

Before the Hearings Panel

In the Matter of the Resource Management Act 1991 (**Act**)

And

In the Matter Hearing 25: Zone Extents for the Proposed District Plan (the 'PDP')

Statement of Primary Evidence of Nicholas Colyn Grala on behalf of Thorntree Orchards, Cindy and Tony Young and Parkmere Farms

Dated 17 February 2021

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Introduction

1. My full name is Nicholas Colyn Grala. I am employed at Harrison Grierson as the Planning and Urban Design Manager of the Company's Auckland office. I hold a Bachelor of Planning from the University of Auckland and I am a full member of the New Zealand Planning Institute and a member of the Resource Management Law Association.
2. I have over 15 years' planning experience in district and regional planning. Details of my relevant and recent experience are contained in **Attachment 1**.
3. I prepare this statement on behalf of Thorntree Orchards (Submitter Reference 54, Further Submission Reference 1054), Cindy and Tony Young (Submitter Reference 735, Further Submission Reference 1221) and Parkmere Farms (Submitter Reference 696, Further Submission Reference 1283) who made submissions on the zoning that was applied to an area of land to the east of Pokeno by the PDP. Those submissions both sought and supported a Village zoning being applied to the area instead of the Rural zone that was proposed within the notified version of the PDP. Thus, the submissions sought a live zoning which would enable intensification for the land in question. At the time these submissions were made the notified PDP did not make provision for any Future Urban Zone (FUZ).
4. The Submitters are all landowners within an area that is defined by State Highway 1, Avon Road and State Highway 2 (which I will refer to as 'Pokeno East').¹ This roughly triangular area of land comprises some 64ha and is split between 24 different parcels and 19 different landowners. A plan identifying the location of Pokeno East and defining its extent is included as **Appendix 2**.
5. A detailed analysis of the site features and context for Pokeno East is included within the respective statements Mrs Jack and Mr Vile, but by way of

¹ I note that Pokeno East is already referenced and included within the projections made in Framework Report. The report does not define the area but I assume it includes the Pokeno East area that is subject to my statement plus some additional land given it predicts a yield of approximately 900 houses.

summary, the key features of Pokeno East are:

- a. State Highway 1 and 2 that define the western and northern extents while Avon Road, Gulland Road and Fraser Road that define its eastern and southern extent;
 - b. Most of the land is in rural pasture, with a gentle topography and favourable north facing aspect.
 - c. A freshwater stream and wetland area bisects the eastern area of Pokeno East, which runs in a roughly north – south direction.
 - d. The overhead electricity lines of the National Grid more or less follow the same corridor as the stream, crossing the eastern portion of Pokeno East in a north – south direction.
 - e. The northern corner contains the historic St Mary's on the Hill church, while at the opposite end, a former church and the Pokeno Cemetery are located just outside the southern extent.
 - f. Adjacent to the north western corner is the Pokeno Domain and a popular off the leash dog exercise area. The domain contains a stand of historic Oak trees as well as community tennis courts.
6. I visited the site on the 30th of October 2020 but I am also generally familiar with the surrounding area having grown up in nearby Pukekohe.
7. I record that I have read and agree to abide by the Environment Court's Code of Conduct for Expert Witnesses as specified in the Environment Court's Practice Note 2014. This evidence is within my area of expertise, except where I state that I rely upon the evidence of other expert witness as presented to this hearing. I have not omitted to consider any material facts known to me that might alter or detract from the opinions expressed.

Scope of Evidence

8. My statement of evidence will address the reasons why it is appropriate for Pokeno East to be urbanised. It provides:
 - a. An overview of the submissions and why a village zone outcome is no longer appropriate;
 - b. The key reasons why urbanisation is appropriate;
 - c. An assessment of the Rezoning Assessment Framework;
 - d. The required s32AA assessment supporting the proposed rezoning; and
 - e. An assessment of the proposed Future Urban zone provisions.
9. In preparing my evidence I have read the following:
 - a. The Section 42a Report for Hearing 25 Zone Extents: Framework Report on behalf of Waikato District Council by Dr Mark Davey and dated 19 January 2021; and
 - b. The Section 42a Report for Hearing 25 Zone Extents: Future Urban Zone and Residential Medium Density Zone on behalf of Waikato District Council by Johnathan Cleese dated 26 January 2021.
 - c. The Section 42a Report for Hearing 6 Village Zone - Subdivision on behalf of Waikato District Council by Johnathan Cleese dated 8 November 2020.
 - d. The Statement of Chris Scrafton on behalf of Pokeno Village Holdings Limited on Topic 3: Strategic Objectives.

Submission overview and why a village zone outcome is no longer appropriate

10. I was not involved in preparing the submissions made by the submitters, but they broadly sought for Pokeno East (as well as an area of additional land that is no longer being pursued) to be rezoned from Rural (as notified) to Village zone under the PDP. They were prepared and submitted prior to the gazetting of the National Policy Statement for Urban Development 2020 (NPSUD) and were predicated on the basis that the proposed Village zoning (along with the

residential zone extent that was already included within the PDP) was sufficient to meet the housing demand that was predicted for the next 30 years - as required by the National Policy Statement on Urban Development Capacity 2016 (NPSUDC) that applied at the time.

11. I will now briefly address the notified rural zoning that was applied to Pokeno East before moving on.
12. Dr Davey has identified that the new requirements of the NPSUD has meant that the District Plan needs to make an additional allowance of development ready residentially zoned land in order to meet the NPSUD + 20% requirement² and has derived how this then applies to demand and supply at Pokeno (refer Image 1 below)³.
13. As the Panel will be aware, s75(3)(a) of the Resource Management Act requires district plans to give effect to national policy statements. Pokeno East has been included within the areas required to be residentially zoned to meet the projected demand for Pokeno by reference to the NPSUD. Based on that analysis, residential zoning of Pokeno East is necessary in order for Waikato District Council to provide the mandated residential supply within the 3-10 year horizon.⁴ In my view, this means that the notified rural zoning that the PDP has applied to Pokeno East cannot be retained if Waikato District Council are to meet the requirements of the NPSUD and it clearly must be rezoned to enable some form of residential use in line with the projected demand for Pokeno.
14. The analysis above aligns with identification of Pokeno East in strategic planning documents as an area for residential expansion contiguous to Pokeno. I provide further details of these strategic planning documents later in my statement (refer paragraph 28).

² Section 42a Report for Hearing 25 Zone Extents: Framework Report, page 3

³ Section 42a Report for Hearing 25 Zone Extents: Framework Report, page 93

⁴ It is also relevant to recall that actual construction once live zoned takes significant time – the economic assessment included with the statement of Mr Foy assumes a land development phase of 3 years with build out taking 5 years, meaning an 8 year delivery time for all dwellings.

15. Mr Clease has indicated in his Zone Extents report, in the context of discussing the FUZ zone, that where rezoning to residential is more than 20 years away, it may well be most appropriate for the land in question to remain rural.⁵ That is not the case here.
16. I therefore conclude that a rural zoning would not be most appropriate, where the land in question is needed from a residential supply perspective within a 3-10 year timeframe. This conclusion also relies on evidence on behalf of the submitters from Ms Dobson which establishes additional reasons why a rural zone would not be most appropriate for Pokeno East.

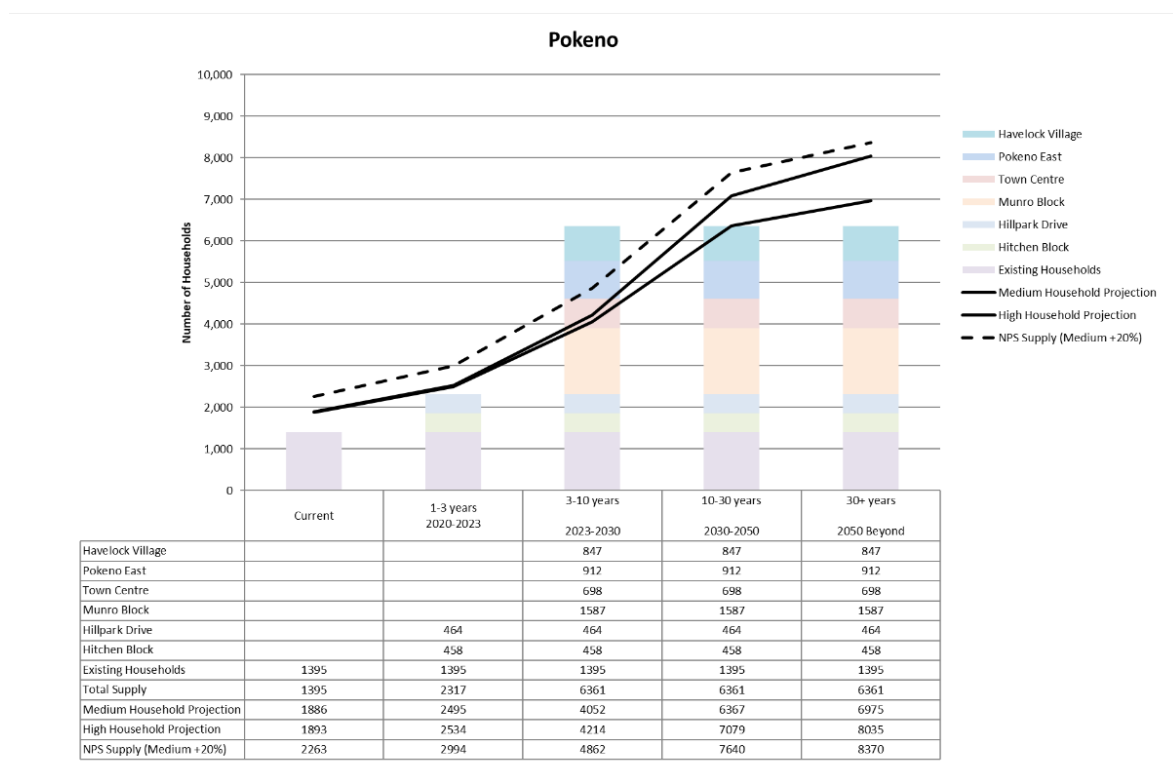


Figure 1: Projected Demand & Supply at Pokeno under the NPSUD 2020 (Source Section 42a Report for Hearing 25 Zone Extents: Framework Report, page 93)

17. Turning back to the submissions, they adopted a rationale that the proposed Village zone could be intensified over time, with additional roads and infill housing able to be achieved when reticulated services were extended to the area. The premise being that this would protect the ability to achieve a residential density in the future. Rule 24.4.2 expressly enabled subdivision of

⁵ Zone Extents Report, page 34

the Village Zone to 3,000m² sized lots, and further subdivision down to 1,000m² sized lots upon public reticulation for water and wastewater. While this rule was limited to Te Kowhai and Tuakau, Sir William Birch presented evidence at Hearing 6 on behalf of the Pokeno East submitters explaining how that approach could be applied to this site.

18. I do not agree with this premise. In my experience, lower density residential / countryside living development, like what is anticipated for the Village zone, is either not intensified in the future, or if it is, it is not able to be carried out efficiently to best make use of the land resource or achieve desirable urban outcomes. This is because large lot sizes of approximately 3,000m² tend to result in large single storey dwellings that are centrally located within a site with large curtilage areas. Similarly, the roading layouts for rural lifestyle are not designed with future intensification in mind. They tend to adopt rural lane designs and do not follow a regular grid layout that can easily be adapted for intensification.
19. Real world examples also suggest that people who choose to live in these areas often do not have a desire for these areas to be intensified in the future. They presumably choose to live in such areas because of the larger house and lot sizes along with the semi-rural character created by these types of developments – thereby being less likely to support loss of these attributes through developing / intensifying their properties. An example of this is the large lots located in Karaka (along Normanby Road and Derbyshire Lane) that have yet to be intensified despite a residential zoning being applied to them by the Auckland Unitary Plan or the Franklin District Plan before that.
20. Mr Clease (on behalf of Waikato District Council) was similarly pessimistic on the ability or likelihood of the Village zone to be intensified, predicting 3,000m² lots to be more of an end state than a transition to a higher density and residential environment⁶. He then went on to identify a range of more suitable planning tools to enable for intensification and growth over time⁷; including (1) providing for future growth areas by applying live urban zoning;

⁶ Section 42a Report for Hearing 6 Village Zone – Subdivision, Paragraph 94

⁷ Section 42a Report for Hearing 6 Village Zone – Subdivision, Paragraph 95

(2) providing for future growth area by applying a live urban zoning but with a trigger or hurdle that must be overcome in order for development to occur; or (3) providing for future growth areas by applying a Future Urban zoning to signal where future growth will occur but preventing it from being urbanised until such time as it is able to be.

21. Dr Davey has likewise recommended that there be no additional zoning of Village zone within the Waikato District for similar reasons to what I have set out above.⁸
22. The professional opinion of Mr Cleese, Dr Davey and myself is that a Village zone applied to Pokeno East will not deliver the residential outcomes required by the NPSUD and supported by strategic planning documents.
23. In my opinion the Village zone is not an appropriate zone to enable future growth around Pokeno, and thereby also inappropriate for Pokeno East.⁹ Consequently I have turned my mind to what zone is suitable? In my view this would be either a FUZ or Residential zone. I have undertaken a full analysis of these options in line with the assessment required by the RMA. In summary however, if the evidence on behalf of the submitters and my analysis with respect to the various considerations is accepted, then in many respects the ultimate choice comes down to (1) when the supply of additional residential land is required; and (2) when Pokeno East can be serviced by water and wastewater infrastructure.
24. I have already identified that based on Council's own analysis the revised supply targets of the NPSUD has meant that Pokeno East is likely to be required in the 3-10 year horizon (and is certainly required well within the 10-30 year horizon). Thus, either FUZ or a live zone are possibilities. The time frame to when the residential capacity is needed (taking account also of practicalities such as the minimum land development timeframe of 3 years from the point at which a live residential zone is imposed) is sufficiently short

⁸ Section 42a Report for Hearing 25 Zone Extents: Framework Report, Paragraph 258.

⁹ Refer to paragraphs 20-21 in my statement for the reasons why Pokeno East should supply part of the predicted future growth demand of Pokeno.

that in my opinion a live zone could appropriately be applied through this planning process if such an outcome were assessed as appropriate more broadly (in other words, in my view the timeframe within which Pokeno East's capacity is required does not act as a disqualifying factor for a live residential zoning being imposed "now").

25. This then makes the choice of whether a live residential or future urban zone is best suited largely dependant on when Pokeno East can be serviced. Mr McGregor has set out the likely servicing scenario in his statement, noting that a suitable wastewater and water connection (that has sufficient capacity) is not guaranteed to be achieved within the next 10 years due to the capacity limitations that exist¹⁰. This in part is due to the fact that the current capacity for wastewater is already set aside to accommodate growth in Pokeno, Tuakau, Pukekohe and Paerata and it is difficult to determine when and how much of this capacity will be taken up by growth in these areas.
26. In that context I am therefore of the opinion that while finally balanced, the FUZ is the most appropriate zoning that should be applied to Pokeno East within the PDP, rather than a live residential zone. This is also consistent with the direction that Mr Cleese has set out within the s42a Report for the FUZ.
27. If, prior to decisions being released on the PDP, either Watercare or Waikato District Council were to provide alternative guidance that it was feasible / likely to be able to provide the required infrastructure connection to Pokeno East within the next 10 years, then in my opinion the Panel could apply a residential zoning to Pokeno East. This would assume that the detailed design for urban development would occur as part of the subdivision resource consent stage, noting the evidence of Mr Vile includes a detailed urban design analysis culminating in an Indicative Masterplan which covers much of the same ground that would be addressed in a structure plan.

¹⁰ Statement of Mr Campbell McGregor, paragraphs 15-20

Why urbanisation of Pokeno East is appropriate

28. Pokeno East has already been identified as a future growth area by the following strategic growth documents¹¹:

- a. The **Hamilton to Auckland Corridor Plan 2020** has developed an integrated spatial plan and establishes an ongoing growth management partnership for the corridor. Pokeno East is included as an identified priority development area within the Plan. The Wāhi mahi and wāhi noho plan identifies Pokeno East as 'potential future urban', while Pokeno is identified as a main future housing and employment growth cluster with development potential. A copy of this plan is included as **Appendix 3**.
- b. The **Future Proof Strategy 2017** is a 30-year growth management and implementation plan for the Waikato sub-region including the Waikato District. Pokeno East is located adjacent to existing urban settlement in Pokeno and at a key node in the Waikato District. It is importantly also within the indicative Urban Limits for Pokeno identified in the Future Proof Settlement Pattern. A copy of this plan is included as **Appendix 4**.
- c. **Waikato 2070** is a guiding document that is used to inform how, where and when growth occurs in the Waikato District over the next 50-years. Pokeno East is specifically identified in the Pokeno Development Plan as a location for residential activity with a development timeframe of 10-30 years (but noting this was developed prior to the NPSUD coming into effect which has meant this supply is now predicted to be required earlier¹²). A copy of this plan is included as **Appendix 5**.

¹¹ A full and detailed analysis of these documents are included within the Lens 2 Assessment in Appendix 6 of my statement.

¹² Section 42a Report for Hearing 25 Zone Extents: Framework Report, page 93

- d. **Pokeno Local Area Blueprint** was commissioned by Waikato District Council in 2018. The Blueprint was developed and delivered through a series of intensive consultation and Inquiry-By-Design workshops between July and November 2018. A final blueprint document was released in June 2019 and it includes a specific Blueprint for Pokeno. The aim of the Blueprint is stated as being *“to provide a high-level ‘spatial picture’ of how the district could progress over the next 30 years, address the community’s social, economic and environmental needs, and respond to its regional context”*. The blueprint provided support to residential expansion within Pokeno East. A copy of the blueprint is included as **Appendix 6**.
29. The submitters have also commissioned an evidential basis supporting the urbanisation of Pokeno East.
- a. Mr Vile has presented Urban Design evidence that incorporates a detailed Site and Context Analysis of Pokeno East and which concludes that urbanisation is appropriate. This includes an Indicative Masterplan that illustrates how Pokeno East could be developed for residential use and how this would better integrate the social infrastructure that exists within (and immediately adjacent to) Pokeno East to the existing Pokeno urban area.
 - b. Mrs Jack has presented Landscape evidence that includes a detailed analysis of the landform of Pokeno East and the ability for urbanisation of Pokeno East to be absorbed into the surrounding environment. Mrs Jack finds that Pokeno East is suitable for urbanisation due its predominant landform, which provides large areas with gentle grade that are appropriate for various levels of urban development. Mrs Jack also identifies that urbanisation will enable an opportunity to restore and enhance the natural watercourse that runs through Pokeno East, which would result in both notable public amenity and an enhanced natural environment. She concludes that urbanisation will have a low visual impact given the landform within Pokeno East and its

surrounding environment, which provide limited views into an urbanised Pokeno East.

- c. Mr Campbell has presented Civil Engineering evidence with respect to the infrastructure connections and serviceability of Pokeno East. He utilised the Indicative Masterplan as a reference for his infrastructure analysis, finding that; (1) stormwater within this catchment represents a constraint and that a solution is feasible; and (2) there are both wastewater and potable water constraints with regards to capacity, but that neither are insurmountable, and it is a question of when the capacity would be available within these networks rather than if.
- d. Mr Black has presented Transport Engineering evidence that assesses whether the urbanisation of Pokeno East is appropriate from a transport perspective. Mr Black has undertaken an assessment of the surrounding transport network (including public transport, roads and pedestrian / cycle connections) and analysed the condition and capacity of these in relation to the Indicative Masterplan that has been prepared. He found that urbanisation of Pokeno East requires both corridor and intersection upgrades and improvements but that this could occur as part of the development process. He concluded that urbanisation can be accommodated by the road network when combined with appropriate road improvements implemented as part of a future plan change and/or any subsequent resource consent process.
- e. Mr Foy from Market Economics has present Economic that includes an economics assessment of the urbanisation of Pokeno. The assessment considered the positive economic effects on the local area and the Waikato Region associated with building 300 new houses in Pokeno East; the ongoing economic benefits arising from the spending patterns of 300 additional households; a description of any other likely economic benefits arising from urbanisation of Pokeno East; and consideration of the likely costs of the long-term loss of rural productive

land. The assessment found that:

- i. The ability to continue to use the land for rural production was constrained by land fragmentation, the emergence of reverse sensitivity effects and limited access to natural resources (water). These challenges, combined with what appears to be a likely future conversion to residential activities,¹³ will limit capital investment in agricultural and horticultural activities in Pokeno East, further reducing economic output and the efficiency of the rural land.
 - ii. Future residential use of the land would support much greater economic contribution to the local and regional economy. While the low level of agricultural economic output would cease, it would be replaced by spending on construction, retail and then household spending on goods and services. The timing of that economic impact would be strongly linked to the time when a live residential zoning is realised.
 - iii. Some of these economic contributions will be a transfer effect, as households that come to live in Pokeno East might have established elsewhere in Pokeno had dwellings in Pokeno East not existed. In any case the net economic effects of residential development (i.e. urbanisation) of Pokeno East will be locally significant and enduring.
- f. Ms Jepson from GHD has completed a Social Impact assessment on the urbanisation of Pokeno East, which is included as **Appendix 7** of my statement. The assessment found that applying a FUZ to Pokeno East would provide greater certainty for landowners and enable them adequate time to plan and make decisions about their future. Urbanisation also would create an opportunity to improve connectivity and integration, and therefore a sense of community, between east and west Pokeno with more congruent land uses adjacent to one another.

¹³ Refer the identification of Pokeno East in strategic documents as an area of residential expansion.

It would also enable an improved connection between the existing urban extent of Pokeno and the Pokeno Domain + St Mary's on the Hill. A range of social infrastructure already exists in Pokeno but applying a FUZ to Pokeno East would better enable the timely planning and funding of more social infrastructure to meet the needs of the existing and future community. She also recorded the significant constraints to productive use of the properties due to reverse sensitivity arising from the close proximity of existing residential development.

Rezoning Assessment Framework (the 3 Lenses)

30. Dr Davey has developed a Rezoning Framework Assessment to enable a consistent approach to considering rezoning across the Waikato District¹⁴. The framework sets out three lenses that any rezoning proposal is analysed under.
31. Lens 1 requires a rezoning proposal to be assessed against the relevant objectives and policies of the PDP as notified. Dr Davey has provided a discussion of how these should be assessed and states that a zone pattern should derive from the objectives and policies of that zone¹⁵. Having reviewed the urban objectives that were contained within the notified version of the PDP (noting that until decisions are released these are the only objectives and policies that currently have any statutory weighting), I can only identify one objective (Objective 4.1.2) and one policy (Policy 4.1.3(b)) that either inform or guide zoning patterns. The remaining objectives and policies are all what I would call management focused, in that they instead guide what should occur in the zone once it is in place and are more relevant to subsequent resource consent applications.
32. In this regard I agree with Dr Davey's comments that the PWDP does not contain objectives and policies that describe circumstances where changes in zoning over time would be desirable – although there is guidance in higher-

¹⁴ Section 42a Report for Hearing 25 Zone Extents: Framework Report – Part 1

¹⁵ Section 42a Report for Hearing 25 Zone Extents: Framework Report, Paragraph 48

order documents. To paraphrase Dr Davey, they are largely inwards looking provisions, being drafted for the zones to address effects in the zones.

33. More fundamentally the requirements of section 32 and 32 AA require evaluation of whether the proposal is the most appropriate way to achieve the purpose of the Act, and the objectives. For that reason, if the proposition is to impose an FUZ or a residential zone, then the required analysis must address the objectives relevant to those options. If a rural zone is not being proposed and assessed, then Rural zone objectives are not relevant. I note in that regard I am advised that there is no presumption in favour of the proposed plan as notified.
34. For example, a zone proposal that is seeking to rezone land from rural to residential should only focus on those objectives and policies that provide guidance on where residential zones should be established. At a higher level that may engage overarching or higher order provisions which seek to protect productive land. However, it does not make sense to also require such a rezoning proposal to also be consistent with the objectives and policies of the rural zone; (1) this is not what is being proposed and is therefore irrelevant; and (2) because it would be impossible for a rezoning proposal to achieve consistency with both zones when the requirements and application criteria of residential and rural zones are so diametrically opposed.
35. This makes the conflict that Dr Davey identified for zoning proposals seeking a change from rural to residential zoning, centred around the ability to achieve consistency with the rural Objective 5.1.1.1¹⁶, a non-issue. In my view this objective is not relevant to the outcome sought by the submitters.
36. I would add that if the result is a conclusion that a FUZ is appropriate, then the proposed FUZ provisions restrict the use of land in a manner which results in the zone effectively operating as a rural zone. Thus, no conflict with rural objectives arises.

¹⁶ Section 42a Report for Hearing 25 Zone Extents: Framework Report, Paragraph 71-71

37. Although I disagree with Dr Davey's approach, in the event if the Panel were to accept the approach of Dr Davey, then the urbanisation of Pokeno East would still be appropriate because it would occur around the existing town of Pokeno and within the boundaries set by Future Proof 2017¹⁷ (as set out within the previous section of my statement). Dr Davey has undertaken an assessment which 'finds a way through' the potential roadblock he identifies with Objective 5.1.1.1 and thus is supportive of the outcomes sought for Pokeno East.
38. I have completed a detailed analysis of the proposed (Future Urban) zoning for Pokeno East against each of the three lenses, which can be found within **Appendix 8 and 9** of my statement. The assessment demonstrates that the zoning proposal can pass through each of the gateways created by the three lenses and so should be recommended to be accepted by the s42a author.¹⁸

S32AA Assessment

39. I have assessed the proposed change from Rural to Future Urban zone under Section 32AA of the Act. This assessment is included as **Appendix 10** of my statement and concludes that the proposed zoning is the most appropriate way to achieve relevant objectives of the PDP.

Proposed Future Urban zone provisions

40. I have reviewed the Future Urban zone provisions that Mr Cleese has developed, which include a suite of objectives, policies and rules for the zone¹⁹. I support the overall intent of the zone, but I have identified several issues with provisions as they are currently drafted.

¹⁷ Section 42a Report for Hearing 25 Zone Extents: Framework Report, Paragraph 75.

¹⁸ Section 42a Report for Hearing 25 Zone Extents: Framework Report, Paragraph 46

¹⁹ Section 42a Report for Hearing 25 Zone Extents: Future Urban Zone and Residential Medium Density Zone, Paragraph, Pages 36-42

41. The first issue that needs to be resolved is whether the objectives and policies are there to guide where the zone should be located, or whether they are there to manage how the zone will be used once it is in place, or both. My preference is for the objectives and policies on the management of the zone and the direction of where it should be located would remain within Chapter 4 and/or the Regional Policy Statement. I note that the Hearings Panel have directed that the PDP be translated into the National Planning Standards structure, and thus such provisions may be more suited in the Strategic Directions chapter.
42. The second issue is that the provisions conflate the interim use of the FUZ with providing guidance to any subsequent plan changes that may seek a residential zoning. This is like the Lens 1 scenario, where any plan change that was seeking to achieve a residential zoning would not need to demonstrate consistency with the FUZ objectives and policies because that is not what it would be applying for. If there is a desire by either Council or the Panel to provide guidance on what needs to be achieved to enable a residential zoning (be it requirements like infrastructure connection or what information the plan change should include) then this guidance should be located elsewhere in the District Plan. Including this within Chapter 4 would be more appropriate because this is where the District Plan guides urban development and urban form within the Waikato District – and it is something that any plan change would need to demonstrate consistency with if it were to be approved. In my view, this approach addresses the shortfall Dr Davey has identified with regard to absence of an ‘outwards looking’ set of zoning provisions and will ensure the PWDP has the necessary growth related provisions in place to give effect to the NPS-UD 2020.
43. I prefer the objectives and policies that were promoted by Pokeno Village Holdings Limited as part of the hearings for Topic 3: Strategic Objectives²⁰. These were based on the objectives and policies for the Future Urban zone contained within the Auckland Unitary Plan and were concise and focused on

²⁰ Statement of Mr Chris Scrafton on Topic 3, Attachment B

the purpose of the zone:

“Objective 1 – Land is used and developed to achieve the objectives of the Rural zone until it has been rezoned for urban purposes.

Objective 2 – Future urban development is not compromised by premature subdivision, use or development.

Objective 3 – Urbanisation on sites zoned Future Urban is avoided until the sites have been rezoned for urban purposes.

Policy 1 – Provide for use and development which supports the policies of the Rural zone.

Policy 2 – Avoid subdivision that will result in the fragmentation of land and comprise future urban development.”

44. I also recommend one additional policy that is intended to control landuse given that Policy 2 only relates to subdivision. This is because it is also possible for certain land uses to compromise urban development from occurring in the future (even if no subdivision is involved).

“Policy 3 – Avoid use and development of land that may result in any of the following:

- (a) Structures and buildings of a scale and form that will hinder or prevent future urban development;*
- (b) Compromise the efficient and effective operation of the local and wider transport network;*
- (c) Require significant upgrades, provisions or extension to the water, wastewater or stormwater networks;*
- (d) Inhibit the efficient provision of infrastructure;*
- (e) Give rise to reverse sensitivity effects when urban development occurs; or*
- (f) Undermine the form or nature of future urban development.”*

Conclusion

45. Pokeno East has already been identified as a future growth area by the relevant growth documents for the Waikato Region, including Future Proof 2017, the Regional Policy Statement, Waikato 2070, the Hamilton to Auckland Corridor Plan 2020 and the Pokeno Local Area Blueprint.
46. My analysis has found that Pokeno East should be zoned FUZ under the District Plan because it is consistent with the three lenses found within the Council's Rezoning Framework Assessment and because it is able to be serviced once the necessary water and wastewater capacity is enabled by Watercare.
47. The submitters have compiled an evidence base to support the urbanisation of Pokeno East, including urban design, landscape architecture, transport engineering, civil engineering, social impact and economic assessments that all support the area being urbanised.
48. I have assessed the proposed change from Rural to Future Urban zone under Section 32AA of the Act. This assessment concludes that the proposed zoning is the most appropriate way to achieve the relevant objectives of the PDP.
49. I consider that the proposed zoning and the changes to the Future Urban provisions that I have recommended best meet the purpose of the Act and give effect to the Regional Policy Statement.



Nicholas Colyn Grala

Date: 17 February 2021

Appendix 1

Relevant Recent Experience

Recent projects of relevance include

- Project lead role for the Masterplanning of a new business and innovation park at the Hamilton Airport. Lead planner role for the private plan change process that is necessary to rezone the land for the new business park.
- Lead planner in the rezoning of land for a new hotel in Queenstown. This involved the rezoning of the site to an appropriate zone with hotel provisions – covering submissions and presenting evidence on both Stages 1 and 2 of the Proposed Plan.
- Expert planning witness for Mercury through the Board of Inquiry process for NZTA's East-West Link proposal. This included assisting in the preparation of the submission, representing Mercury through mediation and expert conferencing and preparing and presenting evidence at the hearing.
- Lead planner for the McWhirter / Westgate development. The project comprises the comprehensive development of a 16ha site that is expected to deliver approximately 230 homes.
- Lead planner for the development of the Karaka North Village. The project is expected to deliver approximately 460 homes within a rural village setting.
- Lead planner in the regeneration of the Housing for Older Persons (HfOP) portfolio within Auckland. The project has involved providing strategic planning advice and consenting strategy on 25 of the HfOP sites and most recently the redevelopment of the HfOP apartment building in Henderson.

Appendix 2



SITE PLAN
Scale 1:5,000 @A3



KEY
— Pokeno East



Appendix 3

AUCKLAND



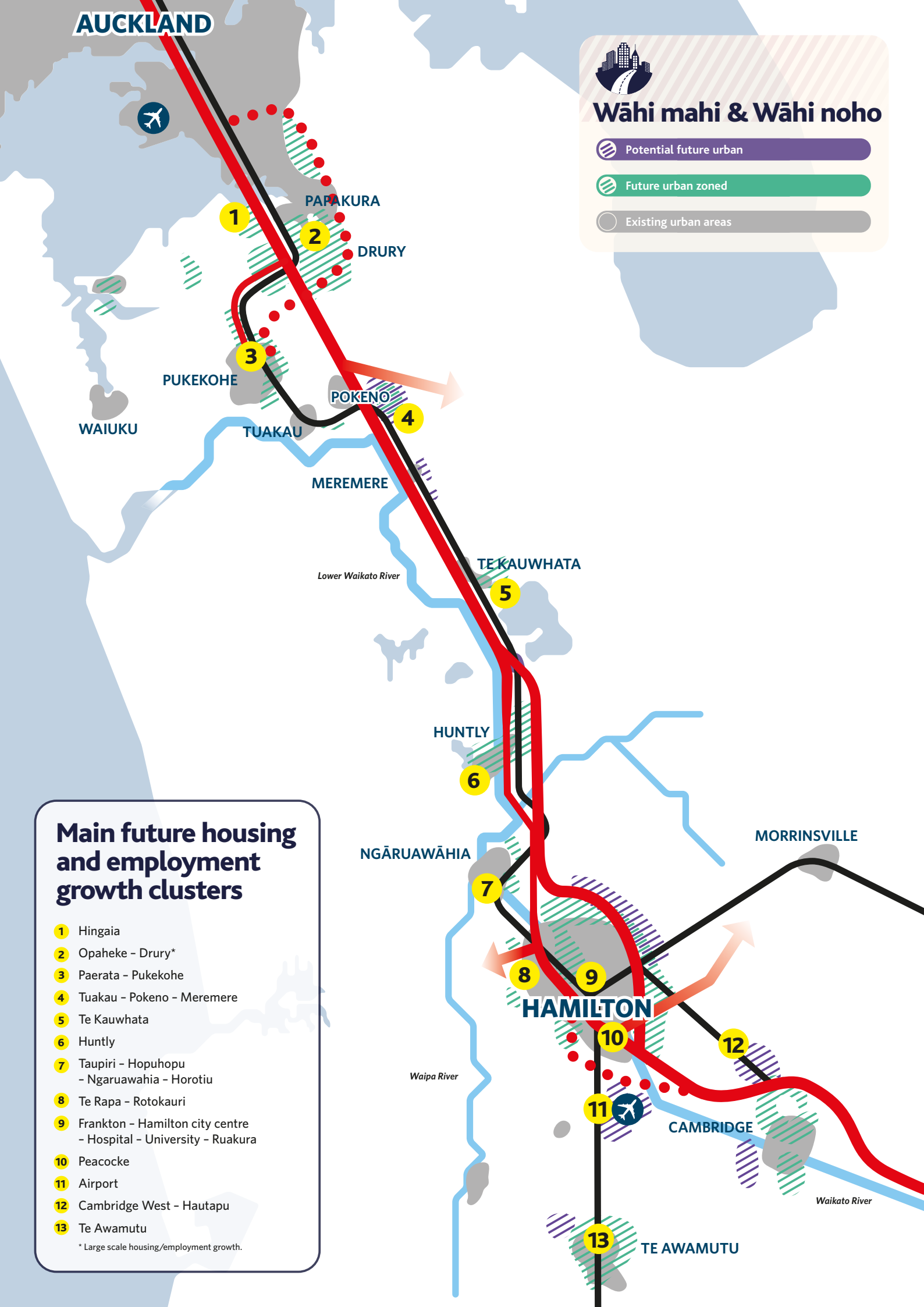
Wāhi mahi & Wāhi noho

- Potential future urban
- Future urban zoned
- Existing urban areas

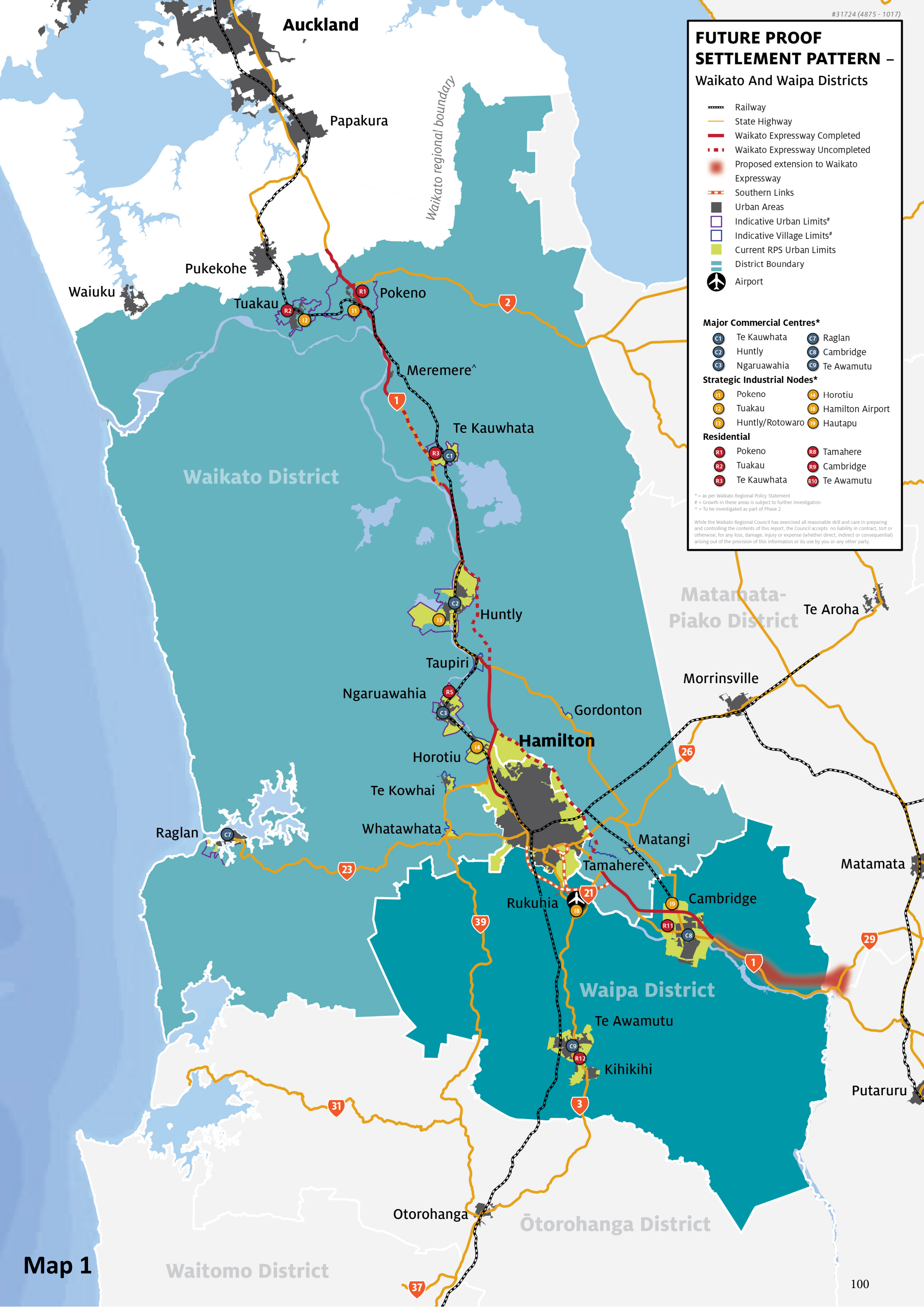
Main future housing and employment growth clusters

- 1 Hingaia
- 2 Opaheke - Drury*
- 3 Paerata - Pukekohe
- 4 Tuakau - Pokeno - Meremere
- 5 Te Kauwhata
- 6 Huntly
- 7 Taupiri - Hopuhopu - Ngaruawahia - Horotiu
- 8 Te Rapa - Rotokauri
- 9 Frankton - Hamilton city centre - Hospital - University - Ruakura
- 10 Peacocke
- 11 Airport
- 12 Cambridge West - Hautapu
- 13 Te Awamutu

* Large scale housing/employment growth.



Appendix 4



FUTURE PROOF SETTLEMENT PATTERN – Waikato And Waipa Districts

- Railway
- State Highway
- Waikato Expressway Completed
- Waikato Expressway Uncompleted
- Proposed extension to Waikato Expressway
- Southern Links
- Urban Areas
- Indicative Urban Limits#
- Indicative Village Limits#
- Current RPS Urban Limits
- District Boundary
- Airport

- Major Commercial Centres***
- | | |
|----------------|---------------|
| C1 Te Kauwhata | C7 Raglan |
| C2 Huntly | C8 Cambridge |
| C3 Ngaruawahia | C9 Te Awamutu |
- Strategic Industrial Nodes***
- | | |
|--------------------|---------------------|
| I1 Pokeno | I4 Horotiu |
| I2 Tuakau | I8 Hamilton Airport |
| I3 Huntly/Rotowaro | I9 Hautapu |
- Residential**
- | | |
|----------------|----------------|
| R1 Pokeno | R8 Tamahere |
| R2 Tuakau | R9 Cambridge |
| R3 Te Kauwhata | R10 Te Awamutu |

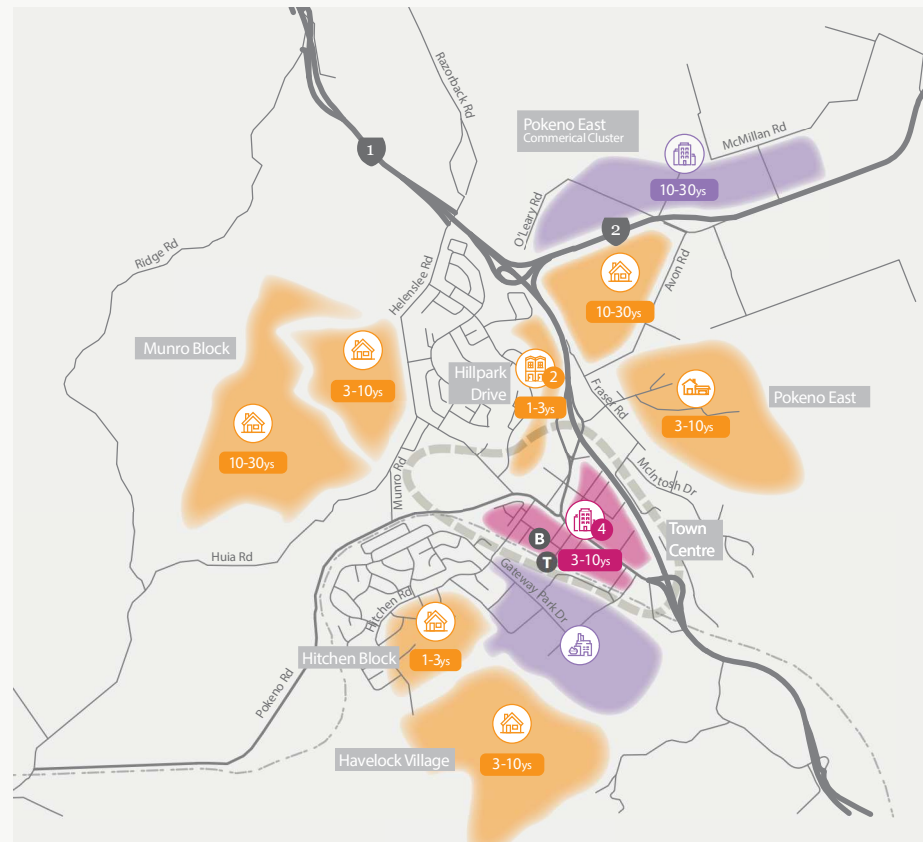
* = as per Waikato Regional Policy Statement
= Growth in these areas is subject to further investigation
^ = To be investigated as part of Phase 2
While the Waikato Regional Council has exercised all reasonable skill and care in preparing and controlling the contents of this report, the Council accepts no liability in contract, tort or otherwise, for any loss, damage, injury or expense (whether direct, indirect or consequential) arising out of the provision of this information or its use by you or any other party.

Appendix 5

POKENO DEVELOPMENT PLAN 50-YEARS



LOCATION: POKENO IS LOCATED NORTH OF THE WAIKATO RIVER, NEAR THE NORTHERN BOUNDARY OF THE WAIKATO DISTRICT, AT A SH₁ INTERCHANGE, NEAR THE JUNCTION WITH SH₂, AND ON THE RAIL LINE BETWEEN TUAKAU AND MERCER.



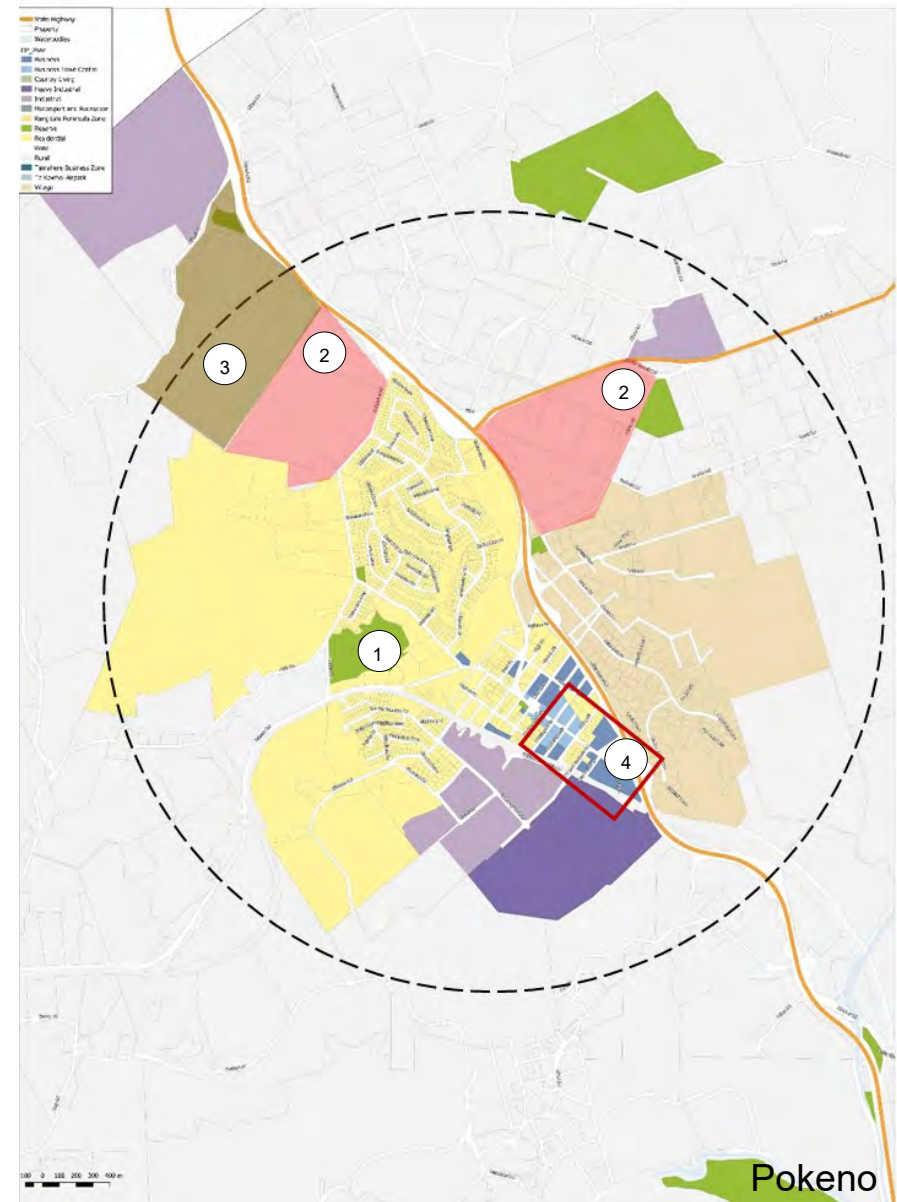
*BASED ON STATS NZ 2018 ESTIMATES

Appendix 6

Proposed initiatives for Pokeno

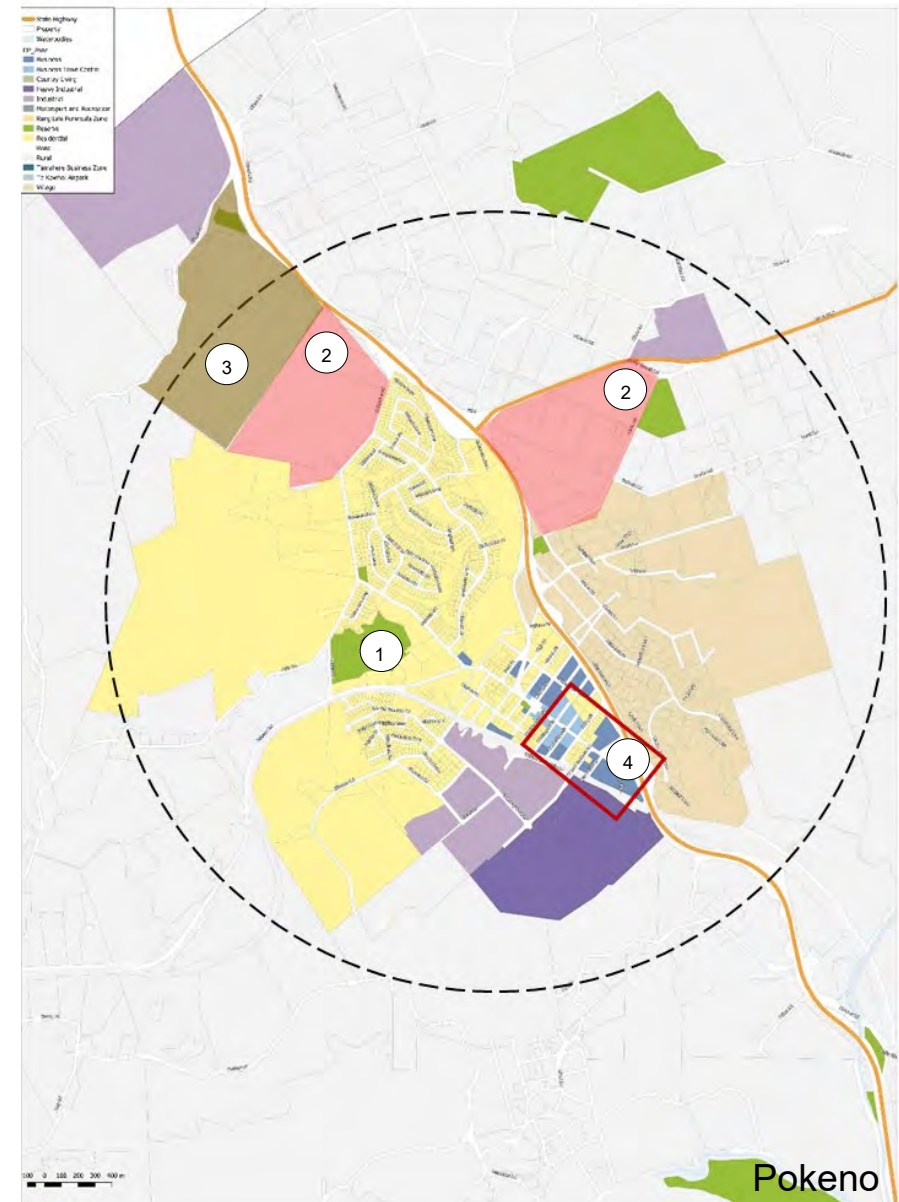
Theme	NO.	Action	Priority
Identity	PO1.1	Build a strong identity based on the river corridor, and the unique qualities of the local area (refer to DW1.1 to 1.4). For Pokeno, recognise the position as the gateway to the north and the Waikato, and consider the dairy industry, markets, ice cream, and bacon.	Top
Communities	PO4.1	Consider the need for a sports park. Consider whether Munro Reserve can be improved for this or whether the park in the western growth area can be expanded (1).	Top
	PO4.2	Establish library, community and customer services and / or facilities.	Top
	PO4.3	Work with MOE to provide adequate schooling facilities for the current and future population.	Very high
Growth	PO5.1	Consider support residential expansion (2).	Medium
	PO5.2	Consider supporting the Village Zone expansion (3).	Very high
Economy	PO6.1	Prepare a detailed retail needs calculation, preliminary transport and open space options (4), followed by the production of a town centre strategy that reconciles the current and future retail, employment, community facility, and open space needs.	Top
	PO6.2	Establish an Advanced Food Processing Cluster.	High
	PO6.3	Identify if, how much, and where, possible additional employment land for office development is needed beyond the zoning in the Proposed District Plan.	High
	PO6.4	Identify if, how much, and where, possible additional employment land for retail development is needed beyond the zoning in the Proposed District Plan.	High

continued overleaf



Proposed initiatives for Pokeno

Theme	NO.	Initiatives	Priority
Transport	PO7.1	Investigate establishing wider transport links with employment areas, Tuakau and SH1. Consider a new underpass and / or bypass.	High
	PO7.2	Work with the truck stop owner to address community concerns.	High
	PO7.3	Create a Park and Ride for public transport.	High



Refer to the proposed District-wide actions related to public transport and waste water and water infrastructure upgrades for Pokeno.

Appendix 7



Proposed Waikato District Plan (Stage 1) - Pokeno Rezoning High level social assessment

February 2021

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Appendices

Appendix A – Supplementary information from Thorntree Orchards

1. Introduction

1.1 Purpose of this report

This report is a high-level social assessment to support submissions that seek to rezone an area of land located east of the Pokeno town centre, bounded by State Highway 2 to the north, Baird Road to the east, Avon Road/Gulland Road to the south and State Highway 1 to the west (this area is henceforth referred to as 'Pokeno East' or 'the Pokeno East area'). Pokeno Domain does not form part of the Pokeno East area.

The project area has been zoned Rural in the Proposed Waikato District Plan (as notified on 18 July 2018). There are three submitters seeking to amend this proposed zoning:

- Thorntree Orchards Ltd (Submitter 54), who have sought to amend the zoning to Village Zone, and
- Brenda and Gavin Butcher (Submitter 696) and Tony and Cindy Young (Submitter 735), collectively referred to as the Pokeno East Submitters, who have sought to amend the zoning to Country Living Zone. Although it is understood that these submitters intended to seek the same zone as is contiguous with the Pokeno East area to the south i.e. Village Zone.¹ These two submitters made further submissions in support of the primary submission from Thorntree Orchards Ltd.

It is noted that Thorntree Orchards Ltd and the Pokeno East Submitters are now seeking rezoning to Future Urban Zone (rather than Village Zone). This change in approach has come about through the evolution of the Village Zone provisions through the s42A report recommendations and hearing, and their consideration of other submissions. However, for the purposes of this report the salient point is that some form of residential zone (rather than Rural) is being pursued by the submitters.

This high-level social assessment has been prepared for Thorntree Orchards Ltd and the East Pokeno Submitters to support their submissions to rezone the Pokeno East area to some form of residential zone (rather than Rural). This assessment forms part of a suite of documents comprising evidence and technical analysis prepared for this purpose.

1.2 Methodology

The process for this assessment involved the following steps:

- A site visit was undertaken of the Pokeno East area and surrounds, to understand the location, social infrastructure and nature of the land use in the area
- Review of the submissions from Thorntree Orchards Ltd, Brenda and Gavin Butcher, and Tony and Cindy Young to understand the reasons for the submissions and the relief sought
- Review of the Operative and Proposed Waikato District Plan zoning for the Pokeno East area and surrounds to understand the existing and proposed zoning scenarios
- Review of Future Proof Strategy Planning for Growth (Future Proof 2017) and Waikato District Council Growth & Economic Development Strategy (Waikato 2070) to understand

¹ Based on the wording of the submission which says that the reason they sought an amendment to Country Living Zone was because the area "is contiguous with the existing Country Living Zone on the eastern side of State Highway 1." There is no Country Living Zone on the eastern side of State Highway 1 that is contiguous with the Pokeno East area. The land on the eastern side of State Highway 1 that is contiguous with the Pokeno East area is zoned Village Zone.

the development and land use changes contemplated for the Pokeno East area as encapsulated in these relevant strategic planning documents and tested (in terms of community aspirations and desired outcomes) through previous public submission processes

- Review of excerpts from a historic heritage assessment undertaken by Dr Ann McEwan to understand the historic context for settlement and the community centre of Pokeno
- A brief demographic profile of Pokeno was developed using the Statistics New Zealand 2018 Census of Population and Dwellings (via 'Place Summaries') and information on population growth projections contained in Waikato 2070
- Review of information provided by Thorntree Orchards Ltd and the East Pokeno Submitters regarding reverse sensitivity issues currently being experienced by them and other landowners in the Pokeno East area, and
- A high-level assessment was undertaken of the submitters' proposal to rezone the land within the Pokeno East area, using a framework based on the International Association for Impact Assessment (IAIA) guidance for assessing and managing the social impacts.

1.3 Scope and limitations

This report: has been prepared by GHD for Thorntree Orchards Ltd and the East Pokeno Submitters and may only be used and relied on by Thorntree Orchards Ltd and the East Pokeno Submitters for the purpose agreed between GHD and Thorntree Orchards Ltd and the East Pokeno Submitters as set out in section 1.1 of this report.

GHD otherwise disclaims responsibility to any person other than Thorntree Orchards Ltd and the East Pokeno Submitters arising in connection with this report. GHD also excludes implied warranties and conditions, to the extent legally permissible.

The services undertaken by GHD in connection with preparing this report were limited to those specifically detailed in the report and are subject to the scope limitations set out in the report.

The opinions, conclusions and any recommendations in this report are based on conditions encountered and information reviewed at the date of preparation of the report. GHD has no responsibility or obligation to update this report to account for events or changes occurring subsequent to the date that the report was prepared.

The opinions, conclusions and any recommendations in this report are based on assumptions made by GHD described in this report (refer section(s) 1.4 of this report). GHD disclaims liability arising from any of the assumptions being incorrect.

GHD has prepared this report on the basis of information provided by Thorntree Orchards Ltd and the East Pokeno Submitters and others who provided information to GHD (including Government authorities), which GHD has not independently verified or checked beyond the agreed scope of work. GHD does not accept liability in connection with such unverified information, including errors and omissions in the report which were caused by errors or omissions in that information.

1.4 Assumptions

The following assumptions have been made in the preparation of this report:

- The information and data that was provided to GHD by or for Thorntree Orchards Ltd and the East Pokeno Submitters, and that was used to inform this report is up to date and accurate. This information included excerpts only from a historic heritage assessment undertaken by Dr Ann McEwan, and commentary on existing reverse sensitivity issues experienced by landowners in the Pokeno East area
- The strategic planning documents relevant to this assessment are the Future Proof Strategy Planning for Growth (Future Proof 2017) and Waikato District Council Growth &

Economic Development Strategy (Waikato 2070). No other strategic planning documents have been considered in undertaking this assessment, and

- Consultation and engagement with Thorntree Orchards Ltd, the East Pokeno Submitters, and social infrastructure providers was excluded from the scope of this assessment.

2. Description of the environment

2.1 Historic settlement

Prior to 1920, the centre of the Pokeno community was located on the eastern side of the Pokeno Valley. This was east of the present-day junction of State Highway 1 and State Highway 2, in the vicinity of the St Mary's on the Hill Church.

By 1927, the population of Pokeno had drifted west and south to cluster around the railway station and other facilities, including new schools which had opened up on the western side of the Pokeno Valley.² It is here that the present day Pokeno town centre is located (to the west of State Highway 1).

2.2 Existing zoning

Under the Operative Waikato District Plan: Franklin Section (WDP), the Pokeno East area is zoned Rural. Land to the south of Avon Road/Gulland Road is zoned Village Zone. Land immediately to the west of State Highway 1 is zoned Residential 2. Land to the north of State Highway 2 is zoned Rural, with a pocket of Timber Processing Zone covering the Max Birt Sawmill site. The WDP zoning of Pokeno East and surrounds is shown on Figure 1.

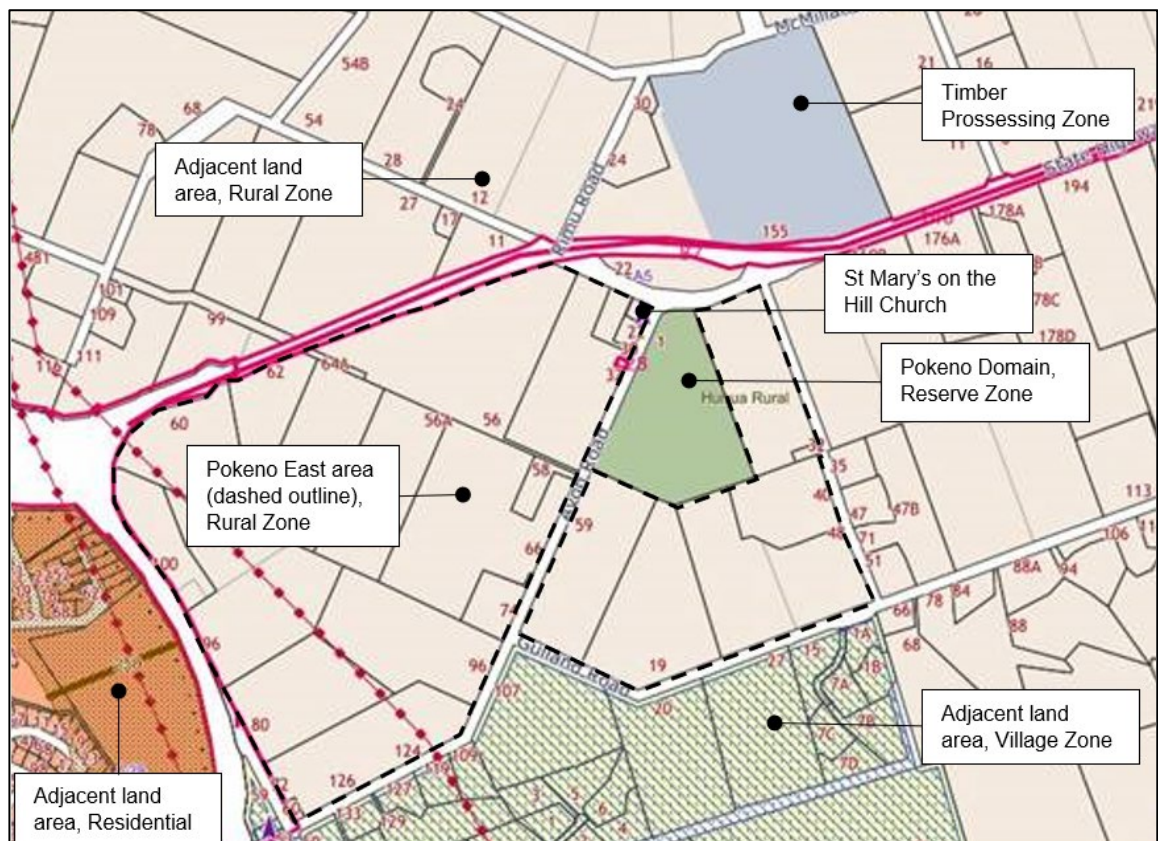


Figure 1 Operative District Plan zoning in Pokeno East and surrounds

² Pokeno Heritage Assessment, Dr Ann McEwan (14 April 2008).

- Fire station
- Small group of shops with a superette, a couple of ice cream shops, Pokeno Bacon and a couple of cafés
- Small group of shops with a Movenpick store, a café, laundromat and liquor store
- Pokeno CBD restaurant
- Pokeno Motel
- Pokeno Family Health (urgent care)
- Queens Redoubt Historic Centre
- Industrial park including (but not limited to) Hynds Pipes, Yashili Dairy Company and Synlait Milk
- 24-hour gym
- Pokeno Childcare, Pokeno School, Pokeno Educare, and
- Sports fields (in development).

The closest library is located in Tuakau. The closest secondary school is Tuakau College. There is a medical centre in Tuakau, and the closest hospital is Middlemore Hospital (approximately 40 km north).

In summary, Pokeno is a small town providing basic and essential services. However, as the population has grown, new services have been introduced for greater community convenience, for example the Countdown supermarket (opened February 2021).

2.3.2 Pokeno East and surrounds

Pokeno East is located to the east of State Highway 1. Existing activities within the Pokeno East area include (refer Figure 3):

- Large lot residential
- Weaner calf rearing
- Breeding show horses
- Breeding and training sport horses
- Small scale sheep rearing
- Small scale beef dry stock grazing
- Dog breeding
- Horse riding school
- Former kiwifruit orchard
- A rural contracting yard
- Bed and breakfast
- Church (St Mary's on the Hill, used by people on both the eastern and western sides of Pokeno)
- Cemeteries, and
- Pokeno Domain (including dog exercise area and tennis courts, used by people on both the eastern and western sides of Pokeno).

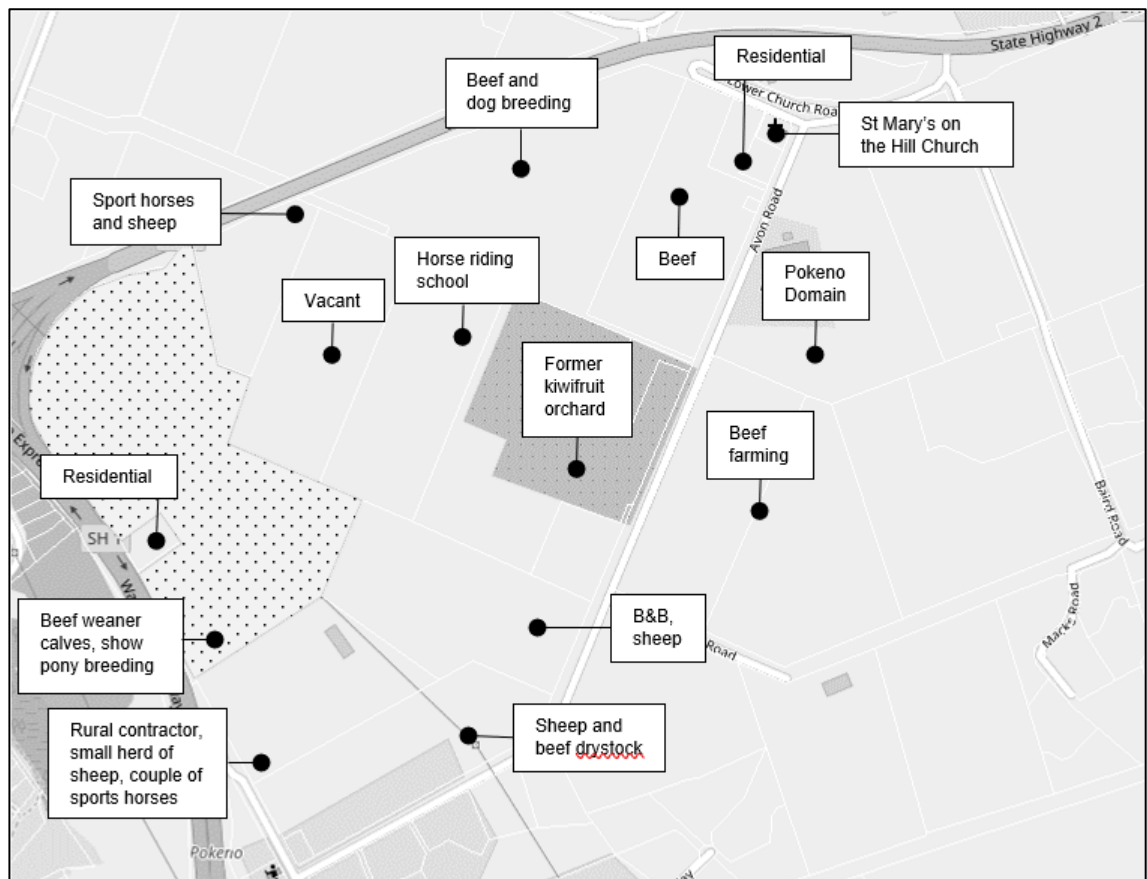


Figure 3 Existing activities in Pokeno East

Directly to the north, the Pokeno East area is bound by State Highway 2. This creates a major physical separation between land uses north and south of the State Highway. To the east of the Pokeno East area (east of Baird Road) is rural land (including racehorses, beef and dairy). Directly south from Pokeno East, on the land currently zoned Village Zone, is Kowhai Downs which is a residential development (developed within the last five years) featuring 150 large lot residential properties. This development is more urban in character with streetlights, kerb and channel, and footpaths. Directly west of Pokeno East is State Highway 1 and the Pokeno town centre, as described above.

In summary, Pokeno East is an area of rural land with residential and urban land uses encroaching at the southern and western boundaries.

2.3.3 Water and wastewater servicing

Pokeno town centre is serviced by reticulated water and wastewater. Some of the properties in the Pokeno East area are connected to a public reticulated water supply, but there are no wastewater connections with properties within the Pokeno East area currently relying on on-site treatment systems.

2.4 Existing population

The following provides a summary of some key characteristics and trends of the population of Pokeno:⁴

- Pokeno has experienced significant population growth, especially in the last ten years. The resident population grew from 570 in 2006, to 600 in 2013, and 2,517 in 2018

⁴ 2018 Census <https://www.stats.govt.nz/tools/2018-census-place-summaries/pokeno> [last accessed 12 February 2021].

- Population growth is expected to continue. Strategic planning documents for the Waikato District predict the population will grow to 16,000 by 2070⁵
- At the 2018 Census, there were approximately 865 dwellings in Pokeno, with more under construction
- There is a high level of home ownership for occupied private dwellings (71.2%). Median weekly rent in 2018 was \$550, which was a significant increase from 2013 when it was \$300, indicating an increasingly competitive housing market
- The resident community is predominantly a working age population (median age 33.8 years) and there is low unemployment in the community (3.1%)
- The median income earned by people in Pokeno is \$46,800. However, the percentage of people earning over \$70,000 is 27.7%
- The predominant occupation of people in Pokeno is Professionals (23.2%), followed by Managers (17.7%), Clerical and administrative workers (12.5%), Technicians and trade workers (12.3%), Sales workers (10.6%), Community and personal service workers (10%), Machinery operators or drivers (7.3%) and Labourers (6.3%)
- The resident population is predominantly European (68.7%), with other ethnic groups represented as follows: Māori 15.6%, Pacific 4.3%, Asian 20.9%, Middle Eastern/Latin American/African 1.9%, Other 1.5%, and
- 94.3% of people said they had access to all basic amenities.

2.5 Reverse sensitivity matters

Reverse sensitivity is the sensitivity of new activities (usually, but not always, residential activities) to other lawfully established activities in the vicinity. If the new use is permitted or enabled, then established activities can be forced to restrict their operations or mitigate its effects so as not to adversely affect the new activity.⁶

Landowners within the Pokeno East area experience reverse sensitivity effects associated with the proximity of residential development, especially to the south (south of Avon Road/Gulland Road). Reported adverse effects affecting the productive operation of the rural land within the Pokeno East area include:⁷

Adverse effect	Detail
Fireworks from the urban area (at Guy Fawkes but also other times throughout the year)	<ul style="list-style-type: none"> • High quality riding ponies, such as those bred by the Butchers, must remain blemish free for the show ring. Fireworks can adversely affect this as horses/ponies are flight animals and a number of ponies have been injured due to running through fences during fireworks events. In one case this resulted in the severe injury of a pony's back legs rendering it useless for competition in the show ring (due to scarring). • Some, but not all, animals can be kept contained onsite in stables and yards. It is not practicable to move all animals off site.
Noise	<p>Complaints have been made by neighbouring residential properties to Waikato District Council about noise from:</p> <ul style="list-style-type: none"> • Weaner calves, because they tend to moo, day and night, for a number of days after they are first delivered.

⁵ Pokeno Development Plan, Waikato 2070 [p29] <https://openwaikato.co.nz/wp-content/uploads/2020/06/Waikato-2070.pdf> [last accessed 11 February 2021].

⁶ Managing Land Use and Sensitivities to Its Use, Quality Planning website <https://qualityplanning.org.nz/node/715> [last accessed 17 February 2021].

⁷ Summary of notes from discussions with landowners. Client supplied information.

Adverse effect	Detail
	<ul style="list-style-type: none"> The servicing of rural vehicle engines such as tractors. Rabbit shooting, making it increasingly difficult to control these pests. <p>In addition, noise generated by tractors, diggers and bird scaring devices (for example) creates tension with neighbouring residents.</p>
Odour	<ul style="list-style-type: none"> Feeding animals relies heavily on silage, and waste produced by calves and horses is often composted on site. Landowners have received complaints from residential neighbours about the odour generated by these activities.
Spray drift (horticultural sprays and pesticides)	<ul style="list-style-type: none"> The ability for landowners to use sprays is limited both in the type of spray used (some of which are poisonous to animals) and the frequency of use due to the proximity to residential land uses (including domestic pets).
Traffic	<ul style="list-style-type: none"> Traffic generated by rural uses is different to urban uses. The Butchers have B-train stock trucks which access their property (from State Highway 2) to transport weaners on and off the site. These regular vehicle movements are becoming increasingly difficult and more unsafe with increased traffic on State Highway 2. The Youngs have a rural contracting business (accessed off Fraser Road) which generates a large number of heavy truck movements including water tankers and trucks transporting diggers and tractors and mowers. These vehicle movements are difficult with increased urban traffic movements generated from the adjacent Village Zone development to the south.
Economic	<ul style="list-style-type: none"> Prior to the significant urban development of Pokeno, the Butchers were raising over 1000 weaner calves per year which were sold for \$500-\$600 + GST each. Due to operational constraints created by encroaching residential and urban land uses (noted above), they now only have a handful of weaners on site at any one time and the business has been running at a loss for the last three years. Increased pressure on running a commercial orchard (including reverse sensitivity matters and lack of water availability) has resulted in the Dobsons (Thorntree Orchards) ceasing the growing of kiwifruit. While in their most productive year (2018-2019) they produced a net profit of \$50,000, they now generate no income from the property.

Supplementary information has been provided by Thorntree Orchards Ltd about reverse sensitivity effects and this is attached in Appendix A.

3. Proposed zoning and relief sought

3.1 Proposed Waikato District Plan

Under the Proposed Waikato District Plan (PWDP), the Pokeno East area has been zoned Rural. Land to the south of Avon Road/Gulland Road is zoned Village Zone. Land to the west of State Highway 1 is zoned Residential. Land to the north of State Highway 2 is zoned Rural, with a pocket of Light Industrial for the Max Birt Sawmill. This is shown in Figure 4 below.

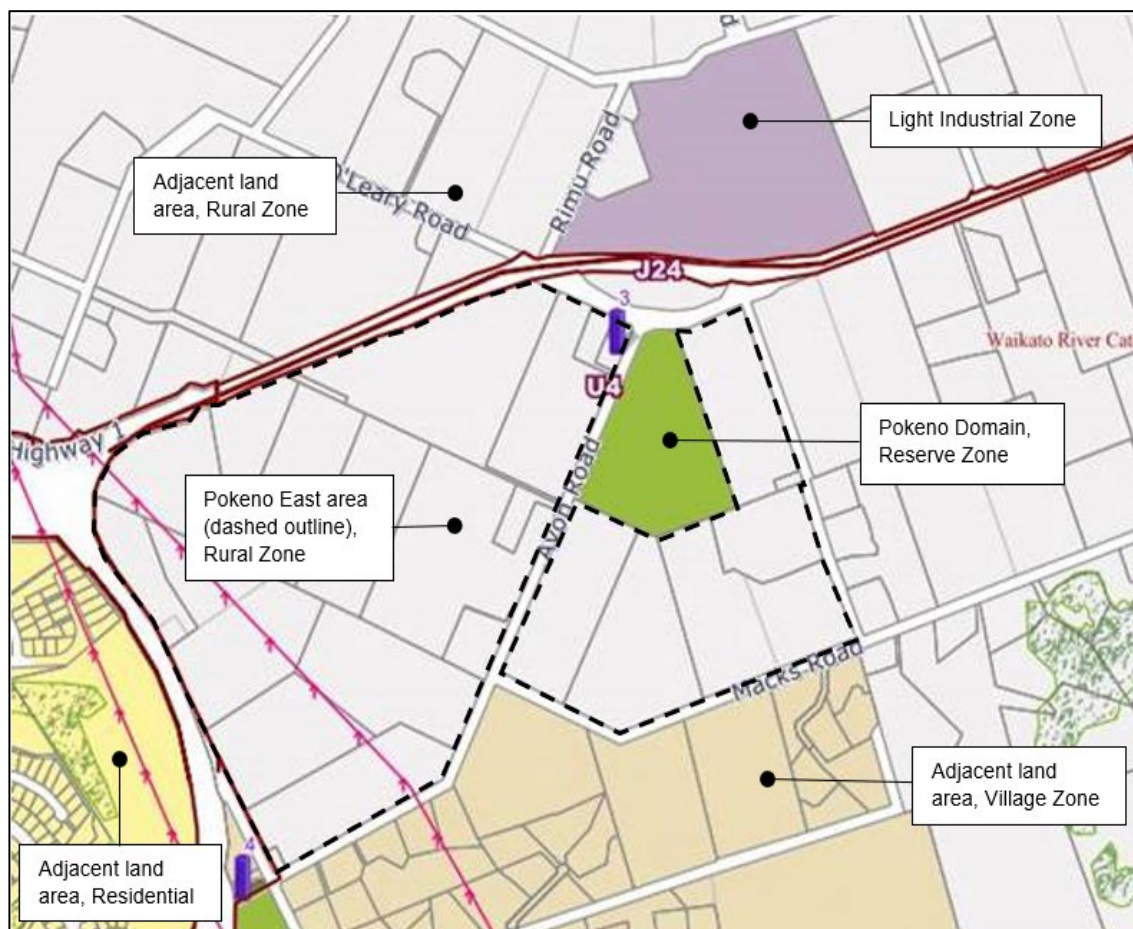


Figure 4 Pokeno East area and proposed zoning under the PWDP

3.2 Relief sought in submissions

This report relates specifically to the submissions of Thorntree Orchards Ltd (Submitter 54 and Further Submitter 1054), Brenda and Gavin Butcher (Submitter 696 and Further Submitter 1283), and Tony and Cindy Young (Submitter 735 and Further Submitter 1221) who are key landowners in the Pokeno East area, and the relief sought by them. In their submissions:

- Thorntree Orchards Ltd (Submitter 54 and Further Submitter 1054) sought to amend the zoning of the Pokeno East area to Village Zone, and
- Brenda and Gavin Butcher (Submitter 696 and Further Submitter 1283) and Tony and Cindy Young (Submitter 735 and Further Submitter 1221) collectively referred to as the Pokeno East Submitters, sought to amend the zoning of the Pokeno East area to Country Living Zone. Although it is understood that these submitters intended to seek the same

zone as is contiguous with the Pokeno East area to the south i.e. Village Zone.⁸ Both of these submitters made further submissions in support of the primary submission from Thorntree Orchards Ltd.

For context, the Village Zone is an urban environment zone, but it is intended to maintain a semi-rural character with large lot sizes and low density development. The notified Proposed District Plan had a minimum lot size of 3,000 m² for the Village Zone, although the s42A report has recommended this be reduced to 2,500 m².⁹ In addition, the notified Village Zone provisions or the Village Zone in Tuakau and Te Kowhai enabled further development down to 1,000 m² upon reticulation for water and wastewater. Lower levels of infrastructure are provided for the Village Zone, for example activities within the Village Zone are required to be self-sufficient in the provision of on-site water supply, wastewater and stormwater disposal, unless a reticulated supply is available.

Some of the key reasons for seeking rezoning, as set out in the submissions of Thorntree Orchards, Brenda and Gavin Butcher, and Tony and Cindy Young, include (in summary):

- Pokeno East is identified for urban development in all of the relevant strategic planning documents and will contribute additional growth capacity which is needed based on population growth projections
- Rezoning the land within Pokeno East would be appropriate because it is contiguous with existing Village Zone land immediately to the south, and Residential Zone land on the western side of State Highway 1
- The use of land in Pokeno East for rural activities is currently constrained by reverse sensitivity complaints from nearby residential development, including the Village Zone land immediately to the south, and Residential Zone land on the western side of State Highway 1, and
- Rezoning the land within Pokeno East would allow for urban development that is responsive to the future needs of Pokeno, enabling residents to live, work and play in Pokeno.

It is noted that the Pokeno East Submitters are now seeking rezoning to Future Urban Zone (rather than Village Zone). This change in approach has come about through the evolution of the Village Zone provisions through the s42A report recommendations and hearing, and their consideration of other submissions. However, for the purposes of this report the salient point is that some form of residential zone (rather than Rural) is being pursued by the submitters.

⁸ Based on the wording of the submission which says that the reason they sought an amendment to Country Living Zone was because the area “is contiguous with the existing Country Living Zone on the eastern side of State Highway 1.” There is no Country Living Zone on the eastern side of State Highway 1 that is contiguous with the Pokeno East area. The land on the eastern side of State Highway 1 that is contiguous with the Pokeno East area is zoned Village Zone.

⁹ Hearing 6: Village Zone – Subdivision, Jonathan Cleese, 8 November 2019, Paragraph 56.

4. Strategic context

4.1 Relevant strategic planning documents

The relevant strategic planning documents are:

- Future Proof Strategy Planning for Growth (Future Proof 2017),¹⁰ and
- Waikato District Council Growth & Economic Development Strategy (Waikato 2070).¹¹

4.1.1 Future Proof 2017

Future Proof 2017 (published in November 2017) is a 30-year growth management and implementation plan specific to Hamilton, Waipa and Waikato District. It includes a Settlement Pattern which provides the blueprint for growth and development in identified key growth areas, including Pokeno.

The Settlement Pattern identifies Pokeno for residential development¹² and predicts the potential for Pokeno to have an additional 2,000 households over the next 30 years, together with associated additional social infrastructure such as another school, healthcare facility, better public transport and improved walking and cycling infrastructure. The site is specifically identified for residential uses as shown in Figure 5.

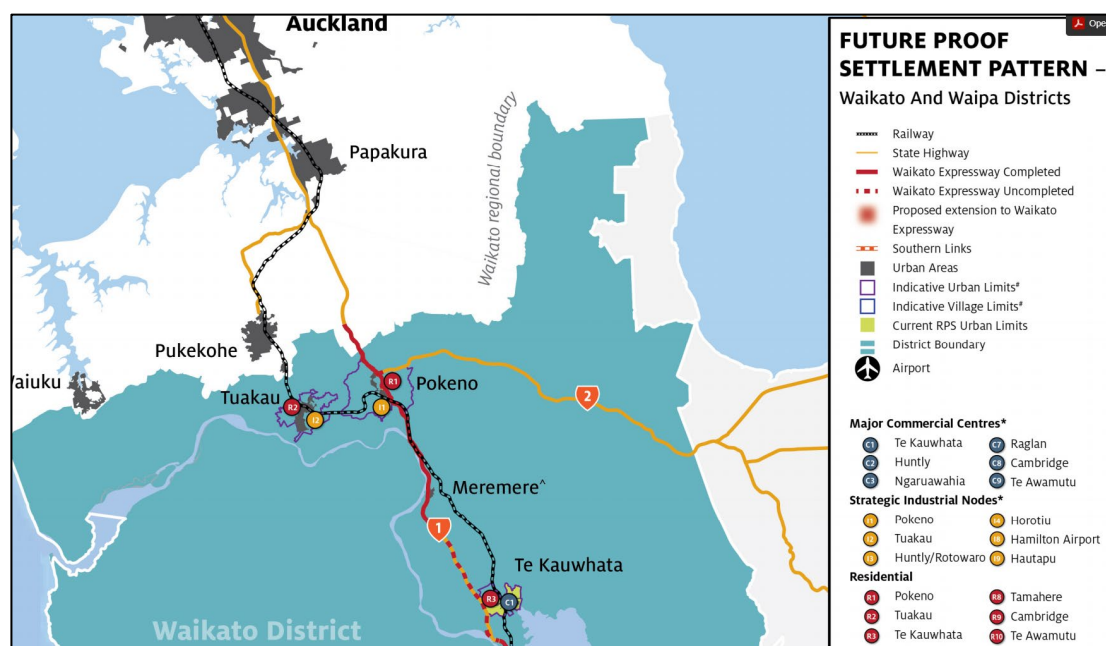


Figure 5 North Waikato development plan (Future Proof 2017)

4.1.2 Waikato 2070

Waikato 2070 (published in May 2020) is a long-term plan for the achievement of Waikato District Council's vision for living, thriving and connected communities. It includes a strategy for growth and development to help with planning and infrastructure provision.

Waikato 2070 identifies areas in the district that have a strong capacity to support future growth, and Pokeno is one of those areas. The Pokeno Development Plan predicts population growth in

¹⁰ <https://futureproof.org.nz/assets/FutureProof/Documents/Future-Proof-Strategy-Nov-2017-Final-271117.pdf> [last accessed 11 February 2021].

¹¹ <https://openwaikato.co.nz/wp-content/uploads/2020/06/Waikato-2070.pdf> [last accessed 11 February 2021].

¹² Refer Map 1 in Appendix 2 of Future Proof 2017.

5. Assessment

5.1 Framework

The framework used for this assessment is based on the International Association for Impact Assessment (IAIA) guidance for assessing and managing the social impacts¹³, which is well recognised internationally and provides a sound approach for the assessment of social impacts.

The IAIA defines social impact assessment as:

“Analysing, monitoring and managing the intended and unintended social consequences, both positive and negative, of planned interventions (policies, programs, plans, projects) and any social change processes invoked by those interventions.”

An SIA can be undertaken in different contexts and for different purposes, but that the following principle is important across all SIAs:

“The improvement of social wellbeing of the wider community should be explicitly recognised as an objective of planned interventions, and as such should be an indicator considered by any form of assessment. However, awareness of the differential distribution of impacts among different groups in society, and particularly the impact burden experienced by vulnerable groups in the community should always be of prime concern.”

The IAIA outlines the key potential areas to consider when undertaking a social impact assessment. In summary these areas include changes to one or more of the following:

- People's way of life: How people live, work, play and interact
- Culture: People's shared beliefs, customs, values and language or dialect
- Community: The cohesion, stability, character, services and facilities
- Political Systems: The extent to which people are able to participate in decisions that affect their lives, the level of 'democratisation' that is taking place, and the resources provided for this purpose
- The Environment: The quality of the environment that people live, work and socialise in (e.g. air and water that people use, the availability and quality of the food they eat, the level of hazardous risk, dust and noise they are exposed to, the adequacy of sanitation, their physical safety, and their access to and control over resources)
- People's Health and Wellbeing: The state of physical, mental, social and spiritual wellbeing
- People's Personal and Property Rights: Particularly where people are economically affected, or experience personal disadvantage which may include violation of the civil liberties, and
- People's Fears and Aspirations: This relates to perceptions about people's safety, their fears about the future of their community, and their aspirations for their future and the future of their children.

Not all of these impact areas are relevant to this assessment and therefore, this assessment refers only to those that are considered relevant.

¹³ Social Impact Assessment: Guidance for assessing and managing the social impacts of projects (2015) https://www.iaia.org/uploads/pdf/SIA_Guidance_Document_IAIA.pdf [last accessed 12 February 2021].

5.2 Assessment

The current operative zoning of the Pokeno East area (Rural) is resulting in adverse social effects for existing landowners in terms of their ability to use their land for rural activities, and the submitters' proposal to rezone the land, enabling urban (some form of residential) development, has the potential to result in positive social effects for existing landowners and the wider community. These social impacts are assessed below.

Social impact	Current zoning (Rural)	Rezoning to urban (some form of residential)
People's way of life	<p>Current adverse effects on people's way of life manifesting in the way surrounding residential and urban land uses are causing land owners in the area to modify (in an inconvenient way) the way they live and work and the nature of rural activities that are undertaken on their land (refer Section 2.5). In addition, complaints received from surrounding residential and urban neighbours suggests the rural activities being undertaken in Pokeno East are negatively impacting the way the surrounding residential and urban neighbours live in terms of the quality of residential amenity they expect on their properties.</p> <p>Rural vehicle movements to and from properties within the Pokeno East area are becoming increasingly difficult and unsafe with increased traffic on State Highway 2 and increased urban traffic movements on local roads generated from the adjacent Village Zone development to the south.</p>	<p>Potential for positive effects on people's way of life by enabling more congruent land uses adjacent to one another.</p> <p>A range of social infrastructure exists in Pokeno, but rezoning would enable the timely planning and funding of more social (and other) infrastructure to meet the needs of the community. This in turn has the potential to enable residents (both existing and future) to work, live and play in Pokeno without having to travel outside of the town (because there will be enough of a population locally to support those facilities which residents currently go to Tuakau for).</p> <p>The Pokeno East area is well serviced by an existing local road network. Rezoning (and the subsequent stimulation/creation of additional infrastructure to support the development of the area) would provide an opportunity to remove property access from State Highway 2.</p>
Community	Adverse effects on community cohesion caused by tensions between	Potential for positive effects because rezoning will enable the planning and funding of infrastructure and services required to support the

Social impact	Current zoning (Rural)	Rezoning to urban (some form of residential)
	<p>landowners in Pokeno East and surrounding neighbours.</p> <p>Adverse effects in terms of neighbourhood character for landowners in the Pokeno East area. Neighbourhood or landscape character contributes to people's sense of identity, pride and relationship with the place that they live. The rural character of the existing Rural zoned land in the Pokeno East area is being adversely impacted by the surrounding residential and urban neighbourhoods.</p> <p>Isolation of existing community facilities on the eastern side of Pokeno such as St Mary's on the Hill, the dog park and tennis courts from the community they serve (which includes people living on the western side of Pokeno).</p>	<p>community. Also an opportunity to improve connectivity and integration, and therefore a sense of community, between east and west Pokeno with more congruent land uses adjacent to one another and enabling the potential to improve the connection between the residential area and Pokeno Domain.</p> <p>Rezoning would create an opportunity to enhance the social value of the St Mary's on the Hill church, a historic heritage site which used to be the centre of the Pokeno community prior to 1920 (refer Section 2.1). Rezoning would create an opportunity to connect the church and existing recreation facilities (the dog park and tennis courts) to the existing urban extent of Pokeno, as they are currently isolated (i.e. they are existing components of social infrastructure contained within Pokeno East but sitting in isolation within a rural context).</p> <p>Rezoning has the potential to stimulate the creation of walkways and cycle routes to connect St Mary's on the Hill, the dog park and tennis courts to the western side of Pokeno. At present, these facilities can only be accessed by vehicle due to the lack of pedestrian and cycle connectivity.</p> <p>Pokeno town centre has adequate social infrastructure to support a growing residential</p>

Social impact	Current zoning (Rural)	Rezoning to urban (some form of residential)
		population and the Pokeno East area is conveniently placed to accommodate additional residents (it is approximately 2 km from the Pokeno town centre by road).
The environment	As set out in supplementary information from Thorntree Orchards (Appendix A), horticultural land uses are no longer viable on land in Pokeno East due to the inability to obtain consent for sufficient water allocation.	Positive effects on the environment by enabling more congruent land uses adjacent to one another e.g. effects of spray drift lessened/removed due to change from rural to large lot residential.
People's personal and property rights	Landowners within Pokeno East are experiencing adverse economic effects because the use of their land for its past and intended rural use is being constrained by surrounding land uses (refer Section 2.5).	Potential for positive effects because rezoning would enable landowners to plan appropriately and, in time, advantage from the sale of their property such that they can relocate to an alternative site that is more conducive to their desired land uses.
People's fears and aspirations	There is a long term strategy for residential development within Pokeno East (within 10-30 years) but the existing and proposed land zoning does not correlate with this intent. The inevitability of urban development, but uncertainty with regard to zoning is causing some concern and stress for landowners in Pokeno East because they are unable to make plans for their own future e.g. when to make business and life decisions in preparation for moving on.	<p>Potential for positive effects because rezoning through the PWDP process would provide greater certainty for landowners within Pokeno East and enable them adequate time to plan and make decisions about their future.</p> <p>The cumulative impact of significant and rapid population growth in Pokeno and the consequential land use changes that have happened to date has changed the character of Pokeno from a rural settlement to a small town. With the area poised for further growth, rezoning consistent with the land use changes contemplated in the</p>

Social impact	Current zoning (Rural)	Rezoning to urban (some form of residential)
		relevant strategic documents is appropriate.

5.3 Summary

Overall, it is considered appropriate from a social perspective to rezone the land within the Pokeno East area to some form of residential zone (rather than Rural) because:

- The relevant strategic planning documents identify that additional land is required to meet projected population growth. The Pokeno East area has been identified in the relevant strategic documents as an area for urban (residential) development. If Pokeno East is rezoned, there is potential for positive effects in terms of people's personal and property rights, and their fears and aspirations, because the rezoning would enable landowners to plan appropriately and, in time, advantage from the sale of their properties such that they can relocate to an alternative site that is more conducive to their desired land uses. Rezoning now, through the current PWDP process, would provide greater certainty for landowners within Pokeno East and enable them adequate time to plan and make decisions about their future
- The Pokeno East area is contiguous with the existing Village Zone immediately to the south and Residential Zone on the western side of State Highway 1. The area is therefore a logical extension for further residential development in Pokeno. If Pokeno East is rezoned, there is potential for positive effects on the environment and people's way of life because there would be more congruent land uses adjacent to one another meaning effects of noise, odour and spray drift (for example) will be reduced or removed due to the change from rural to large lot residential
- Further, the rezoning of the Pokeno East area would create an opportunity to improve connectivity and integration, and therefore a sense of community, between east and west Pokeno with more congruent land uses adjacent to one another. It would also enable an improved connection between the residential area and Pokeno Domain and St Mary's on the Hill
- A range of social infrastructure exists in Pokeno but rezoning the Pokeno East area would enable the timely planning and funding of more social (and other) infrastructure to meet the needs of the existing and future community. This in turn has the potential to enable residents to work, live and play in Pokeno without having to travel outside of the town (because there will be enough of a population locally to support the facilities that residents currently go to Tuakau for), and
- The cumulative impact of significant and rapid population growth in Pokeno and the consequential land use changes that have happened to date, together with the future development and land use changes contemplated for the Pokeno East area (as encapsulated in the relevant strategic documents), indicates that rezoning of the Pokeno East area is appropriate.

Appendices

Appendix A – Supplementary information from Thorntree Orchards

Supplementary Information – Thorntree Orchards [submissions 54 and FS1054]

Introduction

Thorntree Orchards supports the re-zoning of the area east of Pokeno, bounded by State Highway 2 to the north, Avon Road to the south and State Highway 1 to the west. This supplementary information adds to the suite of documents comprising evidence and technical analysis to support a change in zoning.

Background to the property at 58 Avon Road

Our parents (Farquhar and Maureen Dobson) purchased 58 Avon Road as a bare block of land in 1979. The plan was always to grow kiwifruit which complemented the surrounding properties at that time which were established market gardens. 'Thorntree' was born with a villa being moved onto the property in 1981.

To subsidise the establishment of the kiwifruit orchard a variety of other crops were grown from garlic to watermelons. Throughout the 1980s our parents experienced the boom and bust of kiwifruit industry, during the latter considering whether to remove the kiwifruit altogether. Seeking employment outside of the kiwifruit orchard for the next 20 years they persevered to establish a viable commercial orchard.

Gold kiwifruit was introduced in NZ and Thorntree was one of the first orchards to purchase a licence and grow Gold kiwifruit. Since 2012 alternative varieties such as the G3 has been introduced and grown. In 2016 the orchard was purchased by Patrick Dobson and Jane Dobson, son and daughter of Farquhar and Maureen Dobson. The son and daughter team has continued to invest their time and energy into the orchard and maintaining Thorntree. Their mother Maureen Dobson still resides at the property.

Economic and other constraints

At the time our family purchased the land and established the orchard there were only 3 rural neighbours. Today between the triangle from Avon Road to the borders of the Expressway there are over 18 landowners with either residential lots or lifestyle blocks. The landscape has changed along with the expansion of Pokeno village and desire of Aucklanders to move south.

There has been increasing pressure on running a commercial orchard, more so now than 20 years ago when it was primary market trends and prices that determined viability of growing. Land use, water consumption and property management were considerations generally left to the landowners. Ultimately, now Councils must manage resources and land use better. Our generation of orchardist must now keep a commercial orchard viable within these regulations, bylaws and restrictions.

With the development of the Village zoned large lot residential sites on the southern side of Avon Road, there are considerable reverse sensitivity effects which makes any form of horticulture impossible.

Over the past five years growing commercial kiwifruit and making the orchard viable has become impossible due to:

1. Sprays

The application of sprays and pesticides are required throughout the year including a product called 'Hi-cain' which was becoming an increasing concern from neighbours. The Hi-cain when sprayed is incredibly poisonous to animals. We are required to notify residents to ensure their

dogs and horses were kept away from the orchard, but this is not sufficient to completely avoid spray drift and the high risk to surrounding properties. Earlier this was never an issue due to only three neighbours in general proximity of the area. Today this is not the case as more residential lots are being developed including the development of a dog walking field across the road which has a very high usage by Pokeno residents.

2. Noise

Constraints with pest control via shooting and trapping and limitations on recreational shooting have been acutely felt. Although not an impact on the orchard, it is still worth mentioning that families in the area have previously enjoyed the usual rural recreational sporting activities. However, recent complaints regarding gun use has increased on social media as well as the loss of wet land and pond habitats which were always a local hang out during duck shooting season. This year in particular has seen an explosion in the rabbit population and given the proximity of residential development across the road as well as the increased recreational use of the dog park, there are no viable ways of managing the rabbit population such as guns or poisoning.

Management of horticulture generates considerable noise including tractors, diggers, bird scaring devices, and frost mitigating methods such as deploying helicopters at night. Due to the proximity of residential development, these activities created tension with neighbouring residents.

3. Land management practices

Considerations regarding land clearance is also something that is difficult to undertake within more densely populated area. Complaints are increasing from residences when controlled burn-offs are required. The local volunteer fire brigade is still required to come and investigate any call in for a fire, even when they know in advance that we will be undertaking a burnoff. We have had the firetrucks turn up every time we have been burning kiwifruit offcuts.

4. Heavy vehicle movements

During harvest time there is always a significant increase of traffic to the site, including transportation trucks and labour.

Water availability

The primary constraint for the orchard today however is the water limitations imposed by the Waikato Regional Council. New Zealanders have an increasing level of concern for water quality and water resource in New Zealand, this issue is constantly in tension with all Councils now having to step up and manage their water resources better as well as supporting more intensive residential zoning and agricultural/horticultural businesses. For us personally being within the centre of this tension it has resulted in an untenable situation of not being able to continue with our kiwifruit orchard despite the economic benefits of growing gold kiwifruit in New Zealand.

The orchard was granted a resource consent (from 2014 – 2030) to take 120 cubic meters of water per day from the stream. This is sufficient at any time of the year except when the Council has to manage its water take across the Region, particularly during the summer periods when the water flow falls below their acceptable level. In summer this was reduced for Thorntree dependent on water flow from other water catchments that Council deemed applicable to our area. The Regional Council thus reduced our take from 120 to 60 then to 30 cubic metres.

Kiwifruit during the summer period has its highest demand for water. The kiwifruit industry standard requires 100ltrs per plant per day. Our 1300 plants could not survive on the lesser takes through the restricted times. Water management was one of the most stressful aspects in the past years and this issue was no doubt not only felt by us but also from surrounding agricultural businesses.

As a business we had to make hard choices about how to apply the water, in particularly during the summer months. The emotional stress of watching parts of the orchard struggling and dying and failing to produce, ultimately impacting the autumn harvest was particularly hard. In the end we had to make the tough decision to stop growing the green kiwifruit in 2018 and concentrate our resources on the gold.

The alternative option was to investigate a bore at a considerable financial cost, with no guarantee from the Council that they would grant a consent to take water from the bore. Such investment set against the ongoing uncertainty from the Council on their long-term planning of our area has not made this type of investment an easy decision.

The impact on our family orchard from these pressures has resulted in our commercial business, once considered incredibly viable with a gold license, never actually realising its potential economic return. Our most productive year for growing the gold was the 2018-2019 growing season where the gold kiwifruit produced a net profit \$50k however this was negated by loss of our green kiwifruit crop. The water consent being reduced throughout the summer period was never going to enable commercially viable horticulture to be grown. The impact was that we made the decision to stop growing kiwifruit and had to invest considerable costs into clearing and burning the plants, we now have \$0 generated by the farm. While the previous use of the property for kiwifruit does not preclude future uses for other forms of horticulture, the lack of water makes any form of commercial horticulture unviable as all crops require more water than what is consented. There is of course, future uncertainty whether the Waikato Regional Council will further reduce the water take through review of our consent conditions.

The limitations and pressures from what we experience today are not likely to decrease but rather increase.

Future

Our previous submission supported rezoning from Rural Zone to Village Zone. Considering the information presented in the Proposed Waikato District Plan, Future Proof 2017 and Waikato 2070, this area has clearly been identified for urban development. Urban rezoning will allow for the long-term and sustainable growth of Pokeno that these strategic views anticipate. The development of the area will become more important as the Pokeno township expands, therefore rezoning future urban will provide the options for this future development and will encourage social and economic investment in the Pokeno area.

We still oppose any extension to the time period beyond 10 years as this places undue pressure on current landowners unable to make any plans for urban development. Certainty of longer-term planning is required by Council and early land use changes through the District Plan process would enable existing property owners the ability to make decisions regarding their current circumstance and businesses knowing that a land use amendment would allow for urban development. This certainty is important for the economic and social well-being of the landowners, as well as the Pokeno community.

Our original reasons to propose a change from the notified Rural zoning still stands and these points have not changed since lodging our submission to the Proposed District Plan. To summarise:

- The very rapid expansion and development of the Pokeno village with intensive residential zoning has put pressure on adjoining rural agricultural and horticultural business. The use of this land for legitimate rural uses is significantly constrained by reverse sensitivity complaints from the nearby residential development (including both Village Zoned properties on Avon Road as well as Residential Zoned properties on the western side of State Highway 1) including odour and noise. This area is being used for primary rural industry including calf rearing, breeding horses, kiwifruit and drystock, and the legitimate ability to 'burn off' property vegetations. However, these rural uses do create amenity effects and the operation of these farms is being severely constrained by reverse sensitivity complaints arising from the nearby residential development.
- In addition, other factors like water access and limitations on water consents have been imposed by Waikato Regional Council. Regional Council water management policy has resulted in placing significant pressure on the rural properties and makes horticulture such as kiwifruit no longer viable.

Finally, we support the rezoning to an urban zone for the following additional reasons:

- This area is contiguous with the existing Residential zone on the western side of State Highway 1 and Village Zone development on Avon Road which is large lot residential
- This area is a logical extension of Pokeno and will contribute additional growth capacity which is needed to give effect to higher order planning documents

- Rezoning enables planning and funding of infrastructure
- This area is identified for urban development in all of the strategic planning documents
- Rezoning will allow improved environmental outcomes with retirement and restoration of streams
- Rezoning will result in improved water quality in the stream from retirement from farming and agricultural practices, noting that safeguards would need to be in place for any future stormwater generated. Water quality will increase with the removal of onsite septic tanks and cessation of farming practices such as sprays and fertilising
- The rezoning for future urban meets the criteria in the Waikato Regional Policy Statement for alternative development pattern
- Rezoning enables existing accesses to State Highway 2 to be removed, as Avon, Fraser, and Gulland Roads provide access opportunities
- While this area has constraints such as proximity to the State Highway, Transpower electricity transmission lines and a stream, the Proposed District Plan manages these constraints effectively through appropriate setbacks and yard requirements
- Provides additional housing choice to the stock offered in the Residential Zone in Pokeno or employment opportunities under Commercial/Industrial zone
- This area is serviced for reticulated water supply
- This is a discrete area of land with defendable road boundaries
- The area is separated from the Rural Zone by roads to prevent any consequential reverse sensitivity effects
- It provides an effective transition from the Rural Zone with rural activities, to an urban zone with urban expectations and activities
- Will not undermine the form and function of Pokeno as an urban town but provides for integration into the Pokeno township and surrounding residential areas
- The topography and physical characteristics of the area is suitable for urban development and does not need substantial earthworks to reshape the natural landscape
- Enables multiple growth cells around Pokeno to ensure competitive development
- Allows for a contiguous residential neighbourhood and community connected to the central hub township via footpaths, cycleways etc., and
- Allows for urban development that is responsive to the needs of future Pokeno allowing for residents to work, live and play without having to travel outside of town.

MAP A



The black line in Map A, delineates the area sought for rezoning to an urban zone in our submission.

Any opportunity to discuss this submission with the Hearings Panel is welcomed and we would like the opportunity to present at the hearing of submissions.

Your sincerely,

A handwritten signature in black ink, appearing to read 'Clare Dobson', with a long, sweeping horizontal line extending to the right.

Clare Dobson on behalf of

Patrick and Clare Dobson
Jane Dobson

66 Avon Road
Pokeno

GHD


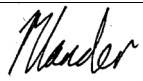
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Document Status

Revision	Author	Reviewer		Approved for Issue		
		Name	Signature	Name	Signature	Date
0	Alex Jepsen	Helen Anderson		Michala Lander		17/02/2021

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Appendix 8

1.0 LENS 1 – ASSESSMENT OF RELEVANT OBJECTIVES AND POLICIES IN THE PWDP

ASSESSMENT METHODOLOGY

The following assessment evaluates the proposal against the relevant objectives and policies of the Proposed Waikato District Plan (PWDP) following Lens 1 of the 'Rezoning Assessment Framework'. A sliding scale is used to evaluate the proposal against the relevant objectives and policies – contrary, neutral, inconsistent or consistent. The assessment has been undertaken on the basis that the proposed urban zoning has been adopted into the Plan.

This approach enables the proposal to effectively demonstrate its merits, consistency with the PWDP intent and that the resulting land use pattern will assist Council to carry out its function to achieve the purpose of the Act. This while recognising that there is still potential for the PWDP to be improved/strengthened to better align with the strategic direction and objectives for the district. Assessing the proposal in light of the current planning maps and provisions does not enable consideration of these improvement opportunities and or provide for responsive planning (i.e., unanticipated or out-of-sequence developments) as recognised in the National Policy Statement on Urban Development 2020 (NPS-UD) and other national/regional strategic planning documents.

It is considered that Lens 1 should only look forward and be applied to the objectives and policies that are relevant to the zone being pursued. For example, future growth areas as identified in strategic plans for the Waikato region (i.e., Future Proof 2017 and Waikato 2070) are primarily within the rural areas as per the PWDP. Assessment of any proposed changes considering the PWDP rural zoning is likely determine the proposal inconsistent. However, this is considered a reflection of the assessment approach rather than the merits of the actual proposal in achieving the PWDP intent.

A zone proposal that is seeking to rezone land from rural to residential should only focus on those objectives and policies that provide guidance on where residential zones should be established. It does not make sense to also require such a rezoning proposal to also be consistent with the objectives and policies of the rural zone; (1) this is not what is being proposed and is therefore irrelevant; (2) because the rural zone would by default be the fallback zone if the plan change was unsuccessful; and (3) because it would be impossible for a rezoning proposal to achieve consistency with both zones when the requirements and application criteria of residential and rural zones are so diametrically opposed. Therefore, an alternative assessment approach is taken and is considered appropriate.

Lens 1 assessments are to be undertaken against the objectives and policies identified in Appendix 2: Matrix of Relevant Objectives and Policies in the PWDP of the Rezoning Assessment Framework. The proposal seeks a Future Urban Zone (FUZ) for Pokeno Easr, changing the area from the PWDP rural zoning, which is not a scenario considered in the matrix. For the purposes of this assessment the 'Rural zone to Residential Zone' scenario has been applied and is considered

appropriate as it is likely that residential zoning will be sought once live zoning is proposed (as part of separate future applications). This is also reflective of the land use and growth direction anticipated for the proposal extent as identified in the various strategic planning documents, particularly Future Proof 2017 (refer to assessment undertaken as part of Lens 2 below).

TABLE 1: ASSESSMENT OF PROPOSAL AGAINST RELEVANT OBJECTIVES AND POLICIES IN THE PWDP

RELEVANT OBJECTIVES AND POLICIES	GUIDANCE NOTES	ASSESSMENT
<p>1. Growth occurs in defined growth areas (1.5.2(a))</p> <p><u>1.5.2(a)</u></p> <p><i>(a) Defined growth areas have been zoned and their development will be guided through the application of objectives and policies and through processes such as the development of master plans, comprehensive structure plans, the district plan and any future changes to the district plan. The agreed Future Proof settlement pattern for urban growth and development is to avoid unplanned encroachment into rural land and is to be contained within defined urban areas to avoid rural residential fragmentation.</i></p>	<p>Defined growth areas are 'urban environment' zones under the PWDP</p>	<p>The proposal does not preclude this objective being achieved. A FUZ is sought which signals the potential of the land to accommodate future growth and provides for long-term planning. However, it does not directly enable growth and robust planning process will still need to be followed (including plan changes/plan review, structure planning, site-specific analysis, and robust evidential base) before the land can become an 'urban environment' zone or defined growth area (i.e., live zoning). The same process that has led to the PWDP defined growth areas will be followed.</p> <p>It is not until the land becomes an 'urban environment' zone or defined growth area will growth be allowed to occur on the proposed land extent.</p> <p>The proposed rezoning extent is also within the agreed Future Proof 2017 settlement pattern (refer to assessment for Lens 2). The settlement pattern seeks to manage urban growth and development so as to avoid unplanned encroachment into rural land and to avoid rural residential fragmentation.</p> <p>Consistent</p>
<p>2. Urban development takes place within areas identified for the purpose in a manner which utilises land and infrastructure most efficiently. 1.12.8(b)(i)</p> <p><u>1.12.8(b)(i)</u></p>	<p>For the purposes of this objective development permitted in zones in PWDP chapter 4:</p>	<p>The proposal does not preclude this objective being achieved. The FUZ sought does not enable urban development at this stage. However, the proposal recognises the importance of and supports future urban development taking place in a manner that utilises land and infrastructure most efficiently (i.e., where there is existing or planned infrastructure).</p>

<p><i>(i) Urban development takes place within areas identified for the purpose in a manner which utilises land and infrastructure most efficiently.</i></p>	<p>residential, business, industrial and village ‘areas identified’ means zones ‘most efficiently’ means where there is existing infrastructure assets or planned assets identified in a Long Term Plan which support ‘urban’</p>	<p>The proposed FUZ provides a level of certainty for infrastructure providers and decision makers to plan and establish infrastructure, recognising the lead in time involved to make land urban development ready.</p> <p>The proposal provides flexibility for the land to be rezoned/released for urban development only when the infrastructure is in place and urban development can take place in the most efficient manner. The necessary planning processes (i.e., plan review/plan changes or resource consent applications) will also be required to determine that the future urban development on the land can achieve this objective.</p> <p>However, it is noted that the proposal extent benefits from suitable existing or anticipated access to new infrastructure or upgrades to infrastructure. This includes improved public transport connections, improved road and cycling connections and water/wastewater infrastructure which are initiatives set out in the H2A Corridor Plan. The Waikato District Council Long Term Plan 2018-28 also identifies a Park n Ride facility as a major capital project in Pokeno for 2044-48 (est. \$13.6million).</p> <p>Consistent</p>
<p>3. Promote safe, compact sustainable, good quality urban environments that respond positively to their local context. 1.12.8(b)(ii) <u>1.12.8(b)(ii)</u> <i>Promote safe, compact sustainable, good quality urban environments that respond positively to their local context</i></p>	<p>This should be interpreted to mean rezone requests to expand an urban area are contiguous with existing urban areas, and for rezoning requests which seek to change an existing zone in an urban environment, the density of activity is</p>	<p>The proposal can achieve this objective. The proposal is located adjacent to (and is contiguous with) the existing Pokeno Town Centre and adjacent to existing urban areas in Pokeno. The proposal extent can achieve a compact urban form. It is bound by clear defensible boundaries (i.e., the surrounding road network) which will contain urban development and prevent sprawl into the rural areas. An Indicative Masterplan included within the evidence of Mr Vile also demonstrates how this can be achieved.</p> <p>The proposed FUZ also discourages incompatible land uses from establishing for the short - medium term, further land fragmentation and/or any activities that could compromise the land being developed in a comprehensive, integrated and sustainable manner.</p>

	increasing (i.e., compact)	Consistent
<p>4. Focus urban growth in existing urban communities that have capacity for expansion. 1.12.8(b)(iii)</p> <p><u>1.12.8(b)(iii)</u></p> <p><i>Focus urban growth in existing urban communities that have capacity for expansion.</i></p>	<p>Existing 'urban communities' should be interpreted as Tuakau, Pokeno, Te Kauwhata, Huntly, Taupiri, Ngaruawahia, Horotiu, Te Kowhai, Raglan.</p> <p>Capacity for expansion should consider at a high level the suitability of land for development (e.g., topography/landscape, cultural, ecology), transport connectivity, availability of employment, social infrastructure (incl. public facilities) and infrastructure</p>	<p>The proposal can achieve this objective. The proposal is contiguous with the existing urban extent of Pokeno. It is noted that the proposed FUZ is on land identified as having potential to accommodate future urban growth and consistent with the future growth plans for the region. This includes the Future Proof Strategy 2017 (also discussed in Section 2.2.1 below) which has been developed across regional and functional boundaries, as well as the H2A Corridor Plan and Pokeno Blueprint.</p> <p>As above, the proposed FUZ does not enable urban growth at this stage and the necessary planning processes and further site-specific investigation will be required before it can be released for urban development in future. However, the proposal extent demonstrates strong potential capacity for expansion and suitability for development in future:</p> <ul style="list-style-type: none"> • The topography of the proposal extent is well-suited for urban and residential development. The land has a gradual downward slope from north to south but has clear areas which are flat and less undulating. This especially when compared with land west of the Waikato Expressway and other surrounding sites. • The proposal extent benefits from suitable existing or anticipated access to new infrastructure or upgrades to infrastructure. This includes improved public transport connections, improved road and cycling connections and water/wastewater infrastructure which are initiatives set out in the H2A Corridor Plan. The Waikato District Council Long Term Plan 2018-28 also identifies a Park n Ride facility as a major capital project in Pokeno for 2044-48 (est. \$13.6million).

		<ul style="list-style-type: none"> • The land is located near the existing Pokeno Town Centre and adjacent to existing urban areas in Pokeno. These areas provide existing/planned social infrastructure and other public facilities (i.e., library, schools, playgrounds etc.). The proposal extent can achieve a compact urban form. It is bound by clear defensible boundaries (i.e., the surrounding road network) which will contain urban development and prevent sprawl into the rural areas. • There is a high demand for urban development in Pokeno due to its close proximity to Auckland and adjoining major transport networks. The proximity to these transport networks connect Pokeno to other nearby urban communities, with opportunities for employment. • Future development on the land extent provides opportunity to enhance the ecological function, amenity value and public accessibility of the unnamed watercourse and lake identified within the proposal extent. An Indicative Masterplan included within the evidence of Mr Vile also demonstrates how this can be achieved. • There are no unmanageable hazards identified on Pokeno East that could preclude the land extent from accommodating urban growth in future. • The proposed FUZ extent provides opportunity for the existing St Marys Church (which is an Historic Place on the Heritage New Zealand List) to become a key landmark and incorporated as part of future urban development (refer to Assessment in Section 2.1.4). • The proposal does not preclude consultation and partnership with Iwi to inform the direction of physical urban
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		<p>development when the land is released as necessary and appropriate.</p> <ul style="list-style-type: none"> While Category 1 soils are identified within the land, the land area is no longer appropriate for supporting primary production activities due to existing land fragmentation, lack of water supply and existing incompatible land uses on the site and surrounding area (refer to the evidence of Mrs Jane Dobson on behalf of the submitters). <p>Consistent</p>
<p>6. Protect and enhance green open space, outstanding landscapes, and areas of cultural, ecological, historic, and environmental significance. 1.12.8(b)(vi)</p> <p><u>1.12.8(b)(vi)</u></p> <p><i>Protect and enhance green open space, outstanding landscapes and areas of cultural, ecological, historic, and environmental significance.</i></p>	<p>Rezoning requests must assess for these characteristics across their site, identify where applicable and demonstrate how the requested zone extent and/or policy overlay meets this objective.</p> <p>Stage 2 of the PWDP should be used for the purposes of identifying natural hazard and ecological areas.</p>	<p>The proposal can achieve this objective. The proposed FUZ does not preclude the need to protect and enhance green open space, outstanding landscapes, and areas of cultural, ecological, historic, and environmental significance. It is noted that:</p> <ul style="list-style-type: none"> There are currently no identified outstanding landscapes and areas of environmental or cultural significance identified within the proposal extent, but it is anticipated that further site analysis work will be undertaken to identify (if any) landscapes/areas that would justify protection as part of future rezoning/redevelopment applications. Future urban development within the proposal extent provides opportunity to enhance the ecological function, amenity value and public accessibility of the unnamed watercourse and lake identified within the proposal extent. An Indicative Masterplan included within the evidence of Mr Vile also demonstrates how this can be achieved. The proposal signals the urban growth potential of the proposal extent early on which provides sufficient lead in time to support long-term planning process and to develop strong partnership with Maori. This partnership and early

		<p>consultation will help identify (if any) areas of cultural significance to be protected or enhanced as part of future urban development.</p> <ul style="list-style-type: none"> • The proposal will not compromise opportunities to recognise, protect and increase the prominence of the existing heritage item (St Mary's Church) within the subject area. Considering the proposed future urban zoning extent, the heritage item will be located on a key node and intersection. This provides opportunity for the heritage item to be positively integrated as a key physical and social landmark in future urban development. • Stage 2 of the PWDP does not identify any natural hazards or ecological areas within the proposal extent. <p>Consistent</p>
<p>7. Future settlement pattern consolidated in and around existing towns and villages in the district and in 'defined growth areas' (1.5.1(b); 1.12.3(a); 1.12.3(c); 4.1.2(a); 5.3.8)</p> <p><u>1.5.1(b)</u></p> <p><i>Urban forms of residential, industrial, and commercial growth in the district will be focused primarily into towns and villages, with rural-residential development occurring in Country Living Zones. Focusing urban forms of growth primarily into towns and villages, and encouraging a compact form of urban development, provides opportunity for residents to "live, work and play" in their local area, minimises the necessity to</i></p>	<p>If re-zoning for 'settlement' takes place it must occur in and around existing towns and villages and in defined growth areas</p> <p>'settlement' defined as somewhere people come to live and make homes</p>	<p>The proposal does not preclude this objective being achieved in future. As above, the proposed FUZ does not directly enable urban development or 'settlement'. A robust planning process will be required to establish a 'defined growth area' or urban environment zone which will then provide for future urban development.</p> <p>However, the proposed FUZ extent is located in a manner that will enable a future settlement pattern that is around an existing town (Pokeno) in the district. The proposed rezoning extent is also within the agreed Future Proof 2017 settlement pattern (refer to assessment for Lens 2).</p> <p>The evidence of Mr Vile and Mr Foy demonstrates how the proposed future urban zoning extent, if earmarked now, could facilitate comprehensive urban development that can offer ease of movement, community wellbeing and economic growth.</p>

<p>travel, and supports public transport opportunities, public facilities and services.</p> <p><u>1.12.3(a)</u></p> <p><i>A district which provides a wide variety of housing forms which reflect the demands of its ageing population and increases the accessibility to employment and community facilities, while offering a range of affordable options.</i></p> <p><u>1.12.3(c)</u></p> <p><i>A district that has compact urban environment that is focused in defined growth areas, and offers ease of movement, community wellbeing and economic growth.</i></p> <p><u>4.1.2(a)</u></p> <p><i>Future settlement pattern is consolidated in and around existing towns and villages in the district.</i></p>		<p>The proposed future urban zoning protects the development potential of the Pokeno East, whilst providing flexibility to respond to the outcomes of future detailed site analysis and the needs of the community. The scale and nature of activities will be subject to what is appropriate to complement and support existing/planned employment and community facilities as well as population trends.</p> <p>Consistent</p>
<p>8. Urban growth areas are consistent with Future Proof Strategy for Growth 2017 (4.1.3(b))</p> <p><u>4.1.3(b)</u></p> <p><i>Locate urban growth areas only where they are consistent with the Future Proof Strategy Planning for Growth 2017.</i></p>	<p>If re-zoning takes place it must be consistent with the Future Proof Strategy for Growth (2017)</p>	<p>The proposal achieves this objective. The proposed FUZ signals a future urban growth area that is consistent with the Future Proof Strategy for Growth 2017. This is further assessed in detail in Section 2.2.1 below.</p> <p>Consistent</p>
<p>13. Infrastructure can be efficiently and economically provided (4.1.3(a))</p> <p><u>4.1.3(a)</u></p>	<p>Principally, this should be focused on roading and water and wastewater</p>	<p>The proposal does not preclude this objective being achieved in future. The proposal recognises the importance of having infrastructure that can be efficiently and economically provided. The proposal extent is located</p>

<p><i>Subdivision and development of a residential, commercial and industrial nature is to occur within towns and villages where infrastructure and services can be efficiently and economically provided.</i></p>	<p>infrastructure. Appendix 5 provides a high-level analysis of water and wastewater infrastructure/growth cell as identified in Waikato 2070. Areas outside of these growth cells are not intended to be serviced.</p> <p>For areas not currently serviced evidence would need to be provided to demonstrate that this policy can be met.</p>	<p>with the Pokeno East growth cell and can be serviced by stormwater, water and wastewater infrastructure (refer to the evidence of Mr Campbell). It is also located in close proximity to the Pokeno Town Centre that provides urban services and is contiguous to the existing urban extent of Pokeno. While some infrastructure has already been allowed for (i.e., bulk water main and network), it is acknowledged that additional services still need to be investigated and provided (i.e., wastewater and stormwater) for Pokeno East to be ready for urban development.</p> <p>The FUZ sought acknowledges this and provides sufficient time and a level of certainty for infrastructure providers and other stakeholders to plan and allocate funding for the necessary services without creating immediate demand or pressures in the short term. This has the potential for more efficient delivery of necessary infrastructure due to the potential to spread the costs and avoid incremental upgrades.</p> <p>Recognising this lead in time to provide infrastructure also aligns with Waikato 2070 as the anticipated timing for the Pokeno East growth cell is 2023-2045. The FUZ approach also aligns with the growth and demand forecasts in Future Proof 2017 which identifies that additional capacity will be required in 2036-2045 (long term).</p> <p>It is anticipated that comprehensive and more detailed transport/infrastructure assessments will be undertaken when urban development is progressed on the proposed land extent (i.e., through plan change, plan review or resource consent applications).</p> <p>Consistent</p>
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<p>14. Encourage higher density housing and retirement villages to be located near to and support commercial centres, community facilities, public transport and open space (4.1.5(a))</p> <p><u>4.1.5(a)</u></p> <p><i>Encourage higher density housing and retirement villages to be located near to and support commercial centres, community facilities, public transport and open space.</i></p>		<p>The proposal does not preclude this objective being achieved in future. As FUZ is proposed, the specific land use activities and densities have not been prescribed. However, the FUZ provides flexibility for the land to be live zoned/developed in future to provide residential densities that will complement and support the existing/planned commercial centres, community facilities, public transport and open space. Where it is assessed in future (at the time of live zoning/urban development) that higher density housing is appropriate considering the existing/planned activities and services in close proximity, then this can be encouraged/achieved.</p> <p>The proposal recognises that there needs to be a level of certainty to facilitate long-term decision making, but that it should also provide maximum flexibility so that outcomes can adapt to future changes, policy/investment shifts and unforeseen events.</p> <p>Consistent</p>
<p>15. (a) Subdivision, use and development within the rural environment where: (i) High class soils are protected for productive rural purposes; (ii) productive rural activities are supported, while maintaining or enhancing the rural environment; (iii) urban subdivision use, productive rural activities are supported and development in the rural environment is avoided (5.1.1(A)(i)(ii)(iii); 5.3.8)</p> <p><u>5.1.1(A)(i)(ii)(iii):</u></p> <p><i>(a) Subdivision, use and development within the rural environment where:</i></p>	<p>Subdivision and development in the rural zone is avoided: the rural environment being areas identified as the rural zone in the PWDP</p>	<p>The proposal does not preclude this objective being achieved. The FUZ sought will mean the proposal extent is no longer considered rural and future subdivision, use and development will not be within the rural environment.</p> <p>It is noted that Category 1/high class soils are present within the proposal extent and rural activities have been/are being undertaken. However, the land area is no longer appropriate for supporting primary production activities due to existing land fragmentation, lack of water supply and existing incompatible land uses on the site and surrounding area (refer to the evidence of Mrs Dobson on behalf of the submitters).</p> <p>The proposal also supports the eventual retirement of the land from continued grazing, farming/rural activities and enables progress towards urbanisation that can make more efficient use of the land area with</p>

<p>(i) high class soils are protected for productive rural activities;</p> <p>(ii) productive rural activities are supported, while maintaining or enhancing the rural environment;</p> <p>(iii) urban subdivision, use and development in the rural environment is avoided.</p> <p><u>5.3.8</u></p> <p>(a) Protect productive rural areas by directing urban forms of subdivision, use, and development to within the boundaries of towns and villages.</p> <p>(b) Ensure development does not compromise the predominant open space, character and amenity of rural areas.</p> <p>(c) Ensure subdivision, use and development minimise the effects of ribbon development.</p> <p>(d) Rural hamlet subdivision and boundary relocations ensure the following:</p> <ul style="list-style-type: none"> (i) Protection of rural land for productive purposes; (ii) Maintenance of the rural character and amenity of the surrounding rural environment; (iii) Minimisation of cumulative effects. <p>(e) Subdivision, use and development opportunities ensure that rural character and amenity values are maintained.</p>		<p>opportunity to preserve/enhance the natural character of existing water bodies within the proposal extent.</p> <p>Consistent</p>
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<p>(f) Subdivision, use and development ensures the effects on public infrastructure are minimised.</p>		
<p>16. Rural character and amenity are maintained 5.3.1 (a), 5.3.4 (a) (b)</p> <p><u>5.3.1(a)</u></p> <p><i>Rural character and amenity are maintained.</i></p> <p><u>5.3.4 (a)(b)</u></p> <p>(a) Retain open spaces to ensure rural character is maintained.</p> <p>(b) Additional dwellings support workers' accommodation for large productive rural activities.</p>		<p>The proposal does not preclude this objective being achieved. As above, the FUZ sought will mean the proposal extent is no longer considered rural.</p> <p>It is noted that the subject land is located near the existing Pokeno Town Centre and adjacent to existing urban areas in Pokeno. The proposal extent can achieve a compact urban form. The proposal extent is bound by clear defensible boundaries (surrounding road network) which helps maintain a clear separation from urban and rural land. This helps maintain the rural character and amenity.</p> <p>Consistent</p>
<p>17. Effects on rural character and amenity from rural subdivision (a) Protect productive rural areas by directing urban forms of subdivision, use, and development to within the boundaries of towns and villages. (5.3.8(a))</p> <p><u>5.3.8(a)</u></p> <p><i>Protect productive rural areas by directing urban forms of subdivision, use, and development to within the boundaries of towns and villages.</i></p>		<p>As discussed above, the subject land is located near the existing Pokeno Town Centre and adjacent to existing urban areas in Pokeno. It is also within the indicative urban limits for Pokeno as identified in Map 1 of the Future Proof 2017 Growth Strategy. The proposal extent is bound by clear defensible boundaries (surrounding road network) which helps contain future urban development and prevents sprawl into the rural areas.</p> <p>While the proposal extent is currently has been associated with productive rural activities, the land is no longer suited for supporting primary production activities due to existing land fragmentation, lack of water supply and existing incompatible land uses on the site and surrounding area. The retirement of the land from continued grazing, farming/rural activities and enables progress towards urbanisation that can make more efficient use of the land area.</p> <p>Consistent</p>

<p>18. Ensure development does not compromise the predominant open space, character and amenity of rural areas. (5.3.8(b))</p> <p><u>5.3.8(b)</u></p> <p><i>Ensure development does not compromise the predominant open space, character and amenity of rural areas.</i></p>		<p>The proposal does not preclude this objective being achieved.</p> <p>As discussed above, the subject land is located near the existing Pokeno Town Centre and adjacent to existing urban areas in Pokeno. The proposal extent is bound by clear defensible boundaries (surrounding road network) which helps contain future urban development and prevents sprawl into the rural areas. The proposed FUZ enables future urban growth areas to be clearly signalled so as to avoid encroaching into the rural areas.</p> <p>Consistent</p>
<p>19. Ensure subdivision, use and development minimise the effects of ribbon development. (5.3.8(c))</p> <p><u>5.3.8(c)</u></p> <p><i>Ensure subdivision, use and development minimise the effects of ribbon development.</i></p>		<p>The proposal does not preclude this objective being achieved. As discussed above, the FUZ proposed does not directly enable subdivision, use and development. Future planning process and additional site-specific analysis is required to live zone or redevelop the proposal extent in future.</p> <p>However, the proposal extent is of appropriate scale, shape and location to support the land being developed in future in an integrated and comprehensive manner. The Indicative Masterplan demonstrates how Pokeno East could be developed in future to provide a quality, compact and connected urban form, that avoids/minimises the effects of ribbon development.</p> <p>Consistent</p>
<p>20. Subdivision, use and development opportunities ensure that rural character and amenity values are maintained. (5.3.8(e))</p> <p><u>5.3.8(e)</u></p> <p><i>Subdivision, use and development opportunities ensure that rural character and amenity values are maintained.</i></p>		<p>The proposal does not preclude this objective being achieved. As discussed above, the FUZ proposed does not directly enable subdivision, use and development. Future planning process and additional site-specific analysis is required to live zone or redevelop the proposal extent in future.</p> <p>However, the proposal extent is located near the existing Pokeno Town Centre and adjacent to existing urban areas in Pokeno. The proposal extent can achieve a compact urban form as it is bound by clear defensible boundaries (surrounding road network). This helps maintain a clear</p>

		<p>separation from urban and rural land which provides for rural character and amenity values being maintained.</p> <p>Consistent</p>
<p>21. Subdivision, use and development ensures the effects on public infrastructure are minimised. (5.3.8(f))</p> <p><u>5.3.8(f)</u></p> <p><i>Subdivision, use and development ensures the effects on public infrastructure are minimised.</i></p>		<p>The proposal does not preclude this objective being achieved. As discussed above, the FUZ proposed does not directly enable subdivision, use and development. Future planning process and additional site-specific analysis is required to live zone or redevelop the proposal extent in future.</p> <p>The proposal provides a level of certainty to infrastructure providers to plan accordingly and flexibility to release the land for future subdivision, use and development only when the necessary infrastructure is in place and additional capacity is required. This helps to minimise adverse effects on public infrastructure by not creating immediate demand or pressures on public infrastructure in the short term.</p> <p>Consistent</p>
<p>22. Meets district wide rules and any relevant overlays</p>		<p>The proposal does not preclude this objective being achieved. The FUZ proposed does not contradict and is consistent with the relevant district wide rules and overlays.</p> <p>Consistent</p>

2.0 LENS 2 - ALIGNMENT AND CONSISTENCY WITH HIGHER ORDER DOCUMENTS

2.1 STATUTORY AND RMA DOCUMENTS

2.1.1 PART 2 OF RESOURCE MANAGEMENT ACT 1991

Part 2 of the RMA sets out the purpose and principles of the Act. When considering changes to a district plan, a territorial authority is required by section 74 to have regard to Part 2 of the RMA.

TABLE 2: PART 2 OF RMA ASSESSMENT	
RELEVANT PROVISIONS	ASSESSMENT
<u>5 Purpose</u> (1) The purpose of this Act is to promote the sustainable management of natural and physical resources (2) In this Act, sustainable management means managing the use, development, and protection of natural and physical resources in a way, or at a rate, which enables people and communities to provide for their social, economic, and cultural well-being and for their health and safety while— (a) sustaining the potential of natural and physical resources (excluding minerals) to meet the reasonably foreseeable needs of future generations; and (b) safeguarding the life-supporting capacity of air, water, soil, and ecosystems; and (c) avoiding, remedying, or mitigating any adverse effects of activities on the environment.	<p>The proposed future urban zoning (FUZ) promotes the sustainable management of natural resources by ensuring that the future growth of Pokeno is clearly signalled so that landowners, the community and infrastructure providers are aware of, and can plan for, and then eventually enable it.</p> <p>The proposed FUZ extent is already indicatively earmarked as an urban growth area in various strategic plans for the Waikato Region (as discussed further in the assessment sections below). The proposed FUZ protects the development potential of the land in the short-term whilst retaining a level of flexibility to release the land through a staged approach, as appropriate infrastructure is developed and when additional capacity is required to meet demand. This is the preferred approach and does not risk foreclosing potential growth options, particularly in instances where there is still a level of uncertainty with forecasted demand.</p> <p>It also enables further detailed evaluation of the environment to be undertaken as part of a subsequent structure planning and plan change / plan review process.</p>

6 Matters of National Importance

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

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

Section 6 of the RMA sets out the Matters of National Importance.

The proposal supports retirement of the land from continued grazing, farming/rural activities and enables progress towards urbanisation that can make more efficient use of the land area with opportunity to preserve/enhance the natural character of existing water bodies within the proposal extent. This would recognise and provide for the matters in Section 6(a). The proposed FUZ does not preclude these natural features/water bodies from being positively integrated as part of future urban development and providing ecological, recreational and amenity values, as well as enhanced public access in a manner consistent with section 6(d).

There are no identified outstanding natural features and landscapes within the proposal extent in relation to section 6(b) or significant indigenous vegetation or significant habitats of indigenous fauna in relation to section 6(c).

The proposal does not compromise the relationship of Maori and their culture and traditions with their ancestral lands, water, sites, waahi tapu, and other taonga in relation to section 6(e). Signalling the urban growth potential of the proposal extent early on provides sufficient lead in time to support long-term planning process and to develop strong partnership with Maori. At this stage there are no known issues with respect to the matters listed in section 6(f). Refer to evidence of Ms Jepson which includes a social impact assessment of the urbanisation of Pokeno East. The assessment finds that there are significant social benefits associated with urbanising Pokeno East, including providing additional housing supply and choice and better integrating the existing Pokeno urban extent with the existing social infrastructure that sits both within and adjacent to Pokeno East.

There are also no known issues with respect to the matters listed in section 6(f) or no known customary rights issues with respect to section 6(g). The proposed FUZ extent provides opportunity for the existing St Marys Church (which is an Historic Place on the Heritage New Zealand List) to become a key landmark and incorporated as part of future urban development (refer to Assessment in Section 2.1.4).

	There are no unmanageable hazards identified on the site that could preclude the proposed transition zoning extent accommodating future urban growth in respect of section 6(h).
<p>Section 7 Other Matters</p> <p>In achieving the purpose of this Act, all persons exercising functions and powers under it, in relation to managing the use, development, and protection of natural and physical resources, shall have particular regard to—</p> <ul style="list-style-type: none"> (a) kaitiakitanga: (aa) the ethic of stewardship: (b) the efficient use and development of natural and physical resources: (ba) the efficiency of the end use of energy: (c) the maintenance and enhancement of amenity values: (d) intrinsic values of ecosystems: (e) [Repealed] (f) maintenance and enhancement of the quality of the environment: (g) any finite characteristics of natural and physical resources: (h) the protection of the habitat of trout and salmon: (i) the effects of climate change: (j) the benefits to be derived from the use and development of renewable energy. 	<p>Section 7 of the RMA sets out the “other matters” that persons exercising functions and powers under the Act must also have “particular regard to”.</p> <p>The proposal has particular regard to 7(a) and (aa) as it supports long-term planning and recognises the lead in time involved to develop meaningful and active partnerships with Iwi. The proposed FUZ zoning offers a level of flexibility for future urban development to be informed by the outcomes from consultation that would be undertaken as part of the structure planning and plan change / plan review process.</p> <p>In terms of section 7(b), the identification of the land extent as future urban will not change the existing use of the land. Rural activities are still provided for in the short-term, but there is a clear signal regarding the future direction of the land to discourage further fragmentation of the land extent and incompatible land uses establishing for the long-term. The proposal helps retain opportunity to develop the land in an integrated and comprehensive manner when additional capacity is required in future and supporting more efficient use and development of natural and physical resources. While the proposal land extent has finite soil characteristics in terms of section 7(g), the existing land fragmentation and lack of water supply means that it is no longer suitable for rural production. The land extent is considered better suited to accommodate future urban growth especially considering its context and site characteristics and can better achieve efficient use and development of the land resource.</p> <p>The proposal does not preclude the need to have particular regard to the maintenance and enhancement of amenity values, the quality of the environment and the effects of climate change in a manner consistent with sections 7(c), (f) and (i). It also provides opportunities for enhancement of ecosystems in relation to section 7(d) through the</p>

	retirement of the land area from rural activities and opportunity to enhance or incorporate existing water bodies within the proposal extent.
8 Treaty of Waitangi In achieving the purpose of this Act, all persons exercising functions and powers under it, in relation to managing the use, development, and protection of natural and physical resources, shall take into account the principles of the Treaty of Waitangi (Te Tiriti o Waitangi).	As discussed above, the proposed transition zoning supports robust long-term planning process being undertaken and recognises the lead in time involved to establish strong partnerships with Iwi and have meaningful consultation/collaboration. It is anticipated that the outcomes of consultation and partnership with Iwi will inform the direction of physical urban development when the land is released as necessary and appropriate.

2.1.2 NATIONAL POLICY STATEMENT - URBAN DEVELOPMENT 2020 ('NPS-UD')

The purpose of the NPS-UD is to support adequate opportunities for land to be developed to meet community business and housing needs. It recognises the national significance of:

- having well-functioning urban environments that enable all people and communities to provide for their social, economic, and cultural wellbeing, and for their health and safety, now and into the future.
- providing sufficient development capacity to meet the different needs of people and communities.

The NPS-UD directs local authorities to provide sufficient development capacity in accessible places, enabling homes to be built close to jobs, community services and infrastructure and encourages integration and coordination of land use and infrastructure planning.

Section 75(3)(a) expressly requires a district plan must give effect to any national policy statement. As shown below, the rezoning of the site to enable urban development clearly gives effect to each of the objectives and policies in the NPS-UD.

The following analysis is a summary of the key provisions which are most relevant to the changes sought.

TABLE 3: NPS-UD ASSESSMENT	
RELEVANT PROVISIONS	ASSESSMENT

<p>Objective 1: <i>New Zealand has well-functioning urban environments that enable all people and communities to provide for their social, economic, and cultural wellbeing, and for their health and safety, now and into the future.</i></p>	<p>The Population, Household and Land Capacity Report¹ states that between 2021-2031 an additional 7,4000-8,700 dwellings are required just to meet growth projections in the District (equating to an additional 15,500-19,000 people). Only a fraction of this growth will be provided through in-fill and re-development due to market factors.² Therefore additional land needs to be released through rezoning to accommodate this growth.</p> <p>Pokeno is identified to accommodate considerable further growth in Council's growth model Waikato 2070, with Pokeno accommodating 16,000 population from a current population of 2,500³.</p>
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¹ Population, Household and Land Capacity Report, Dr Mark Davey Waikato District Council, 2020, page 5

² Housing and Business Capacity Assessment (2017)

³ Waikato 2070, Waikato District Council, page 29

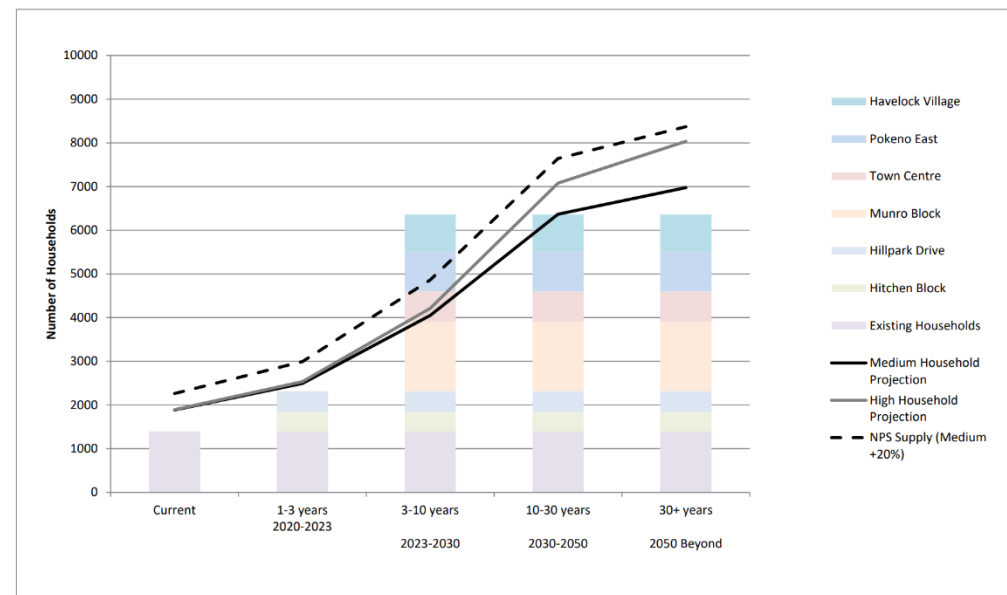


Figure. 6. Pokeno supply and demand analysis

Source: Population, Household and Land Capacity Report, Dr Mark Davey Waikato District Council, 2020

Analysis of the Operative District Plan capacity of Pokeno will only contribute around 21.1% of the total supply needed.⁴ This indicates that substantially more land is required to be zoned over and above that of the Operative District Plan.

The rezoning of this site will give effect to Objective 1. The site is adjacent to the existing urban environment of Pokeno which is recognised by Council as being the

⁴ Market Economics Draft Housing Business Assessment, 2020

fastest growing town in Waikato. Because of the proximity to the adjacent urban area, the site is a logical expansion of Pokeno. This will enable any future residents to meet their social, economic and cultural wellbeing by being a connected part of Pokeno. The site is within walking distance of the town centre of Pokeno, and has a clear visual connection with the existing urban environment.

The development of the site for urban purposes also creates a physical connection for the currently isolated cultural and recreational features, being St Mary’s on the Hill, the dog park and the tennis courts.

Pokeno East has good existing connection in terms of transport networks to Pokeno town centre and the existing social infrastructure that exists in and around Pokeno East. The site is well suited for urban development in terms of topography being largely flat, and provides an opportunity to restore and make a feature of the stream which dissects the site. The site will help create a well-functioning urban environment for Pokeno that is walkable, well connected with a range of transport options, celebrate the historic heritage and early development of the town, and provides significant environmental enhancement through rehabilitation of the stream and riparian edges. The development of a community scale commercial development around St Mary’s on the Hill provides a focal point for the development, and provides additional employment opportunities. This variety of land uses will support Pokeno’s social, economic and cultural wellbeing.

The rezoning of the site aligns with -best practice that new growth cells be contiguous with existing urban areas, integrate into the existing urban form through physical layout (road, walking, cycling connections including street layout and design to complement the existing) in order for a cohesive and accessible settlement pattern to be achieved.

	<p>The development of the site for urban will assist in Pokeno meeting its growth needs, and provide additional a diversity of living choices for future generations. Rezoning of the site enables efficient use of the land resource.</p> <p>The rezoning prevents further fragmentation of the land and incompatible land uses from establishing that would compromise future development of the land into a well-functioning urban environment. The proposal provides opportunity for the land to be comprehensively planned and developed to maximise positive environmental and urban form outcomes.</p>
<p>Objective 2: <i>Planning decisions improve housing affordability by supporting competitive land and development markets.</i></p>	<p>The Framework report advocates at least two growth areas around existing towns to be available simultaneously to help ensure competitive land markets.⁵ Rezoning the site will enable development of the eastern side of Pokeno to develop at the same time as the western edge which will improve affordability by creating a competitive market for housing. It will also satisfy growth demand, ensuring there is sufficient supply of residential land.</p>
<p>Objective 3: <i>Regional policy statements and district plans enable more people to live in, and more businesses and community services to be located in, areas of an urban environment in which one or more of the following apply:</i></p> <ul style="list-style-type: none"> a) <i>the area is in or near a centre zone or other area with many employment opportunities</i> b) <i>the area is well-serviced by existing or planned public transport</i> c) <i>there is high demand for housing or for business land in the area, relative to other areas within the urban environment.</i> 	<p>Rezoning of the site will enable more people to live in, and more businesses and community services to be located in, the urban area of Pokeno.</p> <p>The site is immediately adjoining the urban Village zoning to the south of the site, and directly opposite the Residential zoning on the western side of State Highway 1. Pokeno already has a range of zoning which provides wide employment opportunities, with Business Town Centre, Business Zone, industrial Zone and Heavy Industrial Zone. In addition, the proposed layout and development of the site with the community scale commercial development will create even more employment opportunities for the wider Pokeno community.</p>

⁵ Hearing 25 Zone Extents Framework report, Dr Mark Davey Waikato District Council, January 2020, paragraph 151

	<p>In terms of existing or planned public transport, there is now a bus service from Pokeno and a large bus stop constructed in the middle of town. A public rail service is imminent too, with connections south towards Hamilton as well as north to Pukekohe and Auckland.</p> <p>As outlined above, there is a high demand for housing and business land in the area, with Pokeno identified to accommodate 16,000 population from a current population of 2,500⁶ in Council's growth strategy. Only a fraction of this growth will be provided through in-fill and re-development due to market factors. Therefore additional land needs to be released through rezoning to accommodate this growth.</p>
<p>Objective 4: <i>New Zealand's urban environments, including their amenity values, develop and change over time in response to the diverse and changing needs of people, communities, and future generations.</i></p>	<p>The rezoning of this site for urban will unavoidably result in a change from rural to urban. However as recognised by Objective 4, this change over time is in direct response to the diverse and changing needs of people, communities and future generations. The Objective does not say that change is negative, it merely recognises that urban environments will change over time.</p> <p>Pokeno lacks diversity in its residential offering at the moment, this additional growth cell will provide the opportunity to be responsive and provide a diversity of residential forms, location, amenity and price points to support a sustainable and well functioning urban environment.</p> <p>While the amenity of the area will change from rural to urban, that will be in response to Pokeno's growth projections and need for housing for future generations.</p>
<p>Objective 5: <i>Planning decisions relating to urban environments, and FDSs, take into account the principles of the Treaty of Waitangi (Te Tiriti o Waitangi).</i></p>	<p>The rezoning of the site will enable the restoration of the stream which dissects the site and its riparian margins. Although the stream does not have a direct connection with the Waikato River, it eventually flows to the Mangatawhiri wetland which does drain to the Waikato River through tributaries. The restoration of the stream will give</p>

⁶ Waikato 2070, Waikato District Council, page 29

	<p>effect to the Vision and Strategy by substantially improving water quality and the quality of the habitat. Water quality will be improved through reduction in faecal coliforms from both the removal of grazing animals and the septic tanks from the surrounding farms, as well as the ceasing of sprays and fertiliser associated with rural production. The stream is very open and exposed and revegetation will create additional protection and habitat for native fauna. The over-arching purpose of the Vision and Strategy is to “restore and protect the health and wellbeing of the Waikato River for future generations” and the restoration of the stream will assist in achieving this goal.</p> <p>The Waikato Tainui environmental plan Tai Tumu Tai Pari Tai Ao states that the goal of Waikato-Tainui is to aim for positive ecological and social outcomes where the resource use and activities effecting the environment becomes a conduit for remedying past pollution (amongst other things). Resource users and activity operators need to consider how their proposal can actually enhance the environment, and rezoning will enable substantial improvements to the health and mauri of the stream. The layout and design of the site will also respond to the uniqueness of this place, in accordance with the principals of enhancement in the Waikato Tainui environmental plan Tai Tumu Tai Pari Tai Ao.</p>
<p>Objective 6: <i>Local authority decisions on urban development that affect urban environments are:</i></p> <ul style="list-style-type: none"> <i>a) integrated with infrastructure planning and funding decisions; and</i> <i>b) strategic over the medium term and long term; and</i> <i>c) responsive, particularly in relation to proposals that would supply significant development capacity.</i> 	<p>The rezoning of the site will achieve Objective 6 as outlined below.</p> <p>Clause (a) requires integration with infrastructure planning and funding. As outlined in the Framework Report and the s42A on Future Urban Zone, Waikato District Council has a model where zoning is needed first to enable planning and funding of infrastructure. Additional growth into areas which have existing infrastructure networks enable Council to leverage those assets to provide better value for ratepayers, and these areas includes Pokeno. In these areas Council already has a network of existing infrastructure assets (roading, waters, community facilities) which either have existing capacity or, with investment, are scalable to support</p>

	<p>growth.⁷ The site is already serviced by the public water supply, and the existing publicly reticulated wastewater system can be easily extended from Pokeno upon upgrade of the Tuakau wastewater treatment plant. Long Term Plans are required to be reviewed every three years and thus identification of land suitable for urban development needs to be clearly identified by zoning in order for provision to be made in Long Term Plans for the necessary infrastructure to be provided in a staged manner, and provides some certainty regarding the long-term direction of township growth.</p> <p>The rezoning will enable landowners, the community and infrastructure providers to plan for the eventuality and respond to the anticipated growth. Progress can be made towards making the land infrastructure ready and achieving long-term capacity requirements. It will enable more efficient delivery of necessary infrastructure due to the potential to spread the costs and avoid incremental upgrades.</p> <p>Rezoning the site as urban will ensure any plans progressed by Waka Kotahi for State Highway 2 are responsive to urban environments. Waka Kotahi has been developing a number of widening and realignment plans for State Highway 2 for many years, but these have always assumed this area would remain rural. The rezoning will enable the planned upgrades and realignments of State Highway 2 to be responsive to the future surrounding land uses. In addition, the urban zoning will enable the current driveway accesses from State Highway 2 to be removed, and thus improve the safety of the state highway network.</p> <p>The site benefits from suitable existing or anticipated access to new infrastructure or upgrades to infrastructure. This includes improved public transport connections, improved road and cycling connections and water/wastewater infrastructure which are initiatives set out in the H2A Corridor Plan. The Waikato District Council Long Term Plan 2018-28 also identifies a Park n Ride facility as a major capital project in Pokeno for 2044-48 (est. \$13.6million).</p>
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⁷ Hearing 25 Zone Extents Framework report, Dr Mark Davey Waikato District Council, January 2020, Clause (s) Executive Summary

	<p>As outlined above, there is a high demand for housing and business land in the area, with Pokeno identified to accommodate 16,000 population from a current population of 2,500 in Council’s growth strategy. Only a fraction of this growth will be provided through in-fill and re-development due to market factors. Therefore additional land needs to be released through rezoning to accommodate this growth. Rezoning of this site will only satisfy short-medium term growth if Waikato 2070 and the projections of Dr Davey are correct. Analysis of the Operative District Plan capacity of Pokeno will only contribute around 21.1% of the total supply needed.⁸ This indicates that substantially more land is required to be zoned over and above that of the Operative District Plan.</p> <p>Clause (c) will be given effect to by rezoning the site. The rezoning is responsive to growth projections, and will supply significant additional development capacity to that already zoned with approximately 300 additional dwellings.</p>								
<p>Objective 7: <i>Local authorities have robust and frequently updated information about their urban environments and use it to inform planning decisions.</i></p>	<p>Not surprisingly, the information about the demand and growth projection is a constantly evolving field of research. The Waikato Regional Policy Statement contains references to Future Proof 2009, but this has now been updated by Future Proof 2017 which identifies Pokeno for 4200 households⁹ and an average gross density target of 12-15 households per hectare. Using the medium household projections, the figures for Pokeno in Future Proof 2017 are as follows¹⁰:</p> <table><tr><th>2016</th><th>2025</th><th>2035</th><th>2045</th></tr><tr><td>757</td><td>1,867</td><td>3,812</td><td>4,803</td></tr></table>	2016	2025	2035	2045	757	1,867	3,812	4,803
2016	2025	2035	2045						
757	1,867	3,812	4,803						

⁸ Market Economics Draft Housing Business Assessment, 2020

⁹ Future Proof Strategy 2017, page 30

¹⁰ Future Proof Strategy 2017, pages 92-94

	<p>This contrasts considerably with the latest figures in the Waikato District Council's graph projections of December 2020 (using the medium household projection figures)¹¹:</p> <table border="1"> <thead> <tr> <th>Current</th><th>2023</th><th>2030</th><th>2050</th><th>2050+</th></tr> </thead> <tbody> <tr> <td>1,900</td><td>3,200</td><td>5,100</td><td>6,700</td><td>7,000</td></tr> </tbody> </table> <p>As indicated in the Waikato District Council's projections of December 2020, apart from years 2023-2030, demand for households outstrips the supply. It is noted that Pokeno East is factored into these graphs as part of the "supply" for residential land.</p>				Current	2023	2030	2050	2050+	1,900	3,200	5,100	6,700	7,000
Current	2023	2030	2050	2050+										
1,900	3,200	5,100	6,700	7,000										
<p>Objective 8: <i>New Zealand's urban environments:</i></p> <ul style="list-style-type: none"> a) <i>support reductions in greenhouse gas emissions; and</i> b) <i>are resilient to the current and future effects of climate change.</i> 	<p>The rezoning of the site gives effect to Objective 8 due to the site being immediately adjacent to the urban zoning of Pokeno. This enables growth within walking distance of the centre of Pokeno and supports the ability for Pokeno to be self sufficient in terms of live, work and play opportunities. The proximity of the site means less dependence on vehicles and thus support reductions in greenhouse gas emissions.</p> <p>The topography of the site is that the stream is deeply incised. The Indicative Masterplan for Pokeno East has located dwellings well above the level and defined edge of the stream. This will increase the resilience of the development and allow the stream to naturally respond to flood events (even if they increase in duration and intensity) without compromising the safety of people or their property.</p>													
<p>Policy 1: <i>Planning decisions contribute to well-functioning urban environments, which are urban environments that, as a minimum:</i></p>	<p>The rezoning will give effect to Policy 1 as set out below.</p>													

¹¹ Population, Household and Land Capacity Report, Dr Mark Davey Waikato District Council, 2020, page 13

<p>a) <i>have or enable a variety of homes that:</i></p> <p>(i) <i>meet the needs, in terms of type, price, and location, of different households; and</i></p> <p>(ii) <i>enable Māori to express their cultural traditions and norms; and</i></p> <p>b) <i>have or enable a variety of sites that are suitable for different business sectors in terms of location and site size; and</i></p> <p>c) <i>have good accessibility for all people between housing, jobs, community services, natural spaces, and open spaces, including by way of public or active transport; and</i></p> <p>d) <i>support, and limit as much as possible adverse impacts on, the competitive operation of land and development markets; and</i></p> <p>e) <i>support reductions in greenhouse gas emissions; and</i></p> <p>f) <i>are resilient to the likely current and future effects of climate change</i></p>	<p>In terms of enabling a variety of homes, the masterplan provides a variety of lot sizes and locations with different amenity. Larger lots are located near constraints such as the state highways and National Grid, with smaller lots being clustered around the commercial hub in the north eastern corner of the site next to St Mary's on the Hill, the dog park and tennis courts. This variety of sites will support the continued development of Pokeno and provide options for its current and future community. The restoration and rehabilitation of the stream, as well as enabling public access to it, will enable Maori to carry out any traditional practices associated with riparian flora and fauna.</p> <p>The development of a neighbourhood commercial hub adjacent to the church will provide different employment opportunities from those currently in Pokeno town centre and thus achieve clause (b).</p> <p>The site provides a high level of accessibility to both State Highway 1 and 2, and in addition has good connection to Pokeno from the local road network (being Dean, Avon and Fraser Roads). The site has good connectivity to the town of Pokeno with local distribution road network and footpaths. The rezoning will more effectively connect the residential development on the eastern side of SH1 with the western side than it currently is. The eastern side is somewhat isolated from the town centre at present, and yet it has three important features being the church, dog park and tennis courts (all of which are used by the Pokeno community). The rezoning will allow these features to be effectively connected to Pokeno.</p> <p>The Framework report advocates at least two growth areas around existing towns to be available simultaneously to help ensure competitive land markets.¹² Rezoning the site will enable development of the eastern side of Pokeno to develop at the same time as the western edge which will improve affordability by creating a competitive</p>
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¹² Hearing 25 Zone Extents Framework report, Dr Mark Davey Waikato District Council, January 2020, paragraph 151

	<p>market for housing in accordance with clause (d). It will also satisfy growth demand, ensuring there is sufficient supply of residential land.</p> <p>The rezoning of the site gives effect to clause (e) due to the site being immediately adjacent to the urban zoning of Pokeno. This enables growth within walking distance of the centre of Pokeno and supports the ability for Pokeno to be self sufficient in terms of live, work and play opportunities. The proximity of the site means less dependence on vehicles and thus support reductions in greenhouse gas emissions.</p> <p>The topography of the site is that the stream is deeply incised. The Indicative Masterplan for Pokeno East has located dwellings well above the level and defined edge of the stream. This will increase the resilience of the development and allow the stream to naturally respond to flood events (even if they increase in duration and intensity) without compromising the safety of people or their property in accordance with clause (f).</p> <p>The site can achieve a compact urban form. It is bound by clear defensible boundaries (i.e., the surrounding road network) which will contain urban development and prevent sprawl into the rural areas.</p>
<p>Policy 2: Tier 1, 2, and 3 local authorities, at all times, provide at least sufficient development capacity to meet expected demand for housing and for business land over the short term, medium term, and long term.</p>	<p>The Population, Household and Land Capacity Report¹³ states that between 2021-2031 an additional 7,4000-8,700 dwellings are required just to meet growth projections in the District (equating to an additional 15,500-19,000 people). Only a fraction of this growth will be provided through in-fill and re-development due to market factors.¹⁴ Therefore additional land needs to be released through rezoning to accommodate this growth.</p>

¹³ Population, Household and Land Capacity Report, Dr Mark Davey Waikato District Council, 2020, page 5

¹⁴ Housing and Business Capacity Assessment (2017)

Pokeno is identified to accommodate considerable further growth in Council’s growth model Waikato 2070, with Pokeno accommodating 16,000 population from a current population of 2,500¹⁵.

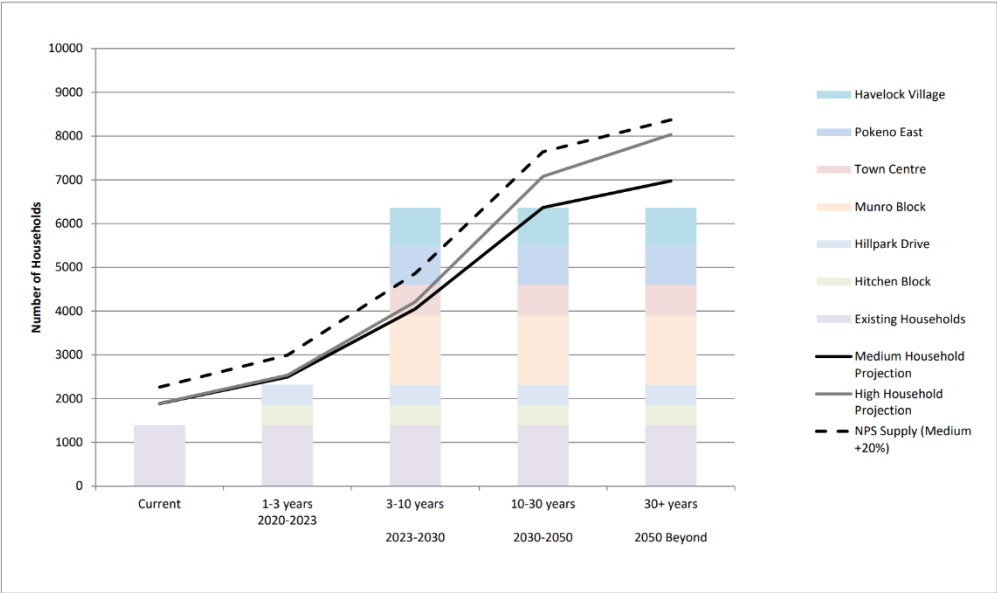


Figure. 6. Pokeno supply and demand analysis

Source: Population, Household and Land Capacity Report, Dr Mark Davey Waikato District Council, 2020

¹⁵ Waikato 2070, Waikato District Council, page 29

	<p>Analysis of the Operative District Plan capacity of Pokeno will only contribute around 21.1% of the total supply needed.¹⁶ This indicates that substantially more land is required to be zoned over and above that of the Operative District Plan.</p> <p>The rezoning of this site will give effect to Policy 2 by contributing approximately 53 hectares of additional land to meet expected demand for housing. The cluster of the community scale commercial activity near the church will also contribute to the business needs of Pokeno.</p> <p>The urbanisation of Pokeno East will assist Waikato District to meet its growth requirements under the NPSUD, and provide additional diversity of living choices for future generations. The rezoning of Pokeno East enables efficient use of the land resource.</p>
<p>Policy 3: <i>In relation to tier 1 urban environments, regional policy statements and district plans enable:</i></p> <ul style="list-style-type: none"> a) <i>in city centre zones, building heights and density of urban form to realise as much development capacity as possible, to maximise benefits of intensification; and</i> b) <i>in metropolitan centre zones, building heights and density of urban form to reflect demand for housing and business use in those locations, and in all cases building heights of at least 6 storeys; and</i> c) <i>building heights of least 6 storeys within at least a walkable catchment of the following:</i> <ul style="list-style-type: none"> (i) <i>existing and planned rapid transit stops</i> (ii) <i>the edge of city centre zones</i> 	<p>Clause (d) is the only one of relevance to Waikato District. As outlined above, there is a clear demand for additional residential land around Pokeno. The Indicative Masterplan offers a variety of living environments through a range of lot sizes and different amenities. The density of the urban form will achieve a density in accordance with Future Proof 2017 of 12-15 households per hectare, which is appropriate for the level of public transport available and planned, as well as the demand for housing.</p> <p>The ultimate yield of the site will depend on when a live residential zone is achieved, market conditions at that time and the ease to which medium density / multi unit development is enabled. The masterplan is flexible enough to allow a higher density residential development (down to approximately 375m² sized lots) in appropriate areas.</p>

¹⁶ Market Economics Draft Housing Business Assessment, 2020

<ul style="list-style-type: none"> (iii) the edge of metropolitan centre zones; and d) in all other locations in the tier 1 urban environment, building heights and density of urban form commensurate with the greater of: <ul style="list-style-type: none"> (i) the level of accessibility by existing or planned active or public transport to a range of commercial activities and community services; or (ii) relative demand for housing and business use in that location. 	
<p>Policy 6: <i>When making planning decisions that affect urban environments, decision-makers have particular regard to the following matters:</i></p> <ul style="list-style-type: none"> a) <i>the planned urban built form anticipated by those RMA planning documents that have given effect to this National Policy Statement</i> b) <i>that the planned urban built form in those RMA planning documents may involve significant changes to an area, and those changes:</i> <ul style="list-style-type: none"> (i) <i>may detract from amenity values appreciated by some people but improve amenity values appreciated by other people, communities, and future generations, including by providing increased and varied housing densities and types; and</i> (ii) <i>are not, of themselves, an adverse effect</i> c) <i>the benefits of urban development that are consistent with well-functioning urban environments (as described in Policy 1)</i> 	<p>Policy 6(a) anticipates that RMA documents have given effect to this National Policy Statement, yet the NPS-UD was gazetted considerable time after the Proposed District Plan was notified and submissions closed. However, there are a number of submissions (such as the ones relevant to this site) which provide the scope for the Hearings Panel to use this process to give effect to the NPS-UD without the need for future plan changes and Schedule 1 processes.</p> <p>With regards to clause (b), the rezoning of Pokeno East for urban will Ultimately and unavoidably result in a change from rural to urban. However as recognised by Objective 4, this change over time is in direct response to the diverse and changing needs of people, communities and future generations. The policy clearly states that change is not in of itself an adverse effect, it merely recognises that urban environments will change over time. Pokeno lacks diversity in its residential offering at the moment, this additional growth cell will provide the opportunity to be responsive and provide a diversity of residential forms, location, amenity and price points to support a sustainable and well functioning urban environment. While the amenity of the area will change from rural to urban, that will be in response to Pokeno's growth projections and need for housing for future generations.</p>

<p>d) <i>any relevant contribution that will be made to meeting the requirements of this National Policy Statement to provide or realise development capacity</i></p> <p>e) <i>the likely current and future effects of climate change.</i></p>	<p>With regards to clause (c), the benefits of rezoning the site as urban are indeed consistent with achieving a well-functioning urban environment as set out above in the assessment of the proposal against Policy 1. In addition, the rezoning creates an opportunity to connect the historic heritage site of St Mary's on the Hill back to its community, as well as integrating the recreation facilities of the dog park and tennis courts into the urban form rather than being isolated from the Pokeno community. The stream provides a key opportunity for creating and extending a blue /green network. The rezoning will more effectively connect the residential development on the eastern side of State Highway 1 with the western side than it currently is. The eastern side is somewhat isolated from the town centre at present.</p> <p>The rezoning will enable a variety of different dwelling types appropriate for the different features of the site including constraints (like the National Grid and state highway) and opportunities (like the stream and proximity to the church, neighbourhood commercial centre, dog park, tennis courts etc).</p> <p>The rezoning of the site presents an opportunity to create additional growth capacity and assist in meeting projected household demand through approximately 300+ dwellings.</p> <p>The topography of the site is that the stream is deeply incised. The Indicative Masterplan for Pokeno East has located dwellings well above the level and defined edge of the stream. This will increase the resilience of the development and allow the stream to naturally respond to flood events (even if they increase in duration and intensity as a result of climate change) without compromising the safety of people or their property in accordance with clause (e).</p>
<p>Policy 7: <i>Tier 1 and 2 local authorities set housing bottom lines for the short-medium term and the long term in their regional policy statements and district plans.</i></p>	<p>The NPS-UD was gazetted considerable time after the Proposed District Plan was notified and submissions closed, however there are a number of submissions which provide the scope for the Hearings Panel to use this process to give effect to the NPS-UD without the need for future plan changes and Schedule 1 processes. In particular, Objective 4.1.1, Objective 4.1.2 and Policy 4.1.3 of the Proposed District Plan needs to</p>

	<p>be updated to reflect the growth projections and Waikato 2070. Objective 4.1.1 needs to be updated to reflect that the demand is considerably higher than when the Proposed District Plan was notified, and also that the NPS-UD requires zoned land 20% in excess of demand.</p> <p>As highlighted in the Framework Report, Objective 5.1.1 also creates difficulty for enabling growth through expansion of the towns and villages due to its references to “rural environment” and the uncertainty of what that actually is, and “avoiding” urban subdivision, use and development.</p>
<p>Policy 8: <i>Local authority decisions affecting urban environments are responsive to plan changes that would add significantly to development capacity and contribute to well-functioning urban environments, even if the development capacity is:</i></p> <ul style="list-style-type: none"> a) <i>unanticipated by RMA planning documents; or</i> b) <i>out-of-sequence with planned land release</i> 	<p>The rezoning of Pokeno East presents an opportunity to create additional growth capacity and assist in meeting projected household demand through approximately 300+ dwellings. As outlined above, a number of Council documents have indicated a need for considerable additional capacity in Pokeno and release of this land for urban development is adding substantial capacity. Although not RMA documents, the site is clearly identified in both Future Proof 2017 and Waikato 2070 for residential development. As outlined above, the rezoning of Pokeno East will contribute to a well-functioning urban environment.</p> <p>Future Proof 2017</p>

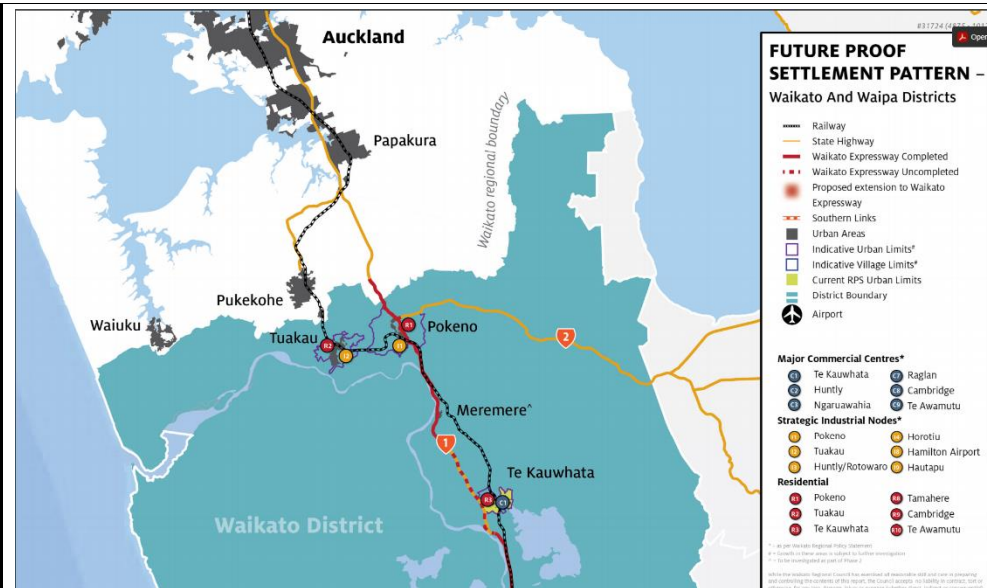
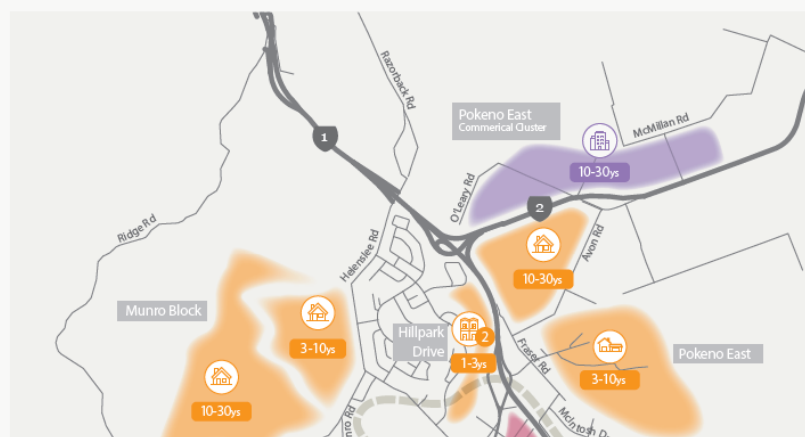
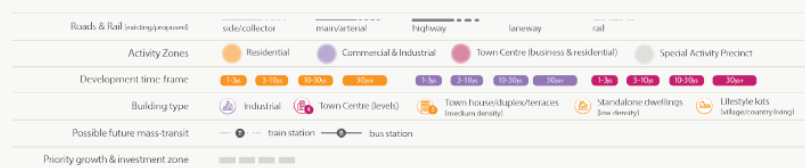


FIGURE 1 MAP 1 (APPENDIX 2 OF FUTURE PROOF 2017)

POKENO DEVELOPMENT PLAN 50-YEARS



LOCATION: POKENO IS LOCATED NORTH OF THE WAIKATO RIVER, NEAR THE NORTHERN BOUNDARY OF THE WAIKATO DISTRICT, AT A SH₁ INTERCHANGE, NEAR THE JUNCTION WITH SH₂, AND ON THE RAIL LINE BETWEEN TUAKAU AND MERCER.



	<p>FIGURE 2 WAIKATO 2070 POKENO DEVELOPMENT PLAN</p> <p>The rezoning of Pokeno East is not out of sequence as it is immediately adjacent to both the large residential lot development on the south of Avon Road (zoned Village Zone) and the Residential Zone on the western side of State Highway 1. It is a logical progression of urban development with appropriate topography and lack of constraints to urban development.</p>
<p>Policy 9: Local authorities, in taking account of the principles of the Treaty of Waitangi (Te Tiriti o Waitangi) in relation to urban environments, must:</p> <ul style="list-style-type: none"> a) involve hapū and iwi in the preparation of RMA planning documents and any FDSs by undertaking effective consultation that is early, meaningful and, as far as practicable, in accordance with tikanga Māori; and b) when preparing RMA planning documents and FDSs, take into account the values and aspirations of hapū and iwi for urban development; and c) provide opportunities in appropriate circumstances for Māori involvement in decision-making on resource consents, designations, heritage orders, and water conservation orders, including in relation to sites of significance to Māori and issues of cultural significance; and d) operate in a way that is consistent with iwi participation legislation. 	<p>The rezoning of Pokeno East will enable the restoration of the stream which dissects the site and its riparian margins. Although the stream does not have a direct connection with the Waikato River, it eventually flows to the Mangatawhiri wetland which does drain to the Waikato River through tributaries. The restoration of the stream will give effect to the Vision and Strategy by substantially improving water quality and the quality of the habitat. Water quality will be improved through reduction in faecal coliforms from both the removal of grazing animals and the septic tanks from the surrounding farms, as well as the ceasing of sprays and fertiliser associated with rural production. The stream is very open and exposed and revegetation will create additional protection and habitat for native fauna. The overarching purpose of the Vision and Strategy is to “restore and protect the health and wellbeing of the Waikato River for future generations” and the restoration of the stream will assist in achieving this goal.</p> <p>The Waikato Tainui environmental plan Tai Tumu Tai Pari Tai Ao states that the goal of Waikato-Tainui is to aim for positive ecological and social outcomes where the resource use and activities affecting the environment becomes a conduit for remedying past pollution (amongst other things). Resource users and activity operators need to consider how their proposal can actually enhance the environment, and rezoning will enable substantial improvements to the health and mauri of the stream. The layout and design of Pokeno East will also respond to the uniqueness of</p>

	<p>this place, in accordance with the principals of enhancement in the Waikato Tainui environmental plan Tai Tumu Tai Pari Tai Ao.</p> <p>Detailed consultation with the relevant iwi will be undertaken as part of the preparation of the subdivision consents, and those views incorporated in the design.</p> <p>There are no Maaori Areas or Sites of Significance in Pokeno East.</p>
<p>Policy 10: Tier 1, 2, and 3 local authorities:</p> <ul style="list-style-type: none"> a) <i>that share jurisdiction over urban environments work together when implementing this National Policy Statement; and</i> b) <i>engage with providers of development infrastructure and additional infrastructure to achieve integrated land use and infrastructure planning; and</i> c) <i>engage with the development sector to identify significant opportunities for urban development.</i> 	<p>The rezoning of Pokeno East will achieve Policy 10 as outlined below.</p> <p>Clause (b) requires integration with infrastructure planning and funding. As outlined in the Framework Report and the s42A on Future Urban Zone, Waikato District Council has a model where zoning is needed first to enable planning and funding of infrastructure. Additional growth into areas which have existing infrastructure networks enable Council to leverage those assets to provide better value for ratepayers, and these areas includes Pokeno. In these areas Council already has a network of existing infrastructure assets (roading, waters, community facilities) which either have existing capacity or, with investment, are scalable to support growth.¹⁷ Pokeno East is already serviced by the public water supply, and the existing publicly reticulated wastewater system can be easily extended from Pokeno upon upgrade of the Tuakau wastewater treatment plant. Long Term Plans are required to be reviewed every three years and thus identification of land suitable for urban development needs to be clearly identified by zoning in order for provision to be made in Long Term Plans for the necessary infrastructure to be provided in a staged manner, and provides some certainty regarding the long-term direction of township growth.</p> <p>The rezoning will enable landowners, the community and infrastructure providers to plan for the eventuality and respond to the anticipated growth. Progress can be made towards making the land infrastructure ready and achieving long-term capacity</p>

¹⁷ Hearing 25 Zone Extents Framework report, Dr Mark Davey Waikato District Council, January 2020, Clause (s) Executive Summary

	<p>requirements. It will enable more efficient delivery of necessary infrastructure due to the potential to spread the costs and avoid incremental upgrades.</p> <p>Rezoning Pokeno East as urban will ensure any plans progressed by Waka Kotahi for State Highway 2 are responsive to urban environments. Waka Kotahi has been developing a number of widening and realignment plans for State Highway 2 for many years, but these have always assumed this area would remain rural. The rezoning will enable the planned upgrades and realignments of State Highway 2 to be responsive to the future surrounding land uses. In addition, the urban zoning will enable the current driveway accesses from State Highway 2 to be removed, and thus improve the safety of the state highway network.</p> <p>Pokeno East benefits from suitable existing or anticipated access to new infrastructure or upgrades to infrastructure. This includes improved public transport connections, improved road and cycling connections and water/wastewater infrastructure which are initiatives set out in the H2A Corridor Plan. The Waikato District Council Long Term Plan 2018-28 also identifies a Park n Ride facility as a major capital project in Pokeno for 2044-48 (est. \$13.6M).</p> <p>The various submissions of relevance to this site provide a perfect opportunity for Council (through the Hearings Panel) to engage with the landowners of this site and enable development by rezoning.</p>
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2.1.3 NATIONAL POLICY STATEMENT – FRESHWATER MANAGEMENT 2020 (‘NPS-FM’)

Section 75(3)(a) expressly requires a district plan must give effect to any national policy statement. As shown below, the rezoning of Pokeno East to enable urban development clearly gives effect to each of the objectives and policies in the NPS-FM

The following analysis is a summary of the key provisions which are most relevant to the changes sought.

TABLE 4: NPS-FM ASSESSMENT	
RELEVANT PROVISIONS	ASSESSMENT
2.1 Objective (1) The objective of this National Policy Statement is to ensure that natural and physical resources are managed in a way that prioritises: (a) first, the health and well-being of water bodies and freshwater ecosystems (b) second, the health needs of people (such as drinking water) (c) third, the ability of people and communities to provide for their social, economic, and cultural well-being, now and in the future	<p>The proposal is consistent with the NPS-FM Objective as:</p> <ul style="list-style-type: none">• The proposed future urban zoning does not preclude the need to protect and improve the overall health and well-being of water bodies and freshwater ecosystems as a first priority. The proposal retains flexibility for future urban development and structure planning to respond to, and incorporate, any identified water bodies within the zoning extent.• Future planning process (i.e., plan change/plan review and/or resource consent applications) is required before urban development can be undertaken on the proposal extent. This process requires that robust technical investigation be undertaken which includes but not limited to infrastructure capacity/network, social impact and economic assessments. These will help demonstrate and inform how future proposals can provide for the health needs of people (as a second priority), as well as their social, economic and cultural well-being now and in the future.

	<ul style="list-style-type: none"> The proposal does not enable any urban development at this stage but signals the potential of the proposal extent to accommodate growth (as necessary) in future. This approach retains the potential for the proposal extent to be developed in an integrated and comprehensive manner when it is development ready (i.e., through master-planning which provides greater opportunities for valuable ecological features to being meaningfully incorporated, maximising positive environmental outcomes and other design considerations being carefully balanced.). At the same time, it recognises the lead in time to undertake robust technical assessment to support any future urban development as well fund and construct any necessary new or upgraded infrastructure to ensure this objective is effectively achieved.
2.2 Policies	
Policy 1: Freshwater is managed in a way that gives effect to Te Mana o te Wai.	<p>The proposal is consistent with Policy 1 because:</p> <ul style="list-style-type: none"> As above, overall, the proposal only seeks future urban zoning. This does not preclude future urban development within the proposal extent being undertaken in a manner that gives effect to Te Mana o Te Wai. The proposal creates opportunity to retire/phase out the land from being predominantly used for rural activities that may degrade existing freshwater resources and shifting towards activities and/or development that can better give effect to Te Mana o Te Wai and achieve best practice. The proposal also presents a valuable opportunity for Te Mana o Te Wai to drive the direction of future development (being the first priority as per Objective 1) with it being an up-front

	consideration in growth strategy and future development process.
Policy 2: Tangata whenua are actively involved in freshwater management (including decision making processes), and Māori freshwater values are identified and provided for.	<p>The proposal is consistent with Policy 2 because:</p> <ul style="list-style-type: none"> • The proposal does not preclude consultation and partnership with tangata whenua to inform the direction of physical urban development when the land is released as necessary and appropriate. The proposal supports long-term planning and recognises the lead in time involved to develop these meaningful and active partnerships with tangata whenua. It also provides opportunity to clarify any areas of disagreement and to resolve any issues. • The proposed FUZ zoning offers flexibility for future urban development to be informed by the outcomes from active involvement and consultation that would be undertaken as part of the structure planning and plan change / plan review process. This includes identification and providing for Māori freshwater values. • The proposal presents the opportunity to enable substantial improvements to the health and mauri of the existing stream which dissects the proposal extent: <ul style="list-style-type: none"> – Water quality will be improved through reduction in faecal coliforms from both the removal of grazing animals and the septic tanks from the surrounding farms, as well as the ceasing of sprays and fertiliser associated with rural production. – The stream is very open and exposed and revegetation will create additional protection and habitat for native fauna.

	<ul style="list-style-type: none"> As present, the stream is also unable to be accessed due to being within private ownership. The proposed rezoning will enable public access to the stream, elevating the level of kaitiakitanga. Enabling access will facilitate Maori to carry out any traditional practices associated with riparian flora and fauna as well.
Policy 3: Freshwater is managed in an integrated way that considers the effects of the use and development of land on a whole-of-catchment basis, including the effects on receiving environments.	<p>The proposal is consistent with Policy 3 because:</p> <ul style="list-style-type: none"> The proposal protects the development potential of the land area from further fragmentation and incompatible land uses in the short term. It acknowledges that while the proposal extent is not development ready and the additional supply is likely not to be required until the year 3-10 horizon, when it is appropriate to be released, there is opportunity to plan and develop the proposal extent in a comprehensive manner and to manage freshwater in an integrated way (on a whole catchment basis). The Indicative Masterplan demonstrates how the existing watercourse within the proposal extent could be incorporated as a landscape and ecological feature in future. This watercourse drains into the Mangatawhiri wetland which has a physical connection to the Waikato River. Improvements to the existing watercourse presents opportunity to improve the quality of other watercourses/waterbodies within the catchment. As discussed above, any future proposals to release the land for future urban development (i.e., plan change/plan review and/or resource consents) will need to be supported by robust technical assessments. This is likely to include infrastructure and ecology assessments which guide future development and land uses taking a whole-of catchment approach.
Policy 5: Freshwater is managed through a National Objectives Framework to ensure that the health and well-being of degraded water bodies and freshwater	<p>The proposal is consistent with Policy 5 because:</p>

<p>ecosystems is improved, and the health and well-being of all other water bodies and freshwater ecosystems is maintained and (if communities choose) improved.</p>	<ul style="list-style-type: none"> • As above, the proposal signals the future urban development potential of the land early on. This enables sufficient time to engage with communities and tangata whenua which is key in the National Objectives Framework and valuable in informing outcomes of future development within the proposal extent. It also supports more robust decision-making and consultation, as the identification of the future growth area provides stakeholders with a level of certainty to base decisions. • The proposed rezoning provides opportunity to restore the existing stream which dissects Pokeno East and its riparian margins (refer to the Indicative Masterplan included within the evidence of Mr Vile). As above, Although the stream does not have a direct connection with the Waikato River, it eventually flows to the Mangatawhiri wetland which does drain to the Waikato River through tributaries. There is an opportunity to improve the water quality of other waterbodies within the Freshwater management unit (FMU). • The proposal recognises the importance of having and up-to-date site-specific analysis to support and inform the nature of future physical urban development. The proposed future urban zoning does not immediately enable urban development. There is opportunity for future development to respond to new monitoring information collected on waterbodies and freshwater ecosystems within the proposal extent, take action if degradation is detected and also to act consistently with target attribute states, environmental flows and levels set out by Waikato Regional Council to achieve environmental outcomes.
<p>Policy 6: There is no further loss of extent of natural inland wetlands, their values are protected, and their restoration is promoted.</p>	<p>The proposal is consistent with Policy 6 as:</p>

	<ul style="list-style-type: none"> • The existing natural wetlands identified within the proposal extent will be protected and restored through rezoning. In a similar way to the stream, the wetlands will be improved through reduction in faecal coliforms from both the removal of grazing animals and the septic tanks from the surrounding farms, as well as the ceasing of sprays and fertiliser associated with rural production. • As above, it is expected that future site specific analysis will be undertaken to establish how to best protect their values and promote their restoration.
Policy 7: The loss of river extent and values is avoided to the extent practicable.	<p>The proposal is consistent with Policy 6 because:</p> <ul style="list-style-type: none"> • As demonstrated by the Indicative Masterplan, there is opportunity to meaningfully incorporate the existing stream that dissects the proposal extent as part of future urban development. As such, avoiding to the extent practicable the loss of river extent and values. • Signalling the development potential of the proposal extent early on protects the area in the short term from further fragmentation and incompatible land use. This better supports the proposal extent being developed in an integrated and comprehensive manner when it is development ready and the whole stream extent being meaningfully incorporated.
Policy 8: The significant values of outstanding water bodies are protected.	<p>The proposal is consistent with Policy 8 because:</p> <ul style="list-style-type: none"> • As above, the proposal supports site specific technical analysis and consultation being undertaken that can effectively identify any outstanding water bodies and significant values that need to be protected within the proposal extent. As the proposal does

	not enable any urban development at this stage, it does not preclude these from being protected.
Policy 9: The habitats of indigenous freshwater species are protected.	<p>The proposal is consistent with Policy 9 because:</p> <ul style="list-style-type: none"> • As above, the proposal supports site specific technical analysis being undertaken that can identify any habitats of indigenous freshwater species that need to be protected and the best way for future development to provide protection. • We note that there is an existing stream within the proposal extent which is currently open and exposed. The proposal supports opportunity for water quality to be improved and for planting to be established in future which could provide additional protection and habitat for indigenous freshwater species that could be identified.
Policy 11: Freshwater is allocated and used efficiently, all existing over-allocation is phased out, and future over-allocation is avoided.	<p>The proposal is consistent with Policy 11 because:</p> <ul style="list-style-type: none"> • The proposal recognises the importance of having sufficient infrastructure in place and up-to-date site-specific analysis to support and inform the nature of future physical urban development. The proposed future urban zoning does not immediately enable urban development. It is anticipated that further analysis including how freshwater is allocated and used efficiently will be undertaken to support and inform any future plan changes/physical urban development on the proposed future urban zone land extent.
Policy 12: The national target (as set out in Appendix 3) for water quality improvement is achieved.	<p>The proposal is consistent with Policy 12 because:</p> <ul style="list-style-type: none"> • As above, the proposed FUZ does not enable any physical development at this stage. However, it does not preclude future urban development from being consistent with this policy and

	<p>making improvements to existing waterbodies identified within the proposal extent to achieve the national target.</p> <ul style="list-style-type: none"> Any future urban development within the proposal extent will need to be supported by robust assessments which is expected to include ecological and infrastructure assessment. These will also help identify the best approach for future development to meet the national targets.
Policy 15: Communities are enabled to provide for their social, economic, and cultural wellbeing in a way that is consistent with this National Policy Statement	<p>The proposal is consistent with Policy 15 because:</p> <ul style="list-style-type: none"> As above, the proposal supports community consultation being undertaken to inform the direction of future urban development within the proposal extent. This process will help to identify the needs of the community and how this can be provided for as part of future urban development. The proposal does not unlock the proposal extent for urban development or prescribe the nature of development at this stage. Detailed social, economic and cultural assessments will need to be undertaken to support any future urban development and ensure that this policy can be achieved. There is an existing watercourse that runs across the proposal extent and is currently within private ownership. The eventual urbanisation of Pokeno East provides opportunity to make this publicly accessible, elevating the level of kaitiakitanga. The restoration and rehabilitation of the stream, as well as enabling public access to it, will also enable Maori to carry out any traditional practices associated with riparian flora and fauna.

2.1.4 WAIKATO REGIONAL POLICY STATEMENT ('WRPS')

The Waikato Regional Policy Statement (WRPS) has been operative since May 2016. The WRPS is a mandatory document that provides an overview of the resource management issues in the Waikato region, and the ways in which integrated management of the region's natural and physical resources will be achieved.

The Proposed District Plan must give effect to the WRPS in accordance with Section 75(3) of the RMA.

The objectives and the related policies of the WRPS that are relevant to the proposed future growth area and zoning sought have been reviewed and they relate to a broad range of matters. In terms of the issues of residential land allocation, integration of land use with infrastructure and meeting peoples' needs for business land, the objectives and policies of the RPS and District Plan provide comprehensive coverage of the issues. However, the RPS has not been updated to fully take into account the NPS-UD having only been amended to include the minimum housing targets for the Future Proof Area as Objective 3.27 which was undertaken outside of the Schedule 1 process as per the directions of the NPS-UDC (as this was the primary NPS at the time). The NPS-UDC was published on 3 November 2016 so is predated by the RPS. Since this time, the NPS-UD has been gazetted to replace the NPS-UDC. Due to the timing of the planning documents, the RPS is yet to fully give effect to the NPS-UD.

The following analysis is a summary of the key provisions which are most relevant to the changes sought.

TABLE 5: WRPS ASSESSMENT	
RELEVANT PROVISIONS	ASSESSMENT
<u>Integrated Management</u>	
Objective 3.1 Integrated management Objective 3.2 Resource use and development Objective 3.3 Decision making Policy 4.1 Integrated approach Policy 4.2 Collaborative approach Policy 4.3 Tangata Whenua	<p>The proposal gives effect to these objectives and policies as follows:</p> <ul style="list-style-type: none">• The rezoning enables the development of additional land to meet the housing demand for Pokeno, and enable the needs of current and future generations to be met.• The proposed future urban zoning is on land identified as having potential to accommodate future urban growth and consistent with the future growth plans for the region. This includes the Future Proof Strategy 2017 (also discussed in Section 2.2.1 below) which has been developed across regional and functional boundaries, as well as the H2A Corridor Plan and Pokeno Blueprint.

	<ul style="list-style-type: none"> • The development of Pokeno East for urban will provide additional diversity of living choices for future generations. Rezoning of Pokeno East enables efficient use of the land resource. • The rezoning of Pokeno East for residential development recognises the changing environment and changing resource use pressures and trends, especially the need to accommodate growth. • Pokeno East is well suited for urban development in terms of topography being largely flat, and provides an opportunity to restore and make a feature of the stream which dissects the site. • Pokeno East will help create a well-functioning urban environment for Pokeno that is walkable, well connected with a range of transport options, celebrate the historic heritage and early development of the town, and provides significant environmental enhancement through rehabilitation of the stream and riparian edges. • The development of a community scale commercial development around St Mary's on the Hill provides a focal point for the development, and provides additional employment opportunities. This variety of land uses will support Pokeno's social, economic and cultural wellbeing. • The proposed urban zoning signals the land's urban growth potential early on, which enables long-term integrated planning and decision making to be undertaken. • The urban zoning discourages incompatible land uses from establishing, further land fragmentation and/or any activities that could compromise the land being developed in a comprehensive, integrated and sustainable manner and in collaboration with tangata whenua and relevant stakeholders. • While it is likely that Pokeno East has high class soils, it cannot support primary production activities due to lack of water supply, existing land fragmentation, and reverse sensitivity effects arising from the close proximity to residential development. These constraints are explored in more detail in the evidence of Ms Jepson and Ms Dobson.
<u>Health and wellbeing of the Waikato River</u>	

<p>Objective 3.4 Health and wellbeing of the Waikato River</p> <p>Policy 4.3 Tangata Whenua</p> <p>Policy 8.3 All fresh water bodies</p> <p>Policy 8.4 Catchment-based intervention</p> <p>Policy 8.5 Waikato River catchment</p> <p>Policy 10.1 Managing historic and cultural heritage</p> <p>Policy 10.2 Relationship of Māori to taonga</p> <p>Policy 11.1 Maintain or enhance indigenous biodiversity</p> <p>Policy 12.2 Preserve natural character</p> <p>Policy 12.3 Maintain and enhance areas of amenity value</p> <p>Policy 12.4 Maintain and enhance public access</p>	<p>The proposal gives effect to these objectives and policies as follows:</p> <ul style="list-style-type: none"> • The rezoning of Pokeno East will enable the restoration of the stream which dissects the site and its riparian margins. • Although the stream does not have a direct connection with the Waikato River, it eventually flows to the Mangatawhiri wetland which does drain to the Waikato River through tributaries. The restoration of the stream will give effect to the Vision and Strategy by substantially improving water quality and the quality of the habitat. • Water quality will be improved through reduction in faecal coliforms from both the removal of grazing animals and the septic tanks from the surrounding farms, as well as the ceasing of sprays and fertiliser associated with rural production. • The stream is very open and exposed, and revegetation will create additional protection and habitat for native fauna. The over-arching purpose of the Vision and Strategy is to “restore and protect the health and wellbeing of the Waikato River for future generations” and the restoration of the stream will assist in achieving this goal. • Rezoning will enable substantial improvements to the health and mauri of the stream. • With the removal of grazing animals from Pokeno East, there will be a reduction in erosion and sediment entering the stream and wetland. • No physical modification of the waterway is necessary, and the stream and wetlands are central features of the masterplan. • At present there is no access to the stream and wetlands, but the rezoning will enable these to be publicly accessible and any cultural traditions to be undertaken in accordance with Policy 10.2. • The rezoning will enable the re-creation and restoration of freshwater habitats in accordance with Policy 11.1. • The rezoning will enable the restoration of natural character in accordance with Policies 12.2 and 12.3. • Public access will be provided to the stream and wetlands and achieve Policy 12.4.
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<u>Climate Change</u>	
<p>Objective 3.6 Adapting to climate change</p> <p>Policy 6.1 Planned and co-ordinated subdivision, use and development</p> <p>Policy 12.4 Maintain and enhance public access</p> <p>Policy 13.1 Natural hazard risk management approach</p> <p>Policy 13.2 Manage activities to reduce the risks from natural hazards</p>	<p>The topography of the site is that the stream is deeply incised. The Indicative Masterplan for Pokeno East has located dwellings well above the level and defined edge of the stream. This will increase the resilience of the development and allow the stream to naturally respond to flood events (even if they increase in duration and intensity as a result of climate change) without compromising the safety of people or their property in accordance with these objectives and policies.</p>
<u>Use of Resources</u>	
<p>3.10 Sustainable and efficient use of resources</p>	<p>The rezoning of Pokeno East enables efficient use of the land resource and will give effect to Objective 3.10 for the following reasons:</p> <ul style="list-style-type: none"> • Pokeno East is adjacent to the existing urban environment of Pokeno which is recognised by Council as being the fastest growing town in Waikato. Because of the proximity to the adjacent urban area, Pokeno East is a logical expansion of Pokeno. This will enable any future residents to meet their social, economic and cultural wellbeing by being a connected part of Pokeno. Pokeno East is within walking distance of the town centre of Pokeno, and has a clear visual connection with the existing urban environment. • Pokeno East has good connection in terms of transport networks to Pokeno town centre, and not just for vehicles as there is a formed paved footpath. • Pokeno East is well suited for urban development in terms of topography being largely flat, and provides an opportunity to restore and make a feature of the stream which dissects the site. • The urbanisation of Pokeno East will help create a well-functioning urban environment for Pokeno that is walkable, well connected with a range of transport options, celebrate the historic heritage and early development of the town, and provides significant environmental enhancement through rehabilitation of the stream and riparian edges.

	<ul style="list-style-type: none"> • The development of a community scale commercial development around St Mary's on the Hill provides a focal point for the development, and provides additional employment opportunities. This variety of land uses will support Pokeno's social, economic and cultural wellbeing. • The rezoning of Pokeno East aligns with best practice that new growth cells be contiguous with existing urban areas, integrate into the existing urban form through physical layout (road, walking, cycling connections including street layout and design to complement the existing) in order for a cohesive and accessible settlement pattern to be achieved. • The development of Pokeno East for urban will assist in Pokeno meeting its growth needs, and provide additional a diversity of living choices for future generations. • The rezoning prevents further fragmentation of the land and incompatible land uses from establishing that would compromise future development of the land into a well-functioning urban environment. The proposal provides opportunity for the land to be comprehensively planned and developed to maximise positive environmental and urban form outcomes.
<u>Built Environment</u>	
<p>Objective 3.12 Built Environment:</p> <p><i>Development of the built environment (including transport and other infrastructure) and associated land use occurs in an integrated, sustainable and planned manner which enables positive environmental, social, cultural and economic outcomes, including by:</i></p> <ul style="list-style-type: none"> a) <i>promoting positive indigenous biodiversity outcomes;</i> b) <i>preserving and protecting natural character, and protecting outstanding natural features and landscapes from inappropriate subdivision, use, and development;</i> 	<p>The proposal is consistent with Objective 3.12 and relevant policies because it supports the land being developed in an integrated, sustainable and planned manner.</p> <p>The urban zoning sought for Pokeno East will provide a level of certainty that will support long-term decision making, discourages incompatible land uses being established and/or further land fragmentation that compromises the ability to achieve efficient urban development, and ensures the planning and funding of infrastructure.</p> <p>The assessment contained within the urban design evidence of Mr Vile demonstrates how the urbanisation of Pokeno East could facilitate comprehensive development that can achieve positive environmental, social, cultural and economic outcomes as sought by Objective 3.12. The subject area is bound by established roads providing clear defensible boundaries and is adjacent to existing urban areas to support quality compact urban form.</p>

<ul style="list-style-type: none"> c) <i>integrating land use and infrastructure planning, including by ensuring that development of the built environment does not compromise the safe, efficient and effective operation of infrastructure corridors;</i> d) <i>integrating land use and water planning, including to ensure that sufficient water is available to support future planned growth;</i> e) <i>recognising and protecting the value and long-term benefits of regionally significant infrastructure;</i> f) <i>protecting access to identified significant mineral resources;</i> g) <i>minimising land use conflicts, including minimising potential for reverse sensitivity;</i> h) <i>anticipating and responding to changing land use pressures outside the Waikato region which may impact on the built environment within the region;</i> i) <i>providing for the development, operation, maintenance and upgrading of new and existing electricity transmission and renewable electricity generation activities including small and community scale generation;</i> j) <i>promoting a viable and vibrant central business district in Hamilton city, with a supporting network of sub-regional and town centres; and</i> 	<p>In terms of Objective 3.12(a) and (b), the potential exists for positive biodiversity outcomes to be achieved and for natural character to be maintained through the recognition of the stream and wetlands as a central feature of the development. The rezoning of Pokeno East will enable the restoration of the stream which dissects the site and its riparian margins and substantially improve both water quality and the quality of the habitat. Water quality will be improved through reduction in faecal coliforms from both the removal of grazing animals and the septic tanks from the surrounding farms, as well as the ceasing of sprays and fertiliser associated with rural production. The stream is very open and exposed and revegetation will create additional protection and habitat for native fauna. There are no outstanding natural features and landscapes on the site.</p> <p>Clause (c) requires safe, efficient and effective operation of infrastructure corridors is preserved. The masterplan recognises the constraints of being adjacent by two state highways and the National Grid traversing Pokeno East. The National Grid is already protected by the National Grid Corridor and National Grid Yard provisions in the Proposed District Plan, but in any event the National Grid aligns largely with the stream and thus the lines are protected from buildings in close proximity by the corridor around the stream. Any lots near the southern edge of the National Grid are of such a size and shape that a building can be accommodated some distance from the National Grid without requiring a resource consent. The lots near the state highways are much larger than the rest of the lots and are longer to enable dwellings to be located a considerable distance away from the state highway. This will result in a better amenity for the residents, as well as managing the potential for any reverse sensitivity effects to arise. The rezoning will also enable the three existing accesses to State Highway 2 to be removed, resulting in a safer transport network. The development of Pokeno East does not require any accesses to either state highways and can be serviced entirely by the local road network of Avon, Dean and Fraser Roads. This approach will also achieve Objective 3.12(e).</p> <p>Infrastructure provision is a key issue to enable future growth in Pokeno East. The approach of Waikato District Council is that the zoning is required first, then the planning and funding of infrastructure following in terms of the Long Term Plan cycle. Pokeno East is already servicing for reticulated water, although the wastewater network is close by in Pokeno, it will likely require the planned upgrades of the Tuakau plant to create capacity. The assessment contained within the evidence of Mr Campbell and Mr Black identifies indicative infrastructure opportunities and</p>
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<p>k) <i>providing for a range of commercial development to support the social and economic wellbeing of the region.</i></p>	<p>requirements for supporting future development. It is anticipated that comprehensive and more detailed transport/infrastructure assessments will be undertaken in preparing any consequential subdivision consent applications. It is at this stage, that the potential effects and matters in Objective 3.12 (d) will be considered in detail.</p> <p>There are no nearby significant mineral resources so Objective 3.12(f) is not relevant.</p> <p>Objective 3.12(g) is given effect to through the careful location of the boundaries of the zone. The boundaries have been established to be defensible and take into consideration topography as well as the location of the recreation facilities, being the dog park and tennis court. This is discussed in more detail in the evidence of Ms Jack and Mr Vile. The location of the boundaries will ensure the potential for reverse sensitivity effects for the surrounding rural landuses to the east are minimised. One of the key reasons why this site is no longer suitable for rural uses is the proximity of residential development and the reverse sensitivity issues. This is discussed in further detail in the evidence of Ms Dobson and Ms Jepson.</p> <p>The rezoning will assist in creating residential capacity and satisfying the significant shortfall in land that Pokeno now has. The Framework Report indicates the notified version of the Proposed District Plan is significantly short on zoned and feasible land,¹⁸ and this is exacerbated by the requirements of the NPS-UD which require Councils to have a competitiveness margin of 20% over and above the expected demand. The rezoning of Pokeno East is clearly needed to complement the existing Pokeno town, as well as to respond to changing land pressures outside the Waikato Region as per Objective 3.12 (h).</p> <p>The development of a neighbourhood commercial hub adjacent to the church will provide different employment opportunities from those currently in Pokeno town centre and thus achieve Objective 3.12(k).</p>
<p>Policy 6.1: Planned and co-ordinate subdivision, use and development</p>	<p>While Policy 6.1(a) only requires development to “have regard” to the principles in Section 6A, the development of Pokeno East is wholly consistent with them as outlined below.</p> <p>The long term and potential effects of subdivision and development of Pokeno East as required by clauses (b) and (c). On balance, there are considerable positive effects, particularly arising from the</p>

¹⁸ Population, Household and Land Capacity Report, Dr Mark Davey Waikato District Council, 2020, page 14

<p><i>Subdivision, use and development of the built environment, including transport, occurs in a planned and co-ordinated manner which:</i></p> <p><i>a) has regard to the principles in section 6A;</i></p> <p><i>b) recognises and addresses potential cumulative effects of subdivision, use and development;</i></p> <p><i>c) is based on sufficient information to allow assessment of the potential long-term effects of subdivision, use and development; and</i></p> <p><i>d) has regard to the existing built environment.</i></p>	<p>cessation of farming and the ecological improvements to the stream, riparian margins and wetlands.</p> <p>The spatial pattern anticipated by the Pokeno Development Plan directs future growth area adjacent to existing urban areas and towards achieving a compact urban form. Rezoning of this site is consistent with this approach, and achieves clause (d).</p> <table border="1"> <thead> <tr> <th data-bbox="837 351 1182 405">Relevant matter</th><th data-bbox="1191 351 1984 405">Assessment</th></tr> </thead> <tbody> <tr> <td data-bbox="837 411 1182 906">(a) support existing urban areas in preference to creating new ones;</td><td data-bbox="1191 411 1984 906"> <p>The proposed rezoning supports the existing town of Pokeno and is a logical extension to the current urban area, as identified in Future Proof 2017 and Waikato 2070.</p> <p>While the scale is small compared to the existing development in Pokeno, it complements the existing urban area by providing a variety of living options, location, amenity, and price points.</p> <p>The rezoning also creates an opportunity to protect and celebrate the historic heritage site of St Mary's on the Hill. Extending the existing footpath network along Avon Road will provide opportunities to connect the recreation facilities of the dog park and tennis courts to Pokeno centre. It will enable these three key social, cultural and recreational features to be connected to the Pokeno community, rather than isolated as they currently are.</p> </td></tr> <tr> <td data-bbox="837 912 1182 1078">(b) occur in a manner that provides clear delineation between urban areas and rural areas;</td><td data-bbox="1191 912 1984 1078"> <p>The rezoning will extend the existing development in Pokeno and will provide a clear delineation between urban and rural development through the location of defensible boundaries using roads, topography and the green buffers provided by the dog park and tennis courts.</p> </td></tr> </tbody> </table>	Relevant matter	Assessment	(a) support existing urban areas in preference to creating new ones;	<p>The proposed rezoning supports the existing town of Pokeno and is a logical extension to the current urban area, as identified in Future Proof 2017 and Waikato 2070.</p> <p>While the scale is small compared to the existing development in Pokeno, it complements the existing urban area by providing a variety of living options, location, amenity, and price points.</p> <p>The rezoning also creates an opportunity to protect and celebrate the historic heritage site of St Mary's on the Hill. Extending the existing footpath network along Avon Road will provide opportunities to connect the recreation facilities of the dog park and tennis courts to Pokeno centre. It will enable these three key social, cultural and recreational features to be connected to the Pokeno community, rather than isolated as they currently are.</p>	(b) occur in a manner that provides clear delineation between urban areas and rural areas;	<p>The rezoning will extend the existing development in Pokeno and will provide a clear delineation between urban and rural development through the location of defensible boundaries using roads, topography and the green buffers provided by the dog park and tennis courts.</p>
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(c) make use of opportunities for urban intensification and redevelopment to minimise the need for urban development in greenfield areas;

The proposal is for greenfield development, however it represents an efficient and compact urban form, as it promotes a high-quality residential development with a mix of densities. It provides for work-live-play opportunities.

Given the growth projections for Pokeno of and the need in the NPS-UD for 20% additional capacity to be zoned, there is a considerable shortfall in the residential capacity of Pokeno.¹⁹ The rezoning of this site will assist with meeting the requirements of the NPS-UD.

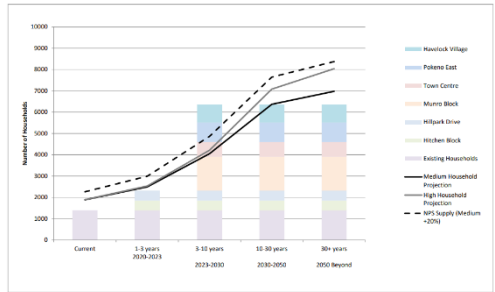


Figure 4: Pokeno supply and demand analysis

As outlined by Dr Davey, The district's towns have been found to have significant in-fill and redevelopment capacity due to zoning controls and relatively large sites. But the likely quantum of in-fill and re-development that will occur will be a fraction of the total possible due to market factors. The Waikato District model therefore conservatively assumes that only 10% of in-fill and redevelopment

¹⁹ Population, Household and Land Capacity Report, Dr Mark Davey Waikato District Council, 2020, page 14

		capacity will be realised. ²⁰ This means that it further greenfield land is required.
(d) not compromise the safe, efficient and effective operation and use of existing and planned infrastructure, including transport infrastructure, and should allow for future infrastructure needs, including maintenance and upgrading, where these can be anticipated; (e) connect well with existing and planned development and infrastructure;		<p>The development of Pokeno East does not depend on access to the state highways, and in fact is well accessed from the local road network being Dean, Avon and Fraser Roads.</p> <p>Rezoning Pokeno East as urban will ensure any plans progressed by Waka Kotahi for State Highway 2 are responsive to urban environments. Waka Kotahi has been developing a number of widening and realignment plans for State Highway 2 for many years, but these have always assumed this area would remain rural. The rezoning will enable the planned upgrades and realignments of State Highway 2 to be responsive to the future surrounding land uses. In addition, the urban zoning will enable the current driveway accesses from State Highway 2 to be removed, and thus improve the safety of the state highway network.</p> <p>Pokeno East benefits from suitable existing or anticipated access to new infrastructure or upgrades to infrastructure. This includes improved public transport connections, improved road and cycling connections and water/wastewater infrastructure which are initiatives set out in the H2A Corridor Plan. The Waikato District Council Long Term Plan 2018-28 also identifies a Park n Ride facility as a major capital project in Pokeno for 2044-48 (est. \$13.6M).</p>
(f) identify water requirements necessary to support development and		Pokeno East is already serviced by the public reticulated system for water but this would need to be extended to serve the rest of the development.

²⁰ Population, Household and Land Capacity Report, Dr Mark Davey Waikato District Council, 2020, page 6

	ensure the availability of the volumes required;	Similarly, the nearby publicly reticulated wastewater system that services Pokeno would need to be extended to this site. These matters are further discussed in the evidence of Mr Campbell.
	(g) be planned and designed to achieve the efficient use of water;	The water supply to Pokeno is currently metered and charged on a user-pays system. This is an effective for ensuring the efficient use of water.
	(h) be directed away from identified significant mineral resources and their access routes, natural hazard areas, energy and transmission corridors, locations identified as likely renewable energy generation sites and their associated energy resources, regionally significant industry, high class soils, and primary production activities on those high class soils;	<p>The masterplan recognises the constraints of Pokeno East being traversed by the National Grid. The National Grid is already protected by the National Grid Corridor and National Grid Yard provisions in the Proposed District Plan, but in any event the National Grid aligns largely with the stream and thus the lines are protected from buildings in close proximity by the corridor around the stream. Any lots near the southern edge of the National Grid are of such a size and shape that a building can be accommodated some distance from the National Grid without requiring a resource consent.</p> <p>While it is likely that Pokeno East contains some high class soil, the site cannot support primary production activities due to lack of water supply, existing land fragmentation, and reverse sensitivity effects arising from the close proximity to residential development. These constraints are explored in more detail in the evidence of Ms Dobson and Ms Jepson</p>
	<p>(i) promote compact urban form, design and location to:</p> <p>i) minimise energy and carbon use;</p>	Pokeno East is adjacent to the existing large lot residential sites on Avon Road and the Residential Zoned sites on the western side of State Highway 1. Pokeno East is a logical extension of Pokeno and are consistent with achieving a well-functioning urban environment. In addition, the rezoning creates an opportunity to connect the historic heritage site of St Mary's on the Hill back to its community,

	<p>ii) minimise the need for private motor vehicle use;</p> <p>iii) maximise opportunities to support and take advantage of public transport in particular by encouraging employment activities in locations that are or can in the future be served efficiently by public transport;</p> <p>iv) encourage walking, cycling and multi-modal transport connections; and</p> <p>v) maximise opportunities for people to live, work and play within their local area;</p>	<p>as well as integrating the recreation facilities of the dog park and tennis courts into the urban form rather than being isolated from the Pokeno community. The stream provides a key opportunity for creating and extending a blue /green network. The rezoning will more effectively connect the residential development on the eastern side of State Highway 1 with the western side than it currently is. The eastern side is somewhat isolated from the town centre at present.</p> <p>The rezoning will enable the walkway network to be extended and follow both the local road network as well as the stream, thus encouraging alternative transport options.</p> <p>In terms of existing or planned public transport, there is now a bus service from Pokeno and a large bus stop constructed in the middle of town. A public rail service is imminent too, with connections south towards Hamilton as well as north to Pukekohe and Auckland.</p> <p>The development of a neighbourhood commercial area will provide the day-to-day needs of the eastern side of Pokeno and reduce the need for vehicles.</p> <p>Pokeno already has a range of zoning which provides wide employment opportunities, with Business Town Centre, Business Zone, industrial Zone and Heavy Industrial Zone. In addition, the proposed layout and development of Pokeno East with the community scale commercial development will create even more employment opportunities for the wider Pokeno community.</p>
	<p>(j) maintain or enhance landscape values and provide for the protection</p>	<p>While there are no outstanding natural landscapes or features on Pokeno East, the stream dissecting the site is one of the central features around which development is designed. Refer to the evidence of Ms Jack for further details.</p>

	of historic and cultural heritage;	The rezoning creates an opportunity to protect and celebrate the historic heritage site of St Mary's on the Hill, especially its role in the early development of Pokeno. It enables the church to once again be the centre of the community rather than isolated on the outskirts.
	(k) promote positive indigenous biodiversity outcomes and protect significant indigenous vegetation and significant habitats of indigenous fauna. Development which can enhance ecological integrity, such as by improving the maintenance, enhancement or development of ecological corridors, should be encouraged;	<p>The masterplan has a comprehensive open space network and will use best practice options for the treatment of stormwater.</p> <p>Significant opportunities exist for substantial enhancement of the ecological values of Pokeno East by retiring the existing farming and providing for extensive plantings within the stream, riparian edges and wetlands.</p> <p>Although there are very few mature indigenous trees, those that are present will be protected and incorporated into the design.</p>
	(l) maintain and enhance public access to and along the coastal marine area, lakes, and rivers;	Access along the length of the stream is a key feature of the masterplan, and mimics the approach taken on the western side of Pokeno.
	(m) avoid as far as practicable adverse effects on natural hydrological characteristics and processes (including aquifer recharge and	Development is proposed only on the plateau which is some vertical distance above the incised stream. This enables the stream to respond naturally to rainfall events without endangering people or property.

	<p>flooding patterns), soil stability, water quality and aquatic ecosystems including through methods such as low impact urban design and development (LIUDD);</p>	<p>The stormwater management plan will adopt a low impact urban design and development principles, based on the WRC toolbox guidelines.</p>
	<p>(n) adopt sustainable design technologies, such as the incorporation of energy efficient (including passive solar) design, low-energy street lighting, rain gardens, renewable energy technologies, rainwater harvesting and grey water recycling techniques where appropriate;</p>	<p>The proposed masterplan is orientated to maximise passive solar gain with a large proportion of the streets in a north-south configuration. Development can include aspects such as LED lighting, rainwater harvesting and grey water recycling techniques.</p>
	<p>(o) not result in incompatible adjacent land uses (including those that may result in reverse sensitivity effects), such as industry, rural activities and existing or planned infrastructure;</p>	<p>The masterplan recognises the constraints of being adjacent by two state highways and the National Grid traversing Pokeno East. The National Grid is already protected by the National Grid Corridor and National Grid Yard provisions in the Proposed District Plan, but in any event the National Grid aligns largely with the stream and thus the lines are protected from buildings in close proximity by the corridor around the stream. Any lots near the southern edge of the National Grid are of such a size and shape that a building can be accommodated some distance from the National Grid without requiring a resource consent. The lots near the state highways are much larger than the rest of the lots and are longer to enable</p>

		<p> dwellings to be located a considerable distance away from the state highway. This will result in a better amenity for the residents, as well as managing the potential for any reverse sensitivity effects to arise. The rezoning will also enable the three existing accesses to State Highway 2 to be removed, resulting in a safer transport network. The development of Pokeno East does not require any accesses to either state highways and can be serviced entirely by the local road network of Avon, Dean and Fraser Roads.</p> <p>This principle is given effect to through the careful location of the boundaries of the zone. The boundaries have been established to be defensible and take into consideration topography as well as the location of the recreation facilities, being the dog park and tennis court. This is discussed in more detail in the evidence of Ms Jack and Mr Vile. The location of the boundaries will ensure the potential for reverse sensitivity effects for the surrounding rural landuses to the east are minimised. One of the key reasons why this site is no longer suitable for rural uses is the proximity of residential development and the reverse sensitivity issues. This is discussed in further detail in the evidence of Ms Dobson and Ms Jepson.</p>
	(p) be appropriate with respect to projected effects of climate change and be designed to allow adaptation to these changes;	<p>The topography of Pokeno East is that the stream is deeply incised. The Indicative Masterplan for Pokeno East has located dwellings well above the level and defined edge of the stream. This will increase the resilience of the development and allow the stream to naturally respond to flood events (even if they increase in duration and intensity as a result of climate change) without compromising the safety of people or their property in accordance with clause (p).</p>
	(q) consider effects on the unique Tangata whenua relationships, values,	<p>There are no Maaori Areas or Sites of Significance in Pokeno East.</p>

	<p>aspirations, roles and responsibilities with respect to an area. Where appropriate, opportunities to visually recognise Tangata whenua connections within an area should be considered;</p>	<p>Detailed consultation with the relevant iwi will be undertaken as part of the preparation of the subdivision consents, and those views incorporated in the design.</p>
	<p>® support the Vision and Strategy for the Waikato River in the Waikato River catchment;</p>	<p>The rezoning of Pokeno East will enable the restoration of the stream which dissects the site and its riparian margins. Although the stream does not have a direct connection with the Waikato River, it eventually flows to the Mangatawhiri wetland which does drain to the Waikato River through tributaries. The restoration of the stream will give effect to the Vision and Strategy by substantially improving water quality and the quality of the habitat. Water quality will be improved through reduction in faecal coliforms from both the removal of grazing animals and the septic tanks from the surrounding farms, as well as the ceasing of sprays and fertiliser associated with rural production. The stream is very open and exposed and revegetation will create additional protection and habitat for native fauna. The over-arching purpose of the Vision and Strategy is to “restore and protect the health and wellbeing of the Waikato River for future generations” and the restoration of the stream will assist in achieving this goal.</p> <p>The Waikato Tainui environmental plan Tai Tumu Tai Pari Tai Ao states that the goal of Waikato-Tainui is to aim for positive ecological and social outcomes where the resource use and activities effecting the environment becomes a conduit for remedying past pollution (amongst other things). Resource users and activity</p>

		operators need to consider how their proposal can actually enhance the environment, and rezoning will enable substantial improvements to the health and mauri of the stream. The layout and design of Pokeno East will also respond to the uniqueness of this place, in accordance with the principals of enhancement in the Waikato Tainui environmental plan Tai Tumu Tai Pari Tai Ao.
	(s) encourage waste minimisation and efficient use of resources (such as through resource-efficient design and construction methods); and	Building design and development can be constructed using resource-efficient methods.
	(t) recognise and maintain or enhance ecosystem services.	Restoration and revegetation of the stream, riparian margins and wetlands provides the opportunity to enhance the ecosystem services.
<p>Policy 6.3: Co-ordinating growth and infrastructure</p> <p><i>Management of the built environment ensures:</i></p> <p><i>a) the nature, timing and sequencing of new development is co-ordinated with the development, funding, implementation and operation of transport and other infrastructure, in order to:</i></p> <p><i>i) optimise the efficient and affordable provision of both the development and the infrastructure;</i></p> <p><i>ii) maintain or enhance the operational effectiveness, viability and safety of existing and planned infrastructure;</i></p> <p><i>iii) protect investment in existing infrastructure; and</i></p>	<p>As outlined above, the layout and design of the development responds to Pokeno East being adjacent by two state highways and the National Grid traversing the site. The National Grid is already protected by the National Grid Corridor and National Grid Yard provisions in the Proposed District Plan, but in any event the National Grid aligns largely with the stream and thus the lines are protected from buildings in close proximity by the corridor around the stream. Any lots near the southern edge of the National Grid are of such a size and shape that a building can be accommodated some distance from the National Grid without requiring a resource consent. The lots near the state highways are much larger than the rest of the lots and are longer to enable dwellings to be located a considerable distance away from the state highway. This will result in a better amenity for the residents, as well as managing the potential for any reverse sensitivity effects to arise. The rezoning will also enable the three existing accesses to State Highway 2 to be removed, resulting in a safer transport network. The development of Pokeno East does not require</p>	

<p>iv) ensure new development does not occur until provision for appropriate infrastructure necessary to service the development is in place;</p> <p>b) the spatial pattern of land use development, as it is likely to develop over at least a 30-year period, is understood sufficiently to inform reviews of the Regional Land Transport Plan. As a minimum, this will require the development and maintenance of growth strategies where strong population growth is anticipated;</p> <p>c) the efficient and effective functioning of infrastructure, including transport corridors, is maintained, and the ability to maintain and upgrade that infrastructure is retained; and</p> <p>d) a co-ordinated and integrated approach across regional and district boundaries and between agencies; and</p> <p>e) that where new infrastructure is provided by the private sector, it does not compromise the function of existing, or the planned provision of, infrastructure provided by central, regional and local government agencies.</p>	<p>any accesses to either state highways and can be serviced entirely by the local road network of Avon, Dean and Fraser Roads.</p> <p>Rezoning Pokeno East as urban will ensure any plans progressed by Waka Kotahi for State Highway 2 are responsive to urban environments. Waka Kotahi has been developing a number of widening and realignment plans for State Highway 2 for many years, but these have always assumed this area would remain rural. The rezoning will enable the planned upgrades and realignments of State Highway 2 to be responsive to the future surrounding land uses.</p>
<p>Policy 6.12: Implementing Franklin District Growth Strategy</p> <p><i>The Franklin District Growth Strategy (2007) provides for the management of growth in the part of the Waikato and Hauraki Districts that was the former Franklin District. Growth should be managed in accordance with this Strategy. In particular:</i></p> <p>a) management of the built environment should be in accordance with the general visions and</p>	<p>Policy 6.12 is of relevance to the proposal as the subject land and Pokeno were within the former Franklin District. Policy 6.12 states that the Franklin District Growth Strategy ('FDGS') applies until the Future Proof Growth Strategy and relevant district plans are amended.</p> <p>The Future Proof Growth Strategy was amended and updated in 2017 ('Future Proof 2017') to include Pokeno and Tuakau, reflecting the Auckland-Waikato boundary adjustment in 2010. In addition, the notification of the Proposed Waikato District Plan could be deemed to be "an amendment". Therefore, in accordance with Policy 6.12, the FDGS no longer applies and the relevant strategy to be assessed for Pokeno and the subject land is Future Proof 2017.</p>

<p><i>development directions described for the relevant towns and rural character areas in Sections 7 and 8, and Map 1.0 of the Franklin District Growth Strategy; and</i></p> <p>b) <i>new industrial development should predominantly be located in the strategic industrial nodes in Table 6-3.</i></p> <p><i>The Franklin District Growth Strategy applies until the Future Proof Growth Strategy and relevant district plans are amended.</i></p>	<p>The proposal demonstrates consistency with the Future Proof 2017 (expanded on in Section 2.2.1 below) and the Future Proof Settlement Pattern in Map 1 (Appendix 2) of Future Proof 2017 as:</p> <ul style="list-style-type: none"> • The subject land area is within the indicative urban limits for Pokeno as identified in Map 1. • While the indicative urban limits in Map 1 are noted as subject to further investigation, initial assessment has been undertaken providing a preliminary evidence base (refer paragraph 20 of my statement) that supports the subject land being within the indicative urban limits as shown in Map 1. • The subject land area is identified in Map 1 as providing potential residential land use ('R1'). The future urban zoning sought allows for growth to be effectively managed, providing flexibility for the land to be live zoned in future to provide additional residential development in the most appropriate density, form and time.
<p>Policy 6.14: Adopting Future Proof Land Use Pattern Within the Future Proof area:</p> <p>a) <i>new urban development within Hamilton City, Cambridge, Te Awamutu/Kihikihi, Pirongia, Huntly, Ngaruawahia, Raglan, Te Kauwhata, Meremere, Taupiri, Horotiu, Matangi, Gordonton, Rukuhia, Te Kowhai and Whatawhata shall occur within the Urban Limits indicated on Map 6.2 (section 6C);</i></p> <p>b) <i>new residential (including rural-residential) development shall be managed in accordance with the timing and population for growth areas in Table 6-1 (section 6D);</i></p> <p>c) <i>new industrial development should predominantly be located in the strategic industrial nodes in Table 6-2 (section 6D) and in</i></p>	<p>Policy 6.14 relates to adopting the future proof land use pattern as set out in the Future Proof Growth Strategy and Implementation Plan 2009 ('Future Proof 2009') and within the 'Future Proof area'. At the time that Future Proof 2009 was drafted and launched, Pokeno was part of the Franklin District and not considered in the Future Proof area or under Future Proof 2009.</p> <p>Through Policy 6.14, urban development within the Future Proof area is directed towards adopting the Future Proof 2009 settlement pattern. This pattern is now somewhat dated and has been superseded by Future Proof 2017. Especially in the context of Pokeno which was not considered in Future Proof 2009 and in light of the approach identified in Policy 6.12 above, the proposal will be assessed against Policy 6.14 but with reference to Future Proof 2017.</p> <p>Thus Policy 6.14(g) is the most relevant which states "where alternative industrial and residential land release patterns are promoted through district plan and structure plan processes, justification shall be provided to demonstrate consistency with the principles of the Future Proof land use pattern"</p> <p>The proposal is consistent with Policy 6.14(g) as:</p> <p>The land area subject to the proposed future urban zoning is located within the indicative urban limits identified in Map 1 of Future Proof 2017.</p>

accordance with the indicative timings in that table except where alternative land release and timing is demonstrated to meet the criteria in Method 6.14.3;

- d) other industrial development should only occur within the Urban Limits indicated on Map 6.2 (section 6C), unless there is a need for the industry to locate in the rural area in close proximity to the primary product source. Industrial development in urban areas other than the strategic industrial nodes in Table 6-2 (section 6D) shall be provided for as appropriate in district plans;
- e) new industrial development outside the strategic industrial nodes or outside the allocation limits set out in Table 6-2 shall not be of a scale or location where the development undermines the role of any strategic industrial node as set out in Table 6-2;
- f) new industrial development outside the strategic industrial nodes must avoid, remedy or mitigate adverse effects on the arterial function of the road network, and on other infrastructure;
- g) where alternative industrial and residential land release patterns are promoted through district

Policy 6.14(b) directs new residential development to be managed in accordance with the growth allocation and staging in Table 6-1. Under Future Proof 2017, the management of residential growth continues to rely on population-based staging and growth allocation (refer to Table 3 and Appendix 1 of Future Proof 2017) and are of relevance for Pokeno. The Future Proof 2017 projections indicate that while there is generally adequate supply to meet demand between 2016-2035, a shortfall is anticipated between 2036-2045.

However this has been somewhat superseded by the growth projections in Waikato 2070 and the requirements of the NPS-UD, both of which require significantly more land than Future Proof 2017 required. The Waikato Regional Policy Statement contains references to Future Proof 2009, but this has now been updated by Future Proof 2017 which identifies Pokeno for 4200 households²¹ and an average gross density target of 12-15 households per hectare. Using the medium household projections, the figures for Pokeno in Future Proof 2017 are as follows²²:

2016	2025	2035	2045
757	1,867	3,812	4,803

This contrasts considerably with the latest figures in the Waikato District Council's graph projections of December 2020 (using the medium household projection figures)²³:

Current	2023	2030	2050	2050+
1,900	3,200	5,100	6,700	7,000

²¹ Future Proof Strategy 2017, page 30

²² Future Proof Strategy 2017, pages 92-94

²³ Population, Household and Land Capacity Report, Dr Mark Davey Waikato District Council, 2020, page 13

<p><i>plan and structure plan processes, justification shall be provided to demonstrate consistency with the principles of the Future Proof land use pattern; and</i></p> <p>h) <i>where land is required for activities that require direct access to Hamilton Airport runways and where these activities cannot be accommodated within the industrial land allocation in Table 6-2, such activities may be provided for within other land adjacent to the runways, providing adverse effects on the arterial road network and other infrastructure are avoided, remedied or mitigated.</i></p>	<p>As indicated in the Waikato District Council's projections of December 2020, apart from years 2023-2030, demand for households outstrips the supply. It is noted that Pokeno East is factored into these graphs as part of the "supply" for residential land.</p> <p>We note that as part of the Stage 2 update of the Future Proof Strategy (anticipated in 2021), other triggers²⁴ for development staging will be considered rather than relying solely on population-based staging. This is intended to provide flexibility and better aligns with the direction of the NPS-UD which encourages a level of responsiveness and use of updated information to inform development capacity.</p> <p>The zone change signals and safeguards the urban development potential of the land for future. It does not compromise the land being released for residential or industrial activities in accordance with land allocation and staging and/or the Future Proof principles. Consistency with the Future Proof 2017 principles is also covered in Section 2.2.1.</p>
<p>Policy 6.15 Density targets for Future Proof area <i>Hamilton City Council, Waipa District Council and Waikato District Council shall seek to achieve compact urban environments that support existing commercial centres, multi-modal transport options, and allow people to live, work and play within their local area. In doing so, development provisions shall seek to achieve over time the following average gross density targets.</i></p>	<p>As discussed above, Pokeno was not part of the Future Proof 2009 area. Therefore, the density targets sought under Policy 6.15 do not cover Pokeno. Table 2 of Future Proof 2017 ('Future Proof and RPS density targets') aligns with the density targets under Policy 6.15 but also includes Pokeno.</p> <p>The relevant density targets for Pokeno are those for Greenfield development which are 12-15 dwellings per hectare. It is important to note that these figures are average gross density targets, allowing for higher and lower densities in certain areas to reflect specific location and site characteristics.</p> <p>While the exact density is anticipated to be determined through future planning processes and as detailed analysis of the land progresses, an Indicative Masterplan concept has been prepared and is contained within the statement of Mr Vile. This achieves a density of approximately 13 dwellings per (net) hectare.</p>
<p>Policy 6.16 Commercial development in the Future Proof area</p>	<p>Policy 6.16 directs commercial development towards the existing commercial centres and the identified centres in Table 6-4. It is acknowledged that Pokeno is not identified in Table 6-4 (as it</p>

²⁴ The triggers include using land and infrastructure to a certain level before developing a subsequent growth area, ensuring that infrastructure is able to be provided to serve new growth areas or new intensification areas and allowing certain growth areas to reach critical mass for good place-making (Future Proof Growth Strategy 2017, p. 34)

<p>Management of the built environment in the Future Proof area shall provide for varying levels of commercial development to meet the wider community's social and economic needs, primarily through the encouragement and consolidation of such activities in existing commercial centres, and predominantly in those centres identified in Table 6-4 (section 6D). Commercial development is to be managed to:</p> <ul style="list-style-type: none"> a) support and sustain the vitality and viability of existing commercial centres identified in Table 6-4 (section 6D); b) support and sustain existing physical resources, and ensure the continuing ability to make efficient use of, and undertake long-term planning and management for the transport network, and other public and private infrastructure resources including community facilities; c) recognise, maintain and enhance the Hamilton Central Business District as the primary commercial, civic and social centre of the Future Proof area, by: <ul style="list-style-type: none"> (i) encouraging the greatest diversity, scale and intensity of activities in the Hamilton Central Business District; (ii) managing development within areas outside the Central Business District to avoid adverse effects on the function, vitality or amenity of the Central 	<p>was not part of the Future Proof Area in 2009 as discussed above). However, Table 4 of Future Proof 2017 ('Future Proof and RPS hierarchy of major commercial centres') is relevant and is an updated equivalent to Table 6-4 and specifies Pokeno as a Town Centre.</p> <p>The proposal can demonstrate consistency with Policy 6.16 as the neighbourhood commercial centre:</p> <ul style="list-style-type: none"> • is intended to provide for day-to-day needs and will not undermine the role of Pokeno town centre as the key commercial and industrial centre. • Will reduce the need for vehicle trips • Anchors the recreational, cultural and social features being the church, dog park and tennis courts.
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<p>Business District beyond those effects ordinarily associated with trade competition on trade competitors; and</p> <p>(iii) encouraging and supporting the enhancement of amenity values, particularly in areas where pedestrian activity is concentrated.</p> <p>d) recognise that in addition to retail activity, the Hamilton Central Business District and town centres outside Hamilton are also centres of administration, office and civic activity. These activities will not occur to any significant extent in Hamilton outside the Central Business District in order to maintain and enhance the Hamilton Central Business District as the primary commercial, civic and social centre;</p> <p>e) recognise, maintain and enhance the function of sub-regional commercial centres by:</p> <p>(i) maintaining and enhancing their role as centres primarily for retail activity; and</p> <p>(ii) recognising that the sub-regional centres have limited non-retail economic and social activities;</p> <p>f) ensure new commercial centres are only developed where they are consistent with a) to f) of this policy. New centres will avoid adverse effects, both individually and cumulatively on...</p>	
Freshwater	

<p>Objective 3.14 Mauri and values of fresh water bodies</p> <p>Objective 3.16 Riparian areas and wetlands</p> <p>Policy 8.1 Approach to identifying fresh water body values and managing fresh water bodies</p> <p>8.2 Outstanding fresh water bodies and significant values of wetlands</p> <p>8.3 All fresh water bodies</p>	<p>The objectives and policies regarding freshwater and wetlands are given effect to by rezoning for the following reasons:</p> <ul style="list-style-type: none"> • Provides an opportunity to restore and make a feature of the stream which dissects the site. • Provides significant environmental enhancement through rehabilitation of the stream and riparian edges. • Substantially improving water quality and the quality of the habitat. Water quality will be improved through reduction in faecal coliforms from both the removal of grazing animals and the septic tanks from the surrounding farms, as well as the ceasing of sprays and fertiliser associated with rural production. • The stream is very open and exposed and revegetation will create additional protection and habitat for native fauna. • Enable substantial improvements to the health and mauri of the stream. • Protection and restoration of the wetlands • Cessation of grazing animals crossing the stream • Reduction in sediment and erosion in the stream catchment
<p>Heritage</p> <p>Objective 3.18 Historic and cultural heritage</p> <p>Policy 10.1 Managing historic and cultural heritage</p> <p>Policy 10.2 Relationship of Maori to taonga</p> <p>Policy 10.3 Effects of development historic and cultural heritage</p>	<p>The historic and cultural-heritage related objectives and policies seek to protect, maintain or enhance historic and cultural heritage resources in order to retain the identity and integrity of the history and culture of New Zealand and the Waikato region.</p> <p>The proposed future urban zoning sought is consistent with these relevant objectives and policies as:</p> <ul style="list-style-type: none"> • The proposal will not compromise opportunities to recognise, protect and increase the prominence of the existing heritage item (St Mary's Church) within the subject area. St Mary's Church is identified as a heritage item in both the operative and proposed Waikato District Plans, and on the Heritage New Zealand Heritage List. It is recognised for its social

	<p>significance as place of gathering and congregation for the Pokeno community for more than a century.</p> <ul style="list-style-type: none"> • The rezoning provides the opportunity for the church to physically reconnect with the community instead of being isolated on the outskirts. Prior to 1920, St Mary's on the Hill was the centre of the growing Pokeno community until it moved towards the Presbyterian Church on Fraser Road. • the heritage item will be located on a key node and intersection. This provides opportunity for the heritage item to be positively integrated as a key physical and social landmark in future urban development. • The proposal supports integrated and long-term planning being undertaken, unlocking opportunities for greater tangata whenua involvement and partnership in the decision making and planning process. • The proposal does not preclude the need to undertake detailed site analysis and engagement with relevant stakeholders/partners to identify any other historic or cultural heritage features that needs to be recognised, protected, maintained or enhanced within Pokeno East to support subdivision applications in future.
Indigenous Biodiversity	
<p>Objective 3.19 Ecological integrity and indigenous biodiversity</p> <p>Policy 11.1 Maintain or enhance indigenous biodiversity</p> <p>Policy 11.2 Protect significant indigenous vegetation and significant habitats of indigenous fauna</p> <p>Policy 11.3 Collaborative management</p>	<p>The Indigenous Biodiversity-related objectives and policies seek to achieve healthy and functional ecosystems that support indigenous biodiversity. There is a focus on achieving no net loss of indigenous biodiversity at a regional scale, protecting significant vegetation, fauna and habitats and it recognises that integrated and collaborative management is required to achieve this.</p> <p>The proposal is consistent with these objectives and policies as:</p> <ul style="list-style-type: none"> • It prevents further land fragmentation and better supports the area being comprehensively developed in future. This provides better opportunity for significant vegetation, fauna and habitats to be holistically considered and positively integrated in future development. • The stream and wetlands dissect Pokeno East. The rezoning enables opportunities for these features to be enhanced in future (as part of future urbanisation).

	<ul style="list-style-type: none"> • The rezoning of Pokeno East will enable the restoration of the stream which dissects the site and its riparian margins. Although the stream does not have a direct connection with the Waikato River, it eventually flows to the Mangatawhiri wetland which does drain to the Waikato River through tributaries. The restoration of the stream will give effect to the Vision and Strategy by substantially improving water quality and the quality of the habitat. • Water quality will be improved through reduction in faecal coliforms from both the removal of grazing animals and the septic tanks from the surrounding farms, as well as the ceasing of sprays and fertiliser associated with rural production. • The stream is very open and exposed and revegetation will create additional protection and habitat for native fauna. • Rezoning will enable substantial improvements to the health and mauri of the stream. • The proposal does not preclude the need for further detailed site assessment to identify other features to be protected/integrated or the protection of these features. • Although there are very few mature indigenous trees on Pokeno East, the few that are there will be protected and incorporated into the overall design.
Landscape, natural character and amenity	
<p>Objective 3.20 Outstanding natural features and landscapes</p> <p>Objective 3.21 Amenity</p> <p>Objective 3.22 Natural character</p> <p>Objective 3.23 Public access</p> <p>Policy 12.1 Outstanding natural features and landscapes</p> <p>Policy 12.2 Preserve natural character</p> <p>Policy 12.3 Maintain and enhance areas of amenity value</p>	<p>The proposal is consistent with these objectives and policies as:</p> <ul style="list-style-type: none"> • Pokeno East does not contain any outstanding features or landscapes. • The potential growth area creates an opportunity to retire the land from grazing and existing farming/rural activities and improve the quality of the environment and enhance amenity values. • The potential growth area provides opportunity to enhance the ecological function, amenity value and public accessibility of the stream and wetlands identified within the proposal extent. • The natural features of Pokeno East are identified and form a central focus for the design and layout.

Policy 12.4 Maintain and enhance public access Policy 12.5 Appropriate restrictions on public access	<ul style="list-style-type: none"> Public access to and along the stream is a key feature of the layout and design of Pokeno East.
Natural Hazards	
Objective 3.24 Natural Hazards Policy 13.1 Natural hazard risk management approach Policy 13.2 Manage activities to reduce the risks from natural hazards Policy 13.3 High impact, low probability natural hazard events	<p>The proposal is consistent with these objectives and policies as:</p> <ul style="list-style-type: none"> Pokeno East is not identified as having any natural hazards on the Proposed District Plan maps. The topography of Pokeno East is that the stream is deeply incised. The Indicative Masterplan for Pokeno East has located dwellings well above the level and defined edge of the stream. This will increase the resilience of the development and allow the stream to naturally respond to flood events (even if they increase in duration and intensity) without compromising the safety of people or property. There are no unmanageable natural hazards (flooding, instability etc.) identified on Pokeno East that could preclude the proposal extent from accommodating future urban growth.
Soils	
Objective 3.25 Values of soil Objective 3.26 High class soils Policy 14.1 Maintain or enhance the life supporting capacity of the soil resource Policy 14.2 High class soils	<p>The proposal is consistent with these objectives and policies as:</p> <ul style="list-style-type: none"> Development of Pokeno East will be able to maintain or enhance soil resources and suitably manage sediment and erosion. The topography of Pokeno East means minimal earthworks to facilitate urban development. While Pokeno East may have high class soils, the area can no longer support primary production activities. This is due to the land fragmentation that has occurred over the past 30 years in addition to water supply constraints and managing reverse sensitivity issues between rural production and adjoining residential development in the area. The lack of water available from the stream (and the fact that Waikato Regional Council are reducing the take of current water take consents) and the proximity of the adjoining residential development means this potential is unable to be realised. This is discussed more fully in the evidence of Ms Dobson.

2.1.5 THE VISION AND STRATEGY FOR THE WAIKATO RIVER

The Vision and Strategy for the Waikato River is a fundamental aspect of the WRPS that must be given effect to. The overall vision is captured in clause 2.5.1 which is:

‘Our vision is for a future where a healthy Waikato River sustains abundant life and prosperous communities who, in turn are all responsible for restoring and protecting the health and wellbeing of the Waikato river, and all it embraces, for generations to come.’

Although the stream does not have direct connection to the Waikato River, the Vision and Strategy is a “whole of River” approach which includes the wider catchment. The proposed rezoning is entirely consistent with the Vision and Strategy.

TABLE 6: THE VISION AND STRATEGY FOR THE WAIKATO RIVER ASSESSMENT	
RELEVANT PROVISIONS	ASSESSMENT
9. Encourage and foster a ‘whole of river’ approach to the restoration and protection of the Waikato River, including the development, recognition and promotion of best practice methods for restoring and protecting the health and wellbeing of the Waikato River.	<p>The concept of restoration and protection means to preserve and improve, which is interpreted as ‘betterment’ for the river. That is, rather than maintaining the status quo, there is a need to take steps to improve it. This is usually applied to the physical state of the River, with particular emphasis on the water quality improvements. However, the objectives in section 2.5.2 are much wider than that, so should be given weight in addition to water quality.</p> <p>As this is a rezoning submission, it does not directly result in physical development and the associated effects, positive and negative. Rather, it enables development, with the development form being guided by District Plan provisions, and the future effects being governed by future detailed design and resource consents.</p> <p>However, the most significant effect of rezoning this area of land is the significant increase in water quality of the stream which dissects the site. While there is no direct connection of the stream to the Waikato</p>

	<p>River, it drains into the Mangatawhiri wetland which does have a physical connection with the Waikato River. The improvement in water quality of the stream will result from:</p> <ul style="list-style-type: none"> • Removal of on-site septic tanks and wastewater discharges • Removal of grazing animals from the stream catchment. This will reduce the levels of faecal coliforms as well as reduced sediment • Removal of farm crossings • Management of earthworks to prevent erosion and sedimentation • Restoration through riparian planting • Increased habitat through riparian planting • Protection of the natural wetlands • Cessation of farm practices including the use of sprays and fertiliser • Public access <p>The removal of the onsite septic tanks and replacement with a connection to the reticulated wastewater system will result insignificant improvements to the stream and wetland water quality.</p> <p>This broad approach is consistent with the Vision, whereby the physical health of the river ('abundant life') sits alongside the non-physical 'prosperous communities' and the shared responsibilities for restoring and protecting it.</p>
12. Ensure appropriate public access to the Waikato River while protecting and enhancing the health and wellbeing of the Waikato River.	<p>The rezoning will enable public access to the stream, elevating the level of kaitiakitanga. Enabling access will facilitate Maori to carry out any traditional practices associated with riparian flora and fauna.</p>

2.1.6 WAIKATO REGIONAL PLAN ('WRP')

Section 75(4)(b) of the RMA requires that a district plan must not be inconsistent with a regional plan.

The Waikato Regional Plan (WRP) provides direction regarding the use, development and protection of natural and physical resources in the Waikato region. The WRP contains modules and rules covering Matters of Significance to Māori, Water, River and Lake Beds, Land and Soil, Air, and Geothermal Resources and sets out the activities triggering resource consent. The associated WRP maps do not identify any specific features (i.e., geothermal features, fish habitats) within the proposal extent that will require particular consideration under the WRP at this stage.

An overall assessment of the proposal against the relevant WRP objectives and policies is provided below.

TABLE 5: WRP ASSESSMENT	
RELEVANT PROVISIONS	ASSESSMENT
<u>Chapter 1: Approaches to Resource Management</u> <ul style="list-style-type: none">1.2.3 Objectives 1-41.2.4 Policies 1-10	<p>The proposal is not inconsistent with the WRP as:</p> <ul style="list-style-type: none">The proposal does not preclude the need to assess the adverse effects of future proposed activities and ensure they are appropriate for the receiving environment. Resource consent applications will still need to be prepared for lodgement with the Waikato Regional Council as necessary to enable future urban development.The proposal provides a level of certainty to enable long term decision making to be undertaken and for Councils and stakeholders to plan for the social, economic, cultural well-being of their communities. The proposal recognises the lead in time
<u>Chapter 2: Matters of Significance to Maori</u> <ul style="list-style-type: none">2.3.2 Objectives2.3.3 Policies 1-2	
<u>Chapter 3: Water Module</u> <u>3.1 Water Resources</u> <ul style="list-style-type: none">3.1.2 Objective	

<ul style="list-style-type: none"> • 2.3.3 Policies 1-2 <p><u>3.2 Management of Water Resources</u></p> <ul style="list-style-type: none"> • 3.2.2 Objective • 3.2.3 Policies 1-8 <p><u>3.5 Discharges</u></p> <ul style="list-style-type: none"> • 3.5.2 Objective • 3.5.3 Policies 1-7 <p><u>3.6 Damming and Diverting</u></p> <ul style="list-style-type: none"> • 3.6.2 Objective • 3.6.3 Policies 1-4 <p><u>3.7 Wetlands</u></p> <ul style="list-style-type: none"> • 3.7.2 Objective • 3.7.3 Policies 1-2 <p><u>3.8 Wetlands</u></p> <ul style="list-style-type: none"> • 3.8.2 Objective • 3.8.3 Policies 1-2 <p><u>3.9 Non-Point Source Discharges</u></p> <ul style="list-style-type: none"> • 3.9.2 Objective • 3.9.3 Policies 1-2 	<p>involved with making land development ready, providing the necessary infrastructure (to effectively manage discharges) and to undertake valuable consultation with and build strong relationships with Tangata Whenua so they are able to give effect to kaitiakitanga.</p> <ul style="list-style-type: none"> • The proposal does not preclude the need to effectively manage water bodies identified within the proposal extent and wider catchment including the Waikato River. The potential growth area creates an opportunity to retire the land from grazing, farming and rural activities and improve and enhance existing water bodies as part of future physical urban development. It is anticipated that further site-specific analysis will be undertaken to identify any features/habitats that need to be incorporated, protected or enhanced as part of future urban development and to ensure that water resources are used efficiently. A Landscape and Urban Design assessment is incorporated into the evidence of Ms Jack and Mr Vole, which includes an Indicative Masterplan that illustrates how the existing water bodies within Pokeno East could be retained and restored as part of urbanisation. • While the proposal extent area is identified as having productive soils, the area is no longer considered appropriate for food production purposes due to land fragmentation and water supply constraints. The accessibility of the land extent to existing/anticipated services, its proximity to existing urban areas and its indicative identification for future urban growth area in various strategic documents (e.g., H2A Corridor Plan, Future Proof Strategy 2017, Pokeno Blueprint) makes it better suited to accommodate urban activities.
<p><u>Chapter 4: River and Lake Bed</u></p> <p><u>4.2 River and Lake Bed Structures</u></p> <ul style="list-style-type: none"> • 4.2.2 Objective • 4.2.3 Policies 1-6 	

<p><u>4.3 River and Lake Bed Structures</u></p> <ul style="list-style-type: none"> • 4.3.2 Objective • 4.3.3 Policies 1-3 and 6-7 	<ul style="list-style-type: none"> • The proposal does not preclude the need to manage natural hazards and risks including land instability, accelerated erosion, sediment discharge and contamination. It is anticipated that in order to support future planning process, site specific geotechnical, hazard and/or contamination assessment will be undertaken to inform how Pokeno East will provide for future urban growth.
<p><u>Chapter 5: Land and Soil Module</u></p> <p><u>5.1 Accelerated Erosion</u></p> <ul style="list-style-type: none"> • 5.1.2 Objective • 5.1.3 Policies 1-4 <p><u>5.2 Discharges Onto or Into Land</u></p> <ul style="list-style-type: none"> • 5.3.2 Objective <p>5.3.3 Policies 1-5</p>	

2.1.7

2.1.8 WAIKATO-TAINUI ENVIRONMENTAL PLAN, TAI TUMU, TAI PARI, TAI AO

The Waikato-Tainui Environmental Plan sets out a Waikato-Tainui perspective on the management of effects particularly the issues, objectives, policies and methods associated with natural resources and environmental management that apply across the Waikato-Tainui rohe/tribal boundaries.

This is a relevant planning document as referred to in section 74(2A) of the RMA which requires a local authority to take into account any relevant planning document recognised by an Iwi Authority and lodged with the local authority, to the extent that its content has a bearing on the resource management issues of the district, when preparing or changing a district plan. As set out below, the rezoning is consistent with the objectives, policies and methods outlined in this document.

An overall assessment of the proposal against the relevant Waikato-Tainui Environmental Plan objectives and policies is provided below.

TABLE 6: WAIKATO-TAINUI ENVIRONMENTAL PLAN ASSESSMENT	
RELEVANT PROVISIONS	ASSESSMENT
<u>10 Tribal Strategic Plan – Whakatupuranga Waikato-Tainui 2050</u> <ul style="list-style-type: none">10.5 Objectives, policies and methods	The proposal signals the land's urban growth potential early on, providing sufficient lead in time to undertake the general process for consultation and engagement with Waikato-Tainui as described in the Plan. It supports undertaking the agreed consultation and engagement process at early stages to clarify areas of disagreement and to resolve any issues.
<u>11 The Vision and Strategy for the Waikato River – Te Ture Whaimana o te awa o Waikato</u> <ul style="list-style-type: none">11.7 Objectives, policies and methods	<p>The rezoning of Pokeno East will ultimately enable the restoration of the stream which dissects the site and its riparian margins. Although the stream does not have a direct connection with the Waikato River, it eventually flows to the Mangatawhiri wetland which does drain to the Waikato River through tributaries.</p> <p>The restoration of the stream will give effect to the Vision and Strategy by substantially improving water quality and the quality of the habitat.</p>

	<p>Water quality will be improved through reduction in faecal coliforms from both the removal of grazing animals and the septic tanks from the surrounding farms, as well as the ceasing of sprays and fertiliser associated with rural production. The stream is very open and exposed and revegetation will create additional protection and habitat for native fauna. The over-arching purpose of the Vision and Strategy is to “restore and protect the health and wellbeing of the Waikato River for future generations” and the restoration of the stream will assist in achieving this goal.</p> <p>The Waikato Tainui environmental plan Tai Tumu Tai Pari Tai Ao states that the goal of Waikato-Tainui is to aim for positive ecological and social outcomes where the resource use and activities effecting the environment becomes a conduit for remedying past pollution (amongst other things). Resource users and activity operators need to consider how their proposal can actually enhance the environment, and rezoning will enable substantial improvements to the health and mauri of the stream.</p> <p>The layout and design of Pokeno East will also respond to the uniqueness of this place, in accordance with the principals of enhancement in the Waikato Tainui environmental plan Tai Tumu Tai Pari Tai Ao.</p> <p>Development has the potential to incorporate significant landscaping to achieve positive ecological outcomes especially where existing water bodies and habitats are located.</p>
<u>14: Customary Activities</u>	<p>At present, the stream is unable to be accessed due to being within private ownership. The rezoning and eventual development of Pokeno East will enable public access to the stream for the length of the site. The effect of this is that Objective 14.3.1.1 will be achieved where Waikato-Tainui is provided access to spiritually and culturally significant sites to undertake customary activities and resource use. This will enable Objective 14.3.2 to be realised where customary activities can be</p>

	protected and enhanced around waterways and their margins including the wetland.
<u>15 Natural Heritage and Biosecurity – Ngaa taonga Maori Tuku Iho Me Te Aarai Taiao</u> <ul style="list-style-type: none"> 15.3 Objectives, policies and methods 	Restoration of the stream, wetland and riparian margin will achieve Objective 15.3.1 and its associated policies and methods. There will be no further loss of aquatic habitat and a significant improvement in water quality and habitat diversity as a result of development of Pokeno East.
<u>16 Valuable Historical Items, Highly Prized Sites, Sites of Significance – Ngaa Taonga Tuku Iho, Ngaa Waahi Tapu, Ngaa Waahi Tuupuna</u> <ul style="list-style-type: none"> 16.3 Objectives, policies and methods 	There are no Maori Areas, Sites of Significance or recorded archaeological sites within Pokeno East, however, if consultation with relevant iwi did identify any such areas, the design can be modified to protect waahi tapu and waahi tupuna sites. The proposal provides flexibility to ensure appropriate guidelines and protocols are followed when the land is released for urban development in future through a subdivision consent application. As a standard procedure accidental discovery protocols would be implemented as part of the subdivision consent.
<u>17 Natural Hazards – Ngaa Moorearea Ao Tuuroa</u> <ul style="list-style-type: none"> 17.3 Objectives, policies and methods 	There are no natural hazards identified within the proposal extent that could significantly preclude the area from accommodating future urban growth. The stream is deeply incised and therefore all urban development has been located on the plateau above, some considerable vertical distance from the stream. This means the stream is free to respond naturally to rainfall events without endangering people or property.
<u>19 Freshwater – Te Wai Maaori</u> <ul style="list-style-type: none"> 19.4 Objectives, policies and methods 	The rezoning will enable the restoration of the stream which dissects the site and its riparian margins. Although the stream does not have a direct connection with the Waikato River, it eventually flows to the Mangatawhiri wetland which does drain to the Waikato River through tributaries. The restoration of the stream will give effect these objectives and policies by substantially improving water quality and the quality of

	<p>the habitat. Water quality will be improved through reduction in faecal coliforms from both the removal of grazing animals and the septic tanks from the surrounding farms, as well as the ceasing of sprays and fertiliser associated with rural production.</p> <p>The stream is very open and exposed and revegetation will create additional protection and habitat for native fauna.</p> <p>The Waikato Tainui environmental plan Tai Tumu Tai Pari Tai Ao states that the goal of Waikato-Tainui is to aim for positive ecological and social outcomes where the resource use and activities effecting the environment becomes a conduit for remedying past pollution (amongst other things). Resource users and activity operators need to consider how their proposal can actually enhance the environment, and rezoning will enable substantial improvements to the health and mauri of the stream.</p>
<p><u>20 Wetlands – Ngaa Repo</u></p> <ul style="list-style-type: none"> 20.3 Objectives, policies and methods 	<p>The existing natural wetlands on Pokeno East will be protected and restored through rezoning. In a similar way to the stream, the wetlands will be improved through reduction in faecal coliforms from both the removal of grazing animals and the septic tanks from the surrounding farms, as well as the ceasing of sprays and fertiliser associated with rural production. This is consistent with the objectives and policies in this section of Tai Tumu Tai Pari Tai Ao.</p>
<p><u>21 Land – Te Whenua</u></p> <ul style="list-style-type: none"> 21.3 Objectives, policies and methods 	<p>The topography of Pokeno East is well suited for residential development which means the level of earthworks required will be reduced. Some earthworks will be required as part of enabling urban development, however the stream and wetlands can be effectively protected from sediment entering the waterways. The revegetation of the riparian margins will be effective in further restoring the stream and avoiding any streambank erosion.</p> <p>While the is likely to have productive soils, the area is no longer considered appropriate for food production purposes due to land</p>

	<p>fragmentation and reverse sensitivity due to the proximity of residential development. The accessibility of the land extent to existing/anticipated services, its proximity to existing urban areas and its indicative identification for future urban growth area in various strategic documents (e.g., H2A Corridor Plan, Future Proof Strategy 2017, Waikato 2070) makes it better suited to urban activities and constitutes an efficient use of the land resource.</p>
<p><u>25 Land Use Planning – Ngaa Whakaritenga Moo Ngaa Whenua O Waikato Tainui</u></p> <ul style="list-style-type: none"> 25.3 Objectives, policies and methods 	<p>The rezoning and any subsequent development is consistent with the development principles outlined in this section. The environment will be enhanced in accordance with Objective 25.3.1, especially with the restoration of the stream which dissects Pokeno East, its riparian margins and natural wetlands.</p> <p>The rezoning will result in urban development that is efficient and connected to the existing urban area of Pokeno. The use and development of Pokeno East for urban uses will have positive environmental and cultural effects.</p>
<p><u>26 Infrastructure – Waihangā Matua</u></p> <ul style="list-style-type: none"> 26.3 Objectives, policies and methods 	<p>The proposal recognises the importance of having sufficient infrastructure to service future urban growth, effectively manage discharges and the lead in time involved to establish this infrastructure. The proposal provides a level of certainty to infrastructure providers to plan accordingly and flexibility to release the land only when the infrastructure is in place.</p> <p>As outlined in the Framework Report and the s42A on Future Urban Zone, Waikato District Council has a model where zoning is needed first to enable planning and funding of infrastructure. Additional growth into areas which have existing infrastructure networks enable Council to leverage those assets to provide better value for ratepayers, and these areas includes Pokeno. In these areas Council already has a network of existing infrastructure assets (roading, waters, community facilities)</p>

	<p>which either have existing capacity or, with investment, are scalable to support growth. Pokeno East is already serviced by the public water supply, and the existing publicly reticulated wastewater system can be easily extended from Pokeno upon upgrade of the Tuakau wastewater treatment plant. Long Term Plans are required to be reviewed every three years and thus identification of land suitable for urban development needs to be clearly identified by zoning in order for provision to be made in Long Term Plans for the necessary infrastructure to be provided in a staged manner and provides some certainty regarding the long-term direction of township growth.</p> <p>The rezoning will enable landowners, the community and infrastructure providers to plan for the eventuality and respond to the anticipated growth. Progress can be made towards making the land infrastructure ready and achieving long-term capacity requirements. It will enable more efficient delivery of necessary infrastructure due to the potential to spread the costs and avoid incremental upgrades.</p> <p>Rezoning Pokeno East as urban will ensure any plans progressed by Waka Kotahi for State Highway 2 are responsive to urban environments. Waka Kotahi has been developing a number of widening and realignment plans for State Highway 2 for many years, but these have always assumed this area would remain rural. The rezoning will enable the planned upgrades and realignments of State Highway 2 to be responsive to the future surrounding land uses. In addition, the urban zoning will enable the current driveway accesses from State Highway 2 to be removed, and thus improve the safety of the state highway network.</p> <p>Pokeno East benefits from suitable existing or anticipated access to new infrastructure or upgrades to infrastructure. This includes improved public transport connections, improved road and cycling connections and water/wastewater infrastructure which are initiatives set out in the</p>
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	H2A Corridor Plan. The Waikato District Council Long Term Plan 2018-28 also identifies a Park n Ride facility as a major capital project in Pokeno for 2044-48 (est. \$13.6million).
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2.2 NON-RMA DOCUMENTS AND OTHER CONSIDERATIONS

2.2.1 FUTURE PROOF STRATEGY 2017

The Future Proof Strategy ('Future Proof 2017') is a 30-year growth management and implementation plan specific to the Hamilton, Waipa and Waikato sub-region. Future Proof provides an overall framework for aligning the plans and strategies of organisations that deal with growth along with other local and central government agencies.

Future Proof was originally completed in 2009, and this version was referenced in the Waikato Regional Policy Statement. A review of Future Proof began in 2015 and a Phase 1 update was completed in November 2017. The focus of the Phase 1 update was on growth management principles. Future Proof is currently being reviewed and a Phase 2 update is expected later in 2021, which will address the requirements of the National Policy Statement on Urban Development and the government's Urban Growth Agenda, including the outcomes of the Hamilton to Auckland Corridor Plan.

Future Proof 2017 is a relevant document to be taken into account when considering the rezoning as it was developed under the Local Government Act, and therefore qualifies for consideration under Section 74(2)(b)(i) of the RMA. Below is an assessment of the rezoning against the 'Guiding Principles' in Future Proof 2017, which are similar to the Development Principles in the RPS but are more up to date, and concluded it is consistent with them. The settlement pattern as restated in Future Proof 2017 states that growth and development 'aims to achieve more compact and concentrated urban towns over time'. The settlement pattern is made up of key growth areas that have been identified within the sub-region: Hamilton City, Cambridge, Te Awamutu and Kihikihi, Pokeno, Tuakau, Huntly, Te Kauwhata, Ngaruawahia and Raglan. Future Proof 2017 includes guiding principles that should be used in assessing and measuring proposals against the Strategy. The ongoing application of these principles is key to effective implementation of the Strategy.

An overall assessment of the proposal against Future Proof 2017 and key sections is provided in Table 7 below.

TABLE 7: FUTURE PROOF STRATEGY ASSESSMENT	
RELEVANT SECTIONS	ASSESSMENT
Section 1.3 Guiding Principles 1. Effective Governance, Leadership, Integration, Implementation and Productive Partnerships	Pokeno is included in Future Proof 2017, whereas it was not part of the Future Proof area in 2009 when Franklin and Waikato were separate local authorities. Pokeno East is clearly identified in Future Proof 2017 for residential development. The proposed zoning extent is located adjacent

- Ensure that collaborative arrangements are in place for effective Strategy governance and implementation.
- Ensure that the Strategy is integrated into the partners' and other implementation agencies' policy documents and plans.
- Encourage the partners to be advocates for the Future Proof Strategy to central government and other implementation agencies.
- Monitor the effectiveness of the Strategy's guiding principles so that we better understand the propositions "what has happened" and "what difference did the Future Proof Strategy make".

to existing urban settlement in Pokeno and at a key node in the Waikato District. It is within the indicative Urban Limits for Pokeno identified in the Future Proof Settlement Pattern (Map 1 of the Strategy and included below) and can provide for compact urban form in future. In order for the Strategy to be integrated into the Waikato District Plan as part of its policy document, it is appropriate for the rezoning to be included in the Proposed District Plan.

Incorporating the proposed future urban zoning into the District Plan contributes towards Council integrating the Strategy into their plan. The proposal is completely consistent with the anticipated Settlement Pattern and the growth projections.

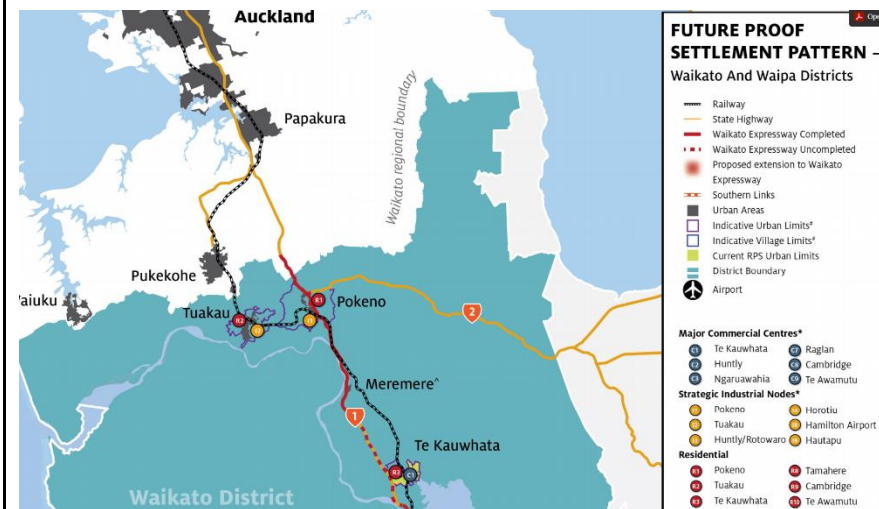


FIGURE 3 MAP 1 (APPENDIX 2 OF FUTURE PROOF 2017)

<p>2. Diverse and Vibrant Metropolitan Centre linked to Thriving Town and Rural Communities and Place of Choice – Live, Work, Play, Invest and Visit</p> <ul style="list-style-type: none"> • Recognise the importance of the Future Proof sub-region within the wider Waikato Region and the upper North Island. • Maintain and enhance the Hamilton Central City as the primary commercial, civic and social centre of the Future Proof area, with it also becoming an important residential intensification area. • Ensure the sub-region's towns and villages retain their individual and distinct identities with thriving town centres that support people to live, work, play, invest and visit. • Promote increased densities in new residential development and more intensive redevelopment of existing urban areas. • Encourage development to locate adjacent to existing urban settlements and nodes in both the Waikato and Waipa Districts and that rural-residential development occurs in a sustainable way to ensure it will not compromise the Future Proof settlement pattern or create demand for the provision of urban services. • Ensure commercial and industrial development is located in selected sub-regional areas and that it is not located where it undermines the areas of influence of the Hamilton Central City, Cambridge, Te Awamutu, Pokeno, Tuakau, Te Kauwhata, Horotiu, Ngaruawahia, Raglan and Huntly. • Provide housing and lifestyle choice within defined locations, including papakāinga, with greater emphasis on good urban 	<p>The rezoning is a logical extension of Pokeno, and will ensure it retains its individual identity. Pokeno East is immediately adjacent to the large lot residential development (zoned Village Zone) on the southern side of Avon Road. This area has already been subdivided and large dwellings have been constructed. In addition, the Residential Zone is directly across State Highway 1 and the urban development is highly visible from Pokeno East. The rezoning of Pokeno East presents an opportunity to create additional growth capacity and assist in meeting projected household demand through approximately 300+ dwellings, while contributing to a well-functioning urban environment. The rezoning will enable physical and social connections to the historic heritage site St Mary's on the Hill, the dog park which is well used by Pokeno residents and the tennis courts which are currently isolated. The stream and wetlands which dissect Pokeno East provides an opportunity to create a blue and green network which matches the pattern of development already established in Pokeno. The neighbourhood commercial node will provide more employment opportunities. The development will support people to live, work, play, invest and visit while celebrating the unique characteristics of Pokeno.</p> <p>The Indicative Masterplan of Pokeno East provides a range of living opportunities, with larger sites where there are constraints such as the state highways or the National Grid, and identifying areas for more intensive development where these are logical and appropriate. Depending on where the Hearings Panel decide for the Residential Zone provisions, the masterplan does not preclude medium density / multi unit residential development where this is appropriate. This approach enables an efficient use of the land as a resource.</p> <p>As outlined above, the rezoning is contiguous with the existing urban area and will support the Future Proof settlement pattern.</p>
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<p>design outcomes. Where possible, respond to government policies on land supply and housing affordability.</p> <ul style="list-style-type: none"> • Maintain the separation of urban areas by defined and open space and effective rural zoning. • Recognise and provide for the growth of urban areas and villages within indicative urban and village limits. • Support existing commercial centres, towns and villages within the sub-region so these places remain vibrant and valued. 	<p>The scale of the neighbourhood commercial node is such that it provides an anchor for the social facilities of the church, dog park and tennis courts and will service daily needs while not undermining the commercial viability of Pokeno town centre.</p> <p>The boundaries of the rezoning are logical and defensible and the use of topography as a defining edge reduces the potential for reverse sensitivity effects with the rural uses to the east of Pokeno East.</p> <p>The proposal recognises the importance of the Future Proof sub-region within the wider Waikato Region and upper north island. The proposal will result in an appropriate future growth area that is of appropriate scale and location to provide for the anticipated long-term growth requirements in Pokeno as a Town Centre.</p>
<p>3. Protection of Natural Environments, Landscapes and Heritage and Healthy Waikato River as Heart of Region's Identity</p> <ul style="list-style-type: none"> • Maintain and enhance the cultural and heritage values of the sub-region. • Ensure that the settlement pattern generally avoids as far as practicable adverse effects on natural hydrological characteristics and processes, soil stability, water quality and aquatic ecosystems; maintain or enhance landscape values; and, promotes positive indigenous biodiversity outcomes and protects significant indigenous vegetation and significant habitats of indigenous fauna. • Maintain, enhance and create important ecological areas and corridors for the protection and enhancement of indigenous biodiversity. 	<p>The rezoning creates an opportunity to protect and celebrate the historic heritage site of St Mary's on the Hill, the location of which used to be the centre of the growing Pokeno community prior to 1920. An urban zone will effectively connect the church and recreation facilities of the dog park and tennis courts to Pokeno centre, as they are somewhat isolated from the town centre at present.</p> <p>The Indicative Masterplan for development of Pokeno East locates all dwellings on the flat plateau, a considerable vertical distance from the deeply incised streambed. This has the effect of limiting the amount of earthworks necessary, as well as protecting people and property from the effects of climate change by giving the stream the space to respond naturally to rainfall events.</p> <p>The rezoning of Pokeno East will enable the restoration of the stream which dissects Pokeno East and its riparian margins. Although the stream does not have a direct connection with the Waikato River, it</p>

<ul style="list-style-type: none"> • Give effect to the Vision and Strategy for the Waikato River by restoring the health and well-being of the Waikato and Waipa Rivers, including adopting an integrated management approach. 	<p>eventually flows to the Mangatawhiri wetland which does drain to the Waikato River through tributaries. The restoration of the stream will give effect to the Vision and Strategy by substantially improving water quality and the quality of the habitat. Water quality will be improved through reduction in faecal coliforms from both the removal of grazing animals and the septic tanks from the surrounding farms, as well as the ceasing of sprays and fertiliser associated with rural production. The stream is very open and exposed and revegetation will create additional protection and habitat for native fauna. The over-arching purpose of the Vision and Strategy is to “restore and protect the health and wellbeing of the Waikato River for future generations” and the restoration of the stream will assist in achieving this goal.</p> <p>The Waikato Tainui environmental plan Tai Tumu Tai Pari Tai Ao states that the goal of Waikato-Tainui is to aim for positive ecological and social outcomes where the resource use and activities effecting the environment becomes a conduit for remedying past pollution (amongst other things). Resource users and activity operators need to consider how their proposal can actually enhance the environment, and rezoning will enable substantial improvements to the health and mauri of the stream and result in positive indigenous biodiversity outcomes. The layout and design of Pokeno East will also respond to the uniqueness of this place, in accordance with the principals of enhancement in the Waikato Tainui environmental plan Tai Tumu Tai Pari Tai Ao.</p> <p>There are very few mature native trees on Pokeno East, but the ones that are there will be protected.</p>
<p>4. Affordable and Sustainable Infrastructure</p> <ul style="list-style-type: none"> • The staging and timing of the settlement pattern will align with the partners’ long-term infrastructure strategies and that 	<p>As outlined in the Framework Report and the s42A on Future Urban Zone, Waikato District Council has a model where zoning is needed first to enable planning and funding of infrastructure. Additional growth into areas which have existing infrastructure networks enable Council to</p>

<p>of any potential waters Council Controlled Organisation (CCO), as well as NZ Transport Agency plans.</p> <ul style="list-style-type: none"> • Encourage development in established settlements to support existing infrastructure. • Protect existing and future infrastructure and transport corridors, including the Waikato Expressway, Southern Links and rail corridors, from development that could constrain or compromise the efficiency of infrastructure and transport corridor operation. • Ensure development is planned to support safe and efficient transport infrastructure, including public transport provision and reduced dependence on motor vehicles. • Recognise the need for stronger links between land-use and transport in respect of the settlement pattern and ensure capacity is matched with development potential. • Ensure large scale community facilities and services are planned on a sub-regional basis to avoid duplication of resources. 	<p>leverage those assets to provide better value for ratepayers, and these areas includes Pokeno. In these areas Council already has a network of existing infrastructure assets (roading, waters, community facilities) which either have existing capacity or, with investment, are scalable to support growth. Pokeno East is already serviced by the public water supply, and the existing publicly reticulated wastewater system can be easily extended from Pokeno upon upgrade of the Tuakau wastewater treatment plant. Long Term Plans are required to be reviewed every three years and thus identification of land suitable for urban development needs to be clearly identified by zoning in order for provision to be made in Long Term Plans for the necessary infrastructure to be provided in a staged manner, and provides some certainty regarding the long-term direction of township growth.</p> <p>The rezoning will enable landowners, the community and infrastructure providers to plan for the eventuality and respond to the anticipated growth. Progress can be made towards making the land infrastructure ready and achieving long-term capacity requirements. It will enable more efficient delivery of necessary infrastructure due to the potential to spread the costs and avoid incremental upgrades.</p> <p>Rezoning Pokeno East as urban will ensure any plans progressed by Waka Kotahi for State Highway 2 are responsive to urban environments. Waka Kotahi has been developing a number of widening and realignment plans for State Highway 2 for many years, but these have always assumed this area would remain rural. The rezoning will enable the planned upgrades and realignments of State Highway 2 to be responsive to the future surrounding land uses. In addition, the urban zoning will enable the current driveway accesses from State Highway 2 to be removed, and thus improve the safety of the state highway network.</p>
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The proposal will not constrain or compromise the efficiency of the supporting infrastructure and transport corridors as identified within the evidence of Mr Black.

Pokeno East benefits from suitable existing or anticipated access to new infrastructure or upgrades to infrastructure. This includes improved public transport connections, improved road and cycling connections and water/wastewater infrastructure which are initiatives set out in the H2A Corridor Plan. The Waikato District Council Long Term Plan 2018-28 also identifies a Park n Ride facility as a major capital project in Pokeno for 2044-48 (est. \$13.6M).

The masterplan has been cognisant of the significant infrastructure relevant to Pokeno East, i.e. State Highway 1 and 2, and the National Grid. The National Grid is already protected by the National Grid Yard and Corridor and thus no residential sites have been located under the lines. This area is instead incorporated into the green and blue corridor around the stream.

In terms of existing or planned public transport, there is now a bus service from Pokeno and a large bus stop constructed in the middle of town. A public rail service is imminent too, with connections south towards Hamilton as well as north to Pukekohe and Auckland. Thus, Pokeno is well suited for the level of growth identified by Future Proof 2017 and Pokeno East is a logical extension to the existing urban area.

The proposed future urban zoning signals the land's urban growth potential early on, which supports long-term integrated planning and decision-making being undertaken. The approach recognises the lead in time involved and required to enable collaboration with partners, tangata whenua and other relevant agencies and to implement an effective strategy.

<p>5. Sustainable Resource Use</p> <ul style="list-style-type: none"> • Protect versatile and quality farmland for productive purposes through the provision of limited rural lifestyle development around existing towns and villages and encouraging a more compact urban footprint. • Ensure development is directed away from potential and known hazard areas as well as areas suited to energy generation and transmission, and important mineral resources (including sand and aggregate) and access routes to these resources. • Ensure that planning for the future use of water maintains or improves water quality and promotes efficient use. • Promote planning for an energy efficient, low carbon emissions, sustainable environment. • Ensure communities are well informed about sustainability principles and are encouraged to incorporate them into daily life. 	<p>The land area is no longer able to support food production or as quality farmland due to land fragmentation and established land uses. As outlined in the social impact assessment, there are many constraints on the productive use of Pokeno East including a lack of water availability and reverse sensitivity effects from the close proximity of residential development. The land is better suited towards urban land uses considering the area's proximity to existing/planned services, established urban development as well its location within the indicative urban limits.</p> <p>The land area is not identified as having any hazard areas that could compromise the suitability of Pokeno East for future urban development.</p> <p>The National Grid is already protected by the National Grid Yard and Corridor and thus no residential sites have been located under the lines. This area is instead incorporated into the green and blue corridor around the stream.</p> <p>The rezoning of Pokeno East helps achieve an energy efficient, low carbon emission, sustainable environment as the site immediately adjacent to the urban zoning of Pokeno. This enables growth within walking distance of the centre of Pokeno and supports the ability for Pokeno to be self sufficient in terms of live, work and play opportunities. The proximity of Pokeno East means less dependence on vehicles and thus support reductions in greenhouse gas emissions. The location of the neighbourhood commercial area means the new community can meet its day-to-day needs without needing to use a vehicle.</p>
<p>6. Tāngata Whenua</p> <ul style="list-style-type: none"> • Ensure that the values, principles, aspirations, roles and responsibilities and the place of tāngata whenua are reflected 	<p>Pokeno East does not have any Maaori Areas or Sites of Significance. However the proposal does not preclude the need to ensure that values, principles, aspirations, roles and responsibilities and the place of tangata</p>

<p>and incorporated into Strategy governance and implementation.</p> <ul style="list-style-type: none"> Recognise the unique relationship that tāngata whenua have with the whenua awa, moana, maunga, taiao katoa: the land, waterways, ocean, mountains, wider environment and other people in the sub- region. This includes, but is not limited to, the practice of kaitiakitanga. 	<p>whenua are incorporated into future planning for the land area through the subdivision consent process.</p> <p>As outlined above, the rezoning will enable the restoration and protection of the stream, its margins and the wetlands on Pokeno East. The over-arching purpose of the Vision and Strategy is to “restore and protect the health and wellbeing of the Waikato River for future generations” and the restoration of the stream will assist in achieving this goal.</p>
<p>Section C – Settlement Pattern</p>	<p>The Settlement Pattern is the cornerstone of the Future Proof 2017 Strategy. It provides the blueprint for growth and development which identifies the existing and future location of residential and business land. The Settlement Pattern seeks to achieve a more compact and concentrated urban form over time. The proposal is consistent with the settlement pattern as:</p> <ul style="list-style-type: none"> Pokeno East is clearly identified in the Indicative Urban Limits for Pokeno. The proposal earmarks land that can provide for additional capacity in future and contribute towards achieving the growth targets for Pokeno under the Future Proof 2017 Strategy (i.e., 80% of growth into Pokeno, Tuakau, Te Kauwhata, Huntly, Ngaruawahia, Raglan and various villages). The rezoning for urban landuses recognises the 30-year period of the strategy and aligns with the staged approach to land release anticipated by the Urban Limits. It provides additional capacity as required, in alignment with growth projections, (additional residential capacity expected in the long-term 2036-2045), once sufficient infrastructure is in place or as new information is made available.

	<ul style="list-style-type: none"> • The masterplan indicates how Pokeno East could be developed, but provides a level of flexibility to enable medium density residential / multi unit residential development where this is appropriate. Density is anticipated to be determined through a subdivision consent and as detailed analysis of the land progresses. However, the masterplan concept demonstrates that a density of approximately 13 dwellings per (net) hectare can be achieved which aligns with the Future Proof 2017 density targets for Pokeno. • Pokeno is identified in the Strategy as having potential for further growth (i.e., in addition to what had already been provided for in the Pokeno Structure Plan; Pokeno Stage 1) acknowledging existing constraints. The rezoning of Pokeno East for urban purposes will help achieve this.
Section 7.5 of Future Proof, 'A Responsive Approach to Development	<p>This section of Future Proof further reinforces the need for flexibility when applying the settlement pattern in the WRPS. The greater emphasis on settlement pattern flexibility and responsiveness is a key difference in Future Proof 2017 when compared to Future Proof 2009. The inclusion of Pokeno East for urban landuses is an example of previously unidentified opportunity (i.e. it was not included in the Franklin Growth Strategy) that will contribute economic, social and cultural benefits, as envisaged by Section 7.5.</p>

2.2.2 WAIKATO GROWTH AND ECONOMIC DEVELOPMENT STRATEGY (WAIKATO 2070)

Waikato 2070, the Waikato District Growth Strategy, was prepared under the special consultative process in the Local Government Act 2005, the same process used for Future Proof. Submissions on the draft strategy were heard in February 2020 and WDC issued decisions on the submissions and adopted the final version of the Strategy on 19 May 2020.

TABLE 9: WAIKATO 2070 ASSESSMENT	
PURPOSE AND KEY OUTCOMES ANTICIPATED BY PLAN	ASSESSMENT
<p>Waikato 2070 is a guiding document that is used to inform how, where and when growth occurs in the Waikato District over the next 50-years. The growth direction within Waikato 2070 is intended to inform long-term planning and therefore affect social, cultural, economic and environmental wellbeing. The Strategy is intended to implement and give life to the District Blueprints and to help to deliver the Future Proof Growth Strategy and spatial plans developed through the Hamilton to Auckland Corridor Plan.</p> <p>The Strategy has four key focus areas:</p> <ol style="list-style-type: none">1. Grow our communities – This includes delivering well-planning and people-friendly communities and promoting sustainable and cost-effective land-use patterns.2. Build our business – This includes supporting existing business to grow and attracting new business to the district and helping to deliver inclusive growth.3. Embrace our identity – This includes promoting our culture, celebrating our history and protecting our environment.	<p>The proposal aligns with the purpose and direction of Waikato 2070 as:</p> <ul style="list-style-type: none">• The Pokeno Development Plan anticipates growth in the area with the possible future population to be 16,000 in 2070 compared with the 2,500 population in 2018 Stats NZ estimates.• Pokeno East is specifically identified in the Pokeno Development Plan as a location for residential activity (i.e., standalone dwellings) with a development timeframe of 10-30 years. These timeframes generally align with when additional capacity is required in Pokeno (2036-2045) as identified in Future Proof 2017. The urban zoning proposed recognises these timeframes and supports the land being released (subject to further detailed analysis and structure planning processes) to provide additional future supply. It also supports land being zoned so that planning and funding of infrastructure can occur.• The spatial pattern anticipated by the Pokeno Development Plan directs future growth area adjacent to existing urban areas and towards achieving a compact urban form. Rezoning of Pokeno East is consistent with this approach.• While a future urban zone retains a level of responsiveness and adaptability, a residential zone does not preclude the land extent from

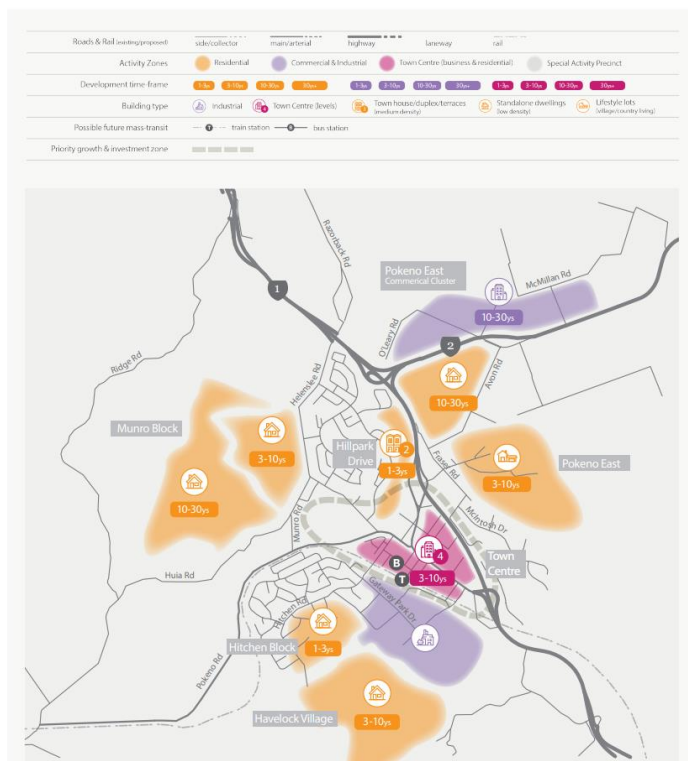
<p>4. Empower our people – This includes increasing capability and capacity and building a resilient local workforce.</p> <p>Waikato 2070 also includes specific area development plans covering 50-year time period. The development plans detail spatially where and when development (residential and employment) can occur in the district. Some areas in the district have a strong capacity to support future growth due to their location, environment and infrastructure. Other areas of the district are significantly constrained and are therefore not suitable for further growth.</p>	<p>accommodating commercial uses (particularly neighbourhood scale commercial uses) depending on the needs of the community in future and as more up-to-date information is made available. The exact layout and land uses is still subject to the necessary planning processes and resource consent applications.</p> <ul style="list-style-type: none"> • The proposal does not preclude incorporating and protecting valuable historic heritage items, and improving the natural environment. Rezoning protects the development potential of the land, whilst retaining flexibility for effective structure planning process and up-to-date information to inform and shape the nature and physical form of future urban development within Pokeno East. • Pokeno East is appropriately located so future urban development/growth can benefit from/be supported by existing and/or anticipated transport (road, rail, public transport), three-waters infrastructure and social facilities – Refer to Section 0 below. • The zoning signals the urban development potential of the land early on and supports long term planning being undertaken, opportunity to develop meaningful and strong partnership with local iwi, allocating necessary funding and establishing necessary infrastructure or upgrades. • Pokeno East is suitable for urban development with very little earthworks required. There are no significant natural hazards or major constraints identified within the site that could significantly compromise the development potential of the land. • The proposed rezoning is consistent with the principles of Waikato 2070 (Section 3.1 of that document) in the following way: <p><i>Deliver well-planned and people-friendly communities</i></p> <ul style="list-style-type: none"> ◦ <i>Develop a quality urban form with high amenity villages and urban environments while being aware of historic heritage, landscapes and the natural environment.</i>
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POKENO DEVELOPMENT PLAN 50-YEARS

Current population and possible future population

2,500*

16,000



- *Enables investment in place-making activities across communities including historic heritage sites, greenways, blue/green networks, walkways, cycleways, bridle trails, and open spaces and streetscape/public space improvements that promote connectedness.* The stream provides a key opportunity for creating and extending a blue /green network. The rezoning also creates an opportunity to protect and celebrate the historic heritage site of St Mary's on the Hill. Extending the existing footpath network along Avon Road will provide opportunities to connect the recreation facilities of the dog park and tennis courts to Pokeno centre.
- *Ensure our towns offer employment and housing choice.* The rezoning will enable further housing and location choice as well as employment opportunities for a neighbourhood commercial area.
- *Avoid development that leads to social isolation.* The rezoning will more effectively connect the residential development on the eastern side of SH1 with the western side than it currently is. The eastern side is somewhat isolated from the town centre at present.
- *Ensure that our communities have easy access to infrastructure and services.* Extending the existing footpath network along Avon Road will provide opportunities to connect the recreation facilities of the dog park and tennis courts to Pokeno centre. Rezoning will enable infrastructure to be planned and funded.
- *Well-situated and appropriately designed passive and active recreation areas.* The stream provides a key opportunity for creating and extending a blue /green network. Rezoning will also enable a connection with the existing recreation facilities of the dig park and tennis courts.

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- *Strengthen collaboration with communities to develop areas in line with their aspirations identified in the Waikato District Council Blueprints.* The rezoning of Pokeno East can help achieve a number of the actions identified in the Pokeno Blueprint, including supporting the Village Zone expansion, identification of additional employment land, and supporting residential expansion.

Promote sustainable and cost-effective land-use patterns

- *Stage development and be adaptable to future growth scenarios.* As outlined in the Framework Report, growth projections for Pokeno have changed considerably since notification of the Proposed District Plan. In addition, the NPS-UD requires an additional 20% land to be zoned for development in excess of projections. The rezoning of this site is an effective way of bringing additional capacity onstream and allows responsiveness to demand for additional urban land.
 - *Integrate land-use and transport to make better use of infrastructure and our transport connections, while interacting and protecting the environment.* The proximity to the two state highways creates exceptional connection opportunities without compromising the efficiency of the state highway network. Pokeno East can be completely serviced from Avon and Fraser Roads, and will enable the three existing accesses from State Highway 2 to be removed. Pokeno East has good connectivity to the town of Pokeno with local distribution road network and footpaths. The rezoning will enable the planned upgrades and realignments of State Highway 2 to be responsive to the future surrounding land uses.
 - *Leverage existing transport networks, including walking and cycling infrastructure, and identify and protect sites and areas from future development.* The proximity to the two state highways creates exceptional connection opportunities without compromising the efficiency of the state highway network. Pokeno
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	<p>East can be completely serviced from Avon and Fraser Roads, and will enable the three existing accesses from State Highway 2 to be removed. Pokeno East has good connectivity to the town of Pokeno with local distribution road network and footpaths. The rezoning will enable the planned upgrades and realignments of State Highway 2 to be responsive to the future surrounding land uses.</p> <ul style="list-style-type: none"> o <i>Locate future development to capitalise on existing serviced network infrastructure and facilities of towns.</i> Pokeno East can be completely serviced from Avon and Fraser Roads, and will enable the three existing accesses from State Highway 2 to be removed. Pokeno East has good connectivity to the town of Pokeno with local distribution road network and footpaths. There is reticulated water already to Pokeno East and the close proximity to the reticulated system of Pokeno means wastewater and water supply can be easily supplied upon upgrade of the Tuakau wastewater treatment plant. o <i>Ensure connectivity and integration of greenfield development to existing built-form (street-block design).</i> Pokeno East can be completely serviced from Avon and Fraser Roads, and integrate seamlessly with the existing road network. Pokeno East has good connectivity to the town of Pokeno with the local distribution road network and footpaths. <p>Support existing businesses to grow and attract new businesses to the district</p> <ul style="list-style-type: none"> o <i>Build on existing industrial clusters and promote the clustering of complementary businesses.</i> The clustering of neighbourhood scale commercial land uses as part of the rezoning will create new employment opportunities but will also provide a quality urban design. <p>Help deliver inclusive growth</p>
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- *Promote the development of a diversified economy and increase employment opportunities in knowledge-based sectors.* The clustering of neighbourhood scale commercial land uses as part of the rezoning will create new employment opportunities but will also provide a quality urban design.

Celebrate our history

- *Protect our natural, cultural and built historic heritage.* The rezoning creates an opportunity to protect and celebrate the historic heritage site of St Mary's on the Hill, especially its role in the early development of Pokeno. It enables the church to once again be the centre of the community rather than isolated on the outskirts.
- *Ensure that new developments and re-development retain and reflect the history of the area and sites.* The rezoning creates an opportunity to protect and celebrate the historic heritage site of St Mary's on the Hill, especially its role in the early development of Pokeno. It enables the church to once again be the centre of the community rather than isolated on the outskirts.

Protect our environment

- *Encourage iwi and hapuu to identify with their culture and the environment.* The rezoning enables meaningful conversations to be had with iwi and find out what is important to them through the consent process. The improvement in the water quality and mauri of the stream will help achieve the Visions and Strategy of the Waikato River, even though the stream does not have a direct connection to the Waikato River.
 - *Encourage communities to be stewards of their environment.* The rezoning will enable access to the stream which is not currently available. This will have the effect of the local community investing and owning the stream.
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	<ul style="list-style-type: none"> o <i>Encourage sustainable and resilient land use patterns that focus development in our key towns which are well connected and serviced by amenities.</i> Pokeno has been identified for significant growth, and this site is immediately adjacent to the larger lot residential development on the eastern side of State Highway 1. Additional population will drive change in the commercial opportunities of Pokeno centre; as has already seen with the opening of the Countdown supermarket. o <i>Promote ecological and environmental protection and restoration.</i> The rezoning will enable retirement and revegetation of the stream and result in significantly improved water quality with the retirement of land from farming and removal of septic tanks. o <i>Restrict residential development in areas at risk from natural hazards.</i> Pokeno East has no significant natural hazards and is well suited for urban development. <p>Build a resilient local workforce</p> <ul style="list-style-type: none"> o Create pipelines of opportunity for all sectors of society to access training and employment opportunities. The clustering of neighbourhood scale commercial land uses as part of the rezoning will create new employment opportunities that are currently not available in Pokeno.
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2.2.3 HAMILTON-AUCKLAND CORRIDOR PLAN & IMPLEMENTATION PROGRAMME 'H2A CORRIDOR PLAN' (NOV 2020)

TABLE 10: HAMILTON-AUCKLAND CORRIDOR PLAN & IMPLEMENTATION PROGRAMME ASSESSMENT

PURPOSE AND KEY OUTCOMES ANTICIPATED BY PLAN	ASSESSMENT
<p>The H2A Corridor Plan outlines the agreed spatial intent for the corridor and a work programme of six focus area and 13 key initiatives. Its purpose is to develop an integrated spatial plan and establish an ongoing growth management partnership for the corridor which:</p> <ol style="list-style-type: none"> 1. Accelerates identified transformational opportunities 2. Outlines key housing, employment, social, environmental and network infrastructure priorities for the corridor over the next 30 years to successfully accommodate growth and also address levels of service, remedial or renewal needs 3. Identifies planning, development, infrastructure, mitigation and restoration works required, and funding and legislative projects partners may take in the short term for implementation of a long-term vision. <p>The agreed spatial intent comprises of:</p> <ul style="list-style-type: none"> • Wāhi toitū – critical areas to protect: protect wāhi toitū (places with enduring presence from development in perpetuity, and only allow development on wāhi toiora (places sensitive to development) with greatest care. • Awarua – Transport corridors: use rapid transit awarua (corridors) to shape and guide future urban growth towards more sustainable, resilient and affordable settlement patterns located in or near public transport centres, and supported by well-connected arterial road and active mode networks 	<p>The proposal aligns with the purpose and direction of the H2A Corridor Plan as:</p> <ul style="list-style-type: none"> • The proposed future urban zoning extent is located within an identified priority development area. The Wāhi mahi and wāhi noho plan identifies the proposal area as 'potential future urban' which is consistent with the transition zoning sought. Pokeno is identified as a main future housing and employment growth cluster with development potential. The proposal extent is adjacent to existing urban areas. • The proposal can contribute towards establishing a well-defined, rail-linked settlement in Pokeno. There are various planned initiatives and key enablers that support the proposal extent accommodating urban growth in future. The proposed zoning extent is suitably located so that future urban development can benefit from and have suitable access to: <ul style="list-style-type: none"> ○ Established motorway connections (as well potentially upgraded/increased capacity connections) ○ The extended Auckland metro rail services to Drury, Paerata, Pukekohe and Pokeno. ○ A new Hamilton-Waikato rapid and frequent transit network. ○ Public transport that connects all settlements along the corridor.

- **Wāhi mahi and wāhi noho** – priority development areas: support and unlock residential and employment development potential in the southern Auckland-northern Waikato and Hamilton-Waikato metropolitan areas, with focus on creating well-functioning urban environments that are integrated, strategic and responsive. Support community and mana whenua-led revitalisation and targeted growth in the river communities that connect them.
- **Whakamana – enabling infrastructure:** support the realisation of full development potential of priority development areas through utilising new and existing housing, social and network infrastructure planning, funding, and financing tools and options for local authorities, iwi, central government, developers and land owners.

The implementation programme for the H2A plan has six focus area with each focus area having a number of initiatives. Of particular relevance are the following:

- Focus Area 1: Waters – Unlock future urban growth and protect and enhance the natural environment through joint planning, integrated growth management and key transformational projects.
- Focus Area 2: Stronger Corridor Connections – Direct and (re)shape future urban growth along the corridor through significantly strengthened green open space and rapid transit networks.
- Focus Area 3: Papakura-Pokeno Area – Supporting and unlocking, where appropriate, the significant residential and employment development potential and iwi aspirations for well-defined, rail-linked settlements through continued integrated growth management, funding and financing and key transformational projects.
- Focus Area 6: Implementation – Supporting the realisation of full development potential in the identified growth clusters through the application of new planning, funding and financing tools and options

- Improved Paerata-Pukekohe-Tuakau-Pokeno road and cycling connections.
- New and appropriate water and wastewater solutions.
- Targeted flood management and stormwater improvements.
- New schools, health, emergency, parks and other community facilities to support and service growth areas.

- The proposal does not preclude the proposal extent accommodating future urban growth that protects and enhances the quality of the natural environments. The proposal supports further detailed site analysis and structure planning being undertaken before releasing land for urban development. Any identified wāhi toitū can be protected and wāhi toiroa considered. Under the wāhi toitū plan (and considering other information currently available), the general proposal extent is not identified as being flood prone, having significant ecological areas, protected areas, steep slopes or peat soil. Elite soils are noted on the proposal extent, however, due to land fragmentation and water supply constraints, food production is no longer a practical or efficient use of the land.
- The proposal recognises the importance of long-term planning and being able to successfully accommodate growth over the next 30 years. A future urban zoning protects and signals land with future growth potential in the short-term but supports the land to being released in future as suitable infrastructure is in place and when it is required. The proposal recognises the lead in time involved with realising full development potential in the

for local authorities, iwi, central government, developers and land owners.	growth clusters with effective planning, funding and financing required.
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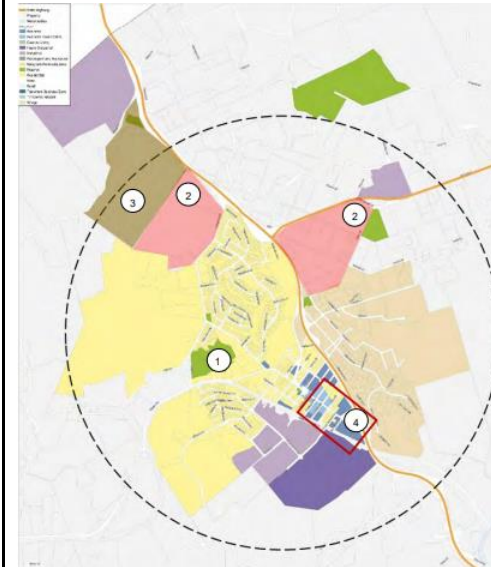
2.2.4 POKENO BLUEPRINT

TABLE 11: POKENO BLUEPRINT ASSESSMENT

PURPOSE AND KEY OUTCOMES ANTICIPATED BY PLAN	ASSESSMENT
<p>Waikato District Council commissioned the development of a District Blueprint in 2018. The Blueprint was developed and delivered through a series of intensive consultation and Inquiry-By-Design workshops between July and November 2018. A final blueprint document was released in June 2019 and it includes a specific Blueprint for Pokeno.</p> <p>The aim of the Blueprint is stated as being “to provide a high-level ‘spatial picture’ of how the district could progress over the next 30 years, address the community’s social, economic and environmental needs, and respond to its regional context”. The Council’s overall vision for the district is “liveable, thriving and connected communities”. The Blueprint explains that it will inform the Long Term Plan, Annual Plan and District Plan.</p>	<p>The proposal aligns with the purpose and direction of the Pokeno Blueprint as:</p> <ul style="list-style-type: none"> • The Pokeno Blueprint map reflects the potential for urban growth, particularly residential in nature, within the proposed transition zoning extent. Medium priority was given to consider supporting residential expansion on the proposed future urban zoning extent. The proposal enables this consideration process being undertaken. The consultation feedback identified that the motorway forms a barrier between the eastern growth area and the rest of Pokeno. The proposal recognises this, and it is anticipated that further site-specific analysis will be undertaken to identify options for addressing this constraint. • The Pokeno Blueprint map demonstrates how the proposal extent can contribute a future growth area that will be adjacent to urban areas and can achieve a compact spatial form. The proposal extent is bound by clear defensible boundaries (surrounding road network) which helps maintain a clear separation from urban and rural land.

- The transition zoning does not prescribe the specific land uses. There is potential for future urban development or live zoning to provide for community facilities (e.g., library, community and customer services and recreation spaces) which were identified as top priority initiatives for Pokeno.

Pokeno Blueprint



Appendix 9

LENS 3 OF THE REZONING ASSESSMENT FRAMEWORK

LENS 3 CRITERIA	ASSESSMENT
<i>Economic costs and benefits are considered</i>	<p>Mr Foy has completed an economics assessment of the urbanisation of Pokeno East and is presented within his statement. The assessment considered the economic injection to the local area and the Waikato Region associated with building 300 new houses in Pokeno East; the ongoing economic benefits arising from the spending patterns of 300 additional households; a description of any other likely economic benefits arising from urbanisation of Pokeno East; and consideration of the likely costs of the long-term loss of rural productive land. The assessment found that:</p> <ul style="list-style-type: none"> i. The ability to continue to use the land for rural production was constrained by land fragmentation, the emergence of reverse sensitivity effects and limited access to natural resources (water). These challenges, combined with what appears to be a likely future conversion to residential activities, will limit capital investment in agricultural and horticultural activities in Pokeno East, further reducing economic output and the efficiency of the rural land. ii. Future residential use of the land would support much greater economic contribution to the local and regional economy. While the low level of agricultural economic output would cease, it would be replaced by spending on construction, retail and then household spending on goods and services. The timing of that economic impact would be strongly linked to the time when a live residential zoning is realised. iii. Some of these economic contributions will be a transfer effect, as households that come to live in Pokeno East might have established elsewhere in Pokeno had dwellings in Pokeno East not existed. In any case the net economic effects of residential development (i.e. urbanisation) of Pokeno East will be locally significant and enduring.
<i>Changes take into account the issues debated in recent plan changes</i>	None applicable
<i>Changes to zone boundaries are consistent with the maps in the plan that show overlays or constraints (e.g., hazards).</i>	The proposed boundaries of the future urban zone have been informed by urban design and landscape assessments and are guided by the urban extents signalled within both Waikato 2070 and Future Proof 2017. There are no overlays or other constraints identified within the PWDP that would influence the proposed zone boundaries.

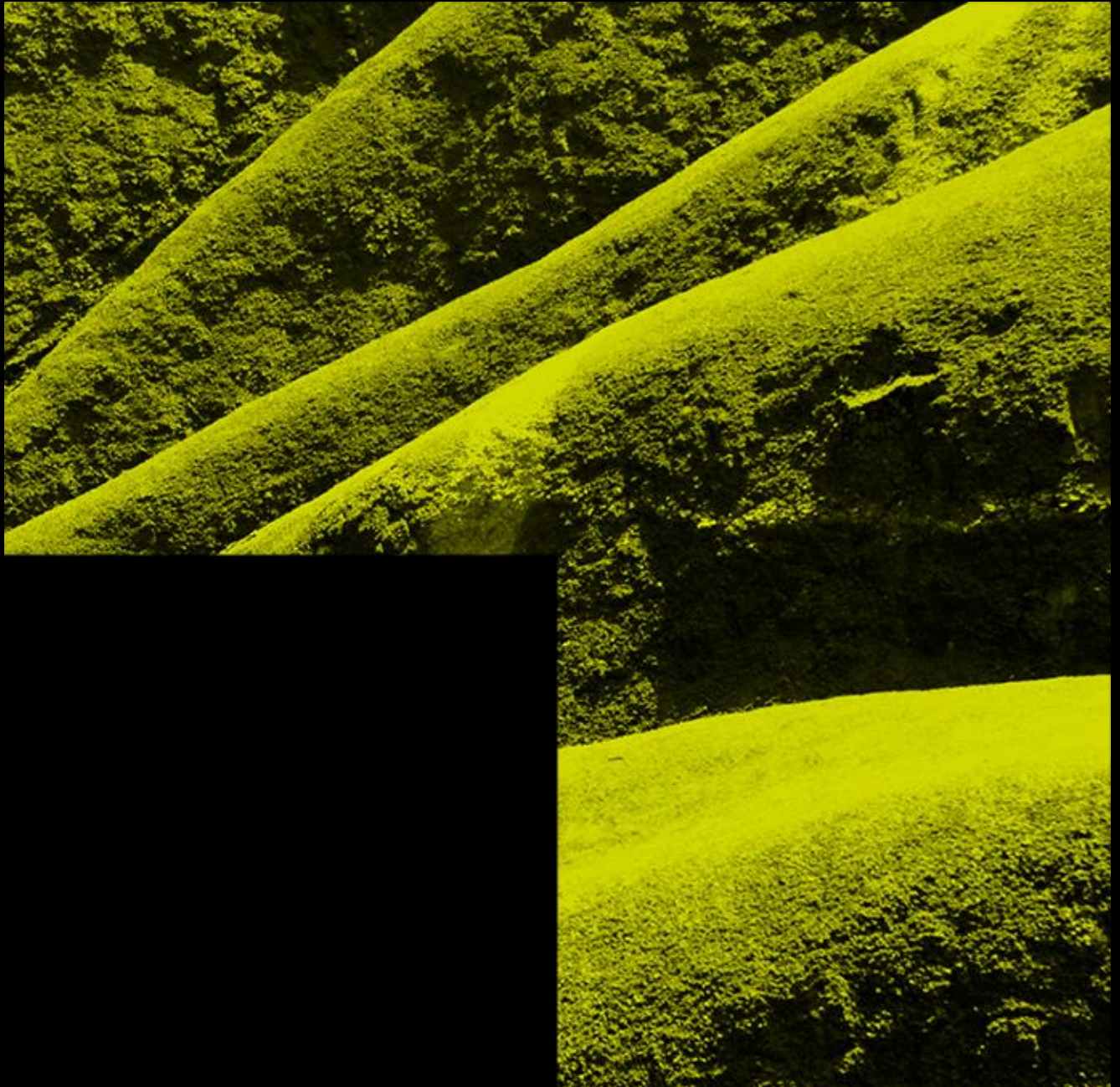
<i>Changes take into account features of the site (e.g., where it is, what the land is like, what it is used for and what is already built there).</i>	The proposed zoning has been informed by the landscape and urban design assessments and are illustrated within the site analysis and Indicative Masterplan is included in the evidence of Mr Vile. The proposed future urban zone is well suited to the current rural landuse – which is no longer used for rural production due to land fragmentation, reverse sensitivity constraints and lack of available water supply.
<i>Zone boundary changes recognise the availability, or lack of, major infrastructure (e.g., water, wastewater, stormwater, roads).</i>	The extent of the re-zoning proposal is not constrained by the availability of infrastructure. The rezoning proposal does not rely on finalising a servicing plan as this can be developed as part of the plan change or resource consent process.
<i>There is adequate separation between incompatible land uses (e.g., houses should not be next to heavy industry).</i>	The proposed zoning does not create any incompatible land uses due to the rural residential land use that has been established to the south, and the limited interface with rural land along a relatively short boundary to the east. The proposed future urban zoned land is also well separated from the industrial land use on the northern side of State Highway 2 (i.e. the Timber mill).
<i>Zone boundaries are clearly defensible e.g., follow natural boundaries or roads where possible or other boundaries consistent with the purpose of the zone.</i>	The proposed zone boundaries have been selected because they form appropriate and logical edges – with the main boundaries created by State Highway 2, State Highway 1, the Pokeno Domain and Avon Road.
<i>Zone boundaries follow property boundaries.</i>	The proposed zone boundaries follow property boundaries and avoid split zoning.
<i>Generally, no "spot zoning" (i.e., a single site zoned on its own).</i>	The re-zoning proposal does not constitute a spot zoning as it covers a large area of xxx hectares comprised of several properties and different landowners and is contiguous with the existing Pokeno urban zones.
<i>Zoning takes into account existing resource consents and existing use rights, but this does not determine zoning.</i>	There are no known resource consents or existing use rights that would prevent the proposed future urban zoning from being appropriate.
<i>Zoning for business and industrial land is consistent with additional locational criteria</i>	Not applicable.

Appendix 10

POKENO EAST REZONING

S32AA Assessment

Pokeno Landowners Group



1.0 INTRODUCTION

The purpose of this s32AA evaluation is to assess the rezoning of Pokeno East as Future Urban Zone.

A s42A report on the Future Urban Zone was prepared by Jonathan Clease and he proposed a suite of provisions for the Future Urban Zone. Mr Clease undertook a s32AA evaluation which assessed the appropriateness of the provisions he developed. However as part of the evidence of Nick Grala, an alternative suite of Objectives and policies are proposed. He prefers the objectives and policies that were promoted by Pokeno Village Holdings Limited as part of the hearings for Topic 3: Strategic Objectives. These were based on the objectives and policies for the Future Urban zone contained within the Auckland Unitary Plan and were concise and focused on the purpose of the zone.

This s32AA assessment therefore evaluates those provisions proposed by Mr Grala.

2.0 REASONABLY PRACTICABLE OPTIONS

There are six reasonably practicable options in terms of managing the future development of Pokeno East.

2.1 OPTION 1: RETAIN THE RURAL ZONE (THE “DO NOTHING” OPTION)

The Population, Household and Land Capacity Report states that between 2021-2031 an additional 7,400-8,700 dwellings are required just to meet growth projections in the District (equating to an additional 15,500-19,000 people). Only a fraction of this growth is expected to be delivered through brownfield development (notably in-fill and re-development). Therefore, additional greenfield land needs to be released through rezoning to accommodate this growth.

Pokeno is identified to accommodate considerable further growth in Waikato District Council’s growth model Waikato 2070, with Pokeno ultimately expected to accommodate approximately 16,000 people vs current population of 2,500¹.

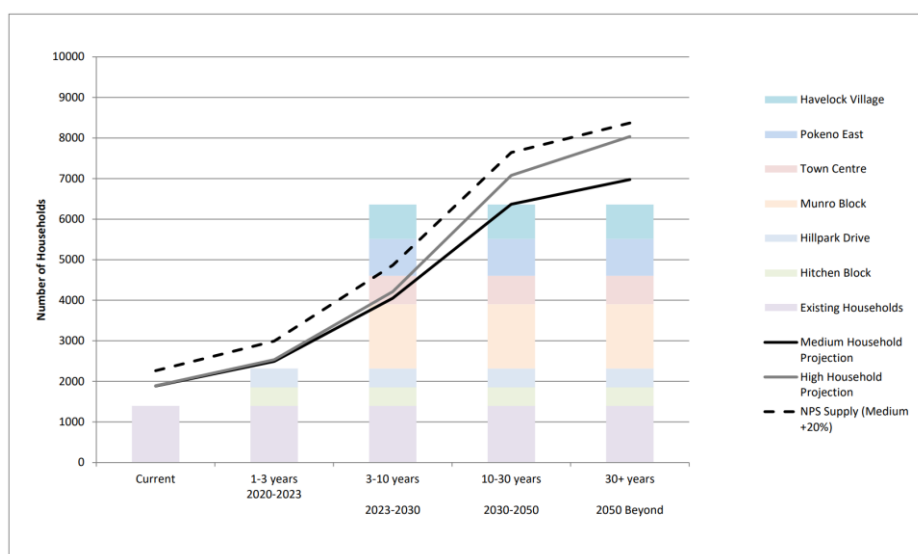


Figure. 6. Pokeno supply and demand analysis

¹ Waikato 2070, Waikato District Council, page 29
HG PROJECT NO

FIGURE 1: POKENO SUPPLY AND DEMAND ANALYSIS

Source: Population, Household and Land Capacity Report, Dr Mark Davey Waikato District Council, 2020

An analysis of the Operative District Plan capacity of Pokeno shows that it will only contribute around 21.1% of the total supply needed.² This indicates that substantially more land is required to be zoned for residential growth within the Proposed District Plan over and above that of the Operative District Plan.

Pokeno East is already identified in both Future Proof 2017 and Waikato 2070 for residential.

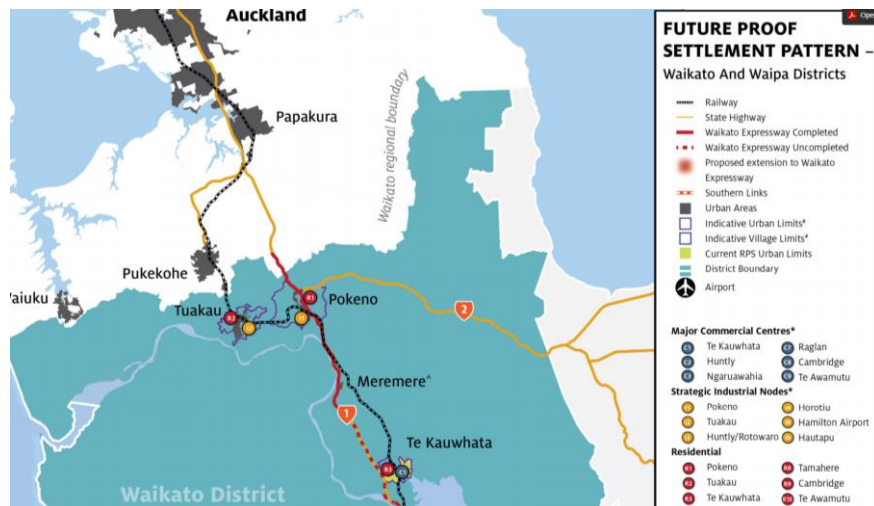
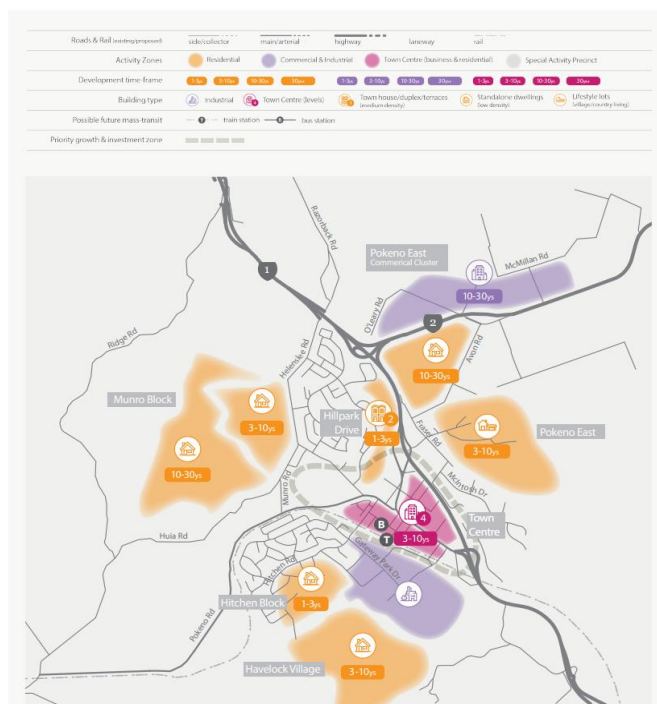


FIGURE 2: FUTURE PROOF SETTLEMENT PLAN



² Market Economics Draft Housing Business Assessment, 2020
HG PROJECT NO

FIGURE 3: POKENO DEVELOPMENT PLAN WITHIN WAIKATO 2070

Retaining Pokeno East with a rural zone would mean that Pokeno is not achieving the growth required by Future Proof 2017, Waikato 2070 and the NPSUD which requires zoning 20% in excess of demand to maintain a competitive housing market. The Proposed District Plan is required to give effect to the NPS-UD, but this will not be achieved by retaining a rural zone at Pokeno East (i.e. the do nothing option).

In addition, the proximity of rural residential development (in the Village zone) to Pokeno East combined with the existing limitations on water availability has already constrained the productive rural use of the land. Retaining Pokeno East as Rural Zone therefore effectively sterilises the land of rural or any other use.

For these reasons, this option is not considered further.

2.2 OPTION 2: COUNTRY LIVING ZONE

Country Living Zone is an inefficient use of the land, does not enable further intensification to urban densities easily, and is likely to, in most instances preclude the further urbanisation.

Rural residential development that typically comprises of lot sizes from 3,000m² to 5,000m² is not the best use or most economic use of a scarce land resource. The expectations of residents and landowners also tend to differ from those who might live on similar sized lots which are sporadically located throughout parts of the District as a result of subdivision in the rural zone. The residents in the Country Living zone typically expect a higher level of service - equivalent to a residential area - with improved local amenities, service-based retail, footpaths, community facilities, playgrounds etc. As a result, this can cause subsequent funding issues for District Councils because although land values are generally high, total rateable units are considerably lower than in urban areas.

The Framework Report and s42a Report for the Medium Density and Future Urban zone considers that the notion of large-lot residential zones acting as transitional zones should be disregarded. Where there are largely undeveloped Country Living and Village Zone areas on the periphery of urbanised areas, the zone should be changed to increase density to a standard residential density and the necessary services provided to make the best use of this scarce resource.³

For these reasons this option is not considered further.

2.3 OPTION 3: VILLAGE ZONE

Similarly, a Village Zone also represents an inefficient use of the land resource and may well preclude future urbanisation due to the very large dwellings usually located in the middle of a site, and the inherent investment in the land and dwelling. As notified, the Village Zone provisions established a pathway for urbanisation of the Village Zones in Tuakau and Te Kowhai, with an initial minimum lot size of 3,000m², which can be reduced down to 1,000m² upon being connected to a public reticulated water and wastewater service.

In our view, the longer the time period is before large lots are able to be infilled, the more the existing community is likely to become accustomed to the amenity and character outcomes associated with a very low-density residential environment of 3,000m². If reticulation then becomes available in, for example, 10 years' time, there is a real risk that lifestyle block owners who have purchased because they like the low-density character would oppose any up-zoning or shift to infill. Even if community objections to infill can be overcome (for instance through the ability to undertake infill being 'locked in' through the proposed rule framework), there is a risk that homeowners who are enjoying a low density level of amenity simply choose not to act in pursuing further infill opportunities.

³ S42A Framework Report, Dr Mark Davey, January 2020, paragraph 257
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As noted in the s42A for Village Zone⁴, providing for very large new urban growth areas at very low densities is not an efficient use of the land resource or the use of community funds for infrastructure. Very low density residential development also does not allow sufficient population mass or density to support a more self-sufficient village. Given the lack of servicing capacity in combination with the lack of any existing structure plans for these growth areas, the reality is that this scenario is likely to result in:

- a) Ad hoc development and individual subdivisions where integration and connection between large blocks in different ownership is sub-optimal;
- b) The challenges of right-sizing infrastructure such as water supply, parks, footpaths, and roads for 3,000m² lots that are also suitable for subsequent smaller lots. Either infrastructure is oversized (and expensive) for the initial low density community and or it will need to be upgraded and retrofitted at a later date;
- c) A poor urban design outcome, as the optimal layout for 3,000m² lots versus 1,000m² (and lower) lots would be different;
- d) Tension between residents that are seeking a rural country living environment versus those that will further subdivide and intensify;
- e) Discordant character outcomes where some sites are infilled to suburban densities whilst others are kept at lower rural residential densities;
- f) Difficulty transitioning wastewater servicing from on-site treatment and disposal (or small package-plants) to a reticulated system.

For these reasons this option is not considered further.

2.4 OPTION 4: FUTURE URBAN ZONE

Pokeno East has been identified for residential growth in strategic documents developed under the Local Government Act. Applying a Future Urban zone would have the effect of signalling this area as being appropriate for urban development, but would require a future plan change to enable (what we expect would be) residential development.

The Future Urban zone enables the current rural land uses to continue, however, one difficulty is that the proximity of residential and rural residential development to Pokeno East and limitations on water availability constrains its productive rural use. Thus rural production will continue to be constrained and it will effectively put the land in a holding pattern until a plan change is progressed, either by Council or a private plan change request that is accompanied by a structure plan.

Applying a Future Urban zone does prevent further fragmentation of the land and incompatible land uses from establishing that would compromise future development of the land into a well-functioning urban environment.

2.5 OPTION 5: REZONE AS RESIDENTIAL ZONE WITH A FUTURE URBAN OVERLAY

This option is essentially a combination of options 4 and 6, where Pokeno East is zoned residential, but has a Future Urban Overlay which must be removed through a mechanism to allow the urban development of Pokeno East. The Future Urban overlay would essentially prevent urban development until the overlay has been removed. At that point, the underlying residential zone provisions would apply.

The removal mechanisms could be achieved through a Schedule 1 process to delete the Future Urban overlay, while other Councils have used processes such as sign off from the Council CEO or Council resolution when certain conditions have been met (e.g.

⁴ S42A Report Hearing 6 Village Zone, Jonathan Cleese, October 2019, paragraphs 93-99
HG PROJECT NO

development of a structure plan, availability of wastewater capacity, upgrade of a key intersection etc).

The limitations for this option are the same as the Future Urban zone option in that the land is essentially in a holding pattern until the overlay is lifted, and there are significant challenges with the use of Pokeno East for rural production in the interim. This approach does, however, clearly indicate the intent of the land for residential development to the community, landowners and developers. If a plan change were required to lift the overlay, it may be a simpler process due to the clear signal that the District Plan had already given for the intended use of Pokeno East.

2.6 OPTION 6: REZONE AS RESIDENTIAL ZONE

Pokeno East has been identified for residential development in the key strategic growth planning documents. Rezoning as a Residential zone would enable Pokeno East to be developed once key infrastructure is available such as publicly reticulated wastewater and a suitable water connection. Details such as the layout and design of Pokeno East can be addressed through the resource consent process, although a structure plan would need to be submitted as part of the evidence package of the District Plan review process.

The development of Pokeno East for residential would assist in Pokeno (and Waikato District) in meeting its growth needs under the NPSUD, and provides additional diversity of living choice for future generations. The rezoning of Pokeno East enables efficient use of the land resource.

This approach clearly indicates the intent of the land for residential development to the community, landowners and developers and provides the highest level of certainty. No further plan change process would be required in order to develop the land, only subdivision and land use resource consent applications.

3.0 RELEVANT OBJECTIVES

Section 32AA evaluations must undertake an assessment of any amended objectives as to whether they are the most appropriate way to achieve the purpose of the Act. The objectives are as follows:

Objective 1 – Land is used and developed to achieve the objectives of the Rural zone until it has been rezoned for urban purposes.

Objective 2 – Future urban development is not compromised by premature subdivision, use or development.

Objective 3 – Urbanisation on sites zoned Future Urban is avoided until the sites have been rezoned for urban purposes

These objectives are considered the most appropriate way to achieve the purpose of the Act for the following reasons:

- The objective enables the use and development of the land for rural purpose until such time as a plan change is undertaken to change the zone and enable urban development
- The protection of this land will ensure that the land as a resource is not used in a way that compromises the ability for efficient urbanisation
- They will protect the land in order to meet the housing needs of future generations
- The potential of natural and physical resources will be sustained for future urban uses

4.0 ASSESSMENT OF THE PROVISIONS

The provisions in the context of this s32AA evaluation is the amendment to the planning maps to rezone Pokeno East from a Rural zone to a Future Urban zone.

The most relevant objectives in the Proposed District Plan are set out below

RELEVANT PROPOSED DISTRICT PLAN OBJECTIVES				SUMMARY OF HOW THE REZONING ACHIEVES THESE OBJECTIVES												
<p>4.1.1 Objective – Strategic</p> <p>(a) Liveable, thriving and connected communities that are sustainable, efficient and co-ordinated.</p> <p>(b)National Policy Statement on Urban Development Capacity Minimum Targets</p> <p>The minimum targets for sufficient, feasible development capacity for housing in the Waikato District area are met, in accordance with the requirements of the National Policy Statement on Urban Development Capacity 2016.</p> <table><tr><td></td><td colspan="3">Minimum targets (number of dwelling)</td></tr><tr><td>Area</td><td>1-10 years (2017-2026)</td><td>11-30 years (2027-2036)</td><td>Total</td></tr><tr><td>Waikato District</td><td>7,100</td><td>12,300</td><td>19,400</td></tr></table>					Minimum targets (number of dwelling)			Area	1-10 years (2017-2026)	11-30 years (2027-2036)	Total	Waikato District	7,100	12,300	19,400	<p>Pokeno East is adjacent and contiguous to the existing urban environment of Pokeno, which is recognised by the District Council as being the fastest growing town in Waikato. Because of the proximity to the adjacent urban area, Pokeno East is a logical expansion area for Pokeno. This will enable any future residents to meet their social, economic and cultural wellbeing by being a connected part of Pokeno.</p> <p>Pokeno East is within walking distance of the town centre of Pokeno, already contains existing social infrastructure and, and has a clear visual connection with the existing urban environment.</p> <p>Pokeno East already has established connection in terms of transport networks to the Pokeno town centre, which would be further upgraded as part of the urban development process. It is suitable for urban development given its favourable northern aspect and gentle topography across the majority of the area, and it provides an opportunity to restore and make a feature of the stream which dissects Pokeno East. The urbanisation of Pokeno East will help create a well-functioning urban environment for Pokeno that is walkable and well connected.</p>
	Minimum targets (number of dwelling)															
Area	1-10 years (2017-2026)	11-30 years (2027-2036)	Total													
Waikato District	7,100	12,300	19,400													

	<p>Rezoning of Pokeno East enables efficient use of the land resource will assist in Pokeno (and the Waikato District) in meeting its growth needs in the future as required by the NPSUD.</p> <p>The rezoning prevents further fragmentation of the land and incompatible land uses from establishing that would compromise future development of the land into a well-functioning urban environment. The proposal provides opportunity for the land to be comprehensively planned and developed to maximise positive environmental and urban form outcomes.</p>
<p>4.1.2 Objective – Urban growth and development</p> <p>(a) Future settlement pattern is consolidated in and around existing towns and villages in the district.</p>	<p>Pokeno East is adjacent and contiguous to the existing urban environment of Pokeno, which is recognised by the District Council as being the fastest growing town in Waikato. Because of the proximity to the adjacent urban area, Pokeno East is a logical expansion area for Pokeno. This will enable any future residents to meet their social, economic and cultural wellbeing by being a connected part of Pokeno.</p> <p>Pokeno East is within walking distance of the town centre of Pokeno, already contains existing social infrastructure and, and has a clear visual connection with the existing urban environment</p>
<p>1.12.8 Strategic objectives</p> <p>(b) In summary, the overarching directions include the following:</p> <ul style="list-style-type: none"> (i) Urban development takes place within areas identified for the purpose in a manner which utilises land and infrastructure most efficiently. (ii) Promote safe, compact sustainable, good quality urban environments that respond positively to their local context. (iii) Focus urban growth in existing urban communities that have capacity for expansion. (iv) Plan for mixed-use development in suitable locations. (v) Encourage community collaboration in urban growth decisions (vi) Protect and enhance green open space, outstanding landscapes and areas of cultural, ecological, historic, and environmental significance. 	<p>The most relevant clauses are (iii) and (v). The rezoning proposal meets these clauses for the following reasons:</p> <ul style="list-style-type: none"> • Pokeno East is contiguous with the urban development of Pokeno • Pokeno is already identified for significant growth • The rezoning responds to three documents prepared under the Local Government Act and resulting from significant community engagement.

<p>6.4.1 Objective – Integration of infrastructure with subdivision, land use and development</p> <p>Infrastructure is provided for, and integrated with, subdivision, use and development.</p>	<p>The rezoning to Future Urban Zone will better allow planning and funding of necessary infrastructure and to match the delivery of that infrastructure to the timing of urban development.</p>
<p>6.5.1 Objective – Land transport network</p> <p>(a) An integrated land transport network where:</p> <p>(i) All transport modes are accessible, safe and efficient; and</p>	<p>The rezoning as Future Urban Zone will ensure comprehensive transport planning is undertaken and upgrades identified where necessary as part of the future plan change and/or resource consent process.</p> <p>Rezoning Pokeno East as urban will ensure any plans progressed by Waka Kotahi for State Highway 2 are responsive to urban environments. Waka Kotahi has been developing a number of widening and realignment plans for State Highway 2 for many years, but these have always assumed this area would remain rural. The rezoning will enable the planned upgrades and realignments of State Highway 2 to be responsive to the future surrounding land uses.</p>

In addition, an assessment of the rezoning against the objectives proposed by Mr Grala is also set out:

PROPOSED OBJECTIVES	SUMMARY OF HOW THE REZONING ACHIEVES THESE OBJECTIVES
<p><i>Objective 1 – Land is used and developed to achieve the objectives of the Rural zone until it has been rezoned for urban purposes.</i></p> <p><i>Objective 2 – Future urban development is not compromised by premature subdivision, use or development.</i></p> <p><i>Objective 3 – Urbanisation on sites zoned Future Urban is avoided until the sites have been rezoned for urban purposes</i></p>	<p>Pokeno East is adjacent to the existing urban environment of Pokeno which is recognised by Council as being the fastest growing town in Waikato. Because of the proximity to the adjacent urban area, Pokeno East is a logical expansion of Pokeno and is identified in strategic growth documents for residential development.</p> <p>The rezoning prevents further fragmentation of the land and incompatible land uses from establishing that would compromise future development of the land into a well-functioning urban environment. The proposal provides</p>

	opportunity for the land to be comprehensively planned and developed to maximise positive environmental and urban form outcomes.
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	The rezoning will enable existing rural landuses to continue but effectively signals that the land is appropriate for urban development in the future.
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5.0 EFFICIENCY AND EFFECTIVENESS

5.1 BENEFITS AND COSTS

The table below evaluates the benefits and costs of rezoning Pokeno East to Future Urban Zone.

	BENEFITS	COSTS
Environmental	No change in character of Pokeno East from rural	Continued degradation of the stream and wetlands due to farming practices and septic tanks Continued erosion and sedimentation of the stream and wetland
Economic	Sends a strong signal of the future intent of Pokeno East to be urbanised and will result in a slight uplift in land value.	Productive rural use of Pokeno East continues to be uneconomic due to lack of water and reverse sensitivity effects that constrain rural operations. Significant costs to undertake a RMA Schedule 1 plan change process to enable development
Social	Sends a strong signal to the community that the future intent of Pokeno East to be urbanised.	Continued reverse sensitivity effects from the close proximity of residential development No certainty for owners as to the timing of rezoning No certainty for the community as to the timing / release of additional land through rezoning Absence of a competitive housing market increases the costs for buyers Disconnect between the Pokeno community and the three features of St Mary's on the Hill, the dog park and tennis courts. The safety of the State Highway continues to be compromised with the existing three accesses Places the existing landowners in a holding pattern unable to move on with their lives
Cultural	None	None

5.2 ECONOMIC GROWTH

The rezoning of Pokeno East as Future Urban Zone will bring in no immediate local or district wide economic growth.

5.3 EMPLOYMENT

The rezoning of Pokeno East as Future Urban Zone will not create any new employment opportunities.

5.4 RISK OF ACTING OR NOT ACTING

The most significant uncertainty with this option is the timing of Pokeno East rezoning to a live residential zone.

There are two risks of not acting:

1. Land uses establish under the current Rural zone, which significantly compromise the ability for this area to achieve an efficient urban environment
2. There is insufficient land for Pokeno to respond to the growth pressures and for Waikato District to meet the requirements of the NPSUD.

5.5 SUMMARY OF EFFICIENCY AND EFFECTIVENESS

Having considered the options and the costs and benefits of rezoning as a Future Urban Zone, there are considerably more costs than benefits. However, the value of the zone is in signalling that Pokeno East is appropriate for urban development and providing certainty that it will be urban in the future. This will ultimately realise greater benefits as part of applying a residential zone when this occurs in the future (by protect the ability for Pokeno East to be urbanised in the short term).

The option is the most efficient and effective in meeting the objectives in the Proposed District Plan. Pokeno East is contiguous with a defined growth area (being Pokeno) and has been signalled by strategic growth documents for residential development.

6.0 SUMMARY

This report has undertaken an analysis of the rezoning request in terms of Section 32AA of the RMA. This analysis concludes that the rezoning is the most appropriate way to achieve the objectives of the Proposed District Plan.

The Future Urban zone and its attendant provisions provide a framework which will ensure that Pokeno East is protected until such time as comprehensive development of Pokeno East is initiated through a plan change or plan review process.

7.0 LIMITATIONS

This report has been prepared for the particular project described to us and its extent is limited to the scope of work agreed between the client and Harrison Grierson Consultants Limited. No responsibility is accepted by Harrison Grierson Consultants Limited or its directors, servants, agents, staff or employees for the accuracy of information provided by third parties and/or the use of any part of this report in any other context or for any other purposes.

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