



Whanganui District Council District Plan

Section 32 Report

Proposed Plan Change 53 – Springvale Structure Plan

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1 INTRODUCTION

The Whanganui District Council (**'Council'**) has prepared Plan Change 53 (**'PC53'**) to the Operative Whanganui District Plan (**'Operative Plan'**) for notification under the provisions of the Resource Management Act 1991 (**'RMA'**).

This report has been prepared in accordance with section 32(5) of the RMA. It represents a summary of the evaluation of alternatives, costs and benefits undertaken by the Council in respect to the proposed District Plan provisions relating to the provision for residential growth as required under section 32(1).

In summary, the Council must establish that PC53 is the most appropriate way to achieve the purpose of the RMA including that the proposed changes are the most appropriate means available to achieve Council's objectives – when compared against alternative methods available, including doing nothing.

1.1 PURPOSE OF PLAN CHANGE

The purpose of PC53 is to change the operative Plan to facilitate provision of land for residential development in the Springvale area, to meet projected demand for such land out to 2065. Changes principally introduce a revised Structure Plan to replace Appendix J, expand the extent of the Residential and Reserves and Open Spaces zones and consequential amendments to ensure the objectives, policies and rules are the most efficient and effective way to achieve the sustainable management of natural and physical resources.

PC53 also focuses on the need to achieve a high quality amenity within residential areas particularly through provision of integrated transport networks to public spaces or adjacent zones. PC53 addresses potential impacts on the Heavy Vehicle Route as well as potential ecological and cultural values. These matters are detailed and evaluated in this report.

1.2 OPERATIVE DISTRICT PLAN

Section 73 of the RMA provides for councils to initiate plan changes as necessary and appropriate. The process for initiating changes to a district plan is set out in the First Schedule of the RMA.

The previous District Plan became operative in December 2004. Section 79 of RMA requires Council to commence a review of its District Plan every 10 years. Recent amendments to the RMA clarify that whole plans need not be reviewed at once. A Council may choose to review plans in sections.

The Council has elected to undertake review of the District Plan in sections i.e. a 'phased' review. A number of review phases have been completed with each becoming operative as the change process is completed. PC53 will further amend the operative District Plan

1.3 PROPOSED CHANGES TO THE DISTRICT PLAN – PC53

Planning Maps

- 1 Rezone land from Rural Lifestyle to Residential as indicated in Appendix Two.
- 2 Rezone land from Reserves and Open Space to Residential as indicated in Appendix Two, and
- 3 Rezone land from Rural Lifestyle to Reserves and Open Space as indicated in Appendix Two.
- 4 Rezone small pockets of land vested as Council reserve, from Residential to Reserves and Open Spaces as indicated in Appendix Two.

Chapter 2 – Definitions

- 5 Delete reference to 'Wāhi Tupuna Site'.
- 6 Insert a note to explain local dialect term 'Tongi Tawhito'.

Chapter 4 – Residential Environment

- 7 Amend Issue 4.1.6 to broaden application.
- 8 Amend policies 4.3.9 and 4.3.10 to broaden application to Springvale Structure Plan and require consideration of indicative shared parthways/walkways.
- 9 Amend Policy 4.3.10 to limit access to Mosston Road.
- 10 Apply the Rural Lifestyle Zone yard distance of five metres to any Residential Zoned site boundary adjacent to Mosston Road.

Chapter 9 – Historic Heritage

- 11 Amend introductory section to include information related to Springvale.
- 12 Delete reference to 'wāhi tupuna site' in objectives 9.2.9 and 9.2.10, policies 9.3.23, 9.3.25, 9.3.26 and 9.3.27 and rule 9.10.2(b)(iv).
- 13 Delete reference to 'wāhi tupuna site' and replace with 'archaeological site' in policies 9.3.22, and 9.3.24, and performance standard 9.11.2.
- 14 Replace the term 'wāhi tupuna' with 'wāhi tapu' in Policy 9.3.25(a) and (b).
- 15 Amend Rule 9.10.2(a) to exclude development where an archaeological authority has been obtained from Heritage New Zealand.

Chapter 12 – Parking, Loading and Vehicle Crossings

- 16 Insert Rule 12.4.3 to make new vehicle access and intensification of existing access to Mosston Road a non-complying activity.
- 17 Delete performance standard 12.5.6(b).

Chapter 13 – Subdivision and Infrastructure

- 18 Amend policies 13.3.35, 13.3.36 and 13.3.38 to reference the Springvale Structure Plan and include consideration of shared pathway/walkway.
- 19 Remove references to Appendix J(B).
- 20 Amend Rule 13.4.2 to delete reference to 'wāhi tupuna sites'.
- 21 Amend Rule 13.4.2 (a) to apply to all areas.
- 22 Delete rules 13.4.3(c) and 13.4.4 which applied to Springvale.
- 23 Delete reference to Springvale Indicative Future Development Area in rules 13.5.4(a), 13.5.10 and 13.5.15.

Appendices

- 24 Replace Appendix J with a new Springvale Structure Plan to identify:
 - (a) the structure plan boundary;
 - (b) the restricted access boundary;
 - (c) location of key roads, shared pathways and stormwater drainage areas;
 - (d) indicative transport (road and/or shared pathway) linkages;
 - (e) existing and proposed designations; and archaeological site.
- 25 Delete Appendix J(B) – Springvale Indicative Development Plan

2 ASSESSMENT OF PLAN CHANGE 53

This section addresses the matters, other than section 32 of the RMA, that Council must adhere to when preparing a Plan change as set out in section 74 of the RMA.

2.1 STATUTORY FRAMEWORK FOR THE CHANGE

2.1.1 RMA – Section 31

Section 74 of the Act requires the Council to prepare its change the District Plan in accordance with its functions under section 31.

Section 31 states:

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.*
 - 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:...*
 - f. *any other functions specified in this Act.*
2. *The methods used to carry out any of the functions under subsection (1) may include the control of subdivision.*

The Council is given these functions to promote the sustainable management of natural and physical resources, which is defined in section 5(2) as:

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.*

PC53 seeks to proactively provide for the community’s longer term economic and social wellbeing by identifying future development areas. The Springvale Structure Plan provides for a variety of housing development to meet projected future demand in a sustainable manner.

A structure plan approach provides opportunity to consider integrated development options for key infrastructure including transport. It facilitates opportunities for improved quality urban design and public space outcomes, identifying and safeguarding any significant natural values and a more comprehensive consideration of historic heritage and cultural values. It also provides opportunities to plan for and manage a range of potential adverse effects, ahead of site specific development proposals. This approach is consistent with achieving sustainable management.

To achieve sustainable management of resources not only must adverse effects be avoided, remedied or mitigated but the potential of natural and physical resources, including residential development and urban infrastructure services, must be sustained to meet the reasonably foreseeable needs of future generations. The objectives and policies of the Residential Zone, Subdivision and Infrastructure and Cultural Heritage chapters have already been subject to review and notification as part of Plan Changes 26 – 29 respectively, and Plan Change 46 – Otamatea Residential.

PC53 as documented in Appendices One and Two, is considered to be consistent with promoting the purpose of the RMA.

2.1.2 RMA – Part 2

Section 74 of the Act requires the Council to prepare its change the District Plan in accordance with the provisions of Part 2.

Further guidance and direction on the way in which resources are to be managed is provided in sections 6, 7 and 8 of the RMA.

2.1.2.1 Section 6

Section 6 matters to be recognised and provided for in relation to PC53 are:

- (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 areas of significant indigenous vegetation and significant habitats of indigenous fauna.....*
- (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.....*
- (h) *the management of significant risks from natural hazards.*

In relation to Section 6(a) and (b) the ecological assessment (EA) concludes that:

“The construction of the housing development and stormwater/road network impacts on a generally low value ecosystem. Within the Council owned portion of land there is a wetland area of high ecological value, there is also an area of native terrestrial vegetation of moderate ecological value. The Springvale Structure Plan area as a whole is dominated by grazed agricultural grassland, located on rural lifestyle properties. While, Titoki Wetland has been identified within the Springvale Structure Plan area, there will be minimal impacts on this wetland from the proposed works. Consequently, the overall effects on this ecosystem have been assessed as low.

Using the [Ecological Impact Assessment Guidelines for New Zealand] guideline approach, the overall effect on all key ecological attributes impacted by the project was assessed as low, due to the range of habitat values being affected and the moderate species diversity. Levels of effects that are low are not typically of concern. However, a number of measures have been recommended to further minimise the potential effects of the project on the associated ecological values.”¹

The cultural impact assessment (‘CIA’) discourages any impact of infrastructure particularly on existing waterways. Hapū oppose any treated wastewater going to waterways. Hapū do

¹ EA, WSP OPUS, Page 1
PLAN CHANGE 53 – SPRINGVALE RESIDENTIAL STRUCTURE PLAN
NOTIFICATION – SECTION 32 EVALUATION REPORT

not support drainage to the Titoki Wetland and prefer the area to be returned to repō (swamp, bog, marsh)².

PC53 will ensure that no stormwater from the proposed residential development area will enter or impact the existing Titoki Wetland area. A bund will be constructed to ensure physical separation is achieved at all times between the stormwater retention area and the wetland.

In relation to section 6 (e) and (f) the CIA identifies the entire Structure Plan area as a cultural significant zone, a Tongi Tawhito³, due to its significance for mahinga kai and taonga values.

Hapū consider that due to the “high traffic that used the area pre-colonisation and in the early 1800s, it is expected that physical artefacts could still be found”, even though the area has already been developed in recent years.⁴

The archaeological assessment (AA) (and the CIA) records that fragments of sea shells and fire cracked rocks were observed on the large dune below the middle of the study area. Although there was no associated evidence or context identified, this may indicate that middens or cooking fires were, or are present.⁵

The AA report confirmed one archaeological item has been recorded within the Structure Plan area. This item is located within the existing Titoki Wetland area and will be unaffected by implementation of PC53.

The Operative Plan recognises and provides for recorded and unknown archaeological items, by requiring that accidental discovery would trigger a requirement to obtain an archaeological assessment and potentially an Archaeological Authority from Heritage New Zealand for any land disturbance. Consideration of objectives, policies and methods targeted at achieving protection of historic heritage across all zones within the District would also be required.

Mr Taylor, Senior Archaeologist at Archaeology North Ltd, and co-author of the AA report, has confirmed that it is his view that the Structure Plan area, provides

*“:a low risk for discovery of complex or extensive archaeological sites, as there is no evidence that the area was intensively occupied in either prehistoric or historic times. However some archaeological sites are likely to be present in the area. The higher and drier areas are probably the locations with the greatest risk of archaeological remains being present”.*⁶

Following consideration of the CIA and AA reports, PC53 has been modified to exclude the Buxton Road catchment identified as most likely to comprise archaeological sites.⁷ Refer to Appendix Two of this report.

In relation to section 6(h) of the RMA, the SSP report documents the natural and physical constraints of this area and reviewed the natural hazard risks to determine that flooding is a risk that can be avoided by careful infrastructure design to manage stormwater flows. Further research and consultation has determined also to exclude the Buxton Road catchment and

²<https://maoridictionary.co.nz/search?idiom=&phrase=&proverb=&loan=&histLoanWords=&keywords=rep%C5%8D>

³ ‘a local dialect term that has a translation similar to ‘sites of significance’. It may be used locally in conjunction with or reference to both wāhi tapu and wāhi tūpuna’ – CIA page 12

⁴ CIA page 22

⁵ AA page 5 and CIA page 22

⁶ AA report page 9

⁷ AA Risk Assessment page 9

retain the Rural Lifestyle Zone over such land as a method to further manage flood hazard risks.

In summary, PC53 and other methods are considered to appropriately recognise and provide for section 6 (a), (b), (e), (f) and (h) matters.

2.1.2.2 Section 7

Section 7 of the Act identifies “other matters” that must be given regard to. The sections relevant to PC53 are identified and considered in the table below:

- (a) kaitiakitanga:*
- (aa) the ethic of stewardship:*
- (b) the efficient use and development of natural and physical resources.*
- (c) the maintenance and enhancement of amenity values.*
- (d) intrinsic values of ecosystems:*
- (f) maintenance and enhancement of the quality of the environment:*
- (g) any finite characteristics of natural and physical resources:.....*
- (i) the effects of climate change:*
- (j) the benefits to be derived from the use and development of renewable energy.*

PC53 is considered to have given particular regard to the above matters as set out in the table below:

Section 7 Matters	Explanation
<i>(a) kaitiakitanga:</i>	PC53 acknowledges the cultural values of the area and promotes development that will provide opportunities for tangata whenua to physically reconnect with this land and water, and to exercise guardianship/stewardship over the area.
<i>(aa) the ethic of stewardship:</i>	
<i>(b) The efficient use and development of natural and physical resources.</i>	The structure plan approach ensures that the area will be developed in a comprehensive and integrated manner. Infrastructure resources can be efficiently allocated and installed, protection of cultural values considered and provided for ahead of site specific development to achieve efficient use and development, whilst achieving quality environmental outcomes, particularly in relation to the benefits of a comprehensive system for management of stormwater and transport infrastructure.
<i>(c) The maintenance and enhancement of amenity values.</i>	An integrated structure plan will maximise opportunities for quality transport network connectivity and minimise single access right of way development prevalent in Whanganui to date. Provision of a connected stormwater management network will also create opportunities for quality urban walkways and open space areas.
<i>(d) intrinsic values of ecosystems:</i>	The Titoki Wetland is an area of high ecological value, there is also an area of native terrestrial vegetation of moderate ecological value located on the edge of the proposed Residential Zone extension. These values will be unchanged and potentially enhanced as a result of PC53. The quality of the urban environment will be enhanced by proactive zoning of this land for residential purposes. Pressure for ad hoc development in other locations can then be more effectively resisted. Provision of a connected stormwater management network creates opportunities for enhancement of the environment with quality urban pathways and open space areas.
<i>(f) Maintenance and enhancement of the quality of the environment.</i>	

Section 7 Matters	Explanation
<i>(g) any finite characteristics of natural and physical resources:</i>	The SSP report records that this area is underlain by loose poorly consolidated sand mainly in fixed dunes. The soils are generally underlain with yellow/brown wind-blown sand with moderate to severe limitations for arable use. Class I and II land is limited within the District and predominantly located near the urban periphery. Such versatile soils are not present in this Structure Plan area, assisting to potentially safeguard that soil resource from urban development pressures.
<i>(i) the effects of climate change:</i>	The frequency of severe weather events and the magnitude of erosion and flooding hazards may increase due to the effects of climate change. Risk management has been incorporated into the design of Council three water and transport infrastructure proposed for this new residential area. Consideration of the effects of climate change will be required for all aspects of development over the next 50 years.
<i>(j) the benefits to be derived from the use and development of renewable energy.</i>	This Structure Plan area is anticipated to be developed over an extended period of time, facilitating opportunities to adapt to the inevitable improvements in technology that will make renewable energy a feasible source at both the domestic and territorial scale.

Appropriate regard has been had in the preparation of PC53 and other methods to the relevant section 7 matters.

2.1.2.3 Section 8

Section 8 requires that the principles of Te Tiriti o Waitangi (the Treaty) be taken into account in the preparation of PC53. The principles of the Treaty are detailed by the Ministry of Justice⁸. An assessment of those principles applicable to Council's functions and PC53 is provided below:

Relevant Principles	Assessment against Treaty Principles
Partnership - to act in good faith	Council engaged early with mana whenua. Cultural values and impacts were identified, and an archaeological assessment obtained as part of the PC53 research and development. Council has considered the recommendations of the CIA relevant to this RMA process and identified opportunities to achieve the outcomes sought where appropriate.
Reciprocity - exchanges for mutual advantage and benefits	This land is privately owned. Council is working to facilitate residential development in an area of demonstrable market demand where rural lifestyle development is provided for already, whilst also striving to recognise and provide for the relationship of tangata whenua and their culture and traditions with this Structure Plan area.
Autonomy – to protect Māori autonomy, to govern themselves	PC53 does not alter or impinge Maori rights to political autonomy. PC53 creates an opportunity for physical reconnection with some of this now privately owned land.
Active protection duty to protect Māori rights and interests	The Council is bound by Part 2 of the RMA as discussed elsewhere in this report.

⁸<https://www.google.co.nz/url?sa=t&rct=j&q=&esrc=s&source=web&cd=3&cad=rja&uact=8&ved=0ahUKEwig5eK3o73XAhVJNJQKHREuArEQFggwMAI&url=https%3A%2F%2Fwww.waitangitribunal.govt.nz%2Ftreaty-of-waitangi%2Fprinciples-of-the-treaty%2F&usq=AOvVaw0FStp8xIRoWTEz9HweE6e5>

As outlined the Council has taken account of section 8 of the RMA in preparing PC53.

Following consideration of the technical reports prepared since April 2018, PC53 has been refined to better provide for sustainable development within a context of competing Part 2 matters.

In summary, PC53 as proposed is considered to meet the Council's obligations under Part 2 of the RMA.

2.2 OTHER MATTERS CONSIDERED

The other matters that section 74 of the RMA requires Council to adhere to in preparing PC53 are detailed below.

2.2.1 National Policy Statements and National Environmental Statements

District plans are required to give effect to any relevant national policy statements (NPS) or national environmental standards (NES). A NPS sets a national direction and a NES sets specific minimum environmental standards to be enforced by councils.

The National Policy Statement on Urban Development Capacity 2016 (NPSUDC) provides direction to Council on planning for urban environments to:

- enable urban environments to grow and change in response to the changing needs of the communities, and future generations; and
- provide enough space for their populations to happily live and work. This can be both through allowing development to go "up" by intensifying existing urban areas, and "out" by releasing land in greenfield areas.

The District Plan is required to provide sufficient development capacity to ensure that demand can be met for the next thirty years. For the Whanganui District Council, all the objectives and only four of the policies apply, as it is neither identified as a medium or high growth urban area. Identified development areas must be commercially feasible and plentiful enough to recognise that not all feasible development opportunities will be taken up.

The purpose of PC53 is to achieve the requirements of the NPSUDC in a sustainable way, by planning for residential development in a comprehensive and integrated manner in Springvale where demand already exists.

The requirements of the National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health (2011) were incorporated into the Plan via Plan Change 27 in 2012. Council is not aware of any specific hazardous activities within this area. Compliance with the NES will be a matter for detailed consideration as part of any subdivision or land disturbance proposal.

2.2.2 National Planning Standards

The National Planning Standards were released on 5 April 2019. The focus is on format and consistency of Plan provisions. The Council has until 2024 to implement the mandatory directions of the Standard.

PC53 is as far as practicable at this time, consistent with the National Planning Standards for District Plans.

2.2.3 Regional Policy Statement

In addition, the RMA requires District Plan provisions to give effect to the Regional Policy Statement (section 75(3)(c)). The Regional Policy Statement (RPS) is the main vehicle for interpreting and applying the sustainable management requirements of the RMA in a local context, and in this regard, guides the development of lower tier plans, including the District Plan.

The Horizons (Manawatu-Whanganui) Regional Council combined the Regional Policy Statement and six regional plans into one document called the One Plan. The One Plan became operative on 19 December 2014.

Regional One Plan	Proposed PC53
<p>Issue 2-1 Water Quality and demand</p> <p>(a) Management of water quality and quantity throughout the Region does not provide for the special qualities significant to Māori.</p> <p>(d) Access to and availability of clean water to exercise cultural activities such as food gathering and baptismal rituals have diminished.</p> <p>Issue 2-2 Land use and management</p> <p>(k) Adverse effects of land use continue to have a detrimental effect on traditional food gathering areas, native habitats and ecosystems.</p> <p>Issue 2-5: Monitoring and enforcement</p> <p>(q) Monitoring and enforcement of environmental standards, including those contained in regional plans, district plans and resource consents, are insufficient at times.</p> <p>Objective 2-1 Resource Management</p> <p>a. To have regard to the <i>mauri</i>[*] of <i>natural and physical resources</i>[^] to enable <i>hapū</i>[*] and <i>iwi</i>[*] to provide for their social, economic and cultural wellbeing.</p> <p>b. Kaitiakitanga[^] must be given particular regard and the relationship of <i>hapū</i>[*] and <i>iwi</i>[*] with their ancestral <i>lands</i>[^], <i>water</i>[^], <i>sites</i>[*], <i>wāhi tapu</i>[*] and other <i>taonga</i>[*] (including <i>wāhi tūpuna</i>[*]) must be recognised and provided for through resource management processes.</p>	<p>The District Plan gives effect to the One Plan directly.</p> <p>Policies impose obligations on the Regional Council and are not directly relevant to this District Plan process except as noted below.</p> <p>Council has engaged with Hapū for PC53. It has recorded impacts on cultural values including cultural sites. These have been considered and where practicable recommendations to protect values have been incorporated or acknowledged.</p> <p>As PC53 does not itself involve physical works, regional consent issues will be addressed via development proposals.</p>
<p>Issue 3-3 The strategic integration of infrastructure with land use – urban development that is not strategically planned can result in the piecemeal and inefficient provision of associated infrastructure.</p> <p>Objective 3-3 The strategic integration of infrastructure with land use – Urban development occurs in a strategically planned manner which allows for the adequate and timely supply of land and associated infrastructure.</p> <p>Policy 3-4 The strategic integration of infrastructure with land use – Territorial authorities must proactively develop and implement appropriate land use strategies to manage urban growth, and they should align their asset management planning with those strategies, to ensure the efficient and effective provision of associated infrastructure</p>	<p>PC53 is consistent with the One Plan issue, objective and policy. PC53 facilitates greenfield residential development on land, identified as generally appropriate for that purpose and where specific impediments are proposed to be addressed. It promotes planned development, and infrastructure rather than reacting to the pressures for piecemeal ad hoc residential development.</p>

Regional One Plan	Proposed PC53
<p>Issue 6-1: Indigenous biological diversity Indigenous biological diversity is not being maintained in the Region. As a result of historical land development practices, only a small proportion of the original extent of indigenous habitats remains. The diversity within remaining areas is declining owing to their isolation or as a consequence of a range of activities, most notably:</p> <ul style="list-style-type: none"> a. pest plants and pest animals b. stock access c. land drainage, which impacts upon wetlands d. perched culverts and other barriers to fish migration e. run-off and discharges causing poor water quality f. <u>vegetation clearance*</u> <p>Objective 6-1: Indigenous <i>biological diversity</i>[^] Protect areas of significant indigenous vegetation and significant habitats of indigenous fauna and maintain indigenous <i>biological diversity</i>[^], including enhancement where appropriate.</p> <p>Policy 6-1: Responsibilities for maintaining indigenous biological diversity In accordance with <u>s62(1)(i) RMA</u>, local authority responsibilities for controlling <i>land</i>[^] use activities for the purpose of managing indigenous <i>biological diversity</i>[^] in the Region are apportioned as follows:</p> <p>b. Both the Regional Council and Territorial Authorities[^] must be responsible for:</p> <ul style="list-style-type: none"> 1. recognising and providing for matters described in s6(c) RMA and having particular regard to matters identified in s7(d) RMA when exercising functions and powers under the RMA, outside the specific responsibilities allocated above, including when making decisions on <i>resource consent</i>[^] applications. 	<p>PC53 is consistent with the One Plan issue, objective and policy.</p> <p>The ecological assessment identified the existing Titoki Wetland to be of high ecological value. This area is owned by the Council and will be retained as reserve land and not part of the development area. A significant area to the north of the existing wetland has been indicated to also be retained for reserve purposes. There is significant potential for enhancement of this wetland area in future.</p> <p>Stormwater management for future residential will avoid any contact with or impact on the wetland.</p>

2.2.4 Other Plans and Strategies

Council must have particular regard to other management plans and strategies. For Whanganui those of particular relevance are:

Leading Edge Strategy (2018)

The vision statement is: “To be an energised, united and thriving district offering abundant opportunities for everyone.”

PC53 is consistent with this Strategy as it is a coordinated and collaborative process to facilitate an area for residential growth and to encourage choice within the urban area for people to meet their varied housing needs.

PC53 will:

- Encourage connected community and enhance community wellbeing through requirements to provide an integrated and connected transport network.
- Continue to deliver a proactive, flexible and continually evolving District Plan with the provision of appropriate zones and precincts.
- Ensure the growth of the District is undertaken in a sustainable way.
- Increase our resilience to climate change.

30 Year Infrastructure Strategy (Council Long Term Plan)

PC53 has been prepared alongside infrastructure planning to support the proposed residential development. This is a collaborative and coordinated approach, with a Notice of Requirement to designate key infrastructure to be lodged and assessed alongside PC53. This will add further clarity and certainty for potentially affected landowners and developers.

Whanganui Urban Transportation Strategy (2011) ('WUTS')

The WUTS is relevant to PC53 and has informed its preparation. It identifies key transportation objectives over a 30 year horizon. It seeks to improve management of the road infrastructure by planning ahead to:

- Support environmental sustainability
- Assist economic development
- Provide transport infrastructure to meet the city's long term needs
- Enhance and promote public health and personal safety
- Facilitate real transport choices including improved access and mobility
- Integrate transport systems and land use planning.

The objectives and key actions relating to parking, loading and vehicle crossings have been incorporated into PC53, Provision for walking and cycling shared pathways has been made, by focusing on maximising practical road linkages to facilitate opportunities for future neighbourhood connections, public transport and improved safety outcomes. Council will be well placed to facilitate orderly development by acting ahead of demand to establish infrastructure in a coordinated manner.

Ngaa Rauru Kiitahi – Puutaiao Management Plan

When preparing or changing a district plan, Section 74(2A)(a) of the RMA states that Council's must 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 the resource management issues of the district.

The Ngaa Rauru Kiitahi – Puutaiao Management Plan was prepared by Te Kaahui o Rauru ('TKoR'). It identifies that Ngaa Rauru Kiitahi wish to be engaged in the preparation, implementation and review of the Whanganui District Plan.

An assessment of PC53 against the relevant objectives and policies of this management plan is provided below:

3.4.1 RELATIONSHIPS	Evaluation
Objective 1.1 To establish, grow and maintain relationships which maximise the ability of Ngaa Rauru Kiitahi to exercise kaitiakitanga over resources within our rohe.	Council has an evolving relationship with TKoR. PC53 provides opportunities to work collaboratively, and establishes opportunities to investigate other methods beyond the scope of PC53 to strengthen the exercise of kaitiakitanga.
Policy 1.1 To work collaboratively with other Iwi and/or tangata whenua organisations, local and central government agencies, environmental organisations, stakeholders, professionals, technical experts and the public.	
3.4.2 PAPATUUAANUKU	
Objective 2.1 To ensure that the realm of Papatuuaanuku is managed appropriately in accordance with Ngaa Raurutanga	This land is privately owned and zoned for rural lifestyle activities. Within that constraint, the lands are to be managed sustainably. As stated above PC53 will facilitate discussions with Council about the potential for longer term collaborative management of some public spaces.
Policy 2.2 TKOR will work to protect and enhance Ngaa Rauru Kiitahi relationships, culture and traditions with our ancestral lands.	
3.4.5 TAONGA TUKU IHO	
Objective 5.1 To ensure that Ngaa Taonga Tuku Iho are managed appropriately in accordance with Ngaa Raurutanga.	An archaeological assessment was completed in 2012. This identified one archaeological site. This site is protected as it is recorded in the District Plan and located in the Titoki Wetland area on Council reserve land.
Policy 5.1 To protect our Ngaa Rauru Kiitahi heritage as an integral part of our cultural identity and continued prosperity.	
Policy 5.3 Protect our waahi tapu / waahi tuupuna from inappropriate subdivision, modification and development that would cause adverse effects on the qualities and features which contribute to the cultural, spiritual and historical values of these sites	
3.5.4 ECONOMIC DEVELOPMENT	
“...economic development should not occur at the expense of Ngaa Rauru Kiitahi cultural and environmental values. Ngaa Rauru Kiitahi does not support unsustainable exploitation of natural and physical resources. A notable feature of our rohe is the reliance on the region's natural resources for our social and economic wellbeing. We encourage investors to bring business into our rohe. Ngaa Rauru Kiitahi wants economic development in our rohe to be sustainable so that the needs of present generations are met without compromising the ability of future generations to meet their own needs.”	PC53 is consistent with achieving sustainable management as defined in the RMA and thus is considered to be consistent with Policy 3.5.4.

PC53 maintains existing opportunities for tangata whenua to physically reconnect with this land and respects and acknowledges cultural values within a context of competing Part 2 matters.

3 BACKGROUND TO PC53

For some time Council has been aware of a need to provide additional land for residential activities particularly in Springvale where significant demand is centred and to improve connectivity within residential areas of the District.

In 2012, Council commissioned GHD Ltd to prepare a structure plan (**'SSP (2012) report'**) for an area on the periphery of Springvale adjacent to Mosston Road. The SSP (2012) report identified infrastructure requirements based on an indicative layout to cater for future demand, and to enable the Council to meet its obligations to plan for future residential growth. The infrastructure issues associated with residential development in this area, specifically stormwater management, led to significant further research of options.

Council has a responsibility to provide guidance on where residential development should occur and to prevent ad hoc development. In 2015 the Council completed a desktop study which investigated and projected a residential growth scenario for Whanganui out to 2065 (**'Growth Study'**). This recorded that historical population and building consent data suggests an average annual increase of 67-75 dwellings per year in Whanganui.⁹ The key location considerations and a scenario for distribution of future housing demand were established by the Growth Study.

With the trend for fewer occupants per dwelling and a population increase now projected in the long term, Whanganui is experiencing residential development pressure. This is evidenced in the New Zealand Property Report (July 2017) which indicated a decrease in house stock for sale of 25.8% over the preceding 12 months and a drop in the inventory of listings from 36 weeks to 13 weeks. Current forecasts suggest a population increase of 3.83% by 2043¹⁰.

The Growth Study projected demand for 3000 new dwellings within the entire Whanganui urban area between 2016 - 2065. Analysis of the supply of land indicated that although there are potentially 2333 new dwellings sites available, there was a significant mismatch between land supply 'location' and potential land demand 'location'. The majority of the supply locational shortfall is in the Residential Zone. The land to be rezoned by PC53, was included in the Growth Study and is expected to meet demand in the Springvale area for the period.

The Growth Study identified that, during the period 2016 - 2065 within the Springvale area, a further 731 dwellings would be required as infill within the existing Residential Zone and 417 greenfield dwellings would also be required. In reality the balance of development may significantly favour greenfield rather than infill development, as opportunities for infill within the existing Residential Zone are harder to identify.

In 2017/18 the SSP (2012) report was updated to take account of that further research. Based on the Springvale Structure Plan (April 2018) (**'SSP report'**), the Council approved initiation of a change to the District Plan to provide for residential development in the Structure Plan area on the 14th August 2018.

⁹ Residential Growth Study, Whanganui District Council (2015).

¹⁰ <https://forecast.idnz.co.nz/whanganui>

3.1 REGULATORY FRAMEWORK/POLICY CONTEXT

3.1.1 Existing District Plan Framework

The Operative District Plan uses zones to manage land use effects across the District, and group activities with similar effects into categories including Rural, Residential, Industrial, Reserves and Open Space or Commercial zones.

3.1.2 Summary of Plan Change 53

The preferred option for PC53 is to apply the existing Residential and Reserves and Open Spaces zones to land previously zoned Rural Lifestyle or Reserves and Open Spaces zones in the Springvale Structure Plan area as defined in Appendix Two. This provides most efficiently for the types of residential and recreational activities and environmental outcomes sought for this area.

The SSP report provides a strategic approach to residential development in a specified study area. New development will need to be consistent with the intent of the Springvale Structure Plan as proposed in PC53.

The design and layout of key infrastructure components and the extent of the proposed development area, has evolved following consideration of other technical reports on traffic, ecology and cultural values, as well as engagement with landowners and stakeholders since April 2018.

The Plan provisions are proposed to be amended only to the extent necessary to achieve the following:

- (a) Build on the core principles identified in the SSP report to facilitate high quality co-ordinated residential development.
- (b) Rezone Rural Lifestyle land to Residential, and some land owned by Council to Reserves and Open Space Zone.
- (c) Amend Plan policies and rules to encourage efficient, integrated and sustainable residential development and subdivision.
- (d) Protect the functioning of Mosston Road as a heavy vehicle route, by minimising the potential for reverse sensitivity issues created by more intensive residential development.

The boundary of the area affected by PC53 was reduced as a result of iwi and landowner engagement and consideration of the cultural, archaeological and ecological assessments detailed in Section 3.3 of this report. This has led to a number of changes including:

- (a) A change to terminology introduced by PC46 in Chapter 9 – Historic Heritage.
- (b) Relocation of the stormwater drainage retention area to a separate ponding area and a bund to be constructed to ensure complete separation of the retention area from the Titoki Wetland.
- (c) Access to dwelling sites via Mosston Road will become a non-complying activity. This will address concerns that intensification of residential development may increase safety and noise issues and compromise the efficiency of this Heavy Vehicle Route.
- (d) Retention of a five metre yard setback from any boundary with Mosston Road to mitigate or reduce the risk of future noise issues.

3.2 CONSULTATION AND OUTCOMES

3.2.1 Summary of Iwi Authority Engagement

The iwi authorities that hold mana whenua and whose rohe includes the subject area are Ngaa Rauru Kiitahi and Te Rūnanga O Tūpoho. Consultation with those iwi involved the following:

Date	Iwi Involved	Comments
11/04/2018	Ngaa Rauru Kiitahi and Te Rūnanga o Tūpoho	Email seeking initial feedback including indications of any cultural values.
14/05/2018	Ngaa Rauru Kiitahi	Telephone discussion regarding iwi engagement in respect to PC53. Advised informally, that Tūpoho is the lead and Ngaa Rauru is awaiting their draft response to Council's letter for review.
30/05/2018	Te Rūnanga o Tūpoho	Meeting with iwi representatives to discuss the commissioning of a CIA to inform PC53. It was agreed that a collaborative process to establish the lead authors/team, methodology, timeframe and resources would be implemented with Council. Tūpoho would lead the assessment process, and work with Ngaa Rauru Kiitahi, who also claim mana whenua, to prepare a single report. Tūpoho representatives agreed to confirm a project team by Friday 8 th June. A meeting would then be initiated to agree methodology, timing and resources.
27/06/2018	Te Rūnanga o Tūpoho and the Whanganui Land Negotiations Settlement Trust.	WDC provided a two page summary of the issues identified for PC53 with explanation and management options to address, as requested by iwi representatives.
10/07/2018	Te Rūnanga o Tūpoho and the Whanganui Land Negotiations Settlement Trust.	Meeting with representatives to discuss the commissioning of a CIA. It was confirmed that the values that apply to Springvale also apply across Whanganui they are the values that drive and direct all things within Whanganui. They do not change. Council requires a report that considers the impacts on and implications for cultural values, of any residential or infrastructure development in the study area at Springvale. It was agreed that it would be useful for tangata whenua to provide a statement of cultural values that apply across the entire Whanganui area (an overarching assessment).
29/08/2018	Te Rūnanga o Tūpoho	CIA scope and fees were discussed. Lead Hapū contact was confirmed. A contract to Poipoia Ltd was confirmed for delivery no later than 5 December 2018.
13/09/2018	Ngaa Rauru Kiitahi and Te Rūnanga o Tūpoho	Discussion about limiting definition of wāhi tupuna sites, site visit set up and scope of CIA.

03/12/18	Ngaa Rauru Kiitahi and Te Rūnanga o Tūpoho	Meeting convened with Tredegar Hall and Tina Porou (skype) of Poipoia Ltd to discuss some concerns about the CIA being prepared for PC53.
05/12/2019	Te Rūnanga o Tūpoho, Poipoia Ltd	Presentation by Tina Porou and delivery to Council officers of the CIA report at Tūpoho offices.
March 2019	Response to CIA	Formal written response to the recommendations in the CIA was provided to iwi representatives.
15/04/2019	CI 4A letter to iwi authorities and hapu	A letter sent via email to all iwi and hapu nominated contacts seeking informal feedback on the draft version of the PC53 provisions and map layout which have been revised in response to landowner engagement and technical reports including a CIA. Feedback was requested by 23 May 2019.

3.2.2 Engagement with Other Stakeholders

The following table outlines other consultation undertaken in the development of PC53:

Date	Who	Comments
22/09/2017 & various Oct 2017	Horizons Regional Council	Preliminary meeting to discuss and scope potential District Plan change issues with a focus on stormwater management.
09/05/2018	Letter to landowners identified within the SSP report study area	Advising that the SSP report had been prepared. Invitation to landowners to Open Forums on 12 th and 13 th June.
25/05/2018	Article in Wanganui Chronicle	Front page article referring to the Council meeting and PC53 in general.
12/06/2018 & 13/06/2018	Public Forum	Open Forums targeted at landowners within the study area. Council planners and engineers attended to discuss the proposal, receive feedback and answer questions.
2/07/2018	Letter to landowners identified within the SSP report study area	Advising that the SSP report had been prepared. Invitation to landowners to second series of Open Forums in August.
22/08/2018	Public Forum	Introduced a revised PC53 map layout in response to feedback received at previous public forums.
Various May – Oct 2018	Landowners and FirstGas	Multiple individual meetings and discussions about site specific issues and options following the landowner open forum.

Date	Who	Comments
Various Oct 2018	Horizons Regional Council	<p>Policy Analyst confirmed PC53 aligns well with Policy 3-4 of One Plan re land use strategies to manage urban growth.</p> <p>HRC do not hold any flood modelling for this area to confirm whether/how this area may be affected in a 1 in 200 year (0.5% Annual Exceedance Probability) flood event. Horizons uses this 0.5% AEP in our policy framework.</p> <p>Titoki Wetland) was assessed by HRC in 2003. The wetland has an A priority score and there is a note of rare and threatened species being present. No details available of species.</p> <p>Wetland with indigenous vegetation listed in Schedule F of the One Plan.</p> <p>Land is not on HRC database of potentially contaminated sites. However, there may be sites of potential contamination that Horizons are not aware of.</p> <p>From regional scale information there are no known active faults in the vicinity of the properties. GNS Science has completed regional scale liquefaction susceptibility mapping. It appears that these properties have low susceptibility to liquefaction. I</p> <p>The structure change will align with the strategic direction of the recently approved Regional Land Transport Plan 2015-2025 (2018 Review), which supports a multi-modal transport system that reduces the amount of private vehicle use within the city (particularly in the CBD), and enables increases in the use of active and public transport modes. This is reflected in two of the five strategic priorities included in the RLTP ("An integrated walking and cycling network" and "effective, efficient, accessible and affordable multi-modal transport networks"). These strategic priorities are supported by a range of policies and measures/actions. Encouraging the uptake of active transport modes will assist in the relevant policies and measure/actions to be met, thereby achieving the strategic direction of the RLTP.</p>
29/04/2019	Letter to all landowners in and adjacent to the SSP study area	Seeking informal feedback on the latest draft version of PC53 provisions and map revised in response to landowner engagement and technical reports. Feedback was requested by 15 May 2019
01/05/2019	Letter to landowners to all landowners in and adjacent to the the proposed road/drainage designation.	Seeking informal feedback on the latest draft version of the designation resulting from wider PC53 investigations.

Date	Who	Comments
Various May 2019	Landowner meetings	Meetings with individual landowners to discuss and resolve concerns. Further revisions to the proposed designation route were agreed and the map amended to reflect.
16 May 2019	FirstGas	<p>Provided feedback that many of their initial concerns about land use surrounding the high-pressure gas natural gas transmission pipelines have been addressed. First Gas supports the use of 'Reserves and Open Spaces Zone'; however, the proposed low earth bund and proposed shared path require further review by First Gas to ensure pipeline integrity is not compromised and access is still maintained for operational and maintenance activities.</p> <p>Any beautification vegetation requires appropriate offsets from the pipelines to maintain access and integrity.</p>

Notification of all parties required by the RMA 1st Schedule clause 5 will occur following any decision of Council to notify.

3.3 TECHNICAL REPORTS

The Council completed or commissioned relevant technical reports and supporting documents to inform the development and drafting of PC53. These include:

- Cultural Values, Cultural Impacts Assessment, Poipoia Ltd (2018)
- Traffic Impact Assessment, WSP Opus (2018)
- Ecological Assessment, WSP Opus (2018)
- Springvale Structure Plan, GHD Ltd (revised April 2018).
- Churton Creek (Stage A) Stormwater System Improvements Report, GHD Ltd (Sept 2016)
- Whanganui City-Wide Growth, Wastewater Bulk Supply Investigations (Revisited), GHD Ltd (March 2016)
- Residential Growth Study, Whanganui District Council (2015)
- Wanganui District Council District Plan Review – Phase 2: Residential – Residential Growth Discussion Paper – Discussion Paper 2D (Feb 2012)
- Wanganui District Council District Plan Review – Phase 2: Residential – Infill Capacity Assessment Report – Discussion Paper 2 C (Feb 2012)
- Springvale Structure Plan – Archaeological Review, Archaeology North Ltd (2012)
- Springvale Structure Plan, GHD Ltd (2011)

3.3.1 Cultural Values/Cultural Impacts Assessment

Poipoia Ltd supported by māna whenua prepared a cultural impact assessment for the Structure Plan area, refer to Appendix Four. The report provided a background and history of the Springvale Area. The report concludes that the Hapū oppose PC53 because of the adverse cultural and environmental effects it will have on:

- (a) the repō ¹¹ and any further re-establishment of repō that has been drained. This will in turn impact the life cycle of the tuna and any further restoration programmes focused on tuna if the repō are impacted; and
- (b) the current stand of Tī and Karaka.

The report includes recommendations in the event that PC53 is approved. Those relevant to this RMA process are recorded below.

- (a) The structure plan design must ensure connectivity of water ways and passage for tuna.
- (b) The stormwater/swale channel be retained in an area reserved for biodiversity restoration.
- (c) The Hapū seeks access arrangements to ensure formalised opportunities to reconnect with the land, essential to retaining te reo regarding the unique relationship that hapū have with the specific Kokohuia whenua.
- (d) Diversions, quantity and quality decisions that are proposed to be made regarding ground or surface water must be made in partnership with the Hapū.
- (e) A mauri measure be applied across all waterways and whenua. The Hapū endorses a 'Mauri Scale' as a way to provide clarity over the qualitative measures on a wider scale. The Hapū requires mauri and cultural monitoring especially regarding water management at all steps of the proposed plan change and future proposed developments.
- (f) A holistic assessment of the ecosystem be utilised in which the health and well-being of the mauri of water and land is considered and provided for.
- (g) The Hapū supports and advocates for a Mātauranga/tikanga based urban design which is detailed in principles of "Te Matapihi" design guide.
- (h) The Hapū considers that any consent application to develop the whenua requires a site-specific cultural impact assessment.
- (i) The accidental discovery protocol must be used.

3.3.2 Archaeological Assessment (AA)

The AA report, refer to Appendix Five, informs the Council on the existence of any recorded archaeological items and considers whether they may be impacted by PC53. In addition, the report considers the likelihood of any as yet undiscovered items being affected.

The assessment concludes that:

- (a) The SSP (2018) report area has comparatively low risk for the presence of archaeological remains. While some archaeological remains can be expected to be present within the area it is unlikely that any major or extensive prehistoric or historic archaeological sites will be present.
- (b) The sand dune ridges that occur across the area have the highest potential for discovery of buried prehistoric and historic remains. The extent and area of earthworks required for the new development will determine the likelihood of discovery of buried

¹¹<https://maoridictionary.co.nz/search?idiom=&phrase=&proverb=&loan=&histLoanWords=&keywords=rep%C5%8D>

remains i.e. the more ground disturbance and excavation undertaken the more likely that any archaeological remains that may be present will be uncovered.

- (c) The area in the vicinity of Buxton and Fox Roads has the highest potential for archaeological remains. Historic remains can be expected to be present and prehistoric remains may be present.
- (d) Prehistoric archaeological sites are most likely to originate from short term seasonal utilisation of swamp resources, such as eels and birds, or land based resources such as karaka berries or birds. Possibly old pathways also crossed the Structure Plan area.
- (e) Historically there is little evidence of the area having much use by Europeans until the second half of the 1870's when subdivisions occurred, houses were built, farms and gardens developed, land use intensified, a school was built and the road formed. These activities will have left archaeological remains, some of which can be expected to have survived to the modern day.

3.3.3 Ecological Assessment (EA)

The EA report, refer to Appendix Six, informs the Council by identifying existing ecological values and providing an assessment of the anticipated ecological effects of the re-zoning of the land, resulting in a greater density of housing in the area, and the effects of the new stormwater and road network.

The report comprises of the following:

- A description of the vegetation, fauna and ecological features found within the Springvale Structure Plan area;
- An assessment of the existing ecological values;
- An outline of the nature and magnitude of potential adverse effects from the construction and installation of the stormwater/road network and housing development; and
- Proposes measures to avoid, remedy or mitigate adverse effects where necessary.

This assessment follows on from a desktop review of existing information and field surveys conducted in October 2018.

The report concludes:

“The construction of the housing development and stormwater/road network impacts on a generally low value ecosystem. Within the Council owned portion of land there is a wetland area of high ecological value, there is also an area of native terrestrial vegetation of moderate ecological value. The Springvale Structure Plan Area as a whole is dominated by grazed agricultural grassland, located on rural lifestyle properties. While Titoki Wetland has been identified within the Springvale Structure Plan Area, there will be minimal impacts on this wetland from the proposed works. Consequently, the overall effects on this ecosystem have been assessed as low.

Using the EIANZ guideline approach, the overall effect on all key ecological attributes impacted by the project was assessed as low, due to the range of habitat values being affected and the moderate species diversity. Levels of effects that are low are not typically of concern. However, a number of measures have been recommended to further minimise the potential effects of the project on the associated ecological values.”¹²

¹² EA, WSP OPUS, Page 1 (EIANZ -Environment Institute of Australia and New Zealand)
PLAN CHANGE 53 – SPRINGVALE RESIDENTIAL STRUCTURE PLAN
NOTIFICATION – SECTION 32 EVALUATION REPORT

3.3.4 Traffic Impact Assessment (TIA)

The TIA report, refer to Appendix Seven, informs the Council on strategic land use and transport matters arising from implementation of the proposed Structure Plan for Springvale.

Mosston Road is an existing designated Heavy Vehicle Route between the industrial area at Heads Road and SH3 to New Plymouth.

The SSP report suggests that the Structure Plan area could accommodate 600-700 residential lots and the TIA was completed on that basis.

The TIA report considered the following:

- General traffic demand and trip distribution around the site;
- Development traffic;
- Performance assessment of surrounding intersections;
- Safety assessment of surrounding intersections;
- Construction traffic impact.

The report concluded that

“The performance of the key intersections surrounding the structure plan area are expected to remain acceptable in the short to medium term (10 years), with or without the additional proposed residential traffic. However, in the longer term (beyond 2029), it is expected that future capacity upgrades of Fitzherbert Avenue / Totara Street and Fitzherbert Avenue / Fox Road intersections will be necessary regardless of the future development.

The construction traffic effects relating to the development, including dwellings and supporting infrastructure, are considered to be minor, particularly with the consideration and adoption of the suggested [construction traffic management plan] mitigation measures recommended in Section 6.3[of the report].

The impact of the development traffic on local intersection safety is considered to be minor. The results of the predictive crash risk assessment of existing intersections show that there will not be significant increase in the injury crash risk at the intersections under future network conditions, with or without the development traffic. This is consistent with the qualitative assessment of the safety risk given the expected traffic pattern and current intersections arrangements. As with intersections capacity, however, there may be need for monitoring and upgrade of the intersections to maintain safety well into the future.”¹³

¹³ TIA, WSP OPUS Page 23

4 SECTION 32 EVALUATION

4.1 REQUIREMENT TO MAKE AN EVALUATION

The RMA requires that when a Council undertakes a plan change it must produce a report evaluating the proposed provisions. This section of the report comprises the evaluation of PC53 that the Council is required to complete in accordance with section 32 of the RMA (as amended 2017).

The evaluation report must (section 32(1)):

- a. *examine the extent to which the objectives of the proposal are the most appropriate way to achieve the purpose of the Act (to promote the sustainable management of natural and physical resources), and*
- b. *examine whether, the provisions are the most appropriate way to achieve the objectives by-*
 - i. *identifying other reasonably practicable options for achieving the objectives; and*
 - ii. *assessing the efficiency and effectiveness of the provisions in achieving the objectives; and*
 - iii. *summarising the reasons for deciding on the provisions; and*
- c. *contain a level of detail that corresponds to the scale and significance of the environmental, economic, social and cultural effects anticipated from the implementation of the proposal.*

An assessment must (section 32(2)):

- a. *identify and assess the benefits and costs of the environmental, economic, social and cultural effects that are anticipated from the implementation of the provisions including the opportunities for –*
 - i. *economic growth that are anticipated to be provided or reduced; and*
 - ii. *employment that are anticipated to be provided or reduced; and*
- b. *if practicable, quantify the benefits and costs referred to in paragraph (a); and*
- c. *assess the risk of acting or not acting if there is uncertain or insufficient information about the subject matter of the provisions.*

The evaluation must (section 32(4A)):

- a. *summarise all advice concerning the proposal received from iwi authorities under the relevant provisions of Schedule 1; and*
- b. *summarise the response to the advice, including any provisions of the proposal that are intended to give effect to the advice.*

This report considers alternatives to the proposed policies and rules relating to enabling residential expansion in the District whilst sustainably managing the effects of such activities on the environment. The following options are evaluated in Sections 3.3 and 3.4 of this report:

- 1 Retain status quo.
- 2 Plan Change as proposed in the SSP report.
- 3 Plan Change as proposed by PC53.

4.2 SUMMARY OF IWI AUTHORITY ADVICE

Section 32(4A) of the RMA requires this evaluation report to summarise all advice concerning the Plan change received from iwi authorities and Council's response to that advice.

Refer to Section 3.2.1 of this report for a summary of engagement with Ngaa Rauru Kiitahi and Te Rūnanga o Tūpoho being the relevant iwi authorities. Advice from the Combined Hapū has been captured in the CIA which is summarised in Section 3.2.1 and Section 3.3.1 above.

The Council response to that advice is detailed in Appendix Eight to this report.

In summary the Combined Hapū recommendations about protection of the Titoki Wetland and the adjacent stand of trees (identified as Ti and Karaka by Hapū) are acknowledged and supported. PC53 ensures that no stormwater will enter the Titoki Wetland and the existing stand of trees within the Council reserve will be unaffected by PC53.

The Combined Hapū recommendations about provision for fish passage are also acknowledged and supported. The design of the stormwater management system will provide capacity for future provision for fish passage, to the extent possible given it will not directly link to the Titoki Wetland. Council's Ecologist, advises that tuna will in time navigate from Titoki Wetland to the retention area and then upstream.

Extensive reserve areas are to be retained within the Structure Plan area and a discussion with Council about opportunities to reconnect formally with land in this area is welcomed but beyond the scope of PC53.

Ongoing discussions around mauri and cultural monitoring are welcomed, as is participation in the process of infrastructure design to identify the cultural values impacted and mitigation options.

4.3 EVALUATION OF OPTIONS

The recommended Plan change (PC53) has evolved from an evaluation of three key variables to provide for residential growth at Springvale, being:

- 1 The extent of the Structure Plan area to be rezoned Residential to meet demand.
- 2 The appropriate development density to apply for residential development in the Structure Plan area.
- 3 How best to protect the efficiency and function of the Heavy Vehicle Route, Mosston Road, and avoid potential reverse sensitivity issues related to new residential development.

The options considered for each are summarised below.

4.3.1 Extent of Residential Development in the Structure Plan Area

Options		Explanation	Rank
Option A	Status quo/ do nothing.	Retain Rural Lifestyle in the SSP area. The existing District Plan provisions remain unchanged, with a minimum lot size of 5000m ² per dwelling and a presumption against connections to urban reticulated three waters networks.	3
Option B (As Proposed by SSP Report)	Rezone all study area catchments to Residential, Commercial and Reserves and Open Space zones as indicated in the SSP report'.	Rezone the entire area identified in the SSP report to Residential, except areas zoned as Reserves and Open Spaces ('R & OS') for stormwater management or neighbourhood recreation purposes. Provide for a small commercial retail centre zoned for that purpose. Necessitates new provisions to establish finer grained density controls in the Residential Zone or create additional zones to accommodate.	2
Option C (Proposed PC53)	Re-zone all except the Buxton catchment to Residential or Reserves and Open Spaces zone. Replace District Plan Appendix J with proposed Structure Plan (refer to Appendix Two)	Exclude Buxton catchment and rezone most land Residential. Zone land required for stormwater management or neighbourhood recreation purposes to R & OS. No commercial zone is provided for.	1

Benefits and costs of each option for defining the extent of residential development are considered below.

Benefits and Costs
Option A - Status quo/ do nothing.
Benefits
<ul style="list-style-type: none"> Least financial cost to Council in the short term as no action required. Few requirements to achieve quality urban design outcomes or integrated transport networks will minimise costs for developers.
Costs
<ul style="list-style-type: none"> Longer term higher planning and infrastructure related costs are likely to arise to address ad hoc development pressures. Does not promote or facilitate residential development to meet recognised demand. NPS requirements to provide sufficient development capacity are not reflected in the District Plan. Encourages ad hoc development – unlikely to achieve integrated transport or efficient infrastructure provision, nor would the required densities of development be achievable to meet demand. In the absence of an appropriate policy framework, applications to develop and subdivide are more likely to be declined or ad hoc decisions made to approve development.

<ul style="list-style-type: none"> • Development would be assessed on a case by case basis and have to justify increased density, creating uncertainty for landowners and developers about the future land use and costs of development. • Consent process will continue to be more costly and uncertain for the applicant and the ratepayer alike due to a lack of supportive regulation in the District Plan. • Ad hoc process for participation by mana whenua, which is restricted to subdivision consent process, creates potential for adverse effects on cultural values.
Options B –SSP report proposed Residential, Open Space and Retail zones
Benefits
<ul style="list-style-type: none"> • An improved residential environment can be achieved. • Creates a programme of physical works to implement the Structure Plan, which means that developers will contribute to the growth and costs for the area. • Will ensure structured and planned development rather than continued ad-hoc development. • Will facilitate integrated transport network and better community connectivity. • Provides certainty for developers about availability of residential zoned land and flexibility about development opportunities. • Minimal short term cost for Council in terms of planning and asset management. • Single Plan change process minimises costs versus a staged process. • Informs Council and community about archaeological sites within the study area. • Provision of retail area may encourage more active urban environment including more walking and cycling within the study area and reduce motorised vehicle movements.
Costs
<ul style="list-style-type: none"> • Layout does not respond to landowner engagement and technical reports received since the preparation of the 2018 SSP report. Would likely result in a less than optimum pattern of development. • More costly Plan change process due to potential to generate landowner and iwi opposition. • More costly development as extent of infrastructure is more than necessary to service the area, particularly roading. • Does not provide appropriate reserve areas, too much land retained for reserves but not in the places that will facilitate quality amenity outcomes. • Land to the south is required for stormwater management and cannot be developed for residential purposes as indicated. Creates false expectations or risks compromise of stormwater management network functioning. • Some areas may not be developed as demand may not eventuate for less desirable/feasible sites. This creates a potential appearance of oversupply of residentially zoned land, much of which may be unsuitable for residential development. • Creates uncertainty for more difficult or costly sites. These would only be developed after easier sites, or as a result of changes in the market or technology. • Creates an additional area of retail relatively close to Fitzherbert Ave Neighbourhood Commercial Zone and the town centre. In the Whanganui urban context, it could threaten the vitality of existing suburban and town centre retail activities. • Provision of retail zone would reduce the land available for residential development.

Option C – Proposed structure plan and Residential, Reserve and Open Spaces zones excluding Buxton catchment (PC53 proposed Map changes)

Benefits

- The Attrill-Fitzherbert catchment has largely been developed and has active subdivisions at a residential density. Aligning the Residential Zone to actual land use and infrastructure provision is sustainable.
- The Attrill-Fitzherbert and Fox catchments alone could provide 838 residential lots which exceeds the projected 675 lots required to meet demand to 2065. This will provide flexibility for section sizes and reduce pressure for all sites to be residentially developed. This may also reduce the total area needed for stormwater attenuation and potentially reduce infrastructure costs.
- Less feasible land for residential development is excluded, but opportunity for future consideration is retained.
- Avoids potential appearance of oversupply of Residential zoned land.
- Informs Council and community about and responds to cultural and ecological values within the study area. It also responds to potential traffic impacts.
- A high amenity residential environment can be developed.
- Provides more efficiently for reserve spaces with clear recreational areas and stormwater management areas.
- Avoids any impact on the high value ecological area, the Titoki Wetland.
- Avoids rezoning and restricting development in areas where residential density is considered likely to be cost prohibitive to develop.
- Avoids risk of infrastructure capacity over design resulting in additional costs to Council due to lower development contributions revenue.

Costs

- Reduced area for development and opportunities for other catchments identified in the SSP report to undertake residential development.
- May create uncertainty for landowners in the Buxton Rd catchment as no longer proposed to be zoned Residential.
- May increase infrastructure costs for the other catchments.

Preferred Option

Option C is the preferred option as proposed by PC53.

Option C maximises the potential benefits for developers and Council by focusing on the areas that are experiencing the highest demand for development and most efficient provision of infrastructure. Three catchments are rezoned to Residential and Reserves and Open Space zone as indicated in Appendix Two. It reconfigures reserve land into areas required for stormwater management or for neighbourhood recreational purposes.

It also retains the option for the Buxton Rd catchment to be rezoned if there is demand for development in future, meaning that the limited services in the area can be used initially for catchments experiencing the greatest demand.

4.3.2 Residential Development Density

Options		Explanation	Rank
Option A	Status quo/ do nothing.	Retain existing zones and consider development proposals on an ad hoc basis.	3
Option B	Create and apply three additional residential zones as recommended in the SSP report.	<ul style="list-style-type: none"> Residential Lifestyle – 1000m². Residential Medium Density. Residential Medium/High Density. 	2
Option C	Rezone the study area to Residential	Apply the existing 400m ² minimum lot size to all land within the study area recommended for Residential zoning (refer to Appendix Two map). This would enable some development at a residential density with connections to the urban reticulated system as shaped by individual developments.	1

Benefits and costs of each option are considered below.

Benefits and Costs	
Option A - Status quo/ do nothing (Retain Rural Lifestyle Zone)	
Benefits	
<ul style="list-style-type: none"> Short term lower costs to Council as no Plan change required. 	
Costs	
<ul style="list-style-type: none"> Uncertainty and additional costs for landowners, developers and Council about whether the area can be used for residential development given some residential development has already occurred. Lack of provision for future residential growth. Lost opportunity to develop a comprehensive stormwater management solution, and attribute costs to those who benefit. Any such works would likely require significant ratepayer funding. 	
Option B – Create/ apply three additional Residential zones as per SSP report	
Benefits	
<ul style="list-style-type: none"> Would foster a structured form of residential intensification by selecting areas for higher density development. Would establish a clear buffer area and lower density of development adjacent to Mosston Road, minimising potential reverse sensitivity issues. 	
Costs	
<ul style="list-style-type: none"> Requires new performance standards and rules for each new zone. Would limit minimum lot sizes by specifying areas where larger sites are required. Does not address a specific resource management issue in Whanganui where a variety of section sizes are created under the current rules. 	

Option C - Rezone the SSP area to Residential as proposed by PC53	
Benefits	
<ul style="list-style-type: none"> No changes to the Residential Zone rules for minimum lot sizes. Requires no additional staff resource to establish and justify new residential zones, so Plan change process costs are potentially reduced. Maintains a simple and streamlined approach to residential zones, which is easy to understand and appropriate to the scale of the urban environment. Small minimum lot sizes will encourage flexibility of development and varied lot sizes, whilst still meeting projected demand to 2065. Accommodates option where not all sites are fully developed to residential density. 	
Costs	
<ul style="list-style-type: none"> Potential risk to the functioning of Mosston Road (Heavy Vehicle Route) due to reverse sensitivity issues with intensified residential development. Could result in pressure to develop more than the 675 lots, and exceed the design capacity of the swale and services. 	

Preferred option Option C is the recommended option as proposed by PC53.

Retaining the existing Residential Zone performance standard for minimum lot size at 400m², rather than creating three new residential zones, will minimise additional Plan drafting and maintain a simplified and streamlined approach to sustainable management of development in residential areas. A single zone with a low minimum lot size is fit for purpose and no major issues are identified that warrant a change of approach. The exception is land adjacent to Mosston Road where protection of residential amenity and safeguarding of the functioning of the Heavy Vehicle Route necessitate a different approach.

4.3.3 Protection of Heavy Vehicle Route

Options		Explanation	Ranking
Option A	Status quo/ do nothing.	No buffer but apply residential rezone options above.	4
Option B	Rezone all to Residential but include a minimum lot size of 1000m ² for lots adjacent to Mosston Road via a buffer.	Apply an overlay to allow for larger size residential lots adjacent to Mosston Road only, to limit intensity of development adjacent to the Heavy Vehicle Route.	3
Option C	Require noise insulation for dwellings within 20 metres of the Mosston Rd road reserve.	Apply current District Plan noise and acoustic insulation provisions for state highways to new dwellings erected adjacent to Mosston Road.	2
Option D	Rezone to Residential, minimise access to Mosston Road and require a five-metre dwelling set back.	Strengthen District Plan access provisions to discourage access to new dwellings from Mosston Road. Retain Rural Lifestyle Zone minimum yard setback from Mosston Road.	1

Benefits and costs of each option are considered below.

Benefits and Costs	
Option A - Status quo/ do nothing (No additional restrictions applied)	
Benefits	
<ul style="list-style-type: none"> Sites retain more flexible development option. Rural character is retained. 	
Costs	
<ul style="list-style-type: none"> Exposes Council to complaints about noise and vibration of heavy vehicles using Mosston Road as dwellings will be potentially built within 5 metres of the boundary. It does not support functioning of the Heavy Vehicle Route. May increase traffic safety and residential traffic conflicts with heavy vehicles. Development may be more expensive long term, as acoustic insulation is retrofitted voluntarily by landowners, and Council respond to noise complaints. 	
Option B - Rezone Residential but apply a 1000m ² lot size adjacent to Mosston Rd	
Benefits	
<ul style="list-style-type: none"> Retains some rural character adjacent to Mosston Road. Encourages greater variety of residential development. Is consistent with SSP report rationale. May protect amenity values of dwellings near Mosston Road. Larger sections would enable dwellings to be located further from the road but without a requirement to do so, dwellings may still locate near the road. Safeguards the functioning of the Heavy Vehicle Route by managing the density of adjacent residential development. 	
Costs	
<ul style="list-style-type: none"> New restrictions would cost additional time and resources. 	
Option C – Require noise insulation of dwellings adjacent to Mosston Rd	
Benefits	
<ul style="list-style-type: none"> Safeguards the functioning of the Heavy Vehicle Route by ensuring development of residential dwellings are protected against potential noise. Provides certainty for those building dwellings in this area. Safeguards the amenity of dwellings adjacent to Mosston Road. Utilises existing Plan provisions targeted to avoiding and mitigating potential noise and vibration effects. 	
Costs	
<ul style="list-style-type: none"> Creates additional costs for construction of dwellings in this vicinity. A 20 metre wide buffer would apply reducing development potential. The volume of traffic on the route is less than anticipated on state highways and insulation for noise has not been established as necessary. 	

Option D – Rezone to Residential but minimise access to Mosston Road and increase yard distance	
Benefits	
<ul style="list-style-type: none"> • Retaining a rural yard distance safeguards the functioning of the Heavy Vehicle Route by managing the density of adjacent residential development. • Provides certainty for those building and living in dwellings in this area. • Will safeguard the amenity of dwellings adjacent to Mosston Road. • Utilises existing Plan provisions targeted at avoiding potential road safety effects in response to the increased density of residential development. • A yard setback distance is simple to implement, monitor and understand. • Does not create additional costs for development. 	
Costs	
<ul style="list-style-type: none"> • May reduce development potential of sites adjacent to Mosston Road. • May delay development potential for some sites, as they will require the Structure Plan designation road to be constructed. 	

Analysis of options and preferred option

Option D is the recommended option as proposed by PC53.

This option will ensure that intensified residential development can take place on all properties within the Structure Plan area as recommended above, while protecting the Heavy Vehicle Route on Mosston Road from the potential for reverse sensitivity and traffic safety issues which could compromise road function. The yard distance provisions that currently apply to dwellings built in the Rural Lifestyle Zone will continue to apply to any boundary adjacent to Mosston Road. New dwellings on sites adjacent to Mosston Road will be required to obtain alternative access.

4.3.4 Efficiency and Effectiveness of PC53 Approach

Section 32 (1)(b) of the RMA requires that Council examine whether the provisions included in PC53 are the most appropriate way to achieve the purpose of the RMA. In this instance the following are proposed.

Options C (Zone Extent), C (Density), and D (Heavy Vehicle Route) assessed above are the most appropriate Plan change course of action as together they provide for sustainable, efficient and effective residential growth at Springvale. This preferred option is the most appropriate way to achieve the objectives of the Plan and purpose of the RMA.

Efficiency of proposed PC53 approach

- More efficient provision of infrastructure will be achieved, as all development will be required to adhere consistently to the Structure Plan and development will be located in the areas of highest demand and least cost or environmental impacts.
- Retains a simple and clear approach to Residential Zone provisions. Plan requirements are easily understood and clear at the outset of any development.
- Would be inefficient to distinguish residential development in this area from the balance of the urban area.
- Any risks of land fragmentation compromising the ability of developers to establish an integrated transport network will be actively monitored by Council and addressed, if required through consent processes utilising the requirements of the Structure Plan.

- Strengthens a simple and clear approach to access to Mosston Road. PC53 will over time, ensure alternative access roads for all sites within the Structure Plan area.
- Ensures the safe and efficient operation of Mosston Road as a Heavy Vehicle Route by preventing access from adjacent residential properties. Some existing accessways may be removed over time.
- Strikes a balance between flexible use of section area and avoidance of noise disturbance complaints about Mosston Road traffic.
- PC53 efficiently provides for expansion of the Residential Zone in a sustainable and planned manner while avoiding, remedying or mitigating adverse effects on the environment including on the Heavy Vehicle Route.

Effectiveness of proposed PC53 approach

- Reasonably effective, by ensuring sufficient land is available to meet demand for future residential development whilst excluding land that is costly to service in the medium term, whilst retaining key reserve areas in Council ownership
- Maximises flexibility for section sizes and encourages a varied range of housing styles and densities.
- Facilitates location and site size choices and the potential for new residential development in Springvale where demand is established.
- Reasonably effective as it applies existing Plan provisions to the new residential area, as the issues are indistinguishable.
- Infrastructure design has been scoped on the basis of application of existing Residential Zone performance standards and will be coordinated by the Council via the Structure Plan requirements over time. This is an effective method to facilitate future development.
- Non-complying status for access to Mosston Road will encourage landowners to look to the implementation of the Structure Plan infrastructure as an alternative. It will reduce safety risks for Mosston Road traffic.
- Introducing a greater yard setback for residential dwellings is an effective method to reduce likelihood of noise complaints related to Mosston Road traffic.

4.3.5 Opportunities for Economic Growth and Employment

- Council seeks to attract new businesses and residents to town and encourage retention and expansion of existing businesses. The preferred option broadly sets up the infrastructure and urban design framework for future residential development at Springvale.
- PC53 will provide long awaited certainty for existing and future landowners in the Structure Plan area and enable economic decisions to be made based on rational information.
- Opportunities are created for developers and other trades people to benefit from the current and future growth of population through provision of new homes and services and encouraging an increased rating base.
- These actions together will enable Whanganui to capitalise on potential employment and other economic benefits that may result from expansion of the Residential Zone.

4.3.6 Risk of Acting or not Acting if there is Uncertain or Insufficient Information

- There is sufficient information to act as proposed. It would be inappropriate not to act on the information Council has collated and as documented in this report. Not acting would likely result in fewer growth and employment opportunities as residential development would be more complex than proposed by PC53.
- Over the last 20 years landowners in the Structure Plan area have witnessed various proposals for residential development in this area. This has created issues of uncertainty about what the future holds. Council now has the information required to proceed.

4.3.7 Appropriateness of the Proposed PC53 Approach

Council officers and stakeholders have been involved in research and consultation to ensure that Council has sufficient information to prepare a Plan change. The Council has not relied on any uncertain or insufficient information, but has undertaken research to ensure the subject is adequately understood and recommendations are appropriate

PC53 strikes an appropriate balance between providing for residential growth in the urban area with some degree of certainty, whilst also ensuring that actual and potential adverse effects will be avoided, remedied or mitigated or a consent process required to enable consideration of the effects on the environment.

Whether or not the Plan change is necessary or appropriate is directly linked to sections 6, 7 and 8 of the RMA. PC53 is consistent with, and necessary to, achieve the purpose and principles of the RMA as discussed in Section 2.2 of this report.

4.4 ASSESSMENT OF PROPOSED CHANGES TO PLAN PROVISIONS

The analysis undertaken above concludes that PC53 is the best way to ensure sustainable management of the natural and physical resources related to the expansion of the Residential Zone and provision for projected residential growth in the urban area.

The existing Plan provisions related to subdivision and infrastructure alone will not achieve a high quality residential environment as sought by the Plan objectives. Currently only a small portion of land in the Structure Plan area can be subdivided and developed to a residential density (land subject to Rule 13.4.3(b)). The existing provisions will not address the ad hoc manner in which development in the area is likely to occur and will not provide for the management of urban growth in this location.

4.4.1 Appropriateness of Objectives

PC53 will be a method to achieve existing objectives to enable residential development to meet community needs, whilst providing for and having regard to protecting historic heritage values and the quality of the environment, encouraging efficient and effective infrastructure services and facilitating sustainable management of subdivision and development in the Springvale area.

Existing objectives 9.2.9 and 9.2.10 are amended to delete reference to 'wāhi tupuna site' as it is not a term supported by Hapū and is not consistent with the Environment Court decisions on requirements to preserve and protect wāhi tupuna.

Case law indicates that the matters of national importance in section 6(e) RMA that are to be recognised and provided for, should not generally include everyday activities, where the consequence would be to prevent new endeavour on the land. The consequences for

continuing human endeavour are obvious: it would be difficult or even impossible to obtain consents to carry out activities on land.¹⁴

No other changes to the existing Plan objectives are proposed by PC53. PC53 is the most appropriate way to achieve Plan objectives: 4.2.1, 9.2.1 – 9.2.3, 9.2.5 – 9.2.8, 9.2.9, 9.2.10, 13.2.1 – 13.2.4 and 14.2.1.

4.4.2 Evaluation of Policies

The proposed policies need to be read in conjunction with existing Plan provisions as indicated by grey shading in Appendix One. An evaluation of whether, having regard to their efficiency and effectiveness, the proposed policies are the most appropriate way to achieve the objectives is set out below:

Chapter 4 Residential Environment	
4.3.9	Residential development in the North West Structure Plan areas Area must ensure good quality urban design outcomes and provide efficient, safe and resilient infrastructure. Particular regard must be given to achieving the indicative roading layout, landscaping and three water infrastructure, and positive outcomes for the protection of historic heritage, including cultural values.
4.3.10	Developments that seek to deviate from the North West Structure Plans (Appendix J and Appendix L) are provided for; but only if the following key criteria are achieved in a manner that secures positive outcomes for historic heritage protection, quality urban design outcomes, and the provision of efficient, safe and resilient infrastructure:----- f. The development avoids access for new allotments directly onto State Highway 3 <u>and to Mosston Road</u> . Legal and/or physical access to new allotments via existing single or multiple site accessways directly onto State Highway 3 <u>and to Mosston Road</u> , must be avoided.
Chapter 9 Historic Heritage	
Amend policies 9.3.22 and 9.3.24 to delete reference to the term wāhi tupuna site and replace with the term archaeological site.	
Delete reference to 'wāhi tupuna site' in policies 9.3.23, 9.3.25, 9.3.26 and 9.3.27.	
Chapter 13 Subdivision and Infrastructure	
Amend policies 13.3.35 - 13.3.38 to refer to Springvale Structure Plan.	
Comment	
The District Plan already establishes a policy framework capable of supporting design outcomes in the urban area, further amplification is necessary to provide a stronger framework for the consideration of impacts on the Heavy Vehicle Route adjacent to the Structure Plan area through future resource management decisions within the area.	
The term wāhi tupuna site is deleted or replaced by the term archaeological site in response to the CIA recommendation.	
Benefits	
Environmental – Land is developed at a sustainable density and ecological values of the area are maintained by development or potentially improved with landscaping of the stormwater retention area in time. Flood risks will be actively managed.	

¹⁴ Para 106; Environment Court Decision A100/2004, Serenella Holdings Ltd v Rodney DC
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Improved cycleway and pedestrian connectivity will reduce car dependency thereby limiting environmental harm through reduced CO₂ emissions.

Economic – Existing policies will apply to this new development area, making it simple and clear for developers and land owners which will be more cost effective for developers and Council.

Social/Cultural – Cultural values, centred on land and water quality, will be better protected by PC53, as infrastructure to service the Structure Plan area will avoid the Titoki Wetland completely, and create a blue/green corridor through the Structure Plan area.

PC53 requires road and shared pathway connectivity between the potential subdivisions which will enhance community cohesiveness.

Costs

Environmental – Building density will increase in the area and the amenity will change from rural lifestyle to residential. The policies cannot address lack of amenity or poor site layout for existing activities in the area.

Economic - Some developers and owners will be restricted due to the location of proposed roads.

Existing rural activities may incur additional consenting costs and reverse sensitivity issues over time.

Social/Cultural –Accidental discovery of archaeological items may occur.

4.4.3 Evaluation of Methods

These proposed methods also need to be read in conjunction with existing Plan provisions as indicated by grey shading in Appendix One. An evaluation of whether, having regard to their efficiency and effectiveness, the proposed methods are the most appropriate way to achieve the objectives is set out below:

Planning Maps

- Rezone land from Rural Lifestyle to Residential as indicated in Appendix Two.
- Rezone land from Reserves and Open Space to Residential as indicated in Appendix Two.
- Rezone land from Rural Lifestyle to Reserves and Open Space as indicated in Appendix Two.
- Rezone small pockets of land vested as Council reserve, from Residential to Reserves and Open Spaces as indicated in Appendix Two.

Chapter 2 – Definitions

- Delete reference to 'Wāhi Tupuna Site'.
- Insert a note to explain local dialect term 'Tongi Tawhito'.

Chapter 4 Residential Environment

- Apply the Rural Lifestyle Zone yard distance of five metres to any Residential Zoned site boundary adjacent to Mosston Road.

Chapter 9 Historic Heritage

- Amend introduction to record the cultural history and significance of the Springvale area.
- Amend Rule 9.10.2(a) to exclude development where an archaeological authority has been obtained from Heritage New Zealand.
- Delete reference to 'wāhi tupuna site' in rule 9.10.2(b)(iv).
- Delete reference to 'wāhi tupuna site' and replace with 'archaeological site' in performance standard 9.11.2(a) – (d).

Chapter 12 – Parking, Loading and Vehicle Crossings

- Insert Rule 12.4.3 to make new vehicle access and intensification of existing access to Mosston Road a non-complying activity.
- Delete performance standard 12.5.6(b).

Chapter 13 Subdivision and Infrastructure

- Delete references to Appendix J(B).
- Delete reference to 'wāhi tupuna sites' in Rule 13.4.2.
- Amend Rule 13.4.2 (a) to apply to all areas.
- Delete rules 13.4.3(c) and 13.4.4(a) which applied to Springvale.
- Delete reference to Springvale Indicative Future Development Area in rules 13.5.4(a), 13.5.10 and 13.5.15.

Appendices

- Replace Appendix J with a new Springvale Structure Plan to identify:
 - the structure plan boundary;
 - the restricted access boundary;
 - location of key roads, shared pathways and stormwater drainage areas;
 - Indicative transport (road and/or shared pathway) linkages;
 - existing and proposed designations; and archaeological site.
- Delete Appendix J(B) – Springvale Indicative Development Plan.

Comment

Whilst the District Plan already establishes a policy framework capable of supporting design outcomes in the urban area, further amplification is necessary and desirable to provide a stronger framework for the consideration of these matters in the greenfield area of Springvale.

The term wāhi tupuna site is deleted or replaced by the term archaeological site in response to the CIA recommendation. It is consistent with Heritage New Zealand's 2014 submission to PC39 – archaeological sites. The submission recorded that it would be a duplication of functions for the District Plan to require consent approval for activities affecting archaeological sites.

Reference to 'wāhi tupuna site' will be deleted or replaced by the term archaeological site as it is not a term supported by Hapū and is not consistent with the Environment Court decisions on requirements to preserve and protect wāhi tupuna.

Case law indicates that the matters of national importance in section 6(e) RMA that are to be recognised and provided for, should not generally include everyday activities, where the consequence would be to prevent new endeavour on the land. The consequences for continuing human endeavour are obvious: it would be difficult or even impossible to obtain consents to carry out activities on land.¹⁵

Benefits

Environmental – Land is developed at a sustainable density and ecological values of the area are not affected by the development or potentially improved with landscaping of the stormwater retention area in time. Flood risks will be actively managed. Areas for reserve and residential purposes will be clearly mapped in the Plan.

Avoids reverse sensitivity issues as far as possible by carefully considering the effects of the location of residential activities and access points to such activities to ensure that they do not constrain existing or potential future functions of Mosston Road as the Heavy Vehicle Route.

Improved cycleway and pedestrian connectivity will reduce car dependency thereby limiting environmental harm through reduced CO₂ emissions.

¹⁵ Para 106; Environment Court Decision A100/2004, Serenella Holdings Ltd v Rodney DC
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<p>Economic - Facilitates orderly development of the wider area without creating an oversupply of land, and thus a more efficient proportion of services which will be more cost effective for developers and Council.</p> <p>The cost of infrastructure will be distributed proportionally across those who benefit from it, through the Development Contributions Policy 2018. The policy is designed to facilitate development feasible for both developers and the community.</p> <p>Reduced risks of flood hazard will improve attractiveness of land for development.</p> <p>Social/Cultural –Cultural values which centre on land and water quality in this area will be better protected by PC53, as infrastructure has been comprehensively designed to service the entire area and avoid the Titoki Wetland completely, as well as create a blue/green corridor through the Structure Plan area.</p> <p>Currently Springvale is characterised by small pockets of housing clusters that are not well connected. PC53 requires road and shared pathway connectivity between each subdivision to enhance community cohesiveness.</p>
<p>Costs</p>
<p>Environmental – Building density will increase in the area and the amenity will change from rural lifestyle to residential. Stormwater will be channelled and stored in detention areas.</p> <p>Economic - Some developers and owners will be restricted due to the location of the indicative roads, restricted access and yard distance standards to be applied to sites adjacent to Mosston Road.</p> <p>Social/Cultural –Accidental discovery of archaeological items may occur, triggering performance standard 9.11 of the District Plan.</p> <p>Existing rural activities may incur additional costs if they seek to relocate out of the Zone over time, or consent fees if they seek to remain and expand within the Zone.</p>

4.4.4 Policies and Methods – Effectiveness, Efficiency Appropriateness and Risks

Section 32(1)(b) of the RMA requires an assessment of the efficiency and effectiveness, and appropriateness of the proposed provisions (policies and methods). Section 32(2)(c) also required an assessment of the risk of acting or not acting if there is uncertain or insufficient information about the subject matter of the provisions.

<p>Effectiveness and Efficiency</p>
<p>The proposed policy and rule changes are effective as they are minor and align closely with existing Plan objectives. The changes generally broaden the application of existing policies and rules to enable a range of residential activities in Springvale whilst safeguarding the function of the adjacent Heavy Vehicle Route and avoiding any adverse effects on the Titoki Wetland. These proposed changes will discourage adhoc residential development in the wider urban environment.</p> <p>Mapping of proposed infrastructure, key transport linkages and zoning is an effective method to achieve existing Plan objectives. Mapping provides visual context for the application of rules and performance standards in a way that is well understood by the community and other Plan users.</p> <p>Expansion of the Residential Zone to accommodate future demand will discourage developers from seeking to establish beyond the Zone and enable Council to better resist such proposals where not sustainable.</p> <p>The policy, rule and mapping changes that enable consideration of the Springvale Structure Plan are an efficient way to identify the expectations of the community for this area.</p>

<p>PC53 is the most effective way to provide for residential growth in Springvale for the next 30 years. Through the inclusion of the Structure Plan in the District Plan, Council can provide a clear, consistent guide for future development in this area and facilitate establishment of development contribution policy. This provides increased certainty to developers and ratepayers.</p> <p>PC53 has explored the effect of development on areas wider than the Structure Plan area particularly in relation to traffic impacts and established that such effects are not significant in the short to medium term.</p>
<p>Appropriateness</p>
<p>The policy, rule and map changes proposed in PC53 are appropriate as they address the NPSUDC requirement for the Council to demonstrate sufficient development capacity. PC53 will achieve that for the Springvale area, which is an area with high housing demand.</p>
<p>Risk of acting or not acting if there is uncertain or insufficient information about the subject matter of the policies, rules, or other methods</p>
<p>There is sufficient information to act as proposed. It would be inappropriate not to act on the information Council has collated as documented in this report. Not acting would likely result in fewer growth and employment opportunities as residential development would be more complex and regulated than proposed by PC53.</p> <p>The issues investigated, and options preferred are the most appropriate way to achieve the purpose of the RMA. If these changes were not made there is a risk the Council would fail to achieve its RMA functions.</p> <p>There is already development pressure in this area. If PC53 is not acted upon, then development pressure will continue in an ad hoc fashion without consideration of the wider environmental, social and cultural impacts.</p> <p>Over the last 20 years landowners in the Structure Plan area have witnessed various proposals for residential development in this area. This has created issues of uncertainty about what the future holds. Council now has the information required to proceed.</p> <p>The feasibility of development in this area will also be at risk as without a clear plan to provide for development (and its costs). Council may also be subject to unanticipated infrastructure costs and be forced to respond to demand in other locations, without the benefit of a structure plan.</p>

5 CONCLUSION

To effectively and efficiently facilitate an environment conducive to growth of residential activity in Springvale, it is necessary to zone additional land which is appropriately located and of suitable size. Such activities are essential for economic and social wellbeing.

The Council has a particular interest to achieve enhancement of amenity values and integrated provision of cost effective infrastructure services within greenfield residential development areas. Structure plans are Council's favoured method to proactively define development areas and parameters to achieve this outcome.

Technical experts, Council officers and the community have been involved in undertaking work and consultation to ensure that the Council has sufficient information to prepare an efficient and effective Plan change being PC53. The Council has not relied on any uncertain or insufficient information, but has undertaken research to ensure the issues, options, costs and benefits are adequately understood.

The proposed changes to the District Plan are the most efficient and effective means available to Council to provide residential development capacity while preserving and enhancing amenity and cultural values in Springvale.

This evaluation has been undertaken in accordance with section 32 of the RMA. Following careful consideration of matters raised during pre-notification engagement with stakeholders including iwi, it defines the necessity, benefits and costs arising from changes to the Plan proposed by PC53. The appropriateness of the current and proposed policies and methods, having regard to their effectiveness and efficiency, have also been reviewed relative to other methods of achieving the purpose of the RMA.

PC53 enables residential development to meet community needs, whilst providing for and having regard to cultural, ecological and archaeological values, encouraging efficient and effective infrastructure services, enhancing the quality of the surrounding environment, and facilitating subdivision and development in the Springvale area to meet foreseeable demand for residential sites. PC53 facilitates sustainable development.