

**Timaru District Council**

**Proposed Washdyke Industrial  
Expansion - Rezoning of land from  
Rural 1, Rural 2 and Recreation 2 Zones  
to Industrial L and Industrial H Zones**

**Proposed Plan Change and  
Section 32 RMA Plan Change Report**



*Proposed Plan Change 14 to the Timaru District Plan*

## **Timaru District Council**

# **Proposed Washdyke Industrial Expansion - Rezoning of land from Rural 1, Rural 2 and Recreation 2 Zones to Industrial L and Industrial H Zones**

## **Section 32 RMA Plan Change Report**

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## Contents

<b>1</b>	<b>Introduction.....</b>	<b>1</b>
<b>2</b>	<b>Location and Site Description.....</b>	<b>2</b>
<b>3</b>	<b>RMA Statutory Framework .....</b>	<b>3</b>
3.1	Overview .....	3
3.2	Section 73 RMA.....	4
3.3	Section 74(1) RMA .....	4
3.4	Section 31 RMA.....	4
3.5	Part 2 RMA.....	5
3.6	Section 32 RMA.....	7
3.7	Sections 74(2) and 75 RMA .....	7
<b>4</b>	<b>Background and Need for the Proposed Plan Change.....</b>	<b>9</b>
<b>5</b>	<b>Consultation.....</b>	<b>11</b>
<b>6</b>	<b>Overview of Section 32 Evaluation.....</b>	<b>12</b>
<b>7</b>	<b>Evaluation of Relevant District Plan Objectives and Policies.....</b>	<b>13</b>
7.1	Objectives.....	13
7.2	Policies.....	14
<b>8</b>	<b>Evaluation of Relevant District Plan Zone Performance Standards.....</b>	<b>19</b>
8.1	Overview .....	19
8.2	Sunlight and Outlook.....	19
8.3	Riparian Management, Flora & Fauna, Visual Amenity & Landscape .....	20
8.4	Obtrusive Light .....	21
8.5	Property Services Infrastructure .....	22
8.6	Vehicle Access, Loading and Parking .....	23
8.7	Noise .....	27
8.8	Positive Effects.....	29
8.9	Summary - Relevant District Plan Zone Performance Standards .....	29
<b>9</b>	<b>Regional Policy Statement and Plans .....</b>	<b>30</b>
9.1	Canterbury Regional Policy Statement.....	30
9.2	Proposed Canterbury Natural Resources Regional Plan.....	31
9.3	Transitional Canterbury Regional Plan .....	31
9.4	Summary - Regional Policy Statement and Plans .....	31

<b>10</b>	<b>Achieving the Purpose and Principles of the RMA.....</b>	<b>31</b>
<b>11</b>	<b>Evaluation of Alternative Methods.....</b>	<b>33</b>
11.1	Overview .....	33
11.2	Ad Hoc Private Plan Change Requests and Resource Consent Applications .....	33
11.3	Consider Rezoning During Next District Plan Review.....	34
11.4	Rezone Now (this Proposed Plan Change) .....	35
11.5	Summary - Alternative Methods .....	36
11.6	Risk of Acting or Not Acting.....	36
<b>12</b>	<b>Summary and Conclusion .....</b>	<b>37</b>

**Appendix 1:** Proposed Planning Maps

**Appendix 2:** Outline Development Plan

**Appendix 3:** Consultation Report

**Appendix 4:** Consultation Follow-up Pamphlet

**Appendix 5:** Summary and Comparison of Relevant Performance Standards for Rural 1 & 2  
and Industrial L & H Zones

**Appendix 6:** Stormwater Management Design Concept and Concept Plan

**Appendix 7:** Traffic Impact Assessment

**Appendix 8:** Noise Assessment

## SECTION 32 RMA REPORT

### 1 Introduction

- 1.1 The Timaru District Council (“the Council”) proposes to change the Timaru District Plan (“the District Plan”) by rezoning land generally located east of State Highway 1 and south of Aorangi Road at Washdyke, Timaru, from Rural 1, Rural 2 and Recreation 2 Zones to Industrial L and Industrial H Zones (“the Proposed Plan Change”).
- 1.2 This report:
- Identifies the location of the Proposed Plan Change and outlines the nature of the site and its locality;
  - Provides an overview of the relevant provisions of the Resource Management Act 1991 (“RMA”) which the Council must have regard to in changing the District Plan;
  - Explains the background to and the need for the Proposed Plan Change;
  - Outlines the consultation undertaken to date;
  - Evaluates the appropriateness, effectiveness and efficiency of any objectives, policies, rules or other methods proposed - namely, substituting the operative objectives, policies and performance standards of the Rural 1 and 2 Zones with those of the Industrial L and H Zones, and how this will enable the Council to continue to carry out its functions under Section 31 of the RMA which include the control of any actual or potential effects of the use and development of land;
  - Evaluates the consistency of the Proposed Plan Change with relevant regional objectives and policies;
  - Discusses how the Proposed Plan Change satisfies those parts of Part 2 of the RMA that are relevant to the Proposed Plan Change, and will therefore achieve the purpose and principles of the RMA; and
  - Assesses the benefits/advantages and costs/disadvantages of alternative methods to the Proposed Plan Change.
- 1.3 The area currently zoned Recreation 2 is privately owned by the operator of an Industrial L-type business and is no longer able to be utilised for public recreation purposes. It is therefore proposed to apply the Industrial L Zone to the Recreation 2 zoned land.
- 1.4 The amendments proposed to the District Plan are attached in a **Proposed Plan Change document** that is **separate** to this report. Justification for and clarification of the amendments in the Proposed Plan Change are provided in the assessment in this report.

- 1.5 The following appendices are attached to this report, which has been prepared to support the Proposed Plan Change:
- Appendix 1: Proposed Planning Maps;
  - Appendix 2: Outline Development Plan;
  - Appendix 3: Consultation Report;
  - Appendix 4: Consultation Follow-up Pamphlet;
  - Appendix 5: Summary and Comparison of Relevant Performance Standards for Rural 1 & 2 and Industrial L & H Zones;
  - Appendix 6: Stormwater Management Design Concept and Concept Plan;
  - Appendix 7: Traffic Impact Assessment; and
  - Appendix 8: Noise Assessment.

## 2 Location and Site Description

- 2.1 The Proposed Plan Change site is located generally east of State Highway 1 and south of Aorangi Road at Washdyke, Timaru, and is illustrated on the Proposed Planning Map attached in Appendix 1 and in the Outline Development Plan attached in Appendix 2.
- 2.2 The Proposed Planning Map shows the outline of the “study area”. The area within this boundary is approximately 120ha. However, as can be seen from the Proposed Planning Map, some of this area is already zoned Industrial L and Industrial H Zones. The balance of the study area that is proposed to be rezoned from Rural 1, Rural 2 and Recreation 2 Zones to Industrial L and Industrial H Zones is approximately 73ha.
- 2.3 The site is bounded by State Highway 1 (Hilton Highway) in the east and Aorangi Road to the north, and is bisected by Seadown Road, Meadows Road and the South Island Main Trunk Railway Line (“SIMT”).
- 2.4 State Highway 1 is classified in the District Plan (Part D, Section 6.6) as a “*National Route*”, Seadown Road and Meadows Road are each classified as a “*Collector Road*” while Aorangi Road is classified as a “*Local Road*”.
- 2.5 The intersections of State Highway 1/State Highway 8 and State Highway 1/Seadown Road are currently being signalised by the New Zealand Transport Agency (“NZTA”).
- 2.6 Both State Highway 1 and the SIMT are designated in the District Plan.
- 2.7 The site is generally flat and low lying.

- 2.8 South of the site and generally east of Seadown Road, there is already a significant amount of commercial and light and heavy industrial activity.
- 2.9 Similarly, within the site, on the area currently zoned Rural 1 between State Highway 1 and Seadown Road, a significant amount of commercial and light industrial activity has already been established.
- 2.10 To the east of the site and generally south of Aorangi Road, lies the Council's existing Waste Water Treatment Plant which is designated in the District Plan and is currently undergoing extension.
- 2.11 At the easternmost boundary of the site there is a small portion of Council-owned land beyond the 100 year Coastal Erosion Line shown in the Proposed Planning Map that is to remain Rural 3 Zone.
- 2.12 To the north of the site, the area is predominantly rural and consists of farming activities and some rural residential activity.
- 2.13 Although the area opposite the site, west of State Highway 1, is zoned Residential 1 and Residential 4, a large amount of commercial and light industrial activities have been established. Further to the west an area of light industrial activity is located west of State Highway 8.
- 2.14 Between State Highway 1 and Seadown Road and to the south of the site is an area of residential activity. This residential area is bounded by commercial and light industrial activity to the west and north and a mixture of light and heavy industrial activity and the SIMT to the south and east.
- 2.15 A report entitled "*Washdyke Structure Plan*", prepared in March 2008 by Opus International Consultants Ltd ("Opus") on behalf of the Council, identifies future development and land use patterns, areas of open space, the layout and nature of infrastructure and transportation links and other key features for managing the effects of development. It also includes an outline of the existing water, sewer, stormwater, power, telecommunications and roading infrastructure in Washdyke.

### **3 RMA Statutory Framework**

#### **3.1 Overview**

- 3.1.1 The relevant provisions of the RMA which the Council must have regard to in changing the District Plan are outlined in Sections 3.2 to 3.7 below. How the Proposed Plan Change satisfies these statutory requirements is assessed in Sections 4 to 11 below.

### 3.2 Section 73 RMA

- 3.2.1 Under Section 73(1A) of the RMA, in summary, a territorial authority may change a district plan in the manner set out in the First Schedule of the RMA.

### 3.3 Section 74(1) RMA

- 3.3.1 Section 74(1) of the RMA, in summary, requires that the Council, when changing its District Plan, shall have regard to, among other things, its functions under **Section 31** of the RMA, the provisions of **Part 2** of the RMA, and its duties under **Section 32** of the RMA. These highlighted sections are outlined further in Sections 3.4 to 3.6 below.

### 3.4 Section 31 RMA

- 3.4.1 Section 31 of the RMA sets out the functions of territorial authorities for the purpose of giving effect to the RMA within its district, as follows:

Section 31 Functions of territorial authorities under this Act

- (1) *Every territorial authority shall have the following functions for the purpose of giving effect to this Act in its district:*
- (a) *the establishment, implementation, and review of objectives, policies, and methods to achieve integrated management of the effects of the use, development, or protection of land and associated natural and physical resources of the district:*
  - (b) *the control of any actual or potential effects of the use, development, or protection of land, including for the purpose of—*
    - (i) *the avoidance or mitigation of natural hazards; and*
    - (ii) *the prevention or mitigation of any adverse effects of the storage, use, disposal, or transportation of hazardous substances; and*
    - (iia) *the prevention or mitigation of any adverse effects of the development, subdivision, or use of contaminated land:*
    - (iii) *the maintenance of indigenous biological diversity:*
  - (c) *[Repealed]*
  - (d) *the control of the emission of noise and the mitigation of the effects of noise:*

(e) *the control of any actual or potential effects of activities in relation to the surface of water in rivers and lakes:*

(f) *any other functions specified in this Act.*

(2) *The methods used to carry out any functions under subsection (1) may include the control of subdivision.*

3.4.2 The assessment in Sections 4 to 11 below evaluates the appropriateness, effectiveness and therefore the efficiency of the Proposed Plan Change in enabling the Council to continue to carry out its functions under Section 31, which include the control of any actual or potential effects of the use and development of land.

### **3.5 Part 2 RMA**

3.5.1 The Council is charged with providing a District Plan that achieves the purpose of the RMA which is stated in Section 5(1) of the RMA. The District Plan must also be prepared in accordance with the provisions of Part 2 Purpose and Principles of the RMA. Part 2 consists of Sections 5-8 as follows:

#### Section 5 Purpose

(1) *The purpose of this Act is to promote the sustainable management of natural and physical resources.*

(2) *In this Act, sustainable management means managing the use, development, and protection of natural and physical resources in a way, or at a rate, which enables people and communities to provide for their social, economic, and cultural 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.*

Section 6 Matters of national importance

*In achieving the purpose of this Act, all persons exercising functions and powers under it, in relation to managing the use, development, and protection of natural and physical resources, shall recognise and provide for the following matters of national importance:*

- (a) the preservation of the natural character of the coastal environment (including the coastal marine area), wetlands, and lakes and rivers and their margins, and the protection of them from inappropriate subdivision, use, and development:*
- (b) the protection of outstanding natural features and landscapes from inappropriate subdivision, use, and development:*
- (c) the protection of areas of significant indigenous vegetation and significant habitats of indigenous fauna:*
- (d) the maintenance and enhancement of public access to and along the coastal marine area, lakes, and rivers:*
- (e) the relationship of Maori and their culture and traditions with their ancestral lands, water, sites, waahi tapu, and other taonga:*
- (f) the protection of historic heritage from inappropriate subdivision, use, and development:*
- (g) the protection of recognised customary activities.*

Section 7 Other matters

*In achieving the purpose of this Act, all persons exercising functions and powers under it, in relation to managing the use, development, and protection of natural and physical resources, shall have particular regard to—*

- (a) kaitiakitanga:*
  - (aa) the ethic of stewardship:*
  - (b) the efficient use and development of natural and physical resources:*
  - (ba) the efficiency of the end use of energy:*
  - (c) the maintenance and enhancement of amenity values:*
  - (d) intrinsic values of ecosystems:*
  - (e) [Repealed]*
  - (f) maintenance and enhancement of the quality of the environment:*
  - (g) any finite characteristics of natural and physical resources:*
  - (h) the protection of the habitat of trout and salmon:*

- (i) *the effects of climate change:*
- (j) *the benefits to be derived from the use and development of renewable energy.*

### Section 8 Treaty of Waitangi

*In achieving the purpose of this Act, all persons exercising functions and powers under it, in relation to managing the use, development, and protection of natural and physical resources, shall take into account the principles of the Treaty of Waitangi (Te Tiriti o Waitangi).*

- 3.5.2 The assessment in Sections 4 to 11 below discusses how the Proposed Plan Change satisfies those parts of Part 2 relevant to the Proposed Plan Change.

## **3.6 Section 32 RMA**

- 3.6.1 Under Section 32(1)(c) of the RMA, in summary, before a proposed plan change is publicly notified the Council must carry out an evaluation under Section 32 of the RMA.

- 3.6.2 Section 32(3) of the RMA stipulates such 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.”* [emphasis added]

- 3.6.3 Section 32(4) stipulates that an evaluation under Section 32(3) “*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.”*

- 3.6.4 The assessment in Sections 4 to 11 below discusses the Section 32 evaluation that has been undertaken.

## **3.7 Sections 74(2) and 75 RMA**

- 3.7.1 Amongst other matters, Section 74(2) of the RMA requires that the Council shall have regard to any regional policy statement and any regional plan when considering a proposal for a plan change, while Section 75 of the RMA sets out matters to be had regard to in setting the content of district plans, relative to the regional policy statements and plans, as follows:

Section 74 Matters to be considered by territorial authority

- (2) *In addition to the requirements of section 75(3) and (4), when preparing or changing a district plan, a territorial authority shall have regard to—*
- (a) *any—*
    - (i) *proposed regional policy statement; or*
    - (ii) *proposed regional plan of its region in regard to any matter of regional significance or for which the regional council has primary responsibility under Part 4; and*
  - (b) *any—*
    - (i) *management plans and strategies prepared under other Acts; and*
    - (ii) *repealed.*
    - (iia) *relevant entry in the Historic Places Register; and*
    - (iii) *...*  
*to the extent that their content has a bearing on resource management issues of the district; and*
  - (c) *the extent to which the district plan needs to be consistent with the plans or proposed plans of adjacent territorial authorities.*
- (2A) *A territorial authority, when preparing or changing a district plan, must—*
- (a) *take into account any relevant planning document recognised by an iwi authority and lodged with the territorial authority, to the extent that its content has a bearing on resource management issues of the district; and*
  - (b) *...*
- (3) *In preparing or changing any district plan, a territorial authority must not have regard to trade competition.*

75 Contents of district plans

- (3) *A district plan must give effect to—*
- (...)
  - (c) *any regional policy statement.*

(4) A district plan must not be inconsistent with—

(...)

(b) a regional plan for any matter specified in section 30(1).

3.7.2 These sections of the RMA have been taken into account in preparing this Proposed Plan Change and the relevant regional context is referred to in the assessment in Section 9 below.

## 4 Background and Need for the Proposed Plan Change

4.1 Timaru District is experiencing an increase in pressure for land use development, including industrial development, and environmental effects that may result from such pressure.

4.2 In broad terms the Council is faced with a choice of two ways in which to react. One is to allow the market to dictate the scale and location of development, the other is to take a proactive approach to more effectively provide for the integrated management of the effects of industrial land use and development in a sustainable manner. The Council has resolved to adopt the latter approach, and commissioned investigations into the potential need for and location of land for potential future industrial growth.

4.3 The Council engaged Planit R.W. Batty & Associated Ltd, Property Economics Ltd and Abley Transportation Engineers Ltd (“the Study Team”) to investigate the structure, trends and changes in demand relating to industrial activity in Timaru District and to recommend a strategy for future planning for industrial activity. The investigations of the Study Team are contained in three reports which are summarised below.

4.4 In December 2007 the “*Timaru District Retail, Industrial and Residential Strategy Draft Discussion Document*” was prepared by Property Economics Ltd (“the Property Economics report”). In summary, this provided forecasts of employment in industry, and an analysis of industrial land availability and demand under two scenarios.

4.5 The first scenario, in summary, used an analysis based on population growth projections, presumed employment growth associated with this, and an assumption of a continuing trend of an increase in the share of populations going into manufacturing.

4.6 The second scenario, in summary, assessed the ability for demand for additional areas of industrial land within Timaru to generate additional industrial activity, population growth and employment. The “*Timaru Transportation Study Issues Identification Report*” by Abley Transportation Engineers Ltd was used as a basis to assess this demand.

4.7 Overall, the Property Economics report estimated that Timaru District had approximately 200ha of “*developable*” industrial land and a predicted demand for between 15-20ha to 85-90ha of additional industrial land in Timaru between 2006 and 2021. Approximately

48ha of the approximately 200ha of “developable” industrial land lies within the Proposed Plan Change study area.

- 4.8 Despite this apparent surplus of developable industrial land over demand for industrial land, the Property Economics report identified a potential for additional land to be rezoned for industrial use, citing various factors as meaning that the existing developable industrial land may not be suited to meet the changing nature of future industrial activity. Key factors affecting industrial activity location were identified as including:
- Provision of suitable property services;
  - Access to broadband;
  - Close proximity/good access to transportation hubs;
  - Proximity to an appropriate labour supply;
  - Close location to customers and markets;
  - Access to major road corridors;
  - Location of suppliers;
  - Room for potential expansion and growth;
  - Potential to secure resource consent; and
  - Exposure/profile.
- 4.9 In March 2008 the “*Issues and Options Report: Residential, Retail and Industrial Development in the Timaru District*” (“the Issues and Options report”) prepared for the Council by the Study Team presented the overall findings, conclusions and recommendations of the Study Team to the Council.
- 4.10 The Issues and Options report, in summary, identified an apparent excess in the extent of land zoned for industrial purposes and that forecast to be required by 2021 on the basis of current trends. However, the Issues and Options report also found that existing areas zoned for industrial purposes are either already occupied, or are constrained by surrounding land uses, the age and condition of existing industrial building stock, lack of infrastructure capacity and/or inadequate links to transport systems.
- 4.11 The Issues and Options report, in summary, identified Washdyke as the largest industrial node in Timaru District. This factor, along with State Highway 1, the SIMT and the close proximity of the Port of Timaru, make Washdyke a key, strategic industrial location with significant large tracts of vacant land for potential future growth. Consequently the Issues and Options report identified Washdyke as the logical direction for the expansion of potential future industrial growth in Timaru District.
- 4.12 As discussed in Section 6 below, the District Plan has been operative since 2005, and is not due for formal review until 2015. However, the Issues and Options report considered that significant developments in the industrial sector will likely take place in the intervening period and that it is important to ensure provision is made within the District Plan to ensure potential future industrial growth can be located in a manner so as to ensure its sustainable management.

- 4.13 The Issues and Options report recommended the District Plan be reviewed as soon as practicable to provide for further Industrial L and Industrial H zoned land at Washdyke, generally east of State Highway 1 and south of Aorangi Road.
- 4.14 On the basis of the above, the Council wishes to take an integrated approach to potential future industrial growth, where there is sufficient appropriately zoned land to provide for any such growth for the foreseeable future, and where it can occur in a manner where its actual and potential effects can be avoided, remedied or mitigated, so that industrial growth can be sustainably managed.
- 4.15 The Council considers that the Washdyke area generally east of State Highway 1 and south of Aorangi Road best satisfies the key factors that have been identified as affecting industrial activity location. Furthermore, the proposed rezoning has the potential to generate significant economic and social wellbeing for the people and communities of Timaru District for the reasonably foreseeable future. Accordingly, the Council has resolved to initiate the Proposed Plan Change.

## 5 Consultation

- 5.1 In terms of Clause 3(1) and (2) of the First Schedule of the RMA, the Council has undertaken consultation on the proposed rezoning prior to commencement of the statutory plan change process. Details of the consultation that has been undertaken to date is contained within the *“Washdyke Industrial Development Consultation Report”* prepared by Opus in March 2009 for the Council (*“the Consultation Report”*) attached in Appendix 3, and is summarised below.
- 5.2 Consultation has been undertaken to date with owners and occupiers of land directly affected by the proposed rezoning, owners and occupiers of adjoining land, indirectly or potentially affected as well as interested parties, key stakeholders, and the wider public.
- 5.3 Key stakeholders included Environment Canterbury, Te Runanga o Arowhenua, ONTRACK, Alpine Energy Ltd, South Canterbury Chamber of Commerce, NZ Transport Agency, PrimePort Timaru, and Te Runanga o Ngai Tahu.
- 5.4 Consultation consisted of letter and information pamphlet mail outs, a Community Open Day, meetings, and follow up phone calls and letters.
- 5.5 The opportunity to participate in the consultative process was advertised not only through direct contact with various parties, but was also advertised in the Timaru Herald, on the Council’s website, and on posters placed in the community.
- 5.6 People were able to respond in writing, in person (through meetings and the Open Day), email, or via an 0800 number to the Council’s consultants (ie, Opus).
- 5.7 A range of responses to the proposed rezoning were received and are reported in the Consultation Report attached in Appendix 3.

- 5.8 Prior to commencement of the statutory proposed plan change process, a follow-up information pamphlet entitled “*Washdyke Industrial Development – Planning Detail and Consultation*” was produced by Opus on behalf of the Council in October 2009 (“the Consultation Follow-up Pamphlet”) to update those who had previously participated in the consultation to date on issues that had been raised, responses to some issues, and the next steps in the process. A copy of the Consultation Follow-up Pamphlet is attached in Appendix 4.
- 5.9 It should also be noted that in terms of Clause 5 of the First Schedule of the RMA, the Proposed Plan Change must be publicly notified for submissions. Public notification is a form of consultation, albeit one which takes place in a statutory rather than a non-statutory context. In this sense, consultation remains ongoing.

## 6 Overview of Section 32 Evaluation

- 6.1 The District Plan has been fully operative since 8 March 2005. Prior to this time, the Council had undertaken an extensive review of its District Plan. Its provisions were subject to Section 32 evaluation prior to the District Plan being publicly notified. The original Section 32 assessments, developed for the now Operative District Plan as it was publicly notified on October 10 1995, relating to the Industrial L and Industrial H zones, are generally still relevant. The District Plan provisions were subject to further evaluation by way of submissions, further submissions, and hearings before both the Council and the Environment Court. As far as the matters outlined in Section 32(1)(a) of the RMA relate to the Proposed Plan Change, the objectives, policies and methodologies of providing zones and rules to achieve Section 32(1)(b) of the RMA has been fulfilled.
- 6.2 **No new objectives or policies are proposed. However, new methods for the Industrial L and H Zones are proposed.**
- 6.3 An evaluation has been undertaken in this report which:
- Explains the background to and the need for the Proposed Plan Change;
  - Evaluates the appropriateness, effectiveness and efficiency of any objectives, policies, rules or other methods proposed - namely, substituting the operative objectives, policies and performance standards of the Rural 1 and 2 Zones with those of the Industrial L and H Zones, and how this will enable the Council to continue to carry out its functions under Section 31 of the RMA which include the control of any actual or potential effects of the use and development of land;
  - Evaluates the consistency of the Proposed Plan Change with relevant regional objectives and policies;
  - Discusses how the Proposed Plan Change satisfies those parts of Part 2 of the RMA that are relevant to the Proposed Plan Change; and

- Assesses the benefits/advantages and costs/disadvantages of alternative methods to the Proposed Plan Change.

6.4 The area currently zoned Recreation 2 is privately owned by the operator of an Industrial L-type business and is no longer able to be utilised for public recreation purposes. It is therefore proposed to apply the Industrial L Zone to the Recreation 2 zoned land.

6.5 Justification for and clarification of the amendments in the Proposed Plan Change are provided in the assessment in Section 4 above and Sections 7 to 11 below.

## 7 Evaluation of Relevant District Plan Objectives and Policies

### 7.1 Objectives

7.1.1 Relevant objectives for **Rural Zones** in Part D1 of the District Plan are considered to include the following:

Objective 1.1.2

*“Manage land in the District for the greatest benefit of present and future generations while...avoiding, remedying or mitigating any adverse environmental effects.”*

Objective 1.1.6

*“Protection of...access to the roading network from...adverse effects.”*

Objective 1.2.2

*“Avoid, remedy or mitigate the adverse effects of intensive development in rural areas.”*

Objective 1.4.2

*“Maintenance of a reasonably quiet rural environment while accommodating periodic intrusions.”*

Objective 1.5.2

*“Enable noxious activities to establish in some rural areas where any adverse environmental effects that reduce air quality may be avoided or mitigated.”*

Objective 1.6.2

*“Protect and enhance the character and amenity of the District’s landscapes.”*

Objective 1.8.2(1)

*“Maintain a high standard of roading in rural areas and require the safe and efficient provision of roading access from new rural allotments to the roading network.”*

- 7.1.2 Relevant objectives for **Industrial Zones** in Part D4 of the District Plan are considered to include the following:

Objective 4.1.1.1

*“Minimising the situations where there is conflict between industry and other land uses.”*

Objective 4.1.1.2

*“Avoiding, remedying or mitigating the adverse effects of activities in the Industrial Zones.”*

- 7.1.3 Relevant objectives for Rural Zones cited above place an emphasis on the sustainable management of natural and physical resources and the maintenance of amenity. It is considered relevant objectives for Industrial Zones also cited above are consistent with this, as they endeavour to ensure compatibility between adjoining land uses and management of adverse effects.
- 7.1.4 It is therefore considered that if industrial activities establish and operate in a manner that is consistent with relevant operative District Plan objectives for Industrial Zones cited above, the Proposed Plan Change will be **appropriate** and **effective** in enabling the Council to continue to carry out its functions under Section 31 of the RMA which include the control of any actual or potential effects of the use and development of land, will be consistent with relevant regional objectives and policies and will enable the District Plan to continue meeting the purpose and principles of the RMA, and therefore **efficient**. This is discussed further in Sections 7.2 and 8 below.

## 7.2 Policies

- 7.2.1 Relevant policies for **Rural Zones** in Part D1 of the District Plan, as related to relevant objectives cited above, are considered to include the following:

Policy 1.1.3(1)

*“To provide for a range of land use activities in rural areas while avoiding, remedying or mitigating the adverse environmental effects of these activities....”*

Policy 1.1.7

*“(a) To avoid, remedy or mitigate the adverse effects of some land uses. Where a resource consent is required, consideration shall be given to:...*

- adjacent household units*
- the roading network at access points...*
- noise...*
- rural amenity...*

*“(b) When evaluating any proposal, Council may choose to impose conditions to address adverse environmental effects.”*

Policy 1.2.3(1)

*“To provide for a range of sites and uses, as long as the environmental effects including cumulative effects of development meet performance standards for the zone.”*

Policy 1.4.3

*“(1) To provide for a moderate maximum noise level....*

*“(2) To preserve the amenity values of the rural area, non-agricultural activities with a potential adverse noise impact...will be required to obtain resource consents. Noise limits for noise received by occupants of rural dwellings will be set to avoid restrictions on normal agricultural and forestry activities....”*

Policy 1.5.3

*“(1) To consider the suitability of sites for activities producing adverse air quality effects.*

*“(a) In deciding whether to grant applications of this type or under what conditions they might be granted Council shall have regard to the:*

- nature, frequency and duration of the effects;*
- methods of mitigation;*
- sensitivity of the surrounding environment, particularly on residents...;*
- alternative locations and methods.*

- (b) *In assessing effects on the surrounding environment, the Council will favour sites which avoid the concentration of similar effects in one locality (reference will be made for pig farming applications to the Pork Industry Board's Code of Practice – Pig Farming, August 1993 in helping to decide on the appropriateness of proposals)."*

Policy 1.6.3(1)

*"To encourage all land use to be sympathetic to retaining the rural landscape character and to consider the impact such development will have on views from public places eg state highways and major roads, and from neighbouring activities."*

Policy 1.8.3(1)

*"To ensure road access is available to new rural allotments subject to compliance with performance standards which have regard to traffic safety and the efficiency of the roading network."*

7.2.2 Relevant policies for **Industrial Zones** in Part D4 of the District Plan are considered to include the following:

Policy 4.1.2.1

*"To distinguish between industrial areas according to their suitability for activities with two different levels of effects provided for."*

Policy 4.1.2.2

*"To use zones to provide for industrial activities in appropriate locations having regard to:*

- *location of existing industry*
- *continuity with previous zoning controls*
- *location of services especially sewerage and water supply*
- *adjoining residential and other sensitive land uses...*
- *transportation links (the roading hierarchy, port, and rail)...*
- *need for expansion to be provided for the life of the District Plan*

*Industrial L: which is intended to provide for industrial activities having minor to moderate environmental effects and that these effects should be mitigated for neighbouring zones to the extent that is practical.*

*Industrial H: which is intended for heavier industrial activities having more adverse environmental effects and which should be separated from residential and other sensitive activities.*

*Access to high capacity water and sewerage services is also more readily available within the Washdyke area of the Industrial H Zone....”*

Policy 4.1.2.3

*“To concentrate industrial activities where they will have limited adverse effects on nearby activities unless the adverse effects of industry can be avoided, remedied or mitigated.”*

Policy 4.1.2.4

*“To manage the use of land adjacent to and within Industrial Zones in a way that avoids or mitigates adverse environmental effects without unreasonably inhibiting the continued use and development of industrial activities.”*

Policy 4.1.2.5

*“To promote the efficient use of existing services....”*

Policy 4.1.2.7

*“To allow for more permissive noise and light levels in industrial areas than provided for elsewhere in the District while acknowledging that some restriction on noise and light levels is required when sensitive uses, eg residential...areas..., share a boundary with an industrial area.”*

Policy 4.1.2.9

*“To ensure the visual quality of land adjoining industrial areas, especially Residential Zones..., and of sites adjoining major routes in industrial areas is maintained or enhanced.”*

Policy 4.1.2.10

*“To provide for appropriately designed road access to industrial sites.”*

- 7.2.3 Relevant policies for the Rural Zones place an emphasis on maintaining rural amenity, primarily through managing visual, noise, and traffic effects, and the type of non-rural activities seeking to locate in Rural Zones.
- 7.2.4 Relevant policies for Industrial Zones cited above are consistent with the policies cited above for Rural Zones, as these seek to manage the type of industry seeking to locate beside rural, residential and other sensitive land uses, and to manage the use of industrially-zoned land to avoid, remedy or mitigate adverse effects on adjoining land uses.

- 7.2.5 Therefore, if industrial activities establish and operate in a manner that is consistent with relevant operative District Plan policies for Industrial Zones cited above, the Proposed Plan Change will be **appropriate** and **effective** in enabling the Council to continue to carry out its functions under Section 31 of the RMA including the control of any actual or potential effects of the use and development of land. The Proposed Plan Change will also be consistent with relevant regional objectives and policies and will enable the District Plan to continue meeting the purpose and principles of the RMA, and therefore is **efficient**.
- 7.2.6 In addition, the District Plan already contemplates, at a policy level, expansion of the existing Industrial L and H Zones at Washdyke, as explained further below.
- 7.2.7 The explanation for Policy 4.1.2.2 cited above states:
- “Zoning provides a degree of certainty to future developers about the character of activities in specified areas of the District and the environmental effects these activities may produce. This also enables the efficient provision of servicing infrastructure and maximises the use of existing infrastructure where designed for industrial use.”*
- 7.2.8 The “Washdyke Structure Plan” referred to in Section 2 above includes an outline of the existing water, sewer, stormwater, power, telecommunications and roading infrastructure in Washdyke, and also makes recommendations for upgrading services to enable potential future industrial development.
- 7.2.9 While the existing property service infrastructure in Washdyke will need to be extended to service future development of the proposed expansion of the Industrial L and H Zones at Washdyke, this will build on the existing water, sewer, stormwater, power, telecommunications and roading infrastructure in Washdyke, which is already designed for industrial use. The Proposed Plan Change will therefore contribute to maximising the use of the existing infrastructure and contributing to the efficient and sustainable management of it as a physical resource.
- 7.2.10 The explanation for Policy 4.1.2.2 cited above also states:
- “These zones reflect the type and level of environmental effects expected as part of the activities. **The Industrial L Zone provides for a range of industrial and some commercial activities having less noxious actual or potential effects. In some localities this zone will provide a transition area between a residential area and the Industrial H Zone.**” [emphasis added]*
- 7.2.11 The proposed expansion of the Industrial L Zone is designed to provide such a buffer between the proposed expanded Industrial H Zone and the existing Residential 1 Zone at Washdyke, and therefore the Proposed Plan Change is consistent with this existing policy direction in the District Plan. In any case, as stated above, the District Plan
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intends that the Industrial L Zone is to provide for industrial activities having only moderate to minor environmental effects.

7.2.12 The explanation for Policy 4.1.2.2 cited above also states:

*“A large part of the Industrial H Zone is concentrated at Washdyke where the public sewer, high capacity water supplies, and access to major road and rail transport is available. **Expansion of this zone is proposed at Washdyke to provide an area that can be readily serviced adjacent to an existing industrial area. This area is also relatively more isolated from sensitive land uses than other serviced industrial areas of the District....**”*  
[emphasis added]

7.2.13 The District Plan therefore already contemplates at a policy level an expansion of the Industrial Zones at Washdyke, and therefore the Proposed Plan Change is consistent with this existing policy direction in the District Plan.

## 8 Evaluation of Relevant District Plan Zone Performance Standards

### 8.1 Overview

8.1.1 The objectives and policies for Rural and Industrial Zones cited above, which are predominantly amenity-related, are to be given effect to through rules.

8.1.2 The District Plan rules contain performance standards specific to the Rural 1 and 2 and Industrial L and H Zones, and are the methods by which the District Plan intends to avoid, remedy or mitigate any actual or potential adverse environmental effects of land use. **For the purposes of the following assessment, it should be noted that Rural 2 Zone Rule 5, Part D1 (p45), states that the performance standards applicable in the Rural 1 Zone also apply in the Rural 2 Zone.** Relevant standards for the Rural 1 and 2 and Industrial L and H Zones are summarised and compared in the table in Appendix 5.

8.1.3 Adoption of the Proposed Plan Change would result in substitution of the operative performance standards of the Rural 1 and 2 Zones with those of the Industrial L and H Zones. The assessment in Sections 8.2 to 8.9 below discusses how the Proposed Plan Change will be **appropriate** and **effective**, and therefore **efficient**, at enabling the Council to continue to carry out its functions under Section 31 of the RMA which include the control of any actual or potential effects of the use and development of land.

### 8.2 Sunlight and Outlook

8.2.1 The District Plan contains performance standards for buildings applicable in the Rural 1 and 2 Zones (Part D1) and in the Industrial L and Zones (Part D4) that aim to maintain the availability of sunlight and outlook.

- 8.2.2 The minimum building setback from road boundaries in the Industrial L Zone (3m) is half that required in the Rural 1 and 2 Zones (6m), although the road boundary setback required in the Industrial H Zone (5m) is comparable to the 6m setback in the Rural 1 and 2 Zones.
- 8.2.3 Any actual or potential adverse effect the comparatively lesser road boundary setback in the Industrial L Zone may have on sunlight and outlook in the existing Residential and Rural Zones at Washdyke adjoining the Proposed Plan Change study area is more than adequately compensated for through the following factors:
- A greater building setback from internal boundaries in the Industrial L Zone (5m) and Industrial H Zone (10m) compared to that required in the Rural 1 and 2 Zones (3m);
  - A maximum permitted building height for the Industrial L Zone (10m) that is significantly lower than that for the Rural 1 and 2 Zones (15m);
  - Compliance being required with the District Plan recession plane requirements; and
  - The visual amenity and landscaping requirements applicable in the Industrial L and H Zones (see Section 8.3 below).
- 8.2.4 It is acknowledged there is no maximum height limit in the Industrial H Zone, which has the potential to adversely impact on the existing adjoining Residential and Rural Zones.
- 8.2.5 However, as stated in Section 7.2 above, the proposed expansion of the Industrial L Zone is designed to provide a transition area between the proposed expanded Industrial H Zone and the existing Residential 1 Zone at Washdyke. Thus, any potential adverse effect of no maximum height limit in an expanded Industrial H Zone on the existing Residential 1 Zone at Washdyke will be offset by the greater building setback from internal boundaries and the significantly lower height limits of the proposed expanded Industrial L Zone.
- 8.2.6 There is already an Industrial H Zone adjoining the Rural 2 Zone at Washdyke. While the Industrial H Zone adjoining the Rural 2 Zone is proposed to be extended, and will adjoin the Rural 1 Zone where it currently does not, any potential adverse effect of no maximum height limit in an expanded Industrial H Zone on the Rural 1 and 2 Zones is offset by the separation provided by Aorangi Road. Furthermore, the maximum permitted height in the Rural 1 and 2 Zones of 15m is not in itself insignificant.

### **8.3 Riparian Management, Flora & Fauna, Visual Amenity & Landscape**

- 8.3.1 The District Plan contains performance standards for riparian management, planting of shelter belts, and the protection of indigenous vegetation and habitats of indigenous fauna applicable in the Rural 1 and 2 Zones (Part D1, p36-38).

- 8.3.2 The District Plan contains performance standards for visual amenity specific to the Industrial L Zone (Part D4, p199-200). Industrial L Zone Rule 6(e) (Part D4, p201) contains a cross-reference to compliance with General Rule 6.19 Landscaping (Part D6, p334).
- 8.3.3 The District Plan contains performance standards for visual amenity specific to the Industrial H Zone (Part D4, p203-204). Industrial H Zone Rule 5.6 (Part D4, p204) contains a cross-reference to compliance with General Rule 6.19 Landscaping (Part D6, p334).
- 8.3.4 Therefore, compliance with General Rule 6.19 Landscaping becomes a requirement specific to activities on sites in the Industrial L and H Zones.
- 8.3.5 The relevant performance standards for the Rural 1 and 2 Zones summarised in the table in Appendix 5 and cited above are quite different in their nature from relevant performance standards for the Industrial L and H Zones. Those applicable in the Rural 1 and 2 Zones appear to relate to conservation of natural and physical resources, particularly significant indigenous flora and fauna. By comparison, those specific to the Industrial L and H Zones appear aimed at avoiding, remedying or mitigating any actual or potential adverse visual effects of industrial development on adjoining land owners and occupiers.

On balance, the visual amenity and landscaping requirements specific to the Industrial L and H Zones will be appropriate for the Proposed Plan Change study area. The landscaping requirements in the Industrial L and H Zone are extensive and compliance with and implementation of these requirements will adequately maintain visual amenity for the adjoining Rural 1 and 2 and Residential 1 Zones.

## **8.4 Obtrusive Light**

- 8.4.1 The District Plan contains performance standards for avoiding, remedying or mitigating adverse effects for neighbouring sites from lighting.
- 8.4.2 As can be seen from the performance standard summary in Appendix 5, the maximum permissible levels for light spill received on neighbouring Residential and Rural zoned sites from an Industrial L or Industrial H zoned site (Industrial L rules 5.10 and 5.11, Part D4 p200, and Industrial H rules 5.7 and 5.8, Part D4 p204) are more stringent than for light spill received on sites within or adjoining the Rural 1 and 2 Zones (Rural 1 Zone rule 5.5, Part D1 p35).
- 8.4.3 Consequently, the Proposed Plan Change is unlikely to result in any adverse effects on existing levels of amenity as far as actual or potential adverse lighting effects are concerned. Rather, assuming compliance with the relevant rules, the Proposed Plan Change may potentially result in an improvement in this aspect of amenity.

## 8.5 Property Services Infrastructure

### General

- 8.5.1 The “*Washdyke Structure Plan*” referred to in Section 2 above includes an outline of the existing water, sewer, stormwater, power, telecommunications and roading infrastructure in Washdyke, and makes recommendations for upgrading services to enable potential future industrial development.
- 8.5.2 The existing property service infrastructure in Washdyke will need to be extended to service the proposed expansion of land to be zoned for industrial purposes. This situation raises the issue of the mechanism(s) for how this may occur and how it may be funded.
- 8.5.3 The question of paying for infrastructure is not directly addressed in the Proposed Plan Change. However, it is important to consider how possible future industrial development may be provided and resourced financially.
- 8.5.4 The Council is investigating separately possible mechanisms for allocating and recovering costs for extending infrastructure. The Council intends that any such mechanism(s) would be applied to future developments District-wide where infrastructure extensions are required, therefore the focus of that investigation is broader than this Proposed Plan Change. Furthermore, a preferred mechanism may be subject to a special consultation procedure under the Local Government Act. Consequently, consideration of any such mechanisms does not form part of this Proposed Plan Change.

### Stormwater Management

- 8.5.5 A concept has been developed for the collection, treatment and disposal of stormwater for the study area shown in the Proposed Planning Map. The Stormwater Management Design Concept and Concept Plan are attached in Appendix 6. Key elements of the Stormwater Management Design Concept are summarised below.
- 8.5.6 The stormwater system will be designed in accordance with best practice guidance using low impact sustainable stormwater practices that will incorporate both the treatment of urban contaminants and minimise flood risk and erosion downstream.
- 8.5.7 It is envisaged that treatment will be provided by grassed filter strips, swales, wetlands and infiltration systems, with the treated stormwater ultimately discharging to the existing No.1 Seadown Drain. Particular attention will be paid to the potential impact on groundwater and surface water quality and mitigating the effects due to the treatment efficiencies of the proposed solutions.
- 8.5.8 The proposed stormwater system, in conjunction with on-site stormwater systems and stormwater management techniques, will provide a high standard of stormwater

treatment and will effectively convey, attenuate and treat stormwater flows through the study area up to a 10% AEP (“annual exceedance probability”) event, and provide conveyance for events up to 2% AEP through the site.

- 8.5.9 The proposed system will form an attractive amenity space and habitat for wildlife when compared to traditional drainage systems.
- 8.5.10 The proposed stormwater system will be managed by the Council, minimising the need to rely on developers to manage and maintain their own on-site systems effectively, ensuring a robust system.
- 8.5.11 The detailed design will aim to create a sustainable stormwater system that will be “future-proofed” for potential environmental changes such as rainfall variation or land use change upstream, preventing any costly and inconvenient upgrade works in future.
- 8.5.12 It is anticipated the proposed method of stormwater collection, treatment and disposal will require resource consent from Environment Canterbury. Actual and potential effects of the proposed method of stormwater management will be addressed through the Environment Canterbury stormwater consent process.

## **8.6 Vehicle Access, Loading and Parking**

### **Conceptual Through Roding Layout**

- 8.6.1 A conceptual layout of through roding for the study area shown in the Proposed Planning Map, its connection to the wider roding network, intersection treatments, existing and proposed rail crossings, and walkways and cycleways, is shown in the Outline Development Plan attached in Appendix 2 and is described further in an independent “Traffic Impact Assessment” (“TIA”) of the Proposed Plan Change attached in Appendix 7 of this report. (The TIA is discussed further below.)

### **District Plan Zone Performance Standards**

- 8.6.2 Rural 1 Zone Rule 6(d) (Part D1, p41) contains a cross-reference to compliance with General Rule 6.7 Vehicle Access and Loading (Part D6, p281). Therefore, compliance with General Rule 6.7 becomes a requirement specific to activities in the Rural 1 and 2 Zones.
- 8.6.3 Similarly, Industrial L Zone Rules 6 (a) and (b) (Part D4, p201) and Industrial H Zone Rules 6 (a) and (b) (Part D4, p205) contain cross-references to compliance with General Rule 6.7 Vehicle Access and Loading, and General Rule 6.8 Parking, respectively. Therefore, compliance with General Rules 6.7 and 6.8 becomes a requirement specific to activities in the Industrial L and H Zones.
- 8.6.4 The requirements for the Industrial L and H Zones are more stringent than those for the Rural 1 and 2 Zones, in that the former contain requirements for parking as well as

vehicle access and loading, whereas the requirements for the Rural 1 and 2 Zones contain requirements for vehicle access and loading only.

- 8.6.5 The area that is proposed to be rezoned from Rural 1, Rural 2 and Recreation 2 Zones to Industrial L and Industrial H Zones is approximately 73ha. As the area covered by the Proposed Plan Change is large, it is therefore expected there will be sufficient space to enable any future industrial developments to be designed to comply with the applicable vehicle access, loading and parking requirements.

#### **District Plan Rooding Hierarchy**

- 8.6.6 As outlined above, the study area is accessed via Seadown Road, Meadows Road and/or Aorangi Road. Seadown and Meadows Roads connect to State Highway 1. Under the Rooding Hierarchy in Part D6 of the District Plan (p271-277), State Highway 1 is classified as a “national route”, Seadown Road and Meadows Road are each classified as a “collector road”, and Aorangi Road is classified as a “local road”.
- 8.6.7 In Part B of the District Plan, District-wide Rooding Policy 2 states (p97-98) that in the District Plan’s Rooding Hierarchy, national routes are part of the District’s “Primary Road” network while collector and local roads are part of the District’s “Secondary Road” network.
- 8.6.8 District-wide Rooding Policy 2 also states (p97-98):

*“National Routes...are roads that make up routes of national strategic importance. They form part of the State Highway network...and their prime function is to provide for through traffic while providing access to significant urban areas.*

*“Collector Roads...collect and distribute traffic to and from the primary road network and link with the local road network. Although a lower traffic volume is expected than for a road in the primary road network, there is a high proportion of through traffic. They may be urban or rural.*

*“Local Roads...provide direct access to abutting properties. They form the road network within the neighbourhood and may be subject to Local Area Traffic Management Schemes to reduce speed and through traffic. The proportion of through traffic on local roads should be very low.”*

- 8.6.9 The explanation or reason provided in the District Plan for this rooding classification in District-wide Rooding Policy 2 states (p99):

*“The “higher” the classification, the more priority is afforded to the movement of through traffic and conversely, the “lower” the road is in the order, the more priority is given to access (pedestrian, servicing, parking). The higher order roads can also be expected to cater for higher traffic flows, although this is*

*not a universal rule. Higher intensity use should not however impair the operational efficiency or safety of the arterial road concerned. To ensure this does not occur, direct access to arterial roads is controlled and alternative access, via a side or parallel road should be used wherever feasible. A limited increase in traffic generation may be tolerated without alternative access, provided the number of direct access points to the arterial is reduced.”*

- 8.6.10 On the basis of the above, the District Plan contemplates that State Highway 1, a national route, and Seadown and Meadows Roads, both collector roads, are intended - at a policy level - to cater for the level of traffic that may be expected from the Proposed Plan Change area. The proposal is therefore consistent with this District Plan policy direction.
- 8.6.11 By contrast, on the basis of the above, Aorangi Road, a local road, may not be intended to cater for the expected level of traffic, at least in a policy sense.
- 8.6.12 Notwithstanding the above conclusions from a planning perspective, as mentioned in paragraph 8.6.1 above, an independent “Traffic Impact Assessment” (“TIA”) of the Proposed Plan Change has been undertaken by Opus on behalf of the Council, and is discussed below.

#### **Traffic Impact Assessment**

- 8.6.13 The TIA is attached in Appendix 7. Key findings of this assessment are summarised below.
- 8.6.14 In summary, the potential levels of traffic that may be generated by potential future industrial development on the proposed expanded Industrial L and H Zones has the potential to have a significant adverse effect on the existing capacity of Seadown and Meadows Roads and their intersections with State Highway 1, and on the capacity of Aorangi Road. Accident analysis has shown that there are no existing accident problems at any of the intersections in comparison to the typical injury accident rates; however, the large increase in the volume of traffic from potential future industrial development using all of the intersections has the potential to increase the accident rates.
- 8.6.15 The TIA identifies and recommends implementation of the following mitigation measures:
- The existing railway crossing on Meadows Road be retained, the existing railway crossing on Seadown Road be closed and a new railway crossing at approximately 1160m to the south of the existing Seadown Road/Meadows Road intersection be opened in its place. Considerably more trips will benefit from relocating the crossing compared to those that are negatively affected. This will reduce overall journey times and retains both the State Highway 1/Seadown Road and State Highway 1/Meadows Road intersections as the major access points to the site;

- At the State Highway 1/Seadown Road intersection, which is currently being signalised by NZTA, additional lanes be provided by around 2016 in addition to the lanes forming part of the upgrade currently being undertaken by NZTA;
- Traffic signals plus additional lanes be provided at the State Highway 1/Meadows Road intersection, also by around 2016, should the rate at which the site is developed align with what is predicted in the TIA;
- A coordinated traffic signal system be utilised at the three signalised intersections - namely, State Highway 1/Seadown Road and State Highway 1/ State Highway 8, which are currently being signalised, and State Highway 1/Meadows Road, which is proposed to be signalised - to allow the distribution of capacities to cater for flows with the highest demand and improve the overall delays at these intersections;
- Safety improvements be considered in the design of the above intersections and level crossings as part of their upgrade to assist them to cope with the extra traffic volumes and reduce the impact from significant to more than minor but less than significant;
- All of the parking spaces required for the potential future industrial development be incorporated on-site to minimise the impact on the surrounding area. Given the size of the Proposed Plan Change area it is anticipated individual properties within this area should be able to be designed to comply with District Plan requirements;
- Existing local roads and their intersections be upgraded with widening, as follows:
  - Meadows Road be widened prior to around 2016 due to the predicted 47% increase in average daily traffic volume and the narrow existing carriageway seal width. The existing carriageway seal width is 5.8m and a widening of 6.2m to achieve a total carriageway seal width of 12m is required in order to meet the minimum standard of the District Plan for Industrial areas; and
  - Based on the existing carriageway seal widths and the minimum standard of the District Plan for Industrial areas, widening of 5.1m and 6.3m to achieve a total carriageway seal width of 12m is required on Seadown Road and Aorangi Road, respectively;
- The performance of the existing road network be monitored from 2012 onwards to review the necessity of, and identify the timing for, implementation of the above measures; and
- For internal roads, parking be provided on one side of the carriageway; with cycle lane, footpath and kerb and channel on both sides. The operation of internal intersections should be checked for capacity issues and tested for heavy vehicles turning circles at the design stage. The speed limits will need to be reviewed at the design stage to allow safe operation of the development.

- 8.6.16 Overall, the TIA concludes that with implementation of the above measures, the actual or potential level of traffic effect from future industrial development resulting from the Proposed Plan Change can be mitigated to the extent that it is more than minor but not significant. The mechanisms for how implementation of the above measures may occur and how they may be funded and for allocating and recovering the related costs, are being investigated separately by the Council as discussed in paragraphs 8.5.2 to 8.5.4 above.
- 8.6.17 In addition, the TIA estimates that implementation of Travel Demand Management (“TDM”) measures, such as cycling facilities between the site and Timaru, car sharing, and bus services, could reduce peak hour traffic generated by potential future industrial development on the proposed expanded Industrial L and H Zones by 15%. The TIA considers such TDM measures would have a significant positive effect on the operation of the intersections discussed above. However, the TIA assumes a “worst case scenario” where no TDM measures are used, therefore it should be **noted** the assessment undertaken in the TIA is relatively conservative.

## 8.7 Noise

### District Plan Performance Standards

- 8.7.1 The District Plan contains performance standards for avoiding, remedying or mitigating adverse noise effects on people in Residential 1 and Rural zoned sites arising from activities in the Industrial L Zone (Rule 5.13 (b) and (c), Part D4, p200-201) and Industrial H Zone (Rule 9 (b) and (c), Part D4, p204-205).
- 8.7.2 Similarly, the District Plan contains performance standards for avoiding, remedying or mitigating adverse noise effects on people in Residential 1 and Rural zoned sites arising from activities in the Rural 1 and 2 Zones (Rule 5.22, Part D1, p38).
- 8.7.3 As can be seen from the table in Appendix 5, the maximum permissible noise emission levels that may be experienced within the Residential 1 Zone from activities in the Industrial L and H Zones, are the same as the maximum permissible noise emission levels that may be experienced within the Residential 1 Zone from activities in the Rural 1 and 2 Zones.
- 8.7.4 As can also be seen from the table in Appendix 5, the maximum permissible noise emission levels that may be experienced within the Rural 1 and 2 Zones from activities in the Industrial L and H Zones are generally 5 dBA higher than those applicable to activities in the Rural 1 and 2 Zones.
- 8.7.5 From a planning perspective, however, this difference is considered minor and unlikely to lead to significant adverse effects. Assuming any future industrial development complies with the applicable noise limits, it is considered significant adverse noise effects are unlikely to arise and effects are more likely to be minor. These conclusions from a planning perspective are supported by the findings of an independent acoustic

assessment of the Proposed Plan Change that has been undertaken, which is discussed below.

### **Noise Assessment**

8.7.6 An independent acoustic assessment of the Proposed Plan Change has been undertaken by Marshall Day Acoustics. The full assessment is attached in Appendix 8. Key findings of this assessment are summarised as follows:

- Most of the southern boundary (with the exception of the area zoned Residential 1), the eastern and western boundaries, and most of the northern boundary (with the exception of privately-owned land zoned Rural 1) of the Proposed Plan Change study area are not considered to be noise sensitive because of the nature of existing land uses adjoining those boundaries;
- The dominant source of noise currently experienced within the Proposed Plan Change study area is vehicle noise from State Highway 1 and the local roading network and, to a lesser extent, existing industrial and rural land uses;
- Existing noise levels at the southern end of the area zoned Residential 1 are very high, receiving noise from the adjoining State Highway 1 and Seadown Road, and existing adjoining commercial and industrial activity;
- Most existing noise experienced in the Rural zoned land to the north is generated by vehicles on State Highway 1 and Seadown, Meadows and Aorangi Roads;
- While traffic noise can be reasonably expected to reduce at night, this will be less so for houses close to State Highway 1 which carries a significant number of heavy vehicles at night;
- Most of the existing households potentially affected by noise are in the area zoned Residential 1;
- As the maximum permissible noise levels that may be experienced within the Residential 1 Zone from activities in the Industrial L Zone are the same as from activities within the Rural 1 Zone, adoption of the Proposed Plan Change *“would not result in any change to the potential level of noise to which they may be exposed by neighbouring activities when compared to that which is currently permitted”*;
- Given the existing ambient noise levels, it is considered adoption of the Proposed Plan Change would lead to *“no increase in the existing noise level over that already being experience or indeed permitted for the current activities”*;
- *“On the basis of the existing noise environment we predict that the noise effects of activity in the proposed industrial zone would be no more than minor at*

*neighbouring sites, as the standard noise control provisions of the District Plan provide appropriate protection”;*

- *“The proposed rezoning will result in additional traffic including a relatively high proportion of heavy commercial vehicles. This will cause a corresponding increase in traffic noise levels on Aorangi, Meadows and Seadown Roads. However, as the southern portions of Seadown and Meadows Roads already have significant heavy commercial vehicle traffic we do not consider that any increase in traffic noise will cause a more than minor traffic effect.”*
- The independent acoustic assessment concludes that *“the cumulative noise effect, together with increased noise on the existing road network will be no more than minor at or within the boundary of surrounding zones”.*

## 8.8 Positive Effects

- 8.8.1 Washdyke has been identified as a key, strategic industrial location with significant large tracts of vacant land for potential future industrial growth and as the logical direction for the expansion of potential future industrial growth in Timaru District. For the reasons stated previously, the Council determined that the Washdyke area generally east of State Highway 1 and south of Aorangi Road best satisfies the key factors that have been identified as affecting industrial activity location.
- 8.8.2 The rezoning has the potential to generate significant economic benefits and therefore help provide for the social and economic wellbeing of the people and communities of Timaru District for the reasonably foreseeable future.

## 8.9 Summary - Relevant District Plan Zone Performance Standards

- 8.9.1 Based on the assessment above, substituting the operative performance standards of the Rural 1 and 2 Zones with those of the Industrial L and H Zones would likely result in any actual or potential adverse environmental effects as being, for the most part, no more than minor. The exception being that traffic effects have been assessed as more than minor but not significant with the mitigation proposed. Significant positive effects for the economic and social wellbeing of the District will potentially accrue. In this context, significant cumulative adverse effects are therefore assessed as unlikely to arise. Consequently, the Proposed Plan Change will be **appropriate** and **effective**, and therefore **efficient**, at enabling the Council to continue to carry out its functions under Section 31 of the RMA which include the control of any actual or potential effects of the use and development of land.

## 9 Regional Policy Statement and Plans

### 9.1 Canterbury Regional Policy Statement

- 9.1.1 The Canterbury Regional Policy Statement (“RPS”) has been operative since 26 June 1998. The RPS provides an overview of the resource management issues of the region, and sets out how natural and physical resources are to be managed in an integrated way to promote sustainable management. District plans have been prepared in accordance with the RPS.
- 9.1.2 One issue is whether the Proposed Plan Change would make the District Plan inconsistent with the RPS. For the purposes of this assessment, it is assumed the District Plan is currently consistent with the RPS.
- 9.1.3 It has been assessed above that adoption of the Proposed Plan Change - which will substitute the operative objectives, policies and performance standards of the Rural 1 and 2 Zones with those of the Industrial L and H Zones - will be **appropriate** and **effective**, and therefore **efficient**, at enabling the Council to continue to carry out its functions under Section 31 of the RMA which include the control of any actual or potential effects of the use and development of land. The Proposed Plan Change will therefore enable the District Plan to remain consistent with the RPS.
- 9.1.4 Another key issue is consistency of the Proposed Plan Change itself with relevant objectives and policies of the RPS.
- 9.1.5 The RPS contains objectives and policies that may be relevant to this proposal.
- 9.1.6 Chapter 9 of the RPS deals with water. Objectives and policies in this section deal with managing discharges and water quality. Relevant objectives and policies may include Objective 3 and Policy 9, relating to managing the effects of discharges on water quality. As discussed in Section 8.5 above, service provision will be adequately catered for. Actual and potential effects of stormwater management will be addressed through the Environment Canterbury stormwater consent process.
- 9.1.7 Chapter 12 of the RPS deals with settlement and the built environment. Objectives and policies in this section deal with managing effects of development on the environment and natural and physical resources. Relevant objectives and policies in Chapter 12 may include Objective 1 and Policy 2, which deal with managing effects of urban development and settlement expansion on amenity values. As discussed in Section 8 above, the Proposed Plan Change has been assessed as unlikely to result in adverse effects on amenity values.
- 9.1.8 Objective 2 and Policy 3 in Chapter 12 relate to managing effects of development on the roading infrastructure. Chapter 15 of the RPS deals with Transport. Policy 1 in Chapter 15 requires that Canterbury’s existing transport infrastructure is protected. As discussed

in Section 8.6 above and in the attached TIA, adverse traffic effects are assessed as likely to be more than minor but not significant with the mitigation proposed.

- 9.1.9 In summary, based on the above, the Proposed Plan Change will therefore be consistent with the above objectives and policies of the RPS.

### **Proposed Change 1 to the RPS**

- 9.1.10 Proposed Change 1 to the RPS introduces a new chapter (Chapter 12A) into the RPS concerning the development of greater Christchurch. This is not relevant to the Proposed Plan Change.

## **9.2 Proposed Canterbury Natural Resources Regional Plan**

- 9.2.1 The Proposed Canterbury Natural Resources Regional Plan (“NRRP”) is still in the early stages of development with the exception of Chapter 1-3 (Chapter 3 relates to air quality). As Chapters 4-6 of the NRRP are still at the hearings stage very little weight, if any, should be given to them as they are subject to wide submissions, variations and there are no decisions on them. No objectives and policies in Chapter 3 are considered relevant to the Proposed Plan Change.

## **9.3 Transitional Canterbury Regional Plan**

- 9.3.1 The Transitional Canterbury Regional Plan contains no objectives or policies relevant to the Proposed Plan Change.

## **9.4 Summary - Regional Policy Statement and Plans**

- 9.4.1 With regard to Sections 74(2) and 75 of the RMA, based on the above assessment, the Proposed Plan Change will be consistent with the Regional Policy Statement and Plans.

## **10 Achieving the Purpose and Principles of the RMA**

- 10.1 Section 32 of the RMA requires the Council to have regard to the necessity for the proposal. This is to be assessed in terms of the extent to which the Proposed Plan Change will achieve the purpose and principles of the RMA, in Part 2 of the RMA.
- 10.2 In Section 5(1) of the RMA, the purpose of the RMA is to promote the sustainable management of natural and physical resources.
- 10.3 In Section 5(2)(a) of the RMA, sustainable management is defined as including *“managing the use, development, and protection of natural and physical resources in a way, or at a rate, which enables people and communities to provide for their social, economic, and cultural wellbeing...while...sustaining the potential of natural and physical resources...to meet the reasonably foreseeable needs of future generations”*. In terms of the definition of *“natural and physical resources”* in Section 2 of the RMA, the industrial

activity of the District may be considered a physical resource, and as such must be sustainably managed. Based on the above assessment, the Proposed Plan Change will better assist in the sustainable management of the industrial activity of the District and will generate significant positive effects for the social and economic wellbeing of the people and communities of the District for the reasonably foreseeable future.

- 10.4 Section 5(2)(c) of the RMA states, in summary, that activities must be managed so that adverse effects on the environment are avoided, remedied or mitigated.
- 10.5 Section 7 of the RMA sets out those “other matters” that Council is to have particular regard to in achieving the purpose of the RMA. Section 7 is shown in Section 3.4 above. Those Section 7 matters of relevance to consideration of this proposal include:
- “(b) The efficient use and development of natural and physical resources”;*  
*“(c) The maintenance and enhancement of amenity values”;* and  
*“(f) Maintenance and enhancement of the quality of the environment”.*
- 10.6 Based on the assessment above, adoption of the Proposed Plan Change - which will substitute the operative objectives, policies and performance standards of the Rural 1 and 2 Zones with those of the Industrial L and H Zones - will likely result in any actual and potential adverse environmental effects as being, for the most part, no more than minor. The exception being that traffic effects have been assessed as more than minor but not significant with the mitigation proposed. Significant positive effects for the economic and social wellbeing of the District will potentially accrue. In this context, significant cumulative adverse effects are therefore assessed as unlikely to arise. The Proposed Plan Change will therefore be **appropriate, effective and efficient** at enabling the Council to continue to carry out its functions under Section 31 of the RMA which include the control of any actual or potential effects of the use and development of land.
- 10.7 With regard to Sections 74(2) and 75 of the RMA, based on the assessment above, the Proposed Plan Change will enable the District Plan to remain consistent with the RPS and will itself be consistent with the Regional Policy Statement and Plans.
- 10.8 Section 6 of the RMA sets out those matters of national importance that are to be recognised and provided for in achieving the purpose of the RMA. Section 6 is shown in Section 3.4 above. Based on the assessment above, it is considered none of the matters in Section 6 are of relevance to this proposal.
- 10.9 Section 8 of the RMA, in summary, requires all persons exercising functions and powers under the RMA to take into account the principles of the Treaty of Waitangi. In this context, the matter of Treaty obligations must be weighed with other matters that are being considered.
- 10.10 Overall, based on the assessment above, the Proposed Plan Change will achieve the purpose and principles of the RMA.
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## 11 Evaluation of Alternative Methods

### 11.1 Overview

11.1.1 Potential alternative methods available to the Council for providing for as well as managing actual and potential environmental effects of future industrial growth in Timaru include:

- Relying on ad hoc privately-initiated plan change requests and resource consent applications;
- To consider the proposed rezoning at the time of the next District Plan review; or
- To pursue the proposed rezoning now (this Proposed Plan Change).

11.1.2 The advantages/benefits and disadvantages/cost of these potential alternative methods, along with their effectiveness and efficiency for addressing the issues of increased pressure for suitable land for industrial development and management of environmental effects of industrial development in appropriate locations and/or zones, are considered in Sections 11.2 to 11.6 below.

### 11.2 Ad Hoc Private Plan Change Requests and Resource Consent Applications

Advantages / Benefits	Disadvantages / Costs	Effectiveness / Efficiency
<ul style="list-style-type: none"> <li>• Represents a “do nothing” or status quo approach for the Council, meaning no initial costs to the Council in planning provision for any potential future industrial growth in Timaru.</li> <li>• Costs of planning provision for any potential future industrial growth in Timaru largely externalised - ie, largely borne by private developers.</li> <li>• In the case of resource consents, no change to the District Plan required.</li> <li>• In the case of private plan changes, only incremental change to the District Plan required, and then only if plan change requests are successful.</li> <li>• Actual or potential effects of any future industrial growth can be assessed and addressed on a case-by-case basis.</li> </ul>	<ul style="list-style-type: none"> <li>• Does not offer a long term solution to the issues of increased pressure for suitable land for industrial development and management of environmental effects of industrial development in appropriate locations and/or zones.</li> <li>• Does not provide an integrated approach to potential future industrial growth, where there is a sufficient amount of appropriately zoned land to provide for any such growth for the foreseeable future, and where it can occur in a manner where its actual and potential effects can be avoided, remedied or mitigated, so that it can be sustainably managed.</li> <li>• The ad hoc approach is a reactive rather than a proactive approach.</li> <li>• In the case of resource consents, may not provide an opportunity for public input if consent applications processed on a non-notified basis. Council response required on an ad hoc basis at potential ad hoc cost to the Council and the community.</li> <li>• Private plan change requests require input from the community and responses by Council on an ad hoc basis at a potential ad hoc cost to the Council and the community.</li> <li>• Potential uncertainty for developers, the Council and community in terms of what might happen,</li> </ul>	<ul style="list-style-type: none"> <li>• Low</li> </ul>

Advantages / Benefits	Disadvantages / Costs	Effectiveness / Efficiency
	where and when. • Inefficient and ineffective administration of RMA and District Plan. • Upgrading and extending infrastructure may create significant servicing problems if potential future demand not taken into account or servicing needs considered on an ad hoc basis only.	

### 11.3 Consider Rezoning During Next District Plan Review

11.3.1 Prior to the Resource Management (Simplifying and Streamlining) Amendment Act 2009 (“RMSSAA”) reviews of district plans were mandatory once every 10 years. As already stated in Section 6 above, the District Plan has been fully operative since 8 March 2005, meaning that the next District Plan review was due in 2015.

11.3.2 With the passing of the RMSSAA, there is no longer a requirement for a mandatory 10-yearly full review of district plans. Under the RMSSAA, provisions in district plans, rather than entire district plans, are subject to plan change or review every 10 years. This new requirement enables Councils to undertake a “rolling” review of sections of their district plans that have not been subject to a plan change or review within the previous 10 years. The new requirement also serves to enable Councils to avoid a full review of their district plans, including sections of district plans, that have been subject to a plan change or review at some stage during the previous 10 years and which therefore may have been operative only for a relatively short time.

11.3.3 Therefore, assuming that the provisions of the Industrial L and H Zones of the District Plan as they relate to the Proposed Plan Change study area have not previously been subject to a plan change or review since 2005, rather than pursuing the proposed rezoning now, the Council could delay considering the proposed rezoning until 2015.

Advantages / Benefits	Disadvantages / Costs	Effectiveness / Efficiency
<ul style="list-style-type: none"> <li>• Costs to the Council in planning provision for any potential future industrial growth in Timaru can be delayed until 2015, allowing an opportunity for the Council to budget for the plan change process.</li> <li>• Costs to the Council of the plan change process are dealt with as part of a wider district plan review process - ie, Council spends time and money on one process.</li> <li>• No immediate change to the District Plan required until time of next scheduled District Plan Review.</li> <li>• Somewhat proactive approach.</li> <li>• Somewhat efficient and effective administration of RMA and District Plan.</li> </ul>	<ul style="list-style-type: none"> <li>• Delays a long term solution to the issues of increased pressure for suitable land for industrial development and management of environmental effects of industrial development in appropriate locations and/or zones.</li> <li>• Delays providing an integrated approach to potential future industrial growth, where there is a sufficient amount of appropriately zoned land to provide for any such growth for the foreseeable future, and where it can occur in a manner where its actual and potential effects can be avoided, remedied or mitigated, so that it can be sustainably managed.</li> <li>• Delays implementation of what would otherwise be a proactive approach.</li> <li>• Delays formal input from community when the</li> </ul>	<ul style="list-style-type: none"> <li>• Medium / Low</li> </ul>

Advantages / Benefits	Disadvantages / Costs	Effectiveness / Efficiency
<ul style="list-style-type: none"> <li>Some certainty for developers, the Council and community in terms of District Plan direction.</li> </ul>	<ul style="list-style-type: none"> <li>community is already aware of intention to propose rezoning.</li> <li>Some continued uncertainty for developers, the Council and community in terms of whether/when any change to the District Plan will eventually occur.</li> <li>Following loss of significant proportion of Fonterra business to Port of Timaru, risk of further business/industrial relocation out of Timaru because of a lack of sufficient suitable Industrial zoned land in an appropriate location.</li> </ul>	

#### 11.4 Rezone Now (this Proposed Plan Change)

Advantages / Benefits	Disadvantages / Costs	Effectiveness / Efficiency
<ul style="list-style-type: none"> <li>Offers a potential long term solution now to the issues of increased pressure for suitable land for industrial development and management of environmental effects of industrial development in appropriate locations and/or zones.</li> <li>Offers an integrated approach now to potential future industrial growth, where there is a sufficient amount of appropriately zoned land to provide for any such growth for the foreseeable future, and where it can occur in a manner where its actual and potential effects can be avoided, remedied or mitigated, so that it can be sustainably managed.</li> <li>A proactive rather than reactive approach.</li> <li>Industrial L and H Zone provisions have already been subject to scrutiny by the community and Council.</li> <li>The opportunity for the adjoining community to have input on the proposed rezoning is guaranteed under the RMA which provides opportunity for the public to lodge submissions, further submissions, speak in support of their submission or further submission at a public Hearing, and appeal to the Environment Court.</li> <li>Provides certainty for developers, the Council and community in terms of District Plan direction.</li> <li>Efficient and effective administration of RMA and District Plan.</li> <li>May offset risk of further business/industrial relocation out of Timaru if greater supply of suitable industrial land seen as potentially available in near term.</li> <li>Potential to generate significant economic and social wellbeing for the people and</li> </ul>	<ul style="list-style-type: none"> <li>Cost to Council of the proposed plan change process.</li> <li>Cost to community of participation in the proposed plan change process.</li> </ul>	<ul style="list-style-type: none"> <li>High</li> </ul>

Advantages / Benefits	Disadvantages / Costs	Effectiveness / Efficiency
communities of Timaru District for the reasonably foreseeable future.		

## 11.5 Summary - Alternative Methods

11.5.1 On balance, pursuing the proposed rezoning now through this Proposed Plan Change is considered the most efficient and effective resource management method, for the reasons outlined above.

## 11.6 Risk of Acting or Not Acting

11.6.1 Under Section 32 of the RMA, consideration has to be given to the potential risks associated with acting or not acting if there is uncertainty or insufficient information. In the context of the above, not acting means retaining the current situation whereas acting means adopting the most efficient and effective method.

11.6.2 Should the “do nothing” approach be adopted, a potential outcome may be that land is slowly developed on an ad hoc basis in an unknown format and in an uncoordinated way as individual resource consents or privately-initiated plan changes are sought. If these are not forthcoming, business may relocate out of Timaru or locate elsewhere in the District in potentially less suitable or inappropriate locations.

11.6.3 Should the “do nothing” approach be adopted, actual and potential adverse effects on the environment could be significant, particularly if an integrated approach is not taken to providing for potential future industrial growth and the management of its actual and potential environmental effects. Upgrading and extending infrastructure may create significant servicing problems if potential future demand is not taken into account or servicing needs are considered on an ad hoc basis only.

11.6.4 Implementing the Proposed Plan Change offers a potential long term solution now to the issues of increased pressure for suitable land for industrial development and management of environmental effects of industrial development in appropriate locations and/or zones. The Proposed Plan Change offers an integrated approach now to providing for potential future industrial growth, where there is a sufficient amount of appropriately zoned land to provide for any such growth for the foreseeable future, and where it can occur in a manner where its actual and potential effects can be avoided, remedied or mitigated, so that it can be sustainably managed and the potential economic and social benefits for the people and communities of Timaru District for the reasonably foreseeable future can be maximised.

11.6.5 It is considered there is sufficient information available to demonstrate that development of the site can occur in a manner that avoids, remedies or mitigates actual and potential adverse effects on the environment, particularly since the provisions of the Industrial L and H Zones have already been subject to scrutiny by the community and are already

operative, including on parts of, and on land adjacent to, the Proposed Plan Change study area.

## 12 Summary and Conclusion

- 12.1 The Council wishes to take an integrated approach to potential future industrial growth, where there is a sufficient amount of appropriately zoned land to provide for any such growth for the foreseeable future, and where it can occur in a manner where its actual and potential effects can be avoided, remedied or mitigated, so that it can be sustainably managed. The Council considers that the Washdyke area generally east of State Highway 1 and south of Aorangi Road best satisfies the key factors that have been identified as critical in determining the most appropriate location for new industrial activity. Furthermore, the proposed rezoning has the potential to generate significant economic and social wellbeing for the people and communities of Timaru District for the reasonably foreseeable future.
- 12.2 Accordingly, the Council proposes to change the District Plan by rezoning approximately 73ha of land generally located east of State Highway 1 and south of Aorangi Road at Washdyke, Timaru, from Rural 1, Rural 2 and Recreation 2 Zones to Industrial L and Industrial H Zones.
- 12.3 No new objectives or policies are proposed in the Proposed Plan Change. However, new methods for the Industrial L and H Zones are proposed. It is proposed to substitute the operative objectives, policies and performance standards of the Rural 1 and 2 Zones with those of the Industrial L and H Zones. The area currently zoned Recreation 2 is privately owned by the operator of an Industrial L-type business and is no longer able to be utilised for public recreation purposes. It is therefore proposed to apply the Industrial L Zone to the Recreation 2 zoned land.
- 12.4 An evaluation has been undertaken that:
- Explains the background to and the need for the Proposed Plan Change;
  - Evaluates the appropriateness, effectiveness and efficiency of substituting the operative objectives, policies and performance standards of the Rural 1 and 2 Zones with those of the Industrial L and H Zones;
  - Evaluates the consistency of the Proposed Plan Change with relevant regional objectives and policies;
  - Discusses how the Proposed Plan Change satisfies those parts of Part 2 of the RMA that are relevant to the Proposed Plan Change; and
  - Assesses the benefits/advantages and costs/disadvantages of alternative methods to the Proposed Plan Change.

- 12.5 Based on the assessment above, adoption of the Proposed Plan Change will likely result in any actual and potential adverse environmental effects as being, for the most part, no more than minor. The exception being that traffic effects have been assessed as more than minor but not significant with the mitigation proposed. Significant positive effects for the economic and social wellbeing of the District will potentially accrue. In this context, significant cumulative adverse effects are therefore unlikely to arise. The Proposed Plan Change will therefore be **appropriate, effective** and **efficient** at enabling the Council to continue to carry out its functions under Section 31 of the RMA which include the control of any actual or potential effects of the use and development of land.
- 12.6 With regard to Sections 74(2) and 75 of the RMA, based on the assessment above, the Proposed Plan Change will enable the District Plan to remain consistent with the RPS and will itself be consistent with the Regional Policy Statement and Plans.
- 12.7 The advantages/benefits of the Proposed Plan Change outweigh any disadvantages/costs, as well as the advantages/benefits of other potential alternative methods or approaches to the Proposed Plan Change.
- 12.8 Overall, based on the assessment above, the Proposed Plan Change will achieve the purpose and principles of the RMA.