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Would you like to present your submission in person at a hearing?

 Yes I do NOT wish to speak in support of my submission and ask that the following submission be fully considered.

Additional requirements for hearing: To be confirmed.

Attached Documents

| File |
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| Rangitahi Proposed WDP Submission MYB 08102018 |
| Proposed District Plan Notified July 2018 |

Submission

ON A PUBLICLY NOTIFIED PROPOSED POLICY STATEMENT OR PLAN



Under Clause 6 of the First Schedule to the Resource Management Act 1991

TO Waikato District Council
SUBMISSION ON Proposed Waikato District Plan
NAME OF SUBMITTER Rangitahi Limited

I could not gain an advantage in trade competition through this submission.

This is a submission by Rangitahi Limited (the Submitter) on the Proposed Waikato District Plan (Proposed Plan), notified on 18 July 2018.

SUBMISSION IN SUPPORT SUBJECT TO THE FOLLOWING

1. The specific provisions of the proposal that my submission relates to are:

- Chapter 4: Urban Environment (Objectives and Policies);
- Chapter 9.3: Rangitahi Peninsula (Objectives and Policies);
- Chapter 13: Definitions;
- Chapter 14: Infrastructure and Energy (Rules);
- Chapter 28: Rangitahi Peninsula Zone (Rules); and
- Future Growth Area for Raglan.

2. Background to Submission

Rangitahi Ltd is part of a group of companies associated with members of the Peacocke family, who have lived and farmed in Raglan for over 30 years. Also in this group of companies is the Raglan Land Company Ltd and Scenic Properties Ltd which own various land holdings in and around Raglan. The directors of Rangitahi Ltd have completed a 17 lot rural-residential subdivision, called Te Ahiawa, which is located off Wainui Road. More recently Rangitahi Ltd has begun development of a large residential development on the Rangitahi Peninsula in Raglan West, which is being marketed as 'Rangitahi' (www.rangitahi.co.nz).

Rangitahi is a comprehensively planned and designed residential neighbourhood with capacity to accommodate approximately 550 new dwellings. Planning for the Rangitahi development was embedded into the Operative Waikato District Plan through Plan Change 12 (PC12) which was made operative in January 2016. The site has a residential zoning and a structure plan is included in the district plan which guides the development layout and consenting processes.

The structure plan has a strong focus on delivering good urban design outcomes which align with the existing character and natural environment in and around Raglan. The total Rangitahi site is approximately 117 hectares, although the structure plan is based on seven predominantly residential precincts which will be developed around rural land uses. The benefits of this approach are that it will enable land which is marginal for residential development (predominantly due to topography) to be retained in rural land uses and, while the density of each of the residential precincts is consistent with the Future Proof strategy, overall it will maintain the typically low intensity of development which is characteristic of Raglan.

The first resource consents for the subdivision and development of Rangitahi were approved by Waikato District Council (Council) in March 2017. The Precinct A consents approve the subdivision of the first 96 residential lots. Work currently underway on-site, includes construction of a new causeway and bridge to provide access to the peninsula, bulk earthworks and civil construction for Precinct A and trunk infrastructure, including bulk water and wastewater mains.

Pre-sales of the residential lots in Precinct A have been very strong. All of the lots have been sold and a number of registrations have been taken for subsequent stages of development. Of the lots which have been sold in Precinct A over half have been purchased by families who intend to live permanently in Raglan.

Resource consent applications for Precincts B and D were granted in April 2018 for a further 175 lots, including five large lots within Precinct D for future integrated developments which will be centred around a community recreation reserve. The integrated developments are likely to include terraced housing, apartments, mixed use developments with small scale commercial activities like a café and potentially a child care facility. Rangitahi Ltd intends to continue developing these subsequent stages to meet the strong demand for residential lots that has been experienced.

3. **My submission is:**

Chapter 4: Urban Environment (Objectives and Policies)

4.1.3 Policy - Location of Development

The Submitter supports the planned and sustainable growth intent of subclause (b). However, while the indicative urban limits on Map 1 of the Future Proof Strategy identify growth to the west of Raglan, the strategy identifies (under section 6.4) that:

“These limits, which are shown on Maps 1 and 2, are still indicative and will remain so until further development analysis, for example structure planning, has been completed”; and

“The indicative urban limits will not necessarily prevent changes to these limits if further development analysis determines such changes to be appropriate”.

Accordingly, the Submitter seeks that subclause (b) is amended to clarify the indicative nature of the Future Proof Strategy urban limits.

4.1.18 Policy – Raglan

The Submitter supports the inclusion of subclause (iii), which confirms that the Rangitahi Structure Plan area is the only area that provides for the medium term future growth in Raglan. While there are some areas of Residential Zoned land around the Raglan township that are yet to be developed, the areas are relatively small in relation to the Rangitahi Structure Plan area. Given the strong demand that has been experienced for lots at Rangitahi, the Submitter agrees that the Rangitahi Structure Plan area will only provide for short to medium term future growth and considers that a medium to long term future growth area also needs to be identified and planned for through the Proposed Plan.

The medium to long term future growth area should be included in Policy 4.1.18.

Chapter 9.3: Rangitahi Peninsula (Objectives and Policies)

9.3.1.1 Policy – Development

The Submitter supports the inclusion of subclause (b) to clearly identify that some variations to the Rangitahi Structure Plan designs are anticipated by the District Plan to respond to development constraints identified through further investigations.

Given some of the potential constraints may relate to poor ground or soil conditions, the Submitter seeks the addition of ‘physical’ characteristics to the policy.

9.3.2 Objective – Non-Residential Activities

Objective 15B.3.10 of the Operative Plan requires non-residential activities to contribute to village character without causing significant adverse traffic effects. Objective 9.3.2 of the Proposed Plan does not include the reference to 'significant adverse' traffic effects.

The Submitter seeks that the policy is re-worded to refer to significant adverse traffic effects.

9.3.2.1(b) Policies – Commercial Activities

Subclause (b)(i) covers two separate matters relating to active ground-floor business activities and frontages and residential activities above ground floor. The policy should be split accordingly.

The Submitter agrees with the intent of the policy insofar as providing active ground-floor business activities is generally a good urban design approach for mixed use developments. However, the total area of commercial activity permitted at Rangitahi under the Proposed Plan is limited and in some circumstances it may not be possible for the entire ground floor level of mixed use developments at Rangitahi to accommodate business activities because of these limitations. Good urban design outcomes can also be achieved for mixed use developments with some residential activities at ground floor level.

The Submitter seeks greater flexibility within the policy in this respect.

9.3.3.5 Policy – Environmental Improvement

Objective 9.3.3 of the Proposed Plan seeks to maintain and enhance the natural features of the Rangitahi Peninsula. However, policy 9.3.3.5 goes further than this in seeking net environmental gain for gullies and streams.

The Submitter seeks that Policy 9.3.3.5(b) be deleted, as it is not consistent with the objective, the Rangitahi Structure Plan is an established urban zone, and the maintenance and enhancement of gully systems and stream margins is already sought by Policy 9.3.3.5(a).

9.3.3.7(b) Policy – Ecological and Habitat Values

Policy 9.3.3.7 fails to recognise that there will be some unavoidable minor and localised loss of indigenous vegetation and habitat required to give effect to the established zoning and the Rangitahi Structure Plan. This means that it would not be possible for all activities to achieve consistency with Policy 9.3.3.7(b) which requires that the loss of significant indigenous vegetation and significant habitat of indigenous fauna should be avoided.

The Submitter seeks changes to Policy 9.3.3.7 to adopt the same approach as in Policy 15B.3.23 of the Operative Plan, which seeks:

“The loss of significant indigenous vegetation and significant habitat of indigenous fauna should be avoided. Short term, minor or localised degradation effects should be mitigated if they cannot be practically avoided”.

9.3.5.4 Policy – Secondary Access

Policy 9.3.5.4 appears to contain a list level error. Subclause 9.3.5.4(a)(i) should be 9.3.5.4(b), subclause 9.3.5.4(a)(ii) should be 9.3.5.4(b)(i) and subclause 9.3.5.4(a)(iii) should be 9.3.5.4(b)(ii).

The Submitter understands that Council is seeking greater certainty as to the timing of the permanent secondary access. However, the construction of the access will be a significant cost to the Submitter, and should be undertaken to mitigate effects on the safe and efficient operation of the primary access and surrounding road network.

Accordingly, in addition to the corrections above, the Submitter seeks that the Policy be amended to require the permanent secondary access to be constructed prior to the completion of Precincts F or G.

Chapter 13: Definitions

Child Care Facility, Rangitahi Commercial Activity, Community Activity

The Submitter supports the inclusion of a definition for child care facility. However, the definitions for Rangitahi commercial activity and community activity are broad and need to be updated to specifically exclude child care facilities so there is no confusion, particularly to make it clear that the maximum floor area limits for those activities are not relevant to child care facilities.

Rangitahi Integrated Development

The Submitter supports the inclusion of a definition for Rangitahi Integrated Development, but seeks flexibility to allow for changes between Development Outcomes Plan 5 of the Rangitahi Peninsula Structure Plan and approved subdivision consents for the relevant precincts.

Accordingly, the Submitter seeks the addition of 'or an approved subdivision' to the above definition.

Chapter 28: Rangitahi Peninsula Zone

28.1.1 – Specific Activities – Permitted Activities

Permitted activity conditions (a) and (b) of Rule 28.1.1 of the Proposed Plan are very similar with respect to both conditions requiring activities to be in accordance with the Rangitahi Peninsula Structure Plan.

Condition (b) is superfluous and should be deleted.

In addition, conditions (a) and (b) do not reflect that changes to activity locations may occur through the subdivision process for each precinct. The subdivision standards in the Proposed Plan provide some flexibility for variations to the precinct areas.

Accordingly, the Submitter seeks that the permitted activity conditions in Rule 28.1.1 refer to the location of residential activities being in accordance with the Rangitahi Peninsula Structure Plan or any approved subdivision.

28.1.3 – Specific Activities - Restricted Discretionary Activities

The format of Rule 28.1.3 RD1 of the Proposed Plan does not make sense in the current form.

The submitter seeks that it be changed so that it is clear that (b) is a subset of (a).

28.2.4.2 – Earthworks – Maaori Sites and Maaori Areas of Significance

The Submitter seeks that rule 28.2.4.2 is deleted as there are no Maaori sites or areas of significance within the Rangitahi Structure Plan area identified on Proposed Plan maps 23 (Raglan Coast) and 23.3 (Raglan West).

28.2.4.3 – Earthworks - Significant Natural Areas

The Rangitahi Structure Plan area includes planned roads which cross Significant Natural Areas that are identified under the Proposed Plan. It will therefore be necessary for earthworks to be undertaken in some of the Significant Natural Areas in order to give effect to the Structure Plan.

Accordingly, Rule 28.2.4.3 P1 should be amended to make provision for earthworks associated with construction of roads that are in general accordance with the Rangitahi Structure Plan.

28.2.6.3 – Signs – Heritage items and Maaori Sites of Significance

The Submitter seeks that rule 28.2.6.3 is deleted as there are no heritage items or Maaori sites of significance within the Rangitahi Structure Plan area identified on Proposed Plan maps 23 (Raglan Coast) and 23.3 (Raglan West).

28.2.8 – Indigenous Vegetation Clearance Inside a Significant Natural Area

Reference to Schedule 30.5 (Urban Allotment Significant Natural Areas), Maaori Freehold Land or Maaori Customary Land should be deleted from Rule 28.2.8, as they do not relate to the Rangitahi Structure Plan area.

The Rangitahi Structure Plan area includes planned roads which cross Significant Natural Areas that are identified under the Proposed Plan. It will therefore be necessary for earthworks to be undertaken in some of the Significant Natural Areas in order to give effect to the Structure Plan.

Accordingly, Rule 28.2.8 P1 should be amended to make provision for indigenous vegetation clearance associated with construction of roads that are in general accordance with the Rangitahi Structure Plan.

28.3.1 – Dwellings

Rule 28.3.1 should be amended to exclude lots in the locations shown on Development Outcomes Plan 5 in Appendix 8 which are likely to include multi-unit developments (Rangitahi Integrated Developments).

28.3.5 – Accessory Buildings

The Submitter seeks changes to Rule 28.3.6 P1(b) to make it clear that the gross floor area standards apply to individual buildings on a site rather than the total floor area of all accessory buildings.

28.4.1 and 28.4.2 – Subdivision – General and Boundary Adjustments

The Rangitahi Structure Plan was originally investigated and designed at a level suitable for structure planning and plan change purposes. Resource consent phases for each Precinct necessitate further investigations and more detailed design which has the potential to result in changes to respond to any development constraints or opportunities that may be identified. Examples include poor ground conditions which might be identified through additional geotechnical investigations, changes to accommodate stormwater treatment/attenuation, minimisation of effects on ecologically sensitive areas, or changes to roading layouts in response to factors such as soil conditions or topography. In some cases, if the identified constraints cannot be avoided then there could be significant costs to the developer and future lot owners and/or potentially greater effects on the environment than alternative options.

The variances allowed for as a Restricted Discretionary Activity under Rule 28.4.1 and as a Controlled Activity under Rule 28.4.2 do not provide enough flexibility to respond to some of the issues that may arise. The existing provisions create the potential that resource consents may be required as a Discretionary Activity due to the extent of variances proposed, despite potentially having good reasons for the changes, such as reduced environmental effects or improved suitability of lots.

The Submitter seeks deletion of the variance standards in Rules 28.4.1 and 28.4.2. The matters of discretion in Rule 28.4.1 would remain, including the extent to which the subdivision is consistent with the Rangitahi Structure Plan. A similar matter of control could be added to Rule 28.4.2.

28.4.4 – Subdivision – Title Boundaries – Contaminated Land

The Submitter seeks the removal of Rule 28.4.4 as the National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health (NESCS) requires the appropriate identification, assessment and if necessary remediation of contaminants contained in soil to make the land safe for human use prior to development.

28.4.5 – Subdivision – Title Boundaries – Significant Natural Areas and Maaori Sites of Significance

The Submitter seeks that rule 28.2.4.2(a)(ii) and (b)(ii) are deleted as there are no Maaori sites of significance within the Rangitahi Structure Plan area identified on Proposed Plan maps 23 (Raglan Coast) and 23.3 (Raglan West).

Future Growth Area for Raglan

The recent Future Proof decisions included changes to the growth strategy in response to Rangitahi Ltd's submission to identify Raglan as a location for growth emphasis and to recognise that "residential growth is expected to occur due to coastal lifestyle, proximity to Hamilton and technological and transport improvements"¹. Map 1 of the Future Proof Strategy identifies an indicative urban limit growth area to the west of Raglan. The decisions also confirmed that the urban limits are only "indicative" and that changes to them should not be precluded if further analysis determines such changes to be appropriate².

The land which is proposed to be zoned for residential development in Raglan under the Proposed Plan is insufficient to meet Raglan's medium to long-term supply needs. The Submitter considers that a medium to long term growth area needs to be identified for Raglan in the Proposed Plan. The most appropriate location for future growth is in Raglan West – linking the Rangitahi Peninsula to Te Hutewai Road (near the Raglan Golf Course) and through to Wainui Road near the completed Te Ahiawa subdivision. This area is located within close proximity to existing water and wastewater bulk infrastructure. It also creates the potential for good transport linkages and urban form, which in turn would enhance Raglan's resilience to disruptions from hazards or other unforeseen events. Planning for this future growth now is sensible and prudent.

The Constraints and Opportunities Map in Attachment 1 shows the area that the Submitter seeks to be included within the future growth area. It also identifies the Indicative Urban Limit in Future Proof and highlights the constraints with undeveloped land within that area which will significantly limit its future development for urban purposes. The constraints include reserve land, Maori Freehold Land, the Raglan Golf Course, the Raglan Wastewater Treatment Plant and an associated 300m buffer area.

The Proposed Plan should make provision for the future growth area through appropriate objectives, policies, rules and zoning. The zoning approach could be a 'live zoning' which could be subject to suitable pre-requisite growth and infrastructure requirements.

4. I seek the following decision from the local authority:

- a) That the changes to the Proposed Plan sought in Section 3 of this submission are made; and
- b) Such other additional or consequential relief as is necessary to achieve consistency with the above and to satisfy the concerns of the Submitter.

5. I wish to be heard in support of my submission.

¹ Future Proof Growth Strategy, Chapter 6.2

² Future Proof Growth Strategy, Chapter 6.4

6. If others make a similar submission I will consider presenting a joint case with them at a hearing.



Signature:

(Signature of submitter or person authorised to sign on behalf of submitter)

Date: 8 October 2018

(A signature is not required if you make your submission by electronic means.)

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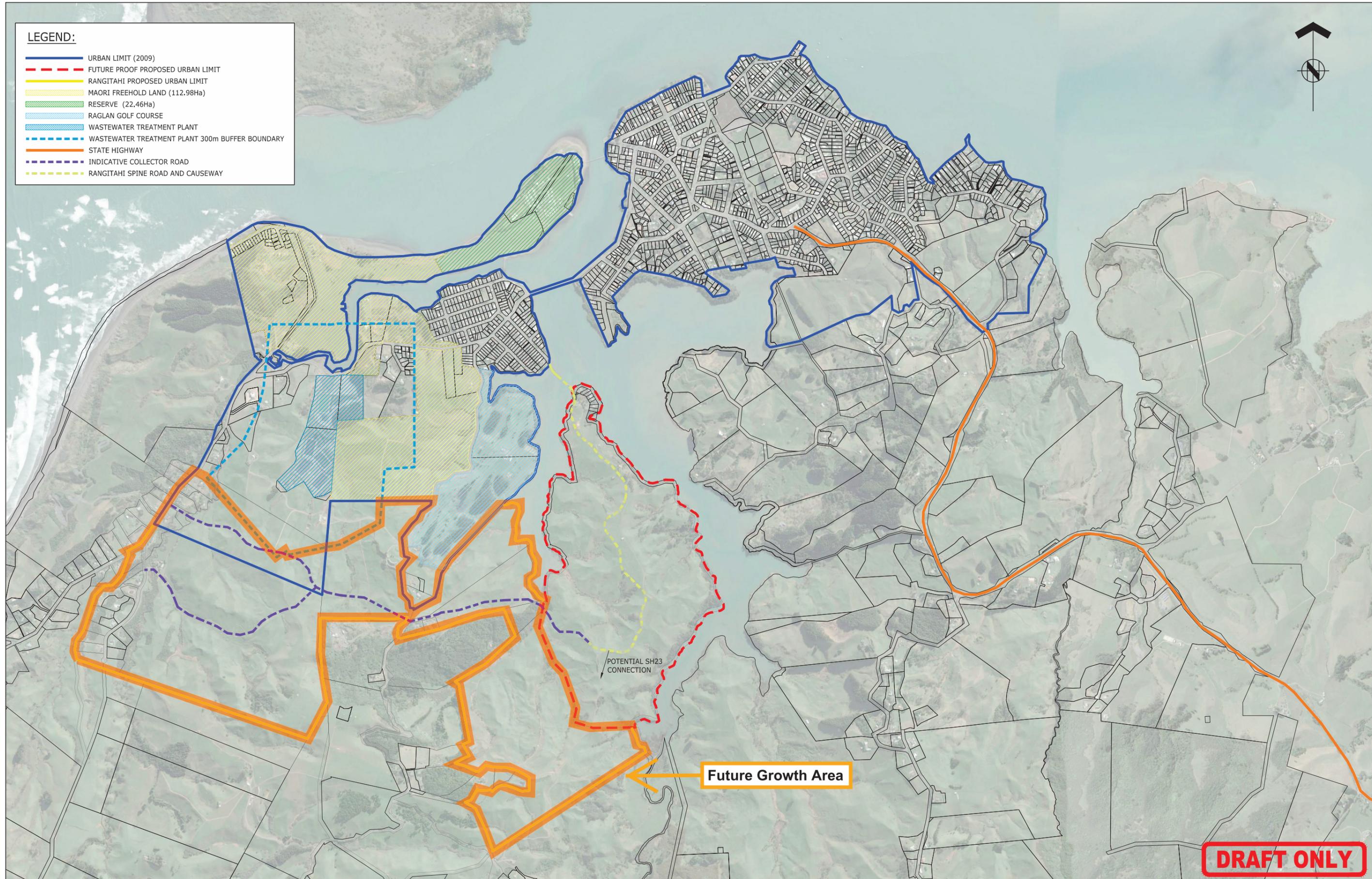
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Document1

LEGEND:

- URBAN LIMIT (2009)
- - - FUTURE PROOF PROPOSED URBAN LIMIT
- RANGITAHU PROPOSED URBAN LIMIT
- MAORI FREEHOLD LAND (112.98Ha)
- RESERVE (22.46Ha)
- RAGLAN GOLF COURSE
- WASTEWATER TREATMENT PLANT
- - - WASTEWATER TREATMENT PLANT 300m BUFFER BOUNDARY
- STATE HIGHWAY
- - - INDICATIVE COLLECTOR ROAD
- - - RANGITAHU SPINE ROAD AND CAUSEWAY



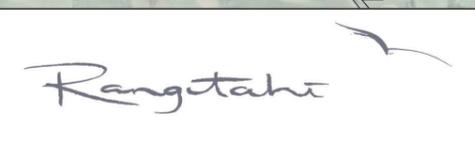
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| | ORIGINATOR: HLB | DATE: 18.07.17 | SIGNED: | PLOT BY: HLB | PLOT DATE: 21.07.17 |
| | DRAWN: HLB | DATE: 18.07.17 | SIGNED: | | |
| | CHECKED: STW | DATE: | SIGNED: | SURVEY BY: | |
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TITLE:
RANGITAHU LTD
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CONSTRAINTS AND OPPORTUNITIES MAP

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