

ATTACHMENT A: RMA 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)	
<p>The rezoning proposal</p>	<p>The rezoning proposal (as it relates to the properties located at Pioneer Road (the site)) is to:</p> <ul style="list-style-type: none"> - Rezone the land to Residential Zone as per the attached plan or alternatively to a Country Wide Living Zone or Village Zone 	
<p>Relevant objectives of the PDP</p>	<p>PDP objective</p> <p>Growth occurs in defined growth areas (1.5.2(a))</p> <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)</p>	<p>Assessment</p> <p>The site is close to the historic village of Havelock and forms a buffer between the Industrial land to the east and the Great South Road to the north and east. The land is an isolated pocket of low producing rural land which needs to have a</p>

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	Promote safe, compact sustainable, good quality urban environments that respond positively to their local context. 1.12.8(b)(ii)	future in the community of Pokeno. The opportunity here is to utilise this land to provide an alternative large lot un-serviced rural/residential development within the natural boundaries of the village of Pokeno which would add to the housing supply but at the same time provide a useful alternative to the conventional residential development in the existing and proposed urban area of Pokeno. It is appreciated that it is outside the agreed Future Proof settlement pattern area for urban growth and development.
	Focus urban growth in existing urban communities that have capacity for expansion. 1.12.8(b)(iii)	
	Protect and enhance green open space, outstanding landscapes, and areas of cultural, ecological, historic, and environmental significance. 1.12.8(b)(vi)	<p>The site does not contain any recognised open spaces, outstanding landscapes or areas of cultural or historic significance.</p> <p>The site does not contain features of ecological/environmental value such as identified Significant Natural Areas (SNA) and various watercourses.</p> <p>The mapping for Stage 2 of the PDP does not identify any natural hazards on the site.</p>
	Future settlement pattern consolidated in and around existing towns and villages in the district and in 'defined growth areas' (1.5.1(b); 1.12.3(a); 1.12.3(c); 4.1.2(a); 5.3.8)	The site is located within the natural boundaries of 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.
	Urban growth areas are consistent with Future Proof Strategy for Growth 2017 (4.1.3(b))	The Future Proof Strategy for Growth 2017 (FPS) identifies Pokeno as a key growth area. The site is also located within the natural urban limits surrounding 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))	

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	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))	This site is not proposed for Higher density but it would provide a variation in residential design and add to the housing stock
	(a) Subdivision, use and development within the rural environment where: (i) High class soils are protected for productive rural purposes; (ii) productive rural activities are supported, while maintaining or enhancing the rural environment; (iii) urban subdivision use, productive rural activities are supported and development in the rural environment is avoided (5.1.1(A)(i)(ii)(iii); 5.3.8)	The site is not highly productive from a food production viewpoint
	Rural character and amenity are maintained 5.3.1 (a), 5.3.4 (a) (b)	The site is currently rural but countryside living would provide a transition zone between rural and the industrial zone without affecting the rural character which in Bluff Road is characterised by lifestyle blocks.
	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))	Because the unusual location and the character of the site it appears well suited to Countryside living and would have no effect on the loss of production
	(b) Ensure development does not compromise the predominant open space, character and amenity of rural areas. (5.3.8(b))	While properties in Pioneer Road and Bluff Road are zoned rural on the PWDP, both roads are characterised by Lifestyle lots and yet maintain a sense of open space and amenity of rural areas.
	Ensure subdivision, use and development minimise the effects of ribbon development. (5.3.8(c))	Whilst Countryside living development will add further dwellings the development will be consistent with the character of the neighbourhood.
	Subdivision, use and development opportunities ensure that rural character and amenity values are maintained. (5.3.8(e))	Whilst the site is identified as Rural Zone in the PDP, rezoning would simply allow acceptable development consistent with the existing character.

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	Subdivision, use and development ensures the effects on public infrastructure are minimised. (5.3.8(f))	The existing developments along Bluff and Pioneer roads is not serviced and neither is it intended to provide waste water or water supply to this Countryside development
	Meets district wide rules and any relevant overlays	Alignment with the relevant district wide rules can be assessed at the consenting stages when subdivision/development is being proposed. Overlays do not apply to the site
Scale and significance of the rezoning proposal	<p>Comments on the scale and significance of the proposal are provided below:</p> <p>The proposal is a small-scale rezoning request given the site is some 15.6ha. in size. Therefore, it will have minimum significance at a district level as the proposed zoning would only enable approximately 25 lifestyle blocks to be created. Even so this would be a useful contribution to Housing supply in a time of extreme shortage.</p> <p>Regarding alignment with the higher order documents, the 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 <ul style="list-style-type: none"> o The Waikato Regional Policy Statement (WRPS). <p>Rezoning of the site would not result in a notable change to the character and amenity of the locality given the site is currently rural in nature and the rezoning would enable better utilisation of the land Capacity to accommodate additional residential development is needed and the site provides an opportunity for this in a location that already is substantially Country Side Living in Character</p>	
Other reasonably practicable options to achieve the objectives (alternative options)	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).	
	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.	

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

Rezoning Proposal: Retaining the zoning on the site		
	Benefits	Costs
General[101]		
Environmental	<p>There is little by way of freshwater and terrestrial environmental features on-site and they are generally in a degraded state due to the absence of protection and the current land uses. These can be formally protected through physical protection and enhancement that accompanies residential development.</p>	<p>Rezoning of the land means that the future rural production use of the site is lost but in reality there is no measurable production from the site</p> <p>The existing rural character/landscape would be altered as the site was urbanised over time.</p>
Social	<p>The proposal offers large lifestyle blocks and a choice of housing styles 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.</p>	<p>There are no identifiable social costs.</p>

Economic – General	<p>The property is utilised as a very large lifestyle block with a minimum of rural production.</p> <p>Acknowledging this fact the PWDP provides an opportunity for the land to be much better utilised through intensifying the land use and providing addition lifestyle lots on the market.</p>	There are no identifiable general economic costs.
Economic Growth	Pokeno is an identified growth area that requires additional live zoned land to accommodate the growth the town is experiencing. The rezoning proposal will support the objective of making more housing lots available and a wider choice of housing typologies.	There are no identifiable costs relating to economic growth.
Employment	Rezoning of the site would provide temporary employment opportunities during the approvals/construction stages and ongoing opportunities for housing choices	There are no identifiable economic costs relating to employment.
Cultural	There are no formally recognised cultural features/items on-site.	There are no identifiable cultural costs, Iwi groups have been active in the PDP review process and are likely to continue as such.

Table 2B: Benefits and Costs Analysis of Alternative 1

Alternative 1: Lodge Non-Complying resource consents to undertake comprehensive redevelopment on the site which is Rural Zone in the ODP		
	Benefits	Costs
General		<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 development 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 rural character/landscape would not be materially altered by lifestyle development as this type of low-density rural lifestyle housing already characterises this neighbourhood.</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>There are significant costs and time delays with this option which generally are borne by the purchasers.</p>
Economic – General	<p>The site could continue to operate as a very large unproductive lifestyle block.</p> <p>The consenting pathway would be more time and costly.</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 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>

	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.	
Economic Growth	There are no identifiable economic growth benefits to this option.	If resource consents to develop the site cannot be obtained, there is the sizeable opportunity cost of the site being undeveloped which is significant as the land is within the natural boundaries of the village of Pokeno.
Employment	The use of the site for rural production activities is retained.	There would be no employment opportunities created at the approvals/construction phases for future development.
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		

Environmental	The environmental benefits are the same as the rezoning proposal.	The environmental benefits would be delayed given the time required to proceed through the PPC process.
Social	The social benefits are the same as the rezoning proposal.	The social benefits would be delayed given the time required to proceed through the PPC process.
Economic – General	The general economic benefits are the same as the rezoning proposal.	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.	The economic growth benefits would be delayed given the time required to proceed through the PPC process.
Employment	The employment benefits are the same as the rezoning proposal.	The employment benefits would be delayed given the time required to proceed through the PPC process.
Cultural	The cultural benefits are the same as the rezoning proposal.	The cultural benefits would be delayed given the time required to proceed through the PPC process.

Table 3: Evaluation of the proposal

Reasons for the selection of the preferred option	Preferred option: the rezoning proposal.
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	<p>Balancing the costs and benefits of the rezoning proposal and the two alternatives, rezoning of the site provides superior environmental outcomes that can occur more efficiently and in a timelier manner given the PDP review process is currently underway.</p> <p>The resource consenting pathway to achieving the purpose of the proposal is rife with uncertainty whereas progressing a PPC would unnecessarily duplicate existing processes and generally be time consuming. This evaluation has shown that addressing the rezoning proposal through the district plan review process trumps the alternative options for enabling future development of the site.</p>
<p>Extent to which the objectives of the proposal being evaluated are the most appropriate way to achieve the purpose of the RMA</p>	<p>The proposal does not offer any site-specific objectives. Instead, recourse to address the purpose of the proposal is recommended as per s32(1)(a).</p> <p>The overarching purpose of the proposal is to expand the existing Pokeno township to provide for the significant residential growth that is taking place. Accommodating this growth will also involve the provision of open space and recreational areas and a neighbourhood centre to cater for the day-to-day needs of future residents. If possible, enabling higher density residential outcomes is also sought in strategic and appropriate areas.</p> <p>In general, the rezoning proposal is the most appropriate way to achieve the purpose of the RMA for the following reasons:</p> <ul style="list-style-type: none"> - Rezoning of the site provides for the social and economic well-being of the current and future community of Pokeno and to a degree the wider district. There is a strong demand for suitable land to accommodate residential growth and this includes lifestyle blocks. 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. - 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 area that is further away from community services. The proposal by Havelock Village and Tata Valley to improve the linkages between Bluff Road and the Town centre and to make better access to the Waikato River is a substantial driver towards a more compact town with improved connectivity.
<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 sufficient information about the subject matter. The breadth and depth of technical information provided in support of the rezoning proposal is considered to be sufficiently in-depth and does not preclude the site from being rezoned.</p>
<p>Conclusion</p>	<p>The proposed rezoning will be efficient and effective in achieving the objectives of the PDP for the following reasons:</p>

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- The zoning of the site as notified in the PDP is rural but this does not take into account the Waikato 2070 recognition that Pokeno will need to grow in all directions to meet the projected demand for population growth over the next 3 -10 years. It is also noted that in the Sec 42A report by Dr. Mark Davies of the 19th of January 2021 he recommends in Para 258 that there be no additional zoning of further large-lot residential zones of either Country Living Zones or Village Zones in the Waikato District. His objection appears to be that these types of large lot zones do not function well as transitional zones and in some cases that is true. However, what should not be lost sight of is that adjoining many urban areas and indeed in some country areas are pockets of unproductive steeper land that can provide for large lot development, Such development increases the utilisation of the land of and in doing so provides a wider choice of housing typology to the markets. The subject property is a case in point
- . Given the stark shortage of supply, alternative locations to accommodate growth should not be dismissed. Even though such supply would be through large lot and un-serviced lots.