

Section 32AA Evaluation

The section 32AA evaluation has been prepared to a level of detail that corresponds to the scale and significance of the environmental, economic, social and cultural effects that are anticipated from the recommended St Patrick's Estate Precinct provisions. This evaluation draws on and expands upon any evaluation of these matters contained within the Council's evidence report and the right of reply above.

Rezoning the site to Mixed Use Zone is a new option that was not considered in the section 32 evaluation supporting the IPI as a result of the Council's understanding of the future development aspirations of the landowner as communicated in previous consultation.

As the option of retaining the site under the existing Special Activity Zone (the status quo) was found to be the least efficient and effective method to achieve the relevant objectives in the section 32 evaluation, it has not been reevaluated in this section 32AA evaluation.

This section 32AA evaluation is limited to the following options:

1. Option 1: Rezone the site to High Density Residential Zone.
2. Option 2: Rezone the site to Mixed Use Zone with site-specific provisions and outline plan via a Precinct. Retain the existing SAZ zoning for the St Patrick's College site.
3. Option 3: Rezone the site to Mixed Use Zone.

Evaluation of reasonably practicable options				
Option	Relevance <i>Is the option related to addressing the resource management issues?</i>	Achievability <i>Can the option achieve the outcome / objective?</i> <i>Is it within council's powers, responsibilities and resources, degree of risk and uncertainty of achieving objectives, ability to implement, monitor and enforce.</i>	Acceptability / Reasonableness <i>How acceptable is this to the community? What are the likely effects on the community – ie widespread or limited</i>	Recommendation
Option 1: Rezone the site to High Density Residential Zone and include site-specific requirements via a Precinct	This option addresses a relevant resource management issue, being sufficient housing to accommodate population growth. This option would not provide for the retention of existing provision	The option will achieve the objectives with respect to providing housing capacity to meet anticipated demand, but will not achieve the objectives with respect to providing for business capacity as currently	The significance of the site as an important source of housing capacity within the City has been identified by the Council and communicated to the community via consultation on a draft plan change since at least mid-2021.	DISCARD The rezoning of the site to HRZ recognises existing plan provisions that apply to the site for residential subdivision, use and development as well as enabling additional housing

	<p>for non-residential activities becoming established on the site.</p>	<p>provided for via the existing SAZ provisions.</p> <p>The St Patrick's College site would be required to rely on existing use rights, and seek resource consent if the scale, intensity and character of effects on the environment exceed section 10 RMA limits.</p>	<p>Some community members may not agree that the College site is appropriate for High Density Residential zoning, and may oppose the school needing to seek resource consent for additional classrooms or other education -related development that extends beyond existing use rights.</p>	<p>opportunities and options. However, it makes the non-residential uses that are currently provided for under the existing SAZ provisions considerably more difficult to achieve.</p> <p>The use of site-specific provisions via a Precinct would address potential adverse transportation effects and retain identified future community pedestrian connections through the site to the Hutt River.</p> <p>The loss of opportunity for an appropriate mix of housing and business activities under this option compared to the status quo means this option is, when compared against Option 2, not an efficient or effective method to achieve the broader objectives of creating and maintaining well-functioning urban environments where people live in close proximity to opportunities for work, services, and public transportation.</p>
<p>Option 2: Rezone the site to Mixed Use Zone,</p>	<p>This option addresses relevant resource management issues, being sufficient housing and</p>	<p>Rezoning the site to Mixed Use Zone will enable the site to be developed and used for housing</p>	<p>This option is likely to be acceptable to the community given that it is the zoning and</p>	<p>RETAIN</p> <p>Notwithstanding that the rezoning of the sites under</p>

<p>incorporate site-specific provisions, an outline plan, and leave the St Patrick's College site under the existing SAZ zoning.</p>	<p>business capacity to accommodate population growth and business demand.</p> <p>This option would enable the management of site-specific resource management issues such as transportation effects and the effects on the role and function of the centres zones arising from mixed use zoning that would not be managed via Option 3.</p>	<p>whilst also retaining many of the business activities that are provided for under the existing SAZ zoning.</p> <p>This option will achieve the objectives with respect to providing housing and business capacity to meet anticipated demand.</p> <p>Carries the highest level of certainty and the least level of risk due to the site-specific provisions and outline plan that would address identified potential adverse environmental effects that would not be addressed via Option 3. Provides the highest degree of certainty for plan implementation due to the outline plan and site-specific provisions.</p> <p>The College site can continue to operate under the existing SAZ provisions until the Council reviews all SAZ sites as part of the District Plan rolling review.</p>	<p>site-specific provisions best aligns with the activities and development that is currently enabled within the site under the SAZ provisions including residential and business activities.</p> <p>The outline plan would identify key site-specific matters important to the community including landscaping along Fergusson Drive, pedestrian access through the site to the Hutt River, and an indicative location of proposed roads.</p> <p>Deferring a decision on the most appropriate zoning for the College site will enable sufficient time for the issues to be worked through with the school and community.</p>	<p>Option 1 is not compulsory under the NPS-UD or to incorporate the MDRS into the district plan, compared to Option 1, Option 2 may be less effective and efficient method to achieve the relevant objectives that seek to provide for greater housing capacity to meet the needs of the City's existing and projected housing needs. However, this would ultimately depend upon the chosen mix of activities within the site as the Mixed Use Zone provisions also enable a significant amount of additional housing.</p> <p>This option would be a more efficient and effective method to achieve the relevant objectives for business activities compared to Option 1, and would be more efficient and effective than Option 3 due to the requirement to consider the impacts on the role and function of the centre zones.</p>
<p>Option 3: Rezone the site to Mixed Use Zone.</p>	<p>This option addresses relevant resource management issues, being sufficient housing and business capacity to accommodate population growth and business demand.</p>	<p>Rezoning the site to Mixed Use Zone will enable the site to be developed and used for housing whilst also retaining many of the business activities that are provided for under the existing SAZ zoning, however the</p>	<p>This option would be less acceptable to the community than Options 1 and 2 as it would fail to maintain existing environmental outcomes for the site as required by the existing SAZ provisions.</p>	<p>DISCARD</p> <p>This option carries the highest level of risk and uncertainty with respect to adverse environmental effects, and consequently it</p>

	<p>This option would not enable the management of site-specific resource management issues that apply to the site such as transportation effects, landscaping, and potential impacts on the role and function of the centre zones that may result from large format retailing, supermarkets, or other retail activities.</p>	<p>permitted activities for non-residential activities would be significantly increased from the status quo to include large format retailing, supermarkets, and other business activities.</p> <p>This option carries a high level of risk and uncertainty due to the inability to effectively address the known resource management issues that apply to the development and use of the site including transportation effects, pedestrian access through the site to the Hutt River, landscaping along Fergusson Drive, and the potential effects on the role and function of the centres zones. Permitted activity status for Large Format Retailing, supermarkets, and other retail activities carries the highest level of risk and uncertainty in achieving the relevant objectives.</p>	<p>This option would be likely to result in the loss of opportunities to achieve identified community outcomes including landscaping along Fergusson Drive as a southern entrance to the City, and pedestrian links through the site to the Hutt River.</p> <p>The unmanaged increase in traffic from the site as a result of permitted activity uses under the MUZ provisions such as supermarkets and large format retail activities would likely result in significant adverse effects on the safe and efficient operation of the local transportation network. These effects would affect all road users.</p> <p>Education facilities are a permitted activity within the MUZ where the gross floor area per facility does not exceed 500m². This would result in the school requiring restricted discretionary resource consent for any net increase in gross floor area.</p>	<p>has the lowest level of community acceptance.</p> <p>This option would result in outcomes that are contrary to relevant objectives with respect to the role and function of the centres zones, and the safe and efficient operation of the transportation network.</p> <p>This option is the least effective method to achieve the relevant objectives.</p>
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Option two is the most reasonably practicable option and is therefore evaluated in the table below. The relevant objectives are:

- All Mixed Use Zone objectives, including:
 - relevant Commercial and Mixed Use Zone subdivision objectives; and

- the proposed St Patrick's Estate Precinct objectives MUZ-PREC2-O1 and MUZ-PREC2-O2.

The preferred provisions to achieve the objectives include:

Mixed Use Zone Policies St Patrick's Estate Precinct Policies	Mixed Use Zone Rules and Standards St Patrick's Estate Precinct Rules and Standards	Other Methods
<ul style="list-style-type: none"> • All policies within the proposed Mixed Use Zone chapter except where they conflict with the St Patrick's Estate Precinct policies. • All policies within the St Patrick's Estate Precinct aimed at addressing landscaping, transportation effects, pedestrian connectivity, and effects on the role and function of the centre zones including: <ul style="list-style-type: none"> ○ MUZ-PREC2-P1 ○ MUZ-PREC2-P2 ○ MUZ-PREC2-P3 • All policies in the Subdivision within the Commercial and Mixed Use Zones chapter, including a St Patrick's Estate Precinct policy setting out the anticipated design outcomes for pedestrian linkages and landscaping: SUB-CMU-P2. 	<ul style="list-style-type: none"> • All rules within the Mixed Use Zone chapter except where superseded by the St Patrick's Estate Precinct rules. • All rules within the St Patrick's Estate Precinct chapter as follows: <ul style="list-style-type: none"> ○ MUZ-PREC2-R1 ○ MUZ-PREC2-R2 ○ MUZ-PREC2-R3 ○ MUZ-PREC2-R4 ○ MUZ-PREC2-R5 ○ MUZ-PREC2-R6 ○ MUZ-PREC2-R7 ○ MUZ-PREC2-R8 ○ MUZ-PREC2-R9 ○ MUZ-PREC2-R10 • All rules in the Subdivision within the Commercial and Mixed Use Zone chapter. 	<ul style="list-style-type: none"> • All relevant defined terms, explanatory and supporting text, and district plan maps. • St Patrick's Estate Precinct overlay. • St Patrick's Estate Structure Plan to be included as District Plan Appendix 3. • All other consequential amendments across multiple chapters necessary to retain the College site as Special Activity Zone while enabling the balance of the site to be zoned Mixed Use Zone.

Evaluation of Preferred Option Against Objectives		
	Costs	Benefits
Environmental	Rezoning the St Patrick's Estate will enable mixed use development, and this will change the existing visual character of the site significantly. The amenity of the area will be altered from the current relative undeveloped state. However, similar effects	The changes in character and amenity of the St Patrick's Estate site may be appreciated by some people including future generations.

	could result from development under the existing Special Activity Zone provisions that apply to the site.	The site-specific provisions including policy direction and the details included on the structure plan will ensure landscaping along Fergusson Drive is established to provide an attractive southern entrance to the City.
Economic	<p>The proposed St Patrick's Estate Precinct policies require landscaping of the site along the frontage of the site with Fergusson Drive, and the provision of pedestrian linkages through the site to the Hutt River and Silverstream Railway Station. These requirements may impose additional development costs on the developer.</p> <p>The proposed provisions also put restrictions in place for large format retailing, supermarkets, and other retail activities subject to a retail economic assessment to identify the effect on the role and function of the centres zones. Such an assessment may identify significant adverse effects, resulting in a resource consent application for these activities being refused.</p>	<p>The development and use of the sites to be rezoned to enable mixed use subdivision, use and development will result in economic benefits to the owner.</p> <p>Business activities that may be established on the site will offer employment opportunities, and may encourage additional consumers to Upper Hutt that may positively contribute to the local economy and other existing businesses.</p>
Social	There are no social costs.	<p>The provision of a large new area for mixed use development within close proximity to Silverstream Station will enable more people to live within walking distance of a station, employment opportunities, services, and will provide additional housing to help meet the demand for housing in the City.</p> <p>Development of the site will include provision of pedestrian and active transport links through the site to the Upper Hutt River, therefore increasing community connection to the natural environment via active transport.</p>
Cultural	There are no cultural costs identified.	There are no cultural benefits identified.
Economic growth	The rezoning of the St Patrick's Estate area will generate a significant opportunity for increased mixed use development including residential and business subdivision and development. Development of the site following the proposed rezoning will result in	

provided or reduced	opportunities for economic growth and employment associated with mixed use subdivision and development including a variety of compatible residential and business activities.
Employment opportunities	Mixed use development includes provision for the establishment of new businesses that will offer employment opportunities. Construction of the site will result in temporary employment opportunities to specific sectors including building, engineering, surveying, and other trades.
Uncertain or insufficient information	<p>Giving effect to the NPS-UD and implementing the MDRS do not require the rezoning of any sites. The rezoning of the site is proposed as a consequential amendment that supports policy 3 of the NPS-UD through providing for mixed use building heights within a walkable catchment of a rapid transit stop.</p> <p>There are no risks associated with not progressing the rezoning as the provisions have been prepared to ensure the existing resource management issues that are of concern to the Council and the community will continue to be appropriately addressed. The consideration of whether to rezone any of the sites could be carried out outside of the IPI via a standard Schedule 1 process.</p> <p>Rezoning part of the St Patrick's Estate site could be achieved via a private plan change or a Council-initiated plan change in the event it is required to meet the City's projected housing or business needs.</p> <p>With regard to the proposed rezoning of part of the St Patrick's Estate site to Mixed Use Zone, it is acknowledged that the resulting subdivision and development will result in a significant change from the existing undeveloped character of the site. However, as the Council has previously consulted the community on the proposed rezoning of part of the site to enable residential subdivision and development, the resulting effects and change in existing character to include a mix of activities is not unanticipated by the community. Adding to this, the fact that the existing Special Activity Zone provisions for the site provide for a similar mix of uses significantly reduces the level of risk and uncertainty associated with the proposed rezoning.</p> <p>It is unknown what the impact will be of implementing the MDRS across all relevant residential zones and giving effect to the NPS-UD will be on district plan-enabled housing and business capacity, and how this addresses the City's anticipated housing and business needs. It could be that these measures result in there being no shortfall in plan-enabled housing or business capacity over the medium to long term including the application of the mandatory competitive margin. This will not be known until the Council updates its HBA later in 2023. However, should this situation arise, it would not result in a significant policy barrier for rezoning the site to Mixed Use Zone on account of the existing Special Activity Zone provisions already providing for a similar mix of uses, albeit at a lower permitted building height.</p>
Risk of acting or not acting	On this basis, and notwithstanding the unknown impact of incorporating the MDRS and giving effect to Policy 3 of the NPS-UD on plan-enabled housing and business capacity with respect to anticipated housing and business needs, it is considered there is sufficient information and low levels of risk associated with this option.
Effectiveness	

Rezoning site to enable an appropriate mix of uses and development is an effective method to achieve the relevant objectives, and is consistent with the NPS-UD with respect to the provision of housing and business capacity to meet anticipated demand while ensuring well-functioning urban environments. The provisions for the site closely align with those that already apply to the site with respect to the most significant potential adverse effects on the environment, and the retention of specific design outcomes valued by the community.

Efficiency

Rezoning is an efficient method to achieve the relevant objectives. Zoning is a demonstrated efficient method to manage mixed use subdivision, use and development. The use of site-specific provisions to address specific matters, and the incorporation of a structure plan provide a highly efficient method.

Summary

This option is the most efficient and effective method to achieve the relevant objectives. In giving effect to the NPS-UD and incorporating the MDRS into the District Plan, section 80E of the RMA enables the Council to amend related provisions and zones that support or are consequential on the MDRS or Policy 3 of the NPS-UD. This rezoning fall into this category as it is not required by the NPS-UD, but it does provide an opportunity for the Council to enable for greater residential and business subdivision, use and development that will be enabled to the building heights within a walkable catchment of a rapid transit stop as required by Policy 3 of the NPS-UD.

This option carries very similar environmental costs compared to the status quo. The higher buildings enabled is a mandatory requirement under NPS-UD policy 3 that the Council would have been required to put in place under the existing Special Activity Zone provisions for the site in any case. The inclusion of an outline plan provides greater certainty with respect to environmental outcomes including the location of landscaping, the potential location of a new road connection, and the provision of pedestrian and active transport connections through the site to the Hutt River.

This option does not carry a high level of risk or uncertainty, as the provisions have been drafted to ensure the most significant potential adverse effects on the environment will be appropriately addressed via the resource consent process. Greater certainty on design outcomes will also be provided as a result of the inclusion of the outline plan.

The rezoning of the site to Mixed Use Zone is an efficient and effective method to achieve the relevant objectives, as the rezoning and site-specific provisions align with the existing uses provided for via the Special Activity Zone provisions that currently apply to the site.. This option has low risk and uncertainty, and the benefits outweigh the costs.