

**BEFORE INDEPENDENT HEARING COMMISSIONERS
APPOINTED BY THE WAIKATO DISTRICT COUNCIL**

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

KONING FAMILY TRUST

Submitter [No. 658]

AND

WAIKATO DISTRICT COUNCIL

Local Authority

**EVIDENCE-IN-REPLY OF
BEN INGER FOR RANGITAHİ LIMITED**

(PLANNING)

10 March 2021

Solicitors on Record

BURTON PARTNERS
SOLICITOR — TONY NICHOLSON

PO Box 8889, Symonds Street, Auckland 1150, DX CP24147
P 09 300 3775 F 09 300 3770 E jeremy.carr@burtonpartners.nz

Counsel

Dr R A MAKGILL
BARRISTER

PO Box 77-037, Mt Albert, Auckland 1350
P 09 815 6750 E robert@robertmakgill.com

CONTENTS

INTRODUCTION 3

CODE OF CONDUCT 3

BACKGROUND 3

SUBMISSIONS ON THE REZONING REQUEST 4

PLANNING CONTEXT FOR THE REZONING REQUEST 4

PLANNING FOR GROWTH AT RAGLAN..... 5

CONCLUSION 6

INTRODUCTION

1. My name is Ben Maxwell Inger.
2. My qualifications and experience are set out at paragraphs [1] to [7] in my Evidence in Chief (**EIC**) on behalf of Rangitahi Limited (**Rangitahi**) for Hearing 25 – Raglan.

CODE OF CONDUCT

3. I confirm have read the Environment Court Code of Conduct for expert witnesses and agree to comply with it.
4. I confirm that the topics and opinions addressed in this statement are within my area of expertise except where I state that I have relied on the evidence of other persons. I have not omitted to consider materials or facts known to me that might alter or detract from the opinions I have expressed.

BACKGROUND

5. I have been retained by Rangitahi to provide Evidence in Reply (**EIR**) to the evidence in respect of a rezoning request for Raglan filed on behalf of the Koning Family Trust and Martin Koning (**Konings**).
6. I provided EIC in support of Rangitahi's submission on the Proposed Waikato District Plan (**pWDP**) seeking provision for future urban growth in Raglan West.
7. In preparing this EIR I have read the following documents:
 - (a) the evidence filed on behalf of the Konings, including the draft Te Hutewai Structure Plan (**Draft Structure Plan**) text and maps;
 - (b) Dr Fairgray's and Ms de Lambert's EIR on behalf of Rangitahi; and
 - (c) The documents noted at paragraph [8] of my EIC.

SUBMISSIONS ON THE REZONING REQUEST

8. The evidence on behalf of Konings supports the submission seeking to rezone approximately 63 hectares of land from Rural to Residential. The land is part of the Future Growth Area which is identified in Rangitahi's submission and referred to in my evidence.
9. Rangitahi's further submission (FS 1208) "supports in part" the Konings' submission to rezone their land. The support is stated to be dependent on "*Factors such as residential demand, developable density, transport connectivity and infrastructure servicing (amongst others)*" being considered in determining the exact area to be rezoned and the staging and sequencing of development within the Future Growth Area. The relief sought is "*that the part of the submission point that seeks additional Residential zoning of the land in Raglan West be allowed but that the location and extent of the zoning should be determined following structure planning of the entire Future Growth Area*" (emphasis added). Rangitahi has filed evidence in support of this submission seeking provision for a Raglan-wide Spatial Plan ahead of live zoning in the future growth areas.

PLANNING CONTEXT FOR THE REZONING REQUEST

10. In the period since submissions were made on the pWDP, Waikato District Council (**WDC**) has prepared and adopted its Waikato 2070 Growth and Economic Development Strategy. The Future Growth Area that is identified in Rangitahi's submission is very similar to the Afon Oporu and Te Hutewai growth areas which are identified in Waikato 2070. Waikato 2070 identifies the development timeframes as 10-30 years for Afon Oporu and 30+ years for Te Hutewai.
11. Both Waikato 2070 and the evidence filed on behalf of Konings indicate that the Koning land, in conjunction with other parts of the Future Growth Area, is likely to be a suitable location for Raglan's future urban growth. However, a spatial plan (or structure plan) has not been prepared for the full Afon Oporu and Te Hutewai areas and the draft Te Hutewai Structure Plan included with the Konings evidence is limited to the land parcel owned by the Konings only.

12. I agree with Ms de Lambert where she identifies in her EIR the limited spatial extent of the draft Te Hutewai Structure Plan as a significant shortcoming.

PLANNING FOR GROWTH AT RAGLAN

13. Despite the Koning land being identified in Waikato 2070 for development with a 30+ year timeframe, the evidence which has been filed on behalf of the Konings refers to a need for the land to be zoned Residential through the PWDP due to a profound lack of supply in the Raglan housing market relative to demand.
14. That differs from Dr Fairgray's opinion set out in his EIC that there is sufficient residential capacity in Raglan in the short and medium terms (within the next 10 years) within areas which are zoned for residential development under the notified PWDP.
15. Dr Fairgray's EIR responds to Mr Colegrave's evidence for Konings and confirms his opinion that if the assessed capacity of the land that is zoned for residential development is realised, there will be adequate supply of residential land in the short to medium terms to meet a high growth demand scenario with some margin. Dr Fairgray does, however consider that the strong growth outlook for Raglan into the long term emphasises the importance of comprehensive Raglan-wide spatial planning.
16. Based on the conclusions in Dr Fairgray's evidence, I consider that the adequacy of the short to medium term supply means that there is sufficient time to comprehensively plan for future growth through a Council-led Raglan spatial planning exercise prior to 'live-zoning' additional land.
17. The spatial plan could then be used to guide preparation of structure plans and district plan provisions for individual growth areas, ensuring a consistent and co-ordinated approach to Raglan's growth.
18. In conjunction with spatial planning, I also consider that the potential exists to develop a special purpose zone for Raglan as an alternative to adopting generic District-wide Residential zoning and provisions. The special purpose zone could include objectives, policies and rules which specifically address the outcomes sought through Raglan-spatial planning and structure plans for individual growth areas.

19. A special purpose zone could also make provision for non-residential activities, as appropriate, such as neighbourhood-scale commercial areas in appropriate locations to service the wider Future Growth Area. Ms de Lambert's EIR identifies provision of neighbourhood centres, and the associated potential for higher density residential activities, as important growth considerations.
20. A new special purpose zone is the approach that was taken for the Rangitahi Peninsula through Plan Change 12 in recognition of the sensitive environment and the need for site-specific provisions to ensure that development is undertaken in an appropriate way that responds to Raglan's special character. The pWDP has retained the special purpose zone for the Rangitahi Peninsula and includes specific objectives and policies (Chapter 9), a standalone chapter containing the specific rules for the Rangitahi Peninsula (Chapter 28) and the Rangitahi Structure Plan (Appendix 8).

CONCLUSION

21. For the reasons set out in my EIC, and further addressed in this EIR, I support a Council-led, Raglan-wide spatial plan to be progressed ahead of live zoning of land in the identified Growth Areas. This is consistent with the relief sought in Rangitahi's further submission (outlined at paragraph [9] above).
22. I recommend that development of a Raglan special purpose zone should be considered in future for the entire Future Growth Area, including the Koning land.

Ben Inger
10 March 2021