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1 Introduction

This Section 32 evaluation has been prepared in accordance with Section 32 of the Resource Management Act ('the RMA') as amended in December 2013. It assesses the appropriateness of the Proposal to rezone a Rural Inner Plains zoned site on the western edge of Tai Tapu Village for rural residential purposes (Living 3 zone).

The proposed Plan Change seeks to amend the Selwyn District Plan (SDP) to enable the rezoning of the subject site, and is therefore considered to be an Amending Proposal (hereafter referred to as 'the Proposal') under Section 32 of the RMA.

This evaluation demonstrates that the proposed rezoning of the site to Living 3, and associated new provisions, will assist in achieving, and will not undermine, the existing, relevant objectives and policies of the SDP. The Proposal does not seek to amend any existing objectives or policies, but rather seeks minor changes and/or additions to rules, and amendments to specified district planning maps.

1.1 Proposal Objective

In accordance with Section 32 (6b) of the RMA, the Proposal objective is the purpose of the Proposal. In this case, this is to provide for the rezoning of 8.1 ha of land on the western edge of Tai Tapu township – to enable the land to be used for rural residential purposes in an 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 high, unmet demand for (and limited supply of) rural residential sections within the Selwyn District, including at Tai Tapu. The residential development capacity of Tai Tapu has been reduced substantially through the subdivision and development of the zoned L1 area on the opposite side of Hauschild's Road that provides for a further 56 households for the village. There is little remaining zoned land for residential development at Tai Tapu,

There has historically been a high demand for rural residential parcels (between 2,000m² to 5,000m²) within Selwyn District – and more particularly locations in close proximity to existing settlements and within 30km of the boundary with Christchurch City.

The demand for rural residential sections in the Greater Christchurch area (post the 2010 - 2011 earthquakes) has been accentuated by pressure from earthquake affected people seeking to relocate from urban areas to a more rural setting (see letter from Matson and Allen attached as **Annexure 10** to the Plan Change request).

The site of the Proposal is ideally located in that it directly adjoins the western edge of Tai Tapu Village (zoned Living 1A) as well as Inner Plains zoned rural land which provides the opportunity for rural outlook and character.

This land is identified in the Selwyn District Council's Rural Residential Strategy 2014 ('RRS14') as being 'suitable' for rural residential development in terms of prerequisites specified in RRS14 relating to economic servicing, integration with established townships,

consistent with containment and consolidation principles, no significant constraints and owner aspirations to rezone; and subject to an RMA rezoning process.

1.3 Consultation

The Proposal, including the Outline Development Plan ('the ODP') and associated rules, have been developed by a multi-disciplinary team of acknowledged experts including an urban design specialist, landscape architect, surveyor, infrastructure engineers, traffic engineer, environmental engineers and planners.

During the course of preparing this Plan Change request there have been a pre-application meeting and ongoing consultation with Selwyn District Council planning, engineering and asset officers. A draft of the application has been forwarded to local runanga, ECAN and SDC for comments.

In addition, the Proposal has been extensively consulted on as part of other SDC planning processes, principally the Rural Residential Background Report, and the RRS14 – with the latter identifying site as 'suitable' for rural residential development.

Further details of consultation undertaken in respect of the Proposal are set out in Section 4 of the Assessment of Environmental Effects ('the AEE').

2 Scale and significance

Section 32 of the RMA notes 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 within 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 itself. Overall, the effects of the Proposal are considered to be minor and relate to the following:

- Landscape and visual – change to the landscape and existing character of the rural/urban fringe (Tai Tapu west)
- Ecosystems – given the historic pastoral landuse, the retention of existing, and provision of further plantings will generate a positive impact in time
- Natural and physical resources – minor increased traffic and impacts on, and connectivity with existing roading infrastructure/network
- Servicing - ability to provide reticulated water and wastewater services and an on-site stormwater management system
- Natural hazards – ability to mitigate identified natural hazards (site contamination, earthquake related and flood risk).

2.1 Context

The Selwyn District is one of the fastest growing districts in New Zealand and was the fastest growing in 2009, 2010 and 2011, thus indicating that continued growth is likely¹.

The Selwyn District Rural Residential Strategy ('the RRS14') provides guidance and policy direction on how best to manage rural residential development within the eastern portion of Selwyn District that is generally recognized as the commuter belt with Christchurch City. This includes establishing the optimal form, function and character of rural residential development and where it is best located and providing for a limited amount of rural residential in preferred locations identified in the RRS14..

The RRS14 outlines specific criteria for consideration when identifying potentially suitable sites for rural residential development, including landscape values, cultural values, infrastructure limits and market demands. The site of the Proposed Plan Change is one of 14 locations identified in the RRS14 as being suitable in terms of those criteria, and which can be considered for rezoning under the SDP. (These rural residential areas adjoin existing township boundaries and collectively support approximately 655 rural residential sections pending rezoning (via initiation of a private plan change), subdivision approval and construction works.)

2.2 Assessment of scale and significance

The land to which the Proposal relates is a relatively small 8.1 ha site (currently held in two separately-owned parcels) on the western edge of Tai Tapu Village. The rezoning of the site for rural residential use is likely to have a localised, minor impact on the immediate surrounding area (e.g. from landscape and visual perspectives and in terms of traffic movements) with diminishing impacts further from the geographical location of the site.

The Proposal seeks to make amendments to planning maps and proposes some rules (specific to the Proposal site only) to ensure the rural residential development and use of the site achieves the appropriate rural residential character and amenity, having regard to adjoining land uses. The proposed Plan Change does not seek to change the SDP existing objective, policy and rules framework for rural residential development (other than by the addition of several site specific rules), but rather seeks that this framework also applies to the Proposal site.

Given the small size of the site, the predominantly localised effects of the development and the limited (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(1)(a) of the RMA states 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".

¹ Selwyn District Council - Rural Residential Strategy 2014 (page 11).

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, Tai Tapu township while avoiding reverse sensitivity effects with the adjoining area
- Provide 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
- Provide for a development that maintains or enhances amenity values
- Provide for the efficient use of the land resource.

The purpose and principles of the RMA have been specifically considered in the design and formulation of the ODP for the site and proposed rules. A discussion of the Proposal in terms of the provisions of the RMA is provided within the Plan Change request document. The main features of the Proposal which achieve the relevant matters set out in Part 2 of the RMA are as follows:

Relevant RMA (Part 2) Provisions:	Proposal Features That Achieve These Provisions:
5(1) The purpose of this Act is to promote the sustainable management of natural and physical resources	<p>Location of the site immediately adjacent to Tai Tapu Village (Living 1A zone) and on the rural/urban fringe</p> <p>Provision of housing choice including variation in section sizes within the development</p> <p>Efficient connection to existing infrastructure systems negates the need for additional major new services</p>
5(2)(a) sustaining the potential of natural and physical resources (excluding minerals) to meet the reasonably foreseeable needs of future generations; and	Provision of rural residential sections of various sizes to meet market demand (including that arising from displacement of households by the recent Canterbury earthquakes)
5(2)(b) safeguarding the life-supporting capacity of air, water, soil, and ecosystems; and	<p>Ability to connect to existing, reticulated water and wastewater services</p> <p>On-site stormwater management system and indicative flood offset areas</p> <p>Remediation of small area of on-site contamination as required to protect human health</p>
5(2)(c) avoiding, remedying, or mitigating any adverse effects of activities on the environment.	<p>Avoidance and, where necessary, mitigation of potential adverse effects through the following (noting that exact details of some measures, such as flood offset areas will be confirmed through the subsequent subdivision consent process):</p> <ul style="list-style-type: none"> • Limiting the development to a maximum of 16 lots • Appropriate degree of openness and ruralness achieved with rural style fencing, generous building setbacks, building

	<p>platforms and dwelling curtilage to be defined at building consent stage, stormwater management and flood offset areas</p> <ul style="list-style-type: none"> • • All access points as shown on ODP to be to Hauschilds Road only (not Lincoln Tai Tapu Road, an arterial) local road-related improvements • On-site stormwater management system • Indicative flood offset areas • Building platform and house foundations design and minimum floor level requirements to mitigate flood and earthquake risks
7(b) The efficient use and development of natural and physical resources;	<p>Does not limit future urban growth and/or create adverse effects with surrounding rural land</p> <p>Does not reduce the potential productive capacity of large land holdings in the area</p> <p>Provides for quality housing choice in close proximity to existing services and facilities</p>
7(c) The maintenance and enhancement of amenity values;	<p>Concept design builds on special very high amenity character of the adjacent rural township – and maintains rural and open space character through clustering houses and retaining large areas of open space</p> <p>Rural outlook and open-space semi rural character maintained through low density of development (maximum of 16 lots) and rural style fencing, generous building setbacks, open stormwater and floodoffset areas.</p>
7(f) Maintenance and enhancement of the quality of the environment;	As under 7(c)
7(g) Any finite characteristics of natural and physical resources; and	<p>Small size of the two lots making up the site, and location adjoining a township, reduces the likelihood of the site's high quality soils being appropriately utilized into the future for significant productive farming purposes.</p> <p>Development does not reduce the potential productive capacity of large land holdings in the area.</p> <p>Low density of development with limited hard-surface areas will maintain life supporting capacity of the soils</p>
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).	<p>Consideration of the Mahaanui Iwi Management Plan during preparation of Plan Change (see sections 3.31 to 3.35 of the Plan Change request)</p> <p>Proposed on-site stormwater management system will avoid mixing of water from different catchments and mitigate any potential adverse effects on water quality or flooding of any other</p>

	land including the downstream catchment
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The above assessment of the features of the Proposal against the relevant Part 2 provisions demonstrates that the Proposal objective meets the purpose of the RMA and is therefore 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. The development will achieve high amenity outcomes through appropriate design features, including a variety of section sizes, appropriately spaced boundary tree plantings, and the provision of multiple viewshafts (through the clustering of dwellings around access points and stormwater ponds) and the retention of an open space rural character. The Possible Subdivision Concept (attached as **Annexure 9**) shows a possible subdivision layout and demonstrates the ability of the proposal to achieve this.

4 Options for Achieving the Objective

Section 32(1)(b)(i) states that a Section 32 evaluation 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*”.

There are a number of different options for achieving the stated Objective of providing for rural residential sized sections on the subject site – including:

- Option One – Retain the status quo (i.e. continue to use the land for pastoral and grazing purposes, whereby no development will occur)
- Option Two – Rezone the site for Rural Residential Purposes (Living 3 zone)
- Option Three – Rezone the site for ‘standard’ density living (Living Z zone)
- Option Four – Apply for a resource consent for the proposed subdivision and development of the site for rural residential purposes.

Each of these options, including the policy implications of each, are further discussed in sections 6.1 to 6.4 of this assessment. The efficiency and effectiveness of each option will ultimately determine which will ‘best’ achieve the stated objective and expected outcomes.

5 Identification of Environmental, Economic, Social and Cultural Effects

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

An assessment under this section must also “...*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 achieve residential densities greater than that currently permitted under the Rural Inner Plains zone rules (i.e. one dwelling per 4ha) has the potential to generate both positive and negative effects. Sections 5.1 to 5.4 below outline the environmental, economic, social and cultural effects of the provisions within the proposed Plan Change. A more detailed assessment is contained in section 4 of the proposed Plan Change request.

5.1 Environmental Effects

Positive Effects:

- Ability of the proposal to address any existing potential reverse sensitivity effects at the rural urban boundary along this part of Tai Tapu township western boundary.
- The increased range of housing/residential lifestyle options at Tai Tapu which will help meet the strong unmet demand for rural residential living, which has been accentuated by changes to housing market post the recent Canterbury earthquakes.
- Plan Change provisions will ensure the creation of a high amenity rural residential environment.

Negative Effects:

- Some loss of rural productive rural land with versatile soils. However, the small size of the two lots making up the site, and location adjoining a township, reduces the likelihood of the soils being appropriately utilized into the future for significant farming purposes.

5.2 Economic Effects

Positive Effects:

- Creates employment opportunities for development-related consultants including planners, engineers, surveyors, project managers and real estate agents, as well as architects, construction and house building companies during the consenting, design and construction phases.
- Creates income for Councils (Selwyn District and Environment Canterbury) through plan change and resource consent processing fees, development contributions.
- Eases the rates burden in a minor way (Selwyn District Council) through the inclusion of an additional 16 rateable properties (ongoing basis).
- Development contributions reduce interest burden on Council infrastructure investment by contributing to faster payback on this investment.
- Provision of new dwellings will bring more people to live, shop and attend school within Tai Tapu (and also tap into services and facilities in nearby Lincoln) thus boosting the local economy.

Negative Effects:

- Ongoing maintenance costs for an additional section of 'local' road and any other infrastructure assets vested in Council, into perpetuity.

5.3 Social Effects

Positive Effects:

- Enhances social cohesion through an integrated design which retains a strong and direct link to Tai Tapu township and promotes the use of the retail services there, as well as the local school - by providing convenient direct access from School Road.
- Helps meet the strong, unmet market demand for rural residential sections within Selwyn District
- Provides for a greater range of 'lifestyle living opportunities.

Negative Effects

- No negative social effects have been identified.

5.4 Cultural Effects

No specific positive or negative cultural effects have been identified.

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 cost

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)".

The four options identified in section 4 above are considered below in terms of their benefits and costs – from the perspective of each affected entity. An assessment of the efficiencies of the provisions proposed under each option is also considered in light of the identified costs and benefits.

6.1 Option One: Retain the status quo and continue to use the land for pastoral and grazing purposes

This option involves retaining the existing Rural Inner Plains zoning – whereby the land would continue to be used for pastoral and grazing purposes and no development would occur. Table 6.1 highlights the costs and benefits, and overall efficiency of this option.

Table 6.1: Costs and Benefits of Option One - Retain the status quo

Entity affected	Costs	Benefits	Efficiency
Council	<p>Loss of opportunity to provide an integrated development on the proposed site with potential for future ad-hoc development</p> <p>Loss of opportunity to utilize a 'suitable' site for rural residential development (as identified in the SDC's Rural Residential Strategy (RRS14))</p> <p>Lack of provision for suitable rural residential land could: create a perverse incentive for use of 4 ha sections as 'single dwelling' rural residential blocks, (which is a less efficient use of the land resource) and/or encourage development in less appropriate areas</p>	<p>Retains existing rural amenity including open-space outlook from adjoining areas and relatively 'benign' farming activity (notwithstanding a more intensive farming activity could occur as a permitted activity, subject to meeting relevant district and regional plan provisions, including for discharge</p>	<p>Low – Moderate</p> <p>Not effective in meeting the provisions of the RPS (particularly Chapter 6) or objectives and policies of the Selwyn District Plan (SDP) relating to rural residential development and/or growth of townships</p> <p>Lost opportunity to develop land already earmarked in the RRS14 as 'suitable' for rural residential development in terms of RRS14 criteria – and to help meet unmet market demand for such land</p> <p>Does not provide for the outcomes sought in the RPS or SDP when compared with Option Two below</p>
Land owner/developer	<p>Forfeit opportunity to develop land already earmarked in the RRS14 as 'suitable' for rural residential development (and associated economic benefits)</p>	<p>Avoids the time and monetary expense to develop and pursue a private plan change through statutory council processes</p> <p>Avoids costs associated with development of the site, including (but not limited to) infrastructure connections, intersection works and upgrade of small additional portion Hauschilds Road to a 'local' road (south of School</p>	<p>As above</p>

		Road to the southernmost existing access to the site).	
Site neighbours and the wider community	<p>Potential increase in value of rural residential sections if unmet market demand continues, reducing their affordability and availability to meet the unmet market demand for rural residential sections.</p> <p>Creates a perverse incentive for purchase of 4ha sections for use as 'single dwelling' rural residential blocks (which is a less efficient use of the land resource and requires purchase and ongoing maintenance of more land than is desired).)</p>	<p>No increase in local traffic volumes</p> <p>Retains existing open space rural amenity and 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 district and regional plan provisions)</p>	As above

6.2 Option Two: Rezone the site for rural residential purposes (Living 3 zone)

A private plan change request to rezone the site to Living 3 to provide 16 rural residential allotments (as defined in the current Plan Change request and associated Outline Development Plan) would integrate effectively with the existing settlement pattern and achieve a sensitive rural/urban transition with the surrounding residential and rural land. The costs and benefits, and the overall efficiency of this option, are considered in Table 6.2 below.

Table 6.2: Costs and Benefits for Option Two - Rezone the site to Living 3

Entity affected	Costs	Benefits	Efficiency
Council	Requirement to maintain a minor extension of Hauschilds Road and one 'internal' local minor road (and other infrastructure assets vested in Council) into perpetuity	<p>Achieves an 'integrated' development that can be supported cost - effectively) by current infrastructure services</p> <p>Complements, and can be consolidated within, the concentric urban form of Tai Tapu</p> <p>Concept development achieves necessary degree of 'rural-ness', open-ness and rural</p>	<p>High -</p> <p>Meets provisions for limited rural residential development in the LURP and the RPS (Chapter 6) including location adjacent to existing urban area (as defined in Chapter 6).</p> <p>Utilizes land identified as 'suitable' for rural residential development in the</p>

		<p>residential character and amenity</p> <p>Avoids reverse sensitivity effects</p> <p>Infrastructure extension and installation costs to be met by the developer</p> <p>Plan Change (and associated amendments) maintain integrity of the SDP and inclusion of the ODP in the SDP provides an additional layer of security</p>	<p>RRS14 in terms of specified prerequisites.</p> <p>Achieves outcomes sought in SDP through provision of an integrated development, efficient infrastructure connections, high semi-rural amenity and avoidance of adverse effects on existing transport networks and adjoining land uses</p>
Land owner/developer	<p>Time and monetary expense to develop and pursue a plan change through statutory council process</p> <p>Costs associated with development of the site, including (but not limited to) infrastructure connections, intersection works and upgrade of small additional southern section of Hauschids Road to a 'local' road</p>	<p>Economic gain from development of site and subsequent sale of sections and creation of desirable sections for own residential living needs.</p>	As above
Site neighbours and wider community	<p>Some loss of 'local' rural land</p> <p>Some possible disturbance (noise, increased traffic volumes, etc) during the three-month bulk earthworks phase, site development and house construction works (although limited in scale and duration and not separated from nearest residential neighbours by Hauchids Road)</p>	<p>Suitability of the site for rural residential purposes has been previously established via a public process (RRS14)</p> <p>Achieves a more appropriate transition into the productive rural landscape and mitigates any concern about rural sensitivity while still retaining the rural outlook</p> <p>Potential economic benefits (through resultant, although limited, population</p>	As above

		<p>growth)</p> <p>Development will complement the concentric urban form of Tai Tapu and not compromise the existing village character</p> <p>Clarity over the future growth of the township to the west</p> <p>Assists in meeting unmet market demand for rural residential land in Selwyn District</p>	
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6.3 Option Three: Rezone the site to a higher density living zone (Living Z)

This option involves applying the higher density Living Z zone to the site. This zone would provide for residential subdivision as a Restricted Discretionary Activity with a reasonably small allotment size (there is no existing LZ zone at Tai Tapu but an 800m² minimum average lot size would be consistent with the adjoining L1A zone on the east side of Hauschilds Road). The establishment of higher-density residential activities immediately adjacent to rural land (with associated rural activities) has the potential to create a sharp rural/urban interface. Such a development would not be consistent with the objectives and policies of the District Plan, Plan Change 1, the LURP, or Chapter 6 of the RPS, as it is located outside urban limits. The costs and benefits, and overall efficiency of this option, are considered in Table 6.3 below.

Table 6.3: Costs and Benefits of Option Three - Rezone the site to Living Z

Entity affected	Costs	Benefits	Efficiency
Council	<p>Potential opposition from local residents</p> <p>Rezoned area would be outside the urban limits established in the LURP and Chapter 6 of the RPS - therefore such a plan change would make the District Plan inconsistent with regional planning documents</p> <p>Likely requirement to maintain extended</p>	<p>Infrastructure extension and installation costs to be met by the developer</p>	<p>Low –</p> <p>Approach is inconsistent with Regional and District Planning Documents - the site is not a priority greenfield residential area identified on Map A of Chapter 6 of the RPS.</p>

	<p>section of Hauschids Road as a 'local' road (and other infrastructure assets vested in Council) into perpetuity – greater than for Option two</p> <p>Potential for reverse sensitivity effects at the rural/urban interface – with associated economic and social costs to manage complaints. Unlikely to be sufficient capacity in existing wastewater systems to accommodate full urban development of the site. Such development would be difficult to accommodate without major strategic infrastructure changes given that it is understood that Tai Tapu is 'at capacity' (if all urban zoned areas are developed) and not part of the East Selwyn Sewerage Scheme.</p>		
Land owner/developer	<p>Time and monetary expense to pursue a plan change through relevant statutory processes with high risk of being declined. It is unlikely that a plan change would be accepted for notification given that the proposal is inconsistent with the RPS.</p> <p>Site infrastructure and connection costs</p>	Economic gain from development of site and subsequent sale of sections	As above
Neighborhood and wider	Some loss of 'local' rural land	Likely to be strong demand for	As above

community	<p>Scale of residential development (potentially around 65-70 sections) may be perceived by some local residents as adversely affecting the existing small 'village' character of Tai Tapu.</p> <p>Some disturbance (noise, increased traffic volumes, etc) during site development and construction works</p> <p>Increase in local traffic volumes post development – with potential to reduce amenity and safety for existing and future residents</p> <p>Potential reverse sensitivity effects at the rural/urban interface with associated social and amenity-related costs</p>	<p>residential sections at Tai Tapu which is an attractive small township within easy commuter distance of Council and close to SDC community services and facilities, including at Tai Tapu and Lincoln.</p> <p>Community has clarity over future growth of the township to the west</p> <p>Provides additional local population to support local services and facilities, including the local school.</p>	
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6.4 Option Four: Apply for a resource consent for the subdivision and development of the site

Subdivision of the site for greenfield rural residential or residential development would be a Non-Complying Activity under the rules of the Selwyn District Plan Rural Volume. Subdivision for residential purposes (LZ standards) 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). While the site is identified within the RRS14 as a 'suitable' site for rural residential development in terms of specified prerequisites, provision has been made (via the Land Use Recovery Plan and associated amendments to the Regional Policy Statement and Selwyn District Plan) for the rezoning of this and other 'suitable' sites for rural residential purposes (L3 standards) via the initiation of (a) private plan change process(es). The resource consent 'path' would not be consistent with Policy B4.2.13 which seeks to *"manage rural residential development in the Greater Christchurch area covered by Chapter 6 to the Canterbury Regional Policy Statement through the Living 3 Zone and the adopted Selwyn District Council Rural Residential Strategy"* ie by rezoning such areas to L3 not by resource consents.

The District Plan specifically seeks to avoid the subdivision of lots lower than 4ha in the Rural 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 'narrower' assessment of the site and would not enable a comprehensive approach as provided by the proposed ODP (although an ODP equivalent and comprehensive subdivision for the entire site would be possible). Specific costs and benefits of this option, and the associated efficiency, are considered in Table 6.4 below.

Table 6.4: Costs and Benefits of Option Four - Apply for a resource consent for subdivision and development

Entity affected	Costs	Benefits	Efficiency
Council	<p>Risk of a 'decline' decision being appealed to the Environment Court – with associated high cost implications for all parties</p> <p>Less control (from Council perspective) over allotment size, style of development and environmental outcomes sought</p> <p>Outline Development Plan would not 'automatically' be included in the District Plan (if approved) and Council may have to bear the cost of undertaking a plan change to include one</p>	<p>Potential to achieve an 'integrated' development that can be supported (cost-effectively) by current infrastructure services – although the Council would have less control over what is proposed</p> <p>Establish a suitable and defensible urban limit for the western boundary of Tai Tapu</p> <p>Infrastructure extension and installation costs to be met by the developer</p>	<p>Low –</p> <p>Inconsistency with statutory plan provisions means a subdivision consent application would most likely be declined.</p> <p>Contrary to regional planning documents (e.g. RPS, Chapter 6) which require all urban and rural residential subdivisions to be in accordance with an Outline Development Plan included in the District Plan – a subdivision consent process would not achieve this outcome; and residential subdivisions to be within a greenfield priority or existing urban area shown on Map A of Chapter 6 of the RPS.</p>
Land owner/developer	<p>Time and monetary expense to pursue a land use and subdivision consent process with no guarantee of success</p> <p>High risk of the</p>	<p>Economic gain from the development of the site and subsequent sale of sections</p>	<p>As above</p>

	application being declined and appealed to the Environment Court – with associated high cost implications Site infrastructure costs		
Neighbourhood and wider community	Some loss of 'local' rural land Potential, limited disturbance during site development works (if the application is ultimately approved)	Potential to improve the existing rural/urban interface Potential economic benefits (through resultant, although limited, population growth) Assists in meeting unmet market demand for rural residential land in Selwyn District	As above

6.5 Preferred Option: Rezone the site to Living 3

Option Two (Rezone the site for rural residential purposes – Living 3 zone) is the preferred approach. This option provides the greatest benefits and the least costs of the four options considered. Rezoning the site is considered to be the most efficient and effective for the following reasons:

- Rezoning enables a more strategic approach with specific environmental outcomes for the site embedded within the District Plan in an appropriate regulatory framework.
- Rezoning provides for an integrated development which avoids, mitigates and/or remedies any potential adverse effects on the environment.
- The zoning-related change can be incorporated within the District Plan with minimal drafting and avoids onerous site-specific provisions for administering the District Plan.
- The site is identified in the RRS14 as being 'suitable' for rural residential development subject to an RMA rezoning process. It meets all RRS14 specified prerequisites relating to economic servicing, integration with existing townships, consistent with containment and consolidation principles, no significant constraints and owners' aspirations to rezone the land.
- Rezoning the site is an efficient use of the land resource which does not limit future urban growth, does not create adverse effects with surrounding rural land and does not reduce the potential productive capacity of large land holdings in the area. 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 result².

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 is discussed in Table 7.1 below.

6.6 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 SDP and the RPS. An assessment of the proposed Plan Change against relevant objectives and policies is made in **Annexure 3**.

An existing objective in the SDP (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.

The proposed Plan Change is in accordance with this objective, as demonstrated within the Plan Change Request and the associated assessment in **Annexure 3** of the proposed Plan Change request.

Table 7.1 below highlights the effectiveness of the proposed amendments to the District Plan.

Table 7.1: Assessment of Effectiveness of Proposed Amendments

Rule to be added or amended	Effectiveness
Townships Volume Proposed Rule 4.1.1.1(A)	This new rule sets a minimum floor level standard (height) for dwellings located in the Living 3 zone at Tai Tapu. It also requires that individual building platforms are established prior to the issue of the associated building consents and

² Task 8: Assess the effectiveness of the provision (page 56 of MFE’s interim guide to Section 32 of the RMA)

	<p>that they are sufficient to accommodate a dwelling and associated curtilage.</p> <p>The rule seeks to mitigate an identified flood hazard and to establish nominated building platform areas that address relevant design considerations and consent requirements.</p>
<p>Township Volume</p> <p>Proposed Rule 4.5.1A</p>	<p>This new rule states that each dwelling shall install, at the time of dwelling construction, a low pressure sewer system with a semi-positive displacement pump, which must be configured to pump during off-peak hours only. This will ensure peak flows can be managed and effectively mitigate against large rain events.</p>
<p>Township Volume</p> <p>Amend existing Rule 4.5.3</p>	<p>The proposed amendment to this rules states that any activity which does not comply with Rule 4.5.1(A) shall be a non-complying activity.</p> <p>Non complying status is appropriate as if it is not possible to provide reticulated sewerage services to the Tai Tapu L3 zone, this will be inconsistent with Policy 6.3.9 (3) of the Canterbury Regional Policy Statement which requires all rural residential subdivision and development in Greater Christchurch to be located so that it can be economically provided with a reticulated sewer and water supply integrated with a publicly owned system.</p>
<p>Townships Volume</p> <p>Amended Reasons for Rules (Natural Hazards)</p>	<p>This amendment clarifies that for dwellings failing to meet the minimum floor level standard, consideration of the nature and level of any hazard risk, and any proposed mitigation measures, will be made on a case by case basis. It also notes that the applicable standard for the Living 3 zone at Tai Tapu meets the relevant regional plan requirement for dwellings to have an appropriate floor level above the 0.5% Annual Exceedance Probability flood event.</p>
<p>Townships Volume</p> <p>Amend Rule 5.1.1.7</p>	<p>The amendment to this rule seeks to exempt Living 3 Zone at Tai Tapu to incorporate treatments identified in the cross section in Appendix 44 on the basis that proposed Rule 5.1.1.8 applies.</p>
<p>Townships Volume</p> <p>Proposed Rule 5.1.1.8</p>	<p>This new rule outlines the requirements for the legal width of any road within the Living 3 Zone at Tai Tapu identified in Appendix 48 and clarifies that any roads shall be consistent with Appendix 44, except that the road shall have a legal width of 17m not 19m. 17m provides plenty of space for roadside swales and generous grass berms, consistent with rural residential character, and is appropriate given that it is likely, given the ODP road access points onto Hauschilds Road, that any roads (likely to be only one) will only serve a small number of rural residential lots (8).</p>
<p>Townships Volume</p>	<p>This amendment sets an average allotment size of no less</p>

Amended Table C12.1 (Allotment sizes)	<p>than 5000m² (with a minimum allotment size of 2,750m²) and stipulates that the maximum permissible number of allotments is 16.</p> <p>The outcome sought is to meet relevant density-related requirements for rural residential development, maintain the open space and rural character of the area.</p>
Townships Volume Amended Clause 12.1.4.81	<p>This amendment clarifies that for the Living 3 Zone at Tai Tapu, individual building platforms must be established prior to the issue of building consents and these must also be sufficient to accommodate a dwelling and associated curtilage.</p> <p>It also clarifies that proposed methods and locations for flood offset areas are to be established.</p> <p>Both comprise measures to mitigate the effects of a potential flood hazard – for consideration and confirmation during the subdivision consent process.</p>
Township Volume Include new Assessment matter to 12.1.4.101	<p>This new assessment matter seeks to ensure that for the Living 3 Zone at Tai Tapu, appropriate legal mechanisms are incorporated in the decision of any subdivision to ensure the ongoing maintenance and upkeep of private sewer plant required on individual lots (as required by Rule 4.5.1A).</p>

7 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, extensive information has been provided in reports accompanying the Plan Change request, which relate to the following areas:

- Geotechnical matters
- Site contamination matters
- Traffic matters
- Urban design and 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 the above reports contain sufficient information for the Selwyn District Council to make a fully informed decision, and to ensure there is very little risk involved in making any such decision.

8 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.”

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

9 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)).

Given 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 RMA (section 2 above), and considering that the option of a privately initiated plan change to rezone the site to Living 3 (for rural residential purposes) is 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.