

Closing Statement

# Hearing 25: Zone Extents Raglan

Prepared by: Emily Buckingham

Date: 4 June 2021



## Introduction

1. This closing statement is provided as a response to the evidence presented by submitters at the hearing on rezoning matters held on 1<sup>st</sup> June relating to the zoning at Raglan. It represents an update to my original s42A report and subsequent rebuttal statement. Where my recommendations have not changed, these earlier reports are relied on and I have avoided repeating the same reasoning.

## Evidence presented

2. The following parties presented at the hearing:
  - a. Miffy Foley for Waikato Regional Council [FS1277.114, .121, .153]
  - b. Hannah Julian for Ellmers Development Limited [943.33]
  - c. Bernard Brown [669.4] and Lizbeth Hughes [301.1] representing themselves
  - d. Brett Beamsley [16.1] representing himself
  - e. Rangitahi Limited were legally represented by Dr Robert Makgill and summary statements were presented by David Peacocke, Dr Doug Fairgray, Rachel de Lambert, James Lunday, Ray O'Callaghan, Ian Clark and Ben Inger.
  - f. Angeline Greensill for Tainui Hapū
  - g. Koning Family Trust and Martin Koning were legally represented by Phil Lang and summary statements were presented by Sian Keith, Joshua Hunt, Ken Read, Nigel Mather, Dr Mark Bellingham, Fraser Colegrave, Constantinos Fokianos, Rhulani Baloyi and Aidan Kirkby-MacLeod.
3. After listening to all the evidence and answers to the Panel's questions, my recommendations and views in my s42a report and rebuttal evidence all remain the same.
4. I clarify that I am not in opposition to Mr Beamsley's single site being zoned as Residential, as this will not have a material impact on wastewater servicing capacity. However I do not have enough evidence on wastewater capacity to support the Residential zone extending further up Upper Wainui Road.

## Other comments on matters raised at the hearing

5. The amended planning provisions presented in the Koning legal submissions dated 28 May 2021 do not change my opinion that the proposed subdivision rule is difficult and uncertain to apply. To determine whether a subdivision proposal is 'in compliance' with the 9 page Te Hutewai Structure Plan would require a complex process and be very much open to interpretation.
6. Should the Panel be considering live zoning the land I would continue to recommend that the proposed provisions be restructured.
7. In light of being advised that the large area of "no-build" land on the eastern side of the Koning site likely to remain in long term grazing, with residential proposed around it, I question whether a residential zone is appropriate for this land.
8. In response to Bernard Brown's direct questions to me on the definition of Rural and Rural activities, I refer to paragraph 232 of my original s42A report which states:

*“The Rural Zone is the closest equivalent to the previous Coastal Zone, that applies under the Operative Waikato District Plan ... The rural zone seeks to allow and protect farming and agriculture activities while maintaining a rural character and amenity, which includes permitting some residential dwellings.”*

9. Although there may be no productive activities currently occurring on the Rural zoned properties subject to the submission and neighbouring the site, in my view the area is still far more in character with the Rural zone than the Residential zone. Although the land adjoining may be developed for papakāinga in the future which may change the character, the low level of development and character of Mr Brown’s site and neighbouring sites at present is rural.
10. Whether or not the Whaanga Coast is considered part of Raglan has not had any bearing on my recommendation.