Resource Management Act 1991

Ashburton District Plan

Proposed Plan Change No. 2

North East Ashburton Business Park

Section 32 Assessment

December 2006

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1. INTRODUCTION

This report provides an assessment of the various options that Council has considered for managing the issues related to the location of industrial activities within Ashburton Town. This assessment is required under Section 32 of the Resource Management Act 1991. The report should be read in conjunction with the amendments contained in the proposed plan change itself and its associated explanation.

1.1 Background

The proposed plan change has been prepared to rezone land for business and industrial purposes. In recent years the Ashburton District Council has become increasingly aware of a shortfall in the availability of business and industrial land in the District. Businesses seeking to set up in Ashburton have advised Council they are frustrated by the lack of available land area. This diminishing capacity was then confirmed by research undertaken for the Ashburton Development Study in 2004-2005.

This study recognised a shortage of land suitable for industrial type activities within the existing urban boundaries of Ashburton Town. In particular, there is a shortage of land in locations which are removed from suburban residential activity but still close enough to function as a part of the town's business environment.

This study identified some existing business zoned land closer to Ashburton Town Centre which still had capacity to cope with industrial activity e.g., Riverside. But due to its proximity to established residential areas, it is not deemed suitable for other than service type activities. In addition, heavier or land extensive activities require larger land areas than are generally available in this locality. Ideally such activities should be located away from the suburban business zones to avoid heavy traffic effects on transport routes and other land use conflicts in suburban areas.

The Ashburton Development Plan identified that the land subject to this proposed plan change may be suitable for industrial activity, being located some distance from suburban residential areas with ready access to both the main rail and road transport routes for the South Island.

The Development Plan included a section for Implementation. In relation to this proposal the Development Plan recommended that Council implement a Plan Change to address or incorporate the following:

- Wide buffer areas, including trees and open spaced of an appropriate size to separate industry from residential and rural residential activities.
- Traffic access from SH1 via a new intersection and in relation to existing local roads.
- Railway access for freight movement and associated shunting yards with at least 300m separation from rural-residential properties and heavily buffered with tree planting.
- Internal development arrangement to provide high standards of worker amenities in areas where there is common use for recreation and lunch times.
- Workers car parking and facilitating cycling and bus use.

- Emissions controls – noise, odour, dust and smoke considering Ecan requirements also.
- Stormwater on site management through ponds and wetland and rain gardens as well as groundwater protection management.
- Building design requirements and height controls.
- On-site storage and screening.
- Staging land release and development.
- Infrastructure and energy efficiencies.
- Other design requirements, including on-site landscaping to provide a quality work environment that will attract business and technology enterprise in addition to manufacturing and processing activities.

These matters have been considered by Council in its decision-making.

1.2 Scope of the Proposed Plan Change

This plan change proposes to rezone existing Rural B Zoned land north east of Ashburton Town to a Business 9 Zone to provide a mix of commercial, service and industrial activities. A small area of land fronting Taits Road and adjoining the proposed Business 9 Zone is to be rezoned from Rural B to Rural Residential.

The proposed plan change provides for the following:

a) The rezoning of 126 ha of Rural zoned land bounded by Northpark Road, Company Road, the Main South Railway Line and the PPCS Freezing Works as shown in the plan attached to the Proposed Plan Change document. The zone is intended to provide for a broad range of service, commercial and industrial activities but limits the scale of retailing activities.

b) Additional new policies, implementation methods and environmental results anticipated to reflect a new Business 9 Zone.

c) A new Zone Statement describing the purpose of the zone and its features.

d) A new set of rules relating to the subdivision of land within the Business 9 Zone, requiring compliance with an Outline Development Plan and the production of a Structure Plan to ensure the development of the zone is comprehensive and co-ordinated.

e) Requirement for all development and activities to comply with an Outline Development Plan including road connections to Works and Nothpark Roads, a buffer from the Rural-Residential Zone, the location of a rail siding, a central open space for amenity purposes and a graduation of activities across the zone with lighter industrial and office activities on the western half of the site closest to the Rural-Residential Zone (Area 1) and heavier activities to the east (Area 2).

f) A new set of rules for the Business 9 Zone which impose limitations on activities and buildings on sites immediately adjoining the buffer and within Area 1 to avoid and mitigate adverse noise and visual effects on the buffer and Rural-Residential Zone.

g) Rules requiring the erection of an acoustic barrier around a defined area limited to rail activities.

h) A new set of rules seeking to encourage greater amenity within the zone, including requirements for large tree planting to visually break up the scale of the zone and design and appearance considerations for buildings in Area 1.

1.3 The Issues

The Ashburton District Development Plan identified a number of issues with respect to industrial and commercial land use within the district. In relation to Ashburton Town the issues identified included:

a) Ashburton has an expected shortfall of industrial land available for development. This was estimated to be 17ha based on the projected urban area and population growth. However, because of the production based economy, growth in service activities and innovation/ value added processing, it was considered this may give rise to significantly higher requirements for industrial land than indicated on the basis of population growth alone.

b) Changes in the labour market and ability to attract and retain people is becoming more of an issue. Greater consideration is required of the quality and type of opportunities made available to businesses;

c) Greater consideration needs to be given to location of business areas in relation to transport having regard to accessibility and also the effects of transportation.

d) The need to provide areas where larger sites are available and removed from established suburban residential areas.

With respect to the specific site proposed for rezoning the issues identified include:

a) The proposed Business 9 Zone immediately adjoins an existing Rural-Residential Zone with established homes. Residents within the zone have expressed concern at the consequential change in the locality from Rural to Business activities. The residents have expressed concerns with the loss of rural outlook and amenity values, intrusion from business buildings, noise, air pollution, lighting, discharges and increased volume and size of vehicles.

b) The wider community has also expressed concern about an increase in heavy traffic on local, rural roads with consequential effects on road safety and efficiency;

c) Connection to the local road and state highway network are also issues in relation to protection of rural-residential amenity and safety and efficiency on the state highway.

d) Stormwater discharge and treatment and effects on groundwater.

e) Local residents are concerned about the costs of infrastructure improvements required to service the zone and any consequential impact this may have on ratepayers.

f) The relocation of rail activities from Ashburton Town to the site is a concern to local residents, who consider the rail activities to be a major detractor from amenity values.

1.4 The Objective of the Proposed Plan Change

The objective of the proposed plan change is:

> *'To provide a specific zone to accommodate future business growth for Ashburton and enable consolidation of Ashburton's position as an important transport/freight hub for Canterbury'.*

1.5 The Existing Situation

Currently Ashburton Town's principal industrial areas are located within existing Business 5 zones:

a) between the Ashburton River and Terrace Road; and

b) along Bremners Road northeast of the town and east of State Highway 1.

Large meat and food processing facilities are located with the Business 6 and 7 zones respectively at:

- Fairton and Bridge Street (Business 6); and
- Seafield, Northpark and Christys Roads (Business 7).

Further industrial and mixed business activity is provided for in the Business 3A zone along Alford Forest Road and on the west side of State Highway 1 within the town boundary.

Largely all the areas within the above mentioned business zones have reached their development capacity, although there is still approximately 17ha of land still available for industrial development within the Business 5 zone between the Ashburton River and Terrace Road. While this area will still provide for a number of further industrial uses, there is limited capacity here to provide for large scale industrial activity, activity that is dependent on accessibility to the major transport routes, or potentially in conflict with suburban residential activity.

2. STATUTORY CONTEXT

Section 32 of the Resource Management Act 1991 (RMA) requires that before a variation or plan change is publicly notified, an evaluation of the variation/plan change must be carried out.

Section 32 states:

> *"... (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.*
>
> *[[(3A) This subsection applies to a rule that imposes a greater prohibition or restriction on an activity to which a national environmental standard applies than any prohibition or restriction in the standard. The evaluation of such a rule must*

examine whether the prohibition or restriction it imposes is justified in the circumstances of the region or district.]]

(4) For the purposes of this examination [[the examinations referred to in subsections (3) and (3A)]], 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."

The authority required to carry out an evaluation must prepare a report summarising the evaluation and giving reasons for that evaluation. The report must be available for public inspection at the same time as the document to which the report relates is publicly notified or the regulation is made.

Section 32 requires that an evaluation must examine the extent to which each objective is the most appropriate way to achieve the purpose of this Act, which is to promote the sustainable management of natural and physical resources. Then further consideration must be given to whether, having had regard to their efficiency and effectiveness, the policies, rules or other methods are the most appropriate for achieving the objective.

This evaluation must also take into account whether there is a risk in acting, or not acting, if there is uncertain or insufficient information about the subject matter of the policies, rules or other methods.

2.1 The Statutory Process

The process of assessing this proposed plan change is:

(a) To assess whether the proposed re-zoning objective is the most appropriate way to achieve the purpose of the RMA, having regard to:

- the relevant provisions of the RMA;
- the Ashburton District Plan;
- the Ashburton District Development Plan.

(b) To determine that the overall policy direction is the most appropriate for achieving the proposed re-zoning objective.

(c) The most feasible method with which to achieve the relevant objective and associated policies (the Preferred Option).

(d) To outline any alternative methods that addresses the re-zoning objective and policies.

(e) To determine the efficiency of the Preferred Option by assessing it against the alternative options, using a non-quantitative costs/benefits analysis.

(f) To determine the level of effectiveness of the Preferred Option by assessing it against the alternative options.

(g) To assess the overall appropriateness and risk in order to find the most suitable option.

2.2 Efficiency

An evaluation of efficiency must take into account the benefits and costs of the proposed policies, rules and other methods.

2.3 Effectiveness

'Effectiveness' means how successful a particular option is in addressing the issues and in terms of achieving the desired environmental outcome. It is also a measure of how successful the policies, rules and other methods of the framework would be in achieving the objective. Clearly only provisions that are going to be effective in achieving the objective should be included.

3. EXISTING PLANNING PROVISIONS OF RELEVANCE

Section 75 of the RMA specifies that the proposed plan change must give effect to any Regional Policy Statement or Regional Plan. The following sections identify the relevant sections of the Canterbury Regional Policy Statement and the Ashburton District Plan and evaluates the relevance and conformity of the Proposed Plan Change with those provisions.

3.1 The Canterbury Regional Policy Statement

The Canterbury Regional Policy Statement is of relevance to this Proposed Plan Change. The objectives and policies of this document that are of particular relevance to this proposed plan change are contained in Appendix 1 attached.

The objective and policy of significant relevance is:

> *"Chapter 12 – Settlement and the Built Environment*
>
> *Objective 2*
>
> *Achieve patterns of urban development and settlement that do not adversely affect the efficient operation, use and development of:*
> *(a) Roading infrastructure*
> *(b) Christchurch International Airport*
> *(c) Timaru Airport*
> *(d) Port of Lyttelton*
> *(e) Port of Timaru*
> *(f) Telecommunication facilities*
> *(g) Military establishments for defence purposes*
> *(h) Rail network*
> *(i) Other network utilities*
>
> *Policy 3*
>
> *Encourage settlement patterns that will make efficient use of the regional transport network"*

It is considered that the proposed plan change is consistent with Objective 2 and Policy 3 in that the location of the proposed Business 9 Zone is immediately adjacent to the

South Island's main rail and road network. This will enhance accessibility to this infrastructure and thereby enable its efficient and effective use. In addition, the site is located sensibly along a route between the Ports of Lyttelton and Timaru and Christchurch International and Timaru Airports.

The Plan Change also creates the opportunity to remove rail activities from the centre of Ashburton Town where shunting has closed intersections and caused congestion. The Business 9 Zone provides appropriate land area and length of rail frontage for more effective use of rail facilities compared with its existing location.

The proposed zone change does not introduce any inconsistencies or non-conformities with those objectives and policies relating to soil, water or transport.

The Transport Assessment attached to this Section 32 Report provides some comment on the relationship between the proposed new Business Zone and the Regional Land Transport Strategy (2005-2015). This Strategy identifies future transport needs in Canterbury, the roles of all modes of transport and a strategic direction for development of the land transport system. Relevant objectives identified include:

- Maintaining and using the existing transport infrastructure efficiently;
- Increased emphasis upon walking, cycling and public transport;
- Land use patterns that support alternative modes and provide opportunities for people to travel less;
- Travel behaviour change programmes to encourage more efficient travel patterns.

The Transport Assessment concludes that the proposal provides some support for this Strategy in that the location of the site and the inclusion of the rail terminal are beneficial in removing heavy vehicles and other traffic from Ashburton town centre and thereby contributing to a healthier environment. However, the location of the site does not support walking or cycling trips to work, and there is no scheduled public transport service which could serve the site.

The Canterbury Freight Action Plan is a supporting document to the Regional Land Transport Strategy. This notes that freight movement is important to the economic health of the region, both in terms of delivery of local goods to national and international markets but also in terms of goods delivered into the region. The Plan describes ten objectives which it is envisaged will provide for the efficient, effective, safe and sustainable movement of freight. It is considered that four are relevant to the provision and use of transport infrastructure:

- Protection of the operation and access to key freight transport hubs;
- Definition and protection of the operation and access to the strategic freight network;
- Reduction of heavy vehicle impacts upon local communities;
- Improvement of freight access provision to commercial areas.

The Transport Assessment considered that this proposed plan change supports the Canterbury Freight Action Plan. The movement of the rail terminal from Ashburton town centre not only protects the future operation of the railway but facilitates greater

potential for road-rail integration and exchange of goods, and possibly a freight hub. It also alleviates the need for trucks to travel into Ashburton town centre when delivering or picking up containers.

3.2 The Ashburton District Plan

The Ashburton District Plan was made operative on 27 September 2001. It contains the overall objectives and guidance for activities that occur within the district.

Presently the Plan provides for a mixture of industrial activities in Ashburton Town within four different zones:

- Business 3A – Mixed Business/Industrial – containing mixed industrial and service character businesses;
- Business 5 - Industrial – containing existing areas of medium to heavy industrial activities;
- Business 6 – Meat Processing at Fairton and Bridge Street – containing two existing meat processing works at these locations; and
- Business 7 – Meat and Food Processing – Seafield, Northpark and Christys Road – containing existing meat and food processing and storage operations.

For each of these zones the Plan contains a comprehensive list of rules that control the development and use of buildings and activities on sites within each respective zone. In addition to these rules there are also other district-wide rules contained in the Plan that also control activities on these sites, for example transport and advertising rules.

There are three objectives for Business Areas in the Ashburton District Plan (see Appendix 2).

The first objective is concerned with amenity within Business Areas and has a number of accompanying policies concerned with effects from buildings, noise, traffic and landscape effects within business zones.

> *"Areas of business activity which have a standard of amenity pleasant to visit and work within."*

The proposed Business 9 Zone is intended to have a higher level of amenity than other business zones. This will be partly achieved by Council taking responsibility for planting and landscape treatment within the streetscape but also requiring some consideration of the design and appearance of buildings that front roads and in specified locations within the zone.

In addition the Plan Change introduces an open space within the centre of the zone to provide an area of higher amenity around which cafés and food retail outlets will be encouraged to locate for workers to enjoy.

Policy 3 seeks to ensure that adverse effects from the mix of business activities are avoided, remedied or mitigated. Council has sought to address this by requiring heavier industrial activities to be located separately from the commercial and service oriented activities. Accordingly the proposed Plan Change would appear to be positively contributing to, and potentially more effective than other existing zones in the District Plan, in achievement of this objective.

The second objective is concerned with the Amenity of Ares Adjoining Business Areas and is worded as follows:

> *"Areas of business activity which do not detract from the standard of amenity in adjoining areas".*

The policies accompanying this objective are focused on the adoption of residential standards on business zoned sites adjoining residential areas in relation to noise, built form and light spill, with a requirement for landscape planting along affected boundaries. The proposed Plan Change introduces further policy to assist in achievement of this objective. The new policies require a landscaped buffer between rural-residential and business activities in the Business 9 Zone and a requirement for a Structure Plan incorporating landscape treatment and noise mitigation prior to subdivision and the establishment of activities. These additional policies are necessary to ensure that the Proposed Plan Change provides the required mitigation at the Rural-Residential/Business Zone interface and conform with the objective.

The third objective is concerned with the maintenance and consolidation of business areas as follows:

> *"The maintenance and consolidation of business areas, whilst enabling adequate opportunity for business growth, provided that adverse effects on the environment are avoided, remedied or mitigated."*

The proposed Plan Change is effective in relation to this objective. There is a shortfall of industrial land in Ashburton Town, particularly larger sized sites and for activities that involve a heavier industrial component where a location away form suburban housing is appropriate. The proposed Business 9 Zone does not therefore detract from or conflict with existing areas where business should be consolidated.

The proposed zone contains a rule limiting retail activity, with the purpose of ensuring that the zone does not introduce a new retail centre in competition with the Town Centre. In addition, the zone creates the opportunity to relocate the rail activities away from the Town Centre. This actively supports policy 7 which is concerned with maintaining the function, integrity, convenience and viability of the inner commercial areas. Relocation of the rail activities will result in less traffic disruption in the town and create opportunity for an enhanced commercial centre from a visual and amenity perspective.

In summary, the proposed Plan Change introduces more stringent requirements in the form of policies and rules than currently exist in the district plan for achieving the objectives. Further analysis of proposed rules occurs in Section 5.0 below.

4. CONSULTATION

The possibility of a proposed new business zone was first discussed during the Development Plan consultation. This involved open days and written response sheets.

Following Council's adoption of the Development Plan and decision to initiate a plan change a consultation strategy was formulated. This involved the following key steps:

- A letter of introduction, phone call and in-person meetings with persons directly adjoining or opposite the proposed zone (November/December 2005);
- A letter sent to parties more widely located but considered to have a greater interest in the north east of Ashburton with opportunity to send back a written response (November 2005);
- An Information Event held on two consecutive days at the end of March 2006 providing further information on the proposal. Technical consultants for noise, traffic and planning were in attendance along with Council officers to answer questions. Formal presentations of the proposal were also made at set times.

The majority of neighbouring property owners accepted the opportunity to meet with a Planning consultant to discuss their issues and concerns. Twenty seven persons made written responses from the wider community.

The results of the consultation were then reported back to Council and these results are summarised in bullet point form below:

4.1 Traffic

Issues were raised in regards to:

- *Location of access points to the proposed zone*
- *Safety of rail crossings;*
- *Traffic safety for turning traffic;*
- *Generation of heavy traffic;*
- *Pedestrian road safety;*
- *The need for, timing and consultation on road upgrades;*
- *Inconvenience caused by additional traffic;*
- *The perceived lack of investigation into linkage with airport.*

4.2 Buffer

Issues were raised in regards to:

- *The need for a substantive buffer – 100-300m wide;*
- *The need for a buffer on the northern side of the zone also;*
- *The need for trees and open space as well as shelterbelts;*
- *The need for maintenance of the buffer by Council;*
- *Mounding - some people liked it and others didn't;*
- *A question as to whether the buffer would be zoned;*

- *The need to use qualified people to determine the landscape treatment of the buffer;*
- *The need to keep business park roads away from boundary with rural/residential area;*
- *The need to grade activities across the zone with lighter activities at the Northpark end and heavier activities towards Works Road;*

4.3 Amenity

Issues were raised in regards to:

- *Noise effects, lighting, dust, loss of views.*
- *Adverse effects on rural outlook, openness*
- *Polluting activities and discharges*
- *Shunting yards – noise and traffic issues*
- *The concern that the rural/residential area lies in the path of the prevailing wind and would receive noise/discharges from business zone*
- *The need to know more about environmental standards*
- *Concern at the potential for 24hr activities and effects*
- *Effects on animals and children's health and well-being*
- *Loss of rural character*

4.4 Water quality and supply

Issues were raised in regards to:

- *Water quality e.g. adverse effects on drinking water bores;*
- *Cost allocation of water supply*
- *The level of wastewater treatment that would be imposed*
- *Enforced connection to town services water*

4.5 Other

Issues were raised in regards to:

- *The process – Council have bought land so outcome is pre-determined;*
- *The fact that other areas should be considered*
- *Land values that will be affected (both positively and negatively)*
- *The need to buy out surrounding properties and offer compensation*
- *Timing and take –up – people wanted to know whether land development would be ad-hoc or orderly?*
- *The size of the area required – where is the rationale for this?*
- *Bruce Property – clarification sought as to its future use?*
- *Increased rates would have a financial impact on families*

There was also support for the project.

5. OPTIONS

5.1 Introduction

This section provides an analysis and evaluation of:

- *alternative land areas for industrial growth; and*
- *the type of zone appropriate for industrial growth; and*
- *the types of rules or controls which should apply within any new zone.*

5.2 Alternative Land Areas

Two options are analysed and evaluated as follows in the table below:

a) Re-zone subject land for new development;
b) Re-zone alternative land for new industrial development.

Two other options are analysed and evaluated for comparative purposes as follows:

c) Introduction of rules to regulate industrial development;
d) Status quo.

The Ashburton Development Plan considered alternative land areas for future industrial development. Options considered included:

Riverside

The Development Plan assessment concluded that this area was more suited to a service activity location than industrial. Heavy traffic access is an issue with heavy vehicles required to drive into Ashburton Town and then through residential areas to access the site. In addition, the use of the site potentially impacts on suburban residential areas which would limit the scale of built development and nature of activities desirable in the area. A buffer would be required to provide separation from the residential properties as well as provide open space and opportunity for stormwater treatment and flood management.

Tinwald

Land on the outskirts of Tinwald could provide a further alternative for expanded industrial areas. This was not considered suitable on traffic grounds. The bridge over the Ashburton River is a constraint, and a location on the south side of Ashburton would result in heavy traffic passing through the township when traveling to or from the north.

Status Quo - No New Provision

Without some form of additional zoning provision development is likely to proceed in an ad hoc manner with the potential for conflicts between land uses and loss of amenity values. Shortages of land will be perpetuated and an increase in resource consent applications would result.

5.3 Alternative Zoning Options

The Council considered a variety of zoning options to provide for additional industrial activities within Ashburton District. These options included:

- *adoption of an existing zone in the District Plan e.g., the Business 5 Zone and applying it to the land (status quo); or*
- *taking a mix of existing zones and applying to different parts of the site e.g., Business 3 and 5 (variation on status quo)*
- *to create a new zone; or*
- *to rely on non-regulatory mechanisms.*

Status Quo

The benefits of adopting a current zone and its associated rules are that there is limited change to the District Plan. The objectives, policies, implementation methods and rules are all in existence.

Taking a mix of existing zones and applying these to different geographic areas of the site would have a similar effect i.e., very little change to the District Plan apart from amending the zoning shown on the planning map.

The Council has rejected both these options as being insufficient to manage effects of traffic, noise and landscape change or to maintain the high amenity levels sought for the proposed business park.

New Zone

Council's preferred option is the creation of a new Business 9 Zone. The benefits of creating a new zone are that it allows the characteristics and features of the site and its locality to be taken into account. Rules can be drafted to address environmental effects that are particular to the locality, having regard to the range of possible activities in the new development and the existing resources and activities in the area. The existing rules may be ineffective at ensuring potential adverse environmental effects arising from Business development in this area are avoided, remedied or mitigated.

In addition, the Council is seeking to establish a business area with a higher standard of internal amenity than has previously occurred within existing zones. Additional rules or controls to encourage a higher level of amenity are therefore required.

Non Regulatory Mechanisms

Non-regulatory mechanisms could entail the provision of information to industry and/or the development of industry guidelines. The Council rejected this option as being, on its own, insufficient to manage effects of traffic and noise or to maintain the high amenity levels sought for the proposed business park.

5.4 Options for development within the proposed new zone

The Council decision to create a new zone and amend the objectives, policies and rules of the District Plan to accommodate that zone was informed by the following assessments which identified and discussed a number of potential environmental

effects arising from the proposed new business zone. These assessments are attached as appendices to this report:

- *An Acoustic Assessment by Marshall Day Acoustics Ltd;*
- *A Transport Assessment by Traffic Design Group; and a*
- *Landscape Assessment by Boffa Miskell Ltd.*

In November 2006 Council held a workshop to consider the main environmental effects identified in studies that formed the basis of these reports. Having regard to this information Council considered the overall policy direction for the new Zone, the types of activities that should be accommodated, and the any mitigation that needed to be built into the rules to address environmental effects. Alongside these reports Council had regard to the Ashburton Development Plan that it had adopted in June 2005, an Economics Report prepared by Geoff Butcher, an Infrastructure Design Report prepared by Opus Consultants and the results of community consultation.

This gave Council the broad range of information it needed to consider all of those matters relevant under Section 5 of the Resource Management Act i.e.,

- *Management of the use and development of physical resources*
- *Economic wellbeing*
- *Social wellbeing*
- *Health and safety*
- *Environmental Effects*
- *Meeting reasonably foreseeable needs of future generations*

From that workshop Council determined that it was necessary to ensure that the Plan Change incorporated or considered the following:

Taits Road Access Potential

Council considered it necessary to rezone the Bruce property at the end of Taits Road to ensure that vehicular access to business activities from this rural-residential cul-de-sac was prevented. In addition a rural-residential zoning would maintain a consistent rural-residential frontage in the locality.

Noise Effects

Council was concerned that appropriate noise standards were developed to maintain the amenity values of the adjoining rural-residential zone. This is to be achieved with noise standards, a buffer and specific rules applying to buildings and activities on sites adjoining the buffer.

Potential noise effects from rail activities were specifically considered and Council accepted the need for mitigation. The report by Marshall Day recommends that the rail siding be sited 200m further to the north east than shown on an Opus drawing 3CW411.03 (attached as Appendix 3 to the Marshall Day report) in order to achieve compliance with the proposed noise limits. Council considered that an alternative to full relocation was to restrict rail activities to the north eastern half of the identified rail activity area, reducing the extent of the land area used for rail purposes. The need for

an acoustic barrier around the rail activity area was also accepted. Mitigation of rail activity noise is therefore incorporated through defining the location of the activity on an outline development plan and requiring an acoustic barrier to be erected prior to the establishment of any activities.

In addition to the noise standards Council agreed that it was appropriate to graduate activities across the zone from lighter (adjacent to the rural residential zone and buffer) to heavier industrial activities to the east.

Buffer

Council adopted the concept of a buffer to run along the interface between the proposed business zone and existing rural-residential activities. This buffer is to be of sufficient width to address noise effects, stormwater requirements, provide some degree of physical separation between activities with space for planting and mounding and to incorporate cycle and walkway connections. The Council was very mindful of the width of the buffer and that land incorporated into this area would be a loss of developable land. This involved Council weighing economic costs and benefits in relation to landscape amenity values.

Council considered it would be necessary to develop rules which avoided adverse visual effects from built development on the buffer boundary, such as long, blank continuous walls, bright colour finishes and advertising.

Road Connections

Council determined that it was necessary to ensure that appropriate road connections were made to Northpark and Works Roads to ensure safe and efficient traffic movement. Curved road alignments are required to achieve this. In particular, Council considered the need for a specific road design which avoided the circulation of traffic southwards along North Park Road and ensured the safe merging of traffic from the Freezing Works on Works Road.

Central Reserve

In recognition of the need for a high amenity space within the business zone, Council adopted a provision for a centrally located open space to be vested as reserve within the zone. It is proposed that rules in the Zone would encourage food retail outlets to front onto this space.

Outline Development Plan

To ensure that the above features and characteristics of the zone along with mitigation e.g., the buffer and rail activity area are provided for and implemented in a co-ordinated and comprehensive manner, Council determined that an Outline Development Plan was required for the Zone. Complementary rules requiring compliance with the Outline Development Plan are then to be developed.

Amenity Within Zone

Council determined that a suite of rules be developed to encourage a higher standard of amenity within the proposed zone.

Alternative Land Areas

Option	Benefits/Advantages	Costs/Disadvantages	Efficiency	Effectiveness	Recommendation
1. Do nothing (status quo)	No change in land use experienced by landowners adjacent to proposed industrial zone. Avoid costs to Council in plan change preparation and developing land. **Avoids effects of changed land use on neighbours & reduces costs to Council .**	Lost opportunity for developing industry in location that is appropriate in terms of transport efficiencies. Rail remains in town centre. Majority of heavy vehicles continue to travel through town centre and residential areas. Lack of provision for larger scale industries within dedicated zone. Stormwater issues associated with existing industrial area remain. **This option likely to result in lost opportunities for economic & environmental benefits.**	Inefficient for developers, Council and community as resource consent applications would need to be made and assessed with respect to new industrial activities. Industrial activities would need to be located outside the appropriate existing zonings. **On-going ad-hoc development would result in inefficiencies for the Council, developers & the community.**	Cumulative effects of smaller developments not necessarily addressed through the consent process. Reduced ability of Council to influence location of industry & lost opportunity to think strategically about optimal location for industrial growth. **Greater economic costs likely to be incurred & environmental benefits not necessarily achieved.**	This option is not recommended. **This option is not recommended.**
2. Rezone this land	Assists in reducing heavy vehicle traffic through town centre and residential areas with consequential reduction in effects on amenity values in those locations. Provides certainty for developers in terms of where industrial development should be appropriately located. Create efficiencies and economies of scale in provision of infrastructure and	Potential adverse effects on neighbouring land owners in rural-residential zone to the southwest. Creates additional demand for services such as water supply, trade and solid waste disposal. The variation/plan change process is challengeable and may result in costs to the Council, community and local residents.	Creates efficiencies in terms of freight & rail operations. Opportunity to co-locate industrial and business activities. Efficient option as potential adverse environmental effects can be addressed comprehensively and implemented as part of subdivision.	Effective option as adverse effects, including cumulative effects, can be addressed in a comprehensive rather than ad-hoc manner. This would reduce costs for developers, people who wish to participate in the planning process & the environment.	This is the recommended option.

Option	Benefits/Advantages	Costs/Disadvantages	Efficiency	Effectiveness	Recommendation
	worker amenities. Accessible to SH1 and rail routes. Enables comprehensive planning of zone. Outline Development and Structure Plans provide for integration of buffer from Rural-Residential zone, with stormwater treatment, vehicular access, noise mitigation and rail activities. Facilitates public input at an overarching zone level as opposed to ongoing, ad-hoc applications for consent for industrial use. Opportunity to provide for future business growth within an appropriate zoning. Potential to attract new business to Ashburton with development of specifically designed industrial zone. Based on cost-benefit analysis, additional industrial land will generate 15-20 jobs per hectare and personal and business income of $1.2 - $1.6 m/yr. Multiplier effects will result in 21-28 jobs and $1.8 – 2.4 m/yr. Full development could result in 1650 additional jobs over the next 25 years and business & personal income of $139 per year.	Loss of productive land & loss of rural character.			

Option	Benefits/Advantages	Costs/Disadvantages	Efficiency	Effectiveness	Recommendation
	Adjacent to existing, heavy industrial use (PPCS) to the northeast. Location provides rail length required for rail siding activities. Relocation of rail activities out of Ashburton town will mean shunting activities will no longer disrupt traffic in town centre. Sufficiently close to town centre to enable efficient travel. Removed from areas where there are high natural values such as Ashburton River. Land can be developed with a buffer zone to assist in mitigation of adverse effects at the zone boundary. Mitigation can be incorporated into zone rules. Industrial zoning of site consistent with Ashburton District Development Plan. Adverse environmental effects on suburban residential activities minimised when zone location is compared to location of existing industrial zones. **Location & opportunity to plan for overall zone has major benefits.**	**Potential for localised impacts & costs to the Council, community and locals from legal challenges.**	**Highly efficient option.**	**Highly effective option providing impacts on neighbours are avoided, remedied or mitigated.**	**Recommended option.**

Option	Benefits/Advantages	Costs/Disadvantages	Efficiency	Effectiveness	Recommendation
3. Rezone other land	Based on cost-benefit analysis, additional industrial land will generate 15-20 jobs per hectare & personal & business income of $1.2 - $1.6 m/yr. Multiplier effects will result in 21-28 jobs &$1.8 – 2.4 m/yr. **This option has potential economic benefits.**	Potential loss of productive land & rural character, if located in rural area. Potential adverse effects on any neighbours. The variation/plan change process is challengeable and may result in costs to the Council, community and local residents. Alternative locations are either urban or to south of Ashburton Town and may have increased environmental impacts on amenity values associated with suburban residential zones and/or traffic through Ashburton town. **Potential environmental & legal costs. Potentially less accessible. Future of rail unknown.**	Efficiencies created as potential adverse environmental effects of establishing business zone can be addressed all at once & at an early stage instead of in ad-hoc fashion by developers of smaller areas. **Potentially efficient depending on suitability of site.**	Providing adverse effects can be addressed & location has logistic merit, this option could be an effective way of addressing industrial growth. **Potentially effective depending on suitability of site.**	This option may be appropriate but anticipated that other potential sites would also have development constraints. **Possible recommendation subject to unknown site constraints.**
4. Use of rules on district-wide basis	Allows industrial development to be considered on a site by site and per development basis. Allows Council, community input at Plan Change process stage.	Worker amenities developed in an ad-hoc fashion. Existing heavy traffic routes through town continue to be utilised. Adverse environmental effects more difficult to manage. Creates uncertainty for all parties as to where industry is appropriate to locate.	Poor efficiency as Council and community may have to consider consent applications in areas where industrial use not conceived, therefore controls more stringent & more time required from council staff & developers in assessment & preparation of applications. Increased costs for	Cumulative effects of industrial development may not be adequately addressed. Ineffective in guiding industrial development to appropriate location/s.	Due to low efficiencies & likely ineffectiveness, this option is not recommended.

Option	Benefits/Advantages	Costs/Disadvantages	Efficiency	Effectiveness	Recommendation
		Anticipated higher public and private financial costs.	potential developers in time delay costs and applying for consent in areas where industrial use not conceived and community affected.		
	Council and community input into development location facilitated.	**Ad-hoc development likely to occur at a higher cost to all parties.**	**Inefficient due to Council, developer and community costs, and over uncertainty.**	**Low effectiveness as strategic growth may not occur & cumulative effects may not be addressed.**	**Not recommended.**

Alternative Rules

Landscape and Amenity

Options	Benefits/advantages	Costs/disadvantages	Efficiency	Effectiveness	Recommendations
1. Use of new objectives, policies & rules	Use of controls that have been specifically designed for Business 9 likely to result in higher levels of landscape treatment in buffer at Rural-Residential boundary in comparison to other Business Zones. Requiring compliance with an Outline Development Plan and Structure plan will avoid ad-hoc development and ensure - buffer planting is established prior to activities and also integrates with walk/cycle ways, noise mitigation, lighting, stormwater etc. High level of approval required for landscape treatment at buffer. Mounding to have landscape considerations. Other provisions relating to length of walls, colour and advertising at buffer assist in achieving high level of amenity at rural-residential interface. Higher quality work environment important to address issue of retaining	Introduces higher standard of compliance and therefore increased cost to business. Increased monitoring and enforcement required by Council. Obligation for implementing and maintaining buffer, street planting and landscape treatment a cost to Council. Loss of developable land for planting/landscape treatment in buffer Landscape assessment indicates that 50m may not provide mitigation required. Potential costs if objectives, policies and rules undergo legal challenge.	Methods proposed are highly efficient as landscape treatment of buffer required to be implemented prior to establishment of activities. Landscape and other mitigation measures required to be comprehensively considered, planned for and implemented largely at time of subdivision or prior to establishment of buildings and activities. Comprehensive approach and implementation at subdivision reduces potential for effects to become problems later. Avoids Council costs of employing staff in a non-regulatory role &/or writing guidelines while achieving a high standard of landscape design & amenity.	More effective than existing standards but 50m buffer width may not achieve full mitigation at the Rural Residential boundary in terms of landscape and visual effects. Option most likely to avoid adverse effects of poor landscape design & reduced amenity on the neighbouring Rural-Residential zone.	This is the preferred option.

Options	Benefits/advantages	Costs/disadvantages	Efficiency	Effectiveness	Recommendations
	worker population. Council responsibility for landscape treatment in road reserve provides greater on-site flexibility for developers. **This option has major benefits.**	**Higher implementation and monitoring costs on Council, high costs to developer. Buffer width challengeable.**	**Most efficient option.**	**Most effective option.**	**Recommended option.**
2. Status quo (existing objectives, policies & rules for landscape & amenity in industrial zones applied to Business 9 Zone)	Minimal costs and less regulation affecting developers. **Minimal costs for compliance.**	Rules have not been designed specifically for the Business 9 Zone therefore they do not achieve the higher levels of landscape design & amenity desired. Potential challenge from affected property owners in Rural-Residential Zone. **Lost opportunity to achieve high levels of amenity & minimise environmental effects.**	Inefficient in addressing potential adverse visual effects and does not provide any increased amenity within the zone. May or may not result in legal challenge. **Unlikely to be efficient.**	Unlikely to achieve desired outcomes as rules not specifically designed for the Business 9 Zone. **Unlikely to be effective.**	This option is not recommended. **Not recommended.**
3. Non-regulatory mechanisms **Provide information** **Guidelines**	Potentially less compliance costs. Opportunity to build relationships between council & industry. **Possible relationship-building & cost reduction.**	May not achieve good environmental outcomes if industries do not follow guidelines. **Risk of environmental outcomes not being achieved.**	Investing time to work with industry may be expensive with no guarantee that environmental outcomes sought will be achieved. **Risk that this may be inefficient.**	Enables a flexible industry approach to minimising adverse effects. **Risk that this may be ineffective.**	This option could work but risk that it will not work and/or incur significant costs to the council. **Not recommended.**

Transport

Options	Benefits/advantages	Costs/disadvantages	Efficiency	Effectiveness	Recommendations
1. Use of new objectives, policies & rules	Appropriately designed road connections will be required & result in better traffic management & reduced environmental effects of traffic on the community & the environment. Good design principles employed in new cycle/walk way layout. **This option has important benefits.**	Costs required up-front for roading connections to be made prior to establishment of activities. may reduce flexibility for staging of subdivision. Council to take responsibility for streetscape in accordance with cross-sections. **More direct costs to Council.**	Planning at a strategic level will avoid Council having to address traffic impacts in ad-hoc fashion later. Community has benefit of overview of traffic effects and proposed mitigation. Option delivers roading improvements in a comprehensive and integrated manner with subdivision development. **Most efficient option.**	Option most likely to mitigate or avoid adverse effects of traffic on neighbouring land owners/users. Incorporating appropriate road connections at early stage most likely to ensure adverse effects on the community & the environment are effective. **Most effective option.**	This is the preferred option. **Preferred option.**
2. Status quo (existing objectives, policies & rules for traffic in industrial zones adopted for Business 9 Zone)	Risk of community opposition if transport issues not addressed. No special requirements for connections to external road network.	Objectives, policies & rules have not been designed specifically for the Business 9 Zone therefore they do not address specific environmental concerns. Potential traffic safety and efficiency issues where vehicles merge on Works Road. Traffic safety and efficiency in local, rural road network at risk.	Unlikely to achieve integrated traffic management, ensure safety on local roads, avoid decrease in amenity values along Northpark Road and result in inefficient local road network.	Unlikely to achieve desired environmental outcomes if road connections poorly integrated with development and local road network. Therefore not effective at fulfilling objectives, policies & rules.	This option is not recommended.

Options	Benefits/advantages	Costs/disadvantages	Efficiency	Effectiveness	Recommendations
		Increase in heavy traffic with associated loss of amenity values on Northpark Road. **Lost opportunity to plan strategically to achieve specific environmental outcomes.**	**Low efficiency.**	**Likely to be least effective.**	**Not recommended.**
3. Non-regulatory mechanisms - **Provide information** - **Guidelines**	Potentially less compliance costs. Opportunity to build relationships between council & industry. **Could save money & build relationships.**	May not achieve good environmental outcomes if industries do not follow guidelines. **High-risk option.**	Investing time to work with industry may be expensive. **Could be expensive.**	Enables a flexible industry approach to minimising transport effects. **May achieve good environmental outcomes through flexible approach.**	This option could work but risk that it will not work and/or incur significant costs to the council. **Not recommended.**

Rail

Options	Benefits/advantages	Costs/disadvantages	Efficiency	Effectiveness	Recommendations
1. Use of new objectives rules	Will provide opportunity for moving existing rail activities out of town away from inner commercial area. This would result in less heavy traffic in town centre. Creates opportunity to integrate rail with road transportation and land uses. Provides certainty for future location of rail. Mitigation in terms of acoustic barrier and separation distance able to be confirmed by rules. Area available for rail activities able to be defined. **This option has efficiency & environmental benefits.**	New community potentially adversely affected by traffic and noise effects related to rail activities. Cost of relocating rail activities. **This option transfers effects, but with mitigation could be reduced. Cost of relocation.**	Planning at a strategic level for relocation of rail will promote efficient transport use, opportunity to mitigate environmental impacts and integrate with land use activities and road network. Avoids having to address rail issues in ad-hoc fashion later. Provides certainty for community. **Most efficient option.**	Effective in that mitigation is able to be implemented prior to establishing activity. Effective in terms of providing certainty and opportunity to integrate land use activities and road network. Equally, or slightly less effective than a resource consent where very specific conditions can be imposed on an activity. **Most effective option.**	This is the preferred option. **Preferred option.**
2. Status quo (existing objectives, policies & rules for rail in industrial zones adopted for Business 9 Zone)	No provision for rail may be perceived as potential benefit by immediate neighbours at Northpark. Resource consent for rail activities likely to result in conditions imposed on rail	No specific provision for rail will result in a need for resource consent. Rail yard to remain in central Ashburton with effects on traffic and amenity values of inner	Rail retained in current location is not efficient from a transportation or amenity perspective. Creates uncertainty as to future location of rail and the likely consentability of	Nor effective at resolving relocation of rail activities out of central Ashburton. Not effective in making provision for an alternative site for rail activities.	This option is not recommended.

Options	Benefits/advantages	Costs/disadvantages	Efficiency	Effectiveness	Recommendations
	activities. **Resource consent process required.**	commercial area. **Lost opportunity to plan strategically to achieve specific environmental outcomes.**	a site and conditions that may be imposed. **Low efficiency.**	**Likely to be least ineffective.**	**Not recommended.**
3. Non-regulatory mechanisms - **Provide information** - **Guidelines**	Potentially less compliance costs. Opportunity to build relationships between council, rail & other industry. **Could save money & build relationships.**	May not achieve good environmental outcomes if industries do not follow guidelines. **High-risk option.**	Investing time to work with industry may be expensive. **Could be expensive.**	Enables a flexible industry approach to minimising effects from rail. **May achieve good environmental outcomes through flexible approach.**	This option could work but risk that it will not work and/or incur significant costs to the council. **Not recommended.**

Noise

Options	Benefits/advantages	Costs/disadvantages	Efficiency	Effectiveness	Recommendations
1. Use of new rules	Enables controls and mitigation that have been specifically designed for the site to be implemented and therefore most appropriate for controlling effects of noise. Measurement of noise effects brought into line with current practices. Provides certainty for developers and community. **Site-specific controls best to control noise.**	Costs of compliance higher for developer, particularly in areas subject to greater land use restriction e.g., Area 1 and adjacent to buffer. **Likely increased costs of compliance and in providing mitigation at time of subdivision development.**	Standards able to be measured efficiently. Standards more rigorous and defensible compared with existing noise limits. Provides certainty. **Highly efficient option.**	Option most likely to avoid adverse effects of noise on neighbouring land owners/users. Outcome more effective than status quo as standard is specific to zone and mitigation for noise integrated into subdivision development. **Most effective option.**	This is the preferred option. **Recommended option.**
2. Status quo (existing rules for noise in industrial zones adopted for Business 9 Zone)	Noise standard less restrictive on business activities than proposed. Existing standards don't integrate mitigation features such as buffer, mounding, controls on buildings and activities and in particular, rail activities. **More flexibility for activities and less cost at time of subdivision**	Rules have not been designed specifically for the Business 9 Zone. Potential for adverse effects to still occur. Noise measurement still based on L_{10} rather than L_{eq}, therefore less consistent with industry measurement in other areas. **Lost opportunity to plan strategically with specific environmental**	Unlikely to achieve the desired level of environmental effects. **Low efficiency.**	Unlikely to achieve desired outcomes as rules not specifically designed for the Business 9 Zone. **Likely to be least effective.**	This option is not recommended. **Not recommended**

Options	Benefits/advantages	Costs/disadvantages	Efficiency	Effectiveness	Recommendations
	development.	**requirements in mind.**			
3.Non-regulatory mechanisms - **Provide information** - **Guidelines**	Potentially less compliance costs. Opportunity to build relationships between council & industry. **Could save money & build relationships.**	May not achieve good environmental outcomes if industries do not follow guidelines. **High-risk option**	Investing time to work with industry may be expensive. **Could be expensive.**	Enables a flexible industry approach to minimising noise effects. **May achieve good environmental outcomes through flexible approach.**	This option could work but risk that it will not work and/or incur significant costs to the council. **Not recommended**

Design and Build Rules

Options	Benefits/advantages	Costs/disadvantages	Efficiency	Effectiveness	Recommendations
1. Use of new rules	Use of controls that have been specifically designed for the site and are therefore most appropriate for controlling design & build effects. Higher standard of zone amenity. Enhanced business reputation for district. Potential to retain business and workers increased. **Site-specific controls best to control design & build aspects.**	Higher compliance costs to developers, particularly controls on design and appearance. Reduced flexibility for developers. **Increased costs to developers.**	Requiring design and appearance to be controlled and encouraged at the commencement of a project is more efficient than seeking to retrospectively implement higher amenity. **Highly efficient option**	More effective than status quo at achieving high standard of environment and amenity in business zone. Implemented and encouraged at time of subdivision and built development provisions will achieve higher standard than current provisions. **Most effective option.**	This is the preferred option. **Recommended option.**
2. Status quo (existing rules for design & build in industrial zones adopted	Maximum flexibility for developer to determine own standard.	Business environment likely to be mixed in terms of environmental	Unlikely to achieve the desired level of environmental amenity.	Unlikely to achieve desired outcomes as rules not specifically designed for	This option is not recommended.

Options	Benefits/advantages	Costs/disadvantages	Efficiency	Effectiveness	Recommendations
for Business 9 Zone)		outcomes. Less potential for enhanced business reputation and retention of business and workers longer term.		the Business 9 Zone.	
	Maximum flexibility.	**Lost opportunity to plan strategically with specific environmental requirements in mind.**	**Low efficiency.**	**Likely to be least effective.**	**Not recommended**
3. Non-regulatory mechanisms - **Provide information** - **Guidelines**	Potentially less compliance costs. Opportunity to build relationships between council & industry.	May not achieve good environmental outcomes if industries do not follow guidelines.	Investing time to work with industry may be expensive.	Enables a flexible industry approach to minimising design & build effects.	This option could work but risk that it will not work and/or incur significant costs to the council.
	Could save money & build relationships.	**High-risk option**	**Could be expensive.**	**May achieve good environmental outcomes through flexible approach.**	**Not recommended**

6. STATUTORY EVALUATION

Having regard to the Ashburton Development Plan, the Economics Report and on the basis of Council's knowledge and understanding of development in its district, the Council is satisfied that there is an identified shortage of land for business, and in particular, industrial activities. Without making further provision for further business zoned land in Ashburton Town the Council is concerned that business activity will be unable to economically expand or locate in Ashburton. This in turn creates economic and consequential social effects for the development of the district and the efficient use of resources. The Council is therefore satisfied that the risks of not acting would result in significant costs to the Ashburton economy and community into the foreseeable future.

Having regard to alternative sites available, the Council is satisfied that the proposed area of approximately 126ha to the north east of Ashburton Town presents the best option in terms of sufficient land area, ability to economically provide services for water supply and waste disposal, and accessibility to the state highway and the main trunk railway line. It also adjoins an existing heavy industrial activity (the PPCS freezing works). The position of the site to the north of Ashburton also provides the consequential benefit of reducing heavy vehicle movements into Ashburton Township and provides sufficient area and railway frontage to provide an opportunity for the relocation of the rail activities out of the centre of the town.

The above matrices identify the relative costs and benefits of the proposed policies (i.e., the intent and direction of the policies) and the proposed rules. Having regard to these matrices the Council acknowledges that rezoning the 126ha site to the north east of Ashburton has the potential to create adverse effects on the surrounding environment that must be avoided, remedied and mitigated. These effects are primarily concerned with potential adverse effects on the amenity values of the adjoining Rural-Residential Zone and the surrounding traffic network. The proposed Plan Change introduces a range of new provisions into the District Plan to address these issues. Having regard to the above matrices, the Council is satisfied that the proposed provisions are the most effective and efficient mechanisms available.

The proposed rules impose requirements on the subdivider of the land to incorporate mitigation in the form of a buffer, curved road alignments and appropriately designed connections to the local road network and defining the location of rail activities at the time of subdivision. These requirements are more onerous than required in other business zones. In addition, the proposed rules require mitigation in the form of planting and acoustic barriers to be established prior to the erection of buildings. In this respect the Council is satisfied that the proposed plan change introduces new rules which will be efficient and effective in terms of not only providing for further business development, but also ensuring that mitigation is incorporated into the form and layout of the Zone. The Council has had to consider the costs these rules as well as considering the costs of the area of land required for mitigation in relation to the loss of developable land.

Overall, the Council is satisfied that the proposed Plan Change creating a Business 9 Zone is an appropriate way to achieve the objectives of the District Plan in relation to business activity.

Council has also had regard to those matters under Part II, the Purpose of the Act i.e Section 5:

> *"Sustainable management means 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 wellbeing 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."*

The Council has informed itself from a range of technical reports, the Development Plan and consultation outcomes with the community in respect of these matters. For the Ashburton community to provide for its economic and social wellbeing it is necessary for additional land to be zoned for business activity. It is the Council's duty to ensure that this is done in such a way that people and the community can also provide for their health and safety whilst also ensuring that any adverse effects on the environment are avoided, remedied or mitigated. In this respect it is necessary for the proposed Plan Change to incorporate policies and rules which will be effective and efficient in ensuring that potential adverse effects related to the development of the land for business activities are addressed.

In addition to Section 5, of the Act Council must also recognise and provide for Matters of National Importance (Section 6) and have particular regard to Other Matters (Section 7). There are no Matters of National Importance applicable to this site. Under Section 7 the following matters are of relevance to this Evaluation:

> *"... (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:*
> *(g) Any finite characteristics of natural and physical resources:..."*

The Proposed Plan Change will enable the efficient use of the transport network and the efficient use of the land concerned for business activities. This includes physical resources such as water and waste infrastructure, as well as buildings and roads within the plan change area. The opportunity to relocate the rail activities also creates potential to improve and enhance the amenity values of the inner commercial area of Ashburton Town.

The Plan Change must have particular regard to the maintenance and quality of the environment in the Northpark area. Additional provisions have been added to the plan change to require a buffer and landscape plan to be provided and implemented prior to

the establishment of activities on site. Rules are also included which impose restrictions on buildings and advertising adjacent to the Rural – Residential Zone.

In preparing the Plan Change the Council has had to form an overall judgment on the balance between land provided for amenity and landscape treatment and the loss of this land having regard to the overall cost of the development. Taking an overall view of the need for additional business land and the specific requirements of Proposed Plan Change 9 the Council is satisfied that proposed Plan Change 2 is the most appropriate way to achieve the purpose of the Resource Management Act.

APPENDIX 1

Relevant Objectives and Policies of the Canterbury Regional Policy Statement

Chapter 7 – Soils and Land Use – is it versatile soils – assume not.

"Objective 3
Protection of the environment from on-site and off-site adverse effects:

…(b) by prevention of land contamination

Policy 7
Any use or activity that has the potential to result in contamination of land should not be established or continued unless effective precautions have been taken to avoid significant adverse effects on the environment."

Chapter 9 – Water

"Objective 3
Enable present and future generations to gain cultural, social, recreational, economic, health and other benefits from the water quality in Canterbury's water bodies and coastal waters, while:

(a) safeguarding the existing value of water bodies for efficiently providing sources of drinking water for people;
(b) safeguarding the life-supporting capacity of the water, including its associated: aquatic ecosystems, significant habitats of indigenous fauna and areas of significant indigenous vegetation;
(c) safeguarding their existing value for providing mahinga kai for Tangata Whenua;
(d) protecting wahi tapu and other wahi taonga of value to Tangata Whenua;
(e) preserving the natural character of lakes and rivers and protecting them from inappropriate use and development;
…
(g) protecting significant habitat of trout and salmon; and
(h) maintaining, and where appropriate, enhancing amenity values."

"Policy 12
Activities which could result in a release of hazardous substances should not be located in areas where water resources are vulnerable to contamination unless adequate precautionary measures are implemented to avoid that contamination.

Chapter 12 – Settlement and the Built Environment

"Objective 2
Achieve patterns of urban development and settlement that do not adversely affect the efficient operation, use and development of:

(a) Roading infrastructure
(b) Christchurch International Airport
(c) Timaru Airport
(d) Port of Lyttelton
(e) Port of Timaru
(f) Telecommunication facilities
(g) Military establishments for defense purposes
(h) Rail network
(i) Other network utilities"

"Policy 3
Encourage settlement patterns that will make efficient use of the regional transport network."

Chapter 15 – Transport

"Objective 1
Enable a safe, efficient and cost-effective transport system to meet present and future regional, inter-regional and national needs for transport."

"Policy 1
Protect Canterbury's existing transport infrastructure and land transport corridors necessary for future strategic transport requirements by avoiding, remedying, or mitigating the advers effects of the use, development or protection of land and associated natural and physical resources on the transport infrastructure."

"Objective 2
Avoid, remedy, or mitigate the adverse effects on the environment of transport use and provision."

"Policy 2
Promote the use of transport modes which have low adverse environmental effects."

"Policy 3
Promote changes in movement patterns, travel habits and the location of activities, which achieve a safe, efficient and cost effective use of the transport infrastructure and reduce the demand for transport."

Amenity Within Business Areas – Objective 1

1. *Areas of business activity which have a standard of amenity pleasant to visit and work within.*

Policies

1. *To enhance the business environment by avoiding, remedying or mitigating adverse effects created by activities as a result of street appearance, noise, glare, dust and car-parking.*

    - *To ensure all parking and vehicle maneuvering areas have an all-weather surface, in order to avoid, remedy or mitigate the creation of dust nuisance.*
    - *To ensure the frontages of sites for industrial and service activities present an attractive, planted aspect to the street.*
    - *To ensure noise levels within business areas enable the functioning of anticipated activities, whilst remaining pleasant to visit and work within.*
    - *To avoid an accumulation of activities which together would generate significant pedestrian activity on State Highway 1, in order to prevent pedestrian/vehicle conflicts and maintain safety.*
    - *To recognise that heavy and noxious industrial activities may not be able to operate under the higher standards of amenity required for general business areas and therefore to ensure there are appropriately located areas where they may establish.*

2. *To maintain and enhance the existing form and character of commercial area in terms of building height, setback, coverage and the provision of display windows and verandahs.*

3. *To ensure that any adverse effects from the mix of business activities located within the different areas of the District are avoided, remedied or mitigated.*

    - *To ensure that the inner commercial areas of Ashburton (Kapuka), Methven and Rakaia, are convenient, accessible, identifiable and pleasant areas to undertake commercial and retail activities.*
    - *To ensure that heavy and noxious industries can establish in locations where adverse effects on residential areas can be avoided, remedied or mitigated.*
    - *To ensure that opportunities are available for the establishment of business activities involving retailing, services and light industrial activities, in locations where the effects of combining these activities will not adversely affect the amenity values of business or residential areas.*
    - *To ensure that the general commercial areas of Methven and Rakaia are convenient and pleasant.*
    - *To ensure that opportunities are available in the suburban areas of Ashburton for the establishment of business activities, providing retail and service activities to*

local neighbourhoods, in locations which are convenient and retain a pleasant level of amenity in the locality.

- *To recognise the sites of existing meat processing works as sites where a range of food and produce processing activities are appropriate.*
- *To ensure that opportunities are available for the establishment of a mix of business and tourist related activities on land adjoining the State Highway and the railway line in Rakaia, in order to provide for the needs of the traveling public as well as the recreational and social needs of the community.*

4. *To exclude the residential occupation, other than for custodial or site management purposes, within specified industrial areas, in order to avoid any nuisance to residential occupants and conflict with the anticipated effects of activities in the industrial areas.*

5. *To ensure that any development in the business area of Methven to the east of State Highway 77, enhances the visual amenity of the town as viewed from public placed and residential areas.*

Amenity of Areas Adjoining Business Areas – Objective 2

2. *Areas of business activity which do not detract from the standard of amenity in adjoining areas.*

Policies

1. *At the interface between business and residential areas, to protect living environments from unacceptable noise, smell, shading, traffic, glare or visual amenity.*

   - *To impose the residential standards for height and admission of sunlight to buildings on sites adjoining residential areas.*
   - *To impose the residential standard for noise on activities adjoining residential areas.*
   - *To prevent the unacceptable spill of light onto residential sites from business activities.*
   - *To require landscape planting along the boundaries of business sites adjacent to residential sites to protect the visual amenity of the residential areas.*

2. *To avoid, remedy or mitigate vehicle conflicts, and protect traffic safety and efficiency, with regard to business activities along State Highway 1.*

Maintenance and Consolidation of Business Areas – Objective 3

3. *The maintenance and consolidation of business areas, whilst enabling adequate opportunity for business growth, provided that adverse effects on the environment are avoided, remedied or mitigated.*

Policies

1. *To encourage the continuing occupation and development of sites, through enabling a broad range of activities to establish throughout the business areas.*
2. *To encourage redevelopment within business areas.*
3. *To recognise large-scale business activities existing within rural areas and settlements.*
4. *To ensure the road network provides adequate accessibility to existing business areas.*
5. *To ensure there is adequate and convenient car-parking provided in relation to business activities:*

    - *to provide car-parking on a community basis within the Ashburton inner commercial area;*
    - *to ensure business activities in all areas, other than the Ashburton inner commercial area, provide customer car-parking on-site.*

6. *To ensure that adequate provision is made for the servicing and loading necessary for the efficient operation of existing business areas.*
7. *To maintain and enhance the function, integrity, convenience and viability of the inner commercial areas of Ashburton, Methven and Rakaia, and the established commercial centres of Ashburton (Kapuka).*
8. *To enable the establishment of retailing activities generating high volumes of traffic and requiring large areas of parking in locations, which do not detract from the amenity of adjoining areas, the safety and efficiency of the roading network, nor from the consolidation of the inner commercial areas.*
9. *To ensure that appropriate information is disseminated to:*

    - *existing businesses located in areas at risk from flooding or other natural hazards, so as to encourage them to operate and maintain their businesses in ways which avoided or mitigate the potential adverse effects of such hazards; and*
    - *new businesses proposed in areas at risk from flooding or other natural hazards, so as to enable them to design and locate their businesses in such a manner as to avoid or mitigate the potential adverse effects of such hazards.*

(Refer also to Section 3.4 Natural Hazards)