. To date, Council's response to section 11 has been mainly through rules and standards defined in the District Plan and through a prescriptive Engineering Code of Practice.

The ECOP, first introduced as a draft in 2008 and with subsequent amendments and reviews, is a guideline for the engineering of subdivision and land that sets out Council's expectation of developers so that the requirements of the Resource Management Act 1991 and the Hastings District Plan are met. It is variously referenced in the District Plan as 'ECOP', the 'Code of Practice', the 'Engineering Code of Practice' or the 'Engineering Code of Practice for Subdivision and Land Development (2011)'.

ECOP (2011) is based on NZS4404:2010 Land Development and Subdivision Infrastructure, which sets out the minimum engineering requirements for development infrastructure, as well as requirements specific to the Hastings District environs. Although ECOP (2011) is only one means of compliance, it has tended to become the norm because of the certainty it provided in the resource consent process.

In reviewing ECOP (2011), Council has sought to support, where appropriate, greater innovation in the design and consent process and in the provision of engineering services to achieve sustainable solutions and address identified service and infrastructure constraints within the district. Such constraints include the provision of adequate potable water supplies, treatment and disposal of wastewater, dealing with stormwater issues and design of roads, and facilities to support alternative transport options.

The reviewed ECOP also seeks to encourage improved integration across departments within Council for the assessment of development proposals, as well alignment with national directions and legislative changes that have occurred since the previous ECOP was adopted.

² Tutaekuri Ahuriri, Ngaruroro & Karamu Catchment

The version currently referenced in the District Plan was adopted in July 2011 and a Plan Change process was completed to incorporate it into the operative District Plan at that time. The recently adopted Hastings District Plan (Partially Operative with the Exception of Section 16.1 and Appendix 50) still references the 2011 version of ECOP. .

Key changes to ECOP as a result of the review include:

- Alignment with the national roading classification system – One Network Road Classification (ONRC);
- An approach that anticipates and reflects changes to the policy and regulation setting, particularly with respect to three waters management, including the NPS for Freshwater, Hawke’s Bay Regional Policy Statement and the pending Tutaekuri, Ahuriri, Ngaruroro, Karamu (TANK) catchment plan change, outcomes of the Havelock North water enquiry, and Councils own obligations under it district wide stormwater network resource consent;
- Amendments to transportation drawings (C6, C7, C19, C31 and C32);
- A new set of 3 waters drawings;
- A code of practice for lighting; and
- New drawings for roadside tree pits.

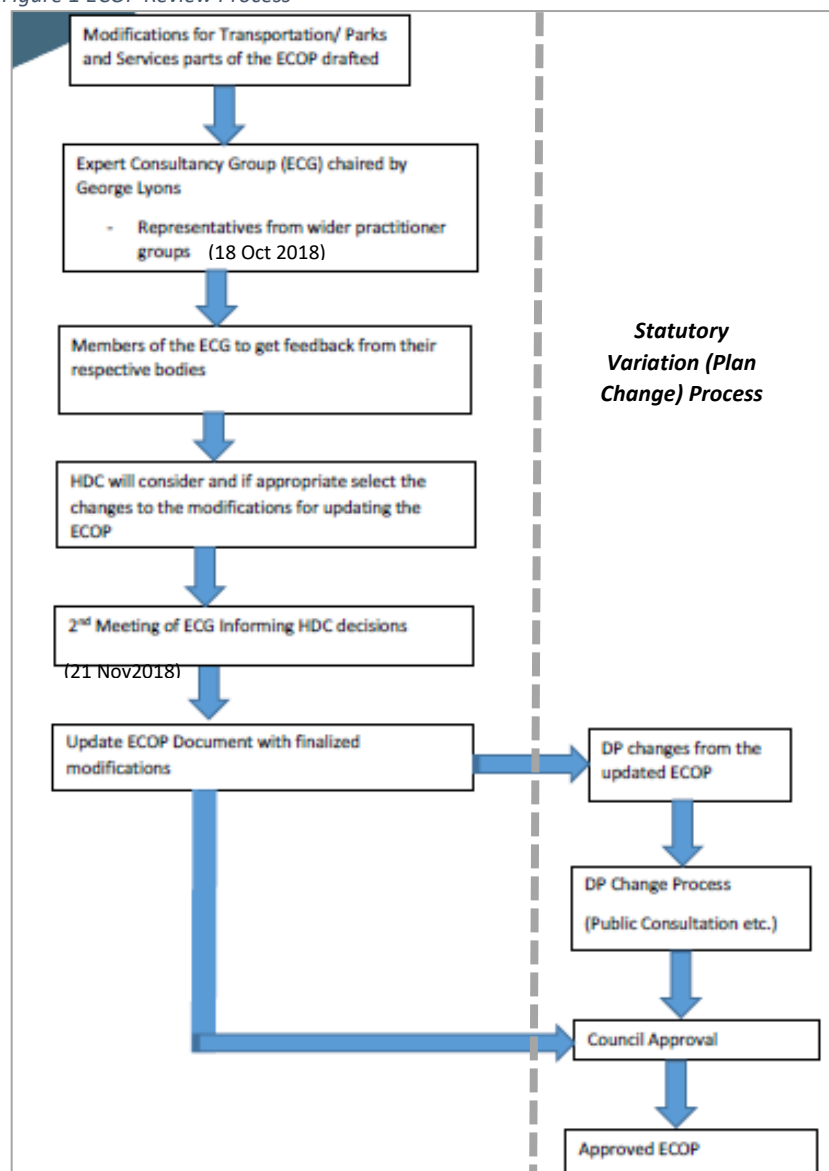
ECOP (2020) will provide greater consistency in development across the district, as well as improve outcomes for drinking water and ecological values, whilst safeguarding public health and the environment.

5 Stakeholder Engagement

5.1 Development Stakeholders

Council’s process for reviewing ECOP was completed in accordance with the steps outlined in Figure 1 below:

Figure 1 ECOP Review Process



An Expert Consultancy Group comprising representatives from the local development community was established to provide input and feedback to the review. In addition, a meeting was held with Council planners to check suitability of ECOP changes in terms of District Plan administration. Meetings took place between October 2018 and February 2019. Final changes were made to the draft ECOP and circulated to the Expert Consultancy Group who were advised that a change to the District Plan would follow and they would get a final chance to comment on ECOP (2020) through that process.

5.2 Iwi Consultation

A meeting was held with representatives from Te Taiwhenua O Heretaunga (Marei Apatu) and Ngati Kahungunu Iwi Incorporated (Ngaio Tiouka and Shade Smith) on the 14th November 2019 to outline the purpose of the proposed plan change and seek feedback.

Overall, no specific issues were raised with the proposed Plan Change given it is essentially a technical amendment. The representatives did however emphasise the importance of the District Council's policies and plans providing for Maori values with respect to the management of water when undertaking subdivision and landuse activities. Key messages on behalf of Maori include:

- The great importance to Maori of the natural values of our district's water needs to be reflected / integrated across policy and implementation guidance.

- A primary aim of Ngati Kahungunu is to promote natural solutions where natural cultural values are impacted. Water comes from a natural place and has heightened natural values. The cultural interpretation of this is important. Once a stream becomes a pipe or a drain there are a whole lot of negative impacts. These are better to be avoided in the first place with soft engineering solutions.
- Implementation guidelines are important for preserving natural values.

Te Taiwheuna O Heretaunga also provided further written feedback seeking that the proposed Plan Change /ECOP must demonstrate improved function performance and optimisation of public investment, as well as ensure safe infrastructure systems for transporting water and waste to avoid adverse effects on the environment.

6 Appropriateness, Efficiency and Effectiveness of the Proposed Variation 8 in Achieving the Purpose of the RMA

6.1 Is the Proposal the Most Appropriate Way to Achieve the Purpose of the RMA?

As outlined in section 2 above, the first part of the evaluation is:

‘Whether amending the District Plan to ensure the latest engineering code of practice for subdivision and land development is applied to new development in Hastings District and that the One Network Road Classification Roding Hierarchy is adopted throughout the Plan, is the most appropriate way to achieve the purpose of the RMA.’

The assessments in Section 3 above demonstrate that the proposal, with respect to embedding ECOP (2020) into the District Plan, is necessary to provide an updated means of compliance with the District Plan.

The only real alternative is to *not* amend the District Plan as proposed and continue with the status quo. This would not result in the best outcomes for sustainable subdivision and development and would be ‘out of step’ with updated policy including the current nation-wide approach to the roading hierarchy.

Utilising sustainable design practices as promoted in ECOP (2020) via this proposal, is directly related to managing subdivision and land development in a way that enables people and communities to provide for their social and economic wellbeing while meeting the reasonably foreseeable needs of future generations; safeguarding the life-supporting capacity of air, water, soil and ecosystems; and addressing adverse effects on the environment. It will also ensure that subdivision and landuse activities will have more options for sustainable solutions that will maintain and enhance the quality of the environment including providing better protection for the district’s natural water resources.

It also gives effect to the Hawke’s Bay Regional Policy Statement with respect to freshwater and the built environment and is an efficient and effective means of managing the environmental effects of subdivision and development.

The proposal is confirmed as representing the most appropriate way to provide for the sustainable management of the District’s resources – the purpose of the RMA.

6.2 Are the Provisions the Most Appropriate Way to Achieve the Purpose of the Proposal

As outlined in section 2 above, the second part of the evaluation is to address whether amending the identified provisions including:

- *Updated referencing to embed the Engineering Code of Practice (2020) in the District Plan;*

- *Replacement Rooding Hierarchy maps (Appendix 69) and associated table describing the Rooding Hierarchy characteristics, and consequential changes to Rooding Hierarchy referencing across the Plan to reflect the amended Rooding Hierarchy classification.*

is the most appropriate way to improve the administration of the District Plan, reduce inconsistencies and aid understanding and interpretation.

The following evaluation examines whether the provisions in the proposal are the most appropriate way in which to achieve the existing relevant objectives of the District Plan and the purpose of the proposal in terms of their efficiency and effectiveness (s32(1)(b)).

To date, section 32 case law has interpreted ‘most appropriate’ to mean “suitable, but not necessarily superior”³. Therefore, the most appropriate option does not need to be the optimal or best option, but must demonstrate that it will meet the objectives in an efficient and effective way.

Again, as a Plan Change to the District Plan, this is regarded as an ‘amending proposal’ under section 32 of the RMA. In terms of section 32(1)(a), no objectives are proposed and existing objectives in Section 2.5 Transport Strategy, Section 26.1 Transport and Parking, and Section 30.1 Subdivision and Land Development (as well as relevant zone provisions), remain relevant.

The focus of this evaluation will assess the following two aspects of the Plan Change separately:

- *The impact of amending references to ECOP 2011 (and other variations thereof) to ECOP 2020 and inserting an associated new definition;*
- *The impact of amending the Rooding Hierarchy, introducing a Rooding Hierarchy Table and correcting the definition in Part F, Section 33.1 “Transport Hierarchy” by renaming it Rooding Hierarchy, and updating the rooding characteristics associated with this definition.*

The evaluation is ‘at a level of detail that corresponds to the scale and significance of the effects anticipated from implementation of the proposal.’

Much of the background and assessment in the preceding sections of this report contributes to the overall evaluation of the specifics of this proposal.

6.2.1 Engineering Code of Practice Referencing Amendments

6.2.1.1 Options

Options are:

1. **Do Nothing** – this option involves retaining the current references to the Engineering Code of Practice (2011) in the District Plan and therefore retaining the current Code to guide developers when undertaking subdivision and land development.
2. **Amend District Plan referencing to reflect the updated Engineering Code of Practice (2020)** – this option involves updating references to the Engineering Code of Practice (2020) which provides improved design details and reflects policy and legislative changes that have occurred since ECOP (2011) was adopted.

6.2.2 Rooding Hierarchy & Associated Reference Amendments

6.2.2.1 Options

Options are:

1. **Do Nothing** – this option involves retaining the current Hastings District Rooding Hierarchy, with no associated rooding hierarchy table that describes the respective road category characteristics;

³ Rational Transport Soc Inc v New Zealand Transport Agency HC Wellington CIV-2011-485-2259, 15 December 2011.

2. **Amend Appendix 69 and make associated amendments** – this option involves replacing Appendix 69 with an amended Roading Hierarchy based on the New Zealand Transport Agency’s ‘One Network Road Classification’; introducing a roading hierarchy table that describes the respective road category characteristics, and amends the definition of ‘Transport Hierarchy’ in Part F Section 33.1 by renaming it ‘Roading Hierarchy’ and updating the categories associated with it to reflect the ONRC hierarchy. It also involves applying consistent terminology i.e. reference to the respective road classification terms used across the District Plan.

6.2.3 Evaluation of Options

Table 1: Issue: Engineering Code of Practice Referencing Amendments

	Option 1 – Do Nothing Retain current references to the Engineering Code of Practice (2011)	Option 2: Amend District Plan referencing to reflect the updated Engineering Code of Practice (2020)
EFFECTIVENESS In achieving: - The purpose of the proposal: and - Existing relevant objective of the District Plan	Not Effective This option would result in subdivision and land development continuing to develop in a way that no longer meets best practice and is out of step with policy and legislative changes, particularly in the water space, that have occurred since 2011. It also would continue inconsistent referencing of this document across the District Plan which is currently referred to as ‘ECOP’, ‘Code of Practice’, ‘Engineering Code of Practice 2011’, ‘Engineering Code of Practice for Subdivision and Land Development (2011)’ ‘ECOP’ and ‘Engineering Code of Practice Standards (for public roads)’ which may contribute to a level of confusion and uncertainty to administrators and users of the District Plan when trying to locate and apply the correct document.	Effective This option will embed the reviewed Engineering Code of Practice in the District Plan and provide developers with current best practice in the resource consent process for meeting RMA and District Plan requirements for sustainable development. Council have consulted with the development community on the reviewed Code and there is general acceptance that it provides clearer and more certain guidance. It also creates opportunity and a process for innovative design solutions to be considered by Council through early discussion with Council officers and a project team approach. ECOP (2020) also reflects policy and legislative changes, particularly in the water space, that have occurred since 2011. This includes learnings from the response to the Havelock North Drinking-water Outbreak as well as the Governments three waters review,, pending TANK ⁴ catchment plan, the Hawke’s Bay Regional Policy Statement (with respect to land use and freshwater management), the National Policy Statement for Freshwater Management (2014) and the direction indicated by the draft National Policy Statement for Freshwater Management that is currently out for consultation. It also specifically sets out Council’s preference for utilising and enhancing natural systems for stormwater treatment and integration into the environment, and a catchment approach to stormwater management that considers impacts of both quality and quantity of discharge on the natural environment. The promotion of such practices is also consistent with the outcomes desired by iwi as advised by representatives from Ngati Kahungunu Iwi Incorporated and Te Taiwhenua O Heretaunga. These amendments to the Code of Practice will ensure better environmental practices in the subdivision and development of land. The insertion of a new definition for Engineering Code of Practice to refer to the Engineering Code of Practice (2020) provides an effective and efficient way of ensuring consistency in administration of the District Plan, both now and for future iterations.
COSTS Effects anticipated from implementation including: - Environmental - Economic (Include economic growth & employment - Social - Cultural	Moderate to High Cost Not reflecting best practice and policy and legislative changes or providing for innovative practice to establish could result in less sustainable outcomes for the use of land and water resources, which may ultimately impose costs on the environment through inefficient design and engineering outcomes, and valuable opportunities to improve environmental outcomes could be lost. The standards contained in the current ECOP are outdated and are unlikely to achieve emerging legislative compliance. There is also a higher economic, social and cultural cost of applying outdated guidance when applying for resource consent for example by not implementing best practice design for stormwater management or adhering to a roading hierarchy system that is not consistent with neighbouring local authorities or governments approach to roading provision.	Low Cost The administrative cost of the Plan Change.
BENEFITS Effects anticipated from implementation, including: - Environmental - Economic (incl. on economic growth & employment) - Social - Cultural	Low Benefit No need to amend the District Plan	Moderate to High Benefit This option, to provide an updated ECOP, will provide improved guidance on sustainable development methods for subdivision and land development will be actively encouraged and higher level of expectations of developers will result in improved environmental, economic, social and cultural outcomes. For example, a consistent approach to the roading hierarchy will ensure integrated roading provision across the district and region. The additional guidance in relation to three waters will ensure better compliance with what goes into Council’s own stormwater networks as well as overall improved on site stormwater management, thus contributing to improved water quality and better environmental outcomes, as well as minimising public health and safety related risks associated with the management of wastewater and drinking water. Improved ECOP guidance will also contribute to improvements in ecological values and the swim-ability of local waterways, through stronger emphasis on the management of stormwater at development stage, and improvements to ensure security of drinking water quality. This will in turn improve the community’s response to matauranga maori aspirations for healthy rivers and streams. Improved likelihood of achieving legislative compliance.
EFFICIENCY In achieving: - The purpose of the Proposal; and - Existing relevant objectives of the District Plan	Low Efficiency This option would not achieve the purpose of the proposal and over time would make it increasingly difficult for developers to meet the requirements of the District Plan and the RMA, as policy and legislative changes now require far greater standards of compliance.	Highly Efficient This option will achieve the purpose of the proposal and enable developers to continue to meet the relevant objectives of the District Plan which overall seeks to achieve sustainable development of the District’s land resources.

⁴ Tutaekuri Ahuriri, Ngaruroro & Karamu Catchment

OVERALL APPROPRIATENESS - In achieving: - - the purpose of the Proposal; and - - existing relevant objectives of the District Plan.	Not appropriate	Appropriate
RISK OF ACTING OR NOT ACTING (if uncertain or insufficient information)	N/A (information is sufficient and certain)	N/A (information is sufficient and certain).
CONCLUSION The above evaluation demonstrates that amending references in the District Plan to reflect the updated Engineering Code of Practice (2020) is an effective and efficient way of ensuring a consistent approach to sustainable development in the District and compliance with standards emerging from the Government’s Three Waters Review and other associated policy and legislative changes. Option 2 is considered the most appropriate way to achieve the purpose of this proposal.		

Table 2: Issue: Rooding Hierarchy & Associated Reference Amendments

	Option 1 – Do Nothing	Option 2: Amend Appendix 69 and Make Associated Amendments
EFFECTIVENESS In achieving: - The purpose of the proposal: and - Existing relevant objective of the District Plan	Not Effective Retaining the existing rooding hierarchy poses risks in terms of inconsistent levels of service across the district rooding network particularly where it intersects with regional and national roads that pass through the District as well as connections with neighbouring local authority networks. The recently adopted District Plan omitted to transfer the Rooding Hierarchy table across from the previous Hastings District Plan, and provides a limited description of categories of roads under the definition of 'Transport Hierarchy'. This is an omission and an error and does not make for efficient administration of the District Plan. The term 'Transport Hierarchy' is not used elsewhere in the District Plan and retaining it as a definition will result in inefficient administration and application of the District Plan. Retaining the definition associated with it will also be 'out of step' with the rest of the country.	Effective Adopting the national rooding hierarchy will achieve greater consistencies in terms of levels of service across the district rooding network, including consistency with regional and national roads that pass through the District as well as connections with neighbouring local authority networks. Including a Rooding Hierarchy Table in Appendix 69 that describes the anticipated road characteristics for different types of roads is important when applying for resource consent and understanding effects of development on the rooding network. It needs to be easy to find and including it in Appendix 69 is a logical place to find such a description. Correcting the name of the definition from 'Transport Hierarchy' to 'Rooding Hierarchy' will improve the administration of the District Plan and updating the associated the definition is necessary to reflect the new ONRC rooding hierarchy.
COSTS Effects anticipated from implementation including: - Environmental - Economic (Include economic growth & employment - Social - Cultural	Moderate Cost Overtime, retaining the status quo could lead to inconsistent levels of service across the road network between Hastings District, the New Zealand Transport Agency and neighbouring local authorities.	Low Cost The administrative cost of the Plan Change.
BENEFITS Effects anticipated from implementation, including: - Environmental - Economic (incl. on economic growth & employment) - Social - Cultural	Low Benefit No need to amend the District Plan	Moderate Benefit This option ensures development of a more integrated and sustainable rooding network as an integral part of the wider national rooding network, which is important to the environmental, economic, social and cultural wellbeing of the District.
EFFICIENCY In achieving: - The purpose of the Proposal; and - Existing relevant objectives of the District Plan.	Low Efficiency This option would not achieve the purpose of the proposal to adopt the national ONRC rooding hierarchy, and over the longer term would no longer serve the District Plan Transportation Strategy objectives for a safe, efficient, and environmentally appropriate rooding network which mitigates adverse effects on the community and which is protected from the adverse effects of adjacent land uses.	Highly Efficient This option is the only option for achieving the purpose of the proposal to adopt the national ONRC rooding hierarchy. It ensures District Plan Transportation Strategy objectives for a safe, efficient, and environmentally appropriate rooding network can continue to be met.
OVERALL APPROPRIATENESS In achieving: - the purpose of the Proposal; and - existing relevant objectives of the District Plan.	Not appropriate	Appropriate
RISK OF ACTING OR NOT ACTING (if uncertain or insufficient information)	N/A (information is sufficient and certain)	N/A (information is sufficient and certain).
CONCLUSION The above evaluation demonstrates that replacing Appendix 69 and making associated changes to adopt the ONRC is an effective and efficient way of ensuring the District's rooding network will be administered consistently and will meet District Plan Transportation Strategy objectives. Option 2 is considered the most appropriate way to achieve the purpose of this proposal.		

6.3 Summary & Conclusions

This section 32 summary evaluation confirms the following:

- a) Proposed Plan Change 2 will assist in making the District Plan more easily understood through consistent referencing to the Engineering Code of Practice, the inclusion of a Rooding Hierarchy Table within Appendix 69 and correcting reference in the District Plan from 'Transport Hierarchy' to 'Rooding Hierarchy'.
- b) The amendments sought by proposed Plan Change 2 are efficient and effective in that they will enable the effects of subdivision and land development (including effects on the transport network) to be managed in a way that reflects best practice, is consistent with the regional policy statement and which enables people and communities to provide for their social, economic and cultural wellbeing while mitigating adverse effects of activities on the environment; and
- c) Overall, proposed Plan Change 2 directly relates to enabling the District Plan to be easily understood and administered, adopting the national rooding classification system that will allow for consistency in levels of service across the region, and ensuring that subdivision and land use development adopt best practice methods to achieve sustainable management of the District's natural and physical resources. It also will assist in ensuring development occurs in an efficient manner and that the local community can effectively provide for their social, economic and cultural wellbeing without undue delays caused by misunderstandings surrounding District Plan provisions.

Therefore, adoption of proposed Plan Change 2 to the Proposed Hastings District Plan is efficient, effective, and appropriate in terms of section 32 of the RMA.

