

**Date; 7 May 2021**

**From; Bernard Brown -759 Wainui Rd, Raglan – Submission No 669 & FS 1040**

**To; The Hearings Panel**

**Re; Proposed Waikato District Plan (PWDP) – Hearing 25, Zone Extents. Raglan.**

**Review of the Planners Section 42a Report – Items 229 & 230**

(1) This review covers specifically Items 229 & 230 of the Planners Section 42a Report on Zone Extents, dated 21 April 2021. This review is consistent with submission Nos 669 and FS 1040 made on the PWDP and evidence presented at two previous hearings in 2019 and 2020.

(2) In Item 230 of the S42a Report the Planner states;

*“No zone changes are required to enable the existing residential use of the property. I acknowledge that resource consent would be required if a replacement dwelling was proposed due to the 25m separation distance required from neighbouring rural sites under PWDP Rule 22.3.7.1”*

Comment

(a) The subject property has an area of 2020m<sup>2</sup> and is 30m wide and serviced by reticulated wastewater.

(b) In addition to an existing dwelling, a future granny flat is proposed to cater for my family wellbeing. As outlined above, under the provisions of the Rural Zone Rule 22.3.7.1 no additional structure is permitted. Any successful resource consent is also considered impossible due to the difficulty in gaining consent from numerous owners of the neighbouring multiple owned Maori land.

**(c) Recommendation to the Hearings Panel – Uphold the request for the 759 Wainui Rd property to be zoned Residential where PWDP Rule 16.3.9.1 would enable the further development required.**

(3) In Item 230 of the S42a Report the Planner states;

*“the rural zone boundary separation requirement is in accordance with the proposed plan provisions intended to manage reverse sensitivity effects in the rural zone”*

Comment

(a) In the 45 year period of owning the subject property no rural land uses have been undertaken either on site or in the neighbouring multiple owned Maori land. For this reason, submissions on the proposed 2004 District Plan successfully sought a Coastal Zone designation for the Whaanga Coast which would more accurately reflect the character and dominant conservation land uses of the wider landscape.

(b) The Whaanga Coast Rules – Schedule 26A of the PWDP do not permit extensive vegetation clearance which would necessitate rural land uses. A Rural Zone designation for the Whaanga Coast and my property is considered inappropriate, misleading and ambiguous.

**(c) Recommendation to the Hearings Panel – Uphold the request for the 759 Wainui Rd property to be zoned Residential thus reflecting the true landscape context and residential character of the property.**

(4) In Item 230 of the s42a Report the Planner states;

*“this site is isolated from any urban zoned site and the relief sought would constitute a spot zoning”*

Comment

(a) The planners Section 42a Report fails to acknowledge the significance of the large "Development Areas" illustrated in the Planning Map 23.1 Manu Bay of the PWDP or the existing enclave of Papakainga Housing surrounding the eastern and southern margins of the 759 Wainui Rd property.

(b) In my opinion, inclusion of the subject property within a residential zone would not constitute a spot zoning but rather accurately reflect the character of existing and future surrounding land uses.

**(c) Recommendation to the Hearings Panel – Uphold the request for the 759 Wainui Rd property to be zoned residential to accurately reflect the character of existing and future surrounding land uses.**

(5) Conclusion

(a) I am disappointed by the PWDP removal of the existing Coastal Zone over the Whaanga Coast and replaced by a Rural Zone with a number of overlays each with complex and dubious assessment criteria.

(b) I consider that the Planners Section 42a Report repudiated my requests for the 759 Wainui Rd property to be zoned residential.

(c) The Planners report fails to acknowledge the significance of the permitted "Development Areas" ( PWDP Planning Map 23.1) surrounding the 759 Wainui Rd property, and the significance of these planned "Papakainga /Urban" areas within the context of the Greater Raglan Growth Strategy.

(d) The proposed rural zoning of the Whaanga Coast and the subject property in the PWDP appears arbitrary, misleading, ambiguous and fundamentally flawed.

Thank you for the opportunity to present this submission.



**Bernard Brown**

**7 May 2021**