

SECTION 42A REPORT

Summary Statement

Hearing 16: Raglan

Report prepared by: Summer Salmon

Date: 2 June 2020



Summary Statement

1. My name is Summer Salmon. I am the author of the s42A report and the rebuttal evidence for Raglan. My qualifications and experience are set out in the s42A report.
2. This statement provides an overview of the:
 - Notified provisions relating to Raglan;
 - Submissions;
 - Recommended amendments to the notified plan; and,
 - Remaining matter of addressing Raglan’s special character.

Overview of the relevant notified provisions relating to Raglan

3. The key provisions pertinent to Raglan within the notified version include:
 - Provisions within Chapter 1 which recognise the ecological and cultural importance of the coastline (Provision 1.5.7.5) and various landmarks, including Karioi (Policies 1.6.1 & 2.16.2);
 - Provisions within Chapter 4 which seek to:
 - Ensure a wide range of housing options and densities is provided for within towns, including Raglan (Policies 4.1.18 & 4.2.16);
 - Ensure residential zoned land near the Business Town Centre Zone and transport networks is used for higher density residential living (Policy 4.2.16);
 - Provide for the ongoing change in the mixture of residential and commercial activities bordering identified commercial areas within Bankart Street and Wainui Road (Policy 4.2.22);
 - Recognise and maintain the role and scale of the business town centres to ensure their continued viability (Policy 4.5.3);
 - Promote business town centres as a community focal point and maintain their commercial and mixed use character (4.5.12);
 - Maintain and enhance the role of the Raglan Town Centre (4.5.14).
 - A provision within Chapter 6 to avoid obscuring the sightline of the Raglan Navigation Beacon (Policy 6.1.15);
 - Provisions within Chapter 9 which outline controls to ensure the development of the Rangitahi Peninsula is of a character and scale that reflects the harbour setting and Raglan’s seaside village character (Specific Zones 9.3);
 - Rules within Chapter 16 relating to commercial activities within the Bankart Street and Wainui Road Business Overlay Area (Rules 16.1.2.P12, 16.2.2 & 16.3.6);
 - Rules within Chapters 16, 17, 18, 22 and 25 relating to the Raglan Navigation Beacons;
 - Rules within Chapter 28 relating to the Rangitahi Peninsula Zone;
 - Appendix 8 containing the Rangitahi Structure Plan; and
 - Appendix 10.1 containing the Raglan Town Centre Character Statement.
4. Activities within Raglan are otherwise governed by the general zone rules.

Overview of submissions

5. The s42A report addresses 94 original submission points and 101 further submission points. The submissions covered a range of matters including:

- The protection of the character of Raglan;
 - A structure plan for Raglan;
 - The notification of resource consent applications failing District Plan provisions;
 - The Raglan town centre;
 - Restrictions on holiday accommodation in Raglan;
 - The built environment outside of the town centre;
 - The protection of views to the harbour, coast and natural backdrops;
 - The Raglan navigation beacons; and
 - Beach access for horses
6. A number of submissions considered that Raglan has a special character and sought inclusion of provisions in the district plan to protect that character. The relief sought in some of the submissions is extensive (although often not specific to a particular provision); while other submissions do not go beyond stating that the character of Raglan needs to be protected.
7. Isthmus was contracted by Council to determine as a first step whether there is or is not special character in Raglan. Their analysis considered that there are specific characteristics and attributes which contribute to the special character of Raglan and its surrounds.
8. In terms of the identified aspects of character that can be measured and interpreted, the notified provisions do not fully protect those elements as there are very few provisions in the District Plan unique to Raglan. In terms of the more intrinsic aspects of character, I agree with Mr Coombs that more engagement is required with the community and in particular, with mana whenua, to enable development of a rule and policy framework.
9. Although I support the submissions in principle, I find myself unable to recommend changes in response to their submissions on the basis that:
- None of the submissions provided an analysis at a level of detail that corresponds to the scale and significance of the changes sought to the notified Plan; and,
 - The result of accepting those submissions may significantly change the proposed plan without a real opportunity for participation by those who may be affected. This is due to the lack of specificity in the relief being sought by the submissions.
10. In my report, I suggested that the relief sought by submitters might be best served through a subsequent process.

Overview of recommended amendments to the notified version

11. As detailed in Appendix 2 of the s42A report, I have recommended six amendments to the notified version; specifically to Policy 4.5.14 relating to the Raglan Town Centre and to the Prohibited Activities Rules within Chapters 16, 17, 18, 22 and 25 relating to the Raglan Navigation Beacons.
12. Policy 4.5.14 as notified, sets out the development principles within the Raglan town centre. In relation to new built form, the policy requires consistency with the outcomes of the Raglan Town Centre Character Statement but does not state what those outcomes are. The recommended amendments incorporate the outcomes of the character statement into the

policy to provide more certainty about what the policy is trying to achieve and in my opinion, strengthens the policy.

13. With respect to the recommended amendments to the Prohibited Activities Rules; these rules as notified prohibit activities that obscure the sightline of the Raglan Navigation Beacon rather than prohibiting activities that breach the height restriction plane.
14. There is a 1m buffer between the light and the height restriction plane and so the wording of the rule allows land use activities to breach the height plane, as long as they do not obscure the sight line of the beacons as a permitted activity. I consider there is a risk of obscuring the sightline of the beacon light if the wording remains as is. As such, I recommend amended wording which prohibits development that protrudes into the height restriction plane. This wording, in my view reduces the risk of obscuring the sightline of the beacon light and provides more certainty around the application of the rule and consistency in terms of the wording of these rules in relation to other similar notified rules.
15. I understand that there is the intention to lift the beacon however this is a matter which needs to be addressed outside the District Plan.

Remaining matter of addressing Raglan's special character.

16. In making the suggestion to address Raglan's special character through a plan change, I did weigh up whether a variation might be a more appropriate option.
17. As I see it, the only difference between a variation and a plan change is the timing in that one is a change to the Proposed District Plan, while the other is a change to the Operative District Plan. Either process will address the submissions seeking protection of Raglan's character and allow, the opportunity for participation with the wider community, (albeit within the time constraints of this process if it were to be progressed as a variation). Once the Plan is beyond challenge, activities within Raglan will be subject to the new rule and policy framework ensuring the identified characteristics which contribute to the special character of Raglan are protected.
18. Either process will mean there will be an interim period where activities within Raglan will be governed by the general plan provisions although I acknowledge there will be a longer period if this process were to be progressed as a plan change. As I have already concluded, these provisions will not fully protect the identified characteristics which contribute to the special character of Raglan.
19. However, because there are no time constraints, a plan change will enable:
 - full participation of affected parties;
 - a deeper understanding of the elements that contribute to the character of Raglan;
 - the recognition of the more intrinsic aspects of character within Raglan;
 - the development of important community relationships; and,
 - the integration of relevant non-statutory and statutory drivers into a single process which may eliminate the need for a future plan change

20. I am aware of other submissions from Raglan seeking other outcomes such as enabling affordable housing, and the protection of character may conflict with achieving this. For this reason I consider a Schedule 1 process to be an appropriate way forward.
21. Taking this into account, I consider a plan change to be the more appropriate option. There are a number of other processes being undertaken concurrently by Council such as the Growth Strategy and Blueprints for example. A plan change would allow Council the time and resources to pull these processes together into one comprehensive engagement process, and result in an integrated planning framework for Raglan.
22. Whilst I can't give the Panel or community certainty around the timeframe for any plan change, I can confirm it will be prioritised alongside other District and Strategic planning priorities.