

Appendix 13: Section 32 RMA Assessment for Operative District Plan Application

Dunweavin 2020 Limited

Introduction and RMA requirements

1. Dunweavin 2020 Limited (the submitter) is lodging a plan change application to the Operative Selwyn District Plan to change the zoning of the 12.969 ha application site from Rural Inner Plains Zone to Living Z Zone.
2. The application has outlined the background to and reasons for the requested plan change.
3. The amendments to the Operative Plan are outlined in the application. No adverse environmental effects are anticipated by the change of zoning, however the potential environmental effects of implementation of the application have been described in the relevant sections of the application.
4. Any change to a plan needs to be evaluated in accordance with section 32 of the Resource Management Act. Selwyn District Council has also required submitters for re-zoning applications to prepare a section 32 assessment in support of the application.
5. 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.

5. The Guidance Note on section 32 analysis on the Quality Planning website makes the following statement:

Appropriateness - means the suitability of any particular option in achieving the purpose of the RMA. To assist in determining whether the option (whether a policy, rule or other method) is appropriate the effectiveness and efficiency of the option should be considered:

• Effectiveness - means how successful a particular option is in addressing the issues in terms of achieving the desired environmental outcome.

• Efficiency - means the measuring by comparison of the benefits to costs (environmental benefits minus environmental costs compared to social and economic costs minus their benefits).

6. In this case it is the appropriateness of rezoning Rural Inner Plains land for LZ zone that needs to be examined.

Objective of the Plan Change Application to the Operative District Plan

7. The objective of the application is to change the zoning of the application site in the Operative District Plan from Rural Inner Plains Zone to Living Z Zone in a controlled and managed way through an Outline Development Plan and by adopting, as far as possible, planning zones and subdivision, activity and development standards of the operative plan.
8. Accepting the application will:
- Provide for short term additional housing and residential land choice in Rolleston at Living Z standards and that achieve a target of 12 households/ha. Such densities will complement the immediately adjoining residential land without compromising the character or amenity of that land;
 - Provide for urban development that will “square up” the town to the SW to provide good urban form with residential developments on most sides of the Site and in a manner that enables efficient use of existing and future infrastructure and current land resources.

Environmental Outcomes – District Plan Objectives and Policies

9. The Operative Selwyn District Plan (OSDP) objectives give effect to the purpose of the Resource Management Act, and the OSDP policies in turn give effect to the OSDP objectives. The objectives are the end goals or end states (including environmental outcomes) to be strived for and the policies are the broad strategies to achieve the objectives.¹
10. The proposed residential rezoning has been assessed against the relevant Operative District Plan objectives and policies. It concludes that the requested rezoning is entirely consistent with and meets the outcomes sought by the objectives and policies, including for urban/township growth and new residential areas, except for the restriction of urban development to RPS Map A greenfield areas (which are the OSDP Outline Development Plan areas). However, these requirements are out of step with the NPS-UD 2020.
11. The Site is not identified on the OSDP planning maps as future growth areas.
12. However, a more efficient use of the Site as a whole, and more efficient development, is for full urban development over all 13 ha, given the high demand but impending shortfall in land for housing at Rolleston, and the Site's location within a logical urban growth path for Rolleston.

Identification of options

13. In determining the most appropriate means to achieve the objectives of the application, a number of alternative planning options are assessed below.
14. These options are:
 - a) Option 1: status quo/do nothing: Do not rezone the Site.
 - b) Option 2: application to rezone the whole site for urban residential use zoned Living Z.
 - c) Option 3: application to rezone whole site as Living 3.
 - d) Option 4: resource consent: ad hoc land use and subdivision consent for subdivision through non-complying subdivision and land use consents for residential use.

¹ See PSDP Part 1, HPW Plan Structure

S32 Matter	Option 1: Do nothing: Rural Inner Plains Zone	Option 2: Residential: Living Z	Option 3: Living 3	Option 4: Consents
Cost	<p>None for applicants.</p> <p>On-going costs for landowners with rural activities managing effects of adjoining residential land uses.</p>	<p>Time and money cost to applicant for application processes and technical reports.</p> <p>Servicing costs.</p> <p>Development contributions for Council services.</p> <p>Contributes some potential commuter traffic to Greater Christchurch from a portion of the anticipated appx. 155 additional households. (but site is very accessible to public transport services)</p>	<p>Time and money cost to applicant for application processes and technical reports.</p> <p>Less efficient use of the scarce resource of land so close to an existing, growing urban centre i.e. this is now a key urban growth path for Rolleston.</p> <p>Less efficient development proposal affecting price of sections.</p> <p>Additional consenting and servicing cost for any future relevant densities, if further zoning approved (development can be 'future proofed' for future urban densities).</p> <p>Contributes some traffic potential commuter traffic to Greater Christchurch from a portion of the anticipated appx 25 households (but site is readily accessible to public transport services)</p>	<p>Time and money cost to submitters to seek one-off noncomplying land use and subdivision consents. Consents unlikely to be approved as exceed the permitted Rural Inner Plains zone dwelling density standards & policy requires higher densities to be 'avoided'.</p> <p>Community cost and uncertainty in responding to ad hoc applications and not seeing the full scale of possible development at any time.</p>
S32 Matter	Option 1: Do nothing: Rural Inner Plains Zone	Option 2: Residential: Living Z (13 ha)	Option 3: Living 3	Option 4: Consents
Benefit	<p>Ongoing low output rural production on some of the Site.</p> <p>Retains existing rural/lifestyle</p>	<p>Additional housing stock that will complement existing housing typologies in Rolleston. Contributes additional supply of 155 lots to market where there is</p>	<p>Lesser volume of housing stock contributing to the growth of Rolleston.</p> <p>Not identified in Appendix 38 as one</p>	<p>No rezoning required.</p> <p>Benefit to applicant if succeeds (but successful</p>

	character and amenity.	<p>very strong demand and diminishing remaining supply.</p> <p>ODP provides overall plan of integrated land development.</p> <p>Implements NPS-UD 2020. Gives effect to the proposed FDA status and would yield 155 lots.</p> <p>Provides more households to support township services/amenities and facilities.</p>	<p>of the 12 ODP Areas for Rolleston growth. Consistent with the Future Development Area status under Our Space Greater Christchurch Settlement Update but not the current RPS (but the RPS is not consistent with the NPS-UD 2020 in that it doesn't meet housing demand at Rolleston). Changing the zoning gives effect to the FDA status and would yield approximately 25 lots.</p> <p>ODP provides overall plan of integrated land development for a smaller yield (than Living Z).</p> <p>Can be future proofed for urban rezoning Provides more households to support township services/amenities and facilities.</p>	applications unlikely)
S32 Matter	Option 1: Do nothing: Rural Inner Plains Zone	Option 2: Residential: Living Z (13ha)	Option 3: Living 3	Option 4: Consents
Efficiency/ Effectiveness	<p>Application site remains low productivity rural land bounded by urban land use and some rural.</p> <p>Rolleston's housing needs are not met. An undersupply of residential land capacity.</p> <p>Consistent in part with Rolleston</p>	<p>Utility services can be efficiently provided by the Council, and stormwater can be managed on-site.</p> <p>Effective as it utilises low productivity rural land in a location undergoing rapid urbanisation.</p> <p>Effective in providing for the needs and well-being of landowners according to respective aspirations.</p>	<p>Utility services can be efficiently provided by the Council, and stormwater can be managed on-site.</p> <p>Less effective and efficient than Option 2 because cannot achieve the same residential yield to meet Rolleston's housing needs, to provide development scale and efficiencies, and if 'future</p>	Least effective and efficient as outcomes from consent processes are uncertain, and potentially un-coordinated and lack proper planned integration with the township utilities.

	Structure Plan 2010 and Our Space Figure 16 (which are not consistent with the NPS-UD 2020).	Comprehensively provides for extension of the township as planned for including through the ODP. Effective in meeting Rolleston housing needs in an appropriate location, and implements the NPS-UD 2020	proofed' for future urban development, the yield will be less because there will be more 'interim' larger lots containing dwellings approved under the Rural Inner Plains zoning.	
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Risks of Acting or Not Acting

15. The Plan Change Site is held in three titles and used as three lifestyle blocks. It represents a low intensity/low return use of the land. The growth of Rolleston to the SW has increasingly got closer to the Site, and urban development is now hard on the Site's northern boundary. Residential development opposite the Site to the NE across East Maddisons Road also acts to block in the Site.
16. The risk of not acting and not re-zoning the Site is that it will, all things being equal with both the planned adjoining ODP developments, and the proposed Plan Changes recently lodged with the Council, become an isolated rural Site out of keeping with the nature, scale and character of adjoining residential development. There is a risk of cross boundary issues arising (reverse sensitivity depending on the uses on respective sides of the urban boundary) with permitted rural zone activities being potentially incompatible with urban land uses.
17. A risk arising from not re-zoning the Site, and enabling residential development surrounding it, is future difficulties in providing for integrated servicing and effective, time responsive responses to co-ordinating servicing, provision of transport networks, reserves and efficient circulation within SW Rolleston.
18. A planning risk in not acting to confirm the re-zoning of the Site lies in a potential inconsistency with the following Operative Plan Objectives and Policies: for subdivision and Urban Growth:
 - a. *Objective B4.2.3*
The maintenance and enhancement of amenities of the existing natural and built environment through subdivision design and layout.
 - b. *Objective B4.2.4*
That subdivision provides for variety and efficiency in its design, form and function.
 - c. *Objective B4.3.4*
New areas for residential or business development support the timely, efficient and integrated provision of infrastructure, including appropriate transport and movement networks through a coordinated and phased development approach.
 - d. *Policy B4.3.3*
Avoid zoning patterns that leave land zoned Rural surrounded on three or more boundaries with land zoned Living or Business.

e. *Policy B4.3.6*

Encourage townships to expand in a compact shape where practical.

f. *Policy B4.3.75*

Encourage integration between rezoning land for new residential development at Rolleston and associated provisions for utilities, community facilities and areas for business development.

19. The Council's strategic intentions for Rolleston are contained in the Rolleston Structure Plan 2010. However, this document is now out of date (the projected housing land supply demand for the period up to 2035 has already been reached), and does not reflect the reality of a current impending shortage of housing at Rolleston in the face of continuing very strong demand.
20. Zoning under the Operative District Plan has to be robust enough to last the statutory life of the Plan (10 years), and the NPS-UD 2020 also requires that at the end of 10 years the Council is assured that there will be a sufficient supply of appropriately zoned land beyond that point. The risk of not acting in 2020 to re-zone sufficient urban zoned land, and to provide security of land supply over that timeframe, is that, Rolleston will continue to experience the present day issues of uncatered for demand, undersupply of serviced land and a lurch in land and house prices. The Proposed Selwyn District Plan does not zone any more land at Rolleston so will not resolve the problem. A plan change application will progress more quickly than a District Plan submission so will be able to respond more quickly to the housing supply shortage.
21. The risk is that if necessary decisions are not taken today then the sustainable growth and development of Rolleston over the foreseeable planning period is uncertain. Not re-zoning sufficient land that can support appropriate housing typologies to meet the needs of a range of household needs is not meeting the purpose of the Act, nor meeting the Council's obligations to sustainably manage the natural and physical resources of the Selwyn District for present and future generations, or the requirements of the NPS-UD 2020.
22. The applicants have commissioned a range of reports: soil contamination, geotechnical, and servicing reports 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.
23. There is no risk that a decision will be made in an absence of expert advice and appropriate technical solutions for servicing and design.
24. All these inputs to the proposal mean there is little, if any, uncertain or missing information in relation to this proposal.
25. It is therefore considered that there are no significant risks of acting to adopt the Plan Change or accept the application.

Summary of s32 evaluation

S32 Matter	Option 1: Do nothing: Rural Inner Plains Zone	Option 2: Residential: Living Z (13ha)	Option 3: Living 3	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	+	×	×	++

+ Evaluation matter met

++ Evaluation matter strongly met

× Evaluation matter not met

± Evaluation matter neutral

Overall Assessment

26. Based on the above assessment, it is concluded that the application to re-zone the Site from Rural Inner Plains Zone to Living Z Zone is the most appropriate method for achieving the objectives of the proposal, than the other alternatives also considered above.
27. Option 2 of the s32 assessment is consistent with a range of District Plan policies notwithstanding that it does not sit square with the timing of release of land in Rolleston Structure Plan 2009 (which is now out of date, and does not take account of the new NPS-UD 2020 and the significant shortage of housing land at Rolleston in the face of very strong demand).
28. Option 2 to re-zone the whole site Living Z is the most appropriate given:
 - a) the proposals adopt an Operative District Plan zone, and development and activity standards. This ensures continuity of District Plan anticipated environmental outcomes and urban amenity for Rolleston and adjoining residential areas;
 - b) will be consistent with and give effect to the relevant Operative 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 Inner Plains Zone;
 - d) there is no additional cost to the Council in re-zoning the Site as proposed as there is capacity in the public utilities and the existing road network, including planned upgrades, will accommodate the traffic effects of about 155 households;
 - e) 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.
29. The adoption of the Living Z Zone in the proposal is considered to be appropriate to achieve the long term sustainable growth and development of Rolleston.
 30. The economic, social and environmental benefits of the proposal outweigh the potential costs.
 31. The overall efficiency and effectiveness of the proposal is high, in comparison the alternative options in the s32 assessment which are low (Options One and Four) or low to moderate (Option Three).
 32. The proposal is considered to be the most appropriate, efficient and effective means of achieving the purpose of the Resource Management Act 1991.