

TIMARU



DISTRICT COUNCIL
Te Kaunihera ā-Rohe
o Te Tihi o Maru



YOUR PLAN OUR FUTURE
TIMARU DISTRICT PLAN REVIEW

Development Area S.32

May 2022



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TIMARU DISTRICT PLAN REVIEW
LAND USE PLAN

TIMARU DISTRICT COUNCIL
Section 32 Report
Development Areas Chapter

May 2022

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1 Introduction

The purpose of this report is to ascertain what the most appropriate planning mechanism is to guide greenfield development. The Proposed District Plan identifies greenfield land for future development, the planning approach to such development is crucial to achieving sustainable and pragmatic urban growth that efficiently uses the land resource.

If not managed correctly, such development has the potential to result in unsustainable and inefficient sprawl.

Four of the greenfield areas (developed to differing degrees) considered in this section 32 report are existing in the Operative Plan as Outline Development Plans (ODP) or similar. This report evaluates whether the proposed Development Area Overlay is the most effective way to integrate the existing ODPs areas into the Proposed District Plan.

It is proposed, the Development Area Overlay will provide a framework to guide the outcomes for larger greenfield areas, rather than relying solely on the underlying zone and subdivision provisions.

Under the National Planning Standards 2019¹, 'a development area spatially identifies and manages areas where plans such as concept plans, structure plans, outline development plans, master plans or growth area plans apply to determine future land use or development. When the associated development is complete, the development areas spatial layer is generally removed from the plan either through a trigger in the development area provisions or at a later plan change'.

This report outlines the Strategic Directions of the Proposed District Plan that are relevant to the greenfield areas, identifies the problem of managing large greenfield areas in the Proposed District Plan (or the options for how best to manage large greenfield areas), sets out the statutory planning context, and the approach to the evaluation processes, including options and a recommendation.

This Section 32 report addresses whether including a Development Areas chapter in the Proposed District Plan is appropriate. It relies on a broad evaluation of objectives, rather than assessing the specific contents of the Development Area chapter(s). The evaluation reports (Section 32s) of the proposed underlying zoning(s) of the Development Areas also provide useful context for this report.

1.2 Introduction to the resource management issue

The following evaluation assists in identifying the most appropriate way to address the key issue that the uncontrolled development of greenfield land is likely to result in unsustainable, inefficient, and unconnected urban development.

It is important that the chosen mechanism provides District Plan users with a clear understanding of how development of greenfield land can proceed and that it dovetails with other relevant provisions in the Proposed District Plan.

This report therefore seeks to determine the most appropriate planning mechanism for managing the development of greenfield land.

¹ Ministry for the Environment. November 2019. National Planning Standards. Wellington: Ministry for the Environment.

1.3 Statutory and Regulatory Context

3.1 Resource Management Act

RMA – Section 5 – Purpose

Section 5 lists the purpose of the RMA.

- (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 well-being and for their health and safety while—*
 - (a) *sustaining the potential of natural and physical resources (excluding minerals) to meet the reasonably foreseeable needs of future generations; and*
 - (b) *safeguarding the life-supporting capacity of air, water, soil, and ecosystems; and*
 - (c) *avoiding, remedying, or mitigating any adverse effects of activities on the environment.*

The management of greenfield development shall give effect to s5 of the RMA. Greenfield development has the potential to adversely affect natural and physical resources. Such development shall promote sustainable management whilst addressing those matters outlined in s5(2)(a) – (c) of the RMA.

RMA – Section 6 – Matters of National Importance

Section 6 lists the matters of national importance that must be recognised and provided for.

- (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 Māori 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 protected customary rights:*
- (h) *the management of significant risks from natural hazards.*

Depending on the location, matters of national importance that are relevant to greenfield development relate to s6(a) being the preservation of the natural character of the coastal environment, s6(b) being significant indigenous vegetation, s6(e) being the relationship of Māori and their culture and traditions with their ancestral lands, water, sites, waahi tapu, and other taonga, s6(f) being the protection of historic heritage as well as s6(h) being the management of significant risks from natural hazards.

RMA – Section 7 – Other matters

Section 7 lists matters to which persons exercising functions and powers under the RMA are to have regard to. The relevance of s7 matters is summarised below:

- Section 7(a) and (aa). This section requires Kaitiakitanga and the ethic of stewardship in relation to the district's land resource are to be reflected in the development of greenfield land.
- Section 7(b) and (ba). This section requires greenfield development to provide for the efficient use and development of land resources, and efficient use of energy.
- Section 7(c) and (f). This section requires greenfield development to maintain and enhance amenity values and the quality of the environment.
- Section 7(d), (g) and (i) recognises that development must have regard to the intrinsic values of the ecosystem, any finite characteristics of natural and physical resources and the effects of climate change.

RMA – Section 8 – Treaty of Waitangi

Section 8 of the RMA requires the principles of the Treaty of Waitangi to be considered. These include the partnership, active protection, and redress. However, all principles are formed not only through literal terms, but cultural meanings of the words, influences, contemporary explanations, and legal interpretations. Whilst there are only three principles, these are used to represent and interpret the treaty.

Ultimately, the principles seek to ensure areas of value and interest to Ngāi Tahu are protected from inappropriate development. Throughout the process, the partnership and consultation are paramount.

RMA – Section 31 - Functions of territorial authorities

Section 31(1) of the RMA lists territorial authority functions under the RMA, which include the following, relevant to the Development Area topic:

- (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:*
 - (aa) *the establishment, implementation, and review of objectives, policies, and methods to ensure that there is sufficient development capacity in respect of housing and business land to meet the expected demands of the district:*
More specifically in relation to contaminated land, the following specific function is included:
- (b) *the control of any actual or potential effects of the use, development, or protection of land, including for the purpose of-*
 - (ia) *the prevention or mitigation of any adverse effects of the development, subdivision, or use of contaminated land:*

The above matters relate directly to the territorial authority, in this case Council, regarding their function and requirement to address s31(a) and (aa) of the RMA. Likewise, greenfield development is undertaken on land that has historically been used for alternative purposes such as rural production. Therefore contaminated land matters shall be considered under s31(b)(ia) of the RMA.

3.2 Relevant statutory and regulatory documents and provisions

The table below sets out all the relevant regulatory documents that must be considered as part of this section 32 assessment.

District Plan must give effect to:	
Document	Relevance
National Planning Standards 2019 (NPS 2019)	<p>The purpose of the NPS 2019 is to improve consistency in plan and policy statement structure, format and content.</p> <p>Development Areas are discussed under Chapter 12 District Spatial Layers Standards of the NPS 2019.</p>
National Policy Statement on Urban Development 2020 (NPS-UD 2020)	<p>The NPS-UD 2020 provides direction on planning for urban environments, to ensure that development of residential and business land is sufficient to meet demand. The following provisions are particularly relevant to the development of the greenfield areas in the district:</p> <p><i>Objective 1: New Zealand has well-functioning urban environments that enable all people and communities to provide for their social, economic, and cultural wellbeing, and for their health and safety, now and into the future.</i></p> <p><i>Objective 3: Regional policy statements and district plans enable more people to live in, and more businesses and community services to be located in, areas of an urban environment in which one or more of the following apply:</i></p> <ul style="list-style-type: none"> <i>a) the area is in or near a centre zone or other area with many employments' opportunities</i> <i>b) the area is well-serviced by existing or planned public transport</i> <i>c) there is high demand for housing or for business land in the area, relative to other areas within the urban environment.</i> <p><i>Objective 4: New Zealand's urban environments, including their amenity values, develop and change over time in response to the diverse and changing needs of people, communities, and future generations.</i></p> <p><i>Objective 5: Planning decisions relating to urban environments, and FDSs, take into account the principles of the Treaty of Waitangi (Te Tiriti o Waitangi).</i></p> <p><i>Objective 6: Local authority decisions on urban development that affect urban environments are:</i></p> <ul style="list-style-type: none"> <i>a) integrated with infrastructure planning and funding decisions; and</i> <i>b) strategic over the medium term and long term; and</i> <i>c) responsive, particularly in relation to proposals that would supply significant development capacity.</i>
National Policy Statement for Freshwater Management 2020 (NPS-FM 2020)	<p>The NPS-FM 2020 applies to all freshwater (including groundwater) and, to the extent they are affected by freshwater, to receiving environments (which may include estuaries and the wider coastal marine area). The following provisions are particularly relevant to the development of the greenfield areas in the district:</p> <p>The sole objective of the NPS-FM 2020 is to ...ensure that natural and physical resources are managed in a way that prioritises:</p> <ul style="list-style-type: none"> <i>(a) first, the health and well-being of water bodies and freshwater ecosystems</i> <i>(b) second, the health needs of people (such as drinking water)</i> <i>(c) third, the ability of people and communities to provide for their social, economic, and cultural well-being, now and in the future.</i> <p>Policies of relevance to the development of greenfield land include:</p>

	<p>Policy 1: <i>Freshwater is managed in a way that gives effect to Te Mana o te Wai.</i></p> <p>Policy 3: <i>Freshwater is managed in an integrated way that considers the effects of the use and development of land on a whole-of-catchment basis, including the effects on receiving environments.</i></p>
<p>National Policy Statement on Electricity Transmission 2008 (NPS-ET 2008)</p>	<p>Th NPS-ET 2008 seeks to facilitate the operation, maintenance and upgrade of the existing transmission network, and the establishment of new transmission resources. The following provisions are particularly relevant to the development of the greenfield areas in the district:</p> <p>Objective: <i>To recognise the national significance of the electricity transmission network by facilitating the operation, maintenance and upgrade of the existing transmission network and the establishment of new transmission resources to meet the needs of present and future generations, while:</i></p> <ul style="list-style-type: none"> • <i>managing the adverse environmental effects of the network; and</i> • <i>managing the adverse effects of other activities on the network.</i> <p>Policy 10: <i>In achieving the purpose of the Act, decision-makers must, to the extent reasonably possible, manage activities to avoid reverse sensitivity effects on the electricity transmission network and to ensure that operation, maintenance, upgrading, and development of the electricity transmission network is not compromised.</i></p> <p>Policy 11: <i>Local authorities must consult with the operator of the national grid, to identify an appropriate buffer corridor within which it can be expected that sensitive activities will generally not be provided for in plans and/or given resource consent. To assist local authorities to identify these corridors, they may request the operator of the national grid to provide local authorities with its medium to long-term plans for the alteration or upgrading of each affected section of the national grid (to facilitate the long-term strategic planning of the grid).</i></p>
<p>New Zealand Coastal Policy Statement 2010 (NZCPS 2010)</p>	<p>The NZCPS recognises the coastal environment’s unique characteristics and issues and seeks to protect its natural character. The following provisions are particularly relevant to the development of the greenfield areas in the district:</p> <p>Objective 2: <i>To preserve the natural character of the coastal environment and protect natural features and landscape values through...identifying those areas where various forms of subdivision, use, and development would be inappropriate and protecting them from such activities...</i></p> <p>Objective 3: <i>To take account of the principles of the Treaty of Waitangi, recognise the role of tangata whenua as kaitiaki and provide for tangata whenua involvement in management of the coastal environment...</i></p> <p>Objective 5: <i>To ensure that coastal hazard risks taking account of climate change, are managed by...locating new development away from areas prone to such risks...</i></p> <p>Objective 6: <i>To enable people and communities to provide for their social, economic, and cultural wellbeing and their health and safety, through subdivision, use, and development...</i></p>

Canterbury Regional
Policy Statement 2013
(July 2021) (CRPS 2013)

The following provisions of the CRPS 2013 are particularly relevant to the development of the greenfield areas in the district:

Objectives 5.2.1 and 5.2.2 and Policies 5.3.1 – 5.3.12, but of relevance in Chapter 5 is Policy 5.3.3: Management of development (Wider Region), which states:

To ensure that substantial developments are designed and built to be of a high-quality, and are robust and resilient:

- 1. through promoting, where appropriate, a diversity of residential, employment and recreational choices, for individuals and communities associated with the substantial development; and*
- 2. where amenity values, the quality of the environment, and the character of an area are maintained, or appropriately enhanced.*

Policy 5.3.3.2 is inconsistent with the NPS-UD 2020, specifically Objective 4 states: *New Zealand's urban environments, including their amenity values, develop and change over time in response to the diverse and changing needs of people, communities, and future generations.* Accordingly, Policy 5.3.3.2 is not considered relevant to this assessment.

Policy 5.3.3 - Method 3:

Set out objectives and policies, and may include methods in district plans which, where relevant:

- a. establishes a comprehensive approach for the management of urban and rural-residential development.*
- b. ensures demonstration of accordance with this Policy for any substantial development through either:*
 - i. including an outline development plan within the district plan; or otherwise*
 - ii. specific provisions within the district plan to consider any substantial development, such as by way of the consideration of a concept plan; including by requiring applicants to provide for an outline or concept plan to be lodged at time of application.*

Other provisions, in addition to Chapter 5, that are also relevant include:

- Objective 7.2.1, Policies 7.3.1, 7.3.4 and 7.3.6
- Objectives 8.2.1 -8.2.4, Policies 8.3.1, 8.3.4, 8.3.5 and 8.3.6
- Objectives 9.2.1 and 9.2.2, policy 9.3.1
- Objective 10.2.1, Policy 10.3.1, 10.3.2, 10.3.3 and 10.3.5
- Objective 11.2.1, Policy 11.3.1, 11.2.3, Policy 11.3.1, 11.3.2, 11.3.3 and 11.3.5
- Objective 12.2.1, Policy 12.3.2 and 12.3.3
- Objective 13.2.1 and 13.2.2, Policies 13.3.1 and 13.3.3.

District Plan must not duplicate or conflict with:

Document	Relevance
National Environmental Standards for Assessing and Managing Contaminants in Soil to Protect Human Health 2011 (NES-CS 2011)	The NES-CS 2011 is a nationally consistent set of planning controls and soil contaminant values. The NES-CS 2011 ensures that land affected by soil contaminants is appropriately identified and assessed before it is developed. The District Plan must not contain rules that duplicate or conflict with the NES-CS 2011, but it is noted that the NES-CS 2011 does not include objectives and policies to guide Council's decision making under the NESCS.

District Plan must not be inconsistent with:

Document	Relevance
Canterbury Land and Water Regional Plan (CLWRP)	The CLWRP contains objectives, policies and rules that manage land and water within the region. Of relevance are the provisions that manage contaminated land and stormwater discharge. There are no provisions considered as part of this assessment that are inconsistent with the CLWRP.
Regional Coastal Environmental Plan (CRCEP)	The RCEP contains objectives, policies and rules that manage the coastal marine area and areas immediately landward. There are no provisions considered as part of this assessment that are inconsistent with the CLWRP.

District Plan must take into account:

Document	Relevance
Iwi Management Plan of Kāti Huirapa 1992 (IMP)	This is the Iwi Management Plan of Kāti Huirapa, which are the mana whenua over the Timaru District. It contains several policies that mainly relate to the protection of the waterways, mahika kai and the natural environment. These matters are addressed through the regional plan or the district wide chapter and none are specifically relevant to the Development Areas chapter.

District Plan must have regard to:

Document	Relevance
Growth Management Strategy (GMS) ²	The GMS sets out the long-term strategic approach to managing land use growth in the Timaru District. It includes 12 Strategic Directions outlining what the district would look like in 2045 if the GMS were achieved, of relevance: <ul style="list-style-type: none">• Strategic direction 1 - District Character• Strategic Direction 2 - Landscapes and Amenity• Strategic direction 3 - Settlement Patterns and Urban Form• Strategic Direction 4 - Building Resilient Communities• Strategic Direction 5 – Takata Whenua

² <https://www.timaru.govt.nz/services/planning/district-plan/district-plan-review/growth-management-strategy>

	<ul style="list-style-type: none"> • Strategic Direction 7 - Transport • Strategic Direction 8 - Infrastructure • Strategic Direction 9 - Rural • Strategic Direction 10 - Residential <p>The GMS identifies several areas suitable for new development or intensification. However, the areas that are the subject of this report are already zoned by the Operative Timaru District Plan.</p>
Long Term Plan 2021-31 (LTP)	<p>The LTP sets out the Council’s strategic direction, including a vision, community outcomes and strategic priorities. The Vision for the district is: <i>‘Where people, place and business prosper within a healthy, adaptable and regenerative environment’</i>. includes a ‘thriving and innovative economy where opportunities abound’.</p> <ul style="list-style-type: none"> • The community wellbeing outcomes include <i>Connected Citizens</i> • <i>Enhanced Lifestyle</i> • <i>Sustainable Environment</i> • <i>Diverse Economy</i> • <i>Resilient Infrastructure</i>

Summary

The primary objective of the NPS-UD 2020 is that New Zealand has well-functioning urban environments. The subsequent objectives identify the characteristics of a well-functioning urban environment, including affordability, connectivity and responsive. The CRPS (specifically the methods associated with Policy 5.3.3) directs that structure planning is an appropriate tool for achieving comprehensive outcomes for substantial development.

The NPS 2019 directs that a Development Area Overlay is the most appropriate planning mechanism ‘where plans such as concept plans, structure plans, outline development plans, master plans or growth area plans apply to determine future land use or development’. There is no other suitable spatial layer identified in the NPS 2019 that could be used to roll over the existing ODPs into the Proposed District Plan.

4 Issue Analysis

4.1 Background

The Operative District Plan includes four areas that are currently being developed in accordance with ODPs; three of these are residential and one industrial. The expectation is that they will continue to be developed in general accordance with the Operative District Plan’s Outline Development Plan.

It is also important to note, that since the Draft District Plan was released for consultation in 2020, a Future Development Chapter has been developed and included in the Proposed District Plan. The Future Development Chapter is more future growth focussed than this Development Areas chapter, which is focused on areas which have previously been included in the Operative District Plan and already have a framework in place for their development. A separate Future Development Areas Chapter and associated S.32 should be read in conjunction with the Development Areas.

4.2 District Plan comparison

By way of comparison, the approach taken in other district plans to these issues is set out below:

Plan	Local Authority	Description of Approach
Proposed New Plymouth District Plan 2019	New Plymouth District Council	Five Structure Plan Development Areas are contained under a separate chapter under Part 3: 'Area Specific Matters'. All development areas contain same Objectives, which relate to development being in accordance with the structural plan, infrastructure, and activities within and adjacent to the development area.
Proposed Selwyn District Plan 2020	Selwyn District Council	Eight urban settlements are identified. A total of 28 Development Plans are contained under a separate chapter under Part 3: 'Area Specific Matters'. Each development area will include an Outline Development Plan. An external chapter under Part 2: 'District Wide Matters' contains Strategic Directions and in particular, Urban Form and Development. This chapter outlines three Objectives that guide development within the Development Areas. These objectives address the following: Compact and sustainable township network. Urban growth and development. Integration of land use and infrastructure. The Selwyn District Council sought to integrate existing Overlays relating to development (i.e., outline development plans) into the Proposed District Plan.
Ashburton District Plan (Operative since August 2014)	Ashburton District Council	The Ashburton District Plan became operative in 2014 and was prepared prior to the National Planning Standards being implemented. In this case, Outline Development Plans are found within the Appendices of the Residential and Business Zones and have objectives and policies built into the respective zoning chapters. Because it doesn't comply with the National Planning Standards 2019, it is not an option to bring this format forward.

4.3 Community / Stakeholder / Iwi Engagement

No specific consultation was undertaken on the most appropriate way to integrate the existing ODPs into the Proposed District Plan.

However, in October 2020, Timaru District Council released a Draft District Plan for public consultation.

Feedback was received on the proposed Development Area provisions. This feedback can be summarised as follows:

- The DDP does not include any additional industrial zoned land, despite detailed analysis and market indicators that there is a clear shortage of available land, which will be exacerbated in the future. A new industrial land park at Washdyke is sort.
- There is also a need for more residentially zoned land.
- Higher residential densities in Development Areas are sought.

- In the absence of detail on the Development Areas, it was suggested by Kāinga Ora that the Council consider using a 'Future Urban Zone' rather than a type of precinct or overlay. Such areas would then go through a plan change process when the area is ready to be redeveloped.
- The Plan should provide specific objectives, policies and rules for managing the areas, including those which are directive about managing the rural urban interface.
- Development Areas 4 and 5 are placed in some of Timaru's most expensive areas, the future sections will be very expensive thus doing nothing to provide for growth or affordable housing.
- Dev 2 is running out of space, there needs to be a new residential area to replace this Dev Area. The Plan should provide suitable, lower value sections. They should not be rural residential in size.
- Brough's Gully is too steep and with too many owners involved to be developed in a hurry.
- Dev 6 should rezone Residential.
- Dev 3 could be expanded. There are not many landowners and there are disused Council water tanks which could provide water supply.
- Dev 8 should be rezoned Residential.

This feedback and other feedback regarding rezoning has been considered as part of the Council's review of Development Areas and Future Development Areas, as included in the Proposed District Plan.

4.4 Operative District Plan provisions

The existing Outline Development Plans (ODPs) from the Operative District Plan are currently integrated into the relevant zone chapters (three into the Residential Zone chapter and one into the Industrial Zone chapter).

Each ODP has its own objectives and policies and may or may not have additional rules (that apply over and above the zone rules). The existing ODPs are:

- Broughs Gully Outline Development Plan
- Gleniti Indicative Development Plan
- Washdyke Industrial Expansion Area Outline Development Plan
- Temuka Northwest Residential Expansion Outline Development Plan

The specific policy and rule frameworks applying to each of the existing ODPs are contained in Appendix 1 to this report.

4.5 Summary of issue analysis

The analysis set out above shows that the greenfield development provisions require amendment so they: reflect the District Plan Spatial Layers Standards prescribed by the National Planning Standards (specifically the Development Area Overlay); and to achieve better integration with the drafting of district-wide chapters which also apply to greenfield development areas.

5 Scale and Significance

The table below sets out the scale and significance of using Development Areas in the District in terms of Council's statutory obligations, who may be affected by any proposed changes to the management regime, the type of effects that may occur and where in the district is mostly likely to be affected by the proposed changes to the District Plan. This will inform the nature and extent of the analysis of using Development Areas. It is acknowledged that all the four Development Areas proposed are existing as overlay areas in the Operative District Plan.

<p>Issues:</p> <ul style="list-style-type: none"> • The National Planning Standards implemented in 2019 requires consistency in terms of District Plan components which in this instance, relate to 'Development Area' spatial layers. Development Area Plan provisions shall be located within Development Area Plan Chapter. • In the absence of a Development Area Plan Overlay, ad hoc urban growth including subdivision, land use and development activities may compromise the sustainable and efficient use of greenfield sites. • The existing ODPs are located within the zone rules and once given effect, a Schedule 1 process must be carried out to remove the ODPs are related provisions. 		
Reasons for change in policy	The District Plan Review enables the Council to give effect to the NPS 2019.	Low
Relevant Statutory Considerations / Drivers	The CRPS requires DAPs or the management of substantial new development.	Medium
Degree of shift from status quo required	The fundamental approach to identifying greenfield land and managing urban development is not changed. The approach introduces some new controls and more direct policy guidance and assessment criteria for proposals within the proposed overlay.	Low
Who and how many will be affected?	Landowners within and adjoining the DAPs. Developers looking to develop land in the DAPs.	Low
Degree of impact on, or interest from iwi / Maori	Most DAPs are not a site of significance to Māori.	Low
When will affects occur?	Given the land is currently subject to existing ODPs and related provisions, the effects of implementing an alternative approach are minimal.	Low
Geographic scale of impacts / issue	Mainly limited to land within and adjoining DAP areas.	Low
Type of effect(s)	The effects of controlling the development of greenfield land are positive as it ensures that the use of land is sustainable and efficient.	Low
Degree of policy risk, implementation risk, or uncertainty	The use of the Development Area Overlay is consistent with the NPS-2019.	Low
Overall Assessment of Scale and Significance		Low

6 Evaluation of Proposed Objectives

6.1 Approach to Evaluation

Section 32(1)(b) requires an evaluation of whether the provisions are the most appropriate way to achieve the objectives by identifying other reasonably practicable options, assessing the efficiency and effectiveness of the provisions in achieving the objectives, and summarising the reasons for deciding on the provisions.

The assessment must identify and assess the benefits and costs of environmental, economic, social, and cultural effects that are anticipated from the implementation of the provisions, including opportunities for economic growth and employment. The assessment must, if practicable, quantify the benefits and costs and assess the risk of acting or not acting if there is uncertain or insufficient information available about the subject matter. This topic is of a low scale and significance that does not justify an economic evaluation.

6.2 Strategic Directions

The following strategic directions of the Proposed Plan are relevant to greenfield development:

SD-O1 Residential Areas and Activities

- i. There is sufficient residential development capacity in existing and proposed urban areas to meet demand and household choice, provided through:
 - a. the use of existing zoned greenfield areas;
 - b. a range of densities in existing urban areas; and
 - c. higher residential densities near the Timaru and Geraldine town centres, and Highfield Village Mall;
 - d. the new General Residential Zoned areas.
- ii. limited rural residential development opportunities are provided where they concentrate and are attached to existing urban areas, achieve a coordinated pattern of development and are capable of efficiently connecting to reticulated sewer and water infrastructure; and
- iii. limited residential opportunities are maintained in existing rural settlements, subject to adequate servicing.

SD-O2 The Natural and Historic Environment

The district's natural and historic environment is managed so that:

- i. the health and wellbeing of the community are recognised as being linked to the natural environment;
- ii. an integrated management approach is adopted that recognises that all parts of the environment are interdependent;
- iii. the natural character of the coastal environment, wetlands and waterbodies is preserved and protected from inappropriate subdivision, use, and development;
- iv. important landscapes and features are protected from inappropriate subdivision, use, and development;
- v. significant indigenous vegetation and significant habitats of indigenous fauna are identified and their values recognised, protected and where appropriate, enhanced;
- vi. the life-supporting capacity of ecosystems and resources is safeguarded for future generations;
- vii. the important contribution of historic heritage to the district's character and identity is recognised, and significant heritage and its values are protected from inappropriate subdivision, use, and development.

SD-O3 Climate Change

The effects of climate change are recognised, and an integrated management approach is adopted, including through:

- i. taking climate change into account in natural hazards management;
- ii. enabling the community to adapt to climate change; and
- iii. encouraging efficiency in urban form and settlement patterns.

SD-O4 Natural Hazards

Natural hazards risks are addressed so that:

- i. areas subject to natural hazards and risk are identified;
- ii. development is avoided in areas where the risks of natural hazards to people, property and infrastructure are assessed as being unacceptable; and
- iii. for other areas, natural hazards risks are appropriately mitigated.

SD-O5 Mana Whenua

The mana whenua status of Kāti Huirapa is recognised and their historic and contemporary relationship with the district's land, water bodies and wetlands, coastal environment, and indigenous species is recognised and provided for by ensuring:

- i. mahika kai resources and habitats of indigenous species are sustained and opportunities for their enhancement or restoration are encouraged;
- ii. the health of water body and wetland environments is protected from adverse effects of land use and development;
- iii. the values of identified sites and areas of significance to Kāti Huirapa are recognised and protected;
- iv. Kāti Huirapa retains, and where appropriate can enhance access to their sites and areas of significance;
- v. Māori reserve lands can be used by Kāti Huirapa for their intended purposes;
- vi. Kāti Huirapa can carry out customary activities in accordance with tikanga;
- vii. Kāti Huirapa are actively involved in decision making that affects their values and interests in these matters and can exercise their kaitiakitaka responsibilities.

SD-O6 Business Areas and Activities

Natural hazards risks are addressed so that:

- i. areas subject to natural hazards and risk are identified;
- ii. development is avoided in areas where the risks of natural hazards to people, property and infrastructure are assessed as being unacceptable; and
- iii. for other areas, natural hazards risks are appropriately mitigated.

SD-O7 Centres

Natural hazards risks are addressed so that:

- i. areas subject to natural hazards and risk are identified;
- ii. development is avoided in areas where the risks of natural hazards to people, property and infrastructure are assessed as being unacceptable; and
- iii. for other areas, natural hazards risks are appropriately mitigated.

SD-O8 Infrastructure

Across the District:

- i. improved accessibility and multimodal connectivity are provided through a safe and efficient transportation network that can adapt to technological changes;
- ii. the provision of new network infrastructure is integrated and co-ordinated with the nature, timing, and sequencing of new development; and
- iii. the benefits of regionally significant infrastructure are recognised, and its safe, efficient, and effective operation, maintenance, renewal, and upgrading is enabled while managing adverse effects appropriately.

SD-O9 Rural Areas

- i. A range of primarily rural productive opportunities are enabled in the rural environment to recognise and sustain the significant contribution the rural economy makes to the district, protect versatile soils and avoid the establishment of new incompatible sensitive activities; and
- ii. the character, qualities and amenity values of rural areas are identified and maintained.

SD-O10 Community and Open Space

A range of recreational, social and community facilities and open spaces that meet the long-term needs of the community are enabled, including:

- i. the provision of public access to and along the coastal marine area and margins of identified rivers; and
- ii. the provision of a network of facilities and open spaces to support densification and new growth areas, including co-location.

The strategic directions outlined above are relevant when considering the development of greenfield land. To align with the strategic directions, residential and commercial development shall be comprehensive, including the provision of public open spaces (Objectives SD-01, SD-06, SD-07 and SD-10). When planning and implementing development, SD-08 seeks to integrate proposed development with infrastructure.

The coordination of greenfield development will be undertaken in a way that manages the risk of climate change (SD-03); reduces the risk of damage to people or property from natural hazards (SD-04); avoids adverse effects on mana whenua values (SD-05) and the natural and heritage landscapes (SD-02).

Rural character and amenity (SD-03) can change significantly because of greenfield development which can also result in the loss of productive land and ancillary activities (SD-09).

6.3 Evaluation of Objective

This report concentrates specifically on whether the Development Area Overlay planning mechanism is the most appropriate way to provide for growth in larger greenfield areas, rather than on the specifics of the provisions that will be used to manage greenfield development. As mentioned previously, there is another PDP Chapter that specifically covers Future Development Areas. The Future Development Areas being areas to accommodate future growth that have not previously been signalled in the Operative District Plan.

Despite each existing ODP having its own specific objective (a practice that will likely continue for future greenfield development areas), the broader outcome (or objective) for each development area is to achieve

comprehensive, integrated, and sustainable development. A s32(1)(a) evaluation of this broad objective is set out below. The assumption is that the operative objectives for each of the existing ODPs is rolled over and that any future objectives for new urban development areas generally meets this broad objective.

Category	Criteria	Comments
Relevance	Directed to addressing a resource management issue	The broad objective is a concise and effective means of addressing the primary resource management issue identified within this S. 32 report by ensuring that the development larger greenfield areas is controlled and focuses on sustainable outcomes and the efficient use of land.
	Focused on achieving the purpose of the Act	Controlling greenfield development will avoid the unsustainable and inefficient development of land, thereby ensuring the sustainable management of natural and physical resources and enabling people and communities to provide for their social, economic, and cultural wellbeing.
	Assists a council to carry out its statutory functions	Controlling the development of greenfield land enables Council to carry out its statutory functions, specifically achieving integrated management; ensuring sufficient development capacity; managing effects (particularly in relation to natural hazards, contaminated land, and biodiversity; and the control of subdivision.
	Within scope of higher-level documents	Controlling the development of larger greenfield areas is consistent with the higher-level documents, in particular the NPS-UD 2020, CRPS 2013 and the NPS 2019.
Feasibility	Acceptable level of uncertainty and risk	Controlling the development of greenfield land reduces risk and uncertainty with respect to housing supply and infrastructure delivery.
	Realistically able to be achieved within council's powers, skills, and resources	It is within the council's powers, skills, and resources to control the development of greenfield land. It is also an appropriate use of council's powers, skills, and resources to do so as it will support a prosperous district.
Acceptability	Consistent with identified iwi/Māori and community outcomes	Managing development in a comprehensive way ensures that Māori outcomes can be integrated and achieved.
	Will not result in unjustifiably high costs on the community or parts of the community.	Controlling the development of greenfield land ensures longer term 'cost of living' costs are appropriate. It also ensures the efficient

		use of land, which maximise the return on infrastructure investment.
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6.4 Summary of evaluation

The objective provides clear direction for the development of greenfield land within the district (both existing areas and any future areas) by focussing of the anticipated outcomes; especially comprehensive, integrated, and sustainable development. The objective addresses the identified resource management issue, gives effect to the relevant statutory requirements, assists with achieving the Strategic Objectives and does not lead to unreasonable costs. Overall, the proposed objective is considered the most appropriate for achieving sustainable management of the district’s greenfield development areas.

7 Evaluation of proposed method

7.1 Introduction

Section 32(1)(b) of the RMA requires an examination of whether the provisions in the proposal the most appropriate way are to achieve the objectives, by: identifying other reasonably practicable options for achieving the objectives; assessing the efficiency and effectiveness of the provisions in achieving the objective; and summarising the reasons for deciding on the provisions.

For the avoidance of doubt, this Section 32 only assesses the appropriateness of the use of Development Area Overlays, the evaluation does not address the objectives, policies, and rules of individual ODPs (Development Areas) or the provisions of subdivision and zoning, which is addressed in the Section 32 report for the Subdivision, Future Development Area and Zone Chapters.

7.2 Quantification of benefits and costs

Section 32(2)(b) requires that if practicable the benefits and costs of a proposal are quantified. Given the assessment of the scale and significance of the proposed changes in Section 5 above, it is considered that quantifying costs and benefits would add significant time and cost to the s32 evaluation processes, therefore exact quantification of the benefits and costs in this report was not considered necessary, beneficial, or practicable. Rather, this report identifies where there may be additional cost(s).

7.3 Options for developing greenfield areas

Option 1: Using Development Area chapters

This option involves extracting the existing ODPs and consolidating them with the specific objectives, policies, and rules in a Development Area chapter.

Option 2: Rules and Standards

This option would seek to use the zone and subdivision rules and standards to control greenfield development.

7.4 Evaluation

OPTION 1 <i>Development Area Chapter including Development Area Plans.</i>			
Benefits Environmental	Economic	Social	Cultural
Ensures future development is sustainable and efficient and responds to key environmental features. Likely improves yield from greenfield area and minimises the need to open further greenfield land (which would compromise highly productive soils) and sprawling development. Development Area Plans should highlight outcomes for specific environmental issues for the greenfield area.	Council has greater oversight and control on infrastructure decisions and can budget accordingly.	Provides the community certainty as to development outcomes.	Comprehensive development (rather than ad hoc development) addresses cultural outcomes in a more comprehensive way.
Costs Environmental	Economic	Social	Cultural
None identified	Money for capital works associated with the Development Area may be tied up unnecessarily if a landowner lacks the desire to develop immediately.	None identified.	None identified.
Efficiency	N/A		
Effectiveness	<p>Option 1 is the most effective means of achieving the objective(s) as together they will:</p> <ul style="list-style-type: none"> • give effect to the higher order documents, namely the NPS 2019, CRPS and the relevant Strategic Directions for the proposed District Plan. • enable Council to fulfil statutory obligations. • ensure adverse effects associated with development are managed appropriately. • enable Council to effectively administer the District Plan in a clear and consistent manner. 		
Appropriateness	<p>Option 1 provides a resource management framework (through Development Area Overlays) for the development of greenfield land. Option 1 seeks to manage development in a comprehensive way and has provisions relating to adverse effects. This option is consistent with the NPS 2019.</p>		

Overall Appropriateness of Option 1	The use of Development Area Overlays is considered efficient and effective in achieving the comprehensive, sustainable, and integrated development of greenfield land. Furthermore, it is considered to greatly improve Plan interpretation and clarity. This option is also the most appropriate way to manage the development of greenfield land because it is consistent with the NPS 2019.
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OPTION 2 <i>Rules and Standards</i>			
Benefits Environmental	Economic	Social	Cultural
Specific rules and standards could address key environmental matters in each area.	None identified	None identified	Iwi would be involved at resource consent stage, and this would ensure cultural effects are managed appropriately through conditions of consent.
Costs Environmental	Economic	Social	Cultural
The Council has limited control on achieving consolidated, connected and comprehensive development. There is a risk that the land resource will be used inefficiently creating demand for more greenfield land to be opened in the future and leading to urban sprawl	It is difficult for Council to allocate funding for capital works if the extent and form of development is unknown	Provides limited community certainty of development outcomes for larger areas of greenfield land	None identified.
Efficiency	N/A		
Effectiveness	Option 2 does not enable Council to give effect to higher order documents such as the NPS 2019 and CRPS. This option also has limited scope to control greenfield development and does not enable Council to achieve the Strategic Directions sought in the District Plan.		
Appropriateness	Option 2 does not provide a clear framework for the development of greenfield land. This results in complexities for Council when administering the District Plan and will give rise to environment and economic costs associated with inappropriate development.		
Overall Appropriateness of Option 2	Given the extent of land involved in greenfield development, zone and subdivision provisions provide limited guidance for achieving comprehensive development. It would likely result in ad hoc, low yield development that has limited connectivity to surrounding development. This results in an inefficient use of land and uncertainty for the community on development outcomes.		

7.5 Does the objective, rule and policy impose a greater or lesser prohibition or restriction on an activity which a National Environmental Standard applies?

This is not applicable. There are no NES' that relate to how greenfield land should be developed.

7.6 Risk of Acting or Not Acting

There is sufficient information to determine the appropriate approach to greenfield development. The Operative Plan provisions should be integrated into the Proposed Plan in a manner consistent with the NPS 2019. The Council has a sound understanding of the broader areas, the nature of existing and future activities, their operational requirements, and their associated effects on the sites and surrounding environment.

Therefore, there is a low risk of acting in the manner proposed and the actions generally reflect the requirement of the implementing overlays under the NPS 2019.

8 Preferred Option

This evaluation has been undertaken in accordance with Section 32 of the RMA. The evaluation demonstrates that Option 2 is the most appropriate option as:

- It addresses the identified resource management issue by ensuring that future greenfield development is appropriately controlled.
- It achieves the purpose of the Act and align with the NPS-UD 2020, specifically a well-functioning environment.
- It satisfies Policy 5.3.3 of the CRPS 2013, specifically by providing a comprehensive mechanism for managing development.
- It achieves the relevant Strategic Directions by implementing Development Area Plans;
- It will enable the broad objective for greenfield development – being the comprehensive, integrated, and sustainable development of greenfield land – to be achieved,

Overall, it is considered that the use of the Development Area Overlay is the most appropriate, efficient, and effective way to achieve sustainable greenfield development and the purpose of the Act.

Appendix A: Outline Development Plan provisions from the Operative District Plan

Broughs Gully Outline Development Plan - implemented through Plan Change 20 in October 2015, and revisions Plan Change 21 and 22 in September 2017 and October 2019 respectively.

The Broughs Gully Outline Development Plan area is shown in Appendix C of Part D 2 Residential Zones and comprises 27ha of land situated in the Washdyke area and generally bordered by Jellicoe Street, Old North Road, Mahoneys Hill Road, and existing suburban development. It is predominantly zoned Residential 1, but also includes an area of Residential 4 Zone to the north.

The Outline Development Plan includes the configuration of land use zoning, roads, services, walkways, stormwater basins and linkages throughout the site. The Rules and Performance Standards of the Residential 1 Zone (and Residential 4 Zone for the northern portion of the ODP area) apply to this zone.

Development of this area in general accordance with the Outline Development Plan will ensure:

- efficient development of urban zoned land to provide housing choice;*
- provision of sewer and stormwater infrastructure on a co-ordinated basis;*
- provision of a connected, safe, and efficient roading network;*
- the avoidance of new roading and access connections to major roads;*
- the avoidance of adverse effects (including reverse sensitivity effects) on the National Grid;*
- the avoidance of adverse effects on the water quality and hydraulic functioning of Waitarakao / Washdyke Lagoon.*

Note: The Rules and Performance Standards of the Residential 1 Zone (and Residential 4 Zone for the northern portion of the ODP area) apply to this zone.

Gleniti Indicative Development Plan - implemented by Plan Change 1 in April 2005.

This is a medium density zone at suburban Gleniti in Timaru that provides for integrated residential development having regard to urban design guidelines for the management of stormwater and the provision of other services that are both visually appealing and environmentally sustainable. As an initial guideline, an indicative Development Plan showing the location of the new Residential 6 Zone, potential neighbourhood parks, collector roads and walkways, stormwater swales, detention dams, and waterways (sufficient to deal with a 50-year storm event) is appended to the Residential 6 Zone rules.

Note: The Rules and Performance Standards of the Residential 6 Zone apply to the indicative development plan and zoning.

Washdyke Industrial Expansion Area Outline Development Plan - implemented through Plan Change 14 in November 2021.

Policy 4.1.2.2

The Washdyke Industrial Expansion Area Outline Development Plan (ODP) includes a conceptual layout of through roading, its connection to the wider roading network, intersection treatments, existing and proposed rail crossings, and greenway and walk/cycle ways throughout the subject lands

The land is to be developed in accordance with the Staging Plan indicated on the ODP. The Staging recognises the sequential, orderly, and progressive development of these lands in conjunction with the ability to provide service infrastructure.

The planning maps are supplemented by the ODP. Development is required to be in general accordance with the ODP.

The Washdyke Flat Road ODP includes a conceptual layout of through roading, including footpaths, and its connection to the wider roading network. Development is required to be in general accordance with the ODP.

Policy 4.1.2.3.A

To ensure the development of the Washdyke Industrial Expansion Area (as set out in Planning Map 26A of Part C) where it adjoins the Residential 1 Zone is undertaken in a manner that avoids, remedies, or mitigates any significant adverse effects on the residential amenity values occurring within the Residential 1 Zone.

Rule - 4A Deferred Zones

Rule 4A.1

The Rules and Performance Standards applicable to the land zoned Rural 1, Rural 2 and Recreation 2 at Washdyke Industrial Expansion Area continue to apply until such a time as the prerequisite of the staged development steps have been achieved in each of the applicable previous stages (as set out in Planning Map 26A in Part C).

The principal elements of the Outline Development Plan, such as the road alignment, greenway and walk/cycleways and new railway crossing shall apply to all land within the Washdyke Industrial Expansion Area.

Performance Standard 5.13

At the time of land use and development, new roading shall be constructed in general accordance with the layout shown on the Washdyke Industrial Expansion Area Outline Development Plan (as set out in Planning Map 26A of Part C). It is the developer's responsibility to:

- (i) Construct the portion of road contained within their land to be developed. This shall include kerb and channel, street lighting, footpaths, load drainage systems, berms and landscaping required.*
- (ii) Design and construct these roads in general accordance with Council's standards. All roads shall have a road reserve no less than 20 metres wide.*
- (iii) Ensure no methods are used to hinder or restrict the ability for adjoining land to link to the new road.*
- (iv) Locate the intersection of new roads onto the existing road network at least 85 metres from a 90-degree corner or an intersection, to ensure that appropriate sight stopping distances are maintained in the 50km/h speed limit area.*
- (v) Construct the combined walk/cycleway links contained within their land to be developed.*

Performance Standard 5.14

At the time of land use and development, utility services shall be constructed within the Washdyke Industrial Expansion Area. It is the developer's responsibility to:

- (i) Design and construct any required utility services contained within their land to be developed in general accordance with Council's standards. Utility services include any stormwater, water and sanitary sewer systems required to service the lands through reticulated systems.*

Temuka Northwest Residential Expansion Outline Development Plan – implemented under the Operative District Plan.

The Temuka Northwest Residential Expansion - Outline Development Plan area is outlined in Appendix B of Part D 2 Residential Zones and comprises approximately 31 hectares of land situated west of King Street (State Highway 1) between Oxford Crossing Road in the north, the Temuka River Stop bank in the west, Cass Street in the south and Grant Street and Wallingford Road in the east and includes the existing Residential 1 Zoned land north of Donald Street.

The Outline Development Plan includes the configuration of land use zoning, roads, walkways, reserve, and linkages throughout the site. The Rules and Performance Standards of the Residential 1 Zone shall apply to this zone.

The northern areas of this zone are labelled as “deferred” zones, i.e., Stages 1A and 2. The Residential 1 Zone rules shall not apply to those deferred zones until a sewer outfall is available to these stages. These stages are intended to be developed sequentially, as the sewer will first service Stage 1 and 1A and then progress northwards to Stage 2. This is to enable Council to budget for the funds it may choose to contribute to the development of services, such as the extension of the sewer.

Staged development will also ensure:

- strategic and efficient use of land;*
- provision of sewer on an ‘as required’ and coordinated basis;*
- consolidation of urban form;*
- progressive change in the character of the area;*
- limitation of the potential effects on existing uses;*
- provision of enough zoned land within the urban area to counter the demand for rural lifestyle developments.*

Rule 3A.1 Restricted Discretionary Activity

Residential activities not in compliance with the Temuka Northwest Residential Expansion - Outline Development Plan (as set out in Appendix B of Part D 2). Discretion shall be limited to the matter(s) not complied with.

Rule 4A.1 Prohibited Activities

Household units within the High Hazard Stop Bank Setback Area identified on the Temuka Northwest Residential Expansion - Outline Development Plan (as set out in Appendix B of Part D 2).

Rule 4A.2 Prohibited Activities

All buildings within the Stop bank Maintenance Area identified on the Temuka Northwest Residential Expansion - Outline Development Plan (as set out in Appendix B of Part D 2).