

Section 32AA Further Evaluation – Plan Change 58 (PC58)

Section 32AA of the RMA requires a further evaluation for any changes that have been made to, or are proposed for, a proposal since the evaluation report for the proposal was completed. The further evaluation must be undertaken in accordance with section 32(1) to (4) and at a level of detail that corresponds to the scale and significance of the changes.

The first s32 evaluation report was included in the Plan Change Request for PC58 dated 22 December 2022.

This further evaluation under s32AA builds on the previous evaluation and evaluates the changes to the plan provisions which are proposed in the Addendum dated November 2023.

This evaluation does not include minor wording changes to improve clarity or consistency, or any consequential amendments, as their effects are not measurable.

1.0 SECTION 32(1)(a) FURTHER EVALUATION

Section 32(1)(a)	
Examine the extent to which the objectives of the proposal being evaluated are the most appropriate way to achieve the purpose of this Act	
Further Changes	Assessment
No changes are proposed to the objectives, aside from a minor wording change to GIZ-O2 (replacing “our” with “the district’s”).	Not required.

2.0 SECTION 32(1)(b) FURTHER EVALUATION

Section 32(1)(b) requires examination whether the provisions in the proposal are the most appropriate way to achieve the objectives by:

- (i) Identifying other reasonably practicable options for achieving the objectives; and
- (ii) Assessing the efficiency and effectiveness of the provisions in achieving the objectives; and
- (iii) Summarising the reasons for deciding on the provisions.

Further Changes	Other reasonably practicable options	Efficiency and effectiveness (including costs and benefits and risks of acting or not acting)	Reasons for deciding on the provisions
<p>1. Change the activity status for industrial activities that require an air discharge consent from Discretionary to Non-Complying (GIZ-R1(4)).</p>	<p>Retain the notified provisions (i.e. Discretionary Activity status).</p>	<p>Benefits</p> <p><u>Environmental</u></p> <ul style="list-style-type: none"> • Better certainty on the likely development outcomes due to NC activity status discouraging these activities in the GIZ. • Reduced potential for reverse sensitivity effects. • Less likelihood of activities which could cause adverse air quality effects establishing in the GIZ. <p><u>Economic</u></p> <ul style="list-style-type: none"> • Could give greater confidence for industrial/semi-commercial activities which are sensitive to air discharges to locate on the PC58 land. <p><u>Social</u></p> <ul style="list-style-type: none"> • Potential amenity benefits for neighbours and for future workers and visitors of industrial land within the PC58 site. <p><u>Cultural</u></p> <ul style="list-style-type: none"> • No specific issues were raised regarding air discharges in the Cultural Values Assessment so there are no known cultural benefits. 	<p>The reduced likelihood of reverse sensitivity effects is a key reason for this change. The change will discourage resource consent applications for industrial activities that require an air discharge consent and reduce the likelihood of these types of activities being established.</p>

Further Changes	Other reasonably practicable options	Efficiency and effectiveness (including costs and benefits and risks of acting or not acting)	Reasons for deciding on the provisions
		<p>Costs</p> <p><u>Environmental</u></p> <ul style="list-style-type: none"> No environmental costs have been identified. <p><u>Economic</u></p> <ul style="list-style-type: none"> There are potentially economic costs due to reducing the areas where these types of activities could locate within the district. <p><u>Social</u></p> <ul style="list-style-type: none"> There are potentially social costs due to reducing the areas where these types of activities could locate within the district, such as longer trips for goods and employment. <p><u>Cultural</u></p> <ul style="list-style-type: none"> No specific issues were raised regarding air discharges in the Cultural Values Assessment so there are no known cultural costs. <p>Risks of Acting or Not Acting</p> <p>The risk of not acting is the increased likelihood of resource consent applications being made for these types of activities if the rezoning is approved and a Discretionary Activity status is retained.</p>	
<p>2. Include a permitted activity rule for ancillary activity to a permitted activity (GIZ-R1(1)).</p>	<p>Retain the notified provisions. <u>Or,</u> Amend the definitions for the various activities which are permitted to also include ancillary activities.</p>	<p>Benefits</p> <p><u>Environmental</u></p> <ul style="list-style-type: none"> No environmental benefits have been identified. <p><u>Economic</u></p> <ul style="list-style-type: none"> Many of the permitted activities which are listed in the rules commonly have ancillary uses, such as supporting offices or retail. While the definition for industrial activity in the National Planning Standards covers ancillary activity, the definitions for other activities which are permitted in the GIZ under PC58 do not. There are economic benefits with ensuring activities can co-locate on a single site, including reduced financial costs and greater efficiencies associated with land, buildings, car parking and employment. Including the rule would avoid the financial cost that would be incurred if resource consents were required for ancillary activities. The resource consent process could also result in 	<p>The principal benefits of the change are the financial and social benefits of enabling activities which have an ancillary component to co-locate on a single site with a principal activity, and the improved certainty and reduced costs that will arise from making ancillary activity a Permitted Activity. The change has several benefits and no identified costs.</p>

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		<p>delays. The financial cost and uncertainty might affect people's confidence to invest.</p> <p><u>Social</u></p> <ul style="list-style-type: none"> • There are social benefits with enabling ancillary activities to co-locate with principal activities on a single site, including improved access to services. <p><u>Cultural</u></p> <ul style="list-style-type: none"> • No cultural benefits have been identified or are known to exist. <p>Costs</p> <p><u>Environmental</u></p> <ul style="list-style-type: none"> • No environmental costs have been identified. <p><u>Economic</u></p> <ul style="list-style-type: none"> • No economic costs have been identified. <p><u>Social</u></p> <ul style="list-style-type: none"> • No social costs have been identified. <p><u>Cultural</u></p> <ul style="list-style-type: none"> • No cultural costs have been identified or are known to exist. <p>Risks of Acting or Not Acting</p> <p>There are no risks of acting. The risks of not acting include the potential for a proliferation of resource consents for ancillary activities, with associated financial costs, delays and uncertainty.</p>	
3. Include a gross floor area limit for cafes and takeaway food outlets (GIZ-R1(1)(l)).	Retain the notified provisions (i.e. with no gross floor area limit).	<p>Benefits</p> <p><u>Environmental</u></p> <ul style="list-style-type: none"> • The change to the rule will ensure that cafes and takeaway food outlets are at a scale that provides a complimentary service to other activities within the GIZ, which is the intention. <p><u>Economic</u></p> <ul style="list-style-type: none"> • More land within the GIZ is likely to remain available for industrial activities, which is the primary purpose of the zone. <p><u>Social</u></p> <ul style="list-style-type: none"> • There will continue to be social benefits of enabling complimentary café and takeaway food outlets for workers and visitors within the GIZ. <p><u>Cultural</u></p> <ul style="list-style-type: none"> • No cultural benefits have been identified or are known to exist. 	The change to the rule will ensure that cafes and takeaway food outlets are at a scale such that they provide a complimentary service to other activities within the GIZ, which is the intention. The change has several benefits and no identified costs.

Further Changes	Other reasonably practicable options	Efficiency and effectiveness (including costs and benefits and risks of acting or not acting)	Reasons for deciding on the provisions
		<p>Costs</p> <p><u>Environmental</u></p> <ul style="list-style-type: none"> No environmental costs have been identified. <p><u>Economic</u></p> <ul style="list-style-type: none"> No economic costs have been identified. <p><u>Social</u></p> <ul style="list-style-type: none"> No social costs have been identified. <p><u>Cultural</u></p> <ul style="list-style-type: none"> No cultural costs have been identified or are known to exist. <p>Risks of Acting or Not Acting</p> <p>There is precedent for a 250m² gross floor area limit in other district plans. Food and beverage outlets are permitted in the Industrial Zone under Hamilton City's District Plan with a GFA limit of 250m². Food outlets are permitted in the GIZ under the Proposed Waikato District Plan with a GFA limit of 250m².</p>	
<p>4. Amend standards for fencing and retaining walls (GIZ-R2(4)), service areas and outdoor storage areas (GIZ-R2(9)) and general site layout (GIZ-R2(10)).</p>	<p>Retain the notified provisions.</p>	<p>Benefits</p> <p><u>Environmental</u></p> <ul style="list-style-type: none"> The amended fencing and retaining wall standards delete the requirement for fencing along a non-industrial zone to be visually permeable. Requiring permeable fencing would preclude the use of fencing to assist with screening/softening the visual and landscape effects of industrial activities. The amendments apply the same fencing and retaining wall standards and service and outdoor storage area standards to front boundaries/yards and reserve boundaries/yards (excluding utility reserves) where the environmental outcomes being sought are similar. <p><u>Economic</u></p> <ul style="list-style-type: none"> Amendments to the fencing and retaining wall, service and outdoor storage area and general site layout rules will improve certainty and clarity of the plan provisions which may reduce future resource consent costs. The amended service and outdoor storage area and general site layout rules clarify that the rules do not apply to storage or machinery or other equipment where the goods are available for 	<p>The changes will improve the certainty and clarity of the plan provisions, achieve better environmental outcomes, particularly along the boundaries of non-industrial zones and reserves and ensure that sale and hire activities can locate in the GIZ without unnecessary limitations. The changes will have no/minimal costs.</p>

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		<p>sale or hire. This will ensure that sale and hire activities can locate in the GIZ without unnecessary limitations.</p> <p><u>Social</u></p> <ul style="list-style-type: none"> • There are potential amenity benefits for non-GIZ neighbours and reserves due to the amended fencing and retaining wall standards. <p><u>Cultural</u></p> <ul style="list-style-type: none"> • No cultural benefits have been identified or are known to exist. <p>Costs</p> <p><u>Environmental</u></p> <ul style="list-style-type: none"> • No environmental costs have been identified. <p><u>Economic</u></p> <ul style="list-style-type: none"> • No economic costs have been identified. Costs to comply with the amended standards are unlikely to be substantially different. <p><u>Social</u></p> <ul style="list-style-type: none"> • No social costs have been identified. <p><u>Cultural</u></p> <ul style="list-style-type: none"> • No cultural costs have been identified or are known to exist. <p>Risks of Acting or Not Acting</p> <p>The risks of not acting are that the plan provisions may lack certainty and clarity. The changes will achieve better environmental outcomes, particularly along the boundaries of non-industrial zones and reserves.</p>	
5. Amend the landscaping standards for the ADAP, including by incorporating the cross sections for the landscape buffer	Retain the notified provisions.	<p>Benefits</p> <p><u>Environmental</u></p> <ul style="list-style-type: none"> • The amended landscape buffer cross sections will assist in managing effects at the interface between the GIZ and the Rural Zone. • Adding a requirement that the landscape buffers must be implemented at the time of subdivision reflects the original 	The amended provisions will ensure that an effective buffer is provided at the interface between the GIZ and the Rural Zone. The changes have

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<p>(GIZ-R2(5), Appendix 9.6.3, Part C – Maps and Plans).</p>		<p>intention of the rule and will ensure the landscape buffers are established as early as possible to maximise growth.</p> <ul style="list-style-type: none"> • Provision for fast-growing exotic trees will assist in achieving effective buffering as quickly as possible. <p><u>Economic</u></p> <ul style="list-style-type: none"> • The amended provisions, including the inclusion of cross sections in the ADAP, achieve an appropriate level of certainty for future resource consent applicants and neighbours. <p><u>Social</u></p> <ul style="list-style-type: none"> • The landscape buffers will assist in managing effects at the interface between the GIZ and the Rural Zone. <p><u>Cultural</u></p> <ul style="list-style-type: none"> • The rule continues to refer to preference for native species, while recognising some fast-growing exotic trees may also be appropriate for buffering. 	<p>several benefits and minimal costs.</p>

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		<p>Costs</p> <p><u>Environmental</u></p> <ul style="list-style-type: none"> No environmental costs have been identified. <p><u>Economic</u></p> <ul style="list-style-type: none"> There are economic costs associated with the land required for the landscape buffer, however, those costs are no different due to the proposed changes. <p><u>Social</u></p> <ul style="list-style-type: none"> There are no identifiable social costs. <p><u>Cultural</u></p> <ul style="list-style-type: none"> The Cultural Values Assessment expresses preference for use of native species. That preference continues to be reflected in the rule, although the cross sections and rule also anticipate fast-growing exotic trees to achieve appropriate buffering. <p>Risks of Acting or Not Acting</p> <p>There is no risk of acting. The cross sections have been prepared by a landscape architect so the information is not uncertain or insufficient.</p>	
<p>6. Amend the ADAP by removing the 'Potential Future Vehicle Connection to SH26' and the 'Access to Stormwater Management Reserve and Potential Future Road' (Part C – Maps and Plans). Delete associated building envelope standards (Rule 3.2.1).</p>	<p>Retain the notified provisions.</p>	<p>Benefits</p> <p><u>Environmental</u></p> <ul style="list-style-type: none"> The submission by Waka Kotahi states a strong preference for all access to be via Avenue Road North and raises concerns that the potential future road connection to SH26 would have adverse effects on the state highway. There are environmental benefits for neighbours, one of whom has raised concerns about adverse effects (such as traffic noise) from a future connection to SH26. <p><u>Economic</u></p> <ul style="list-style-type: none"> There is an economic benefit of removing the potential future road and associated building envelope standards from the ADAP as it will remove a constraint that would have existed over the land that it was shown over. There are cost savings if access to the ADAP is from a single location (i.e. the existing intersection on Avenue Road North). A 	<p>There is no basis for retaining the potential future road connection to SH26 given Waka Kotahi's view that it would have adverse effects on the state highway and their strong preference for access via Avenue Road North. Deleting the potential future road connection to SH26 connection is also consistent with MPDC's latest position (advised to the Applicant via email) and would addresses concerns raised by a</p>

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		<p>future connection to SH26, including a new intersection on the state highway, would be likely to be expensive to build.</p> <p><u>Social</u></p> <ul style="list-style-type: none"> The removal of the potential future road connection will reduce potential amenity effects on neighbouring dwellings and properties that would have otherwise required mitigation if access was provided from SH26 in future. <p><u>Cultural</u></p> <ul style="list-style-type: none"> No cultural benefits have been identified or are known to exist. <p>Costs</p> <p><u>Environmental</u></p> <ul style="list-style-type: none"> There are no identifiable environmental costs. Opportunities for pedestrian and cycle connections to SH26 are not precluded and will still be required to be considered in accordance with Appendix 9.6.2. <p><u>Economic</u></p> <ul style="list-style-type: none"> There could be higher economic costs if a road connection to SH26 is required in future which is not planned for now, for example if buildings are constructed in the interim either over or near the land that would be required. <p><u>Social</u></p> <ul style="list-style-type: none"> There could be higher social costs if a road connection to SH26 is required in future which is not planned for now, for example if buildings are constructed in the interim either over or near the land that would be required. <p><u>Cultural</u></p> <ul style="list-style-type: none"> No cultural costs have been identified or are known to exist. 	<p>submitter who owns a neighbouring property.</p>

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		<p>Risks of Acting or Not Acting</p> <p>The risk of acting (i.e. of identifying the potential future road connection to SH26 on the ADAP) is that it would be contrary to Waka Kotahi’s strong preference for access via Avenue Road North rather than SH26 and the lack of investigations or analysis by MPDC to substantiate it’s need. Identifying the potential future road connection to SH26 could establish an unfounded expectation that it will be provided in future. It could also result in an unnecessary constraint over the land. In this context, the risk of not acting is comparatively low.</p>	
<p>7. Include water supply for firefighting in the water requirements for the ADAP (Appendix 9.6.4).</p>	<p>Do not include any specific provisions for firefighting supply.</p>	<p>Benefits</p> <p><u>Environmental</u></p> <ul style="list-style-type: none"> • No environmental benefits have been identified. <p><u>Economic</u></p> <ul style="list-style-type: none"> • There are potential economic benefits to ensuring firefighting water supply is provided, including protection of assets from damage. <p><u>Social</u></p> <ul style="list-style-type: none"> • No social benefits have been identified. <p><u>Cultural</u></p> <ul style="list-style-type: none"> • No cultural benefits have been identified or are known to exist. 	<p>The change will ensure that water supply for firefighting is a design consideration for the ADAP.</p>

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		<p>Costs</p> <p><u>Environmental</u></p> <ul style="list-style-type: none"> • There are no known environmental costs to providing firefighting water supply. <p><u>Economic</u></p> <ul style="list-style-type: none"> • There may be economic costs associated with provision of firefighting water supply infrastructure, however, there are unlikely to be additional costs due to the proposed change as firefighting water supply is a matter that would typically be addressed as part of subdivision and development regardless. <p><u>Social</u></p> <ul style="list-style-type: none"> • No social costs have been identified. <p><u>Cultural</u></p> <ul style="list-style-type: none"> • No cultural costs have been identified or are known to exist. <p>Risks of Acting or Not Acting</p> <p>There would potentially be a risk of acting if the amended provisions referenced a specific standard which might change in the future and/or if the amended provisions could conflict with the requirements through another process, such as a building consent. The proposed change is broadly framed to avoid those risks.</p>	
8. Add new definitions for 'height in relation to boundary' and 'utility reserve' (Section 15).	Do not include definitions for these terms.	<p>Benefits</p> <p><u>Environmental</u></p> <ul style="list-style-type: none"> • No environmental benefits have been identified. <p><u>Economic</u></p> <ul style="list-style-type: none"> • The changes will improve certainty and clarity of the plan provisions which may reduce future resource consent costs. <p><u>Social</u></p> <ul style="list-style-type: none"> • No social benefits have been identified. <p><u>Cultural</u></p> <ul style="list-style-type: none"> • No cultural benefits have been identified or are known to exist. 	The changes will improve the certainty and clarity of the plan provisions. The definition for 'height in relation to boundary' is a mandatory definition from the National Planning Standards.

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		<p>Costs</p> <p><u>Environmental</u></p> <ul style="list-style-type: none"> • No environmental costs have been identified. <p><u>Economic</u></p> <ul style="list-style-type: none"> • No economic costs have been identified. <p><u>Social</u></p> <ul style="list-style-type: none"> • No social costs have been identified. <p><u>Cultural</u></p> <ul style="list-style-type: none"> • No cultural costs have been identified or are known to exist. <p>Risks of Acting or Not Acting</p> <p>There are no risks of acting. The risks of not acting are that the plan provisions may lack certainty and clarity.</p>	