

**IN THE MATTER**

**of the Resource  
Management Act 1919**

**AND**

**N THE MATTER**

**of hearing submissions and  
further submissions on the  
Proposed Waikato District  
Plan**

**AND**

**IN THE MATTER**

**of Hearing 21B –  
Landscapes**

**SUPPLEMENTARY EVIDENCE OF BERNARD DUNCAN BROWN**

**Submission No 669 and Further Submission No 1040**

Introduction

- 1 My name is Bernard Duncan Brown.
- 2 I am a retired Landscape Architect with 40 years work experience in Central, Regional and Local Government, both as a staffer and private consultant.
- 3 Over the years I have given landscape planning evidence at local authority hearings and the Environment Court. I have submitted on Regional and District Planning issues for a number of years.
- 4 I have lived on the Whaanga Coast, Raglan for a period of 52 years.

Scope of Evidence

- 5 On the 14 October 2019, I presented a bullet point summary of evidence to the Hearings Panel in regard to two properties located on the Whaanga Coast, namely;
  - Property No 1013542 – 759 Wainui Road, Raglan
  - Property No 1013511 – 16 Whaanga Road, Whale Bay , Raglan

The location of both of these properties is shown in the attached Appendix 1 – Location Plan (marked up Map 23.1 of the PWDP)
- 6 In this evidence, I intend to elaborate on the previous bullet point summary of evidence and respond to the Planner's Section 42A Report which has covered landscape matters contained in my submission and further submissions on the PWDP – Stage 1.
- 7 This evidence is presented under the following four sub headings which have formed the basis of my submissions No 669 and further submission No 1040.
  - The PWDP is not user friendly.

- The Significant Natural Area (SNA) overlay, if applied to our property, would impinge on private property rights.
- The Outstanding Natural Landscape (ONL) overlay requires reviewing.
- The Significant Amenity Landscape (SAL) overlay requires reviewing.

8 The PWDP is not user friendly

The PWDP is a “public document”, however, I contend it is not a “layman’s document”.

In my opinion, there are too many overlay designations which can be subject to misinterpretation. Put simply, up to six overlay designations cannot be graphically presented on the Planning Maps without confusion. Our property located at 759 Wainui Road has four proposed overlays which are not legible on Planning Map 23.1 Manu Bay. If we had not been notified by mail of the proposed overlays, this submission would never have occurred.

In addition, I have found it difficult to ascertain how the proposed rules for each overlay would be applied if we are to be reclassified, inappropriately, into the Rural Zone.

I note that the Planners Section 42A Report fails to address the “user friendly” issue in respect of Hearing 21B – Landscapes. Perhaps the planner could acknowledge that the Landscape Study (Appendix 9.1 of the PWDP) now finally meets all of the environmental legislation requirements outlined in the report and future generation ratepayers can expect no additional material in the forthcoming District Plan ten year review? I shudder at the cost of producing and administering this plan.

9 The Significant Natural Area (SNA) overlay, if applied to our property would impinge on private property rights.

The 759 Wainui Road property has remained in a Family Trust for a period of 45 years. The property has been traditionally planted in a mixture of native species to provide annual cropping for firewood. The vegetation does not qualify as “indigenous vegetation” and accordingly, does not meet the criteria for an SNA overlay designation in the PWDP.

In July 2020, Council engaged an Ecologist to assess the vegetation on our property. I note in the 42A Report that SNA’s will be dealt with in Hearing 21. To date, we have no confirmation that the proposed SNA designation will be removed from our property.

The issue of private property rights is addressed in the Planner’s 42A Report – refer Items 687 and 690 (pages 206 and 207). The Planner states “*the concept of sustainable management takes priority over private property rights*”. In my opinion, this principle is unfair, considering the annual vegetation cropping on our property has been an established existing use for many years with sound sustainable management objectives.

10 The Outstanding Natural Landscape (ONL) overlay requires reviewing.

This matter is dealt with in Item 464 (page 143) of the Section 42A Planner’s Report. The proposed ONL overlay has been removed from the 759 Wainui Road property. This is supported further by reclassifying the ONL boundary in the Attachment 8 – Recommended Map Amendments – Map 6 ( Karioi) - (see attached Appendix 2(a) of this evidence).

Whilst we are grateful for the Boffa Miskell review, I do not agree with the proposed ONL classification for Mt Karioi as a whole.

Firstly, the landscape study separates the upper slopes of Mt Karioi as “natural values” and the lower slopes as “amenity values”. In my opinion, this fails to consider the contextual values of the mountain. Secondly, this was the basis for the Tainui O Tainui Appeal settlement in 2012 and accordingly, the Landscape Policy Area Boundary was rolled back to accommodate tangata whenua settlement of their land.

I contend that no consideration has been given to my further submission (page 2) Item 2.3 (b) which states;

*“the natural character attributes of Mt Karioi and the Whaanga Coast have already been compromised and the potential Papakainga development areas proposed would further support this claim”*

(refer attached Appendix 1 Map 23.1 of the PWDP which illustrates three “Development Areas” and Appendix 2(b) Map C of the Tainui O Tainui – Planning Appeal Settlement prepared by Boffa Miskell June 2012 which illustrates 6 Development Areas over the Whaanga Coast)

Currently, over the lower slopes of Mt Karioi, extending between Bryant Home and Te Toto Gorge, there are approximately 110 consented dwellings and, at a guess, an equal number of unconsented structures. In my opinion, the permitted “Development Areas” shown in the above Appendices have potential for at least an additional 50 dwellings over the life of this District Plan.

In my opinion, this scenario seriously diminishes the existing and potential degree of naturalness and amenity of the Mt Karioi landscape and the proposed ONL reclassification by Boffa Miskell raises the same issues identified and settled in 2012 Appeal. At best, I would favour an overall ONF classification for Mt Karioi located outside of the permitted Tainui O Tainui “Development Areas”.

Our property is located at 759 Wainui is set amidst the potential Papakainga Development Areas and deserves equal development opportunities with no encumbrances on the title.

**Accordingly, I recommend that the Hearings Panel uphold the relief sought in my further submission report - Item 2.3(b) and replace the proposed ONL classification for Mt Karioi with an Outstanding Natural Feature (ONF) classification excluding the Tainui O Tainui “Development Areas”.**

11 The Significant Amenity Landscape (SAL) overlay requires reviewing.

The Planner’s Section 42A Report (Items 687 – 708) deals with both properties that I have an interest in, for which I have made both specific and general submissions concerning the amenity issues.

Whilst I accept reluctantly, that the Boffa Miskell evaluation OF our 759 Wainui Rd property is part of the greater amenity landscape, the key amenity issues raised in my further submissions have been ignored. Local residents of the Whaanga Coast are aware of the Mt Karioi landform and the predominant natural vegetation cover, however, views from settled areas are primarily directed northward across the CMA toward a number of important landscape features. These features comprise the Ngarunui Beach Escarpment, the North and South Harbour Headlands and the numerous Te Akau Coast Headlands. There are no dwellings

or structures in this landscape apart from the Wainui Reserve Surf Life Saving building. In my opinion, the amenity and distinctive landform attributes of the Raglan – Te Akau Coastal landscape have not been recognised in the Landscape Study of the PWDP. In Item 3.2 (page 4) of my further submission I state;

*“ the visual interplay between the Whaanga Coast and the Te Akau Coast is one of the most memorable impressions for both visitor and local residents alike. The view extends for approximately 40 km northward toward numerous Headlands which are commonly referred to as “Our Remarkables” and “Waikato’s Hinterland Playground” (see attached Appendix 3 – marked up PWDP Planning Map 23 – Raglan Coast)*

I recommend that the Hearings Panel support the relief sought in item 3.2 of my further submission report namely;

**Extend the Significant Amenity Landscape overlay to include the Te Akau Coastline (from MHW to the skyline) between the Raglan Harbour entrance and the Waikato Heads as illustrated in the attached Appendix 3 –Marked up PWDP Planning Map 23 – Raglan Coast.**

13 In respect of my property located at 16 Whaanga Road, Whale Bay, Raglan, I submit in my further submission that;

*“The proposed plan lacks practical measures to assist management of existing excessive pressures of tourist uses on existing infrastructure of the Whaanga Coast”.*

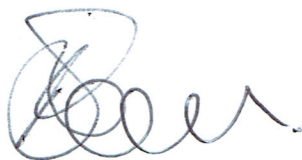
My submission states further that the existing 42 parking spaces at Calvert Road, arranged at 60 degree nose in layout, restricts visibility and access to my property at times of peak parking use. I contend, that this activity is adversely affecting amenity values and the existing parking arrangement does not comply with the PWDP Table 14.12.5.3. Minimum Sight Distances for Urban Areas. (see attached Appendix 4)

I recommend that the Hearings Panel support the relief sought in Section 3.1 of my further submission report, namely;

**(a) provide a footpath/ walkway between Manu Bay and Whale Bay and include this feature on Planning Map 23.1 - Manu Bay**

**(b) review the parking arrangement at Calvert Road to enable compliance with Table 14.12.5.3 – Minimum Sight Distances of the PWDP.**

14 Thank you for the opportunity to present this evidence.



**Bernard Duncan Brown**

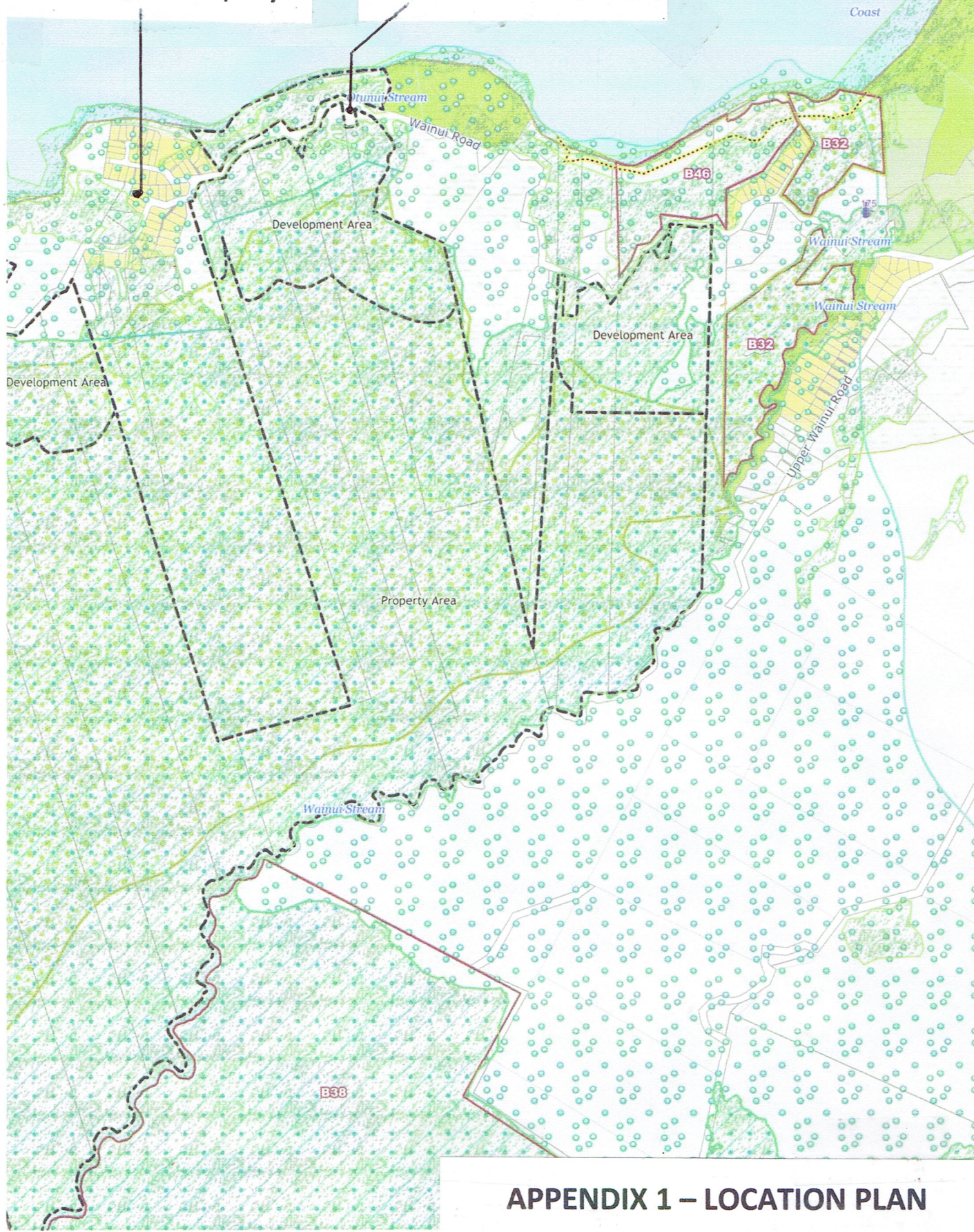
**Attached Appendices**

- Appendix 1 Location Plan – Marked up Planning map 23.1 of the PWDP – Stage 1
- Appendix 2(a) Map 6 – (Karioi) of Attachment 8 – Recommended Map Amendments
- Appendix 2 (b) Whaanga Coast Development Areas – Map C of the Tainui O Tainui Appeal Settlement – June 2012
- Appendix 3 Landscape Features of the Raglan – Te Akau Coast – Marked up Planning Map 23 of the PWDP – Stage 1
- Appendix 4 PWDP – Table 14.12.5.3 Minimum Sight Distances



16 Whaanga Rd Property

759 Wainui Rd Property



**APPENDIX 1 – LOCATION PLAN**

Area Outside Territorial Authority

Area Outside Territorial Authority  
Waikato District

Brown property - 759 Wainui Road, Raglan

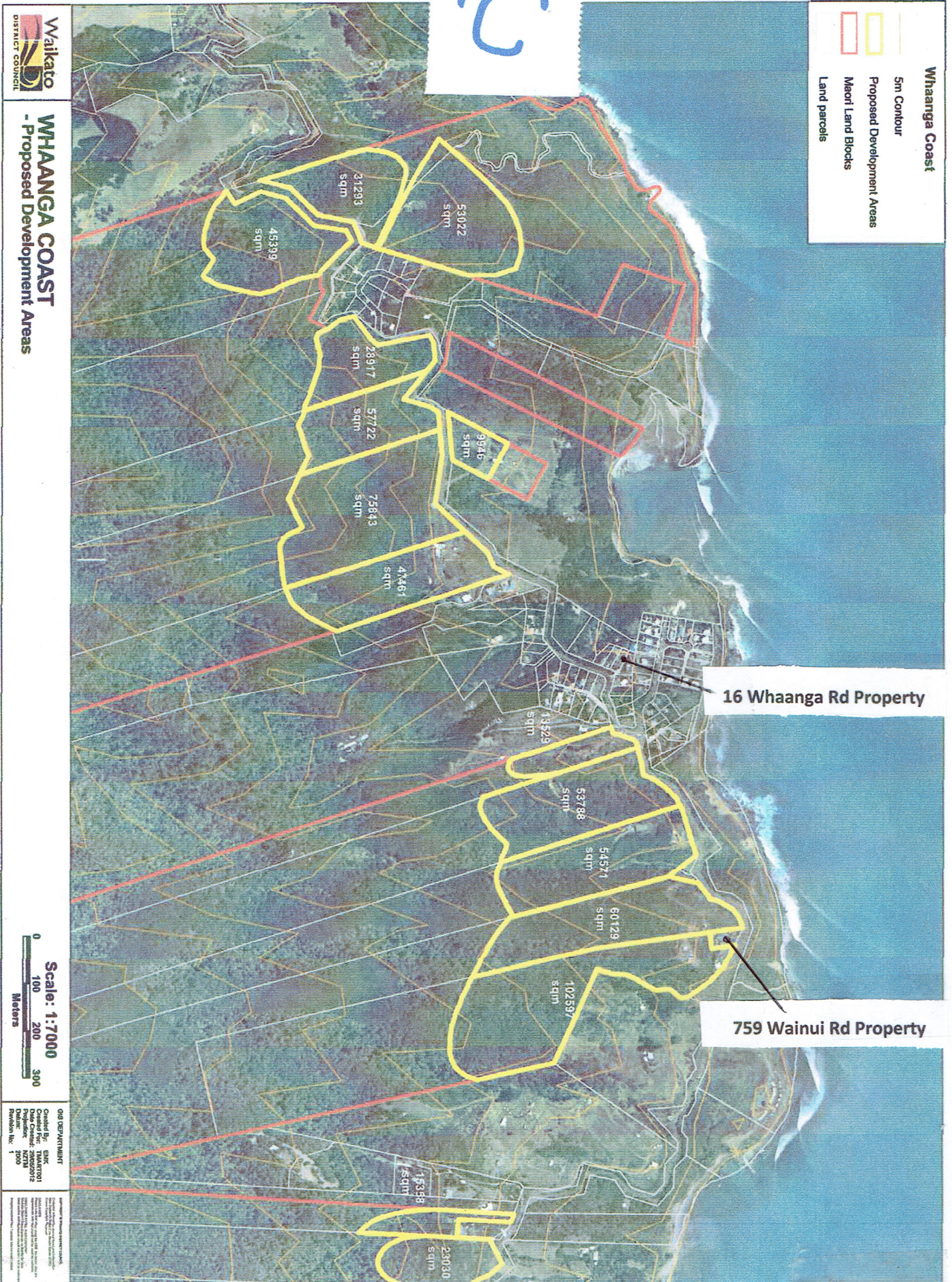
WAINUI RD.

WAINUI RD.

Notified ONL in the PWDP

Proposed reclassified ONL





APPENDIX 2(b) WHAANGA COAST DEVELOPEMNET AREAS – MAP C OF THE TAINUI O TAINUI APPEAL SETTLEMENT JUNE 2012





**Te Akau Coast**

**North Headland**

**South Headland**

**Ngaranui Beach**

**Mt Karioi**

**APPENDIX 3 LANDSCAPE FEATURES**

**OF THE RAGLAN / TE AKAU COAST**

Waikato District Plan - Line of Enquiry

Speed Environment (km/h)	From a vehicle entrance generating up to and including 40 vehicle movements per day	From a vehicle entrance generating more than 40 movements per day	
		Rural Areas	Urban Area
40	40m	70m	60m
50	60m	90m	80m
60	80m	115m	105m
70	100m	140m	130m
80	130m	175m	165m
90	160m	210m	
100	200m	250m	
110	240m	290m	
120		330m	

**Note:** Sight distances are measured as illustrated in Figure 14.12.5.4

**Figure 14.12.5.4 - Minimum sight distances**

