



## **Attachment 3: Section 32 Evaluation**



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## Introduction

1. Rolleston Industrial Developments Ltd requests a change to the Selwyn District Plan to provide a Dairy Processing Management Area ('DPMA') of approximately 27.27 hectares adjacent the Business 2A Zone industrial area, on Maddisons Road, Rolleston.
2. This document forms the Section 32 evaluation of the plan change, consisting of an evaluation of the contents of the Proposed Plan Change, and incorporates material from the following documents:
  - Acoustic Assessment (Appendix A)
  - Infrastructure report (Appendix B)
  - Integrated Transport Assessment (Appendix C)
  - Landscape and Visual Impact Assessment (Appendix D)
  - Economic Assessment (Appendix E).
3. The site, which is currently predominantly rural pasture, is zoned Rural Inner Plains. No specific dairy processing facility proposal exists at this stage, however the applicant anticipates demand for dairy processing facilities to increase in the District, and wishes to establish a planning framework to enable a rapid response to potential processing opportunities in the future. In particular, the applicant anticipates demand for processing facilities in close proximity to key transport links (including State Highway 1, the main north-south rail corridor and Midland Port), other (potentially complementary) business activities in the adjacent business zones, and urban centres which meet the needs of potential employees
4. This plan change application therefore seeks to provide for a Dairy Processing Management Area on the site, with sufficient flexibility to allow for a range of dairy processing facility layouts, whilst ensuring that the potential adverse effects associated with any new facility in that location are adequately avoided, remedied or mitigated.

## The Site and Surrounding Environment

5. The site is located at Maddisons Road, between Hoskyns and Weedons Ross Roads. The site is legally described as Lot 3 DP 52556, held within Certificate of Title CB31A/670. Its location is indicated on the aerial photograph in Figure 1 below, and in the Outline Development Plan contained in Attachment 2 of the Plan Change Application.
6. The site is accessed currently from Maddisons Road in one location, via an informal rural vehicle crossing. To the north, northwest, southeast and east of the site are rural areas zoned Rural Inner Plains, with some rural residential development to the northeast on Maddisons Road. To the west and southwest of the site is the developing IPort industrial area (Business 2A Zone).



Figure 1: Aerial photograph of site (Source: Canterbury Maps)

## The Plan Change

### Description of the Proposal

7. It is proposed to provide for a Dairy Processing Management Area (DPMA) within the site. The DPMA will be subject to an Outline Development Plan (ODP) and will otherwise generally be subject to the District Plan provisions that currently apply to the Fonterra and Synlait DPMA's, with minor amendments to recognise the new site and ODP. The rural zoning of the site will remain unchanged.

### Proposed Amendments to the District Plan

8. The proposed amendments to the Selwyn District Plan are set out in the form above.

### Servicing

9. The development is able to be fully reticulated with sewer, water, stormwater, electricity and telecommunications, as set out in the Infrastructure Report attached in Appendix B. Some upgrading, for example of electricity infrastructure, may be required at the developer's expense. This can be upgraded at such time as a detailed proposal for site development is forthcoming. Importantly, no impediments are known to exist that would prevent the servicing of the site, and any related upgrades that may be required in the future.



## Consultation

10. The applicant's consultants have discussed the application with Selwyn Council staff through the development of this proposal.
11. Consultation with local runanga has been initiated via Mahaanui Kurataiao Limited. Responses from the runanga will be forwarded to the District Council in due course.

## Assessment of Environmental Effects of the Proposed Plan Change

12. This assessment is being undertaken in respect of Clause 22(2) of Schedule 1 that requires the following be undertaken:

*(2) Where environmental effects are anticipated, the request shall describe those effects, taking into account clauses 6 and 7 of Schedule 4, in such detail as corresponds with the scale and significance of the actual or potential environmental effects anticipated from the implementation of the change, policy statement, or plan. 7.2 Clause 6 outlines the information required in an assessment of environmental effects. In comparison Clause 7 specifies the range of matters that must be addressed by an assessment of environmental effects.*

13. As no specific development proposal exists for the site, nor is there any existing dairy processing facility on site, the DPMA has been generally based on assumptions about the level of built development that will occur on a site of around 27 ha in area, with an assumed layout similar to other existing dairy processing facilities. To that end, Babbage Consultants have confirmed that the proposed ODP is capable of accommodating typical dairy processing facility layouts. Accordingly, the development scenario which has been used to inform the AEE cannot be treated as a site specific development proposal, but it is broadly indicative in terms of anticipated, maximum building scale and location.
14. The primary assumptions for the purpose of informing these assessments include:
  - Dryers and boilers, with associated reception, drystores, roading, infrastructure etc.
  - All major buildings and activities required for processing are located in accordance with the ODP i.e. within the Height Control Zone in the ODP and with the tallest structures concentrated in the southwest part of the site, adjoining the Business 2A Zone;
  - The maintenance of open space, predominantly in pastoral activities, in the area identified as a Rural Buffer Area in the ODP. This buffer area surrounds the height control zones on all sides.
  - Industry best practice for noise control is applied to all new plant;
  - Two potential rail siding routes, in either case extending from the southwest corner of the site in the position identified on the ODP;
  - Primary vehicular access will be located along the western boundary, with flexibility required so that the site development can respond to the emerging road network in



the adjoining Business 2A zone. A further vehicle access is anticipated from the adjoining Business 2A zone to the south (LPC Midland Port);

- Use of the DPMA is limited to the processing of milk into a range of dairy based products and activities associated with this;
- Landscape planting is established around the northern and eastern perimeter of the site and will be maintained to a high standard.

15. The range of actual or potential environmental effects arising from the plan change request are seen as being limited to the following:

### **Landscape and Visual Effects**

16. A Landscape and Visual Effects Assessment of the proposed Plan Change has been undertaken by Novo Group, and is attached in Appendix D. That assessment considered the existing landscape character of the environment, and the potential visual/visual amenity impacts of the proposed DPMA. The visual assessment was undertaken from multiple reference points around the site.
17. Section 6 of the Landscape and Visual Effects assessment recommends a range of mitigation measures to mitigate against potential adverse visual effects. The recommended mitigation measures and the applicant's response to those recommendations are:

<b>Recommendation</b>	<b>Response</b>
Requirement for a landscape plan  Counterbalance the bulk of the DPMA (elements) with vegetation i.e. planting that would be of a sufficient height to screen.	Rural volume, Appendix E26, Rule E26.1.5A-E26.1.6 will require resource consent for landscaping planting, with Council's control covering matters including height and spacing of planting, plant maintenance and effectiveness of the proposed landscape planting to mitigate the adverse effects of proposed buildings and activities on the landscape values in the locality of the DPMA.
Maintain a 20m wide roadside buffer with earth bunding along the Maddisons Road boundary	This requirement has been included in the proposed ODP.
Have a concentration of new planting along the northern and eastern boundaries alongside the rural residential areas.	This requirement has been included in the proposed ODP.



Retention of shelterbelts along the external boundary of the site, where possible. Where access for vehicle and rail siding is required, the cut back of shelterbelts be minimised as much as possible.	This requirement has been included in the proposed ODP.
Avoid building domination by managing placement and location (height limits and controls in the ODP).  A LRV (Light Reflectivity Value) outline and colour scheme spectrum on buildings should be considered for reflectivity limits and blending to surrounding areas i.e. no bright, intrusive colours.	This requirement has been included in the proposed ODP.  Rural Volume, Appendix 26, Rule E26.1.8 Building Colour will apply to the site, specifying the dark colours that must apply to buildings over 12m in height.

18. With the implementation of the recommended mitigation measures, the Landscape and Visual Assessment concludes that while the potential adverse visual effects of the proposal are likely to be highest on rural areas to the north / east on Maddisons, higher effects in the short term are likely to be lessened over time with the establishment of landscaping and buffering along boundaries, with the proposed mitigation further alleviating any potential adverse visual effects. The Assessment further concludes that future development and the immediately adjacent Business 2A Zone sites act as a major offsetting element. The Visual Assessment finally concludes that a DPMA is a suitable land use, that can be appropriately absorbed, with mitigation, into the subject landscape.
19. The findings of that assessment are accepted and adopted, and on that basis it is considered that the potential adverse visual and landscape effects of the proposal can be adequately avoided or mitigated.

## Transportation

20. Transport effects on the safety and efficiency of the road network may arise from the proposed DPMA. An Integrated Transport Assessment has been prepared for the proposal by Novo Group, attached in Appendix C.
21. That assessment considers the proposed transport connections provided by the proposed Outline Development Plan, and transportation related impacts of a DPMA that could be developed as a result of the proposed Plan Change.
22. The assessment recommends the insertion of an additional matter of discretion into Rule E26.3.7 in regard access design. That recommendation is accepted and a new matter of discretion is recommended in the proposed Plan Change. The assessment concludes that the effects of the proposed Plan Change activity on the safety and efficiency of the wider transport network have been reviewed and are considered to be acceptable. The Transport Assessment further concludes that, subject to insertion of the recommended additional





assessment matter for access design, the transport effects of the proposed Plan Change are considered to be acceptable and less than minor.

23. The findings of the Integrated Transport Assessment are accepted and adopted, and on that basis it is considered that the potential adverse traffic effects of the proposal can be adequately avoided or mitigated.

#### **Infrastructure**

24. A high level review of infrastructure required and available for the proposed DPMA has been undertaken by Babbage Consultants and is attached in Appendix B. The review concludes that the site would enable most types of dairy processing operational facilities to be built, and that water supply and stormwater disposal do not appear to constrain future dairy development. Potential trade waste constraints are identified, and the review does not confirm the availability of the likely required power supply. Potential mitigation measures to address the trade waste constraints are identified and further investigation of power supply is recommended. Babbage's review is accepted.
25. Both the trade waste and possible power supply constraints are considered to have engineering /development solutions for upgrades and increasing capacity, if required. Any such requirements can be identified and resolved at the time of detailed development proposals. As such, it is considered that the proposed DPMA will not be subject to any unresolvable infrastructure constraints.

#### **Natural Hazards and Contaminated Land**

26. The Plan Change site is not subject to any notable natural hazards. The site is not noted on the District Plan Planning Maps as being subject to flood hazard. The site is not subject to any known fault lines. The land is generally flat and is not known to be unstable or prone to erosion.
27. The site is not listed in the Environment Canterbury Listed Land Use Register and is not known to have historically accommodated any activities from the Hazardous Activities and Industries List. Any future development of the land that constitutes earthworks, subdivision or a change of use would require further consideration as to the relevance of the NES for Assessing and Managing Contaminants in Soil to Protect Human Health.
28. Based on the information noted above, it can be concluded that the site is not subject to any notable risk from natural hazards or contamination.

#### **Noise**

29. An Acoustic Assessment has been undertaken by Novo Group and is attached in Appendix A. The assessment considers dominant noise sources typically found at dairy processing facilities, including:
  - a. Whole Milk Production (WMP) Dryer Facilities;
  - b. Boilers;



- c. Other fixed mechanical plant (cooling towers, workshops, cleaning and sanitising facilities etc);
  - d. Product load out, coal and milk reception facilities;
  - e. Tanker routes on-site; and
  - f. Rail spurs.
30. The assessment also employs a maximum expansion scenario of up to two WMP dryers, up to two boilers, associated ancillary mechanical services, associated dry store space and tanker and rail movements.
31. The assessment proposes a Noise Control Boundary (NCB), to be implemented via the ODP, consistent with acoustic management at the Synlait and Fonterra sites. Rule E26.1.17 Noise will therefore apply to the proposed DPMA, with a minor amendment to recognise the proposed ODP. The implementation of the NCB, together with the implementation of a rural buffer in the ODP to provide separation between key DPMA activities and the rural boundaries, will provide effective management of noise effects. It is noted that there are currently no dwellings within the NCB. Any future new buildings for sensitive activities to be located within the NCB will require acoustic insulation to be installed, in accordance with Rural Volume, Rule 3.13.1.6.
32. It is noted that of the Rural zoned properties affected by the NCB, two are part of larger land parcels that are only marginally affected by the NCB and therefore have ample room to avoid the proposed NCB whilst still locating proximate to a legal road boundary if desired (854 Maddisons Road and 77 Weedons Ross Road), and three have existing dwellings on the parcels beyond the NCB and cannot have additional dwellings built on them as of right due to housing density restrictions in the District Plan (810, 767 and 790 Maddisons Road). However, should dwellings be proposed within the NCB, the proposed acoustic attenuation measures will not prevent them from being established as a permitted activity.
33. The Acoustic Assessment concludes that with the recommended NCB and current surrounding sensitive activities located outside the NCB, with the requirement for any future sensitive activities to be appropriately insulated in accordance with Rule 3.13.1.6, the acoustic effects of the proposed DPMA will be less than minor. The findings of the Acoustic Assessment are accepted and adopted, and on that basis it is considered that the potential adverse acoustic effects of the proposal will be less than minor.

## Lighting

34. Any future development of the site will be subject to the existing DPMA rules, that provide for a maximum permitted light spill of 3 Lux (vertical or horizontal) at the site boundary. That is the same limit as currently applies to the Rural zone. It is anticipated that any future development will implement mitigation measures such as light suppression measures, directional lighting etc., as necessary to achieve compliance with the lighting rules and to minimise glare and light spill. The existing lighting rules are understood to be achievable for the Fonterra and Synlait sites, and as such it is anticipated that they will be achievable at the IPort site also. The existing rules are therefore considered to be appropriate.



## **Cultural and Heritage Values**

35. A review of the Mahaanui Iwi Management Plan and Selwyn District Plan indicate that the site contains no natural surface waterbodies, no statutory acknowledgement areas and no known waahi tapu, taonga or other sites of significance to Iwi. It is expected that any future resource consents for development of the zone, where required, will incorporate a condition of consent addressing accidental discovery protocol. Consultation is being undertaken with Runanga in respect of this plan change and the outcomes of that consultation will be reported back to Council.

## **Economic Impacts**

36. An Assessment of Economic Impacts has been prepared by Brown, Copeland & Co Ltd and is attached as Appendix E. The report assesses the economic effects of the proposed Plan Change, considering the relevant economic effects, a description of the Selwyn District and Canterbury regional economies, the potential economic benefits of the proposed DPMA, and potential economic costs of the proposal.
37. The report concludes that if the DPMA attracts an activity which would not otherwise be located within the Selwyn District, the proposed Plan Change will contribute additional employment and incomes, and provide the local economy with greater diversity and resilience. The report acknowledges that if the activity would otherwise have located within the Selwyn District anyway, for example an expansion of existing DPMA facilities, then additional employment, income and expenditure for the local economy would not result, but efficiency benefits would likely arise for the operator, reflecting the choice of DPMA sites over other alternative sites within the District. Resource use efficiencies that are anticipated from the proposed Plan Change include increasing economic activity and population in the District, reducing commuting costs for local residents (relative to residents needing to travel to Christchurch City or further afield), and potential for agglomeration economies. The report concludes that the Plan Change will not give rise to economic externality costs.
38. The findings of the Economic Impact Assessment are accepted and adopted, and on that basis it is considered that the proposed DPMA will have neutral or potentially positive economic effects and will not give rise to adverse economic effects that are more than minor.

## **Summary of Effects**

39. The above assessment has considered the effects of the proposal to establish a new DPMA adjacent the existing Business 2A Zone at Rolleston, within the Rural (Inner Plains) Zone. Effects considered include:
- Transport related matters, including safety and efficiency, and potential access location and design;
  - Rural landscape character and visual effects;
  - The ability to effectively service the site;
  - Economic effects;



- Cultural values; and
  - Acoustic effects arising from anticipated activities within the site.
40. Each of these matters have been appropriately assessed in a manner relative to the scale and significance of the potential effect.
41. In summary, where potential adverse environmental effects have been identified, mitigation methods have been adopted or incorporated into appropriate provisions in the DPMA that will apply to the Rolleston site to ensure effective mitigation, consistent with existing DPMA sites at Darfield and Dunsandel. In addition to environmental effects, this Assessment has identified potential positive effects with regard to employment and income to the wider district and regional economy.

## Statutory Requirements of Section 32 of the Act

42. Before a proposed plan change is publicly notified an evaluation must be carried out by the person making the request. The evaluation, carried out under Section 32 of the Resource Management Act, must examine:
- (a) the extent to which the objectives of the proposal being evaluated are the most appropriate way to achieve the purpose of the Act; and*
  - (b) 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.*
43. In assessing the efficiency and effectiveness of the provisions, the evaluation must also:
- Identify and assess the benefits and costs of effects, including opportunities for economic growth and employment;
  - If practicable, quantify these benefits and costs;
  - Assess the risk of acting or not acting if there is uncertain or insufficient information about the subject matter of the provisions.



44. Section 32(6) clarifies that where no actual objectives are stated in the proposal, the objective is the purpose of the proposal.
45. A Ministry for the Environment guide to Section 32<sup>1</sup> notes that Section 32 case law has interpreted 'most appropriate' to mean "suitable, but not necessarily superior". "Effectiveness" is noted in the guide as assessing the contribution new provisions make towards achieving the objective, and how successful they are likely to be in solving the problem they were designed to address. "Efficiency" is noted as measuring whether the provisions will be likely to achieve the objectives at the lowest total cost to all members of society, or achieves the highest net benefit to all of society. The assessment of efficiency under the RMA involves the inclusion of a broad range of costs and benefits, many intangible and non-monetary.

### **The Extent to which the Objectives of the Proposal are the Most Appropriate Way to Achieve the Purpose of the Act**

46. Section 32(1)(a) requires examination of the extent to which the objectives of the proposal are the most appropriate way to achieve the purpose of the Act.
47. The proposal does not involve any new, or the alteration of any existing, objectives of the Selwyn District Plan. The existing objectives are assumed to be the most appropriate for achieving the purpose of the Resource Management Act, having previously been assessed as such.
48. In regard to the more general objective of the proposal, being the purpose of the proposal, the objective is to provide for the establishment of a new DPMA located adjacent the Business 2A Zone in Rolleston. The evaluation must therefore consider the extent to which enabling the establishment of a new DPMA at Rolleston achieves the purpose of the Act.
49. The purpose of the Act is to promote sustainable management of natural and physical resources.
50. This means managing the use, development, and protection of natural and physical resources in a way, or at a rate, which enables people and communities to provide for their social, economic, and cultural well-being and for their health and safety while:
  - (a) sustaining the potential of natural and physical resources (excluding minerals) to meet the reasonably foreseeable needs of future generations; and
  - (b) safeguarding the life-supporting capacity of air, water, soil, and ecosystems; and
  - (c) avoiding, remedying, or mitigating any adverse effects of activities on the environment.
51. In summary, the proposal achieves the purpose of the Act for the following reasons (a full assessment of Part 2 of the RMA is provided further below):

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<sup>1</sup> MfE, A Guide to Section 32 of the Resource Management Act 1991 (2017), Wellington.



- It pro-actively and specifically manages the use and development of land for dairy processing activities.
- Dairying remains a significant land use in Selwyn District and it is reasonable to anticipate demand for processing facilities in close proximity to key transport links, including State Highway 1, the main north-south rail corridor and LPC Midland Port.
- The concentration of processing buildings and activities adjacent the existing Business 2A Zone assists with reducing adverse rural character and visual effects that might otherwise arise.
- The proposed DPMA provides a mechanism for the management of environmental effects of dairy processing to be considered comprehensively, consistent with the existing management of effects at other DPMAs within Selwyn District. Potential adverse effects can be effectively avoided or mitigated through compliance with the ODP and associated rules.
- It enables the community to provide for its economic wellbeing, and thereby contributing to its social wellbeing.
- The life-supporting capacity of water and soil can be addressed through requirements for earthworks and construction management in accordance with existing rules within the District Plan, with additional controls through Regional Council requirements.

## **Whether, the Provisions in the Proposal are the Most Appropriate way to Achieve the Objectives**

### *Identifying other reasonably practicable options for achieving the proposal (s32(1)(b)(i))*

52. The provisions of the proposal are summarised at the beginning of the report and the proposed ODP for the site is contained within Attachment 2.
53. In addition to this request for a plan change, other reasonably practicable options for achieving the proposal include:
  - Through applying for resource consents as required for a new plant on the subject site (the status quo);
  - Developing a new plant at an alternative location; or
  - Expansion of existing DPMA site(s); or
  - Waiting for the Selwyn District Plan Review and seek the introduction of a DPMA for the site either through a request to Council to implement or adopt a new zone as part of the Notified Plan or through a submission.
54. In regard establishing the DPMA through a resource consent process, resource consents have the potential to enable the same development to be established. However, given the



existing suite of objectives, policies and rules applying in the Rural (Inner Plains) Zone, which are very restrictive in regard large scale rural industrial activity and do not provide for DPMAs, the resource consent process would provide a great deal of uncertainty as to the outcomes that can be achieved. Resource consents for a development of the scale proposed are also inefficient, with changes to consents commonly required as the site develops and matures, resulting in ongoing time and costs to the consent holders (preparation of applications), the District Council (processing and administration of applications), and potentially for adjoining land owners (where they may be identified as affected parties).

55. In regard alternative locations, the most obvious alternative location for a new plant would be in the adjacent Business 2A Zone. However the large land areas required for a dairy processing plant make the Business 2A Zone an unlikely location. Additionally, land purchase costs within existing Business zones tend to be considerably higher than in rural areas, lessening the economic viability of a dairy processing proposal in a business zone.
56. Any other rural location would require either resource consents or a plan change process and thus would have no obvious benefit over the proposed site. Alternative rural sites may also offer fewer locational advantages (e.g. proximity to transport links, urban areas, etc) and result in greater adverse effects through isolated/dispersed development (e.g. visual amenity effects, infrastructure requirements and effects, etc). Establishment of a new dairy operator within an existing DPMA, adjacent a dairy competitor, is not considered to be a realistic proposition. It is acknowledged that existing Fonterra or Synlait operations could expand within the existing DPMAs.
57. In regard the District Plan review process, this option is understood from early discussions with Council not to be favoured by Council, and any inclusion in the District Plan process would therefore require a private plan change to be prepared in any case.
58. In conclusion, this request for Plan Change has been prepared based on information about the nature of buildings and dairy processing activities that could be anticipated for a dairy processing site of the size considered. Economic, noise, traffic and noise effects assessments have been undertaken and a proposal for district plan policy and rule changes are proposed that are consistent with the provisions applying to existing DPMA's in Selwyn District and that will effectively manage potential effects arising from the proposed DPMA. The other options considered above are not considered to be any more practicable than the proposed option. It is therefore concluded that the requested Plan Change is the most reasonably practicable option.

#### *Assessing the efficiency and effectiveness of the provisions in achieving the objectives*

59. Section 32 of the Act requires consideration of the benefits and costs of the proposal when assessing efficiency and effectiveness, including environmental, economic, social and cultural effects. Consideration is directed by s32(2)(a)(i) and (ii) to include consideration of opportunities for economic growth and employment. All effects are required to be quantified where practicable (s32(2)(b)).
60. Section 32(2) also an assessment of the risk of acting or not acting if there is any uncertain or insufficient information about the subject matter of the provisions (s32(s)(c)). These matters are addressed in the tables below.



<b>Objective: To provide for the establishment of a new DPMA located adjacent the Business 2A Zone in Rolleston</b>			
<b>Proposed provisions – establish new DPMA with minimal changes to the existing DPMA policies and rules, insert a new ODP.</b>	<b>Costs</b>	<b>Benefits</b>	<b>Risk of Acting/Not Acting</b>
	<p><b>Environmental Effects</b></p> <p>Potential adverse effects on rural character, landscape and amenity for adjoining rural residents.</p> <p>Potential construction effects, i.e. noise and dust on rural residents and employees in adjoining the Business 2A Zone, during construction.</p> <p>Loss of rural land for agriculture/horticulture purposes.</p> <p>Loss of potentially productive soils where building and hard surfacing occurs.</p> <p>Distance for travel from milk suppliers.</p>	<p><b>Environmental Effects</b></p> <p>Potential for adverse visual/landscape/character effects minimised through location/concentration immediately adjacent an existing industrial zone.</p> <p>Routing of traffic through existing industrial zone with roading network designed to accommodate large volumes of heavy vehicles.</p> <p>Traffic benefits of location adjacent Midland Port (Business 2A Zone) and the main rail corridor.</p> <p>No existing dwellings located within the proposed NCB.</p> <p>Long term landscape mitigation through new planting and bunding,</p>	<p>In the absence of a detailed development proposal, there is some uncertainty as to the built form and layout that will be developed, and therefore some uncertainty as to potential landscape and rural character effects. That uncertainty has been addressed by the implementation of an ODP that specifies height control areas and ensures that the larger bulk of buildings will be located towards the boundaries of the adjoining Business 2A Zone and away from the more sensitive rural boundaries.</p> <p>Information on the general character and scale of dairy processing activity is available, sufficient to enable an assessment of the potential effects of a new DPMA in this location. The values and resources of the existing environment near the site are also</p>





	<p><b>Economic Effects</b></p> <p>Cost of undertaking the plan change, including administrative costs for the District Council.</p> <p>Cost of installing acoustic insulation and ventilation (if required) for any new houses within the NCB.</p> <p>Potential impacts on roading and servicing infrastructure, though it is anticipated that any upgrades that might be required would be funded by the developer.</p> <p><b>Social Effects</b></p> <p>Requirement for acoustic insulation of future dwellings within adjoining land areas affected by the NCB.</p> <p>Increased traffic through Business 2A Zone roads and the road network that feeds into that zone (and the proposed DPMA).</p> <p><b>Cultural Effects</b></p> <p>Uncertainty as to method and extent of discharges to air,</p>	<p>and retention of existing perimeter shelter belts where possible.</p> <p><b>Economic Effects</b></p> <p>Access to new employment opportunities.</p> <p>Reduced regulation costs for the future developer of the proposed DPMA.</p> <p>Significant investment for the physical establishment of the site.</p> <p><b>Social Effects</b></p> <p>Of the rural properties affected by the NCB, two are only marginally affected and three are already restricted by District Plan density provisions from establishing additional dwellings.</p> <p>New direct or indirect employment opportunities give rise to potential benefits in social wellbeing.</p>	<p>sufficiently well understood to enable assessments of environmental effects on adjoining areas to be undertaken.</p> <p>Overall, the proposed provisions are considered to provide appropriate parameters for future activity and development on the site.</p> <p>The information available to assess the proposal is therefore considered to be sufficiently certain that there is no notable risk in acting or not acting.</p>
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	stormwater and treated wastewater, prior to detailed development design and regional council resource consent applications occurring.	<b>Cultural Effects</b>  Site is not located within any sites or areas of known significance to Iwi, nor does it contain or closely adjoin any waterways. The site does not contain any heritage buildings.	
<b>Effectiveness and efficiency</b>	<b>Effectiveness</b>  The proposed Plan Change to implement a DPMA overlay on the site, and application of the existing suite of District Plan DPMA rules with only such changes as are necessary to account for the new DPMA site and ODP, is considered to be an effective means of achieving a new DPMA at Rolleston.	<b>Efficiency</b>  With reference to the costs and benefits outlined above, the potential benefits of the proposed Plan Change are considered to outweigh the costs. The proposed Plan Change is therefore considered to be an efficient means of achieving the objective.	



<b>Alternative – resource consents (status quo)</b>	<b>Costs</b>	<b>Benefits</b>	<b>Risk of Acting/Not Acting</b>
	<p><b>Environmental Effects</b></p> <p><i>As above for the proposal.</i></p> <p><b>Economic Effects</b></p> <p>Cost of preparing multiple resource consents, and administrative costs for the District Council in processing them. Likelihood of costs arising from further resource consent requirements or changes to resource consent conditions in the future. Costs in time and, where required, professional advice for any parties who may be identified as affected parties for each new resource consents.</p> <p>Added uncertainty of outcomes arising from ad hoc resource consent processes.</p> <p>Cost of installing acoustic insulation and ventilation (if required) for any new houses within the NCB.</p>	<p><b>Environmental Effects</b></p> <p>Potential for adverse visual/landscape/character effects minimised through location/concentration immediately adjacent an existing industrial zone.</p> <p>Routing of traffic through existing industrial zone with roading network designed to accommodate large volumes of heavy vehicles.</p> <p>Traffic benefits of location adjacent Midland Port (Business 2A Zone) and the main rail corridor.</p> <p>Long term landscape mitigation through new planting and possibly bunding, and retention of existing perimeter shelter belts where specified.</p>	<p>In the case of a resource consent application, it is unlikely that there would be any uncertain or insufficient information and as such no risk of acting or not acting.</p>



	<p>Potential impacts on roading and servicing infrastructure, though it is anticipated that any upgrades that might be required would be funded by the developer.</p> <p><b>Social Effects</b></p> <p>Increased traffic through Business 2A Zone roads and the road network that feeds into that zone (and the proposed DPMA).</p> <p>No requirement for acoustic insulation of future dwellings within adjoining land areas – potential for reverse sensitivity effects to arise in future.</p>	<p><b>Economic Effects</b></p> <p>Access to new employment opportunities.</p> <p>Significant investment for the physical establishment of the site.</p> <p><b>Social Effects</b></p> <p>New direct or indirect employment opportunities give rise to potential benefits in social wellbeing.</p> <p><b>Cultural Effects</b></p> <p>Site is not located within any sites or areas of known significance to Iwi, nor does it contain or closely adjoin any waterways. The site does not contain any heritage buildings.</p> <p>Some certainty will be achieved as the resource consents will likely be of sufficient detail that discharges will be reasonably well known at the time of application.</p>	
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<b><i>Effectiveness and efficiency</i></b>	<b><i>Effectiveness</i></b>	<b><i>Efficiency</i></b>
	<p>Resource consent processes are considered to be a less effectiveness means of achieving the objective of establishing a new DPMA than the proposal, due to the ad hoc nature of the process, reduced strategic overview and absence of Noise Control Boundary mechanism.</p>	<p>With reference to the costs and benefits outlined above, the potential net benefits of the resource consent process are considered to be reduced by the economic and social costs of the resource consent process. The resource consent method is therefore considered to be a less efficient means of achieving the establishment of a DPMA than the proposal.</p>



*Examine whether the provisions in the proposal are the most appropriate to achieve the objectives of the existing District Plan to the extent that those are relevant (s32(3))*

61. Table 1 below provides an assessment of the proposed Plan Change against the relevant existing objectives of the District Plan. Reference is also made to supporting policies in respect of each objective, where relevant.

**Table 1: Assessment of relevant plan change provisions against the objectives of the District Plan**

District Plan provisions	Comment / Assessment
<b>Rural Volume – B1 Natural Resources</b>	
<b>LAND AND SOIL</b>	
<b>Objective B1.1.1</b> <i>Adverse effects of activities on the District's land and soil resources are avoided, remedied or mitigated.</i>	The District Plan seeks to manage land and soil issues within the Rural environment. These primarily concern contaminated and unstable land, erosion and the irreversible use of otherwise versatile soils.
<b>Objective B1.1.3</b> <i>Promote the sustainable management of the soil resources of the District.</i>	The proposed DPMA does not involve land that is contaminated, unstable or erosion prone. The provisions of the plan change therefore rely upon the mechanisms in place to ensure that earthworks are managed in accordance with best practice. The predominant mechanisms are the limits placed in respect of earthworks and the controlled activity status for all larger scale construction.
<b>Policy B1.1.7</b> <i>Avoid removing large quantities of topsoil from sites unless:</i> <ul style="list-style-type: none"> <li><i>The site will be covered in hardstanding; or</i></li> <li><i>The topsoil will be replaced and the site replanted, when the activity ceases.</i></li> </ul>	Some loss of soil resource will inevitably occur through the physical establishment of a DPMA (buildings and hard surfaces), though the area of soils lost will be very small relative to the expanse of the wider rural zone (<27ha).
<b>WATER</b>	
<b>Objective B1.3.1</b> <i>Contamination of ground water or surface water is avoided and/or mitigated and water quality improved in degraded waterbodies through changes in land management practices and controls on land uses likely to cause waterbody contamination.</i>	While Objective B1.3.1 seeks to avoid or mitigate water contamination, Objective B1.3.6 emphasises the need for land use activities and earthworks in particular to be managed to protect water and related habitat and natural character. The proposed DPMA site does not contain any water bodies nor is it located in close proximity to any naturally occurring water bodies. Potential adverse effects of the proposal on water quality will therefore be managed by a combination of distance between works and any water, regional plan rules and resource consents for discharges, and existing earthworks rules in the District Plan that will apply to the proposed DPMA.
<b>Objective B1.3.6</b> <i>Land use activities, and particularly earthworks, forestry, vegetation clearance and modification, and agricultural activities, are managed within catchments and riparian areas to protect water quantity and quality, aquatic habitat, and natural character.</i>	
<b>Policy B1.3.4</b> <i>Manage land to protect water resources and avoid, remedy, or mitigate adverse effects on surface water quality and quantity, and aquatic habitat from activities and development, including:</i> <ul style="list-style-type: none"> <li><i>Activities locating close to waterbodies; or</i></li> <li><i>Activities which may result in surface run-off of contaminants, or leaching of contaminants into groundwater.</i></li> </ul>	



## Rural Volume – B2 Physical Resources

### TRANSPORT NETWORKS ROAD, PATHWAYS, RAIL AND AIRFIELDS

#### Objective B2.1.1

*An integrated approach to land use and transport planning to ensure the safe and efficient operation of the District's roads, pathways, railway lines and airfields is not compromised by adverse effects from activities on surrounding land or by residential growth.*

#### Policy B2.1.2

*Manage effects of activities on the safe and efficient operation of the District's existing and planned road network, considering the classification and function of each road in the hierarchy.*

#### Policy B2.1.3

*Recognise and protect the primary function of roads classified as State Highways or Arterial Roads in Appendix 9, to ensure the safe and efficient flow of through traffic en-route to its destination.*

#### Policy B2.1.4 (a)

*Ensure all sites, allotments or properties have legal access to a legal road which is formed to the standard necessary to meet the needs of the activity considering:*

- the number and type of vehicle movements generated by the activity;*
- the road classification and function; and*
- any pedestrian, cycle, public transport or other access required by the activity.*

#### Policy B2.1.6

*Avoid adverse effects of on-road parking and loading generated by surrounding land uses on rural roads.*

#### Policy B2.1.19

*Encourage viable alternatives to road transport such as the movement of freight via rail.*

Primary road access to the proposed DPMA will be via the developing Business 2A Zone that adjoins. The potential road access has been assessed in the Transport Assessment attached, and determined to be appropriate. Detailed design of the future access will be subject to further scrutiny to ensure it is safe and efficient. The site will not have direct access to a State Highway or Arterial Road and the site is adequately sized to allow for all car parking to be contained within the site. Of particular value will be the site's ability to extend rail infrastructure from the adjoining LPC Midland Port and main rail corridor to directly serve the proposed DPMA. Development of the site will be subject to District Plan standards pertaining to car parking and access layout and design. As such, it is considered that the proposal will achieve the transport related objectives and policies of the District Plan.

## Rural Volume – B3 People's Health, Safety and Values

### Quality of the Environment

#### Objective B3.4.1

*The District's rural area is a pleasant place to live and work in.*

#### Objective B3.4.2

*A variety of activities are provided for in the rural area, while maintaining rural character and avoiding reverse sensitivity effects.*

### RURAL CHARACTER

#### Policy B3.4.1

*Recognise the Rural zone as an area where a variety of activities occur and maintain environmental standards that allows for primary production and other business activities to operate.*

#### Policy B3.4.3

The proposed DPMA is consistent with the anticipation of a variety of rural related activities in the rural area. The DPMA will support dairy primary production activity in the District.

To ensure the rural area is maintained as a pleasant place to live and work in, the DPMA establishes parameters or limits around those effects which have the potential to extend beyond the DPMA boundary. These primarily concern noise, transport and landscape effects and have been assessed in the attached reports. Additional controls are contained in the existing rules of Appendix 26 of the District Plan, addressing effects such as lighting, construction and earthworks and these will apply to the proposed DPMA. The combined effect of these provisions is to avoid and mitigate those effects and set standards beyond which resource consent would be required for further assessment.



*Avoid, remedy or mitigate significant adverse effects of activities on the amenity values of the rural area.*

#### **Policy B3.4.4**

*Ensure that any adverse effects arising from "rural based" industrial activities in the Rural (Inner Plains) Zone of a size and scale beyond what is permitted by the District Plan and "other" types of industrial activities in all Rural zones are avoided, remedied or mitigated to the extent that the adverse effects are no more than minor.*

#### **Policy B3.4.5**

*Enable the continued and enhanced operation, innovation and development of established dairy plant sites, and the establishment of a new dairy plant site, for the purposes of administration, processing, testing, storage, handling, packaging and distribution of milk and dairy products, related by-products and ancillary activities within specifically identified Dairy Processing Management Areas within the Rural (Outer Plains) Zone and within the Rural (Inner Plains) Zone adjacent the Business 2A Zone, whilst ensuring the integrated management of effects on the environment at the boundary of the Management Areas through ODPs. The establishment of non-dairy processing related industrial activities shall be avoided.*

#### **Policy B3.4.6**

*Maintain low levels of building density in the Rural zone and the predominance of vegetation cover.*

#### **Policy B3.4.7**

*Avoid high rise buildings or highly reflective utility structures.*

Effects on rural character will be minimised by the co-location of the site adjoining an existing Business 2A Zone, minimising adverse fringe effects on the rural area. Potential adverse amenity effects will be managed through the proposed ODP, including clustering taller building forms towards the industrial zone boundaries and requirements for new landscaping on rural boundaries, and retention of shelter belts on other peripheral boundaries where practicable.

An amendment is proposed the explanation and reasons for Policy B3.4.4, to make clear that a DPMA overlay is provided for at the Rolleston site, and effects associated with dairy processing are therefore anticipated in that particular location. Similar amendments are proposed to Policy B3.4.5. The amendments will ensure that the policies explicitly providing for DPMA in the District continue to clearly define the locations where DPMA are anticipated and provided for, and that the proposed Plan Change will include an ODP to provide for the integrated management of effects at the boundary of the new DPMA. The proposed amendments to B3.4.4 and B3.4.5 are necessary to ensure the objectives of this chapter are achieved.

The proposed DPMA will of necessity enable a dense built form within the site, denser than otherwise permitted in the Rural (Inner Plains) Zone. This is necessary for Policy B3.4.5 to be achieved. The ODP will ensure that the higher building forms will be clustered towards the industrial zone boundary, and any structures taller than 12m will be subject to existing DPMA rules pertaining to building colour, to ensure such structures are not highly reflective.

### **GLARE AND NIGHTGLOW**

#### **Policy B3.4.11**

*Avoid night lighting shining directly into houses, other than a house located on the same site as the activity, or from vehicles using roads in the District.*

Existing lighting rules within Appendix E26 of the District Plan will apply to the proposed DPMA, to ensure this policy is achieved.

### **NOISE AND VIBRATION**

#### **Policy B3.4.13**

*Recognise temporary noise associated with short-term, seasonal activities as part of the rural environment, but ensure continuous or regular noise is at a level which does not disturb people indoors on adjoining properties.*

The proposed DPMA will be subject to the same noise rules as currently apply within other DPMA within the District, requiring specific day and night time noise limits to be met at a Noise Control Boundary identified on the ODP. The proposed ODP includes a NCB. No dwellings existing within that boundary currently, and the ODP/NCB itself does not prevent any dwelling from being established within it, albeit any future dwelling would have to be acoustically insulated or ventilated to meet District Plan criteria, to avoid potential reverse sensitivity effects and ensure persons indoors within the new dwelling are not disturbed.

### **DUST**

#### **Policy B3.4.16**

*Mitigate nuisance effects on adjoining dwellings caused by dust from earthworks, or stockpiled material.*

Potential adverse dust effects, including those on neighbouring properties, will be avoided or mitigated through the application of the existing suite of rules in the District Plan that control earthworks volumes, and depths of cut and fill. Stockpile heights are also subject to limits. Where





any large scale earthworks are proposed, they will be subject to resource consent, to ensure adequate management of dust occurs, both within the site during construction and where any material is to be transported off site. This will ensure that Policy B3.4.16 can be achieved.

## **REVERSE SENSITIVITY EFFECTS**

### **Policy B3.4.20**

*Ensure new or upgraded road infrastructure and new or expanding activities, which may have adverse effects on surrounding properties, are located and managed to mitigate these potential effects.*

### **Policy B3.4.21**

*Protect existing lawfully established activities in the Rural zone from potential for reverse sensitivity effects with other activities which propose to establish in close proximity.*

The requested Plan Change will provide for a new rural industrial activity. The provisions of the proposed ODP, together with rules that will apply to the site in Appendix E26 of the District Plan, will ensure that potential adverse reverse sensitivity effects are avoided as far as possible, or otherwise mitigated. There are no lawfully established uses in the Rural Zone near the proposed DPMA site currently, for which the proposed DPMA might give rise to reverse sensitivity effects, i.e. the DPMA will not be unusually sensitive to rural activity. As noted above, any new dwellings within the proposed NCB will be subject to noise insulation or ventilation requirements to avoid disturbance of persons inside the house and thus minimise and mitigate the likelihood of reverse sensitivity effects arising. The proposal will therefore achieve the outcomes sought in these policies.

62. Overall, it is considered that the proposed Plan Change is consistent with the objectives and policies of Selwyn District Plan, including those that seek to recognise and provide for DPMAs, albeit two policies and explanations will require amendment to recognise the new site which is in the Rural Inner Plains Zone rather than the Rural Outer Plains as is the case with the two existing DPMAs. As such, it is considered that the resultant character, amenity and environmental effects of the proposal are consistent with those sought in the District Plan for DPMAs. Given this, it is considered that the proposal is an appropriate means of achieving the outcomes sought by the objectives and policies of the District Plan.

### *Summarising the reasons for deciding on the provisions (s32(1)(b)(iii))*

63. Based on the above assessment, it is concluded that the proposed Plan Change is the most appropriate method for achieving the objectives and policies of the District Plan and the objective of the proposal. The reasons for this decision are:
- The proposal's location adjacent an existing Business 2A Zone and key transport corridors will mitigate potential adverse effects on the rural zone and enable ready access to both vehicular and rail transport methods.
  - The assessments contained in this report confirm that the potential effects of the proposal are acceptable and able to be avoided or mitigated.
  - The proposed Plan Change will enable the insertion of an ODP and associated NCB into the District Plan, providing an integrated method of managing environmental effects associated with a dairy processing plant.
  - The proposal will provide for employment opportunities and economic benefits.
64. It is concluded that the economic, social, cultural and environmental benefits of the proposed Plan Change outweigh the potential costs. On this basis, the proposed DPMA



overlay and associated ODP are considered to be an appropriate, efficient and effective means of achieving the purpose of the Resource Management Act.

## **Statutory Framework**

### **Sections 74 & 75 of the RMA**

65. Section 74 of the RMA prescribes that the District Council must prepare and change a district plan in accordance with its functions under s31 and the provisions of Part 2.
66. The District Council must also have regard to an evaluation report prepared in accordance with s32.
67. Section 74(2) requires the District Council to also have regard to proposed regional plans, management plans, the Historic Places Register, regulations or the Plans of adjoining territorial authorities to the extent that these may be relevant.
68. It is noted that the proposal does not involve any cross territorial issues, any matters of historical reference or matters addressed by management plans or strategies prepared under other Acts. With respect to Regional Plans, these are identified and addressed further below.
69. Section 74(2A) also requires the Council to take into account relevant planning documents recognised by an iwi authority, to the extent that its content has a bearing on resource management issues.

### **Section 31 – Functions of Council**

70. Any plan change must assist the Council to carry out its functions so as to achieve the purpose of the Act. The functions of a territorial authority are set out in s31 of the Act and include:
  - establishing, implementing and reviewing objectives, policies, and methods to achieve integrated management of the effects of the use and development of land; and
  - controlling actual or potential effects of the use and development of land.
71. The requested plan change accords with these stated functions. The proposal provides for the use and development of land for dairy processing activities and seeks to implement existing District Plan DPMA provisions over the site, with only such amendments as are necessary to recognise the site, the proposed ODP and any issues that are particular to the site. The proposed ODP and the amended DP rules provide the methods for Council to manage potential effects of this activity and demonstrates an integrated management approach. The ODP provides a high level overview of the parameters to development and sets in place those matters which must be implemented and maintained as mitigation measures e.g. access locations, landscape treatment, and noise control.



## **Section 75 – Contents of District Plans**

72. Section 75 requires a District Plan to state objectives for the District, policies to implement the objectives and rules to then implement the policies.
73. The proposal does not introduce any new, or alter any existing, objectives, but does amend two existing policies to reflect the new DPMA site and introduces minor amendments to existing rules. The reasons for the amendments to the rules is provided in this Plan Change and is consistent with s75(2) and the current format of the Selwyn District Plan (Rural Volume).
74. Section 75 requires a District Plan to not be inconsistent with Regional Plans. These are identified and discussed in paragraphs further below.
75. Section 75(3)(a), (b) and (c) also requires a District Plan to give effect to any National Policy Statement, the New Zealand Coastal Policy Statement and the Regional Policy Statement. These are discussed as follows:

### **National Policy Statements (NPS) and New Zealand Coastal Policy Statement**

76. The Selwyn District Plan is required under Section 74(1)(ea) of the Resource Management Act to prepare or change its district plan in accordance with National Policy Statements (NPS), and the New Zealand Coastal Policy Statement.
77. The New Zealand Coastal Policy Statement is not relevant to the site, given the large distance between the site and the coastal environment.
78. Four NPS are to be considered:
  - NPS for Renewable Electricity Generation 2011
  - NPS for Electricity Transmission 2008
  - NPS for Freshwater Management 2014
  - NPD on Urban Development Capacity 2016.
79. As the proposal addresses a rural industrial form of development in the rural zone, the NPS on Urban Development Capacity is not relevant to this proposal.
80. With regard to the other NPS, the proposal does not involve nor is it located in the proximity of a renewable electricity generation activity. Similarly, the proposed DPMA site is not located in close proximity to any main electricity transmission lines nor is there a substation within the site. Stormwater and waste water discharges will be dealt with at a future consenting stage, however no practices or effects are anticipated that would be inconsistent with the NPS for Freshwater Management.



## Canterbury Regional Policy Statement

81. The Selwyn District Plan is required under Section 73(4) of the Resource Management Act to give effect to the Canterbury Regional Policy Statement 2013 (RPS). Section 74(2) of the Act also requires territorial authorities to have regard to any proposed regional policy statement when preparing or changing a district plan.
82. The most relevant objectives and policies of the RPS are those contained in Chapters 5 (to the extent relevant to the entire region), 6, 7, 14 and 16. Relevant objectives and policies are considered in Table 2 below.

**Table 2: Assessment of the plan change provisions against the objectives of the Regional Policy Statement**

Regional Policy Statement provisions	Comment / Assessment
<b>Chapter 5 – Land Use and Infrastructure</b>	
<p><b>Objective 5.2.1 – Location, design and function of development (Entire Region)</b></p> <p><i>Development is located and designed so that it functions in a way that:</i></p> <ol style="list-style-type: none"> <li>1) achieves consolidated, well designed and sustainable growth in and around existing urban areas as the primary focus for accommodating the region's growth; and</li> <li>2) enables people and communities, including future generations, to provide for their social, economic and cultural well-being and health and safety; and which: <ol style="list-style-type: none"> <li>a) maintains, and where appropriate, enhances the overall quality of the natural environment of the Canterbury region, including its coastal environment, outstanding natural features and landscapes, and natural values;</li> <li>b) provides sufficient housing choice to meet the region's housing needs;</li> <li>c) encourages sustainable economic development by enabling business activities in appropriate locations;</li> <li>d) minimises energy use and/or improves energy efficiency;</li> <li>e) enables rural activities that support the rural environment including primary production;</li> <li>f) is compatible with, and will result in the continued safe, efficient and effective use of regionally significant infrastructure;</li> <li>g) avoids adverse effects on significant natural and physical resources including regionally significant infrastructure, and where avoidance is impracticable, remedies or mitigates those effects on those resources and infrastructure;</li> <li>h) facilitates the establishment of papakāinga and marae; and</li> <li>i) avoids conflicts between incompatible activities.</li> </ol> </li> </ol> <p><b>Policy 5.3.7</b>  <b>Strategic land transport network and arterial roads (Entire Region)</b>  <i>In relation to strategic land transport network and arterial roads, the avoidance of development which:</i></p>	<p>The proposal is for growth in a form of rural industry, which is appropriate to be located in the rural zone, however the site in this particular instance adjoins an existing urban boundary and thus is consolidating rural industry adjacent urban industry. The proposal will provide for the wellbeing of people and communities through employment opportunities, and the application of development controls through the proposed ODP and suite of DPMA rules will ensure that the quality of environment is generally maintained, including in respect of effects on adjoining properties. The proposal provides for a rural industry that will support rural primary production, i.e. the dairy industry. The proposal will have no adverse effects on any regionally significant infrastructure, nor will it give rise to conflict between incompatible activities, noting that all existing rural dwellings are located beyond the proposed Noise Control Boundary, and the proposed DPMA will be subject to rules controlling matters such as noise, lighting, signage, landscaping etc. to minimise effects on adjoining properties.</p> <p>The proposed Plan Change is therefore consistent with the relevant objectives and policies of Chapter 5.</p>



1. adversely affects the safe efficient and effective functioning of this network and these roads, including the ability of this infrastructure to support freight and passenger transport services; and
2. in relation to the strategic land transport network and arterial roads, to avoid development which forecloses the opportunity for the development of this network and these roads to meet future strategic transport requirements.

## Chapter 6 – Recovery and Rebuilding of Greater Christchurch

### Objective 6.2.1 Recovery framework

Recovery, rebuilding and development are enabled within Greater Christchurch through a land use and infrastructure framework that:

1. identifies priority areas for urban development within Greater Christchurch;
2. identifies Key Activity Centres which provide a focus for high quality, and, where appropriate, mixed-use development that incorporates the principles of good urban design;
3. avoids urban development outside of existing urban areas or greenfield priority areas for development, unless expressly provided for in the CRPS;
4. protects outstanding natural features and landscapes including those within the Port Hills from inappropriate subdivision, use and development;
5. protects and enhances indigenous biodiversity and public space;
6. maintains or improves the quantity and quality of water in groundwater aquifers and surface waterbodies, and quality of ambient air;
7. maintains the character and amenity of rural areas and settlements;
8. protects people from unacceptable risk from natural hazards and the effects of sea-level rise;
9. integrates strategic and other infrastructure and services with land use development;
10. achieves development that does not adversely affect the efficient operation, use, development, appropriate upgrade, and future planning of strategic infrastructure and freight hubs;
11. optimises use of existing infrastructure; and
12. provides for development opportunities on Māori Reserves in Greater Christchurch.

### Policy 6.3.1 Development within the Greater Christchurch area

In relation to recovery and rebuilding for Greater Christchurch:

1. give effect to the urban form identified in Map A, which identifies the location and extent of urban development that will support recovery, rebuilding and planning for future growth and infrastructure delivery;
2. give effect to the urban form identified in Map A (page 6-27) by identifying the location and extent of the indicated Key Activity Centres;

Chapter 6 applies to Greater Christchurch, an area which is defined as including that part of Selwyn District which includes the subject land. For the purposes of Chapter 6, Rural Activities is defined as meaning:

*'activities of a size, function, intensity or character typical of those in rural areas and includes:*

- Rural land use activities such as agriculture, aquaculture, horticulture and forestry.
- Businesses that support rural land use activities.
- Large – footprint parks, reserves, conservation parks and recreation facilities. Residential activity on lots of 4 ha or more.
- Quarrying and associated activities.
- Strategic infrastructure outside of the existing urban area and priority areas for development.'

Dairy processing facilities are considered to fall within this definition, being a business that supports rural land use activities (dairying). The proposed DPMA will not allow for general industrial use within the site, and objectives and policies of Chapter 6 pertaining to urban industrial and business land are therefore not considered applicable to the proposal.

In regard Objective 6.2.1, the proposed DPMA is located in the rural area and is not an urban activity and therefore will not be an urban expansion. The site is not located in a sensitive landscape, nor will any sensitive indigenous vegetation be affected. Water quality can be maintained at the time of detailed design through engineering solutions and regional plan/discharge consent requirements. The proposal will have some effect on rural character and amenity, though the landscape and visual assessment attached in Appendix D confirms that effect will be minimised by the location adjoining the Business 2A Zone. The proposal is well located adjacent to existing traffic infrastructure, notably including access to rail.



3. enable development of existing urban areas and greenfield priority areas, including intensification in appropriate locations, where it supports the recovery of Greater Christchurch;
4. ensure new urban activities only occur within existing urban areas or identified greenfield priority areas as shown on Map A, unless they are otherwise expressly provided for in the CRPS;
5. provide for educational facilities in rural areas in limited circumstances where no other practicable options exist within an urban area;
6. provide for a metropolitan recreation facility at 466-482 Yaldhurst Road; and
7. avoid development that adversely affects the function and viability of, or public investment in, the Central City and Key Activity Centres.

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**Objective 6.2.4 Integration of transport infrastructure and land use**

*Prioritise the planning of transport infrastructure so that it maximises integration with the priority areas and new settlement patterns and facilitates the movement of people and goods and provision of services in Greater Christchurch, while:*

1. managing network congestion;
2. reducing dependency on private motor vehicles;
3. reducing emission of contaminants to air and energy use;
4. promoting the use of active and public transport modes;
5. optimising use of existing capacity within the network; and
6. enhancing transport safety.

**Policy 6.3.4 Transport effectiveness**

*Ensure that an efficient and effective transport network that supports business and residential recovery is restored, protected and enhanced so that it maintains and improves movement of people and goods around Greater Christchurch by:*

1. avoiding development that will overload strategic freight routes;
2. providing patterns of development that optimise use of existing network capacity and ensuring that, where possible,
3. new building projects support increased uptake of active and public transport, and provide opportunities for modal choice;
4. providing opportunities for travel demand management; requiring integrated transport assessment for substantial developments; and
5. improving road user safety.

**Policy 6.3.5 Integration of land use and infrastructure**

*Recovery of Greater Christchurch is to be assisted by the integration of land use development with infrastructure by:*

1. Identifying priority areas for development to enable reliable forward planning for infrastructure development and delivery;
2. Ensuring that the nature, timing and sequencing of new development are co-ordinated with the development, funding, implementation and operation of transport and other infrastructure in order to:
  - a. optimise the efficient and affordable provision of both the development and the infrastructure;
  - b. maintain or enhance the operational effectiveness, viability and safety of existing and planned infrastructure;
  - c. protect investment in existing and planned infrastructure; and

Dairy processing facilities inevitably rely on heavy vehicle movements to bring raw milk product to the site, and to export processed product. In the case of the proposed DPMA, the site is well located relative to the State Highway network and rail corridor to export processed product efficiently, though this in turn may result in longer vehicle movements to bring the raw milk product from suppliers. The site's proximity to urban Rolleston and associated public transport links will assist in minimising travel distances, for those employees located in the Rolleston area. The attached Transport Assessment has confirmed the suitability of the adjoining road network for the vehicle movements anticipated and an integrated transport assessment has been undertaken in support of the proposal.





- d. ensure new development does not occur until provision for appropriate infrastructure is in place;
- 3. Providing that the efficient and effective functioning of infrastructure, including transport corridors, is maintained, and the ability to maintain and upgrade that infrastructure is retained;
- 4. Only providing for new development that does not affect the efficient operation, use, development, appropriate upgrading and safety of existing strategic infrastructure, including by avoiding noise sensitive activities within the 50dBA Ldn airport noise contour for Christchurch International Airport, unless the activity is within an existing residentially zoned urban area, residential greenfield area identified for Kaiapoi, or residential greenfield priority area identified in Map A (page 6-28); and
- 5. Managing the effects of land use activities on infrastructure, including avoiding activities that have the potential to limit the efficient and effective, provision, operation, maintenance or upgrade of strategic infrastructure and freight hubs.

## Chapter 7 Freshwater

### Objective 7.2.1 Sustainable management of fresh water

The region's fresh water resources are sustainably managed to enable people and communities to provide for their economic and social well-being through abstracting and/or using water for irrigation, hydro-electricity generation and other economic activities, and for recreational and amenity values, and any economic and social activities associated with those values, providing:

- 1. the life-supporting capacity ecosystem processes, and indigenous species and their associated freshwater ecosystems and mauri of the fresh water is safe-guarded;
- 2. the natural character values of wetlands, lakes and rivers and their margins are preserved and these areas are protected from inappropriate subdivision, use and development and where appropriate restored or enhanced; and
- 3. any actual or reasonably foreseeable requirements for community and stockwater supplies and customary uses, are provided for.

Water quality and the effects of any water takes necessary for development of the proposed DPMA can be managed at the time of detailed design through engineering solutions and regional plan/discharge consent requirements.

### Objective 7.2.4 – Integrated management of fresh water resources

Fresh water is sustainably managed in an integrated way within and across catchments, between activities, and between agencies and people with interest in water management in the community, considering:

- 1. the Ngai Tahu ethic of Ki Uta Ki Tai (from the mountains to the sea);
- 2. the interconnectivity of surface water and groundwater;
- 2. the effects of land uses and intensification of land uses on demand for water and water quality; and
- 4. kaitiakitanga and the ethic of stewardship; and
- 5. any net benefits of using water, and water infrastructure, and the significance of those benefits to the Canterbury region.

## Chapter 12 Air Quality

### Objective 14.2.2 – Localised adverse effects of discharges on air quality

Enable the discharges of contaminants into air provided there are no significant localised adverse effects on social, cultural and amenity values, flora and fauna, and other natural and physical resources.

As is typically the case for dairy processing facilities in Canterbury, it is anticipated that any future DPMA operation on the site will require resource consents for the discharge of contaminants to air. There are understood to be engineering and design solutions available to ensure that any localised adverse effects on air quality can be managed and minimised.



## Chapter 16 Energy

### Objective 16.2.1 – Efficient use of energy

*Development is located and designed to enable the efficient use of energy, including:*

....

*2) planning for efficient transport, including freight*

The proposed DPMA is located in close proximity to State Highway 1 and the main north south rail corridor (via LPC Midland Port site in the adjoining Business 2A Zone). This proximity will assist in efficient use of energy in transport of freight, however the location of the DPMA within the Inner Plains is potentially less efficient than an Outer Plains location due to the transportation distances of raw milk product to the site.

83. Overall, the development is considered to be generally consistent with the Regional Policy Statement.

## Land and Water Regional Plan, Canterbury Air Regional Plan

84. The operative Land and Water Regional Plan broadly seeks to manage land and water within the Canterbury Region, by setting water allocation limits and limits on the type and amount of discharges permitted. The objectives and policies of the Canterbury Air Regional Plan broadly seek, in relation to industrial and trade activities and large scale fuel burning devices, identifying best practicable options to minimise the effects of discharges, manage and in some situations avoid discharges of PM<sub>10</sub>, manage discharges of odour and dust from solid or liquid waste, and addressing localised effects of discharges including relative to sensitive receptors.
85. It is anticipated that any future discharges associated with the development of the proposed DPMA site will either fall to be permitted under the Rules of the Land and Water Regional Plan or Air Regional Plan, or will be assessed in an integrated manner through the resource consent process, with Environment Canterbury as the administering body. At such time as detailed development plans for the DPMA are advanced, various options for the design and management of discharges will be available, to ensure any adverse effects are minimised.
86. In summary, the proposed DPMA is not considered to be inconsistent with the relevant Regional Plans.

## Canterbury Regional Land Transport Strategy 2012-2042 (RLTS)

87. The Canterbury Regional Land Transport Strategy (RLTS) establishes the strategic direction for land transport within the Canterbury region over a 30 year period. The RLTS identifies the region's transport needs, the roles of land transport modes along with the planning, engineering, education, encouragement and enforcement methods that will be applied in the achievement of objectives.
88. The provisions of the DPMA accord with this Strategy, specifically requiring any new access points to be developed in accordance with District Plan standards or otherwise seek resource consent. Accordingly, the safety and efficiency of the local roads adjoining the site and the wider road network will be protected and can respond, as necessary, to any changes to the RLTS.





## Mahaanui – Iwi Management Plan 2013

89. The Mahaanui Iwi Management Plan (IMP) sets out Ngāi Tahu's objectives, issues and policies for natural resource and environmental management within the area bounded by the Hurunui River in the north and the Ashburton River in the south. Under Section 74(2A) of the Resource Management Act, a territorial authority must take into account any such plan to the extent that it has a bearing on the resource management issues of the district. The IMP is primarily a tool for the Rūnanga in the area it covers; the plan also provides guidance to territorial authorities and others. The IMP sets out the broad issues as well as the specifics for particular areas. These matters are considered below, as they are relevant to this proposed Plan Change. It is noted that the IMP does not identify any specific cultural values associated with the subject land that might be adversely impacted by its development.

### *Ranginui*

90. The relevant matters identified in IMP are discharges to air and the protection of night time darkness. The proposed Plan Change does not contain new controls on discharges to air, however existing rules controlling light spill in DPMA's are proposed to apply to the site. Air discharges will occur when the site is operational, potentially from large scale burning devices, as well as discharges of dust to air during the development of the site. Such discharges are controlled by Environment Canterbury through the Regional Air Plan.

### *Wai Māori*

91. Freshwater is of considerable cultural significance to Rūnanga. The main matters of concern relate to water quality and quantity and mixing waters from different waterbodies. The proposed DPMA site does not contain any waterways. Future discharges of effluent will either be to a reticulated system or otherwise resource consent will be sought to put the discharges to ground. In either case, the potential for adverse impacts on groundwater quality can be limited. Depending on water supply requirements and availability, the site will either connect to a Council water supply, or be serviced through groundwater wells. Stormwater generated by new buildings and hardstand areas is anticipated to be treated where necessary and disposed of on site, and again will be subject to the Land and Water Regional Plan discharge standards. It is therefore anticipated that no untreated stormwater will reach groundwater. The proposed DPMA can be therefore be developed to ensure that there will be minimum adverse impact on the freshwater quality or quantity within this locality.

### *Papatūānuku*

92. The use of land and how it is developed is of importance to Rūnanga. This section identifies issues such as the rural and urban land uses, the subdivision and development of land, stormwater, earthworks, waste management, and discharges to land. The potential effects of the proposal on the environment have been discussed in the assessment above. That assessment concludes that potential adverse effects on water quality and the quality of the natural environment generally can be managed and minimised. Some impact on soil health will be inevitable due to the requirement for buildings and hard surfaces on the site, however it will be offset as much as possible by the retention of rural buffers on the periphery of the site and requirements for new planting.



#### *Tāne Mahuta*

93. This section addresses the significance of indigenous biodiversity and mahinga kai to Rūnanga. The proposed DPMA site is not located in a known mahinga kai area. The subject land has been used for farming purposes for many years. There are no notable indigenous plantings within the site. The proposed Plan Change has specific planting requirements identified on the ODP, and requires the retention of some areas of existing shelter belts on the periphery of the site.

#### *Ngā tūtohu whenua*

94. There are no known wāhi tapu, wāhi taonga or mahinga kai sites within the application site or close by.

#### *Te Waihora*

95. The application site sits with the catchment of Te Waihora. The main matters of concern within this area relate to the management of water and waterways within the Te Waihora catchment, and the subsequent impact that can have on the water quality of Te Waihora and its environment. The proposal does not involve an activity that could adversely impact on the lake and its environmental and cultural values.

#### *Summary*

96. It is considered that overall the proposal will not have an adverse impact on the cultural values of iwi as set out within IMP.

## **Land Use Recovery Plan (LURP)**

97. The LURP was prepared under the Canterbury Earthquake Recovery Act 2011 to provide for the recovery process in the Greater Christchurch sub- region. The LURP provides the framework to rebuild existing communities, develop new communities, meet land use needs for commercial and industrial developments, and to take into account natural hazards and environmental constraints that may affect the rebuild and recovery.
98. The LURP is focused on metropolitan urban Christchurch and includes the areas surrounding Rolleston. All decisions under the RMA must not be inconsistent with the LURP. As a rural
99. The LURP provides for rural activities. The definition of rural activities, included in the amendments to the Canterbury Regional Policy Statement (Appendix 1 of the LURP) includes businesses that support rural land use activities. Dairy processing plants are considered to be a business that supports rural land use activities. As the provisions of Appendix E26 of the District Plan and the proposed DPMA do not allow for any general industrial uses of the site, the proposal is considered to be not inconsistent with the LURP.



## Part II of the Resource Management Act 1991

100. The purpose of the Resource Management Act is set out in Section 5 of the Act, being the sustainable management of natural and physical resources. This purpose is subject to Sections 6, 7 and 8 of the Act which set out that matters that are to be taken into consideration in achieving the purpose.
101. Section 6 identifies the matters of national importance that must be recognised and provided for when exercising a function under the Act. None of the listed matters in section are relevant to this site. As discussed above, in relation to section 6 and section 8 matters there are no known wāhi tapu, wāhi taonga or mahinga kai sites within the application site or close by.
102. In terms of section 7, the matters of most relevance to the proposed DPMA are the maintenance and enhancement of the quality of the environment, and maintenance and enhancement of amenity values. As discussed in the assessment above, although there will be some impact on rural character and therefore amenity values from the establishment of the DPMA, those effects are considered to be minor and mitigated to a large degree by the location adjacent the developing Business 2A Zone. The proposed ODP and associated DPMA rules will also ensure that any adverse effects are appropriately managed and the quality of the environment is generally maintained. In regard Section 7(b) and the efficient use of natural and physical resources, the site's location in close proximity to State Highway 1 and the main north south rail corridor make the site highly accessible and as such the proposed development will be an efficient use of the existing physical resources of the area.
103. With regard to section 8, Rule E26.2.4 provides Council with control over Accidental Discovery Protocol for any large earthworks, while Rule E26.2.6 provides Council control over the Protocol for consents for new buildings for milk processing or storage on site, and those rules are proposed to apply to the site development. Consultation has also been initiated with Runanga in respect of this Plan Change application.
104. An overall assessment of the proposal to provide for a DPMA on the site is considered to achieve the purpose of the Resource Management Act. The proposal provides for the economic and social well-being of residents of Selwyn District and the Greater Christchurch area by providing for employment opportunities and growth, while avoiding or mitigating adverse effects associated with the proposal.