

**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 **WAIKATO DISTRICT COUNCIL**

Local Authority

**SUMMARY STATEMENT OF EVIDENCE OF
BEN MAXWELL INGER FOR RANGITAHİ LIMITED**

HEARING 25: RAGLAN

(PLANNING)

Dated: 21 May 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

INTRODUCTION

1. My name is Ben Maxwell Inger. I provided evidence in chief (**EiC**), dated 17 February 2021 and evidence in reply (**EiR**) dated 3 May 2021, on Planning matters related to Rangitahi Ltd's submission on the Proposed Waikato District Plan (**pWDP**) for the Raglan Zone Extents hearing.
2. I outlined my qualifications, experience and commitment to comply with the Environment Court Expert Witness Code of Conduct in my EiC.

SUMMARY OF EVIDENCE

3. I summarise my evidence as follows:

Overview

- (a) The Rangitahi Peninsula is subject to a comprehensive structure plan. The structure plan and related provisions were introduced into the Operative Waikato District Plan (**oWDP**) through a private plan change (**Plan Change 12**) which was made operative in 2015. The plan change, which involved rezoning the land from Rural Zone to Rangitahi Living Zone, followed the withdrawal by Waikato District Council (**WDC**) of a Council-led Raglan Structure Plan and plan change in 2011.
- (b) The Rangitahi Structure Plan, which has been carried over into the pWDP,¹ enables an environmentally sensitive approach to development of the Rangitahi Peninsula in accordance with landscape management, urban design, and structure planning best practice. It responds to the site's setting, the wider environment, and Raglan's special character.
- (c) The Rangitahi Structure Plan anticipates a total of 500-550 dwellings. However, Rangitahi Ltd is considering opportunities for increasing the total yield within the Structure Plan area, including through increasing densities in suitable areas in and around the development precincts

¹ The provisions within the pWDP include 5 objectives and 20 policies specific to the Rangitahi Peninsula in Chapter 9.3, Chapter 28 which contains specific rules for land use and subdivision within the Rangitahi Peninsula and a Structure Plan in Appendix 8 consisting of 19 pages of plans and guiding documents.

shown on the Structure Plan. It is possible that the total number of dwellings within the current precincts identified on the Rangitahi Structure Plan could be approximately 650 rather than 500-550 subject to the necessary resource consents being obtained.

Supply/Demand for Residential Land

- (d) Waikato 2070 identifies a possible future population for Raglan of 12,500 residents in 2070, which represents a significant increase from the current population of approximately 4,000. The population projections for strong growth back up Rangitahi's 'on the ground' experience.
- (e) Dr Fairgray's EIC concludes that there will be demand in Raglan for 520-620 dwellings in 2020-2030 and an additional 690-1,010 dwellings in 2030-2050.² This includes demand for holiday homes and allowance for competitiveness margins required under the NPS-UD. There are currently around 2,670 dwellings in Raglan³ so this reflects a strong growth outlook.
- (f) While the demand can be met through capacity for approximately 1,085 additional dwellings in the 2020-2030 period⁴, Dr Fairgray concludes that a shortfall of zoned residential land would occur in the mid-2030s based on a high-growth scenario and in the mid to late-2040s for a medium growth scenario.
- (g) I consider that, prior to that time, there will be a need for more land to be 'live-zoned' and serviced to meet demand. Beginning to plan for this long-term growth now, while there is time to do so, is a sensible approach.

² The total assessed demand to 2050 is therefore 1,210-1,630 dwellings.

³ Table 3, Fairgray EIC

⁴ The assessed capacity includes 501 dwellings within the Rangitahi Peninsula (which may be around 650 dwellings subject to consents being obtained), Flax Cove, Lorenzen Bay and infill development (excluding any potential Medium Density Residential Zone). The assessed capacity excludes Rakaunui because that land is Maori Freehold Land and it is likely to have a longer development timeframe.

Spatial Planning for Raglan

- (h) Waikato 2070 identifies Raglan West as the location for future growth in Raglan beyond infill and the four greenfield areas which are zoned for residential development in the pWDP.⁵ The Afon Oporuru and Te Hutewai areas within Raglan West are identified in Waikato 2070 with development timeframes of 10-30 years and 30 years plus respectively.
- (i) I recommend that a spatial plan should be prepared by WDC to establish a long-term plan for the growth of Raglan as a whole, whilst also ensuring that Raglan's special character is maintained and enhanced. This recommendation draws on the EiC of Ms de Lambert and Mr Lunday, both of whom consider that a Council-led spatial planning process should be commissioned.⁶
- (j) The spatial plan would enable important and necessary input by the local community, landowners and tangata whenua into Raglan's growth.⁷ It should form part of the special character review for Raglan's rural and coastal areas which is recommended in the Raglan Character Study⁸ and build on the very high-level spatial planning undertaken as part of Waikato 2070. It should also be undertaken to reflect and inform planned infrastructure, including the projects identified in the draft Long Term Plan⁹ and the infrastructure master plan which is currently being prepared for Raglan by Watercare.

⁵ The greenfield areas which are zoned for residential development in the pWDP are the areas labelled Rangitahi Peninsula, Lorenzen Bay, Flax Cove and Rakaunui in Figure 1, Inger EiC. The Raglan West future growth areas are labelled as Afon Oporuru and Te Hutewai in Figure 1, Inger EiC.

⁶ The matters that a spatial plan should address are identified in paras 37-42 of Lunday EiC, paras 28-35 of de Lambert EiC and paras 15-18 of de Lambert EiR.

⁷ Policy and best practice guidance are clear on the need for structure planning to be informed by consultation. Relevant policy provisions include Section 1.5.2 pWDP, Section 5.2 Waikato 2070 and Methods 4.2.3, 4.3.2 and 6.1.9 Waikato Regional Policy Statement. Best practice guidance on preparing and implementing a structure plan is provided on the Quality Planning website <https://www.qualityplanning.org.nz/node/1139>.

⁸ Raglan Character Study (22 April 2020), Section 3.2, pg 27.

⁹ Projects listed in para. 12 Inger EiR, including Raglan WWTP upgrade (2021-27, \$28M), Raglan Water Reticulation Upgrade and Extension (2021-30, \$6M), Raglan Water Network Upgrade and Extension (2031-41, \$8M), Wainui Road Bridge (2031-35, \$10m) and Rangitahi South New Roads (2031, \$13M). In addition, WDC staff have recently advised that \$8M for Rangitahi Peninsula Bridge in 2031 is identified for a potential new connection between Rangitahi Peninsula and SH23.

- (k) The spatial plan would guide the preparation of more detailed structure plans for individual growth areas in an integrated way, and potentially other changes to District Plan provisions for Raglan. It should include consideration of whether a special purpose zone is the most appropriate approach for the zoning of land for future growth to recognise and provide for Raglan's special character and potentially to make provision for non-residential activities such as neighbourhood-scale centres in appropriate locations.

Future Urban Zone for Rangitahi South

- (l) Analysis led by Ms de Lambert and Mr Lunday, and supported by other experts for Rangitahi Ltd, identifies the potential for additional urban development areas both within the southern part of the Rangitahi Peninsula Zone and in the adjoining Rangitahi South area which is zoned Rural under the pWDP.
- (m) WDC's s.42A Report dated 26 January 2021 sets out the circumstances in which a Future Urban Zone (**FUZ**) would be more appropriate than a 'live-zone', including when:
- i. A structure plan has not yet been prepared;
 - ii. Roading and three waters trunk infrastructure required to service growth is not yet provided, is not programmed to be delivered within the current LTP over the current decade or is not able to be developer funded; and
 - iii. Urbanisation is required over a 10-20 year timeframe.
- (n) Based on these criteria, I consider that a FUZ is better suited to Rangitahi South than a 'live-zone'. This recognises that Rangitahi South forms part of the Afon Oporuru area in Waikato 2070 which has a 10-30 year development timeframe and it reflects Dr Fairgray's conclusion that existing zoned supply of residential land in Raglan is appropriate to meet demand in accordance with the NPS-UD until around the mid-2030s.
- (o) The FUZ also recognises that some of the infrastructure which is likely to be required for development of Rangitahi South is planned in the 10-20 year period under the draft Long Term Plan.

- (p) I have considered the proposed FUZ in terms of the three-lens approach that is recommended in the s.42A Framework Report. It is my opinion that the FUZ is consistent with the pWDP, the relevant policy documents and with best practice planning.

Changes to Proposed District Plan

- (q) The changes that I recommend to the pWDP are set out in para. 58 of my EiC. I comment briefly on the changes below.

Planning Maps

- (r) I support the changes to the planning maps that are recommended in the s.42A Report to rezone Rangitahi South from Rural to FUZ.
- (s) The s.42A Rebuttal Evidence also makes a recommendation to fix an error with the zoning of the coastal margin around the Rangitahi Peninsula.¹⁰ I have discussed this matter with Ms Buckingham and I understand that she intends to retract this recommendation on the basis that it was previously addressed as part of the Rangitahi Peninsula Zone hearing.¹¹

Section 1.10.1.1

- (t) Section 1.10.1.1 relates to the Waikato District Development Strategy 2015 and Section 1.10.1.2 relates to the Waikato District Economic Development Strategy 2015. Now that those documents have been superseded by Waikato 2070, I consider that Section 1.10.1.1 should be replaced with an explanation of the role of Waikato 2070 and that Section 1.10.1.2 should be deleted.
- (u) Para. 133 of the s.42A Report notes that the report does not make recommendations on the changes that I have suggested to Chapter 1. Waikato 2070 was completed after notification of the pWDP but it has appropriately informed WDC's recommendations on the pWDP,

¹⁰ Section 6, s.42A Rebuttal Evidence.

¹¹ Para. 8 of the Memorandum by Council to Hearing Commissioners Relating to Rangitahi Peninsula Provisions (21 December 2020) recommends that the zoning be tidied up so that the coastal margin is entirely within the Rural Zone. I agree with the Council's recommendation.

including the zoning submissions for Raglan. I consider that Waikato 2070 should be addressed in Chapter 1 of the pWDP.

Policy 4.1.18

- (v) The s.42A Report recommends amendments to Policy 4.1.18, including incorporation of some of the wording that I suggested in para. 58(ii) of my EiC. I support the recommended changes with one exception which relates to the absence of any reference to spatial planning for Raglan. I recommend the following additional clause within Policy 4.1.18:

“(b) Future growth and structure planning for growth areas is to be guided by an overarching spatial plan for Raglan. The spatial plan shall be prepared by 2023 with input from tangata whenua, the local community and other stakeholders to enable and manage long term growth of the town whilst protecting Raglan’s special character.”

Summary

- (w) I consider that a Council-led Spatial Plan is an important next step for growth planning for Raglan. The pWDP should include provisions within Policy 4.1.18 to reflect this and to recognise the important role of Waikato 2070 within Section 1.10.1.1.
- (x) I support the recommendations in the s.42A Report regarding:
- i. Amendments to the planning maps to rezone Rangitahi South from Rural to FUZ; and
 - ii. Amendments to Policy 4.1.18, with the exception that I recommend a further clause (b) relating to spatial planning.
- (y) **Attached** to this summary is my recommended wording for Section 1.10.1.1 and Policy 4.1.18.

Dated this 21st day of May 2021

Ben Inger

Attachment 1 – Recommended Changes to Section 1.10.1.1 and Policy 4.1.18

My recommended changes are shown in underlined text.

Policy 4.1.18 contains the wording that is recommended in the s.42A Report with my recommended changes shown in underlined text.

1.10.1.1 Waikato 2070 Growth and Economic Development Strategy

- (a) The Waikato 2070 Growth and Economic Development Strategy (Waikato 2070) provides a long-term plan to achieve the Council’s vision of creating liveable communities. It takes an integrated approach to future growth in the Waikato District, combining economic and community development with future land use and infrastructure planning. Whilst enabling growth, Waikato 2070 aims to do this in a way that protects the environment, which is essential for the health and wellbeing of the people. The strategy is important for informing future planning, investment and decision-making by the Council for the district. It provides the indicative extent and timing for future growth cells, subject to further investigation and feasibility.
- (b) Town Centre Plans will be completed within the short term to outline future development and investment in towns and Structure Plans for growth cells identified in Waikato 2070 will be developed. Structure Plans and Town Centre Plans will form the basis for amendments to the District Plan via Variations/Plan Changes to enable development of growth areas identified in Waikato 2070.

4.1.18 Policy – 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;
 - (v) Rangitahi and the Residential zoned areas are the only areas that provide for 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 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.
- (b) Future growth and structure planning for growth areas is to be guided by an overarching spatial plan for Raglan. The spatial plan shall be prepared by 2023 with input from tangata whenua, the local community and other stakeholders to enable and manage long term growth of the town whilst protecting Raglan's special character.