

Annexure Twelve – Section 32 Assessment



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CONSULTANTS

resource management & planning

Section 32 Assessment

Main South Road, Rolleston

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Selwyn District Council

Table of Contents

1	Introduction	2
1.1	Proposal Objective	2
1.2	Issues	2
1.3	Consultation	3
2	Scale and significance	3
2.1	Context	4
2.2	Assessment of scale and significance	4
3	Evaluation of the Objective	4
3.1	Expected outcomes	4
4	Options for Achieving the Objective	6
5	Identification of Environmental, Economic, Social and Cultural Effects	6
5.1	Environmental	7
5.2	Economic	7
5.3	Social	8
5.4	Cultural	8
6	Efficiency of the Provisions	8
6.1	Option One: Status Quo: Leave the land zoned Rural Inner Plains	8
6.2	Option Two: Rezone for Rural Residential Purposes (Living 3)	10
6.3	Option Three: Rezone to a higher density Living Zone (Living Z)	12
6.4	Option Four: Apply for a resource consent for the proposed subdivision and development	14
6.5	Preferred Option: Rezone to Living 3	16
7	Effectiveness of the Provisions	18
7.1	Key District Plan Objectives	18
8	Risks of acting or not acting	19
9	National Environmental Standards	20
10	Conclusion - Appropriateness of the Provisions	20

1 Introduction

This section 32 evaluation has been prepared in accordance with Section 32 of the RMA as amended in December 2013. It assesses the appropriateness of the proposal to rezone a Rural Inner Plains zoned site on the eastern edge of Rolleston township for rural residential purposes (Living 3 zone).

The proposed plan change seeks to amend the District Plan to enable the rezoning of this site, and is therefore considered to be an Amending Proposal (hereafter referred to as 'the Proposal') under Section 32 of the RMA. As such this evaluation demonstrates that the proposed new provisions including the rezoning to Living 3, will assist in achieving, and will not undermine, the relevant objectives, and policies already contained in the District Plan. The Proposal does not seek to amend any of the objectives or policies of the District Plan, but rather seeks minor changes and/or addition rules, and to amend the district planning maps.

1.1 Proposal Objective

In accordance with s32 6b), the Proposal objective is the purpose of the Proposal. In this case, this is to provide for the rezoning of approximately 20.59ha of land on the eastern side of Rolleston for rural residential use in appropriate, sustainable and integrated manner, including by avoiding reverse sensitivity effects and promoting high amenity outcomes and social cohesion.

1.2 Issues

The Proposal has arisen in response to the demand for rural residential development in the Selwyn District, created in part as a result of residents from Christchurch City displaced by the recent earthquakes, including former 'hill dwellers' who enjoyed an open outlook, seeking similar or improved quality of life as prior to the earthquakes in 2011 in areas perceived as less at risk from earthquake related damage (such as Rolleston, with its gravel based ground conditions). This is achieved by seeking larger, more open sections, with rural outlook and a strong sense of rural character, while being in close proximity to existing township services. Matson and Allen Real Estate are a Rolleston based company who have noticed a strong demand for Rural Residential sized sections prior to the 2011 earthquakes but more recently as a result of the earthquakes. A letter from this company outlining their observations is attached as appendix 10 to the Plan Change Application.

Additionally and prior to the 2011 earthquakes, there was already a strong demand for rural residential sections in Selwyn District, and limited supply, that is for sections that were smaller than the 4ha Inner Plains limits, but larger than typical urban densities (ie a rural residential sized section typically between 2500m² and 2ha).¹

The Proposal site is ideally located adjoining the edge of Rolleston township and also adjoining Inner Plains zoned rural land providing the opportunity for rural outlook and character.

Additionally with the expansion of Rolleston towards this property there was a potential issue of reverse sensitivity associated with the current farming practices on the property. The change to rural residential zoning reduces this potential issue, as there will be larger

¹ Refer Section 1.4 of AEE

sections along rural boundaries, providing for greater setbacks, and rural activities are more likely to be anticipated adjoining the proposed type of development.

Under Plan Change 1 to the Regional Policy Statement, the Coles family submitted that their entire 40ha farm should be included into the Urban Limits for Rolleston, given its location adjoining the township and their acknowledgement of the potential for reverse sensitivity to occur given the extensive cropping activities and associated overnight harvesting of crops by machinery in the summer months. Half of the farm was included in the Urban Limits and is now in the process of being subdivided as developed as Living Z zoned land. The effect of including only part of the farm is that the remaining 20ha is no longer of sufficient size to accommodate an economic cropping business. The Coles also run a contracting business from this site, and note that extensive traffic movements by heavy vehicle's (ie tractors towing balers etc) in close proximity to urban activities is not a suitable activity. Therefore it is considered that the rezoning of this site to provide for Rural Residential activities is the most appropriate and sustainable use for this balance area (ie the 20ha excluded from the urban limits).

1.3 Consultation

The Proposal provisions including ODP and associated rules have been developed by a multi-disciplinary team of acknowledged experts including landscape architect, surveyors, infrastructure engineers, traffic engineer, property developer and project manager, real estate agent and planners.

During the course of preparing this plan change request, there has been extensive consultation with potentially affected parties, including NZTA, iwi; and Council planning and asset officers. In addition, the Proposal has been extensively consulted on as part of other SDC planning processes, principally PC17 and PC32 (both withdrawn), the Rural Residential Background Report and the recently adopted Rural Residential Strategy. The Proposal Site is identified as a rural residential site in both the RRBR and the RRS.

Further details on the Consultation to date are set out in Section 6 of the AEE.

2 Scale and significance

Section 32 sets out that an 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"* (section 32(1)(c)).

In order to ensure the most appropriate level of detail is included into this evaluation, an assessment of the scale and significance of the anticipated effects must first be established. Anticipated effects are discussed in greater detail elsewhere in this evaluation, and within the plan change request. Overall effects are considered to be minor and relate to the following:

- Reverse sensitivity – including mitigation measures to avoid reverse sensitivity from regionally important infrastructure (SH1) and adjoining rural land to the east.
- Landscape - change in landscape and the rural/urban fringe

- Traffic impacts – increased traffic and its effects on and connectivity with existing roading infrastructure
- Servicing effects - ability to provide reticulated services

2.1 Context

Rolleston is Selwyn's largest town, originally providing a rural service centre function, it is now considered to be one of the Key Activity Centres for the region identified in the Canterbury Regional Policy Statement²

The Selwyn District is one of the fastest growing districts in New Zealand and was the fastest growing in 2010, 2011 and 2009 indicating that continued growth is likely³

2.2 Assessment of scale and significance

The Proposal site is a relatively small 20 ha site on the edge of Rolleston township, and given its proposed rural residential nature, its rezoning is likely to have a localised impact on the immediate surrounding area (eg. in terms of reverse sensitivity, traffic and landscape), with diminishing impacts further from the geographical location of the site.

Additionally the Proposal seeks to make amendments to planning maps and some rules specific to the Proposal site, only in order to ensure the future rural residential activity achieves appropriate rural residential character and amenity, having regard to adjoining land uses including SH1. The plan change does not seek to change the existing baseline for rural residential development, but rather seeks that this baseline also applies to the proposal site. Therefore the proposed development will be in keeping with anticipated development elsewhere in the District, and therefore substantial amendments to planning provisions are not necessary.

Because of the small size of the site, the predominantly localised effects of the development and the small amount and generally minor nature of amendments sought to the District Plan, it is considered that the Proposal is of a relatively small scale and has small and somewhat limited significance in the context of the wider community.

3 Evaluation of the Objective

Section 32 sets out that an evaluation must "... *examine the extent to which the objectives of the proposal being evaluated are the most appropriate way to achieve the purpose of this Act*" (section 32(1)(a)).

3.1 Expected outcomes

The Objective set out in section 1.1 above will generate the following anticipated outcomes:

- Provide for rural residential development adjoining and in a manner integrated with Rolleston Township while avoiding reverse sensitivity effects with the adjoining area
- Providing for housing choice in a manner indicated as desirable by the housing market.
- Provide for an integrated development in terms of physical and social connections
- Provide for a culturally sensitive development

² Canterbury Regional Policy Statement, chapter 6.

³ Selwyn District Council - Rural Residential Strategy 2014 (page 11).

- Provide for a development which maintains or enhances amenity values
- Provide for the efficient use of the land resource

The purpose and principles of the RMA have specifically been considered in the design and formulation of the outline development plan (ODP) for the Site and proposed rules. A discussion of the Proposal in terms of the provisions of the RMA is provided within the application for the plan change. The main features of the Proposal which achieve the relevant matters set out in Part 2 of the Act are as follows:

Relevant RMA Part 2 Provisions	Proposal Features to achieve this
5(1) The purpose of this Act is to promote the sustainable management of natural and physical resources	The location of the site adjoining Rolleston township and on the rural/urban fringe Provision of housing choice including variation in section sizes within the development
5 (2) (a) sustaining the potential of natural and physical resources (excluding minerals) to meet the reasonably foreseeable needs of future generations; and	Provide for a variety of rural residential sized sections to meet the ongoing market demand, including arising as a result of households displaced by the recent Canterbury earthquakes.
5 (2) (b) safeguarding the life-supporting capacity of air, water, soil, and ecosystems; and	Appropriate reticulated services for water supply, wastewater disposal and sewer disposal to avoid future contamination. Remediation of any on-site historical contamination as required to protect human health.
5 (2) (c) avoiding, remedying, or mitigating any adverse effects of activities on the environment.	Mitigation of noise effects on future residents through SH1 setbacks, avoiding reverse sensitivity effects with rural land through large setbacks and appropriate site layout. Framework planting will ensure the development integrates well with the rural setting to the east and south.
7 (b) The efficient use and development of natural and physical resources;	Provides for quality housing choice in close proximity to existing services and facilities, on a rural property that has 'split' zoning, (partly Living Z and partly Rural Inner Plains) and where the current farming activity is no longer viable taking into the change in zoning.
7 (c) The maintenance and enhancement of amenity values;	Rural outlook and character maintained through appropriate design (wide streets, large building setbacks, rural style framework planting etc)
7 (f) Maintenance and enhancement of the quality of the environment;	Maintain trees and rural character across the site and require additional appropriate framework planting
7 (g) Any finite characteristics of natural and physical resources; and	Some loss of good quality rural land (versatile Templeton silt loam soils), but noting that this area would be likely to be subject to reverse sensitivity effects with adjoining Rolleston township and that the split zoning of the existing farm property (Living Z and Rural Inner Plains for balance,

	sought to be rezoned Living 3 by this plan change) means the current farming and farm contracting business operated from the property will no longer be economic once the Living Z land is developed for residential purposes (an application for residential subdivision of this land has recently been approved).
8 In achieving the purpose of this Act, all persons exercising functions and powers under it, in relation to managing the use, development, and protection of natural and physical resources, shall take into account the principles of the Treaty of Waitangi (Te Tiriti o Waitangi).	Consideration of Iwi Management Plan has been made in preparing the plan change application (refer to section 3 of the plan change application), and the proposals includes features such as appropriate stormwater provisions (not mixing water from catchments) as a result.

Based on the above features of the Proposal, it is considered that the Objective meets the purpose of the RMA and is appropriate.

The Objective is relevant as the Plan Change provisions will ensure that the rural residential development occurs in a manner which avoids the potential for effects on the surrounding residential and rural environments, including reverse sensitivity effects, and will result in high amenity outcomes to occur through appropriate design features including larger section sizes, increased boundary setbacks, wide streets with tree plantings and a general sense of rural character.

4 Options for Achieving the Objective

A Section 32 evaluation report must “...*examine whether the provisions in the proposal are the most appropriate way to achieve the objectives by — (i) identifying other reasonably practicable options for achieving the objectives*” (section 32(1)(b)(i)).

There are a number of other options to consider when aiming to achieve the Objective of providing for rural residential sized sections on this Site. They include the following:

- Status quo – ie the site continues to be used for agricultural purposes and no development occurs
- Rezone for Rural Residential Purposes (Living 3)
- Rezone to a higher density Living Zone (Living Z)
- Apply for a resource consent for the proposed subdivision and development

Each of these options including their policy implications are further discussed in the subsequent sections of this report. The efficiency and effectiveness of each of these options will determine which option will best achieve the Objective and expected outcomes.

5 Identification of Environmental, Economic, Social and Cultural Effects

Under Section 32 an evaluation report must “...*assess the efficiency and effectiveness of the provisions in achieving the objectives*” (section 32(1)(b)(ii)).

An assessment under section 32(1)(b)(ii) must “...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” (section 32(2)(a)).

Development of the Site to residential densities more intensive than Rural Inner Plains rules currently permits (one dwelling per 4ha) is likely to have the following positive or negative effects:-

5.1 Environmental

Positive effects:

- Avoiding reverse sensitivity effects through appropriate section sizes, particularly along the rural boundary and the boundary with SH1, appropriate building setbacks to reduce noise effects from the SH1 and any potential noise with rural activities on adjoining rural sites.
- Maintaining elements of rural character through appropriate boundary treatments, building setbacks, trees within streets, wide streets, reserve provision and setbacks from SH1.
- Groundwater conditions will be maintained through the use of reticulated service provision for wastewater and water supply, and through appropriate controls on stormwater disposal.
- Plan changes provisions which will ensure the creation of a high amenity rural residential environment.

Negative effects:

- Some loss of rural productive land for rural purposes. In this case the Proposal site cannot be efficiently used as rural land due to its size, existing access provisions off SH1, and the reverse sensitivity restrictions that impending residential development to the west imposes.

5.2 Economic

Positive effects:

- Creates employment opportunities for development related consultants including planners, engineers, surveyors, real estate sales and project managers; and construction companies and house building companies during the consenting, design and construction phases.
- Creates wealth for Council through plan change and consent processing fees, and development contributions, and additional rateable properties.
- Development contributions reduce interest burden on Council infrastructure investment by enabling faster payback on this investment.
- Provides for new dwellings in this area bringing more people to live, work and shop within Rolleston, boosting the local economy.

Negative effects:

- Ongoing maintenance costs for additional roads and reserve areas within the Selwyn District.

5.3 Social

Positive Effects:

- Social cohesion through an integrated design which promotes the use of Rolleston township for service provision, by providing convenient direct access rather than reliance on external links to Christchurch City (ie transport routes through the township rather than onto SH1).
- Helps meet unmet demand for rural residential sections at Rolleston, providing for a greater range of living opportunities and greater 'social mix' and more balanced community.

Negative Effects

- None

5.4 Cultural

No specific positive or negative cultural effects.

6 Efficiency of the Provisions

An evaluation report must “...*assess the efficiency and effectiveness of the provisions in achieving the objectives*” (section 32(1)(b)(ii)). The most efficient policy or method will achieve the stated objective (the benefit) at the least cost⁴

An assessment under section 32(1)(b)(ii) must “...*(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 (section 32(2)(a)).

(b) if practicable, quantify the benefits and costs referred to in paragraph (a)”.

Each of the 4 options identified in section 4 above are considered below in terms of their benefits and costs. These are separated into which entities are affected by the benefits or costs and an assessment of the efficiencies of the provisions proposed under each option is considered in light of the costs and benefits.

6.1 Option One: Status Quo: Leave the land zoned Rural Inner Plains

This option involves retaining the Rural Inner Plains zoning. Under this zoning the Site will continue to be available for agricultural use and will most likely continue to be used for cropping activities. Table 6.1 sets out the costs and benefits of this option.

⁴ Task 7: Assessing the efficiency of the provision (page 48 of the MFE's Interim guide to section 32 of the RMA)

Table 6.1: Costs and Benefits for Option One, Keep the Status Quo.

Entity affected	Costs	Benefits	Efficiency
Council	<p>Potential for increased complaints through increased reverse sensitivity with adjoining landowners to the west. This represents a social and an economic cost to Council to manage complaints.</p> <p>There is a potential for traffic resources to be disturbed and/or damaged through farm machinery making access through residential area or directly from a new access onto SH1.</p> <p>Loss of opportunity to provide an integrated development on this site with potential for future ad-hoc development</p> <p>Lack of provision for suitable rural residential land will:</p> <p>result in prospective rural residential landowners purchasing 4 ha blocks for rural residential purposes, which is a less efficient use of the land resource.</p> <p>encourage development in areas less appropriate</p>	<p>There is no time required for Council to assess a plan change.</p> <p>Retention of existing rural amenity including open rural outlook from adjoining areas and relatively 'benign' farming activity (notwithstanding that some more intensive farming activity could occur as a permitted activity, subject to meeting provisions of relevant plans, including discharge provisions of Canterbury Natural Resources Regional Plan)</p>	<p>Low – Moderate</p> <p>Not effective in meeting the provisions in the RPS or SDC's objectives and policies relating to rural residential development or growth of townships.</p> <p>Inefficient as it does not provide for the outcomes sought in the RPS or SDC's Plan when compared with Option Two</p>

Land developer	<p>There is an economic cost as the land will not sustain a reasonable economic return as a small farming unit for cropping and/or grazing purposes.</p> <p>Potential reverse sensitivity complaints can cause disruption to/restraints on normal farming operations.</p>	There is no time or monetary expense for the land developer to undertake a plan change.	As above
Neighbor's and wider community	<p>There is a likely disturbance to the amenity of neighbors adjoining the Site to the west through reverse sensitivity with existing farming activities.</p> <p>The existing demand for rural residential development is not met, thus potentially increasing rural residential section prices due to the limited supply; and result in prospective rural residential landowners purchasing larger 4 ha blocks for essentially rural residential purposes, a less efficient use of the land resource.</p>	There is not any increased traffic from the site using the local roads (a very minor effect of future rural residential zoning given the small number of proposed lots).	As above

6.2 Option Two: Rezone for Rural Residential Purposes (Living 3)

A private plan change request to rezone the Site to Living 3 to provide for rural residential allotments would provide an open spacious 'buffer' zone between the full urban areas to the west of the Site and the ongoing rural activities to the east. Consideration of the costs and benefits of this option have been considered in Table 6.2 below.

Table 6.2: Costs and Benefits of Rezoning the Site to Living 3.

Entity affected	costs	benefits	Efficiency
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Council	<p>There will be a time cost of assessing a plan change.</p> <p>The council will be responsible for a longer network of infrastructure and roading.</p>	<p>There will not be the reverse sensitivity effects of other options, which reduces the economic and amenity costs.</p> <p>Development will occur in an integrated manner ensuring cost effective infrastructure development.</p> <p>Change of site character from a largely open, intensive agricultural character to a rural residential environment with a substantial vegetated component. Levels of amenity and rural character will be maintained in short term, and enhanced in longer term.</p> <p>There will be an 'urban limit' to the east of Rolleston ensuring a compact township shape.</p> <p>The developer will bear the costs of extending and installing infrastructure.</p> <p>The plan change amendments ensure that the integrity of the District Plan is maintained, including the security of having an ODP for the area included into the District Plan.</p>	<p>High – meets the provisions for rural residential in Policy 6.3.8 (LURP) Chapter 6 of the RPS including location adjoining existing urban limits.</p> <p>Provides for the outcomes sought by SDC's District Plan provisions, by providing an integrated development, with efficient infrastructure provision, a high level of semi-rural amenity and the avoidance of adverse effects on existing transport networks or adjoining land uses.</p>
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Land Developers	There will be a monetary cost of undertaking a plan change.	The land developer has an economic gain from the development of the site. Resolves issues with the Site being an uneconomic farming unit as a result of part of the existing farm (the western portion) being rezoned LZ, and a planned new greenfield residential area; and potential reverse sensitivity issues with this new residential area.	High - as above
Neighborhood and wider community	<p>There will be some loss of rural land.</p> <p>There will be some disturbance during construction works.</p>	<p>The rural residential land will provide an appropriate interface between rural and urban activities, thus reducing reverse sensitivity issues.</p> <p>The development will compliment and add to the amenity values within Rolleston township.</p> <p>The community is clear about the future growth of the township to the east.</p> <p>Will assist in meeting the market demand for rural residential allotments</p>	High - as above

6.3 Option Three: Rezone to a higher density Living Zone (Living Z)

This option involves applying the Rolleston Living Z zone to the site. This zone will provide for residential subdivision as a Restricted Discretionary Activity with a reasonably small allotment size (650m² minimum average as set out in Chapter 12: Subdivision, Townships Volume, Selwyn District Plan). Residential activities would be adjoining a site with rural activities creating a sharp rural/urban interface. The development would not be consistent with the objectives and policies of the District Plan, PC1 or the LURP Chapter 6 to the RPS, as it is located outside urban limits. The costs and benefits of this option are considered in Table 6.3 below.

Table 6.3: Costs and Benefits of Option Three, to Rezone to a Medium or High Density Zone

Entity affected	Costs	Benefits	Efficiency
Council	<p>There will be a monetary cost of undertaking a plan change.</p> <p>The council will be responsible for a longer network of infrastructure and roading, even greater than under option two.</p> <p>There is potential for reverse sensitivity effects at the rural urban interface, which increases the economic and social costs to Council of managing complaints.</p> <p>There will be potential for additional growth beyond the Site to the east as an 'add on' to the proposed development, thus creating a sprawling township shape.</p> <p>The rezoned area would be outside the urban limits established in LURP's Chapter 6 to the RPS, therefore the plan change would make the District Plan inconsistent with regional planning documents.</p>	<p>The developer will bear the costs of extending and installing infrastructure.</p>	<p>Low – inconsistency with Regional and District Planning Documents is contrary to the provisions of the RMA.</p>
Land developer	<p>There will be a monetary cost of undertaking a plan change. Given that this type of development is</p>	<p>The land developer has an economic gain from the development of the site.</p>	<p>As above</p>

	contrary to the objectives and policies of the District Plan and the RPS include Chapter 6 (LURP), it is likely the plan change would be declined.		
Neighborhood and wider community	<p>There will be some loss of rural land.</p> <p>There will be some disturbance during construction works.</p> <p>There will be significantly more traffic using the local roading network. This has the potential to reduce the amenity and safety of the area for existing and future residents.</p> <p>There is potential for reverse sensitivity effects at the rural / urban interface, creating social and amenity costs.</p>	The community is clear about the future growth of the township to the east.	As above

6.4 Option Four: Apply for a resource consent for the proposed subdivision and development

Subdivision of the site for Greenfield development would be a Non-Complying Activity under the rules of the District Plan Rural Volume. It would not be consistent with Chapter 6 of the LURP which seeks to ensure new urban activities only occur within existing urban areas or identified greenfield priority areas (Policy 6.3.1).

The District Plan specifically seeks to avoid the subdivision of lots lower than 4ha in the Inner Plains to avoid adverse effects of on-site effluent treatment and disposal on groundwater, and potential 'reverse sensitivity' effects on rural activities; and maintain a rural character that is distinct from townships. An application for subdivision and subsequent development is unlikely to be approved given the objectives and policies in the Plan under the current zoning. Also subdivision would only enable a 'narrow' assessment of the Site. A resource consent process does not allow a wider strategic approach. The specific costs and benefits of this option have been considered in Table 6.4 below.

Table 6.3: Costs and Benefits for Option Four, Apply for a Resource Consent

Entity affected	Costs	Benefits	Efficiency
Council	<p>There will be a monetary cost of undertaking the processing of a large resource consent application.</p> <p>Given the application would be contrary to the objectives and policies for a Rural Inner Plains Site it is likely the application would be declined and would then need to be appealed. Environment court action, is costly for all parties.</p> <p>The application would also be contrary to regional planning documents (RPS, Chapter 6) which require all urban subdivisions to be in accordance with an Outline Development Plan included in the District Plan (there would be no ODP in the District Plan for the Site).</p> <p>The Council has less control over the size of allotments, the style of the development or the environmental outcomes sought from the development.</p> <p>A resource consent application, if granted,</p>	<p>There may not be the reverse sensitivity effects of other options, which reduces the economic and amenity costs.</p> <p>There will be an 'urban limit' to the east of Rolleston ensuring a compact township shape, although council will have less control of what is proposed.</p>	<p>Low - inconsistency with the statutory plan provisions means that an application would most likely be declined and then be appealed to the Environment Court.</p>

	<p>may challenge the integrity of the District Plan.</p> <p>Council would not have an ODP included in the District Plan for the site and may have to bear the costs of undertaking a plan change to include one.</p>		
Land developer	<p>There will be a monetary cost of undertaking a resource consent application. These costs will be particularly high if the application is declined and appealed to the Environment Court. It is unlikely that the application would be successful.</p>	<p>The land developer has an economic gain from the development of the Site.</p>	As above
Neighbourhood and wider community	<p>There will be some loss of rural land.</p> <p>There will be some disturbance during construction works.</p>	<p>The rural residential land may provide an appropriate interface between rural and urban activities, thus reducing reverse sensitivity issues.</p> <p>The development may compliment and add to the amenity values within Rolleston township.</p>	As above

6.5 Preferred Option: Rezone to Living 3

The preferred approach is option two; to rezone the Site from Rural Inner Plains to the Living 3 zone. This option provides the greatest benefits and the least costs of the three options. Rezoning the Site is considered most efficient and effective for the following reasons:

- Rezoning the Site enables a more strategic approach with specific environmental outcomes for the Site embedded within the District Plan in an appropriate regulatory framework.
- Provides for an integrated development which avoids, mitigates or remedies adverse effects on the environment.
- Can be incorporated within the District Plan with minimal drafting and avoids onerous site specific provisions for administering the District Plan
- Is immediately adjacent to an area identified for urban growth which is currently being consented for such development, consistent with Council's stated preference for future rural residential areas (in the RRBR) to be adjoining and integrated with urban residential areas
- Is a more 'efficient' use of the land given the restrictions of access to SH1 and planned residential growth to the immediate west of the Site which includes part of the existing farm property owned by the landowners, and leaves an uneconomic balance farm property (the Site).

7 Effectiveness of the Provisions

An evaluation report must “...assess the efficiency and effectiveness of the provisions in achieving the objectives” (section 32(1)(b)(ii)). With respect to effectiveness this generally refers to the ability of a provision to produce the desired outcome or result⁵.

Under Section 32 (3)...“if the proposal (an **amending proposal**) will amend a standard, statement, 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 the preferred option is to proceed with a plan change, without amending the objectives or policies of the District Plan. Consideration of the effectiveness of the proposed amendments are discussed in table 7.1 below.

7.1 Key District Plan Objectives

There are no proposed objectives as part of this plan change request. The Living 3 Zoning proposed for the Site relies on the existing overarching objective and policy framework of the District Plan and the RPS. An assessment of the proposed plan change against the relevant objectives and policies is made in Annexure 3 to the plan change request.

An existing objective in the District Plan (Growth of Townships) is of particular relevance to rural residential development as follows:

Objective B4.3.7

Ensure that any rural residential development occurs outside the urban limits identified in the Regional Policy Statement and such development occurs in general accordance with an operative Outline Development Plan, supports the timely, efficient and integrated provision of infrastructure, and provides for the long term maintenance of rural residential character.

Table 7.1: assessment of effectiveness of proposed amendments.

Rule to be added or amended	Effectiveness
Townships Volume Proposed Rule 4.9.31(a)	<p>This new rule seeks to restrict the location of buildings on potential new allotments on the site to be set 40m back from SH1, 20m back from all other roads and 15m back from internal boundaries.</p> <p>The outcome sought is to maintain a sense of open space within the Site, provide opportunities for garden</p>

⁵ Task 8: Assess the effectiveness of the provision (page 56 of MFE’s interim guide to Section 32 of the RMA)

	<p>plantings, improve the amenity of the Site for future users and avoid any reverse sensitivity effects created with SH1.</p> <p>The proposed rule is effective in achieving a sense of open space and managing potential reverse sensitivity, and does not unreasonably restrict future landowners.</p>
<p>Townships Volume</p> <p>Proposed Rules 12.1.3.37(a) & 12.1.4.77</p>	<p>Rule 12.1.3.37(a) sets out that development will occur in accordance with the ODP roading layout, that there will be a yield of not more than 36 allotments and that there will be a requirement for street tree and framework planting at the time of subdivision. Amendments to Rule 12.1.4.77 set out subdivision assessment matters specific to the Rolleston Living 3 zones, and East Rolleston Living 3 zone.</p> <p>The outcome sought by these rules is to ensure that development occurs in the manner sought by this propose plan change, thus ensuring appropriate management of environmental effects including traffic effects, infrastructure effects, landscape and visual amenity effects, and reverse sensitivity effects.</p> <p>This rule ensures development occurs in the specified manner and is therefore effective in achieving the outcomes sought.</p>
<p>Townships Volume</p> <p>Amended Table C12.1</p>	<p>This amended table specifies the minimum and average allotment sizes.</p> <p>The outcome sought by this change is to provide for section sizes anticipated for the Living 3 Zone.</p> <p>This amendment is the most effective way of achieving this outcome.</p>

8 Risks of acting or not acting

Under Section 32 an evaluation report must “...*assess the efficiency and effectiveness of the provisions in achieving the objectives*” (section 32(1)(b)(ii)).

An assessment under (section 32(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.*”

Risk arises when authorities are required to make decisions where there is insufficient information, particularly where this information is of a scientific or technical nature.

In this case there has been extensive information provided in reports accompanying the plan change request, which relate to the following areas:

- Geotechnical matters
- Site contamination matters
- Traffic matters
- Landscape matters
- Servicing matters (water supply, waste water disposal and stormwater disposal)
- Planning matters including consideration of the Rural Residential Strategy 2014

It is considered that these reports contain sufficient information for Council to make a fully informed decision, and to ensure there is very little risk involved in making any such decision.

9 National Environmental Standards

Section 32 (4) sets out the following:

“If the proposal will impose a greater prohibition or restriction on an activity to which a national environmental standard applies than the existing prohibitions or restrictions in that standard, the evaluation report must examine whether the prohibition or restriction is justified in the circumstances of each region or district in which the prohibition or restriction would have effect”

In this case the Proposal will not impose a greater prohibition or restriction than any National Environmental Standard, and therefore this section is not relevant.

10 Conclusion - Appropriateness of the Provisions

Under section 32 an evaluation report must “...examine whether the provisions in the proposal are the most appropriate way to achieve the objectives by...(iii) summarising the reasons for deciding on the provisions”...(section 32(1)(b)(iii)).

Taking into consideration that the Objective of this Proposal is to rezone the Proposal Site for rural residential purposes (section 1 above), and that this has been identified as achieving the purpose of the Act (section 2 above), and considering that the option of a privately imitated plan change to rezone the Site to Living 3 for rural residential purposes is the considered to be the most efficient and effective method of achieving the objective, it is clear that the proposed amended provisions are appropriate in this case.