

IN THE MATTER of the Resource Management Act 1991 (**RMA**)
AND
IN THE MATTER of the Proposed Waikato District Plan
BETWEEN **RANGITAHİ LIMITED**
Submitter [No. 343]
AND **WAIKATO DISTRICT COUNCIL**
Local Authority

**MEMORANDUM OF COUNSEL REGARDING TRADE COMPETITION
HEARING 25 - RAGLAN**

Dated: 10 March 2021

Solicitors on Record

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MAY IT PLEASE THE COMMISSIONERS:

1. Counsel acts for Rangitahi Limited (**Rangitahi**) on the Proposed Waikato District Plan (**pWDP**).
2. This memorandum accompanies Evidence in Reply filed in response to evidence in support of the submission seeking rezoning of the 'Te Hutewai Structure Plan' area on behalf of the Koning Family Trust and Marting Koning (**Konings**).
3. Rangitahi's submission on the Zone Extents Topic has sought placed-based planning for growth with provision for a Council-led, Raglan-wide spatial plan followed by site specific structure planning to achieve live zoning. This approach would enable growth that is responsive to Raglan's special character and landscape.
4. Rangitahi's further submission (FS 1208) "supports in part" the Konings' submission on the proviso that *"the location and extent of the zoning should be determined following structure planning of the entire Future Growth Area."*
5. Rangitahi has filed evidence in support of its further submission from Dr Doug Fairgray (Geospatial Economics), Rachel de Lambert (Landscape) and Ben Inger (Planning).
6. Rangitahi acknowledges that it could gain an advantage in competition through the further submission. Counsel submits that Rangitahi's further submission satisfies the criteria for a valid submission under clause 6(3) and (4) of Schedule 1 of the RMA on the basis that:
 - (a) Rangitahi owns land in the areas immediately adjacent to the proposed Te Hutewai Structure Plan area, and is developing the land subject to the Rangitahi Structure Plan.
 - (b) Rangitahi is directly affected by the effects of the proposed Te Hutewai Structure Plan on the wider Raglan landscape, character and infrastructure servicing urban growth. Those are effects that adversely affect the environment, and do not relate to trade competition or the effects of trade competition.
 - (c) Rangitahi does not oppose the relief sought but seeks to have the zoning confirmed following a Raglan-wide Spatial Plan to address

provision for future growth in the context of Raglan's special character and landscape values.

- (d) The special character of Raglan has been recognised through the pWDP hearings and the Raglan character workshop, and Rangitahi's further submission addresses matters of wider public interest.

- 7. Rangitahi respectfully seeks leave to file evidence in support of its further submission, and to appear to be heard in support of its further submission at Hearing 25 – Zone Extents.

DATED 10 March 2021



Dr R.A. Makgill / B.C. Parkinson
Counsel for Rangitahi Limited