

Before an Independent Hearings Panel

The Proposed Waikato District Plan (Stage 1)

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

And

In the Matter hearing submissions and further submissions on the
Proposed Waikato District Plan (Stage 1):
Topic 25 – Zone Extents

Evidence of Ian Munro on behalf of Pokeno West Limited (Submitter # 97)

(Urban Design)

Dated 17 February 2021

Summary of Evidence

1. In my opinion the land identified in the submission of Pokeno West Limited (**"The Submission"** and **"The Submitter"**) merits residential re-zoning in urban design terms and under the applicable Waikato Regional Policy Statement (**"RPS"**) (sections 6 and 6A) and Proposed Waikato District Plan (**"PDP"**) (chapter 4¹) planning frameworks.
2. The re-zoning sought is also consistent with the sub-regional Future Proof strategy, and the Waikato District Council's (**"The Council's"**) Waikato 2070 growth strategy. The re-zoning sits beyond the urban area identified in the Council's (2008) Pokeno Structure Plan but of note the land identified for growth in 2008 has been effectively consumed. The re-zoning is specifically identified as a 1-10 year residential growth area for Pokeno in Waikato 2070.
3. The Submitter has obtained technical analysis of the land's development capacity and suitability for residential development. This includes a concept master plan and accompanying urban design assessment prepared by Construct Ltd. I have reviewed that material and consider it to be of a commensurate technical depth and breadth to support the land's re-zoning. It exceeds the level of analysis I would normally expect to see in a Council-led structure plan.
4. The relief sought has two limbs. In the first instance, a residential zone in line with that Notified by the Council is sought (**Attachment 7**). In the second instance, the above would be augmented by the addition of a Medium Density Residential zone (primarily as a consequence of the submission made by Kainga Ora), as well as an indicative Neighbourhood Centre (**Attachment 8**). I am comfortable with either scenario, although the refined 'medium density' variant would be the superior of the two in my opinion on the basis of more efficient use of the land and provision for greater housing choice.
5. In either scenario, but particularly if the 'medium density' scenario is supported, I recommend the addition of a Precinct Plan that identifies the approximate

¹ **Topic 10**, Council reply version.

locations of key roads through the new zone(s), and indicative locations of future public open space. These will provide what I regard as appropriate design direction to ensure a strategically integrated built form outcome is achieved (such as if the land was developed by way of incremental consent applications over time). A suggested Precinct Plan is included as **Attachment 9** in this evidence. In my opinion this is a subordinate outcome (enhanced certainty) to the relief sought in the original submission and is hence understood to be within the scope of the submission.

6. The submissions (Kwanghoon Yang (#360); Pokeno Village Holdings Ltd. (#386); Se Gi Noh (#502); Anna Noakes (#524); and Terry Withers (#598)) and further submissions (Hynds Ltd. (#FS 1341); and Pokeno Village Holdings Ltd. (#FS 1281)) that specifically focused on the Submission did not raise what I regard as fundamental issues or potential adverse effects. They did not in my opinion challenge “if” the land is capable of residential development. I instead consider they raised questions of “how” the land might be developed including queries relating to specific technical solutions or constraint responses. In my opinion these are matters that are to be addressed through the very detailed subdivision resource consent process that would come into play after the re-zoning had occurred.
7. In terms of the Council’s s.42A Framework report prepared by Dr. Mark Davey (19 January 2021), and the Future Urban Zone and Residential Medium Density Zone report prepared by Mr. Jonathan Cleese (26 January 2021), these have not raised any issues that have led me to reconsider the conclusions I have reached.
8. Overall, I consider that in urban design terms the refined relief sought subject to a Precinct Plan is the most appropriate solution for the land, including because:
 - a. Pokeno has expanded in a predictable manner to date across the flat land that was contiguous with the settlement. Pokeno West forms what I regard as a very sensible expansion area in light of the severe access constraint in the east (SH1), and more-constrained and hill-country north and south. I consider it to be comfortably in line with the RPS and

PDP policy frameworks addressing urban expansion of existing settlements.

- b. The Site will offer a relatively convenient and close connection with the Pokeno main street (as an indicator of the 'heart' of the town), and is in my opinion a suitable growth option when considered in the context of other identified 1-to-10-year residential growth areas for Pokeno (Waikato 2070 Growth Strategy).
- c. The Site can accommodate development that retains existing stream networks and Significant Ecological Areas, and which has an urban form pattern consistent with what has developed in Pokeno's residential zones to date whilst being well-connected, convenient to move through, and exhibiting a high-quality built form character.
- d. The re-zoning raises no issues of potential reverse sensitivity, and the inclusion of a neighbourhood centre will enable residents to conveniently meet their basic daily needs in a way that will not undermine the primacy or importance of the Pokeno town centre as the settlement's focal point.
- e. Overall the re-zoning would be consistent with the provisions of the PDP (chapter 4) and RPS (section 6), and National Policy Statement on Urban Development 2020 ("NPS: UD").

Qualifications and Experience

- 9. My full name is Ian Colin Munro. I have the qualifications and experience set out in my curriculum vitae which is attached as **Appendix 1**.
- 10. I hold a Bachelor of Planning; a Master of Planning; a Master of Architecture [Urban Design]; a Master of Environmental Legal Studies; and a Master of Engineering Studies [Transport], all from the University of Auckland. I am a Full Member of the New Zealand Planning Institute. For the past 10-years I have delivered or co-delivered the NZPI® urban design training Continuing Professional Development courses available across the country. I annually

lecture at the University of Auckland and for the past 5-years have given a specific annual urban design lecture on the matter of green-field structure and master planning.

11. I have 20-years' industry experience and in that time I have been involved in approximately 2,000 development proposals and Plan Changes. I am very familiar with the issue of planning for urban growth including by way of intensification ('brown field') and expansion ('green field'). This includes the typical approaches now taken across the country towards matters of urban form and structure / layout; integrating with natural landforms and patterns; housing choice and density; potential reverse sensitivity and other compatibility issues between new and existing development; and how to manage development at the level of individual allotments to manage site or location-specific effects.
12. I was engaged by Pokeno West Limited (submitter # 97) ("**The Submitter**") in November 2020 to provide an independent review of the submission and the relief sought. I was not involved in the preparation of either the Submitter's original submission or further submission.
13. I have read the Code of Conduct for Expert Witnesses in the Environment Court Practice Note 2014. I have complied with the Code of Conduct in preparing this statement of evidence and confirm that I will do so in presenting my evidence to the Commissioners. Unless I state otherwise, this evidence is within my sphere of expertise and I have not omitted to consider material facts known to me that might alter or detract from the opinions I express.

Scope of evidence

14. In this statement of evidence I will:
 - a. Summarise the key RPS, PDP, and other relevant document guidance applicable to the Site in urban design terms;
 - b. Summarise my assessment of the original submission and the relief sought;

- c. Comment on the public submissions and further submissions received that directly relate to the relief sought;
 - d. Comment on the Council's s.42A Framework report prepared by Dr. Mark Davey and dated 19 January 2021, and the Future Urban Zone and Medium Density Residential zone report prepared by Mr. Jonathan Cleese and dated 26 January 2021; and
 - e. Outline my conclusions.
15. Although I have undertaken my own site visit and analysis, the original submission included a comprehensive urban design report prepared by Construkt Architects Ltd ("**Construkt Ltd**"). I agree with and have adopted the site and context analysis that Construkt Ltd has documented within its 2018 report, and I also generally rely on it. Although I have not agreed with every conclusion proposed within the report, I am generally in agreement with the technical analysis and information it has expressed.

Relevant RPS, PDP and other document guidance

16. In my opinion the RPS (sections 6 and 6A) and PDP (chapter 4) are most relevant to the proposal. The recently established National Policy Statement on Urban Development ("**NPS: UD**") does not of itself change the urban design merit of the relief requested although it does generally reinforce land use outcomes that are in my opinion already at the heart of the relevant RPS and PDP provisions through its concept of a well-functioning urban environment (objective 1 and policy 1).
17. In terms of relevant documents, I have found the Future Proof sub-regional growth strategy, Waikato 2070 district growth strategy, and the Council's Pokeno Structure Plan to be relevant and helpful.
18. I consider that in urban design terms, the relevant RPS and PDP provisions to be consistent with one another in seeking urban development outcomes that:

- a. Preferably occur as part of or as an expansion of existing settlements and in locations that are identified and suitable for future growth²;
 - b. Promote well-connected, mixed and walkable compact urban form principles³;
 - c. Maintain the amenity and character values of the areas that they occur within⁴;
 - d. Provide residents with opportunities to conveniently meet their daily needs and enjoy high levels of local amenity⁵;
 - e. Respond sensitively to environmental features and patterns so that development can be said to work with, not against those patterns⁶; and
 - f. Respond appropriately to potential reverse sensitivity effects especially in terms of strategically important transportation and employment activities⁷.
19. My overall reading of the RPS and PDP provisions is that they seek to enable at times considerable change and rural-to-urban conversion. The NPS: UD also makes it clear that such changes may be required from time to time (policy 6(b)). The planning emphasis seems to be on ensuring that such change is strategically sound and technically justified, and will have appropriate effects at the local level specifically in terms of environmental features and local amenity or character values. I do not read the provisions as seeking to enable an outright protection of existing amenity values such that it prevents otherwise well-located, logical development occurring.

² Derived primarily from RPS 6.1.6, 6.1.7, 6.1.8, 6.3.3, 6.6.1, 6.12.1, 6.14.1, 6.14.3, 6A(a), 6A(b), 6A(c), & 6A(h), and PDP 4.1.1, 4.1.2, 4.1.3, & 4.1.11.

³ Derived primarily from RPS 6.3.1, 6.6.1, 6.15.1, 6.16, 6A(e), & 6A(i), and PDP 4.1.1, 4.1.5, 4.1.7, 4.1.8, & 4.1.11.

⁴ Derived primarily from RPS 6.16, 6A(j), 6A(k), & 6A(l), and PDP 4.1.7, 4.1.9, & 4.2.1.

⁵ Derived primarily from RPS 6.16, and PDP 4.1.1, 4.1.7, 4.1.8, 4.2.1, 4.2.2, 4.2.3, & 4.2.26.

⁶ Derived primarily from RPS 6A(g), 6A(k), 6A(m), 6A(n), 6A(p), & 6A(t), and PDP 4.1.9, & 4.2.2.

⁷ Derived primarily from RPS 6.1.2, 6A(d), & 6A(o), and PDP 4.1.11.

20. In terms of other documents, Pokeno is identified as a growth area in both Future Proof and Waikato 2070. The Site is itself identified in Waikato 2070 although is not identified in the earlier (2008) Pokeno Structure Plan. It is however relevant to my mind that the land identified in the Pokeno Structure Plan for residential development appears to be effectively fully utilised.
21. In consideration of the Waikato 2070 strategy, a number of short-to-medium term growth areas are identified (**Attachment 2**). For the Site, two areas are identified corresponding to a north-south stream that crosses the Site. Based on my site visit and consideration of the planning outcomes set out in the RPS and PDP, and acknowledging that other or alternative growth areas could be identified, I have ranked the Waikato 2070 Pokeno growth areas in preference (using the RPS and PDP planning framework I have outlined in this evidence). This exercise was undertaken to gain an understanding, at the Pokeno-wide level, of how desirable the Site may be for residential expansion relative to at least those alternatives identified by the Council.
22. The results of my analysis (**Attachment 3**) are that the Site enjoys the bulk of what I would term the “second-place” identified land (“first place” going to land within Pokeno adjacent to the town centre), and approximately one half of the “third place” land.
23. The Site is in my opinion considerably better suited to the compact and quality expansion of Pokeno than land on the eastern side of State Highway 1. Although identified for commercial rather than residential uses, I regard land identified in Waikato 2070, for Pokeno, on the eastern side of SH1 and northern side of SH2 to be fundamentally disconnected from Pokeno and that should be approached as a last-resort solution (noting in particular RPS 6.6.1(b) and 6.6.1(d)).

Summary assessment of original submission and the relief sought

Notified PDP

24. In the Notified PDP the Council proposed that the Site be subject to the Residential zone with no other relevant Precinct Plans or Overlays. I have included Notified PDP Planning Map 7 as **Attachment 4**.

Approach taken to the Construkt Ltd concept master plan

25. In urban design terms a large feature of the original submission and the relief sought was work undertaken by Construkt Ltd to analyse the Site, develop a framework for its planning, and prepare a master plan for the Site.
26. Master plans are in my opinion excellent analytical tools to help test development scenarios and otherwise validate the capability of land for development. But care should be taken to not confuse them with a subdivision proposal, or what will happen on the land. In assessing the relief sought, I have limited my reliance on the master plan to a form of simulation testing showing how different design and planning principles might come to be reflected in the real world. But there are other ways, and it would ultimately fall to the zone and subdivision provisions that would apply to manage that process.

Construkt Ltd urban design report and the master plan

27. The Construkt Report (February 2018) followed what I would describe as a conventional approach of site and context analysis, followed by a series of design reconciliations between the various subject 'layers' identified (movement; green; low-impact / storm-water; and land-use). This work is in my opinion of a depth that corresponds with industry norms that I see, and I can identify no obvious omission from the Construkt Ltd process that would lead me to fundamentally doubt the work or design methodology used.
28. Having visited the Site and Pokeno, the work appears to recognise all major environmental and landform characteristics, and the concept master plan is in my opinion one that exhibits an internal logic that can be followed and, overall, a reasonably successful vision for the Site. It includes (**Attachment 5**), for example:
 - a. A variety of lot sizes and housing choices, including identification of an area that would be suited to medium density housing (whether by way of land use consent or plan provisions).

- b. A centrally-located neighbourhood centre coordinated with the key roads to help meet the daily needs of residents without undermining the primacy of Pokeno Town Centre as the settlement's focal point.
- c. A high-level development footprint supported by a storm-water / drainage strategy integrated with streams and natural contours.
- d. A number of opportunities for connections within and beyond the Site, notably to the immediate east at Munro Road.
- e. An internal street network that provides for connectivity and future bus stops.
- f. A number of cul-de-sac roads are shown on the concept master plan; these are common on land subject to slope and natural feature constraints and are generally regarded as preferable to 'forced' connectivity by way of extensive landform modification or removal of natural features. Not shown on the concept master plan, but a matter I would expect to be tested at the time of an actual subdivision consent, is the extent to which any cul-de-sacs could be connected by way of pedestrian / cycle trails (these are much lower-impact than streets and can accommodate a greater change in gradient). This omission could however be regarded as a criticism of the Construkt Ltd concept master plan.
- g. At face value the only other matter of obvious possible criticism is that most of the 'edges' shown between development and natural features (either streams or sloped hills (indicated as suited to revegetation) are shown to have a 'private' interface with the backs of allotments. A fairly ubiquitous urban design structuring principle is that of 'fronts facing fronts' and 'backs facing backs'. It is preferred that natural features that can contribute to the genuine unique sense of place within development be visually exposed to view by being aligned with roads along at least one of their sides (i.e., be "fronted" or treated as 'fronts'). This is however only achievable where land gradient allows and on land that is too sloped or geotechnically unstable, I would agree that a 'back' alignment (i.e., where the natural feature sits between the rear

boundaries of allotments), and as generally shown on the Construkt Ltd concept master plan, would become the default and acceptable solution. The key functional consequence of this arrangement is that it is much more difficult to establish workable and safe pedestrian trails through open space corridors buried within the backs of subdivisions and out of sight. This is not a matter that I have been able to test further at this plan-making stage (including because it becomes a matter of site-wide bulk earthworks and optimising an overall balance for a large site, or in other words a subdivision matter under PDP 4.1.8(a)(i) and 4.1.11(a)(ii)).

29. One matter of note, and which I will refer to later in my recommendations, is that the approach taken in the Construkt Ltd work relies also on a nested spatial hierarchy and this is particularly relevant in terms of the road network shown (**Attachment 6**). On medium and large-scale sites such as the Submitter's it is typical, although usually subject to a series of 'back-and-forth' iterations, to identify a high-order frame for the land (i.e., the most important roads). These tend to be relatively locked in place due to the various constraints that are placed on them. Then as the design is fleshed out a secondary or 'medium' network is resolved, and then finally come the most detailed and local streets (and these are often the ones that can be subject to the greatest changeability and design flexibility). A consequence of this is that while different design options can be developed, the fundamental 'frame' and other key features (including environmental features) typically change only slightly if at all.

Relief sought – Original Submission

30. It has not been proposed to 'lock in' the Construkt Ltd concept master plan by way of a Precinct Plan, and in the first instance the PDP Residential zone provisions (and others, such as subdivision) would manage the land.
31. The original submission supported the Notified PDP for a Residential zone across the Site. Provision for a Neighbourhood Centre would be a matter for resource consent within that zone. I refer to the Submitter's simplified version that focuses solely on its Site, included as **Attachment 7**.

Augmented relief

32. In response to the Kainga Ora request for a Medium Density Residential zone, the Submitter has prepared a secondary relief, being an adaptation of the original relief to show an area of Medium Density Residential zone in close proximity around that. In addition an indicative Neighbourhood Centre is also proposed to be shown. The basis for the zone extents and locations come from the Construct Ltd concept master plan. This is included as **Attachment 8**.
33. I am advised that both of these requested reliefs are before the Commissioners to determine.

Kainga Ora – Medium Density Residential Zone

34. As I read the Notified PDP provisions for the Residential zone, they enabled a range of densities and lot-sizes, and were predicated on development that responded to (and hence varied around) Site characteristics – they did not, for example, seek a uniform outcome of the same-sized sections across the landscape. The Notified PDP Residential zone provisions provided for resource consent applications to be made to achieve the equivalent land use outcomes sought by Kainga Ora (e.g., 4.2.16, 4.2.17, and 4.2.18).
35. I regard the Kainga Ora submission as being in that respect less about seeking to inherently change the outcomes that the Notified Residential zone did provide for, but introduce greater spatial clarity and encouragement where that higher density would be more appropriate than the Notified PDP approach of more passively relying on site-by-site resource consent applications to be made within the Residential zone in an ad-hoc way.
36. I have reviewed the information prepared on behalf of Kainga Ora by Beca Ltd and Barker & Associates Ltd (11 November 2020). In my opinion the approach taken is generally suitable, quite rigorous, and I am supportive of it. Notably, the work is (necessarily) limited to existing developed areas and the existing distribution of facilities such as schools, open spaces, and shopping areas that could support intensification and allow the Barker & Associates Ltd methodology to be applied. Greenfield expansion areas, even those Notified in the PDP, do not seem to ‘fit’ the methodology (this is not a criticism of the work). Because the methodology has been limited to quite large walkable catchments, it also necessarily focuses on a broad-brush settlement-wide approach and this

inherently leads to large areas of the proposed zone centred around the existing settlement focal points and Town Centres. That approach does also dovetail well with PDP 4.2.16(b).

37. Although I am very supportive of the Kainga Ora approach and the Barker & Associates Ltd. work, it would not be correct to consider that opportunities for the compact, well-connected and active-transport densification envisaged for the proposed Medium Density Residential zone could only exist in relation to existing developed areas and centred around the settlement focal points identified by Barker & Associates Ltd.
38. The reality is that there will be a large number of supplementary or 'secondary' opportunities that can enable high-amenity and appropriate intensification as well and in accordance with PDP 4.2.16, 4.2.18 and 4.2.26. While those would be unlikely to support a large-scale of walk-up catchment (say within an 800m walk, or approximately 200ha area, which only a quite large centre could ever serve), they would support a neighbourhood-scale walk-up catchment of up to a 200m walk (12.5ha maximum area). Such secondary zone areas would relate directly to the PDP chapter 4 outcomes and be appropriate, particularly in green-field areas that are likely to be further away from existing focal points and Town Centres, and less constrained by existing built form character and amenity values to reconcile with. In my opinion and for the same reasons and justifications relied on by Kainga Ora for its identified areas of Medium Density Residential zone, such 'secondary' opportunities, where possible, should be identified as well.
39. Overall, I consider that the Kainga Ora approach is desirable and appropriate. But it could be complemented and contextualised within a framework that aims to explicitly maximise all suitable opportunities for density that were otherwise only passively signalled within the Notified Residential zone:
 - a. At the 'apex', include the large areas of Medium Density Residential zone identified by Kainga Ora based on its 400m / 800m walking distance approximations around the principal Town Centres and settlement focal points; and then

- b. Supplement this if and where possible (and subject to submissions) around secondary and smaller-scale opportunities such as existing or planned schools, large open spaces and Neighbourhood Centres. A 200m walking distance for these small-scaled opportunities would be in my opinion most appropriate and complement the above.
 - c. Retain the underlying enablement for intensification within the Residential zone so as to allow all other real-world opportunities that might exist to be taken advantage of.
40. I note that should the Commissioners not accept either the Kainga Ora request and/or my proposed augmentation, and instead prefer the general Residential zone, it would be possible using the resource consent process and policy framework within the Notified Residential zone to still seek the same outcomes. I would reiterate that the new Medium Density Residential zone is less about introducing new outcomes to the Plan than what was notified, but recognising and providing for a more strategic and targeted prioritisation of density.
41. But on the basis of the above analysis, I can see a comfortable coming-together between the Notified PDP framework for managing residential density, the earlier master plan work from Construkt Ltd (and the augmented relief identified by the Submitter), the Barker & Associates Ltd analysis, and the proposed Medium Density Residential zone proposed by Kainga Ora.

Assessment

42. I will assess the relief requested in terms of the summary headings I derived from the RPS and PDP provisions earlier, as well as an overall consideration including the NPS: UD concept of a well-functioning urban environment.

Preferably occur as part of or as an expansion of existing settlements and in locations that are identified for future growth⁸

⁸ Derived primarily from RPS 6.1.6, 6.1.7, 6.1.8, 6.3.3, 6.6.1, 6.12.1, 6.14.1, 6.14.3, 6A(a), 6A(b), 6A(c), & 6A(h), and PDP 4.1.1, 4.1.2, 4.1.3, & 4.1.11.

43. In my opinion the original relief and the augmented relief are equally appropriate in this regard. In particular:
- a. The Site is identified for residential growth in the Council's most-recent (2020) growth planning exercise, Waikato 2070 and was Notified as Residential zone within the PDP. It is also within the Future Proof settlement pattern's urban limits. The Construct Ltd concept master plan indicated a possible yield of up to 1,500 units and for the purposes of economic and traffic assessments, I understand that estimates between about 1400 and 1600 dwellings have been used.
 - b. Based on my own analysis of the identified short-to-medium term growth areas for Pokeno identified in Waikato 2070, the Site is well-suited to residential expansion and notably superior to growth options on the eastern side of State Highway 1. Specifically:
 - i. The eastern-most part of the Site between Munro Road and a north-south stream is very close to the existing developed area on generally low-lying and gently undulating land that could very logically connect to the existing urban area. In my opinion it forms part of the best-suited land for growth in Pokeno other than intensification and further development within the settlement close to the town centre.
 - ii. The larger and western portion sits in what I consider the 'middle range' of areas suited to residential expansion. While still on relatively lower-lying land, the landform does start to more noticeably 'crease' and the presence of streams, environmental features and steeper slopes does start to fracture potential urban form outcomes with minor severances.
 - c. Zoning of the land would heighten the characteristic of the Town Centre not sitting in the literal centre of the settlement, but something closer to the head of a comet, with zoned land extending noticeably to the west. This is a characteristic I have witnessed several times as growth over time locates on the closest and easiest (i.e., generally the flattest)

land available. A good comparable example is the Auckland rural village of Clevedon, now expanding via a 'bulge' to the south of the original centre, and Warkworth where the Mahurangi River has historically forced development westwards. The point is that small settlements often grow asymmetrically based on the characteristics of surrounding land.

- d. The Site, evidenced by the Construkt Ltd concept master plan work, can integrate with urban zoned land to the east, and a number of potential road connections are possible.
- e. For the purposes of a plan-change, I consider the technical investigation undertaken to date to be sufficient to support an urban zone. I consider that the Submitter has proven that the Site will be able to accommodate a suitable urban subdivision.
- f. In light of the distance of the Site from Pokeno's Town Centre, a neighbourhood centre should be provided to help meet very basic daily needs, and in either of the original relief or the augmented relief, one is proposed and enabled by the Residential zone provisions. Similarly, future public open spaces have been identified notionally (a final decision on what assets the Council would or would not accept would be made by the Council as an Asset Manager at the time of subdivision).

Promote well-connected, mixed and walkable compact urban form principles⁹

- 44. I consider that the original and augmented relief are both appropriate in this regard, although the augmented relief is the more explicit in maximising walkability and catchment to the neighbourhood centre and indicative / likely open space(s). In particular:
 - a. The underlying concept master plan shows that a quite well-connected street and block network can be achieved on the land, with cul-de-sacs possible on the ridges between steeper valleys and streams. These

⁹ Derived primarily from RPS 6.3.1, 6.6.1, 6.15.1, 6.16, 6A(e), & 6A(i), and PDP 4.1.1, 4.1.5, 4.1.7, 4.1.8, & 4.1.11.

could in my opinion be connected with pedestrian and cycle walkways as appropriate at the time of subdivision.

- b. I do consider that the Construkt Ltd concept master plan raises questions in terms of the connectivity of some of its cul-de-sacs, as well as how the many stream and open space corridors might be interfaced with. These would in my opinion necessarily be subdivision matters, although I would observe at this stage that depending on the land's topography at the time of development, cul-de-sacs and a lack of road frontage to open spaces are not unusual on sloping land and I would not see this as a barrier to the land's zoning (it is common at the time of a plan-change for a concept master plan to show an outcome that, through later subdivision consent applications, is revised or reconsidered).
- c. Appreciating that a lot of emphasis goes into what is or is not walkable, respectfully this is increasingly an outdated way of understanding urban forms in light of the advent of mass-market e-scooters and e-cycles. It is increasingly possible for relatively unfit individuals to travel over 2km within 10 minutes in a convenient manner. 2km is relevant to me because this is also the limit that almost all pedestrian trips are confined within, and it is as I see it an increasingly more relevant indicator of active travel than the concept of a 10-minute walk. In this light, I consider that part of the Site would be within a convenient walk of the town centre, but all of it would be within a convenient cycle or e-scooter trip. In my opinion the Site is relatively well-connected to the town centre, more so than almost all other urban growth options for Pokeno.
- d. The Construkt Ltd concept master plan, Residential zone provisions, and undulating characteristics of the Site all point to a varied and mixed subdivision outcome resulting, which I am supportive of. The augmented relief is the more explicit in that regard.
- e. However, I am not convinced that the placement of a proposed Medium Density Residential zone and indicative Neighbourhood Centre as proposed by the Submitter are satisfactorily suitable. I recommend that

should the Commissioners support the intent of the augmented relief, that a Precinct Plan be added that indicate the key roads and connections to be provided; the indicative neighbourhood centre; and the indicative public open space associated with both the Neighbourhood Centre and Medium Density Residential zone proposed. Although indicative, I consider that this will be sufficient at the time of subdivision for proof of an acceptable integrated outcome to be required.

- f. I have prepared a proposed Precinct Plan for the Site based on the augmented relief sought and the Construkt Ltd concept master plan, and it is included as **Attachment 9**. In my opinion and subject to the additional spatial certainty that a Precinct Plan would provide, the augmented relief would be acceptable and superior to a plain Residential zone and no spatial guidance within it.

Maintain the amenity and character values of the areas that they occur within¹⁰

- 45. In my opinion both the original relief and the augmented relief are acceptable, and equally appropriate. In particular:
 - a. In terms of the Site itself, it would substantially change were it zoned Residential, with future amenity and character in line with the requirements that the PDP will put in place. Specific objectives and policies are in place to ensure this would be subject to the Council's approval.
 - b. The Site at present exhibits a generally rural, rolling quality. Patches of vegetation can be seen adjacent to homes and paddocks, as well as streams and gullies. I do not consider the Site to provide any essential or iconic amenity or character value to Pokeno as a whole

¹⁰ Derived primarily from RPS 6.16, 6A(j), 6A(k), & 6A(l), and PDP 4.1.7, 4.1.9, & 4.2.1.

that would result in an adverse effect on the quality of the town if lost.

- c. Based on the PDP provisions that would govern a resource consent application I am confident that the underlying land pattern and environmental features would be retained and the Construct Ltd concept master plan gives a helpful visualisation of how this might look and feel in the future. These features will be the principal elements in creating a distinctive character for the neighbourhood.
- d. The zone provisions would enable a like-with-like outcome to eventuate where the new zone would adjoin existing zoned land, such as on the eastern side of Munro Road. I regard this as an inherently compatible amenity values and character outcome.
- e. In terms of the prospect of medium density housing (whether by way of a zone or by resource consent), I consider it unlikely that this would occur other than adjacent to the neighbourhood centre and new open spaces within the zone, so I do not consider there to be a risk of inappropriate massing and density at the Site's external edges.

Provide residents with opportunities to conveniently meet their daily needs and enjoy high levels of local amenity¹¹

- 46. I consider that each of the original relief and the augmented relief are appropriate but I do consider the augmented proposal, and the Precinct Plan I have previously recommended, to be the most appropriate. In particular:
 - a. A Neighbourhood Centre is in my view warranted based on the potential scale of the neighbourhood, at up to 1,000 dwellings, and its distance from Pokeno Town Centre. A Neighbourhood Centre would enable residents to conveniently meet daily needs but still rely on the town centre for their principal needs.

¹¹ Derived primarily from RPS 6.16, and PDP 4.1.1, 4.1.7, 4.1.8, 4.2.1, 4.2.2, 4.2.3, & 4.2.26.

- b. A Neighbourhood Centre would be a key focal point within the neighbourhood and that it is very desirable that, in light of the Submitter's willingness to specify a location for it, that it be shown on a Precinct Plan. This will make it much more likely to eventuate in this location and allow the community to make decisions with greater certainty in this regard.
- c. I would also expect a future playing / recreation reserve to be required given the scale of the neighbourhood and it would be highly desirable that this be located close to the Neighbourhood Centre as well as the key roads. In my opinion this should also be identified indicatively on a Precinct Plan. Although the Council would make a final decision at the time of subdivision, I see no urban design reason why promotion of an optimal solution would not still be worthwhile. In my opinion the Construkt Ltd concept master plan has it right.
- d. In light of an indicative Neighbourhood Centre and park, and key roads all showing and reinforcing a confluence, I am comfortable that a Medium Density Residential zone could be given with confidence that a suitable relationship between density and amenity would result. Additional density around the Neighbourhood Centre and indicative (but in my opinion likely) park would also allow more people to be close to these key amenities.
- e. The provision of many open spaces across the Site, which would in my opinion need to be rehabilitated and revegetated as subdivision occurred, would also provide visual amenity, opportunities for pedestrian trails, and spaciousness between development.
- f. As has been identified previously in my evidence, a preference where possible would be for public roads to front and adjoin green corridors where this is possible. This matter would in my opinion be addressed at the time of subdivision and an optimal outcome achieved.
- g. As has become more of a development norm in the last 10 years, I expect a street-based development pattern to emerge, with dwellings

orientated to face and overlook streets, and rear lots generally minimised.

- h. Overall, I see no reason or Site characteristic that might preclude a level of amenity being achieved that meets or exceeds the benchmarks that will be set in the PDP.

Respond sensitively to environmental features and patterns so that development can be said to work with, not against those patterns¹²

- 47. I consider that both the original relief and the augmented relief are equally appropriate. In particular:
 - a. The PDP has a policy framework requiring that development demonstrate a sensitive environmental and landform response. This would be scrutinised by the Council as part of any resource consent application.
 - b. Retention of green corridors and streams, and compulsory protection of any natural wetlands, will mean that inherently a limited extent of change to the natural landform pattern will be possible based on those many fixed land level points across the Site.
 - c. The Construkt Ltd concept master plan demonstrates a development pattern that responds to and follows the landform. This includes higher densities and connected street networks on flatter land, and larger lots and cul-de-sacs on sloped land where such connectivity and density are less compatible with the natural pattern. I expect that an approach generally similar to that shown by Construkt Ltd is what will be required and would eventuate based on Chapter 4 of the PDP.
 - d. The Construkt Ltd concept master plan also shows an indicative management plan for stormwater including indicative ponds and opportunities for detention.

¹² Derived primarily from RPS 6A(g), 6A(k), 6A(m), 6A(n), 6A(p), & 6A(t), and PDP 4.1.9, & 4.2.2.

- e. The scale and density possible under the PDP Residential zone (including the potential Medium Density Residential zone) provide for on-site landscaping and open space, and limitations on impervious surface so as to allow opportunities for on-site storm water solutions where necessary to supplement the public system.
- f. The Site has been predominantly cleared of vegetation and is in pasture. Where vegetation exists, it is generally associated with stream corridors and steep slopes, and is likely to be retained and enhanced. New enhancement and amenity planting is likely to improve some ecological qualities on parts of the Site.
- g. It may be necessary to manage the placement of lots, buildings, and floor levels based on detailed flood modelling at the time of subdivision. I do not consider that the Site presents any level of risk in this regard that is outside of the norm that I routinely see in new green field development areas.

Respond appropriately to potential reverse sensitivity effects especially in terms of strategically important transportation and employment activities¹³

- 48. In my opinion the Site is located sufficiently far away from any industrial zone or strategic transport infrastructure that reverse sensitivity effects will not be problematic in urban design terms.
- 49. The Site can also be developed in a way that has a compatible residential interface with the eastern side of Munro Road, and that will both retain and reinforce the primacy of the Pokeno Town Centre as the settlement's social and economic focal point.

Well-functioning urban environment

- 50. Taking a whole-of-submission approach, I consider that both of the original and refined relief requested would be appropriate although I do consider the refined relief to be the more appropriate of the two in urban design grounds.

¹³ Derived primarily from RPS 6.1.2, 6A(d), & 6A(o), and PDP 4.1.11.

51. I have also considered the matter of structure planning and that the Council has not prepared a Pokeno-specific structure plan to support the PDP (sought by RPS policy 6.1.7). In my opinion the work undertaken by Construkt Ltd in 2018 to support the original submission exceeds the level of analysis I would expect of a structure plan. As a result the Commissioners can have confidence that an integrated, well-considered, and well-justified urban expansion of Pokeno will occur on the Site. In this respect I consider that the evidence and information before the Commissioners does address the matters that a structure plan would normally be expected to provide and that no technical 'short cuts' have been taken.
52. The NPS: UD emphasises a well-functioning urban environment and based on the definition of that within the NPS as well as the content of its objective 1 and policy 1, I consider the original and refined relief could be each described as contributing to the well-functioning urban environment sought. Key reasons for this include:
- a. The proposal, particularly if the Medium Density Residential zone is added, will promote housing choice and help to meet a need for housing in Pokeno.
 - b. The Site is one of the best available locations for additional growth in Pokeno balancing existing and historic development decisions and patterns, proximity and access to the Pokeno Town Centre, the land's capability to accommodate development (including at densities at or greater than the 12-15 dwelling units per hectare ("**du/ha**") sought by policy 6.15 (RPS) and policy 4.1.5 (PDP); and the ability of the Site's environmental characteristics to be properly retained and integrated with.
 - c. The proposal would enable well-connected access to housing, employment, education, community facilities and the other services people need to undertake their daily life in a convenient manner.

- d. Provision for active transport will also help to promote public health outcome as well as less automobile dependence and related emissions.

Comment on submissions and further submissions

53. I have reviewed the submissions of Kwanghoon Yang (#360); Pokeno Village Holdings Ltd. (#386); Se Gi Noh (#502); Anna Noakes (#524); and Terry Withers (#598), and further submissions of Hynds Ltd. (#FS 1341); and Pokeno Village Holdings Ltd. (#FS 1281).
54. These do not in my opinion challenge “if” the land is capable of residential development. I instead consider they raised questions of “how” the land might be developed including queries relating to specific technical solutions or constraint responses. In my opinion these are matters that are to be addressed through the very detailed subdivision resource consent process that would come into play after the re-zoning had occurred.
55. The most relevant submission on urban design grounds is that of Pokeno Village Holdings Ltd. I respectfully disagree that there is any defect with the re-zoning proposition that would warrant not zoning the land residential. Having said that, I do acknowledge that I regard a Precinct Plan as necessary to support the Medium Density Residential zone proposed by the Submitter, and something that is generally sensible to do in any event.
56. Specifically, in response to the Pokeno Village Holdings Ltd submission, I consider that a sufficient level of technical analysis by a credible urban design firm experienced in large-scale green field development has been undertaken such that the range of likely development effects and consequences of zoning the land can be appropriately estimated.
57. Some criticism of the Construkt Ltd concept master plan has also been made in terms of the length of some of the cul-de-sacs. I have previously agreed that at face value I would expect these to be queried but that it may well be that they are appropriate based on the characteristics of the land. Additional fine-detail connectivity such as pedestrian and cycle trails may also be possible to connect these together, if indeed through a formal subdivision consent application such an outcome comes to be proposed. If unavoidable, another technique available

is to limit the density along them. This would also be available to the Council as it assessed a consent application.

58. Having said that, I disagree that the PDP and RPS provisions relating to connectivity go so far as to indicate that every single road should connect to a different road. This is not practical and would conflict with other policy directives such as to touch the landform as gently as possible – one way of connecting roads between the sides of a stream gully would include earth working the tops of the gully into the base (filling it up and levelling out the ‘V’ shape. This very issue is in my opinion the principal reason why the Construkt Ltd concept master plan has not sought to show road connections between the longer cul-de-sac fingers in the western slopes. I instead consider that there is a more pragmatic judgement being asked for that is instead aimed at ensuring people have the most practical and convenient means of moving through their neighbourhood and into adjacent ones. I would regard a level of street connectivity equivalent to that shown on the Construkt Ltd concept master plan to be a quite successful outcome.
59. Overall and in conclusion, the issues raised by the submissions and further submissions relating to urban design have not led me to reconsider my conclusions on the relief sought.

Comment on s.42A report

60. There are two relevant s.42A reports. One, prepared by Dr. Mark Davey and dated 19 January 2021 is a ‘Framework’ report. The other is prepared by Mr. Johnathan Cleese and dated 26 January 2021. That report discusses a potential Future Urban zone and a Medium Density Residential zone. I will only consider aspects relevant to the Medium Density Residential zone.

Dr. Davey Framework Report

61. In urban design terms the principal issue arising is that of the best-practice “third lens” Dr. Davey has used to help him evaluate the submissions and issues raised by the submissions . They are in summary:
- a. Economic costs and benefits are considered.

- b. Changes should take into account the issues debated in recent plan changes.
 - c. Changes to zone boundaries are consistent with the maps in the plan that show overlays or constraints (e.g., hazards).
 - d. Changes should 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).
 - e. Zone boundary changes recognise the availability or lack of major infrastructure (e.g., water, wastewater, stormwater, roads).
 - f. There is adequate separation between incompatible land uses (e.g., houses should not be next to heavy industry).
 - g. Zone boundaries need to be clearly defensible, e.g., follow roads where possible or other boundaries consistent with the purpose of the zone.
 - h. Zone boundaries should follow property boundaries.
 - i. Generally, no "spot zoning" (i.e. a single site zoned on its own).
 - j. Zoning is not determined by existing resource consents and existing use rights, but these will be taken into account.
 - k. Roads are not zoned.
62. Dr. Davey's third lens is based on a series of principles created for the Auckland Unitary Plan. I participated in that process and am familiar with the principles. I regard them as a combination of questions of basic fitness-for-purpose or 'common sense' (principles (a) to (h)), and fairly arbitrary editorial preference (principles (i) to (k)).
63. I have no opinion on what weighting should be placed on Dr. Davey's "third lens", or how it might sit relative to the statutory tests set out in the RMA. But in urban design terms (at least as it relates to principles (a) to (h)), the principles are uncontroversial and fairly standard matters that I would regard as everyday considerations in my work.

64. It follows that I am very comfortable with principles (a) to (h). In particular, I consider they can be regarded as an extension of the RMA s.32 plan-making tests of efficiency and effectiveness – but directed to the question of whether a specific proposition is likely to be spatially effective and efficient in the real-world. They add nothing to the considerations that I have already followed in contributing to preparation of the refined proposal and my assessment of it in terms of the outcomes and environmental effects identified in the RPS and PDP frameworks.
65. I am not opposed to, but advise caution in regard to rigid adherence to, principles (i) to (k). In particular:
66. Opposing spot zones as a principle is usually contradicted by the desire to provide spot zones throughout those same plans. In the case of the Auckland Unitary Plan, despite using the ‘no spot zones’ principle, spot zones nonetheless proliferate throughout the Plan specifically in terms of that Plan’s Neighbourhood Centre zone and all of the smaller-scale Open Space zones (both used literally everywhere in the urban area). In my opinion whether or not spot zoning arises in a Plan should in the first instance be a function of the number and variety of land use zones identified within the ‘toolbox’, and how spatially small-scaled or detailed their allocation on land is proposed to be. For completeness, I regard it as administrative double-speak to spatially identify a small-scale or single-site feature in a Plan but side-step the spot-zone question by naming the method an overlay or precinct instead.
67. The relevance of resource consents and exiting use rights is in my opinion a wider and more fundamental question of whether the proposed zone framework seeks to retain the existing environment’s status quo (keep things as they are) or enable a future state or change. In urban design terms I am familiar with multiple examples of both. In this context, existing resource consents and use rights might be irrelevant, somewhat relevant, or determinative on a case-by-case basis.
68. The matter of zoning roads is usually one of Council asset management preference and whether it wishes to subject its LGA operations to RMA oversight. I have no opinion on the properness of that but would note that not

all roads are public. In the case of private roads, promoting a no-zone situation may rise questions as to s.9 RMA and, for example, what might happen if a group of residents wished to place structures in their private road. This may however simply be a matter of having very precise definitions within the PDP. There is also a follow-on question of what happens to zoned land that is subdivided to create new roads after completion of the plan making exercise, and whether newly vested roads should then be subject to further plan changes to remove the zone(s).

69. For completeness, I am comfortable that in urban design terms considering Dr. Davey's "third lens" changes none of the conclusions I have reached, my opinions on the practical urban design merit of the refined proposal, or the appropriateness of the submitter's Site for re-zoning when considered against the other urban expansion land identified in the Council's Waikato 2070 strategy. In my opinion the refined proposal is highly compatible with and achieves the principles set out in Dr. Davey's "third lens".

Mr. Cleese Medium Density Residential Report

70. In summary, Mr. Cleese's report is consistent with my own approach and conclusions. In particular:

- a. At paragraph 200, Mr. Cleese concluded that the notified residential zone provisions did provide for higher density housing by way of resource consent applications.
- b. At paragraph 192, Mr. Cleese concludes that the higher-order planning documents that medium density residential development should be focused around key centres, but also in other locations including (para 192, point 3):

"As a component of greenfield master planned developments that achieve the required WRPS density targets and where the provision of communal open space or natural features such as wetlands or waterways can provide an amenity 'trade-off' for smaller private gardens."

71. However Mr. Clease has then concluded that a Medium Density Residential zone should be limited only to the centres of the large townships and future rapid transport stops (para 212). In so doing he acknowledges the risks of ad-hoc densification within existing suburban areas. But at paragraph 281 he also supports identification of greenfield areas in structure plans "that can be applied to areas of medium density housing in locations identified on a structure plan".
72. The 'gap' in Mr. Clease's recommendations would appear to be new greenfield urban zones as part of the PDP process and which are not either existing suburban areas or subject to a future structure plan exercise. The Site, notified by the Council as a new greenfield residential zone, would sit in this category.
73. The Council's 2008 Pokeno Structure Plan included such 'second tier' medium density housing areas and in my opinion Mr. Clease's recommendation appears at face value to match my own in support of a small area of Medium Density Residential zone on the Site as part of the re-zoning proposed.
74. Overall, I consider Mr. Clease's analysis and conclusions to be comfortably applicable to the Site and the re-zoning proposed in the refined relief. The area proposed for the zone would relate directly to the key road network, indicative future public reserve (a matter of Council preference at the time of subdivision), and neighbourhood centre. This is in line with the outcomes Mr. Clease has described in his s.42A report.

Conclusions

75. I have reviewed the relevant RPS and PDP provisions and non-statutory documents relevant to Pokeno. I have reviewed the Submission and associated documents as well as the relevant submissions and further submissions, and Kainga Ora's proposal for a Medium Density Residential zone.
76. In my opinion the Site should be zoned for residential purposes and although the notified blanket-Residential zone Notified by the Council would be appropriate, I do consider that the Submitter's augmented relief showing a Medium Density Residential zone and indicative neighbourhood centre is the more appropriate – but only on the basis of key roads and public open spaces

also being indicatively shown as well as a Precinct Plan that can help assure a strategically integrated outcome on the land.

77. My review of public submissions and further submissions has not given me a reason to change any of my opinions.
78. My review of the Council's s.42A Framework and Future Urban Zone / Medium Density Residential Zone reports is that they are consistent with my own analysis and conclusions. I see nothing in either of them that has led me to reconsider the conclusions set out above.

Ian Colin Munro

17 February 2021.

ATTACHMENT 1 – CV OF IAN MUNRO

- ▶ Full Member, New Zealand Planning Institute; Member, Urban Design Forum.
- ▶ Member of Auckland Council's Urban Design Panel, and currently one of its Chairs.
- ▶ Professional Teaching Fellow (periodic), University of Auckland School of Architecture and Planning in urban design, urban planning, and local government topics.
- ▶ 2001 - present: Extensive experience in the preparation and/or assessment of approximately two-thousand resource consent applications and/or urban design reviews including for subdivision; residential; rural; mixed use / town centre; industrial; designation / infrastructure; & comprehensive structure plan matters in Rodney District, North Shore City, Waitakere City, Auckland City, Thames Coromandel District, Kapiti Coast District and Queenstown Lakes District.
- ▶ 2013: Urban Design Witness, Kapiti Coast District Council, Plan Change 72A, Paraparaumu Town Centre zone.
- ▶ 2014 - 2018: Expert witness, Auckland Council PAUP, Business zones and urban design provisions including Environment Court appeals to transport provisions.
- ▶ 2014 - 2018: Expert witness, Brecon Street Partnership Ltd, Plan Change 50, Queenstown centre.
- ▶ 2014 - 2015: External facilitator, Richmond Residential Density Project.
- ▶ 2014 - 2015: Advisor, Dunedin City Council 2GP review (urban provisions).
- ▶ 2012 - 2013: Urban Design Advisor, Kapiti Coast District Council Paraparaumu Centre Structure Plan finalisation.
- ▶ 2014 - present: Urban Designer, Flat Bush Stage 3 Special Housing Area, Murphys Development Ltd.
- ▶ 2014 - present: Design Leader and Urban Designer, Auranga development, Ma Development Enterprises Ltd.
- ▶ 2016 - present: Design Leader and Urban Designer, Rotokauri North Special Housing Area, Hamilton, Ma Development Enterprises Ltd.
- ▶ 2017 - Design leader, Wainuiomata North Development Framework, Hutt City Council.
- ▶ 2018 – present: urban designer, Warkworth Land Company Ltd, Clayden Farm, Warkworth, Auckland.
- ▶ 2019 – present: urban designer, Warkworth Developments Ltd, Stubbs Farm, Warkworth, Auckland.

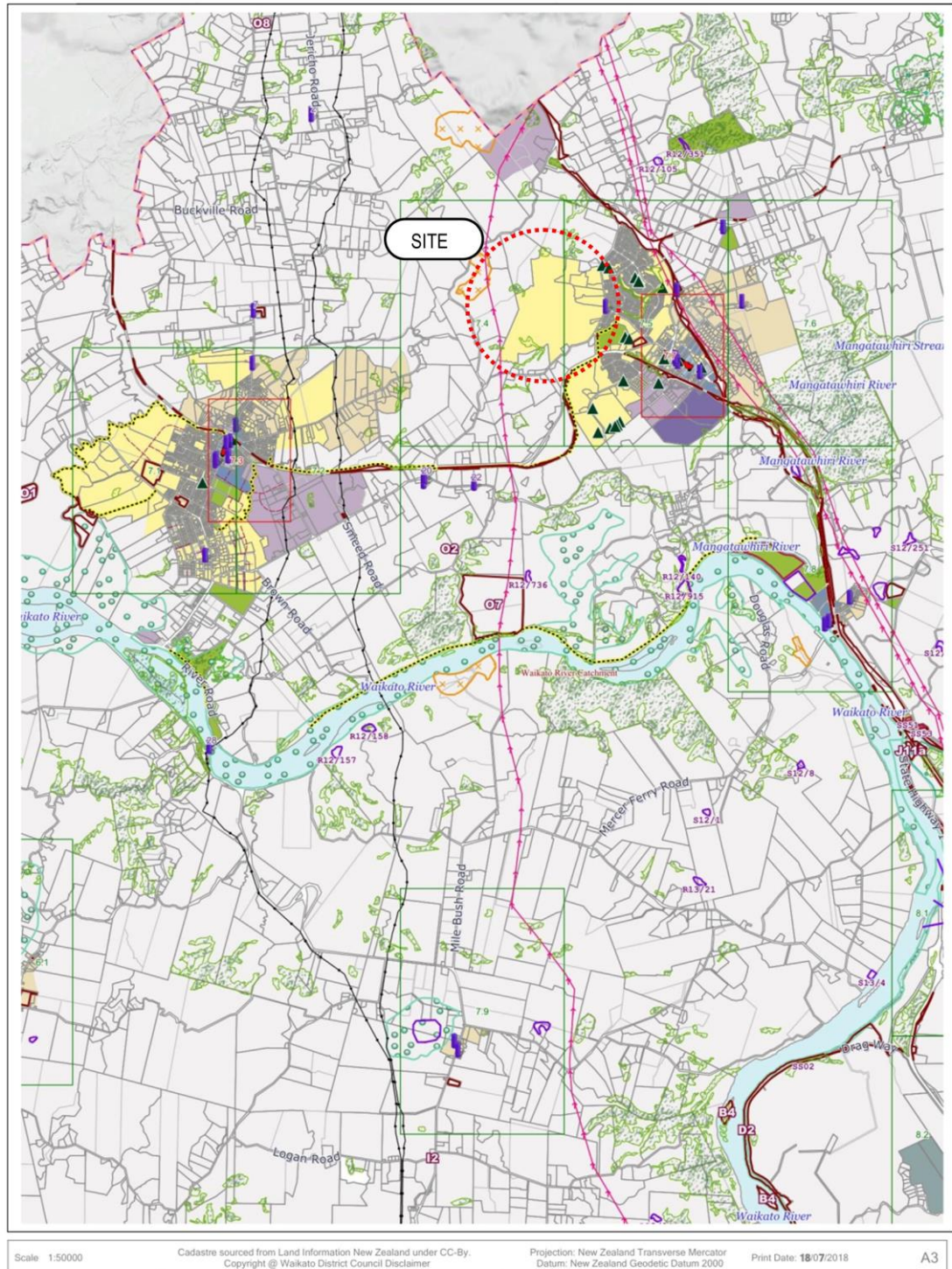
ATTACHMENT 2 – WAIKATO 2070 RESIDENTIAL GROWTH AREAS FOR POKENO (NO SCALE)



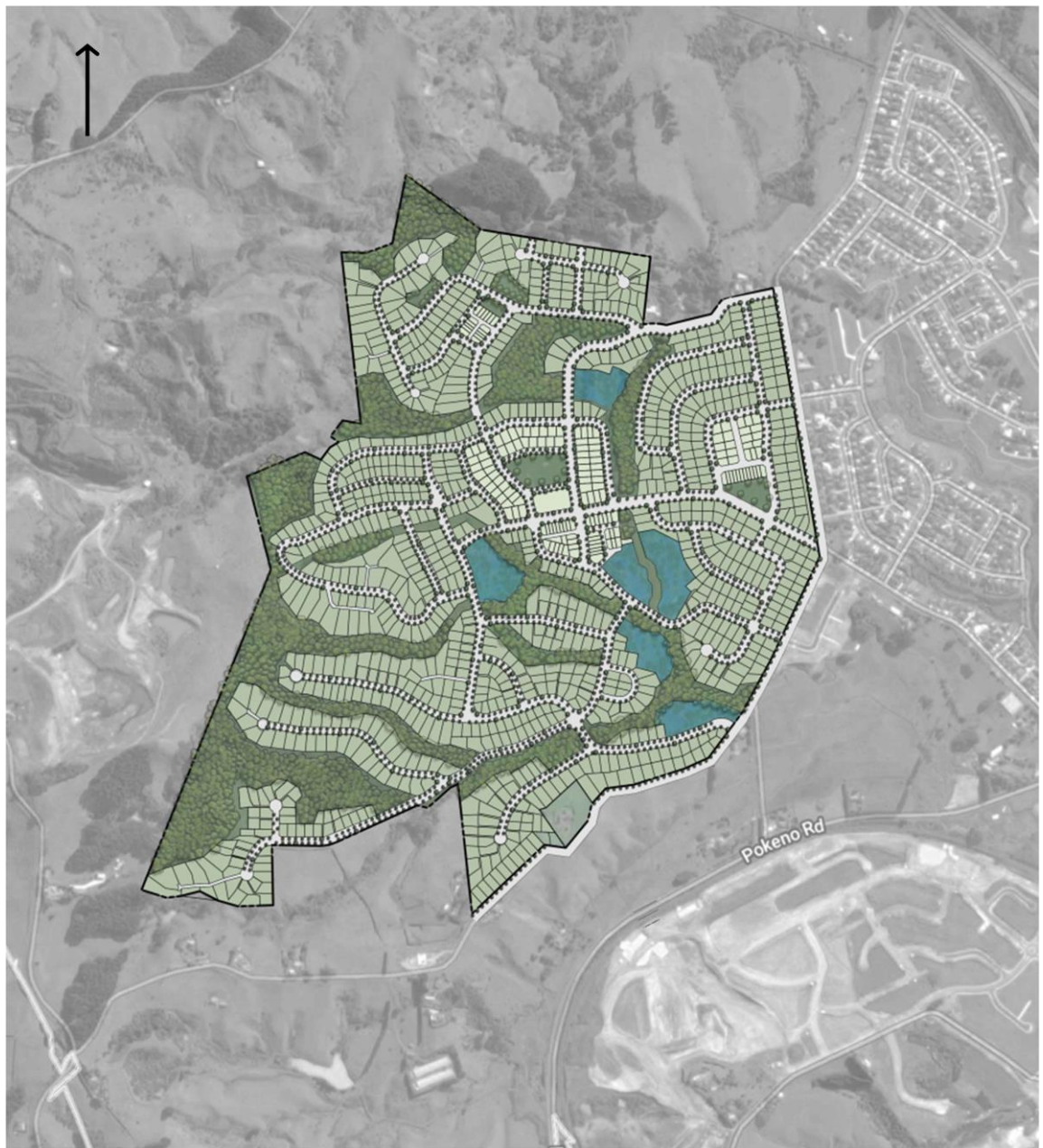
**ATTACHMENT 3 – HIGH-LEVEL RANKING OF WAIKATO 2070 RESIDENTIAL GROWTH
AREAS FOR POKENO (NO SCALE)**



ATTACHMENT 4 – NOTIFIED PDP MAP 7: POKENO (NO SCALE)



ATTACHMENT 5 – CONSTRUKT LTD CONCEPT MASTER PLAN FOR SITE, 2018 (NO SCALE)



**ATTACHMENT 6 – ROAD HIERARCHY UNDERPINNING THE CONSTRUKT LTD CONCEPT
MASTER PLAN, 2018 (NO SCALE)**



Approved for submission by: Birch Surveyors Ltd

Sale Boundaries

Residential Zone

KEY

NOTES.

- 1) Areas and measurements are approximate only and subject to final survey
- 2) Roads shown are legal
- 3) Datum is arbitrary and subject to final survey
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Pokemo WEST HELENSLEE & MUNRO ROAD, POKENO		TITLE
CAL ACTIVITY	MUNRO DISTRICT COUNCIL	Project No.
PLANNING MAP	RESIDENTIAL	4101
DISTRICT	POKENO	Date: . / . /
Consent No.	22-00001	Status: IN PROGRESS @ AJ
Name, Address	BIRCH SURVEYORS LTD 10 WILSON STREET, POKEKO PDEKOE 2340	Scale: 1:11,000
DATE OF ISSUE	12/01/2024	Author: B.S.L.
Drawn By:	AJ	Check: B.S.L.
Checked By:	AJ	Issue Date: 12/01/2024
Subject Manager:	AJ	Zone Map

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