

ATTACHMENT B: s32AA evaluation

Table 1: Rezoning Proposal

The specific provisions sought to be amended	Assessment of the efficiency and effectiveness of the provisions in achieving the objectives of the Proposed Waikato District Plan (PDP)	
The rezoning proposal	<p>The rezoning proposal is to rezone the land at 179, 203 and 205 Helenslee Road, Pokeno (the site) comprising some 95.17ha. The site is currently zoned Rural Zone in the Operative Waikato District Plan (ODP) and is identified as Rural Zone in the Proposed Waikato District Zone (PDP). The relief sought is for the site to be rezoned to a combination of:</p> <ul style="list-style-type: none"> - Residential Zone; - Medium Density Residential Zone; and - Country Living Zone. <p>A Neighbourhood Centre is also proposed to be identified on the planning maps.</p>	
Relevant objectives of the PDP	PDP objective	Assessment
	Growth occurs in defined growth areas (1.5.2(a))	The site is sought to be rezoned to function as a growth area. Part of the proposed new zoning will be classified as an 'urban environment' zone and therefore it will be an appropriate location to accommodate future growth.
	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>Under the ODP and the PDP, urban development on the site is not a feasible option due to the intended function of the current/proposed zone. However, rezoning the site would enable urban development to occur. Given the site is contiguous with the existing urban area of Pokeno, the site is a logical area for expansion to accommodate future growth.</p> <p>Regarding infrastructure, the site would make use of existing infrastructure currently servicing the established residential area with upgrades and extensions made as necessary.</p>
Promote safe, compact sustainable, good quality urban environments that respond positively to their local context. 1.12.8(b)(ii)	The site is contiguous with the existing urban area/community of Pokeno and is only separated from this area by Helenslee Road.	

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	Focus urban growth in existing urban communities that have capacity for expansion. 1.12.8(b)(iii)	To support the rezoning sought, a wide range of technical reports have been commissioned and were provided to Council at the primary submission stage. Rezoning of the site in line with the relief sought would enable a significant increase in the density of development possible compared to the current zoning as identified in the PDP.
	Protect and enhance green open space, outstanding landscapes, and areas of cultural, ecological, historic, and environmental significance. 1.12.8(b)(vi)	<p>The site does not contain any recognised landscape, cultural or historic features of significance although there are identified Significant Natural Areas (SNA). These have been proposed to be generally contained in indicative open space areas with some of the extents captured in the boundaries of lots shown on the concept masterplan.</p> <p>The Stage 2 PDP maps do not show any natural hazard areas identified on the site.</p>
	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>The site is contiguous with the existing urban area of Pokeno. Therefore, rezoning of the site represents a logical expansion of the settlement pattern of the town.</p> <p>Pokeno is an identified growth area and is surrounded by indicative urban limits as per the Future Proof Strategy for Growth (FPS). The site is located within these limits.</p>
	Urban growth areas are consistent with Future Proof Strategy for Growth 2017 (4.1.3(b))	<p>A fulsome assessment of consistency with the FPS is provided in the planning evidence to which this document is an attachment.</p> <p>Otherwise, it is noted that the FPS directs growth to occur within defined urban limits. The site is located</p>

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		within said limits as identified in the strategy and would help support the growth of Pokeno.
	Infrastructure can be efficiently and economically provided (4.1.3(a))	The provision of three waters and transport infrastructure has been addressed in the evidence of Will Moore and Leo Hills respectively. Due to the location of the site, future servicing is based on extension of existing and proposed infrastructure from the south and the east. Upgrades would be provided as necessary.
	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))	The Medium Density Residential Zone (MDRZ) as sought by Kāinga Ora – Homes and Communities (Kāinga Ora) is proposed around the Neighbourhood Centre. If realised, this would enable higher density residential outcomes and allow for these services/amenities to be accessed by a larger volume of residents by sustainable modes of transport (walking/cycling etc.,).
	(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)	It is acknowledged that as per the Land Research Information Systems (LRIS) portal, part of the site adjoining Helenslee Road is identified as containing land use capability (LUC) class 3e 3 soils which does not meet definition of high class soils in the PDP. Notwithstanding this, recourse to the higher order documents as recommended by the Framework s42A Report (Framework) reveals that development on high class soils where the subject site is contiguous with an urban growth area and within the growth limits may be an acceptable outcome. This is addressed in the planning evidence to which this document is an attachment. Rezoning of the site would enable the character and amenity of the surrounds to transform from rural to
	Rural character and amenity are maintained 5.3.1 (a), 5.3.4 (a) (b)	
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))		

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	(b) Ensure development does not compromise the predominant open space, character and amenity of rural areas. (5.3.8(b))	urban. However, this is offset by the proposed zoning in the east which would not be urban but instead would be rural large lot in nature. This would be a backdrop to the urban zoning sought at the front of the site. Furthermore, given the location of the site only separated by the urban residential area of Pokeno by Helenslee Road, such a transition in character would not be inappropriate.
	Ensure subdivision, use and development minimise the effects of ribbon development. (5.3.8(c))	Ribbon development is the development of housing in a linear fashion along road corridors. In the concept masterplan there is the presence of cul-de-sacs in the steeper portions of the site due to the underlying topography. However, this design is closer to a cluster-type development rather than ribbon development.
	Subdivision, use and development opportunities ensure that rural character and amenity values are maintained. (5.3.8(e))	Rural character and amenity values will be retained as there will be a rural backdrop to the urbanisation at the front of the site. This will ensure that Pokeno retains the rural periphery on its western side where the topography of the land becomes considerably steeper.
	Subdivision, use and development ensures the effects on public infrastructure are minimised. (5.3.8(f))	The provision of three waters and transport infrastructure has been addressed in the evidence of Will Moore and Leo Hills respectively.
	Meets district wide rules and any relevant overlays	<p>Alignment with the relevant district wide rules and relevant overlays can be assessed at the consenting stages when subdivision/development is being proposed.</p> <p>The overlays that do apply to the site (SNA Overlay) do not preclude the site from being rezoned in accordance with the proposal.</p>
Scale and significance of the rezoning proposal	The rezoning proposal is of a large scale with an indicative yield of some 400 – 600 lots across a site that covers 95ha. It is considered that because of these features the request is at least of district significance given if realised	

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	<p>the proposal would significantly contribute to accommodating the growth of Pokeno. In light of this, a wide array of technical reports have been commissioned to assess the viability of the rezoning and a conceptual development as shown by a masterplan. The previous reports are supported by expert evidence from the original consultants canvassing matters such as three-waters and transport infrastructure. Planning evidence is also provided which assesses the proposal against the higher order documents above the PDP.</p> <p>Given the rezoning proposal is not accompanied by site-specific provisions, the management of the underlying zoning is not affected in anyway. The outcomes from the proposed rezoning are considered to be manageable by the PDP provisions and at the consenting stage when development eventuates. In addition, Pokeno is a town in the district that is projected to continue growing as it has historically. The rezoning of this land to accommodate additional growth is not unusual in this sense, nor is it inappropriate. In fact, the rezoning would promote future development as land would be provided to accommodate growth.</p>
Other reasonably practicable options to achieve the objectives (alternative options)	<p>Alternative 1: Lodge Non-Complying resource consents to undertake comprehensive redevelopment on the site which is Rural Zone in both the ODP and PDP.</p> <p>Alternative 2: Private Plan Change – Lodging a Private Plan Change (PPC) request to rezone the land following the completion of the District Plan review process.</p>

Table 2A: Benefits and Costs Analysis of the Rezoning Proposal

Rezoning Proposal: Rezoning to Residential Zone / Country Living Zone and Medium Density Residential Zone		
	Benefits	Costs
General	<p>The rezoning of the site avoids potential reverse sensitivity effects that could arise from the continued operation of rural production activities. Currently, the only separation between the site and the developed residential land is Helenslee Road.</p> <p>The rezoning proposal is associated with a concept masterplan. Masterplanned developments are generally beneficial for the following reasons:</p> <ul style="list-style-type: none"> • The developer has a market incentive to produce higher quality developments as they are required to sell a larger volume of dwellings over a long period. Smaller developments can produce more basic designs in this respect. • Housing stock is typically more diverse. • Road layout can be better managed over a larger site. <p>There are only two landowners who own the site that is subject to the rezoning proposal.</p>	
Environmental	<p>The freshwater and terrestrial environmental features on-site are generally in a degraded state due to the absence of protection and the current land uses. These can be formally protected through physical protection and enhancement that accompanies residential development.</p>	<p>Rezoning of the land means that the future rural production use of the site is lost.</p> <p>According to the Land Resource Information Systems (LRIS) portal, part of the site is underlain by Land Use Capability (LUC) II soils which meets the definition of 'high class soils' in the PDP. In this case, the high class soils are located on the area of land adjoining Helenslee Road. Development of the site would result in the loss of these soils.</p> <p>The existing rural character/landscape would be altered as the site was urbanised over time.</p>

Social	<p>The proposal offers large open space areas for the public that would not be realised if the site is not rezoned and developed.</p> <p>Pokeno is in dire need of land to accommodate additional growth. The rezoning proposal bolsters the supply of land for development providing additional opportunities for those in the housing market to make a living. The indicative yield from the concept masterplan is in the realm of approximately 400 – 600 dwellings although this is subject to change based on residential dwelling outcomes (e.g., typologies) proposed at the development stage.</p>	There are no identifiable social costs.
Economic – General	Utilising the PDP review process to scrutinise the proposal is more time-efficient and cost-friendly given this process is already underway.	There are no identifiable general economic costs.
Economic Growth	<p>Pokeno is an identified growth area that requires additional live zoned Residential Zone land to accommodate the growth the town is experiencing. The rezoning proposal enables this with a significant yield possible with approximately 400 – 600 dwellings provided for in the concept masterplan associated with the rezoning proposal. On this point it is reiterated that the Framework s42A Report on rezoning matters identifies in para. 7 that additional land is needed above and beyond what was identified in the notified PDP (subject to passing the relevant policy tests).</p> <p>To support certain amenities and services, a critical mass of population is required. In this instance, the rezoning proposal would significantly contribute to the rapid growth of Pokeno and allow for the potential establishment of other services in the future e.g., a secondary school or improved transport services. Evidence of this is present in the recently established Countdown which is a fully-fledged supermarket</p>	There are no identifiable costs relating to economic growth.

	<p>meaning residents do not need to travel away from Pokeno for groceries. As the town continues to grow, further services will be established.</p> <p>The rezoning proposal seeks to accommodate MDRZ which would yield higher residential density outcomes and therefore provide more residential development supply.</p> <p>The economic evidence by Mr Thompson identifies Pukekohe as a town in a similar housing supply market to Pokeno in terms of future growth due to their close proximity on the Auckland-Waikato divide. Given Pukekohe is subject to a different planning regime which allows for more intense development outcomes (such as in the Mixed Housing and Terrace Housing & Apartment Building Zone), for Pokeno to provide an alternative living opportunity, and to maintain the growth that is being experienced, it is integral that sufficient land for future development to grow is provided and that higher density residential outcomes are enabled. The rezoning proposal would enable growth and could appropriately accommodate MDRZ.</p> <p>The economic evidence by Mr Thompson opines that the rezoning proposal would create significant economic benefits to the local economy in terms of household expenditure. A net increase of \$115.4 million over the next three decades is estimated as the contribution. Refer to Mr Thompson's evidence for specific economic outputs.</p>	
Employment	Rezoning of the site would provide temporary employment opportunities during the approvals/construction stages and ongoing opportunities at the Neighbourhood Centre. The economic evidence by Mr Thompson estimates that	There are no identifiable economic costs relating to employment.

	<p>some 105 – 115 full time employees (FTEs) would be enabled over the construction period with some 10 – 30 FTEs enabled by the Neighbourhood Centre. The evidence also states that the proposal would add a significant economic benefit to the construction sector.</p> <p>The continued growth of Pokeno would support additional amenities/services being established which in turn would create employment opportunities. The town centre for example, needs to be revitalised, when this does happen, new opportunities will likely arise and additional service sector jobs (.e.g, retail) will be created as the demand for these grows. Evidence of recent employment growth is present in the recently established Countdown which created 75 jobs for the area according to Matt Grainger (Acting General Manager – Property)¹.</p>	
Cultural	There are no formally recognised cultural features/items on-site. However, future development of the site could incorporate input from Mana Whenua.	There are no identifiable cultural costs, Iwi groups have been active in the PDP review process and are likely to continue as such.

Table 2B: Benefits and Costs Analysis of Alternative 1

Alternative 1: Lodge Non-Complying resource consents to undertake comprehensive redevelopment on the site which is Rural Zone in the ODP		
	Benefits	Costs
General		There is general uncertainty about whether this option could be realised given the underlying zoning of the site in the Operative Waikato District Plan (ODP) is Rural which does not align with the development sought.

¹ Countdown opens in Pokeno (Pokeno Village Estate Website) (9/2/21) <https://www.pokenovillageestate.co.nz/news/countdown-opens-in-pokeno>

		Applying for consents does not address underlying planning inconsistencies that could arise when addressing future activities on-site.
Environmental	<p>The freshwater and terrestrial environmental features on-site would be left as-is and any potential adverse effects from urban development (e.g., an increase in impervious surfaces) would likely be avoided.</p> <p>The high class soils would not be lost to development.</p> <p>The rural character/landscape would not be altered by urbanisation.</p>	<p>The freshwater and terrestrial environmental features on-site would likely experience further degradation from the continuation of the current land uses.</p> <p>Enhancement of the environmental features would take place only at the landowner's discretion and not form part of any residential development.</p>
Social	<p>Due to the scale of development sought, resource consent applications would presumably be publicly notified and subject to input from the community/district.</p> <p>The social benefits conferred from open spaces (and other amenities) created through residential development would not be realised if the consents could not be obtained.</p>	There are no identifiable social costs to this option.
Economic – General	<p>The site could continue to operate as several productive rural farming blocks.</p> <p>The consenting pathway could be more time and cost efficient but this is unlikely.</p> <p>There is the unnecessary duplication of time and costs given the PDP review process is currently underway and submitters have already provided input onto the rezoning proposal.</p>	The ODP and the underlying Rural Zone does not enable the scale and type of development required to accommodate the projected growth of Pokeno. This would make obtaining the consents to develop the land notably difficult and uncertain as the framework of the ODP does not currently provide for this.
Economic Growth	There are no identifiable economic growth benefits to this option.	If resource consents to develop the site cannot be obtained, there is the sizeable opportunity cost of the site being undeveloped which is significant as the land

		<p>directly adjoins the urban area of Pokeno. The site is also within the indicative urban boundaries of the Future Proof Strategy and is a logical and efficient extension of the town to accommodate residential growth. The assessment of the rezoning proposal in Table 2A provides a comprehensive assessment of the economic benefits which will be foregone if the land does not transition to an urban zone.</p>
Employment	The use of the site for rural production activities is retained.	<p>There would be no employment opportunities created at the approvals/construction phases for future development.</p> <p>The Neighbourhood Centre aspect of the proposal would be unlikely to eventuate meaning that the jobs created from this centre would not be created.</p> <p>Overall, there would be a significant loss of temporary/ongoing employment benefits if the proposal is not realised. Whilst the continued use of the land for rural production activities has its own benefits, these are dwarfed by those enabled by the rezoning of the site for urban use. This can be attributed to the sheer productivity that can be generated when land is rezoned from rural to urban. In this instance, the benefits derived from a rural production use are limited to a very low density of FTEs across the site. Conversely, if rezoned, the productivity from urban land uses such as the proposed Neighbourhood Centre would easily outpace those currently generated. Further to this, the site is not considered as a rural production hub or a regionally significant site for these types of activities. As such, the transition to an urban use is not considered to result in a material loss of these activities in Pokeno and the wider-district.</p>

Cultural	There are no identifiable cultural benefits to this option.	The opportunity for incorporating meaningful cultural elements into a future residential development would be lost.
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Table 2C: Benefits and Costs Analysis of Alternative 2

Alternative 2: Lodging a PPC request to rezone the land following the completion of the District Plan review process		
	Benefits	Costs
General	The general benefits are the same as the rezoning proposal but are likely to be realised earlier given the District Plan review process is currently underway.	The general benefits would be delayed given the time required to proceed through the PPC process
Environmental	The environmental benefits are the same as the rezoning proposal.	The environmental benefits would be delayed given the time required to proceed through the PPC process.
Social	The social benefits are the same as the rezoning proposal.	The social benefits would be delayed given the time required to proceed through the PPC process.
Economic – General	The general economic benefits are the same as the rezoning proposal.	<p>There is the unnecessary duplication of time and costs given the PDP review is currently underway and has already been through the submissions process and is approaching the hearings.</p> <p>The consideration of the proposal would be significantly delayed as the Plan Change request would likely not be lodged within two years of the PDP becoming operative. This is because under s4(b)(i) of Clause 25 of the RMA, Council have the discretion to reject requests if the subject matter has been considered within that period.</p>
Economic Growth	The economic growth benefits are the same as the rezoning proposal.	The economic growth benefits would be delayed given the time required to proceed through the PPC process.
Employment	The employment benefits are the same as the rezoning proposal.	The employment benefits would be delayed given the time required to proceed through the PPC process.
Cultural	The cultural benefits are the same as the rezoning proposal.	The cultural benefits would be delayed given the time required to proceed through the PPC process.

Table 3: Evaluation of the proposal

<p>Reasons for the selection of the preferred option</p>	<p>Preferred option: the rezoning proposal.</p> <p>Balancing the costs and benefits of the rezoning proposal and the two alternatives, rezoning of the site provides superior environmental outcomes that can occur more efficiently and in a timelier manner given the PDP review process is currently underway.</p> <p>The resource consenting pathway to achieving the purpose of the proposal is rife with uncertainty whereas progressing a PPC would unnecessarily duplicate existing processes and generally be time consuming. This evaluation has shown that addressing the rezoning proposal through the district plan review process trumps the alternative options for enabling future development of the site.</p>
<p>Extent to which the objectives of the proposal being evaluated are the most appropriate way to achieve the purpose of the RMA</p>	<p>The proposal does not offer any site-specific objectives. Instead, recourse to address the purpose of the proposal is recommended as per s32(1)(a).</p> <p>The overarching purpose of the proposal is to expand the existing Pokeno township to provide for the significant residential growth that is taking place. Accommodating this growth will also involve the provision of open space and recreational areas and a neighbourhood centre to cater for the day-to-day needs of future residents. If possible, enabling higher density residential outcomes is also sought in strategic and appropriate areas.</p> <p>In general, the rezoning proposal is the most appropriate way to achieve the purpose of the RMA for the following reasons:</p> <ul style="list-style-type: none"> - Rezoning of the site provides for the social and economic well-being of the current and future community of Pokeno and to a degree the wider district. There is a strong demand for suitable land to accommodate residential growth. The site is benefitted as it aligns with the criteria for appropriate land being contiguous with the urban area of the town and within the indicative urban limits around Pokeno. If enabled, the rezoning would allow for the site to be developed providing additional supply for those in the housing market to potentially reside in Pokeno. - Whilst a portion of the site is identified as underlain by high quality soil, the effects of the loss of this resource are offset by the expansion of Pokeno on this land which generates better economic outcomes. Given the shortage of readily available land for development in Pokeno, the proposal is a more suitable option than say proposing urban development in an

	<p>area that is isolated away from existing infrastructure and services. The suitability of the land is further evidenced by the data suggesting that intensification alone will not be sufficient to offset the demand for residential zoned land and the fact that infill development relies on individual landowners to pursue such options as opposed to large greenfield development which the proposal represents.</p>
<p>Assessment of the risk of acting or not acting if there is uncertain information about the subject matter of the provisions</p>	<p>There is not considered to be any uncertain or insufficient information about the subject matter. The breadth and depth of technical information provided in support of the rezoning proposal is considered to be sufficiently in-depth and does not preclude the site from being rezoned.</p>
<p>Conclusion</p>	<p>The proposed rezoning will be efficient and effective in achieving the objectives of the PDP for the following reasons:</p> <ul style="list-style-type: none"> - General alignment with the relevant objectives of the PDP has been demonstrated in this evaluation after reassessing the provisions. - Alignment with the higher order document has been addressed which also resolves any tension between objectives in the PDP. - Recourse to the higher order documents is pertinent for the issue of high class soils which underlie a portion of the site. In this instance it is considered that the proposal to rezone the site (which is contiguous with the existing urban area of Pokeno) trumps the value of the soils. The shortage of development capacity to meet demand in Pokeno (and the district as a whole) is evident and the benefits (environmental, economic, social and cultural) of utilising this area are deemed to outweigh the irreversible loss of soils. Given the stark shortage of supply, alternative locations to accommodate growth would likely be located further afield and it is possible that adverse effects (e.g., on services/infrastructure) would arise from growth in these areas. It is also possible that these areas would not comply with the strategic framework for where growth is intended to be located.