



FURTHER SUBMISSION ON PROPOSED WAIKATO DISTRICT PLAN (STAGE 1)
Clause 8 of Schedule 1, Resource Management Act 1991 (RMA)

To: The District Plan Hearings Administrator
Waikato District Council
Private Bag 544
Ngaruwahia 3742

Attention: Sandra Kelly

By email: districtplan@waidc.govt.nz

ECM Project: DPRPh5-04
ECM #
FS #
Customer #
Property #

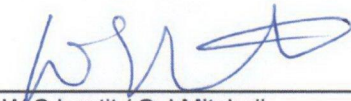
Name of further submitter: The Ralph Estates

1. This is a further submission in opposition to submissions on the Proposed Waikato District Plan (Stage 1) (the **Proposed Plan**).
2. Those submissions request zoning changes in Ohinewai. In order to ensure that all parties with an interest in the Ohinewai rezoning requests can participate in the combined hearing, Waikato District Council's Hearings Panel has directed that the six original submissions seeking rezoning at Ohinewai be re-notified for further submissions.
3. The Ralph Estates have an interest in the Proposed Plan that is greater than the interest the general public has because it has mineral interests in a large area of land in Ohinewai. The submissions to which this further submission relates seek rezoning of land that is on, or in close proximity to, the land in which the Ralph Estates have mineral interests. Pursuant to those interests, the Ralph Estates have rights to enter that land and mine the minerals beneath the surface.
4. The Ralph Estates are administered by the Public Trust and are comprised of 3 separate entities: William Joseph Ralph, Sarah Margaret Ralph and Margaret Reilly Schlinker Trust. The beneficial interest in the Margaret Reilly Schlinker Trust is held by the WJ Ralph estate, SM Ralph Estate and the Robert Ralph estate.
5. A map showing the extent of the Ralph Estates' mineral interests in the part of Ohinewai that is the subject of these submissions is attached at **Attachment A**. The relevant certificates of title are attached at **Attachment B**.

6. The Ralph Estates oppose four original submissions that seek rezoning of land in Ohinewai. Attached to this further submission is a table setting out the following details (see **Attachment C**):
- (a) the original submissions to which this further submissions relates;
 - (b) the particular part of the original submissions to which this further submission relates;
 - (c) the reasons for the Ralph Estates' opposition; and
 - (d) whether the Ralph Estates seek that original submission be allowed or disallowed.
7. The rezoning of this land from Rural to any of the various urban zonings sought by these submissions would adversely affect the Ralph Estates because it would effectively sterilise those mineral interests. If the land is developed in accordance with the zonings sought, the practical effect is that the Ralph Estates would not be able to enter the land and mine the minerals beneath the surface. In addition, any rezoning of land that is adjacent to land in which the Ralph Estates have mineral interests would have the same effect, because of the likelihood of reverse sensitivity effects.
8. Accordingly, the Ralph Estates oppose the relief sought in the submissions on the basis that the provisions sought:
- (a) Will not promote sustainable management of natural and physical resources, and are not the most appropriate way to achieve the purpose of the RMA;
 - (b) Will not achieve the efficient use and development of natural and physical resources; and
 - (c) Do not represent the most appropriate way of exercising the Council's functions, having regard to the efficiency and effectiveness of the provisions, in particular the assessment of the benefits and costs of the effects that are anticipated from the implementation of the provisions.

9. The Ralph Estates wish to be heard in support of this further submission.
10. If others make a similar submission, the Ralph Estates would be prepared to consider presenting a joint case with them at any hearing.

DATED at Auckland this 7th day of November 2019

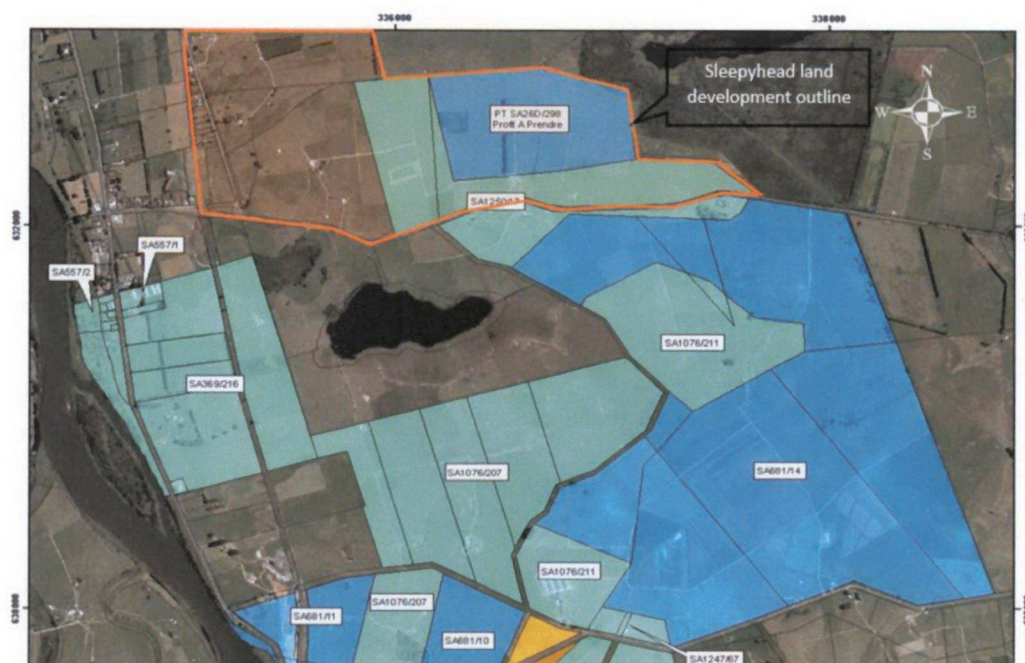


W S Loutit / S J Mitchell
Counsel for the Ralph Estates

Address for service of further submitter:

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Level 27, 88 Shortland Street
Private Bag 92518
Auckland
Attention: Bill Loutit / Sarah Mitchell
Email: bill.loutit@simpsongrierson.com / sarah.mitchell@simpsongrierson.com
Telephone: 09 977 5092

ATTACHMENT A
Map showing the Ralph Estates' mineral interests in the part of Ohinewai that is the subject of these submissions



Key:

| | |
|--|--------------------------------|
| | Ralph Estate - Schlinker |
| | Ralph Estate - S M Ralph |
| | Ralph Estate - W J & S M Ralph |
| | Ralph Estate - Inferred |

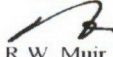
ATTACHMENT B
Certificates of Title



**RECORD OF TITLE
UNDER LAND TRANSFER ACT 2017
FREEHOLD**

**Guaranteed Search Copy issued under Section 60 of the Land
Transfer Act 2017**




R. W. Muir
Registrar-General
of Land

Identifier SA1250/17
Land Registration District South Auckland
Date Issued 27 July 1953

Prior References
SA54/288

| | |
|--------------------------|--|
| Estate | Fee Simple - Minerals Only |
| Area | 64.8696 hectares more or less |
| Legal Description | Part Allotment 436A Parish of Whangamarino |

Registered Owners
The Public Trustee

| | |
|--------------------------|--|
| Estate | Fee Simple - Minerals Only |
| Area | 3.0187 hectares more or less |
| Legal Description | Part Allotment 436A Parish of Whangamarino and Excepting thereout pursuant to Section 19 Public Works Act 1928 such parts of the said minerals as are necessary for the construction support and maintenance of the "public works" thereover taken by Proclamations 2331 and 10286 |

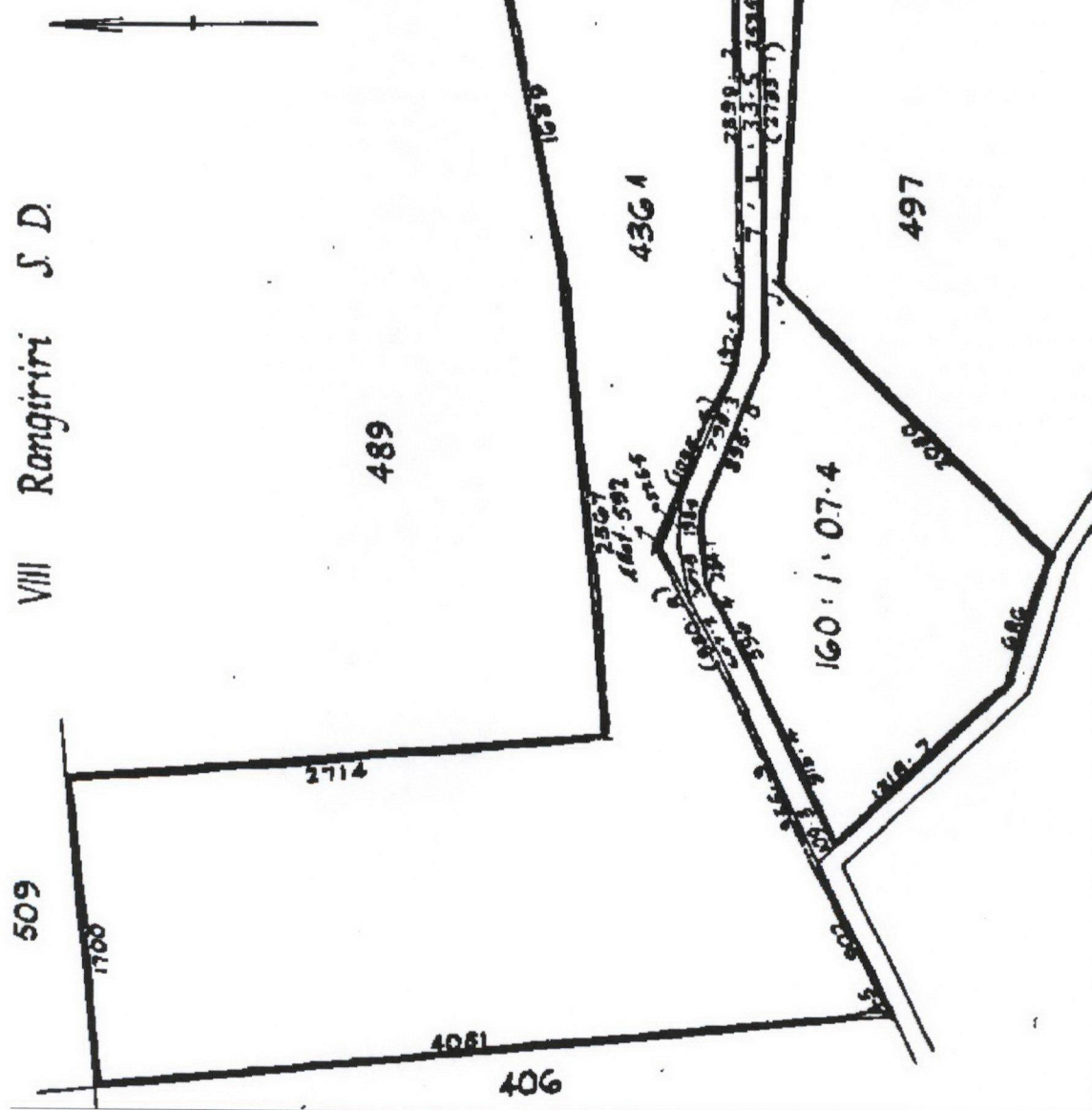
Registered Owners
The Public Trustee

Interests

Appurtenant hereto is a mining right created by Transfer 49495

contained in C's T.194/25
by Transfer 49495.

5120860 Transmission to
1.5.1957 at 2.59c.

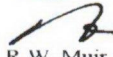




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R. W. Muir
Registrar-General
of Land

Identifier SA369/216
Land Registration District South Auckland
Date Issued 26 April 1923

Part-Cancelled

Estate Fee Simple - Minerals Only
Area 78.9795 hectares more or less
Legal Description Lot 1-3 Deposited Plan 15270

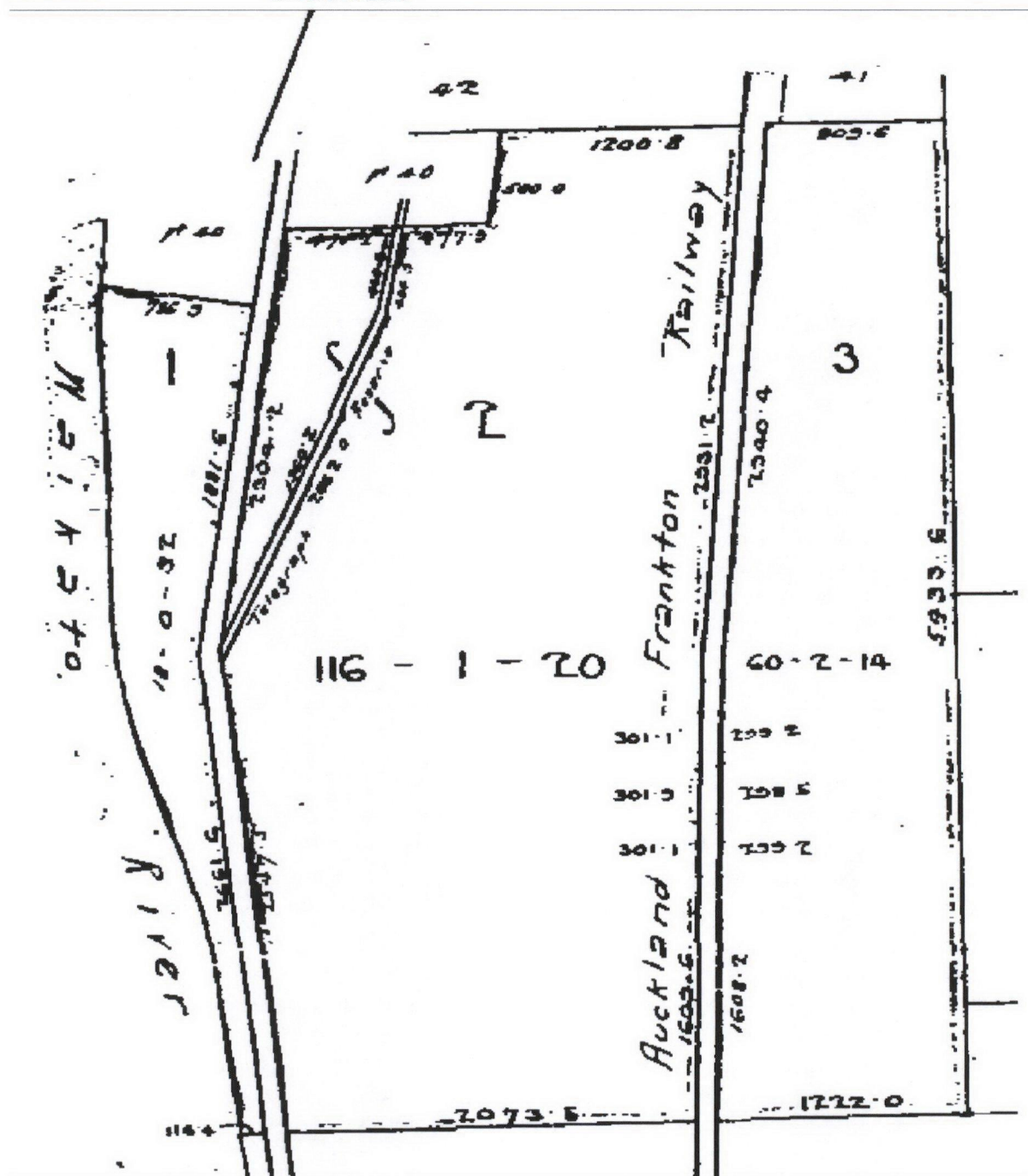
Registered Owners
The Public Trustee

Interests

Appurtenant hereto is a right created by Deed of Easement 194561 (R158/169)

In all mines beds veins and seams of coal and fireclay and other mines and minerals lying and being within and under all those parcels of land

7924496.1 Gazette Notice (NZ Gazette 31.7.2008, No 119, p. 3153) declaring the sub strata from the surface to a plane of 15.5 metres below and approximately parallel to the surface of parts described as Sections 36 & 42 SO 336017 acquired for road and shall vest in the Crown: and declaring from the surface to a plane of 15.5 metres below and approximately parallel to the surface of parts described as Sections 37 & 43 SO 336017 acquired for use in connection with a road (segregation strip) and shall vest in the Crown: (CIR 442828 issued for Sections 37 & 43 SO 336017) - 2.9.2008 at 9:00 am





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R. W. Muir
Registrar-General
of Land

Identifier SA40C/873
Land Registration District South Auckland
Date Issued 18 February 1988

Part-Cancelled

Prior References

SA544/17 SA544/18 SA544/19

| | |
|--------------------------|---|
| Estate | Fee Simple - Minerals Only |
| Area | 98.5596 hectares more or less |
| Legal Description | Allotment 18 Parish of Taupiri and Part Allotment 15 and Part Allotment 17, 21-22 Parish of Taupiri |

Registered Owners

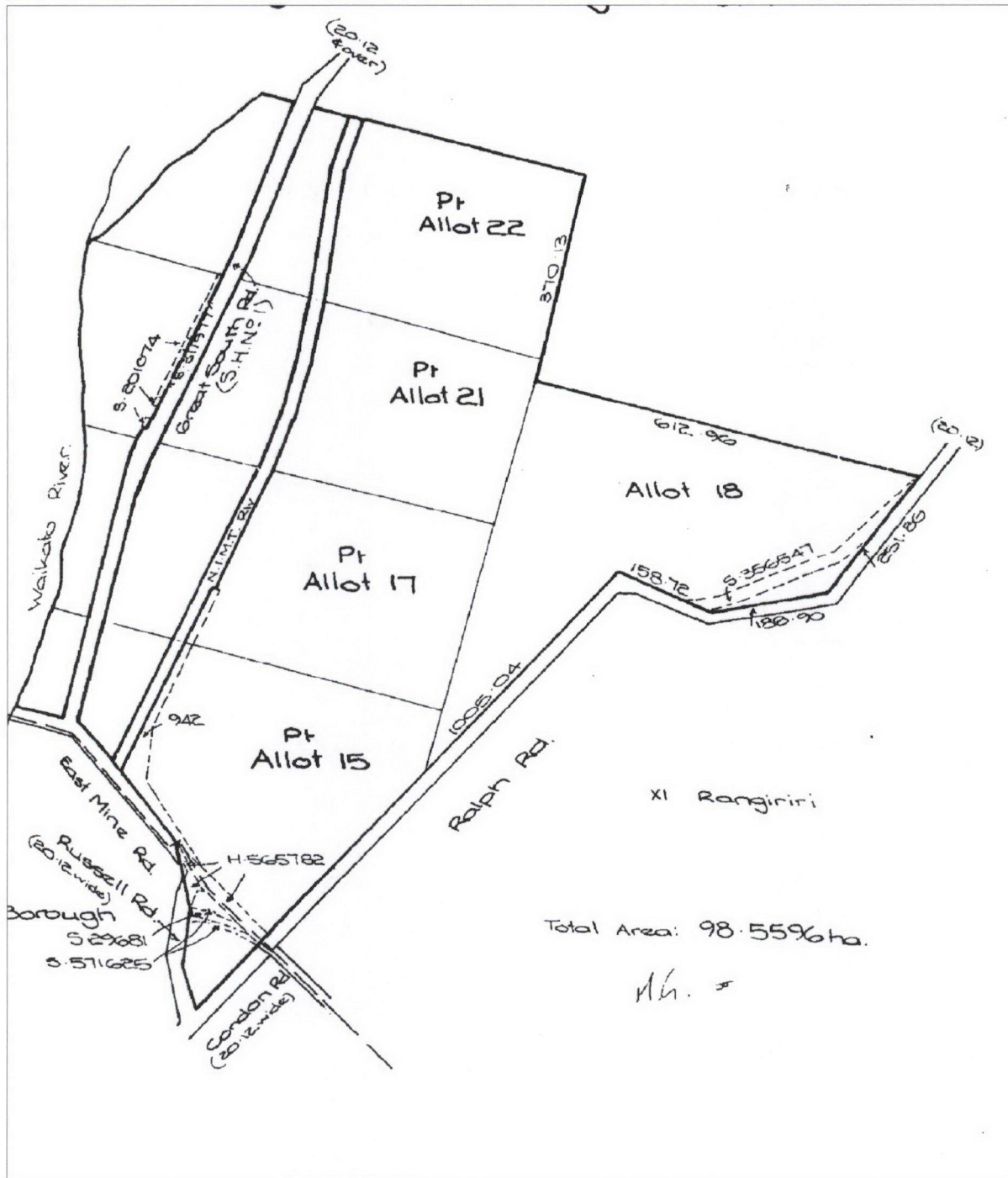
The Public Trustee

Interests

Appurtenant hereto are rights of entry and other rights over part created by Conveyance 249230 (R257/520)
Appurtenant hereto are rights of entry and other rights over part created by Conveyance 385589 (R537/521)
Appurtenant hereto are rights of entry and other rights over part created by Conveyance 249229 (R257/519)
Appurtenant hereto are rights of entry and other rights over part created by Conveyance 250026 (R262/490)
Appurtenant hereto are rights of entry and other rights over part created by Conveyance 351660 (R471/119)
S311977 Proclamation taking the surface together with the subsoil above a plane 50 feet below and approximately parallel to the surface of part Lots 1 and 2 DPS 8275 herein for a road - 4.5.1965 at 9.00 am
S356547 Proclamation proclaiming 1 acre 3 roods 29.6 perches of the surface together with the subsoil above a plain of 100 feet below and approximately parallel to the surface of the land taken for road - 21.9.1966 at 9.00 am
S620083 Proclamation defining the middle line of the Auckland-Hamilton Motorway - 23.8.1973 at 9.30 am
S201074 Proclamation taking Lots 3 and 4 DPS 4893 and Lot 2 DPS 2740 above a plane 50 feet below and approximateley parrallel to the surface of the said land for a road - 28.2.1991 at 2.27 pm
Mining Licence embodied in Register SA47/756 - 16.9.1991 at 2.00 pm
7924496.1 Gazette Notice (NZ Gazette 31.7.2008, No 119, p. 3153) declaring the sub strata from the surface to a plane of 15.5 metres below and approximately parallel to the surface of part described as Section 67 SO 336017 acquired for road and shall vest in the Crown: and declaring from the surface to a plane of 15.5 metres below and approximately parallel to the surface of part described as Section 68 SO 336017 acquired for use in connection with a road (segregation strip) and shall vest in the Crown: (CIR 442828 issued for Section 68 SO 336017) - 2.9.2008 at 9:00 am
9817287.2 Notice pursuant to Section 18 Public Works Act 1981 - 20.8.2014 at 8:32 am
10152079.1 Notice pursuant to Section 23 Public Works Act 1981 - 11.8.2015 at 2:14 pm
10520653.1 Proclamation declaring part of the mining rights created by Deed of Easement 351660 (R471/119) (0.8998ha) shown as Section 1024 SO 487554 & (0.0274ha) shown as Section 1023 SO 487554 to be road and part of the mining rights created by Deed of Easement 351660 (R471/119) (0.0001ha) shown as Section 1022 SO 487554 to be taken for the functioning indirectly of a road (segregation strip) and to vest in Her Majesty the Queen on the 14 day after 21/7/2016 - 3.8.2016 at 9:33 am

Identifier

SA40C/873



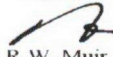


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R. W. Muir
Registrar-General
of Land

Identifier SA557/1
Land Registration District South Auckland
Date Issued 25 October 1932

Prior References

2F/179

| | |
|--------------------------|-------------------------------------|
| Estate | Fee Simple - Minerals Only |
| Area | 1.9197 hectares more or less |
| Legal Description | Part Allotment 40 Parish of Taupiri |

Registered Owners

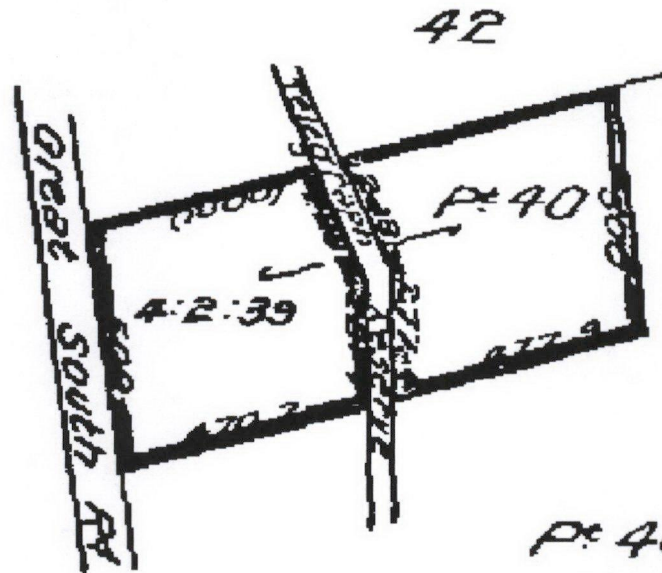
The Public Trustee

Interests

Appurtenant hereto are mining rights created by Conveyance 194561 (R158/169)

All mines beds veins and seams of coal fireclay and other mines and minerals lying and being within or under the land

H116306 Gazette Notice declaring No.1 State Highway (Awanui-Bluff) fronting the within land to be a limited access road - 2.2.1877 at 9.49 am



P: 40
D.P. 15270

METRIC AREA IS 1.9197 ha

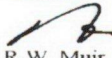


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R. W. Muir
Registrar-General
of Land

Identifier

Land Registration District
Date Issued

SA557/2
South Auckland
25 October 1932

Part-Cancelled

Prior References

DI 2F/179

Estate Fee Simple - Minerals Only

Area 2.8834 hectares more or less

Legal Description Deposited Plan 12526

Registered Owners

The Public Trustee

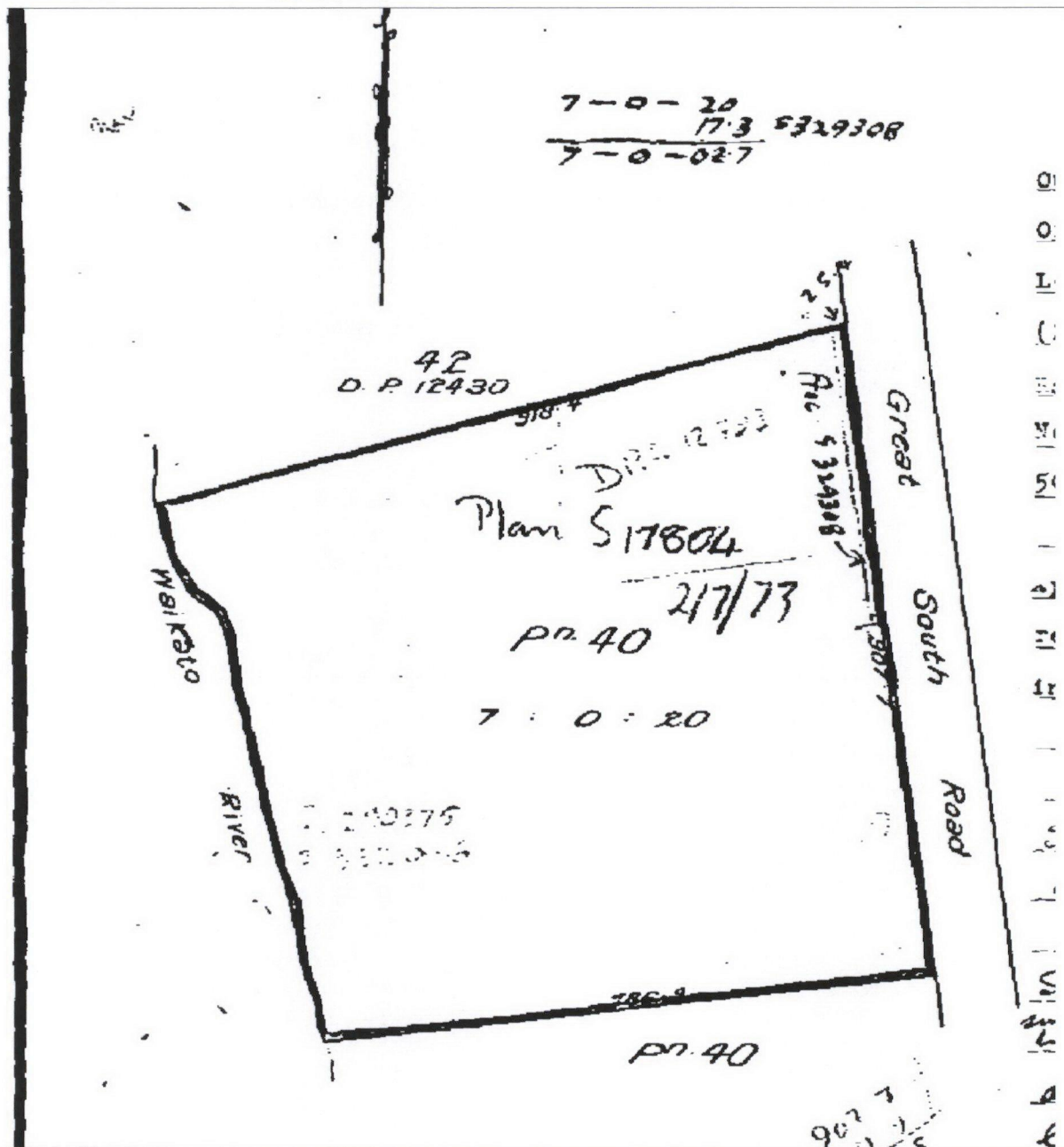
Interests

Appurtenant hereto are the mining rights created by Conveyance 194561 (R158/169)

S329308 Proclamation declaring 17.3 perches of the surface of within land, and subsoil above a plane 50' below and approximately parallel to the surface of the land, as road - 27.10.1965 at 2.00 pm

Identifier

SA557/2






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R. W. Muir
Registrar-General
of Land

Identifier SA557/5
Land Registration District South Auckland
Date Issued 26 October 1932

Part-Cancelled

Prior References

DI 2F/134

| | |
|--------------------------|-------------------------------------|
| Estate | Fee Simple - Minerals Only |
| Area | 17.7025 hectares more or less |
| Legal Description | Part Allotment 26 Parish of Taupiri |

Registered Owners

The Public Trustee

Interests

Subject to mining and incidental rights created by Conveyance 125549 (R45/005)

Appurtenant hereto are mining and incidental rights created by Conveyance 278155 (R319/186)

Excepting coal and coal bearing strata within and under the land. Refer CT SA557/4

10347 Proclamation taking land for road - 26.7.1940 at 9.30 am

S572962 Gazette Notice declaring part of Lot 2 (18.1p) to be taken for a road - 8.9.1972 at 9.30 am

S620083 Proclamation defining the middle line of the Auckland - Hamilton Motorway - 23.8.1973 at 9.30 am

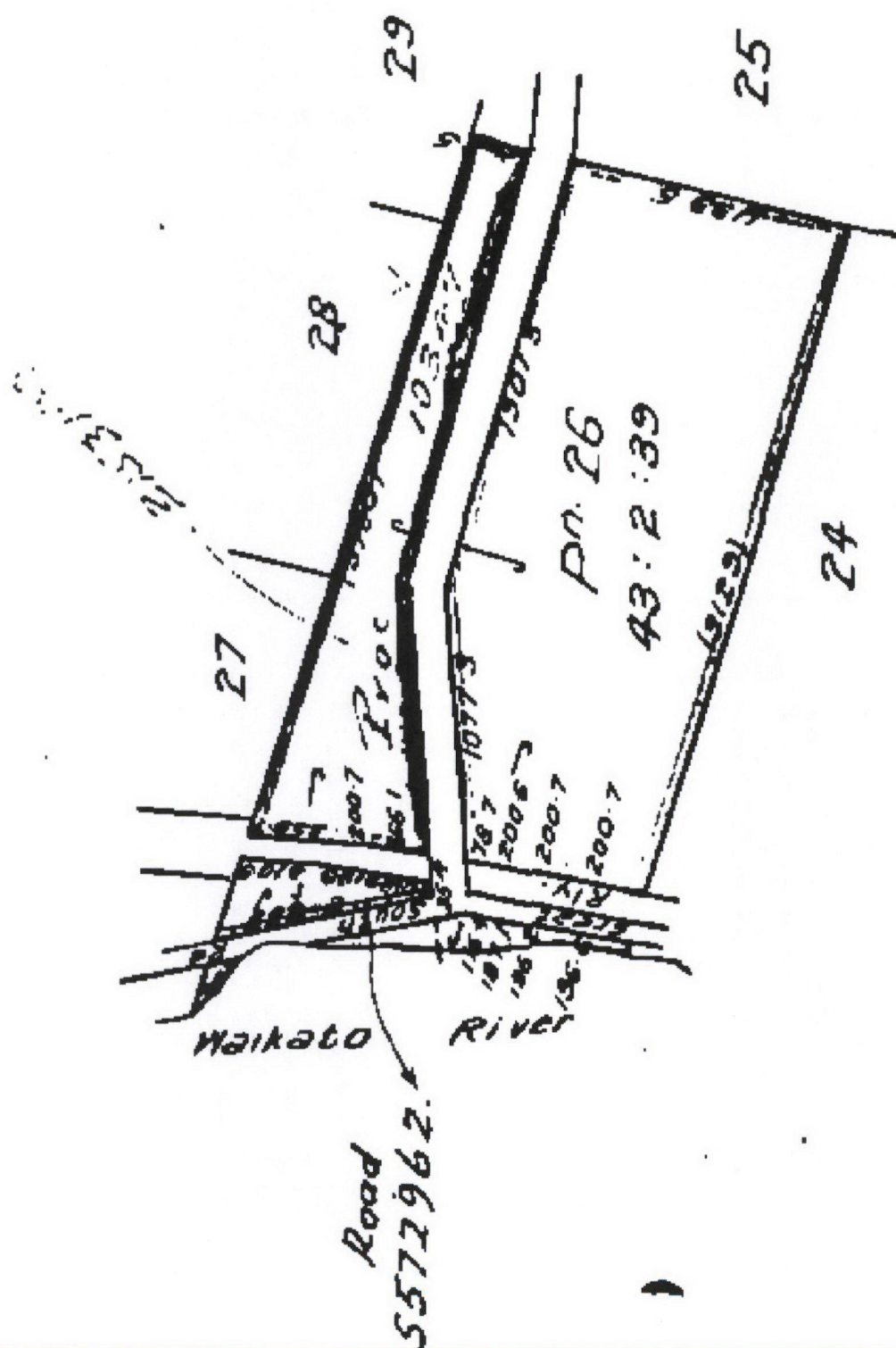
7924496.1 Gazette Notice (NZ Gazette 31.7.2008, No 119, p. 3153) declaring the sub strata from the surface to a plane of 15.5 metres below and approximately parallel to the surface of parts described as Sections 56 & 76 SO 336017 acquired for road and shall vest in the Crown: and declaring from the surface to a plane of 15.5 metres below and approximately parallel to the surface of parts described as Section 73 SO 336017 acquired for use in connection with a road (segregation strip) and shall vest in the Crown: (CIR 442828 issued for Section 73 SO 336017) - 2.9.2008 at 9:00 am

9817349.1 Notice pursuant to Section 18 Public Works Act 1981.- 20.8.2014 at 8:29 am

9817287.3 Notice pursuant to Section 18 Public Works Act 1981.- 20.8.2014 at 8:32 am

10152079.1 Notice pursuant to Section 23 Public Works Act 1981 - 11.8.2015 at 2:14 pm

10520653.1 Proclamation 2016In4195 declaring part of the mining rights created by Conveyance 278155 (R319/186) (1.7043ha) shown as Section 1003 SO 487554 & (0.0984ha) shown as Section 1005 SO 487554 to be road and part of the mining rights created by Conveyance 278155 (R319/186) (0.0016ha) shown as Section 1004 SO 487554 & (0.0050ha) shown as Section 1009 SO 487554 to be taken for the functioning indirectly of a road (segregation strip) and part of the mining rights created by Conveyance 278155 (R319/186) (1.5490ha) shown as Section 1007 SO 487554 & (3.0530ha) shown as Section 1008 SO 487554 to be taken for the functioning indirectly of a road and to vest in Her Majesty the Queen on the 14 day after 21/7/2016 - 3.8.2016 at 9:33 am



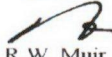


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R. W. Muir
Registrar-General
of Land

Identifier SA557/6
Land Registration District South Auckland
Date Issued 26 October 1932

Prior References

DI 1F/299

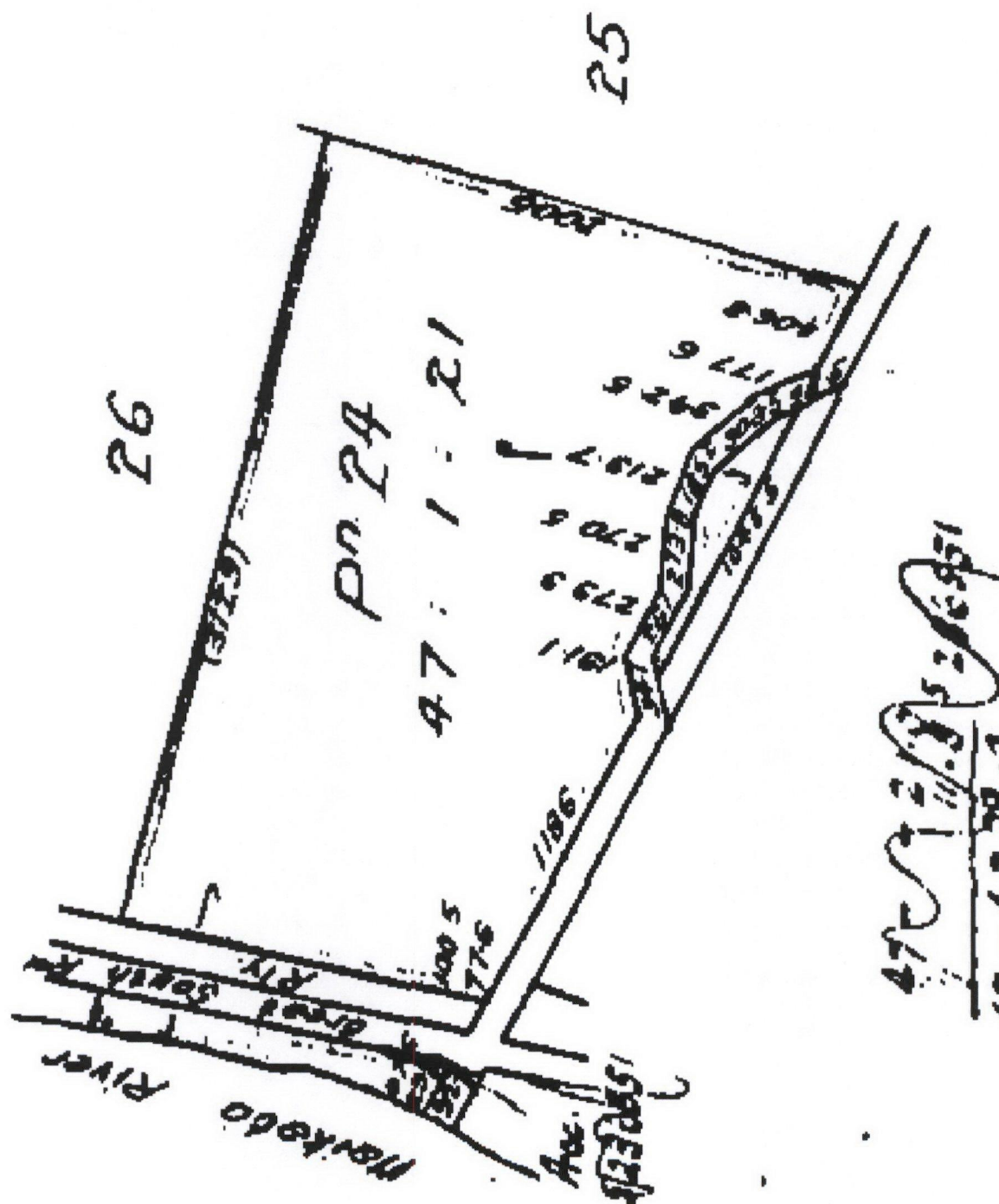
| | |
|--------------------------|--------------------------------|
| Estate | Fee Simple - Minerals Only |
| Area | 19.1745 hectares more or less |
| Legal Description | Allotment 24 Parish of Taupiri |

Registered Owners

The Public Trustee

Interests

Appurtenant hereto are mining and incidental rights created by Conveyance 278155 (R319/186)
S620083 Proclamation defining the Middle Line of the Auckland - Hamilton Motorway - 23.8.1973 at 9.30 am
Coal Mining Licence embodied in Register SA47A/756 - 16.9.1991 at 2.00 pm
9817287.2 Notice pursuant to Section 18 Public Works Act 1981.- 20.8.2014 at 8:32 am
9817287.3 Notice pursuant to Section 18 Public Works Act 1981.- 20.8.2014 at 8:32 am
10152079.1 Notice pursuant to Section 23 Public Works Act 1981 - 11.8.2015 at 2:14 pm
10520653.1 Proclamation 2016In4195 declaring part of the mining rights created by Conveyance 278155 (R319/186) (0.1988ha) shown as Section 1015 SO 487554 to be road and part of the mining rights created by Conveyance 278155 (R319/186) (0.0093ha) shown as Section 1013 SO 487554 & (0.0004ha) shown as Section 1014 SO 487554 to be taken for the functioning indirectly of a road (segregation strip) and part of the mining rights created by Conveyance 278155 (R319/186) (1.5549ha) shown as Section 1010 SO 487554 , (5.4354ha) shown as Section 1011 SO 487554 & (6.0575ha) shown as Section 1012 SO 487554 to be taken for the functioning indirectly of a road and to vest in Her Majesty the Queen on the 14 day after 21/7/2016 - 3.8.2016 at 9:33 am



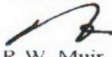


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R. W. Muir
Registrar-General
of Land

Identifier SA557/9
Land Registration District South Auckland
Date Issued 26 October 1932

Part-Cancelled

Prior References

DI 1F/189 DI 2F/105

| | |
|--------------------------|---|
| Estate | Fee Simple - Minerals Only |
| Area | 39.7452 hectares more or less |
| Legal Description | Allotment 20 and Part Allotment 25 Parish of Taupiri |

Registered Owners

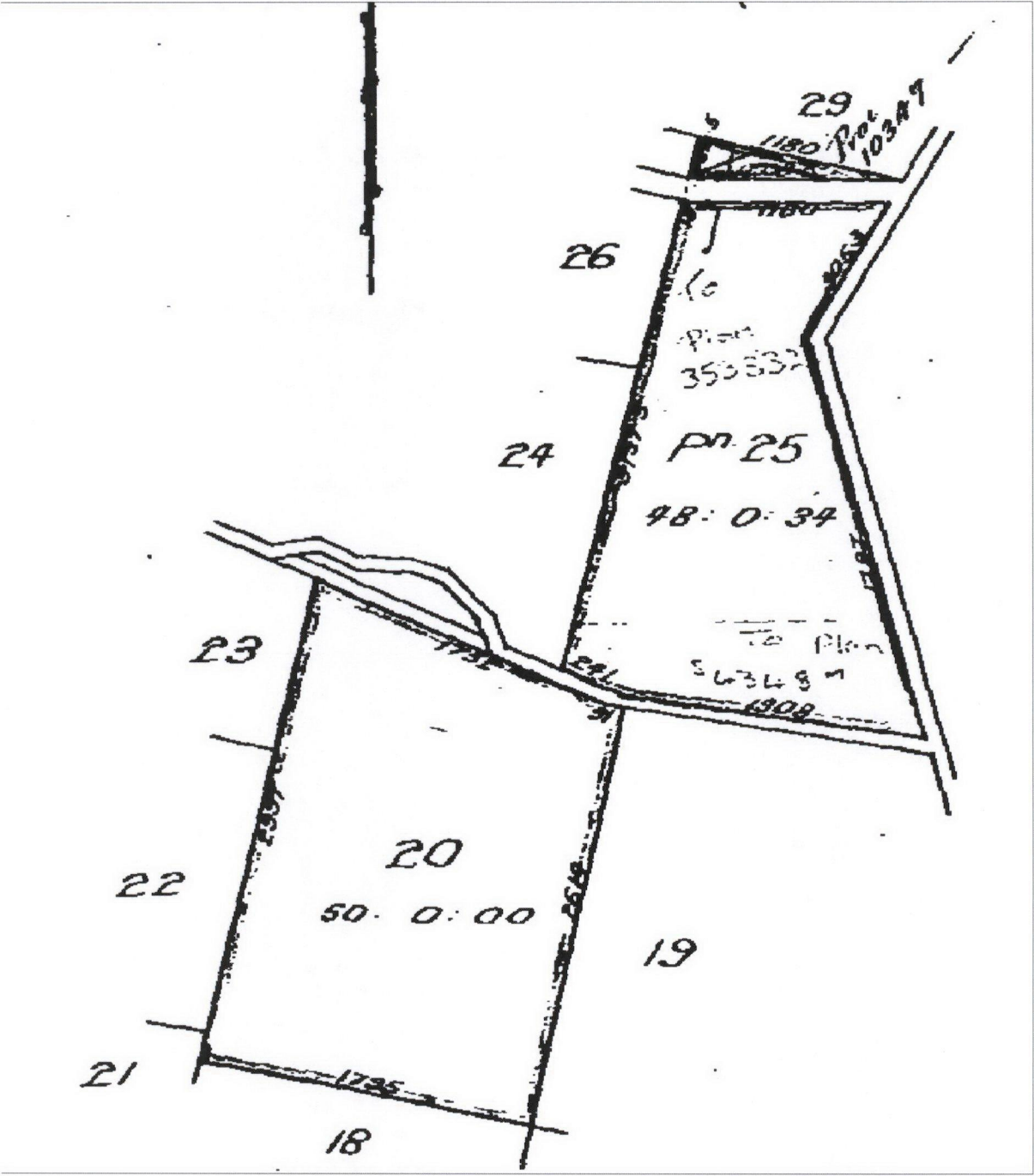
The Public Trustee

Interests

Appurtenant hereto are the mining and incidental rights created by Conveyance 184125 (R134/140)
Appurtenant hereto are mining and incidental rights created by Conveyance 216962 (R198/407)
10347 Proclamation taking land for road - 27.6.1940 at 9:30 am
S157971 Transfer dedicating Lot 5 Plan S 4348 as and for a public road - 10.4.1959 at 2:30 pm
Coal Mining Licence embodied in Register CT SA47A/756 - 16.9.1991 at 2:00 pm
9817287.2 Notice pursuant to Section 18 Public Works Act 1981 - 20.8.2014 at 8:32 am
10152079.1 Notice pursuant to Section 23 Public Works Act 1981 - 11.8.2015 at 2:14 pm
10520653.1 Proclamation 2016In4195 declaring part of the mining rights created by Conveyance 184125
(R134/140) (3.6448ha) shown as Section 1017 SO 487554 to be road and part of the mining rights created by
Conveyance 184125 (R134/140) (0.0086ha) shown as Section 1016 SO 487554 & (0.0015ha) shown as Section
1018 SO 487554 to be taken for the functioning indirectly of a road (segregation strip) and to vest in Her
Majesty the Queen on the 14 day after 21/7/2016 - 3.8.2016 at 9:33 am

Identifier

SA557/9

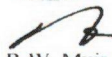




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R. W. Muir
Registrar-General
of Land

Identifier SA681/10
Land Registration District South Auckland
Date Issued 14 October 1936

Part-Cancelled

Prior References

SA236/291

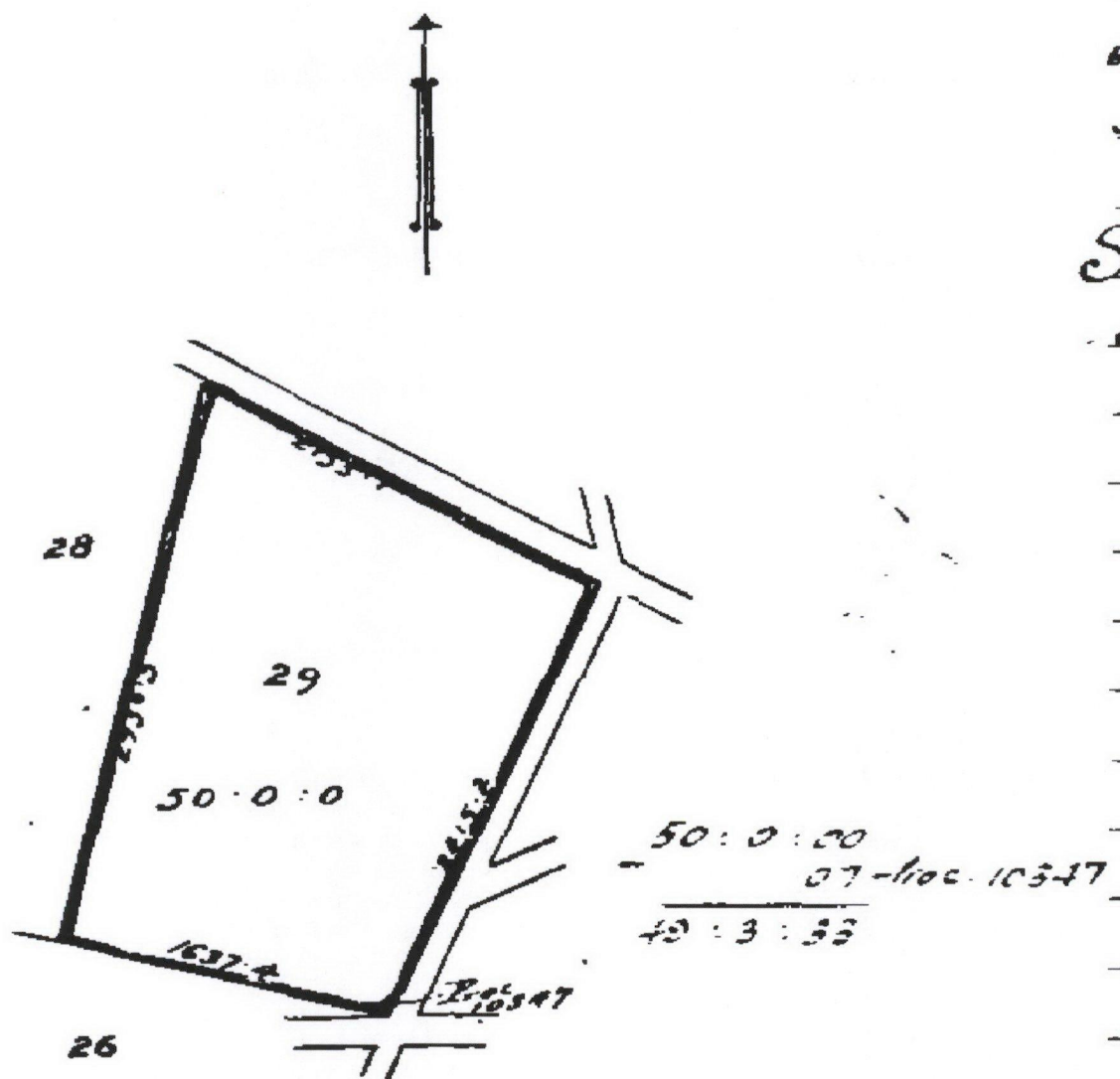
| | |
|--------------------------|-------------------------------|
| Estate | Fee Simple - Minerals Only |
| Area | 20.2343 hectares more or less |
| Legal Description | Deposited Plan 8229 |

Registered Owners

The Public Trustee

Interests

Appurtenant hereto are mining rights created by Transfer 144013
10347 Proclamation taking land for road - 26.7.1940 at 9.30 am

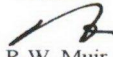




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R. W. Muir
Registrar-General
of Land

Identifier SA681/11
Land Registration District South Auckland
Date Issued 14 October 1936

Part-Cancelled

Prior References

SA140/43

| | |
|--------------------------|-------------------------------|
| Estate | Fee Simple - Minerals Only |
| Area | 17.7151 hectares more or less |
| Legal Description | Deposited Plan 3929 |

Registered Owners

The Public Trustee

Interests

Appurtenant hereto are mining rights created by Transfer 144013

S572962 Gazette Notice declaring part of the within land (3r 12.2p) to be taken for a road - 8.9.1972 at 9:30 am

7924496.1 Gazette Notice (NZ Gazette 31.7.2008, No 119, p. 3153) declaring the sub strata from the surface to a plane of 15.5 metres below and approximately parallel to the surface of parts described as Sections 54 & 75 SO 336017 acquired for road and shall vest in the Crown; and declaring from the surface to a plane of 15.5 metres below and approximately parallel to the surface of parts described as Section 71 SO 336017 acquired for use in connection with a road (segregation strip) and shall vest in the Crown: (CIR 442828 issued for Section 71 SO 336017) - 2.9.2008 at 9:00 am

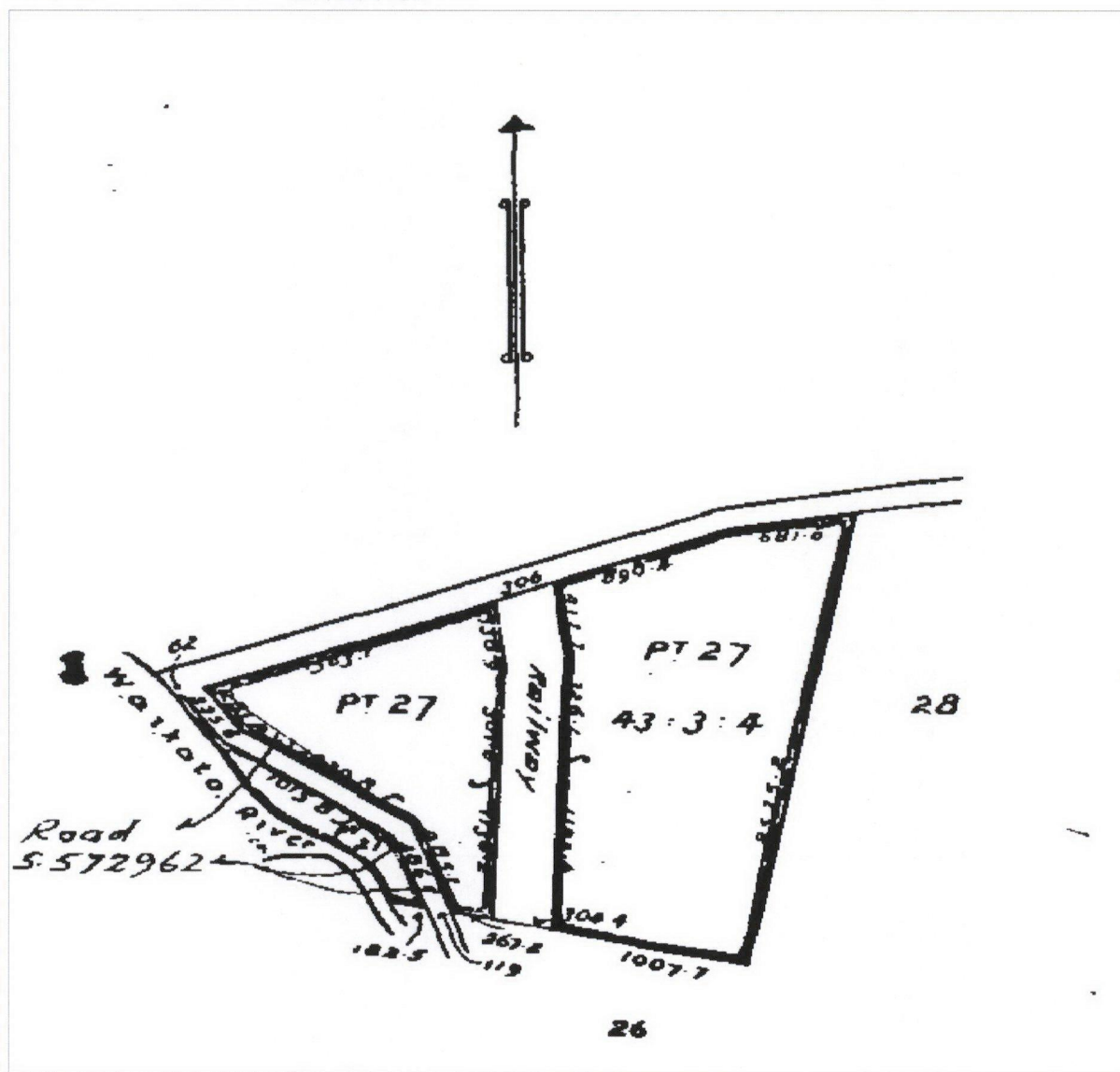
9817349.1 Notice pursuant to Section 18 Public Works Act 1981.- 20.8.2014 at 8:29 am

10152079.1 Notice pursuant to Section 23 Public Works Act 1981 - 11.8.2015 at 2:14 pm

10520653.1 Proclamation 2016In4195 declaring part of the mining rights created by Transfer 144013 (1.8063ha) shown as Section 1001 SO 487554 to be road and part of the mining rights created by Transfer 144013 (0.0070ha) shown as Section 1002 SO 487554 to be taken for the functioning indirectly of a road (segregation strip) and to vest in Her Majesty the Queen on the 14 day after 21/7/2016 - 3.8.2016 at 9:33 am

Identifier

SA681/11

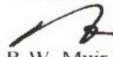




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R. W. Muir
Registrar-General
of Land

Identifier SA681/14
Land Registration District South Auckland
Date Issued 14 October 1936

Prior References

SA131/216 SA61/83

| | |
|--------------------------|--|
| Estate | Fee Simple - Coal and Fireclay |
| Area | 269.0982 hectares more or less |
| Legal Description | Allotment 473 and Allotment 492 Parish of Taupiri, Allotment 497 Parish of Whangamarino, Defined On Deposited Plan 12979, Defined On Deposited Plan 15564 and Defined On Deposited Plan 21924 |

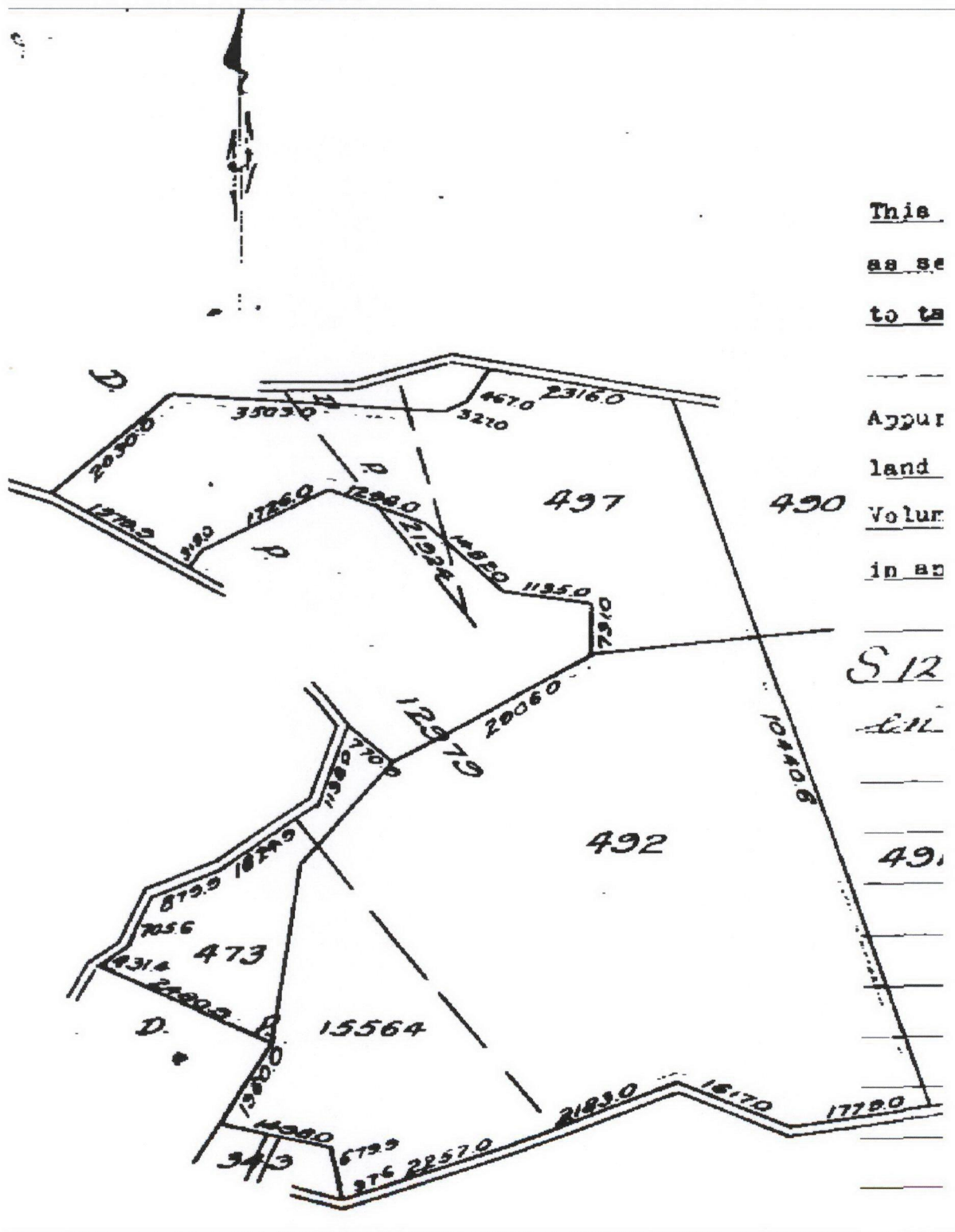
Registered Owners

The Public Trustee

Interests

Subject to a right to take part for drains - see CT SA131/216

Appurtenant hereto are mining rights created by Transfer 66696

SA681/14



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R. W. Muir
Registrar-General
of Land

Identifier SA1076/207
Land Registration District South Auckland
Date Issued 27 July 1953

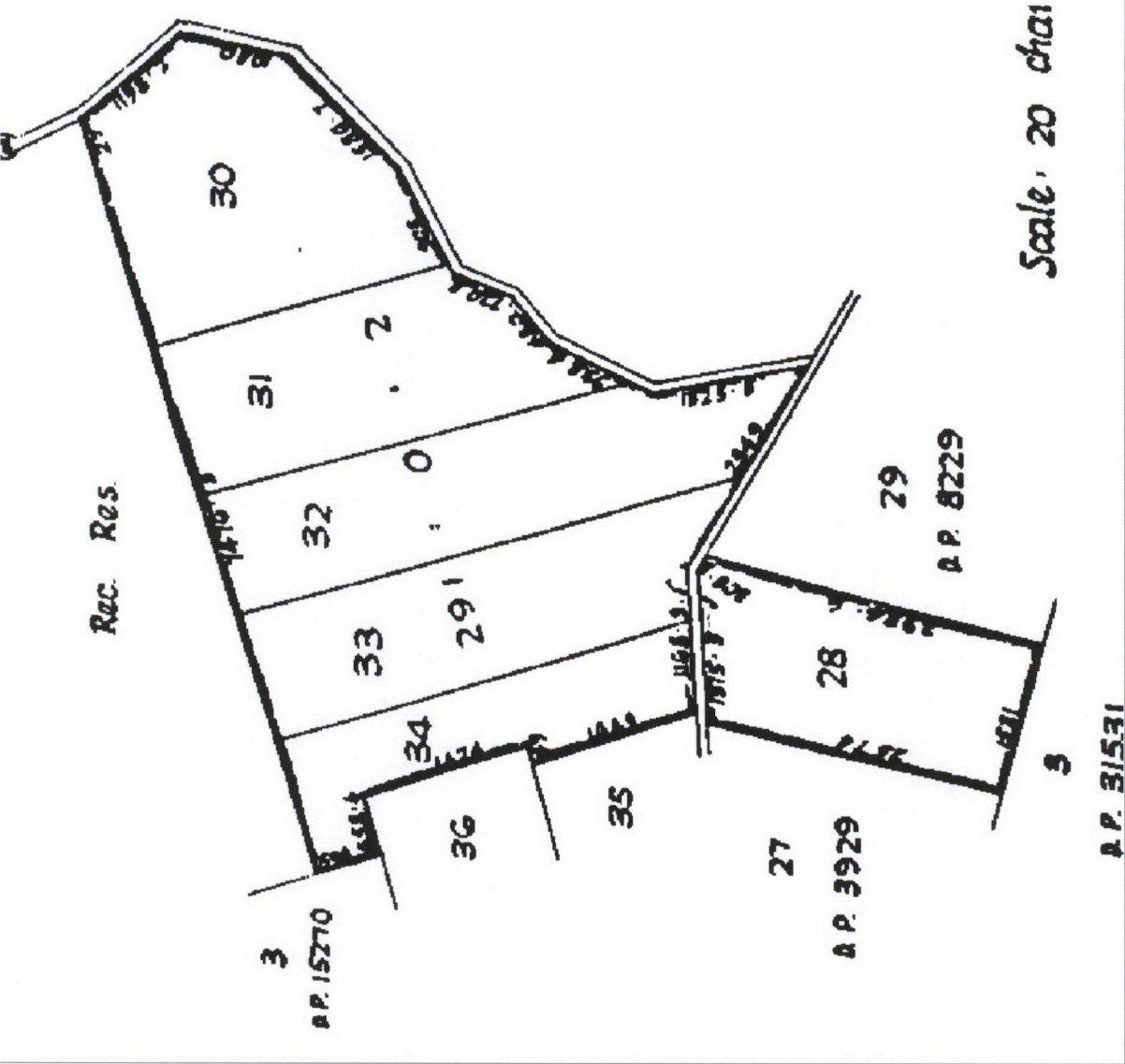
Prior References
SA159/59

| | |
|--------------------------|---|
| Estate | Fee Simple - Minerals Only |
| Area | 117.7686 hectares more or less |
| Legal Description | Allotment 28, 30 and Allotment 31-34 Parish of Taupiri |

Registered Owners
The Public Trustee

Interests

Appurtenant hereto is a mining right created by Transfer 49495

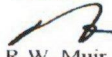




**RECORD OF TITLE
UNDER LAND TRANSFER ACT 2017
FREEHOLD**

**Guaranteed Search Copy issued under Section 60 of the Land
Transfer Act 2017**




R. W. Muir
Registrar-General
of Land

Identifier **SA1076/211**
Land Registration District **South Auckland**
Date Issued 27 July 1953

Prior References

SA158/270

| | |
|--------------------------|--|
| Estate | Fee Simple - Coal and Fireclay |
| Area | 59.4433 hectares more or less |
| Legal Description | Allotment 389 and Allotment 397 Parish of Taupiri |

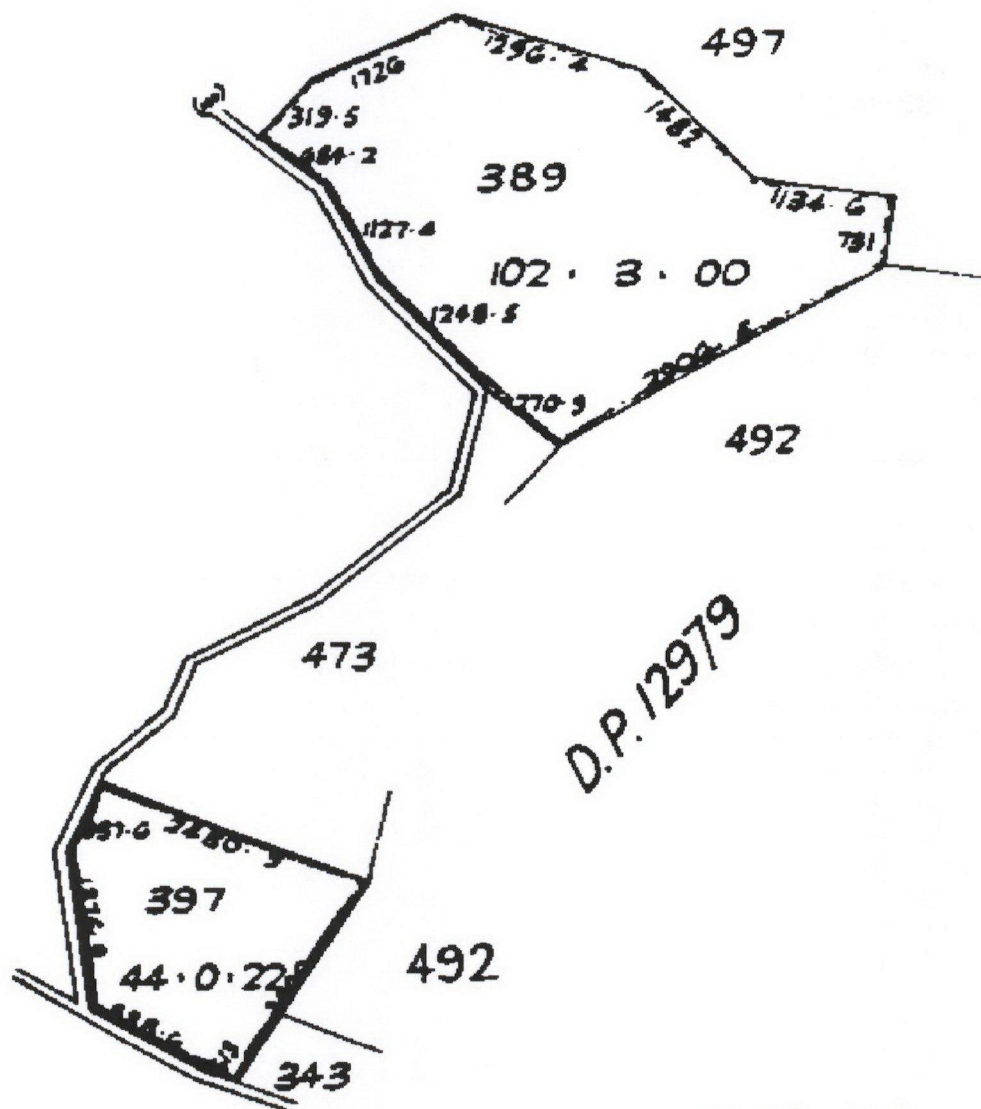
Registered Owners

The Public Trustee

Interests

Appurtenant hereto are mining rights created by Transfer 49495

VIII Rangiriri S. D.



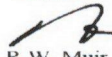
Total Area: 146.3.



**RECORD OF TITLE
UNDER LAND TRANSFER ACT 2017
FREEHOLD**

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Transfer Act 2017**




R. W. Muir
Registrar-General
of Land

Identifier SA1246/90
Land Registration District South Auckland
Date Issued 27 July 1953

Prior References
SA255/145

| | |
|--------------------------|--------------------------------------|
| Estate | Fee Simple - Minerals Only |
| Area | 157.4708 hectares more or less |
| Legal Description | Part Allotment 343 Parish of Taupiri |

Registered Owners
The Public Trustee

Interests

Appurtenant hereto are mining rights created by Transfer 94066 - 27.7.1953
S620083 Proclamation defining the middle line of the Auckland-Hamilton Motorway - 23.8.1973 at 9.30 am
Coal Mining Licence embodied in Register SA47A/756 - 16.9.1991 at 2.00 pm
9817287.4 Notice pursuant to Section 18 Public Works Act 1981.- 20.8.2014 at 8:32 am
10152079.1 Notice pursuant to Section 23 Public Works Act 1981 - 11.8.2015 at 2:14 pm
10520653.1 Proclamation 2016In4195 declaring part of the mining rights created by Transfer 94066 (16.9243ha) shown as Section 1026 SO 487554 to be road and part of the mining rights created by Transfer 94066 (0.0111ha) shown as Section 1025 SO 487554 & (0.0135ha) shown as Section 1027 SO 487554 to be taken for the functioning indirectly of a road (segregation strip) and to vest in Her Majesty the Queen on the 14 day after 21/7/2016 - 3.8.2016 at 9:33 am

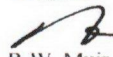




**RECORD OF TITLE
UNDER LAND TRANSFER ACT 2017
FREEHOLD**

**Guaranteed Search Copy issued under Section 60 of the Land
Transfer Act 2017**




R. W. Muir
Registrar-General
of Land

Identifier SA1247/67
Land Registration District South Auckland
Date Issued 27 July 1953

Prior References

SA47/170

| | |
|--------------------------|------------------------------|
| Estate | Fee Simple - Minerals Only |
| Area | 4.0628 hectares more or less |
| Legal Description | Lot 1-2 Deposited Plan 10326 |

Registered Owners

The Public Trustee

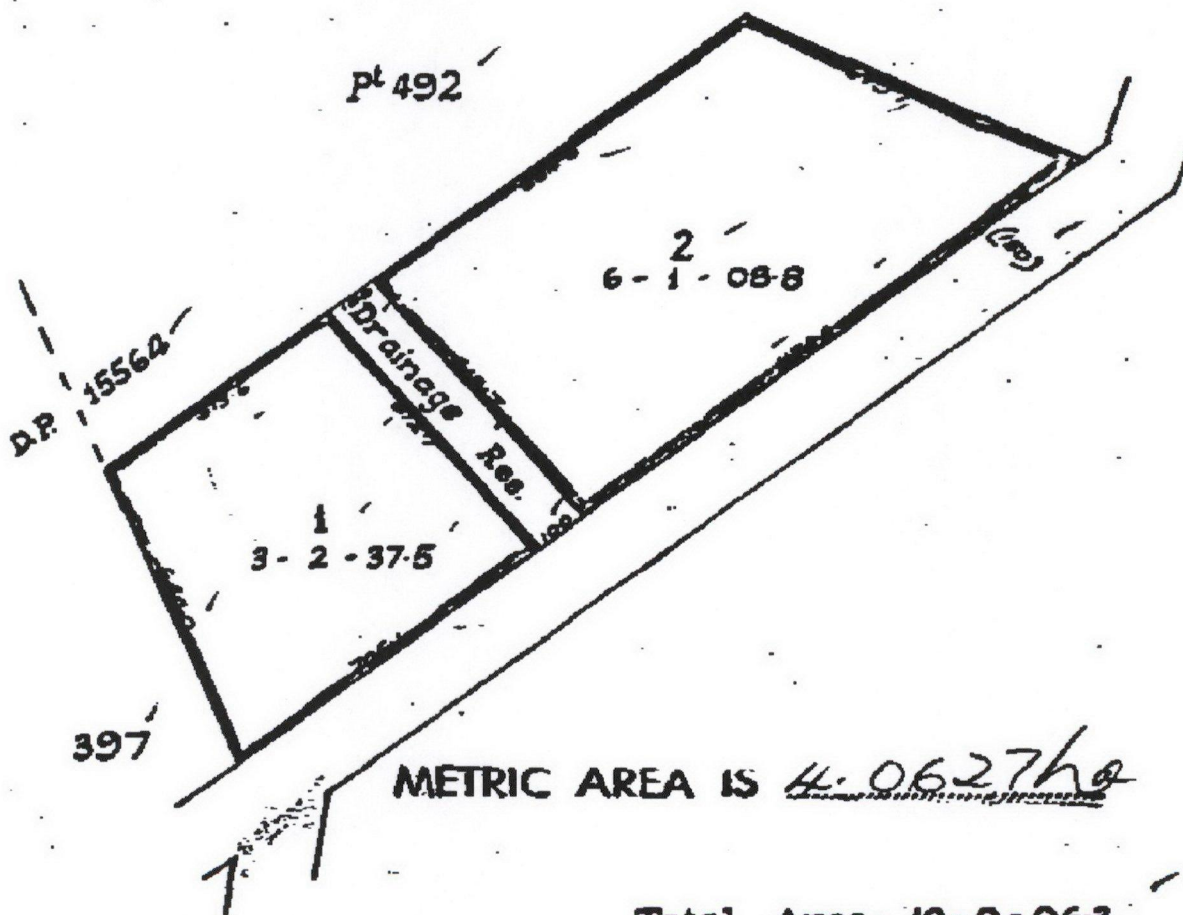
Interests

Appurtenant hereto are mining rights created by Transfer 100133

Identifier

SA1247/67

VIII Rangiriri S. D.



ATTACHMENT C

| Name of original submitter | Address of original submitter | Original Submitter number | Original submission point number/s | Position | Reasons for the Ralph Estates' opposition | The Ralph Estates seek that the whole (or part) of the submission be disallowed |
|---|---|---------------------------|------------------------------------|---------------|--|---|
| Ambury Properties Limited (Ambury) | Bloxam Burnett & Olliver PO Box 9041 Hamilton Attention: John Olliver | 764 | 764.1 | Oppose | <p>This submission point seeks the rezoning of 231 Tahuna Road and 52, 56 and 58 Lumsden Road, Ohinewai from Rural to Industrial, Business and Residential zone. Ambury intends to relocate and consolidate the New Zealand Comfort Group Limited (NZCG)'s Auckland operations onto the site.</p> <p>The Ralph Estates oppose this submission point because it has mineral interests in, or in close proximity to, these properties that would effectively be sterilised if the properties were rezoned to provide for urban uses.</p> <p>If the land is developed, whether it is in the manner proposed by Ambury or in any other manner consistent with the urban zonings sought, the practical effect is that the Ralph Estates would not be able to enter the land and mine the minerals beneath the surface. In addition, any rezoning of land that is adjacent to land in which the Ralph Estates have mineral interests would have the same effect, because of the likelihood of reverse sensitivity effects.</p> <p>Granting the relief sought in this submission will not promote the sustainable management, or achieve the efficient use and development of, Ohinewai's natural and physical resources (including the minerals lying underneath the surface land) pursuant to sections 5 and 7 of the RMA. It is not the most appropriate way of exercising the Council's functions, having regard to the efficiency and effectiveness of the changes to the provisions sought, in particular the assessment of the benefits and costs of the effects that are anticipated from the implementation of the provisions.</p> | Disallow |
| | | | 764.4 | Oppose | <p>This submission point seeks the inclusion of a new policy for Ohinewai to provide a policy framework for the subdivision, use and development of the Industrial, Business and Residential zoned land at 231 Tahuna Road, 52, 56 and 58 Lumsden Road, Ohinewai, as sought in the submission. Ambury intends to relocate and consolidate the New Zealand Comfort Group Limited (NZCG)'s Auckland operations onto the site.</p> <p>The Ralph Estates oppose this submission point because it has mineral interests in, or in close proximity to, these properties that would effectively be sterilised if the properties were developed in the manner sought in the submission.</p> <p>If the land is developed, either as proposed by Ambury or in any other manner consistent with the urban zonings sought, the practical effect is that the Ralph Estates would not be able to enter the land and mine the minerals beneath the surface. In addition, any rezoning of land that is adjacent to land in which the Ralph Estates have mineral interests would have the same effect, because of the likelihood of reverse sensitivity effects.</p> | Disallow |
| | | | 764.5 | Oppose | <p>This submission point seeks amendments to the objectives and policies to enable the subdivision, use and development of the property at 231 Tahuna Road, 52, 56 and 58 Lumsden Road, Ohinewai as sought within the submission.</p> <p>The Ralph Estates oppose this submission point because it has mineral interests in, or in close proximity to, these properties that would effectively be sterilised if the properties were developed in the manner sought in the submission.</p> <p>If these properties are developed, either as proposed by Ambury or in any other manner consistent with the urban zonings sought, the practical effect is that the Ralph Estates would not be able to enter the land and mine the minerals beneath the surface. In addition, any rezoning of land that is adjacent to land in which the Ralph Estates have mineral interests would have the same effect, because of the likelihood of reverse sensitivity effects.</p> | Disallow |

| Name of original submitter | Address of original submitter | Original Submitter number | Original submission point number/s | Position | Reasons for the Ralph Estates' opposition | The Ralph Estates seek that the whole (or part) of the submission be disallowed |
|--|--|---------------------------|------------------------------------|----------|--|---|
| | | | 764.6 | Oppose | <p>This submission point seeks the inclusion of an Ohinewai Structure Plan such as Attachment 2 within the submission as a new Appendix 13 in Chapter 29 Appendices.</p> <p>The Ralph Estates oppose this submission point because it has mineral interests in, or in close proximity, to the properties that would be subject to the Structure Plan. Those interests would be effectively be sterilised if the properties were developed in accordance with the Structure Plan.</p> <p>The practical effect of the development shown on the Structure Plan is that the Ralph Estates would not be able to enter the land and mine the minerals beneath the surface. In addition, any development of land that is adjacent to land in which the Ralph Estates have mineral interests would have the same effect, because of the likelihood of reverse sensitivity effects.</p> | Disallow |
| Planning Focus Limited | PO Box 911361 Victoria Street West Auckland 1142 Attention: Paul Arnesen | 383 | 383.1 | Oppose | <p>This submission seeks the rezoning of eleven properties in Ohinewai from Rural or Country Living to Industrial. The Ralph Estates have mineral interests in, or in close proximity, to these properties, which would effectively be sterilised if the properties were developed for industrial use.</p> <p>If the land is developed in accordance with the zonings sought, the practical effect is that the Ralph Estates would not be able to enter the land and mine the minerals beneath the surface. In addition, any rezoning of land that is adjacent to land in which the Ralph Estates have mineral interests would have the same effect, because of the likelihood of reverse sensitivity effects.</p> <p>Granting the relief sought in this submission will not promote the sustainable management, or achieve the efficient use and development of, Ohinewai's natural and physical resources (including the minerals lying underneath the surface land) pursuant to sections 5 and 7 of the RMA. It is not the most appropriate way of exercising the Council's functions, having regard to the efficiency and effectiveness of the changes to the provisions sought, in particular the assessment of the benefits and costs of the effects that are anticipated from the implementation of the provisions.</p> | Disallow |
| Ohinewai Land Limited | PO Box 9548 Hamilton 3240 Attention: David Peacocke | 428 | 428.1 | Oppose | <p>This submission seeks the inclusion of a "growth area" at Ohinewai. This area is not suitable for urban growth because the Ralph Estates have an unfettered right to enter much of the surface land in Ohinewai to mine the minerals beneath the surface. Identification of a "growth area" is not suitable in those circumstances.</p> <p>Granting the relief sought in this submission will not promote the sustainable management, or achieve the efficient use and development of, Ohinewai's natural and physical resources (including the minerals lying underneath the surface land) pursuant to sections 5 and 7 of the RMA. It is not the most appropriate way of exercising the Council's functions, having regard to the efficiency and effectiveness of the changes to the provisions sought, in particular the assessment of the benefits and costs of the effects that are anticipated from the implementation of the provisions.</p> | Disallow |
| John Kirton on behalf of Ribbonwood Family Trust | 1409 River Road Flagstaff Hamilton 3210 Attention: John Kirton | 863 | 863.1 | Oppose | <p>This submission seeks the rezoning of 53 Ohinewai South Road from Rural to Country Living. The Ralph Estates have mineral interests in this land which would effectively be sterilised if the property was developed for rural lifestyle living. This is because it would be impracticable for the Ralph Estates to exercise its right to enter the land and mine the minerals beneath the surface.</p> <p>Granting the relief sought in this submission will not promote the sustainable management, or achieve the efficient use and development of, Ohinewai's natural and physical resources (including the minerals lying underneath the surface land) pursuant to sections 5 and 7 of the RMA. It is not the most appropriate way of exercising the Council's functions, having regard to the efficiency and effectiveness of the changes to the provisions sought, in particular the assessment of the benefits and costs of the effects that are anticipated from the implementation of the provisions.</p> | Disallow |