

IN THE MATTER of the Resource Management Act 1991

AND

IN THE MATTER of the hearing of submissions to Variation 3 to the
Proposed Thames Coromandel District Plan
(Taiwawe Catchment Structure Plan)

**SUPPLEMENTARY STATEMENT OF EVIDENCE OF
STEPHEN KENNETH BROWN
ON BEHALF OF HOT WATER BEACH (NZ) LIMITED**

Dated 31 March 2021

INTRODUCTION

1. My name is Stephen Kenneth Brown. I am director of Brown NZ Limited, a Landscape Architecture and Planning practice, and I have the qualifications and experience are set out in my primary statement of evidence (EIC).

CODE OF CONDUCT

2. I confirm that I have read the Code of Conduct for Expert Witnesses contained in the Environment Court Practice Note 2014 and that I agree to comply with it. I further confirm that I have considered all the material facts that I am aware of that might alter or detract from the opinions that I express, and that this evidence is within my area of expertise, except where I state that I am relying on the evidence of another person.

SCOPE AND PURPOSE

3. This supplementary statement addresses matters raised in Council's s.42A report received on 15 March 2021 that focus on the intent behind some areas of planting and the landscape implications of the proposed subdivision. This statement also briefly addresses changes to the Structure Plan's proposed Development Controls.

MATTERS RAISED IN COUNCIL'S S.42A REPORT

Planting:

4. At paragraph 45, questions are raised about the exclusion of Areas LV1-5 and R8 and R9 from Rule 1 f) of the TCSP, and as to whether these areas are being relied on for visual mitigation or ecological benefit.
5. For clarity, the replanting within Areas R8 and R9 is designed to fulfil two functions:
 - a) Enhancement of the site's habitat and ecological values; and
 - b) To enclose, screen and buffer the proposed residential development – especially that on Lots 1, 2, 3, 23 and 24 – from Ngatuturu Lane and the residential property at 44 Taiwawe Lane. Of these functions, that related to ecological enhancement is considered to effectively have 'primacy', although both are important. This is clearly stated on my **Attachment 2** (*Conservation and Landscape Planting*).

2. Given the dual function of the R8 and R9 Area planting, I understand that the TSCP is being revised to ensure that the timing of planting within both areas is addressed under the Landscape Planting Plan directly. By contrast, Areas LV1 to 5 are primarily directed towards ecological enhancement of the site, and as such, should be addressed by the Ecological Management Plan.

The Landscape Implications of the Proposed Structure Plan:

3. At paragraphs 38 and 39 of the s.42A report, comparison is drawn between the visibility and related effects of the residential development consented for 790 Hot Water Beach Road and that proposed for 104 Taiwawe Lane. Thus, at paragraph 38 it is stated that, "... *Attachment 5 to Brown, 2021 clearly demonstrates that the approved subdivision on the adjoining site has a much more logical nexus to the existing settlement.*" At paragraph 39, this commentary expands to refer to the proposed structure plan as potentially generating "*an obvious element of sprawl*".
4. I appreciate the logic that 790 Hot Water Beach Road is closer to Radar Road and the main body of the existing coastal settlement. However, as my (EIC) **Attachments 18 and 19** indicate, the consented residential development at 790 Hot Water Beach Road would sit 'front and centre' in views from Hot Water Beach Road when approaching and entering the settlement. Far fewer of the houses accommodated by the proposed Structure Plan for 104 Taiwawe Lane would be visible, and those that are visible would be much more peripheral in the key introductory or 'gateway' views experienced when first arriving at Hot Water Beach.
5. In my opinion, the development at 790 Hot Water Beach Road will result in a fundamental change to the landscape of Hot Water Beach's hinterland, creating a new template for the 'rural' landscape south of Taiwawe Stream. More specifically, that development will re-cast the southern side of Taiwawe Stream as an area of lifestyle residential development intermixed with remnant bush, native regeneration and pockets of residual open space. This will be markedly different from the traditional pasture, pines and manuka landscape that has prevailed across both 790 and 104 Taiwawe Lane until very recently, and it will be starkly apparent, with or without the additional development proposed across 104 Taiwawe Lane. Clearly, development in accord with the proposed structure plan would exacerbate this transition, but it would remain largely ancillary to that at 790 Taiwawe Lane, together with the lifestyle development already, both at the 'top' of Taiwawe Lane and near the end of Ngatururu Lane.

6. Given this existing context, the development proposed for 104 Taiwawe Lane is perhaps less of an outlier to Hot Water Beach and less evocative of 'sprawl' than of 'in-fill' that occupies the space between these various pockets of existing development – effectively matching like for like. Clearly, the rural character and amenity values of the subject site and its surrounds will change; however, the significant regeneration anticipated across the subject property represents a more positive and durable landscape outcome for it than the retention of open pasture and stock. The Landscape and Ecological Management planting proposed across the application site will, over time, enhance the site's overall naturalness and appeal, despite the pockets of development also proposed within it.
7. For all of these reasons, it remains my opinion that the proposed structure plan is appropriate from a landscape standpoint.

DEVELOPMENT CONTROLS

8. Rule 2 within the amended Structure Plan (Version 12) provides the Permitted Activity standards for dwellings and accessory buildings within each proposed lot. Such activities must be located within the DBAs identified for the 25 residential lots proposed and comply with the following, revised, development standards:
 - Maximum Height 6m (down from 8m in the Rural Zone height); and
 - Maximum site coverage (or maximum building footprint) 350m² (raised from the previously proposed, 300m².)
9. The location of all residential development within DBAs (as approved at the time of subdivision) is fundamental to the Structure Plan concept, and has not changed from previous iterations of the Structure Plan provisions. Each site has been located in response to factors described in my EIC, and I consider that compliance with this control is critical to both the success of the proposed subdivision at 104 Taiwawe Lane and management of its effects.
10. On the other hand, the maximum height control has been lowered from 8m to 6m in the latest version of the Plan. In my opinion this is appropriate, as it will effectively limit all future development to two storeys and restrict the potential for elevated roof structures. Furthermore, given the sloping nature of many of the proposed lots, it will provide an incentive for the benching of development into the site's natural contours – rather than having it perched atop those

contours, using pole construction or similar. In my opinion, this will help to lower the 'centre of gravity' of development generally across the application site by enhancing its integration with surrounding landforms, bush and new planting. As such, it will make housing on the site appear more recessive, and I consider this to be a key design objective for future development under the Structure Plan.

11. Finally, the maximum building footprint has been increased slightly from 300m² to 350m². This control is consistent with that already applied to the consented development at 790 Hot Water Beach Road, but, more importantly, is designed to try and maximise development at, or close to, ground level – following the natural contours within each DBA. It also accommodates terraces and decks which are sufficiently elevated that they qualify as part of the building footprint on individual lots – which will inevitably happen on sloping ground.
12. Overall, I support the proposed changes and revised Structure Plan (Version 12), and otherwise remain of the opinions stated in my EIC.

Stephen Brown

BTP, Dip LA, Fellow NZILA

31 March 2021