

IN THE MATTER of the Resource Management Act 1991

AND

IN THE MATTER of hearing submissions and further submissions on the Proposed Waikato District Plan

AND

IN THE MATTER of Proposed Rezoning Request Hearings

DIRECTIONS FROM HEARING COMMISSIONERS

1 March 2021

Introduction

1. In the lead up to the hearing of submissions and further submissions on the Proposed Waikato District Plan (“**proposed plan**”) that relate to “Rezoning” proposals (filed under the tab “Hearing 25” on the Waikato District Council website), the Hearings Panel has received a number of requests from submitters, as follows:
 - a. A request by Rangitahi Limited (**Rangitahi**) for the Raglan rezoning hearings to be held in Raglan;
 - b. Extensions of time for the filing of evidence; and
 - c. Additional time for the presentation of submissions / evidence at the hearings.
2. Our Directions regarding each of these matters are set out below, as are some more general hearings-related Directions given the current uncertainties around Covid-19.

Raglan Rezoning Hearing Venue

3. Counsel for Rangitahi filed a memorandum that stated:

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2. This memorandum follows the advice from the Hearing Administrator (dated 2 February 2021) that Hearing 25 Zone Extents will be structured by geographical areas. Rangitahi seeks directions for a change in venue for the Raglan Topic from the Council offices in Ngaruawahia to Raglan township.

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4. The request for directions for the Raglan topic to be heard in Raglan is made on the basis that:
 - (a) The Council has recognised for some years that Raglan needs a masterplan for growth;
 - (b) Raglan has been identified as an area for urban growth in Waikato 2070, and the demand is confirmed in the modelling that forms part of the s.42A Framework Report;
 - (c) The special character of Raglan has been recognised through the pWDP hearings and the Raglan character workshop;
 - (d) The identification of the Afon Oporu and Te Hutewai growth areas post-dates the notification of the pWDP, and as such those growth areas were not a focus for public submissions on the pWDP;
 - (e) Similarly, the Council's proposal to include provisions for a Future Urban Zone was not part of the notified pWDP;
 - (f) It is appropriate that planning for the future growth of Raglan is undertaken in the context of Raglan's special character and landscape values;
 - (g) In particular, the Afon Oporu and Te Hutewai growth areas identified Raglan Development Plan should be "ground truthed" in the landscape setting of those growth areas; and
 - (h) That process should be public and allow for the wider community (not only submitters) to attend and hear the presentation of submissions.
5. Accompanying this Memorandum is a Joint Statement provided by Rangitahi's landscape and urban design experts, Rachel de Lambert and James Lunday. They consider that holding the hearing in Raglan will enable the Commissioners an opportunity to engage with the important landscape and urban design issues raised in submissions; and to directly observe the landscape of Raglan and the township's urban design qualities.
6. It is respectfully suggested that a Raglan-based hearing will significantly enhance the Commissioners understanding of the landscape setting and context for the growth provisions sought through submissions, and assist in the decision-making process.
7. The commissioners who heard Plan Change 12 expressed disappointment that they could not – within the scope of that plan change – consider the structure plan for Rangitahi Peninsula in a Raglan-wide context. With respect, counsel suggests that when an opportunity is presented to consider provisions for future growth in a Raglan-wide context the hearing should take place in Raglan.
8. Rangitahi is enquiring whether the Raglan Bowling Club is available between mid-May to mid-June as a potential venue. The club was the venue for the Plan Change 12 hearing, and Rangitahi can assist with contact details for the club President. Rangitahi is also enquiring if the Town Hall or the Raglan Sunset Motel (on Bankart Street) are available as alternative venues.
9. Rangitahi respectfully seeks directions:
 - (a) For service of this Memorandum on the submitters and further submitters on Zone Extents (Raglan Topic);
 - (b) Giving those submitters and further submitters 5 working days to comment on the request for a change of venue; and

- (c) Following consideration of any comments, for a change in venue to Raglan township for the Zone Extents (Raglan Topic) hearing.

4. **The Hearings Panel is not willing to make the Directions sought by Rangitahi**, for the following reasons:
- a. All hearings, other than those held virtually, have been held in Ngaruawahia, primarily due to the logistical difficulties in repeatedly relocating the hearing venue;
 - b. The Hearings Panel is well apprised of the Raglan setting, and will undertake any additional site visits that may be necessary or desirable; and
 - c. If Rangitahi's request were to be accepted it would mean that it would be difficult to decline other similar requests, thereby creating what the Hearings Panel considers to be an undesirable and inefficient process.

All Rezoning Hearings to be Conducted by Zoom

5. Having considered this location-specific hearing venue request the Hearings Panel has taken the opportunity to consider how the Rezoning Hearings should best proceed. **Having done so, the Hearings Panel directs that given the need for certainty for all parties, and the current uncertainty resulting from recent Covid-19 outbreaks in the community, all the rezoning hearings will be held by Zoom.**

Requests for the Late Filing of Evidence

6. **A number of parties have sought leave for their evidence for the Rezoning hearings to be filed late.** To date those requests have been accepted and these Directions formally confirm that.
7. The Hearings Panel also directs that **leave is granted** for any further such requests but only on the strict proviso that the evidence is received **no later than 5pm on Wednesday 3 March 2021.**

Requests for Additional Hearing Presentation Time

8. **A number of parties have also sought leave for an extension to the time allowed to present their evidence / submissions at the Rezoning Hearings** – i.e. they have requested more time than the standard 10 minute “highlights” package timeframe that our previous Directions have stipulated.
9. **The Hearings Panel will issue Directions on these, and any subsequent requests, closer to the date of the relevant Hearing.**

Questions from Parties

10. Any questions regarding these Directions are to be addressed to the Hearings Administrator, Mr Fletcher Bell. His contact details are as follows:

Email Districtplan@waidc.govt.nz

Telephone 027 214 8052



P H Mitchell (Chair)

For the Hearings Panel

1 March 2021