

	<p style="text-align: center;">Resource Management Act Ashburton District Council Ashburton District Plan</p> <p style="text-align: center;">Plan Change Report and Section 32 Report</p>	Plan Change
Ashburton Plan Change for Rezoning Land from Rural A to Residential		

1. This report assesses the Plan Change under Section 32 of the Resource Management Act 1991. This report should be read in conjunction with the Plan Change report.

RESOURCE MANAGEMENT ACT 1991

2. Section 32(1)(d) requires that before a Plan Change is publicly notified, the applicant is required to carry out an evaluation. The Council is required under Section 32(2)(a) to prepare a further evaluation before making a decision on any Plan Changes under the First Schedule of the Act.
3. The section 32 evaluation should not necessarily be considered full and final. The RMA clearly anticipates the evaluation as an evolving process because a further evaluation is required by the Council before making any decision on a Plan Change (s32(2)(a)). Further evaluations may be required if the Council considers amendments to the provisions are needed before the change is formally presented to the Council for adoption.
4. During the development of the Plan Change, the requirements of Section 32 of the Resource Management Act 1991 must be met. Section s32(3)(a) and (b) and (4) (a) and (b) of the Act are as follows:
 - (3) *An evaluation must examine –*
 - (a) *the extent to which each objective is the most appropriate way to achieve the purpose of this Act; and*
 - (b) *whether, having regard to their efficiency and effectiveness, the policies, rules, or other methods are the most appropriate for achieving the objectives*
 - (4) *For the purpose of this examination, an evaluation must take into account –*
 - (a) *the benefits and costs of policies, rules, or other methods; and*
 - (b) *the risk of acting or not acting if there is uncertain or insufficient information about the subject matter of the policies, rules, or other methods.*
5. *Appropriateness* means the suitability of any particular provision. This Plan change does not seek to alter any of the existing objectives and policies in the District Plan nor is it seen necessary to add new objectives and policies. The proposal is not seen as being adverse or opposed to the existing residential zone objectives and policies. Therefore the existing objectives fit within the purpose of the Act and in turn the policies and rules, in terms of their effectiveness, achieve the relevant settled objectives.

6. *Effectiveness* involves assessing how well the provision(s) will work. Determining efficiency involves an examination of benefits and costs. A measure of efficiency is the extent to which the provision(s) achieve the relevant objectives, compared to the situation which exists in the absence of the proposed provisions.
7. In addition, within the Act are a number of matters relevant to a Plan Change. These include:
 - a the requirement to have regard to the Proposed Canterbury Natural Resources Regional Plan for any matters of regional significance; and any relevant entries in the Historic Places Register (section 74(2));
 - b the required content of district plans, including a statement of “methods (including rules if any) to implement the policies” (Section 75(1)(c));
 - c the requirement that the District Plan not be inconsistent with the Canterbury Regional Policy Statement (Section 75(3)(c); and
 - d the requirement that rules must be for the purpose of the Council carrying out its functions under the Act and achieving the objectives and policies of the Plan (section 76(1)).
8. In this instance, the process is confined to a consideration of the appropriate methods to implement and achieve the relevant District Plan objectives and policies in relation to the subject land. This is informed by the section 32 evaluation undertaken by the applicant.
9. The objectives and policies of the District Plan are taken as giving effect to the Canterbury Regional Policy Statement (CRPS). Accordingly, any methods that implement and achieve those objectives and policies will give effect to the Canterbury Regional Policy Statement.
10. Finally, a number of consents will be required in relation to the development of this land. These will include subdivision of the land and consents from Environment Canterbury (i.e. discharge consents). Resource Consents for discharge of stormwater have been sought from Environment Canterbury at this time. The processes associated with the determination of such applications will occur in the normal manner during the development phase.
11. In order to meet this requirement, the methodology in the Section 32 Evaluation Process, as set out in the Ministry for the Environment’s Quality Planning website guidance note Section 32 – Methods of Implementation has generally been followed.

Methodology

12. Section 32 of the Resource Management Act does not require a comparison of options – it is a methodology action. The objective of a section 32 assessment is to provide an evaluation of provisions, rather than a comparison of options which endeavours to identify a “winner”. However, some options were evaluated prior to pursuing the current Plan Change proposal.
13. Therefore this section 32 evaluation evaluates the Plan Change against the existing provisions (objectives and policies) of the Operative District Plan.
14. In addition to the above section 32 requirements, this section also undertakes a comparison between planning techniques, being the Plan Change and the resource consent process, in achieving the outcomes sought as identified in the purpose and reasons for the Plan Change.

The Need for the Proposed Plan Change

15. In this case, there is an opportunity to comprehensively develop an area of land. A comprehensive and integrated approach, defining the development form by way of an Outline Development Plan will ensure integration and management of all resource management outcomes including stormwater, infrastructure, integration with existing development and transportation.
16. In terms of addressing all effects and achieving the integrated management of development, then the Plan Change is necessary and is certainly the preferred technique.

Technique Evaluation – Plan Change or Resource Consent

17. Prior to the preparation of this document, consideration was given to the most appropriate means of achieving the density of the residential development sought for the site. Consideration was given to relying on the resource consent process in the Resource Management Act 1991 rather than undertaking a plan change process.
18. Development of the site may take a number of years however based on the size of the development is likely to occur as one subdivisional stage. Consequently, there is little risk of development occurring in a piecemeal and ad-hoc manner. However, to apply for subdivision and land use consents under the current Rural A zoning would collectively make the application non-complying with the District Plan provisions. This is not considered a sound approach based on effects likely to be considered more than minor and not being consistent with the rural zone objectives and policies. Other relevant considerations are under Section 104 (1) (c) which includes consideration of consistent administration of the District Plan and potential precedent effects. Under these conditions therefore the necessary mix of certainty and flexibility to enable appropriate development to occur in an integrated manner over the site is unlikely to be met.
19. For these reasons, it is concluded that the plan change process is a more effective and efficient method to achieve residential development on the subject land, and is therefore the preferred method.

EVALUATION OF THE EFFECTIVENESS OF THE PLAN CHANGE APPROACH AGAINST THE RELEVANT OBJECTIVES AND POLICIES OF THE DISTRICT PLAN

20. The District Plan provides for residential zones in terms of Residential, Residential 2, Township and Rural-Residential zones. The Plan Change seeks a residential zone with essentially only a limit on site density for the site. In the assessment of the request regard has been had to those relevant residential objectives and policy outcomes sought for the zone. This is detailed further below.
21. The zone statement for the Residential Zone states;

The Residential Zone covers the residential areas of Ashburton Town (Kapuka), Methven and Rakaia and provides principally for low density and low height permanent living accommodation. Within the residential zone in Ashburton Town (Kapuka) there is an area identified to provide for slightly higher density living accommodation in close proximity to the town centre. The purpose of the zone is to

maintain residential areas with ample open space for tree and garden plantings and with minimal adverse environmental effects experienced by residents.

22. In terms of the Section 32 report the following objectives and policies have been identified as being necessary to this assessment. The critical objectives and policies are:

Objective 4.2.3.1

Sufficient land in a diversity of localities to enable the residential needs of the Districts present and future urban populations to be met, subject to the various constraints imposed by the natural and physical environment:

And policies 4.2.3.2.1 - 4.2.3.2.3, 4.2.3.2.6 – 4.2.3.2.7

Policy 4.2.3.2.1

To consolidate further residential development in the settlements of Ashburton (Kapuka), Methven and Rakaia, which generally have the employment, community and infrastructural services able to sustain a growing population.

Policy 4.2.3.2.2

To provide for suburban residential and very low density residential development and associated activities in Ashburton town (Kapuka), Methven and Rakaia within defined residential and rural-residential zones, as a means to ensure a location and nature of development which avoids broader adverse environmental effects and enables the creation of an acceptable level of residential amenity.

Policy 4.2.3.2.3

To confine the residential areas within Ashburton town (kapuka), Methven and Rakaia to those areas of the towns which are, or are likely to be, provided with infrastructural services of formed and sealed roading, footpaths, reticulated water supply and sewage treatment and disposal.

Policy 4.2.3.2.6

To maintain clear distinctions between the urban and rural areas, in order to assist in protecting the quality and character of the surrounding rural environment.

Policy 4.2.3.2.7

In assessing the future residential needs of the District, should pressures arise in respect of its urban environments, to have regard to:

- *efficient use of public utility networks;*
- *proximity to community and employment facilities, and the implications for energy efficiency;*
- *compatibility with permitted activities and existing uses, such as industrial activities, piggeries, and poultry farms, and recreational facilities;*
- *avoidance of significant risk from natural hazards;*
- *avoidance of highly productive and versatile land, unless this is outweighed by the protection of other resources; and*
- *maintenance of the visual amenity and character of the surrounding rural environment.*

and

Objective 4.2.3.7 Character and Scale

4. *Residential development and associated activities at a scale, intensity, and character which is consistent with, and/or an enhancement of, the existing identity and services of settlements and their rural-residential surrounds.*

And policy 4.2.3.8.1

Policy 4.2.3.8

1. *To ensure an essentially low density, low scale suburban living environment within the Districts settlements, with a dominance of open space and planting over buildings.*

And

Objective 4.2.3.10 Diversity in Living Environments

6. *Residents of the District having the opportunity to choose between a diverse range of living environments expressed in built form, density of development and housing types.*

And policy 4.2.3.11

Policy 4.2.3.11

1. *To enable a mixture of housing and lifestyles in urban areas by avoiding the distinction between, and restrictions on, various residential types.*
23. The above objectives and policies set the framework for any future urban growth proposal and identify all the relevant considerations and issues which need to be addressed as part of the process.
 24. In the context of the District Plan, the principal reasons for adopting the above objectives, policies and their explanation and reasons (4.2.3.3 Availability of land, 4.2.3.9 Urban Form and 4.2.3.12 Diversity in Living environments) are set out in the following:

4.2.3.3

The main concern for Council in accommodating future residential growth is the impact on natural and physical resources. Indirectly there is a need to provide certainty and direction for persons buying into and developing property. In view of the nature and intensity of urban housing, the Council believes these matters are best addressed by way of zoning land for residential and rural residential purposes and to otherwise introduce methods to control the extent of non-residential activities and adverse environmental effects that may result with development.

The policies recognise the existing level of development, services and infrastructure of the Districts three main settlements. There is generally opportunity for greater use of these resources and accordingly the policy seeks to encourage consolidation or infill of these residential areas.

There is a foreseeable need for further residential land, in addition to initiatives for redevelopment and infill, in Ashburton Town (Kapuka). In considering various options for expansion the Council has had regard to matters such as flood risk, versatility of soils and efficient use of public services. In relation to services, the Council sees a need for the efficient long term management of existing facilities.....The incorporation of land to the northeast acknowledges the prominence of Allenton in the towns residential growth, accounting for nearly 50% of Ashburtons increase in housing stock between 1986 and 1991. The area between Racecourse and Allens Roads will receive protection from flooding as a result of the proposed new flood protection works, and is able to be serviced efficiently and economically. The other area in Allenton, on Farm Road, zoned for residential purposes has the ability to be serviced; consists of land which is determined (in the 1990 Floodplain Management Plan for the Ashburton urban area) as not being floodable in events up to and including the 1 in 200 year (0.5% AEP) flood event (though it is determined to be floodable in the 1 in 500 year and probable maximum flood) and is generally not comprised of versatile soils classified as Class I or II.

Council realises that there may be unforeseen changes in population trends or predictions, and accordingly residential needs. In the event of Changes to the Plan to cater for such growth, Policy 7 lists important considerations which must be addressed in any proposal.

4.2.3.9

The contrast between settlements, or areas within or immediately adjoining a particular settlement, is expressed in terms of their character and scale. These in turn provide opportunities for difference in living environments. For example there is a difference in the lifestyle residents may expect in Ashburton town (Kapuka) relative to Methven or Rakaia, just as there is between residential and rural residential areas. There is a need to maintain or enhance the character and scale of settlements in preserving their identity and value to residents. This can be achieved through rules in the plan which essentially specify standards contributing to and maintaining these values.

4.2.3.12

Policy 1 expresses Councils intention to consider residential development generically, without distinction between the various types of housing. This is based on a belief that the difference in impact of various types of housing is insignificant in the context of any living environment. Only in exceptional circumstances will standards be imposed in respect of specific residential activities where potentially adverse effects of development have been identified.

25. With regard to the Plan Change being linked directly to an Outline Development Plan, it is appropriate to look at subdivision issues, environmental considerations and results anticipated from the relevant objectives and policies of the District Plan. In particular, the following are considered relevant;

3.8.2 Issues

Site Suitability

The underlying objective is to ensure that the allotments created by subdivision are suitable for the anticipated use, that the land is serviceable and developable and that it is not subject to any unacceptable man-made or natural hazard.

Future Land Uses

There is an expectation by land purchasers that the effects of any proposed land will have been examined before a new land parcel is allowed to be created. This includes the framework of services, roading, vehicle access, water supply and sewerage disposal.

26. This proposed land the subject of the Plan Change has been investigated for essential servicing (water supply, wastewater and stormwater disposal) and details provided in the Engineering Servicing Report annexed to the Plan Change application show that the site can indeed be serviced appropriately.
27. In terms of natural hazards the site is afforded protection from flood risk from the river protection works constructed within the last three years on the North Branch of the Ashburton River. These protection works are designed to withstand a 1 in 200 year event 0.5% Annual Exceedence Probability (AEP).
28. The residential zoned land to the southeast bound by Racecourse and Allens Roads and Wakanui Stream had until recent times a subdivision restriction placed upon the land until such time as the aforementioned river protection works were constructed and approved by Environment Canterbury. This approval has been given therefore on the basis of the subject land within the same flood plain is it logical to assume that this site will be afforded the same level of protection.

Environmental Considerations

Subdivision has the potential, if not designed sensitively, to adversely affect landscape, nature conservation and visual amenity values. This is usually as a result of the altered pattern of land use activities which tend to follow subdivision.

In urban areas, the design of a subdivision can also significantly affect the visual and general amenity of the area. Factors such as the size and shape of the new allotments, the roading layout; the width and standards of formation of the roads; the nature and location of areas of public open space; and the nature of tree plantings in the open space and roads; are important in determining the environmental effects of a subdivision.

29. As can be seen in the Outline Development Plan the site has factored in allotment sizes, access layout and amenity areas including the wetland feature areas acting as both a wetland and stormwater detention area.
30. Having regard to the provisions of Objective 4.2.3.1 and Policies 4.2.3.2.1 - 4.2.3.2.3 and 4.2.3.2.6 – 4.2.3.2.7 then it falls to ensure that the outcomes proposed and methods adopted address the relevant matters (environmental results anticipated from those objectives and policies) pertinent to those considerations listed. In summary, those results anticipated are:

- *Retention of the predominant character and scale of development within and around the districts settlements.*
- *A compact and coherent urban form which recognises the need to achieve:*
- *protection of good quality land on the urban fringe;*
- *a well defined edge between rural and urban activities;*
- *Residential accommodation close to employment and social services;*
- *energy efficiency;*
- *Protection of property and lives from the effects of natural hazards;*
- *Efficiency in the provision of public infrastructure*
- *Residential coherence, except in circumstances of established activities or where a local need prevails for activities ancillary to the surrounding living environment;*
- *Diversity in housing and lifestyle types to meet a range of community needs;*
- *A high degree of residential and rural residential amenity, expressed by way of;*
- *Dominance of open space and plantings over buildings;*
- *Limited high density housing;*
- *A safe and efficient residential transport network;*
- *Compatibility between activities, with the dominance being residential use;*
- *Diversity in built form, providing for individual and community expression, but while achieving a reasonable degree of coherence in urban character.*

31. In the circumstances of this request for a plan change, then the essential elements of the process and the manner by which new growth or activity will be accommodated (explanation of policy 4.2.3.3). The objectives and policies relevant to those considerations listed in Policies 4.2.3.2.1 - 4.2.3.2.3 and 4.2.3.2.6 and 4.2.3.2.7, 4.2.3.8.1 and 4.2.3.11.1 are generally addressed in the outcomes set out in the relevant District Plan at:

- Section 3.2 Takata Whenua Values
- Section 3.4 Natural Hazards
- Section 3.5 Open Space and Recreation
- Section 3.6 Energy and Greenhouse Gases
- Section 3.7 Transport
- Section 3.8 Subdivision and financial contribution
- Section 3.9 Utilities
- Section 3.10 Community facilities
- Section 4.2 Residential and Rural Residential Areas
- Section 4.3 Business Areas
- Section 5.1 Rural Areas

32. The relevant objectives and policies already within the Operative District Plan and the outcomes can be achieved as follows as follows:

- The proposed residential zoning and specific site layout in the ODP will provide a high level of residential amenity.
- The new zoning, if accepted, will not adversely impact on nearby zones whether they be adjoining residential or rural zones. The land is a logical extension to the existing residential zone on Allens Road and Middle Road.
- The proposal will provide infrastructure for servicing and roading in a manner consistent with the District Plan and will consolidate that outcome by way of the proposed Outline Development Plan.
- It will not conflict with maintaining the rural environment to the north and east of this site and will maintain a clear distinction between the zones.
- Infrastructure will be integrated efficiently and effectively with the existing network.

- The land does not include areas subject to significant flooding. There is protection of the land from a 1 in 200 year event flood.
 - The land can be developed in a manner which provides maximum permeability in terms of all transport modes including pedestrian and cycle transport.
33. For the reasons identified above the proposed plan change is considered to be consistent with the existing policy framework of the Operative District Plan.

Comparison of Options

34. Section 32 of the RMA sets a methodology for assessing changes to plans with a focus on alternative costs and benefits. Thus, the following evaluation addresses the Plan Change against the appropriateness of changing the zoning of the land from rural to urban within the provisions (objectives and policies) of the Operative District Plan.
35. In addition to the above section 32 requirements, this analysis also undertakes a comparison between planning techniques, being the status quo, resource consent process, Council initiated Plan Change and Private Plan Change in achieving the identified outcomes set out in the purpose and reasons for the Plan Change.

Option 1 – Status Quo

36. There is an opportunity to comprehensively develop this area of land at Ashburton, in a location generally identified as suitable for urban growth by way of the Ashburton District Development Plan. In summary, it is considered that the existing rules in place for the subject land (Rural A) will not achieve the purpose of the Act being too restrictive on development. The scale of development proposed is such that it would be inconsistent with the existing provisions of the District Plan.

Option 2 – Resource Consent

37. To apply for a subdivision and land use consent to allow development of the site into residential allotments and for buildings to be constructed on those lots would collectively be non-complying activities under the District Plan provisions. Resource consents are unlikely to be granted given they would challenge the integrity and consistent administration of the District Plan.

Option 3 – Council Initiated Plan Change

38. The Ashburton District Council is in the process of reviewing the current District Plan. It is anticipated that this District Plan review may consider those proposed future zoning options shown in the Ashburton Development Plan. The implementation of the new zones for this site (both residential and rural residential) will become evident as time moves on however it is noted that both the residential options for Ashburton were given a priority (2).
39. The applicant does not wish to wait for the initiation of a Plan Change by the Council as they wish to progress matters toward potential development of the land in the very near future.

Option 4 – Proposed Plan Change

40. The plan change request seeks to rezone the land from Rural A to Residential. This is to be effected by way of an Outline Development Plan which is the framework with which the site is to be developed. The land is identified as suitable for future residential zoning and can be serviced for such. It is understood the subject land area is identified in the Ashburton Development Plan as suitable for future residential development and may be included within the Councils own District Plan review. . There is no certainty with this however. What is certain is that this plan change request is considered the course of action which will best deliver an outcome in accordance with the needs of the community and the District Plan.
41. The applicant considered a number of different layout variations to the current development plan however it was very much dependant on achieving the best provision for essential servicing (wastewater), on-site storm water management, efficient vehicle access and provision for a specific allotment size to provide options for development for future purchasers.

Extent to which the relevant objectives and policies are the most appropriate way to achieve the purpose of the RMA

42. Section 32(3)(a) requires a plan change to be assessed in terms of which objectives and policies are the most appropriate way to achieve the purpose of the Act. In doing so, it is essential to determine whether the objectives and policies will facilitate the purpose of the Act, and secondly to assess the efficiency and effectiveness of each method.
43. The proposed rezoning only seeks a residential zone however it does not create a type of development not generally provided for within the District Plan. The provisions relating to residential development have already been tested against Part II of the Act. It is the extension of existing zoning at the urban boundary upon which the assessment is focused, in regard to whether the change is the most appropriate way to achieve the purpose of the Act, when compared to any other option.
44. In terms of Objective 4.2.3.1 above this land area is a logical extension of the existing residential zone in proximity to the site. It has been identified in the Ashburton District Development Plan as an area suitable for development. This objective is an appropriate way to achieve the purpose of the Act as the intent of the objective provides a living option to enable the needs of the districts current and future populations to be met. The impact on natural and physical resources from this growth is detailed below.
45. The proposed Plan Change accords with those existing objectives and policies for the residential zone of the District Plan. The proposal as shown on the Outline Development Plan utilises the existing District Plan provisions which are summarised below.

Residential Zone

46. The issues in relation to this zone and subsequent policies and objectives is that it enables people to provide for their residential needs and alongside this to meet the demand for low density residential living within rural areas. This Plan Change

provides both these options. Aside from the Ashburton District Development Plan which considered the residential needs of this Plan Change area with a future residential zoning, there are other matters contained within section 7 of the Resource Management Act which the Council must have regard to when considering how these residential needs might be met. These matters were considered by the Council in its formulation of these zones and relevant objectives and policies. In particular, the

- availability of land for residential development and growth – with relevance to this plan change these matters were considered as part of the District Development Study which identified this land as suitable for growth;
- Urban Form – the plan change proposal, although on the outskirts of the town, promotes good urban design and connection with the existing urban environment. There is provision for good visual and general amenity for the town.
- Character and Scale – the provision for open space, density of development, building heights, dominant styles in built form and topographic influences. This has been factored into this Plan Change no differently to what has been developed within the District Plan. The difference with this proposal however is it is an underlying residential zoning which is subject to development within the ODP framework i.e. minimum 2000m² allotments. This in itself will contribute to a character and scale and sense of open space to a larger degree than the standard 360m² residential site with building commitment would.
- Diverse Living Environments – this plan change proposal can provide a diversity in the living environment while maintaining the quality of the environment valued by residents through the creation of a well thought through and functional development.
- Pleasantness and Amenity – the plan change through the ODP will enable development to occur in accordance with those objectives and policies outlined in the Plan. The existing rules, alongside the new site density for the site control any activities not anticipated or encouraged within these zones and likewise control matters that are permitted for location, design and style of development which contributes to the pleasantness and amenity expected within these zones.

47. In this case the rezoning sought will allow a greater level of development to occur than the present zoning. It has already been concluded that positive effects will arise from the proposed change. Whether or not the proposed change is necessary to achieve the purpose of the Act ultimately turns on the adverse effects of the proposal. Such effects can be evaluated through a cost benefit analysis as required by Section 32 of the Act and in accordance with Part II. The provisions of Part II of the Act and a cost-benefit analysis are considered below.

EVALUATION OF THE BENEFITS AND COSTS OF THE PRINCIPAL METHODS

48. The evaluation of the benefits and costs of the provisions seeking to change the Rural A Zone to a Residential zone.

Cost/Benefit Analysis: Proposed Plan Change rules, policies and methods

Benefits	Costs
<ul style="list-style-type: none"> • Achieves urban growth and consolidation in a locality 	<ul style="list-style-type: none"> • Limited cost to Council recognising that the greater cost of preparation and

<p>appropriate and in part identified for such.</p> <ul style="list-style-type: none"> • Accords with the direction and approach set out for new urban development in the District Plan. • Is designed to integrate with existing development and achieve a high level of amenity. • An Outline Development Plan has been prepared which sets out an integrated design for subdivision and land use, provides for long term residential character and ensures that development is maintained and that the area is designed to a specific framework. • Provides for a comprehensive and integrated outcome for development in accordance with the Outline Development Plan. • Is self sufficient and can be serviced in respect of infrastructure. • Costs of infrastructure met by the development* • Development to be in accordance with the Outline Development Plan. • Will provide for a more efficient and sustainable outcome for the land than the current District Plan rules to permit 8ha blocks. • Is consistent with the objective of sufficient land in a diversity of localities to enable the residential needs of the Districts present and future urban populations to be met. • Includes recognition to carefully manage storm water and flood mitigation. • Seeks to maintain the distinctive character of the settlements. <p>* The feasibility and investigation work undertaken by the applicant for infrastructure servicing of this site in terms of wastewater and stormwater will be subject to further discussion</p>	<p>process will be met by the development.</p> <ul style="list-style-type: none"> • Reduction in an area of rural land which could be used for rural purposes. • Short term development impacts on neighbouring zones until development is completed. • Future deviations or variations to the Outline Development Plan will require resource consents placing pressure on both Council and landowners to work through a consent process.
--	--

with Council with regard to financial contribution i.e. ability for others to connect into an available effluent disposal reticulation for the site.	
--	--

- 49. The proposal represents an efficient use of the site’s resources. There is sufficient capacity in the water supply and wastewater systems to meet additional demand. To this end, no inefficient extensions of these reticulated services are required. The costs of connecting to these services will be covered through Councils Development Contributions Policy pursuant to the Local Government Act 2002. These contributions are imposed at the time of building consent and likewise a community infrastructure contribution is sought by Council.
- 50. The plan change proposes a form of development that is already established in the area. The site is adjacent to the existing urban edge of Ashburton and will not result in detached urban development. There will be a loss of what is predominantly vacant land, however this will be offset by an integrated and sustainable development attached to an established urban community.
- 51. The establishment of connections to reticulated services will protect the site’s natural resources. Appropriate storm water retention/detention systems will be implemented. Developing an urban community on the site primarily in accordance with existing District Plan Rules and the creation of an Outline Development Plan as the framework for the development, will ensure the amenity values of the urban and adjoining rural environment will be maintained and in many respects, enhanced.
- 52. More intensive use of the community infrastructure may have positive economic effects by reducing the per capita costs of maintaining these services. Other social and recreational benefits will be gained through the provision of open space and improving residential amenity and people’s passive enjoyment of the area.

Cost/Benefit Analysis/Alternatives

- 53. In addition to the plan change, two principal alternative means or methods have been considered to address the resource management issues and achieve the purpose of the Act. An alternative option is to apply for non-complying subdivision and land use consents which would allow for the subdivision of the site into residential lots and for buildings to be constructed on those lots.

Benefits/Advantages	Costs/Disadvantages
<ul style="list-style-type: none"> • Applications for non-complying activities would be considered on their merits against the relevant District Plan objectives and policies. 	<ul style="list-style-type: none"> • Proposal for residential development would not meet relevant objectives and policies. • If consent were granted any changes to the resource consent approved would require further resource consents. • Administration would be costly and time consuming.

54. Development of the site may occur in only one stage however as discussed earlier it is unlikely that a resource consent would be granted due to issues of consistent administration of the District Plan and potential precedent issues.

Status Quo

55. A further alternative is to do nothing and retain the current District Plan provisions which zone the site rural and as such restrict development on the site. The advantages and disadvantages of doing nothing are shown in the following table: Given that the Council has adopted a District Development Plan which provides for a residential zone over this site the timings of this may be some years away

Benefits/Advantages	Costs/Disadvantages
<ul style="list-style-type: none"> • No requirement to notify plan change. • No costs associated with the plan change process. 	<ul style="list-style-type: none"> • Limitations on the types of development. • Pressure on other “less appropriate” rural land to meet the demand for urban growth. This land is located on the urban fringe and suitable for residential development. • Potential benefits of integrated development are lost. • Development into 8ha lots will negate the opportunity for future integrated urban growth in this location.

56. The costs or disadvantages of doing nothing outweigh the benefits and therefore the “do-nothing” option is not considered to be the best means of achieving the purpose of the Act or the objectives and policies of the Plan.

WHETHER, HAVING REGARD TO THEIR EFFICIENCY, THE POLICIES, RULES OR OTHER METHODS ARE THE MOST APPROPRIATE FOR ACHIEVING THE ABOVE OBJECTIVES

Efficiency

57. The provisions that are the most efficient are those that achieve the desired objectives at the least overall cost when compared to other provisions. For the purpose of this section 32 evaluation, this is limited to those objectives, policies, and methods relevant to the change. The objectives and policies of the Residential zone have been compared to the outcomes of the rural zones. In making this assessment against the provisions of the urban growth framework for the District Plan and the Development Plan then it is concluded that the proposed rezoning and associated rules are consistent with the objectives of the District Plan’s existing provisions.
58. Following the consideration of the benefits and costs of the provisions necessary to rezone the land Residential, it is the conclusion that the method adopted is efficient.

Insufficient Information

59. The Resource Management Act requires the Council to evaluate the risk of acting or not acting if there is uncertain or insufficient information. There is no reason for not

acting on the basis of insufficient information. Retaining the existing zoning will continue to implement many of the objectives and policies of the District Plan in terms of rural zone outcomes. However, given the information provided, the direction of the District Plan takes in respect of new urban growth, then the proposed change to the Ashburton District Plan is consistent with those outcomes including an integrated approach to urban growth, achieving lower residential densities and a choice of living environments.

Part II - The purpose of the Act

60. This purpose has two components, one enabling and one regulatory. The enabling component allows people and communities to use, develop, and protect resources in any way they desire in their pursuit of wellbeing provided this satisfies the terms of the regulatory component.
61. In terms of the enabling component, it is clear that the development of the land in the manner proposed will allow for urban development that provides for a scale and form of housing that is consistent with the principles of urban growth set out in the district plan and to an extent the Ashburton District Development Plan. The principle issue is whether the regulatory component can be satisfied.
62. The first regulatory matter addresses the potential needs as they relate to the subject land, which is to ensure development can take place in a manner that will not adversely affect natural and physical resources. This has been addressed in detail in the assessment to the plan change and hence no adverse effects on the site's resources or the surrounding environment are expected to arise.
63. The second regulatory matter is the life supporting capacity of air, water, soil and ecosystems. It is considered that the proposed plan change will not threaten any of the matters mentioned.
64. The final regulatory matter is to avoid, remedy and mitigate adverse effects. Existing standards within the District Plan will effectively control the scale and overall density of future development in a manner consistent with urban activity in the area. Some new standards and subsequent objective, policies, assessment matters and reasons provide the necessary controls and methodology for the new zone.
65. Furthermore, it is concluded that there are no matters in Section 6 (Matters of National Importance), Section 7 (other matters) and Section 8 (Treaty of Waitangi) which impact adversely on the consideration of the Plan Change request.
66. Regard should also be made to sub-sections (b), (c) and (f) of Section 7 – Other Matters:
 - (b) The efficient use and development of natural and physical resources:
 - (c) The maintenance and enhancement of amenity values:
 - (f) Maintenance and enhancement of the quality of the environment.
67. The District Plan rules provide an appropriate and accepted means to control the scale of development. In addition, a comprehensive and integrated approach, defining the development form by way of an Outline Development Plan will ensure the integration of all resource management outcomes including infrastructure, amenity and integration with surrounding land uses. The existing landscape character of the site will undergo change. The surrounding roading structure can accommodate the development and locating the development in close proximity to

the existing Allens/Middle Road residential area is an efficient use of the site and its resources.

68. Overall, it is considered that the proposed change is in accordance with the purpose of the Act.

Conclusion

69. Based on the assessment undertaken, the overall conclusion is that the proposed rezoning and associated rules will achieve the objectives and policies of the District Plan. The resulting outcome will be in accord with the District Plan direction and expected outcomes. It is further concluded that the benefits of the proposed rezoning outweigh the costs.
70. The District Plan is operative and its objectives and policies are beyond challenge. It is concluded that the objectives and policies are met and no change is required to existing provisions other than new land use and subdivision rules are introduced for the residential zone proposed. It is therefore concluded that the Plan Change will achieve the principles and purpose of the Act.