

## **Annexure 5:**

### **Section 32 Evaluation**

## Annexure 5 Section 32 RMA Assessment

### Introduction and RMA requirements

1. Merf Agricultural Services and Matthew Reed (the applicants) are requesting a change to the operative Selwyn District Plan (SDP) to change the zoning of the application site from Rural Outer Plains to a mix of Living 1 and Living 1 Deferred zoned land.
2. This application has outlined the background to and reasons for the requested Plan Change.
3. The amendments to the SDP are outlined in Section 2 of this application. No adverse environmental effects are anticipated by the change of zoning, however the potential environmental effects of implementation of the proposed plan change have been described in Section 3 of this application.
4. Any change to a plan needs to be evaluated in accordance with section 32 of the Resource Management Act. Section 32 states:

*Requirements for preparing and publishing evaluation reports*

*(1) An evaluation report required under this Act must—*

*(a) examine the extent to which the objectives of the proposal being evaluated are the most appropriate way to achieve the purpose of this Act; and*

*(b) 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; 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.*

*(2) An assessment under subsection (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; 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.*

*(3) 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.*

### Objective of the Proposed Plan Change

5. The objective of the proposed plan change is to change the zoning of the application site from Rural Outer Plains to Living 1 and Deferred Living 1 in a controlled and

managed way through an ODP and by adopting, as far as possible, existing planning zones and standards.

6. Implementation of the proposed plan change will:
  - a) Provide for additional housing and residential land choice in Darfield at densities that complement the immediately surrounding land without compromising the character or amenity of that residential land;
  - b) Provide for future subdivision and development that will contribute to the growth of Darfield, while not detracting from the quality and amenity of existing Darfield residential areas;
  - c) Provide for concentrated development around an existing township in a manner that enables efficient use of existing and future infrastructure and current land resources as foreshadowed in strategic planning documents Malvern 2031.

### **Identification of options**

7. In determining the most appropriate means to achieve the objectives of the proposed plan change, a number of alternative options are assessed below.
8. These options are:
  - a) Option 1: status quo/do nothing: Do not rezone the application site from Rural Outer Plains to Living 1 and Living 1 Deferred.
  - b) Option 2: rezone the whole 60ha site for residential use: Seek to rezone the whole site for staged residential use, being Living 1 and Living 1 Deferred.
  - c) Option 3: rezone only the 14.6ha site adjoining Kimberley Road as Living 1 and retain the existing Rural Outer Plains zoning on the balance 45.4 ha of land.
  - d) Option 4: resource consent: land use and subdivision consent for the retirement village, and subdivision of the application site through a non-complying subdivision and land use consent for residential use.
9. A further option could be to rezone the full 60 ha Living 1. This is not considered below because a staged urban development is proposed and the balance 45 ha may not be required for next 5-15 years, by which time a SDC reticulated wastewater system may be available to service Darfield township. Accordingly, wastewater discharge consent is only being sought at this time for the Stage 1 area i.e. 14.6 ha. CDHB and SDC preference is for the balance land to be reticulated to a potential future SDC system, not a community system.

<b>S32 Matter</b>	<b>Option 1: Rural Outer Plains</b>	<b>Option 2: L1 and L1 Deferred</b>	<b>Option 3: L1 14.6ha &amp; Rural Outer Plains</b>	<b>Option 4: Consents</b>
Cost	None	Time and money cost to applicant for plan change & wastewater consent for 14. 6 ha. Cost of off-site treatment plant.	Increased time and money costs to applicants for plan changes because two plan changes will be required over time (second to rezone balance 45.4 ha in due course). Less integrated and comprehensive approach to development of DAR7 future development area as not subject to one overall ODP (as is proposed under Option 2) Cost of off-site treatment plant.	Time and money cost to applicant to seek noncomplying land use and subdivision consents & discharge consents. Community cost and uncertainty in not seeing the full scale of possible development at any time.
<b>S32 Matter</b>	<b>Option 1: Rural Outer Plains</b>	<b>Option 2: L1 and Future Urban</b>	<b>Option 3: L1 14.6ha &amp; Rural Outer Plains</b>	<b>Option 4: Consents</b>
Benefit	Ongoing low output rural production on the application site.	Additional housing stock contributing to the growth of Darfield. Provides a planned aged care facility for aging population. ODP provides overall plan of integrated land development. Provides residential sites in short supply. Obtaining wastewater discharge & land use consent concurrently/ahead of plan change application provides certainty regarding proposed servicing.	Lesser volume of housing stock contributing to the growth of Darfield. Provides a planned aged care facility for aging population. ODP provides overall plan of integrated land development for smaller site. Provides residential sites in short supply. Obtaining wastewater discharge & land use consent concurrently/ahead of plan change provides certainty	No plan change required.

			regarding proposed servicing.	
<b>S32 Matter</b>	<b>Option 1: Rural Outer Plains</b>	<b>Option 2: L1 and L1 Deferred</b>	<b>Option 3: L1 14.6ha &amp; Rural Outer Plains</b>	<b>Option 4: Consents</b>
Efficiency/ Effectiveness	Application site remains low productivity rural land bounded by urban land use. Development occurs elsewhere around Darfield in a manner that does not achieve compact and consolidated development (DAR 7 is the closest future development area to the existing town centre). Fails to deliver on Malvern 2031 proposals.	Private provision of centralised wastewater services more effective than on-site disposal & supported by SDC & CDHB. Effective as it utilises rural land currently surrounded on two sides by urban activities to also be used residential activities & land adjoining to north will be utilised for off-site treatment and disposal, providing an appropriate buffer use to neighbouring rural land. Comprehensively provides for extension of the township as planned for.	Private provision of centralised wastewater services more effective than on-site disposal & supported by SDC & CDHB. Less effective than Option 2 because of scale and to a lesser extent utilises rural land currently surrounded on two sides by urban activities for some residential activities & land adjoining to north will be utilised for off-site treatment and disposal, providing an appropriate buffer use to neighbouring rural land. Incrementally extends the township as planned for.	Least effective as outcomes from consent processes are uncertain, and potentially un-coordinated and lack proper planned integration with the township utilities.
<b>S32 Matter</b>	<b>Option 1: Rural Outer Plains</b>	<b>Option 2: L1 and L1 Deferred</b>	<b>Option 3: L1 14.6ha &amp; Rural Outer Plains</b>	<b>Option 4: Consents</b>
Risk	Site is used for ongoing rural activities that potentially conflict with adjoining residential activities.	None. Continued interim use of Future Urban Zone for farming purposes can be appropriately managed with regard to any potential reverse sensitivity effects as applicant/his family also own adjoining farmland to north (Broadgate Farm) & existing residential subdivision to south	None. Continued interim use of Future Urban Zone for farming purposes can be appropriately managed with regard to any potential reverse sensitivity effects as applicant/his family also own adjoining farmland to north (Broadgate Farm) & existing residential	Consenting risk. Environmental outcomes uncertain and not integrated with delivery of utilities. Consents are not granted and the application site remains as low productivity rural land frustrating strategic growth proposals.

		(Broadgate subdivision)-	subdivision to south (Broadgate subdivision)	
<p><b>Risks of Acting or Not Acting</b></p> <p>Selwyn District Council has given considerable thought into how to best provide for the future sustainable growth and development of Darfield so it fulfils its intended role as service centre. The Council's strategic intentions for Darfield are contained in Malvern 2031. That document specifically identified the application Site as DAR7 ie it is tagged for future residential development. That proposal has been fully assessed, evaluated and consulted on.</p> <p>The applicants for this Plan Change have commissioned a range of reports: soil contamination, geotechnical, servicing reports and a confidential market appraisal to inform and shape the development proposal. Relevant parties have been consulted so their advice and views have been taken in to account in the proposal.</p> <p>All these inputs to the proposal mean there is little, if any, uncertain or missing information in relation to this proposal.</p> <p>It is therefore considered that there are no significant risks of acting or not acting.</p>				

### Summary of s32 evaluation

S32 Evaluation	Option 1: Rural Outer Plains	Option 2: L1 and L1 Deferred	Option 3: L1 14.6ha	Option 4: Consents
Objectives of the proposal being evaluated are the most appropriate way to achieve the purpose of this Act	±	+	+	×
Whether the provisions in the proposal are the most appropriate way to achieve the objectives	×	+	±	×
Benefits	+	+	+	×
Costs	+	±	±	×
Risks	+	+	±	×

### Overall Assessment

10. Based on the above assessment, it is concluded that the Proposed Plan Change (Option 2) is the most appropriate method for achieving the objectives and policies of the District Plan, and the objectives of the proposal, than the other alternatives also considered above.
11. Option 3, being to rezone only 14.6ha of the Site to L1 would be appropriate to partially achieve the objectives and policies of the District Plan, as it is only a partial response to the clear strategic intention signalled in Malvern 2031 and the identification of DAR7 as the whole 60ha site. It would also incur significant additional costs for the applicant as two plan change applications would be required.

12. Option 2 to re-zone 14.6ha L1 and 46ha L1 Deferred is the most appropriate given:
- a) the L1 Zone portion of the Plan Change area is adopting an existing District Plan zone, and development and activity standards, notwithstanding the need for specific provision for the aged care facility, which is a new land use for the Plan; this ensures continuity of District Plan anticipated environmental outcomes and urban amenity for Darfield and adjoining residential areas;
  - b) Will be consistent with and give effect to the District Plan objectives and policies;
  - c) it is a logical extension to the developed and developing residential land adjoining the Site while achieving a compact, efficient urban form that removes pressure on isolated rural land elsewhere in the Rural Outer Plains Zone;
  - d) there is no additional cost to the Council in re-zoning the Site land in this Plan Change application as there is capacity in the town water supply, and wastewater will be managed by a community package treatment plant capable of expansion to service the Future Urban Zone;
  - e) the proposed retirement village provides for a local need in the form of elderly persons housing not presently available in the town; and
  - f) the proposed ODP provides certainty of the final form and disposition of the re-zoned area including its proposals for reserves, roading, future linkages for pedestrian and vehicular traffic. Density and site coverage rules have been drafted to ensure that little additional subdivision will be permitted within the existing developed parts of the Living 2 Zone area, to protect the amenity of existing residents in the area;
13. The inclusion of the L1 and L1 Deferred zones in the Plan Change is considered to be appropriate to achieve the long term sustainable growth and development of Darfield.
14. The economic, social and environmental benefits of the Proposed Plan Change outweigh the potential costs.
15. The overall efficiency and effectiveness of the Plan Change is high, in comparison the alternative options which are low (Option One) or low to moderate (Option Two)
16. The proposed rezoning is considered to be an appropriate, efficient and effective means of achieving the purpose of the Resource Management Act 1991.