

Hearing Opening Statement

Hearing 25: Zone Extents Raglan

Prepared by: Emily Buckingham

Date: 31 May 2021



Introduction

1. Good morning Chair, Commissioners and Submitters. My name is Emily Buckingham, and I am the s42A reporting planner for the Raglan Zone Extents topic. My qualifications and experience are set out in the s42A report at page 4. I also confirm that I have read the Code of Conduct for Expert Witnesses in the Environment Court Practice Note 2014 and have complied with it when preparing this report.
2. Raglan is a small west-coast harbour town located approximately 43km west of Hamilton, with a population of around 4,300 people¹, and approximately 2,100 dwellings.² The population grows in the peak summer months due to a large number of holiday homes and short-term rental properties. An annual population growth rate of over 1% per year is projected for Raglan over the next ten years.³
3. As shown on the map in Figure 1, below, the township is primarily zoned as residential. No substantial changes have been made to its zoning through the Proposed Waikato District Plan (PWDP) compared to the Operative Waikato District Plan. No new growth areas have been added, however Flax Cove, Lorenzen Bay and Rangitahi Peninsula growth areas have remaining development capacity.

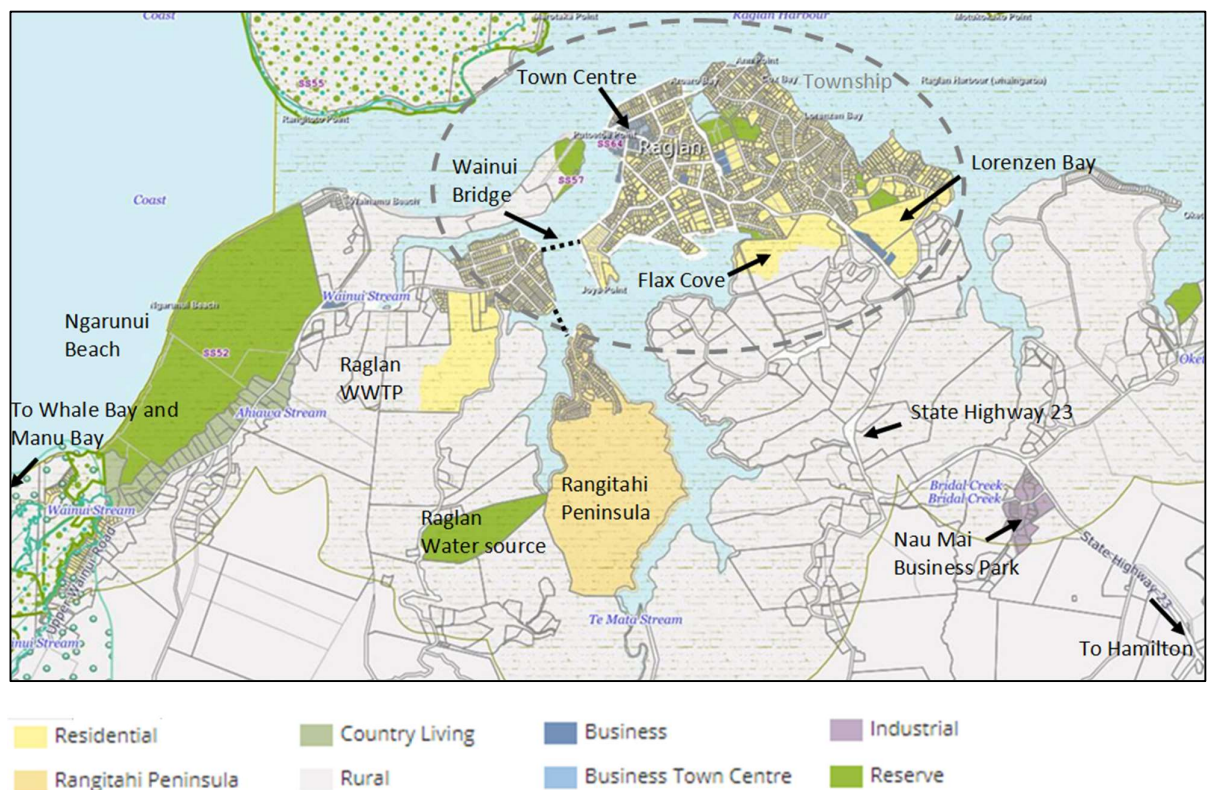


Figure 1: Annotated PWDP zoning map for Raglan area

¹ Waikato District Council. (2020). *Waikato District Spatial Distribution Model*. 2021 population estimate for the Raglan 'town/village', which includes Raglan and adjacent urban land in Whale Bay statistical unit.

² Appendix 9 of Dr Davey's Framework report, from the housing capacity model (2020)

³ Supra at 1.

4. The Rangitahi Peninsula was zoned as residential in 2015 and was the subject of a separate PWDP hearing last year. It is now in the early stages of development, and is expected to accommodate at least 500-550 dwellings once completed. This is currently the primary active growth area for Raglan.
5. Raglan's key infrastructure is labelled on Figure 1. Raglan's water supply is from a spring. An increase to the consented volumes of water take and/or additional water storage will be required to service any significant growth. The Raglan Wastewater Treatment Plant has a resource consent renewal currently in progress, and requires an upgrade to cater for population growth. The upgrade is budgeted for in the Long Term Plan for 2021-2027.
6. The topic of Raglan rezoning received 15 original submission points and 23 further submission points. Additionally, the Kāinga Ora submission seeking medium density rezoning in a number of towns applies to land within Raglan.
7. Generally submissions seek site-specific residential "up-zoning", with one seeking retention of the notified zone. Two submissions seek to rezone large areas of rural land to allow for future urban residential use. A few submissions relate to business land location.

Summary of Statutory Framework

8. Future Proof 2017 set indicative urban limits for Raglan which included Rangitahi Peninsula and some greenfields land in Raglan West. These are shown on Figure 2 below. Future Proof 2017 did not identify any shortfall of dwellings for Raglan, however, recent growth projections show higher population growth than what was predicted in Future Proof. There are now differing opinions as to whether or not Raglan will have a shortfall of dwellings compared to NPS-UD demand (medium projection +20%). I discuss this later.

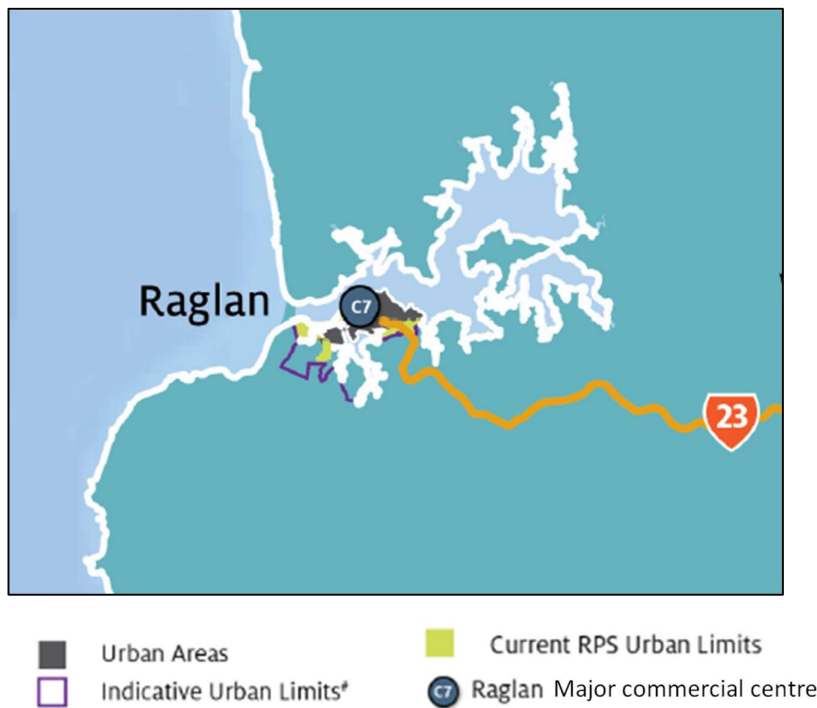


Figure 2: Future Proof 2017 indicative urban limit line

9. The Waikato 2070 map for Raglan is shown below in Figure 3. Six residential growth cells are shown in orange. Two of these are not zoned for residential development in the PWDP: Afon Opotoru (10-30 years) and Te Hutewai (30+ years). These are located to the south-west of the existing township on currently rural land.
10. Waikato 2070 also shows the town centre expanding to the south over the next 3-10 years over existing residential development, and generally being two storey with mixed business and residential uses.

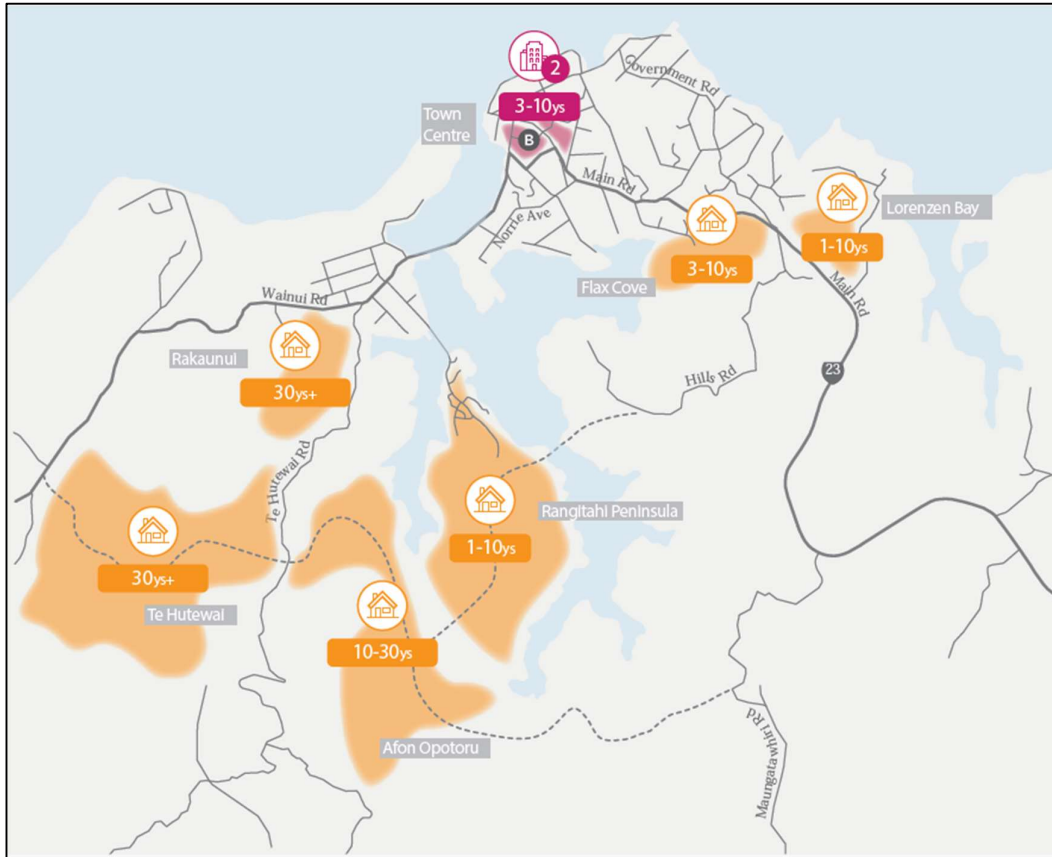


Figure 3: Waikato 2070 Raglan Development Plan

11. In my view, Raglan does not currently meet the definition of ‘urban environment’ in the NPS-UD. However, the NPS-UD requirement to provide sufficient development capacity applies across the Waikato District, because Waikato District Council is a Tier I local authority. Future Proof 2017 has specified that Raglan is one of the six towns that 80% of the District’s growth is to be accommodated within. Therefore regardless of whether or not Raglan is an ‘urban environment’, I consider it important to provide sufficient capacity to meet demand for dwellings.
12. PWDP Hearing 16 – Raglan in June 2020 addressed many submissions declaring that Raglan has a special character. Post hearing, Council was directed to report on how the proposed plan might better reflect the special character of Raglan, in collaboration with submitters. This report was completed in December 2020⁴ and recommends that any new buildings in the

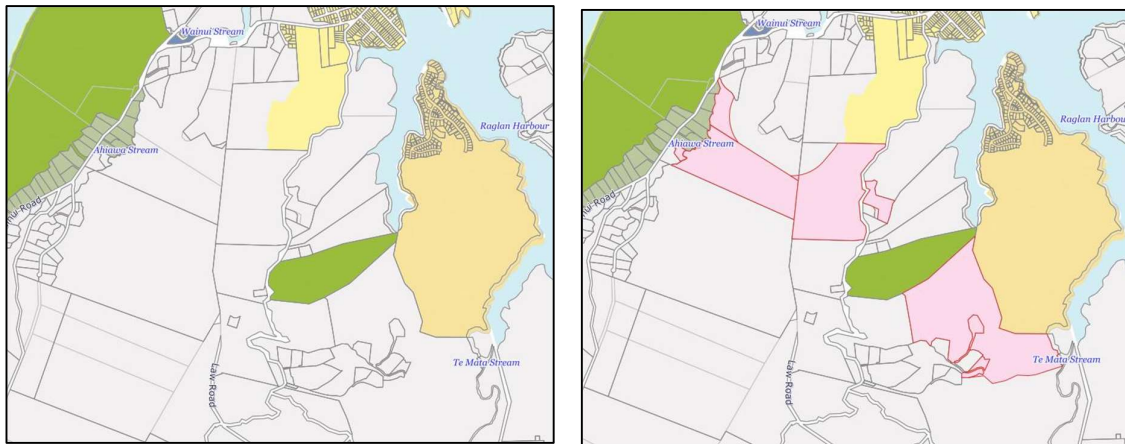
⁴ Memorandum to the Hearings Panel from Summer Salmon, WDC, dated 18 December 2020, titled: “Hearing 16: Raglan – Response to the Minute from the Hearings Panel dated 12 August”. Appendix E contains the recommended amendments to the PWDP.

Raglan Special Character Area (comprising all business, business town centre and residential zones excluding Rangitahi) that require a restricted discretionary consent be assessed for effects on character. A new objective, policy and matters for discretion have been prepared to implement this recommendation.

13. I now provide an overview of my key recommendations and points of contention that remain. Larger versions of the maps can be found in Appendix 2 of my original s42A report.

Key recommendations

14. The major change I have recommended, in response to submissions from **Rangitahi Limited [343.24]** and **Koning Family Trust and Martin Koning [658.3]**, is to rezone two large blocks in Raglan west to Future Urban Zone. This is because future residential growth should be planned for, and the locations are generally appropriate for such growth. In my view, a live residential zone is inappropriate for this land until matters around the lack of infrastructure servicing or funding and certain environmental effects are resolved. The recommended rezoning is shown in Figure 4 below.



As notified

As recommended



Figure 4: Future Urban recommended rezoning in Raglan West

15. I have also recommended a change to the wording of Policy 4.1.18 – Raglan to recognise that Rangitahi Peninsula should not be the only location to accommodate medium to long term growth in Raglan:

Policy 4.1.18 – Raglan

(a) Raglan is developed to ensure:

(i) Infill and redevelopment of existing sites occurs;

(ii) A variety of housing densities is provided for;

(iii) The built form and character reflects its harbour setting and is compatible with its seaside village character;

(iv) Protection of the coastal margins and environment;

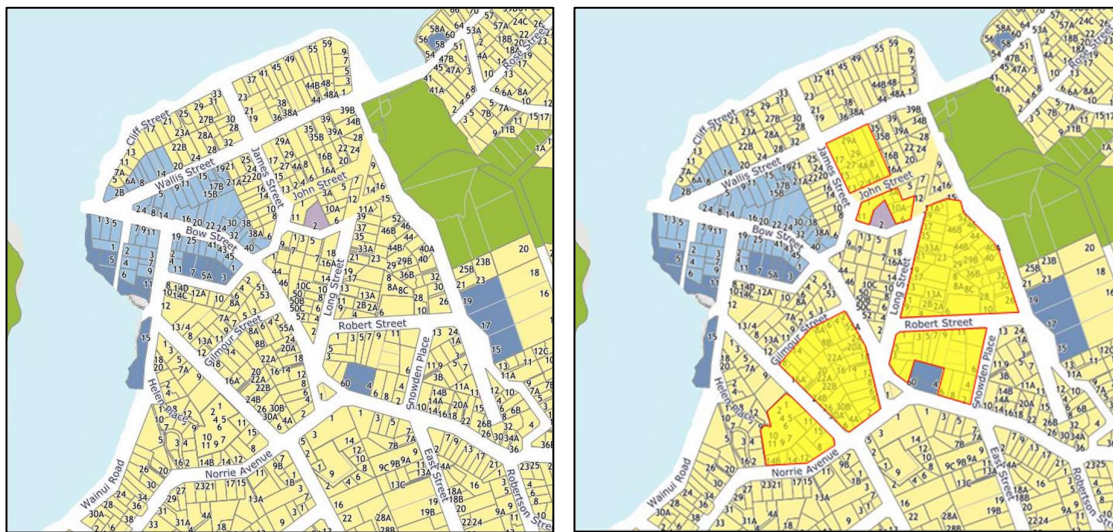
~~(iii)~~ (v) Rangitahi and the Residential zoned areas are is the only areas that provides for the short to medium term future growth;

(vi) Long term growth is to be provided for in the Future Urban Zones. These areas are to be planned and is developed in a manner that connects to the existing town and maintains and enhances the natural environment and Raglan’s special character; and

(vii) There are good quality walking and cycling connections between the town centre, the Papahua Reserve and Raglan Wharf.

* The blue changes above relate to matters canvassed for Hearing 3 Strategic Objectives and reflect the reporting planner’s recommendations for that hearing, while the red changes are my recommendations.

16. In response to **Kāinga Ora’s** submission seeking Medium Density Residential Zone be applied to a number of towns [749.154], I have accepted the merits of a medium density zone for Raglan in principle, but recommended that the physical extent of this zone be amended. This is to allow for town centre expansion as per Waikato 2070, and to address the special character elements for the town. The recommended rezoning is shown in Figure 5 below.



As notified

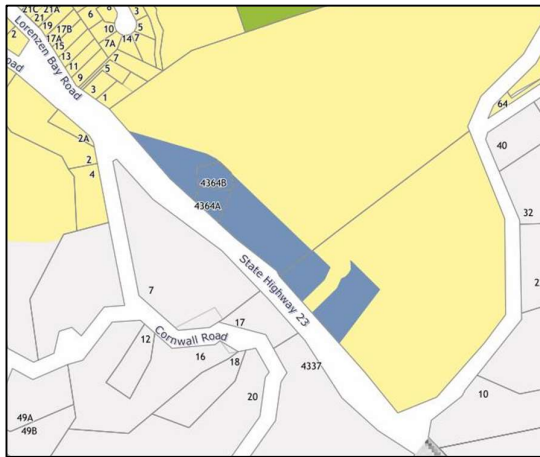
As recommended



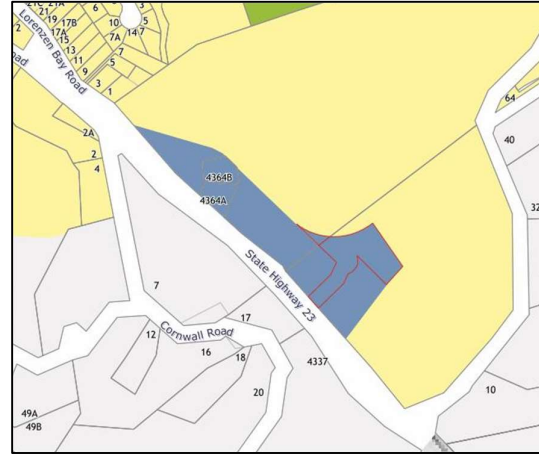
Figure 5: Medium Density Residential Zone recommended rezoning

17. For this reduced area of Medium Density Residential Zone, I also recommend that the Medium Density Residential Zone plan provisions that apply to Raglan be modified, so that proposals are assessed against the special character criteria and a 7.5m height limit applies. These recommended changes are included in Mr Clease’s “Thematic Issues – 16 April” s42A report. However I wish to point out that Mr Clease’s track changed provisions only apply the special character assessment to developments involving 4 or more dwellings, whereas my intention was for them to apply to any multi-unit development.

18. In response to **McCracken Surveyors [943.33]**, I have recommended a relatively modest extension of Business Zone land (5,730m²) in the Lorenzen Bay area. This better matches the roading layout for the subdivision application currently being processed by Council, where a second access to the development area from the State Highway has been removed. The recommended rezoning is shown in Figure 6 below. I understand that this rezoning is agreed, as I have accepted the submission in full, and no rebuttal evidence was received.



As notified



As recommended⁵

■ Business ■ Residential

Figure 6: Recommended Business rezoning

19. Six smaller scale, site-specific submissions were received, generally seeking rezoning from Rural to a Country Living or Residential Zone. I have not recommended any zoning changes in response to these.
20. A coastal strip along the Rangitahi Peninsula is split zoned, and in my rebuttal evidence I recommended it be zoned fully Rangitahi Peninsula. I now wish to rescind this recommendation, as I have been made aware that this issue has been addressed previously as part of the Rangitahi hearing, when it was agreed that it should be zoned Rural.⁶

Remaining Matters of Contention

21. For those submitters who have prepared evidence on this topic, the remaining matters of contention are set out below. There are also other submissions I have recommended rejecting, who have not provided any evidence and are not scheduled to appear at the hearing.
22. Koning [658.3] seeks a Residential Zone for its land rather than the Future Urban Zone I have recommended. Specifically, there is disagreement with my analysis that a Residential Zone is inconsistent overall with the WRPS development principles, and my view that planning and funding of infrastructure to service the area should be better secured before the land can be rezoned Residential. Should the Panel consider these issues resolved, I also disagree with the structure, and some of the detail of, the planning provisions that the submitter has proposed for the land.
23. The Future Urban Zone for the Rangitahi land is agreed. In addition, Rangitahi's [343.24] planning expert seeks that a requirement for a Council-led spatial plan for Raglan is added to Policy 4.1.18. I address this matter in my s42A report (paragraph 132), where I do not recommend any changes to Policy 4.1.18.
24. Kāinga Ora [749.154] disagrees on the 7.5m height limit for the MDRZ that I have recommended. Their experts state that the lower height limit will overly restrict certain

⁵ McCracken Surveyors [943.33]

⁶ Memorandum to the Commissioners relating to Rangitahi Peninsula provisions dated 21 December 2020, para 8

typologies of medium density housing. In relation to the physical extent of the zone, they are unclear that the reduced extent of MDRZ to allow for town centre expansion is necessary.

25. Late rebuttal evidence has been received from Lisbeth Hughes [301.1] and Bernard Brown [669.4], which has been accepted by the Panel. This disagrees with my recommendations not to rezone the submitters' respective properties from Rural to Residential.
26. In relation to Lisbeth Hughes' evidence, I was previously unaware that the Significant Natural Area on the property at 17 Calvert Road, Whale Bay is recommended to be removed by s42a reporting for Hearing 21A. However, this does not change my overall recommendation to reject the submission. My amended reasons are the same as for other properties in my original s42a report – if zoned residential, the 3,366m² property would be subdividable, and there is no policy direction supporting residential expansion this far from the Raglan township. It also appears that there is no capacity in the wastewater network to accept further discharges from this area.
27. As a side note, I have reviewed the PWDP Rural zone rules as they apply to the property, and I believe that a granny flat could be built as a permitted activity on this site (as the submitter wishes to do).
28. Bernard Brown's rebuttal evidence does not contain any information that causes me to change my recommendation in paragraph 230 of my s42A report. His evidence states the character of existing and future surrounding land uses is residential, due to the Whaanga Coast Development Area. I accept there may be existing residential activities on surrounding sites, however, the Residential Zone is a zone of suburban/urban character. I have looked further into the Whaanga Coast Development Area which applies to land adjoining the submitter's property. In combination with the restrictions of the Significant Natural Area overlay that also applies to this land, I would not expect residential development of a suburban nature to be able to occur on those sites. I expect the future character of the area to continue to be more rural in nature.
29. There is also disagreement on the scale of forecast residential supply and demand at Raglan over the short, medium and long term.⁷ Dr Davey's supplementary evidence⁸ paints a different picture of the situation at Raglan than his previous Framework Report. The supplementary evidence suggests supply of dwellings will easily meet NPS-UD demand (medium +20%) over the 15-year timeframe to 2036, whereas the Framework Report indicated a likely deficit over all three timeframes. As an illustration of the differences for the medium-term timeframe, I have created Table I below, based on my understanding of the evidence:

⁷ Since my rebuttal, late rebuttal economic evidence has been accepted from Mr Colegrave on behalf of Koning, and I have become aware of economic rebuttal evidence received from Dr Fairgray on behalf of Rangitahi.

⁸ Hearing 25: Framework report: Supplementary Evidence, Dr Mark Davey, dated 28 April 2021

Table 1: Medium supply vs NPS-UD demand projections comparison

	Framework Report – Dr Davey	Supplementary Evidence – Dr Davey	Dr Fairgray for Rangitahi	Mr Colegrave for Koning
Supply – medium term 2020-2030 or 2036	1,085 additional (2030)	2,103 additional (2036)	1,085 additional (EIC) (2030)	600 additional (rebuttal) (2036)
NPS-UD demand – medium term 2023-2030/31 or 2036	1,753 additional (2030)	632 additional (2036)	672 (2031) and 828 (2036) additional (rebuttal)	1,440 additional (rebuttal) (2036)
Medium term surplus / Deficit	-668	+1,471	+413	-840

30. I have been advised by Dr Davey that the figures in the Supplementary Evidence are generally more accurate, as the yields in the Framework Report were not calibrated for market realisable. However, the supplementary evidence used computer modelling to predict supply, and Dr Davey and I identified that it has generated about 1,000 extra lots for Rangitahi Peninsula, over the expected yield of 500-550 dwellings. The extra 1,000 should be removed. This means supply of dwellings by 2036 is likely to range between approximately **600-1,100**.
31. Dr Davey has also advised that the demand calculation in the supplementary evidence is considered more accurate than the Framework Report. He also accepts Dr Fairgray's rebuttal evidence that allowance for holiday dwellings could increase this demand figure. Therefore the range for dwelling demand (NPS-UD medium+20%) by 2036 is likely to range between approximately **800-1,400**.
32. The situation for the short term (2023) is similar, where Dr Fairgray predicts a surplus and Mr Colegrave predicts a deficit of 86.
33. Overall, there is not agreement on whether there will be a surplus or deficit of residential dwellings at Raglan over the short and medium term. There could be a surplus of around 400 dwellings, or a deficit of around 800 dwellings. Infill and MDRZ capacity within the existing residential area is estimated at around 200-500,⁹ so would not be able to meet a deficit of 800.
34. In these circumstances my view is that planning for new residential growth areas is prudent and advisable where this meets the relevant statutory tests – especially since Raglan is a holiday town with additional seasonal population, which creates some uncertainty in using the usual forecasting methods. I consider that the need for new residential land should not override all other considerations, and medium to long term supply does not necessarily need to be brought forwards. My recommendations would result in additional short term (in the MDRZ) and medium term (in the FUZ) development capacity, while co-ordinating infrastructure requirements.

⁹ Ibid. Fig 14 shows around 400 MDRZ lots – this is challenged by Dr Fairgray as too high. Fig 17 shows less than 100 infill lots.

Conclusion

35. This concludes my opening summary of the Raglan Rezoning topic. I look forward to hearing evidence presented by submitters and welcome any questions that the Panel may have.