

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 (as it relates to the properties located at Helenslee and Munro Road, Pokeno (the site)) is to:</p> <ul style="list-style-type: none"> - retain the Residential Zone that has been applied as per the notified PDP; and to - rezone the land identified as Residential Zone to Medium Density Residential Zone (MDRZ) as per the zone plan (Attachment A). - An area for a Neighbourhood Centre has been identified on the zone plan. This area is sought to be identified on the PDP Planning Maps to enable Activity P11 of Chapter 16 Residential Zone which requires Neighbourhood Centres (to be a Permitted Activity) to be within an area 'identified in a Council approved Structure Plan or Master Plan'. 	
Relevant objectives of the PDP	PDP objective	Assessment
	Growth occurs in defined growth areas (1.5.2(a))	<p>The site is contiguous with the existing urban area of Pokeno (which is an identified 'urban community'). Therefore, the site is located within the agreed Future Proof Strategy (FPS) settlement pattern area for urban growth and development. Refer to Attachment D for a map showing the indicative Future Proof urban limits around Pokeno.</p> <p>Rezoning of the site enables a logical expansion of the existing urban area and avoids the creation of a new isolated community that could generate undue adverse effects on transport, infrastructure etc.,</p> <p>The suitability of the site to accommodate urban zoning has been demonstrated through the suite of technical reporting previously provided to Council and appended as part of their own s32 evaluation</p>
	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)	
	Promote safe, compact sustainable, good quality urban environments that respond positively to their local context. 1.12.8(b)(ii)	
Focus urban growth in existing urban communities that have capacity for expansion. 1.12.8(b)(iii)		

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		<p>reporting. This led to the decision by Council to notify the PDP with the site identified as Residential Zone.</p> <p>The servicing programme is reliant on both existing infrastructure and the delivery of future upgrades. This has been addressed at a high-level by the assessment of growth cell servicing (waters) (Appendix 5) appended to the Framework s42A Report.</p>
	<p>Protect and enhance green open space, outstanding landscapes, and areas of cultural, ecological, historic, and environmental significance. 1.12.8(b)(vi)</p>	<p>The site does not contain any recognised open spaces, outstanding landscapes or areas of cultural or historic significance.</p> <p>The site does contain multiple features of ecological/environmental value such as identified Significant Natural Areas (SNA) and various watercourses. These have generally been incorporated into the concept masterplan design as open space areas away from development. It is intended that these features will be protected and enhanced and be subject to the PDP provisions and relevant higher order documents.</p> <p>The mapping for Stage 2 of the PDP does not identify any natural hazards on the site.</p>
	<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>	<p>The site is located adjoining the existing urban area of Pokeno and does not detract from the objective to maintain a compact urban form. Rezoning of the site enables a logical expansion of Pokeno without creating new communities/settlements elsewhere.</p>
	<p>Urban growth areas are consistent with Future Proof Strategy for Growth 2017 (4.1.3(b))</p>	<p>The FPS identifies Pokeno as a key growth area meaning there is the expectation that future residential development capacity be provided. The site is also located within the indicative urban limits surrounding</p>

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		Pokeno. As such, the site to which the proposal relates satisfies all relevant criteria.
	Infrastructure can be efficiently and economically provided (4.1.3(a))	<p>As the site adjoins the infrastructure network servicing the existing town, these services can be extended and upgraded where necessary. Commentary on three-waters and transport matters is provided in the evidence by Mr Moore and Mr Hills respectively.</p> <p>Servicing has also been addressed at a high-level by the assessment of growth cell servicing (waters) (Appendix 5) appended to the Framework s42A Report. Given the site is located within a growth cell it is understood that the area is intended to be serviced.</p>
	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>The MDRZ proposed by Kāinga Ora – Homes and Communities (Kāinga Ora) is sought to be applied to the portions of the site adjoining the proposed neighbourhood centre and open space. This is considered to be an appropriate planning/urban design response given higher density housing ensures a larger volume of residents can enjoy these amenities within walking distance. The suitability of the MDRZ is also addressed in the urban design evidence of Mr Munro.</p> <p>If the MDRZ proposal does not eventuate for any reason it is sought that the notified Residential Zone on these areas of the site be retained.</p>
	(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	The site is not identified as Rural Zone in the PDP.

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	supported and development in the rural environment is avoided (5.1.1(A)(i)(ii)(iii); 5.3.8)	
	Rural character and amenity are maintained 5.3.1 (a), 5.3.4 (a) (b)	The site is not identified as Rural Zone in the PDP.
	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))	The site is not identified as Rural Zone in the PDP.
	(b) Ensure development does not compromise the predominant open space, character and amenity of rural areas. (5.3.8(b))	The site is not identified as Rural Zone in the PDP.
	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 a number of cul-de-sacs in the southern portion of the site. This is the closest design element to constituting ribbon development although these are not road corridors with a constant flow of vehicle movements. Notwithstanding this, the underlying topographical conditions warrant such a design response. This approach is justified given a consistent grid layout is only promoted and not required at the expense of not being sympathetic to the existing natural and physical qualities of the environment.
	Subdivision, use and development opportunities ensure that rural character and amenity values are maintained. (5.3.8(e))	Whilst the site is not identified as Rural Zone in the PDP, rezoning would undoubtedly enable the environment/landscape to be altered. However, such a transition is anticipated and a rural backdrop to the site will be maintained. Commentary on landscape and visual effects has been provided by Mr Pryor.
	Subdivision, use and development ensures the effects on public infrastructure are minimised. (5.3.8(f))	The site is contiguous with the existing urban area of Pokeno which is fully serviced. Effects on this existing

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		<p>infrastructure will be minimised as upgrades will be required to ensure no capacity issues arise. Commentary on three-waters and transport matters is provided in the evidence by Mr Will Moore and Mr Leo Hills respectively.</p>
	<p>Meets district wide rules and any relevant overlays</p>	<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, National Grid Overlay) do not preclude the site from being rezoned in accordance with the proposal.</p>
<p>Scale and significance of the rezoning proposal</p>	<p>Comments on the scale and significance of the proposal are provided below:</p> <p>The proposal is a large-scale rezoning request given the site is some 158.92ha in size. Therefore, its significance is at the very least on a district level as the proposed zoning would enable a substantial supply of residential development to support the growth of Pokeno and the district as a whole.</p> <p>Regarding alignment with the higher order documents, the planning evidence to which this evaluation is an attachment provides a broad assessment of these:</p> <ul style="list-style-type: none"> - National Policy Statement on Urban Development (NPS-UD); - National Policy Statement for Freshwater Management (NPS-FW); - The National Planning Standards (NPS); and - The Waikato Regional Policy Statement (WRPS). <p>Rezoning of the site would result in a notable change to the character and amenity of Pokeno given the site is currently rural in nature and the rezoning would enable urbanisation to occur. However, such outcomes are anticipated given the immense growth Pokeno is experienced and projected to continue experiencing in the future. Capacity to accommodate additional residential development is needed and the site provides an opportunity for this in a location that adjoins the existing urban area of Pokeno. It is noted that as proposal was identified as Residential Zone in the PDP, the proposal is essentially part of the “anticipated future development” for Pokeno.</p>	

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	<p>Specific topics have been addressed as follows:</p> <ul style="list-style-type: none"> - s6 of the RMA is addressed in the planning evidence. - Transport and integration matters addressed in the evidence provided by Mr Hills. - Servicing of the Site is addressed in the evidence provided by Mr Moore. Commentary on three-water servicing is also provided in Appendix 5 (Assessment of growth cell servicing – waters) of the s42A Framework Report.
<p>Other reasonably practicable options to achieve the objectives (alternative options)</p> <p>NOTE: the status quo option (do nothing) is not considered to be a reasonably practicable option given the current stage of the District Plan review process. Therefore, it has not been assessed as an alternative.</p>	<p>Alternative 1: Lodge Non-Complying resource consents to undertake comprehensive redevelopment on the site which is Rural Zone in the Operative Waikato District Plan (ODP).</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: Retaining the Residential zoning on the site and rezoning identified areas to 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>The rezoning proposal and concept masterplan includes a few parcels of land not owned by the submitter which could affect integration of a future development.</p>
Environmental	<p>The ecology reporting identifies that 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 generally 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 some 60ha of 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 1400 – 1600 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	<p>Utilising the PDP review process to scrutinise the proposal is more time-efficient and cost-friendly given this process is already underway. The notification of the PDP with the land already identified as Residential Zone has also allowed for the public to provide their input on the proposal via primary and further submissions and for any issues to be deliberated with the Independent Hearing Panel at Hearing 25.</p>	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 1400 – 1600 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>	There are no identifiable costs relating to economic growth.

	<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 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</p>	
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	household expenditure. A net increase of some \$359 million over the next three decades is estimated as the contribution.	
Employment	<p>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 some 170 – 190 full time employees (FTEs) would be enabled over the construction period with some 70 – 120 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>	There are no identifiable economic costs relating to employment.
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.

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

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		<p>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 scale and type of development that is sought.</p> <p>Applying for consents does not address underlying planning inconsistencies that could arise when addressing future activities on-site.</p>
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>	<p>There are no identifiable social costs to this option.</p>
Economic – General	<p>The site could continue to operate as several productive rural farming blocks.</p>	<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</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>	<p>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.</p>
Economic Growth	<p>There are no identifiable economic growth benefits to this option.</p>	<p>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 directly adjoins the urban area of Pokeno and is within the identified settlement pattern of the FPS. 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	<p>The use of the site for rural production activities is retained.</p>	<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</p>

		<p>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.

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. The rezoning proposal and concept masterplan includes a few parcels of land not owned by the submitter which could have different development aspirations.
Environmental	The environmental 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 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 but are likely to be realised earlier given the District Plan review process is currently underway.	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 but are likely to be realised earlier given the District Plan review process is currently underway.	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. 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.
Economic Growth	The economic growth 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 economic growth benefits would be delayed given the time required to proceed through the PPC process.

Employment	The employments 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 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 but are likely to be realised earlier given the District Plan review process is currently underway.	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/cost 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 internally and in the Waikato District as a whole. 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. This is evident in the decision by Council to identify the site with Residential zoning in their notified plan.</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"> - The zoning of the site as notified in the PDP is an outcome of the plan's objectives. General alignment with the relevant objectives of the PDP has been demonstrated in this evaluation after reassessing the relevant 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 irreversible loss of soils. This value has been recognised by Council in their decision to notify the PDP with the site identified as a growth area with Residential zoning. 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 likely that these areas would not comply with the strategic framework for where growth is intended to be located.