

**STATEMENT by Peter Pratt & Graeme Lawrence**  
**TO THAMES COROMANDEL DISTRICT COUNCIL HEARINGS PANEL**  
**FOR THE HEARING of SUBMISSIONS ON PROPOSED DISTRICT PLAN**  
**Variation 1 - Natural Character Overlay**  
**25-26 February 2016**

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REFERENCE - Section 42A Hearing Report and Section 32AA Further Evaluations  
Proposed Thames – Coromandel District Plan  
Variation 1 – Natural character  
5 February 2016 (*REPORT*)

1. I refer to my submission dated 4 Dec 2015. In this submission we sought that the Outstanding Landscape Overlay be removed as my property is part of the Little Bay settlement that is residential, highly modified and does not meet the criteria for “*outstanding*” as in Table 12-3.
2. I refer to the REPORT Section 27 – As a landowner I don’t want to “ground truth” the TCDC Overlay Maps. I want TCDC to provide credible Overlay Maps that stand up to scrutiny and confidently apply the criteria in Table 12-3 for outstanding natural character that is “pristine, standout, exceptional, preeminent, clearly superior ...”. The Little Bay settlement including my property does not meet this highest of standard.
3. I refer to the REPORT Sections 29 and 43 - I do not see how the “assessments” as described can be successfully applied to and measure all the criteria in Table 12-3 and therefore provide credible Overlay Maps.
4. I refer to REPORT Section 32 and 33. I was surprised and my confidence in the assessment waned when the Overlay Map for Unit 46 did not show Kamakamakura Point as outstanding. How could this have been left out when all previous documents for Little Bay specifically referred to this prominent headland? A re-evaluation has now included it.
5. I refer to REPORT Section 35, 36 and 43 – As accepted in my previous submissions there are “outstanding” areas in Unit 46 and 47. A little bit of local “ground truth” and as a long time landowner in the area allows me and others to accept and recognise that the highest rating of “outstanding” should apply to some areas. The question of boundaries is the key issue. A specific revisit and re-evaluation of the boundaries where there is dispute (including for my property) is required. I want to know all the details and reasons for the boundary that runs through my property.

6. I refer to REPORT Section 39 – To admit that an *“overall ‘on balance’ judgement”* determines the natural character is unacceptable. This creates uncertainty, argument and dispute. I have an *“outstanding”* boundary running through my residential lots that I want removed for reasons as submitted. If not removed, I am subject to an *“environmental bottom line”* “not an *“overall judgement”* determination. *“Avoid”* as we all know means *“not allow”*.
7. My main objection and dispute is with the *outstanding* boundary position through my property. In other areas the boundary line has been drawn (and for good reasons), up to and around obvious residential areas. The only exception and mystery is with my property and I again want to know why it is treated differently. The boundary for *“high”* natural character stops on the western side of Little Bay on the residential boundaries. Similarly, at Tuatēawa the boundaries for both high and outstanding stay outside and on the boundary of the residential subdivision.
8. In the Unit No 47 Evaluation Table and associated photos, there is a photo of the front of my property. This is the eastern end of Little Bay and if the photographer was to turn around they would be faced with the Little Bay settlement of about 70 dwellings including 3 on my property. I suspect the photo was taken early morning as there are no people present and no tractors parked on the beach. The photo is out of context, misleading and to include it in the REPORT is unprofessional.
9. The landowners, the Maori Land Court and the Environment Court through an exhaustive process of consultation, court time and process since 1995 produced Hapu Partition Plans and Structure Plans to allow the owners an investment and development path so that they could retain, utilise and occupy their land. Considerable capital has already been spent on this agreed path. All the land owners have struggled with the restriction and compliance required under the Te Ture Whenua Act 1993 and the RMA. I am now looking at a change of zoning and new overlays across my property that brings additional restrictions and rules that conflict with my plans and preparation to complete my development started back in 1997.
10. For reasons and questions already submitted and stated above, I want to know the justification for every metre of the boundary on my property and why it can't be removed.
11. In answering these questions the following matters must be taken into account:
  - a. In the NZCPS Objectives 3 and 6 sits alongside Objective 2. While Objective 2 addresses the need to preserve the natural character of the coastal environment Objective 6 addresses the need *“to enable people and communities to provide for their social economic and cultural wellbeing....through subdivision use and development.”* Protection of coastal environment values must not preclude use and development in an appropriate manner. To achieve both objectives the boundaries of Little Bay settlement must be properly identified and housing and associated development provided for. When identifying the boundaries of Little Bay settlement Objective 3 provides a direction to take account of the Treaty of Waitangi and to recognise the relationship of Maori with their land and resources.

- b. In giving effect to these objectives, Policies 2 and 6 must be taken into account. Under Policy 2 recognition must be given to tangata whenua who have lived at and fished from this location for generations. For Peter Pratt and his whanau this is their last remnant of coastal land. Policy 6 requires appropriate provision be made for housing and associated development for them. In accordance with Policy 6 the settlement of Little Bay has been provided for. It is contrary to the directives of the NZCPS and WRPS to leave this land out of that settlement and impose an overlay that will mean that housing and associated development is to be avoided over the stable sites elevated above predictable land and sea flood levels.
  - c. The entire land is contained within the recognised settlement when having regard to land use, contour and Maori associations with it. It does not display the strong sense of wilderness that the rest of Unit 47 beyond the eastern boundary does. The eastern boundary and the ridgeline it contains has lower contour than housing contained within the western and southern boundaries of Little Bay Settlement.
  - d. The flat land forming the river flats has an unacceptable risk of flooding when considering location for permanent housing. The temporary and seasonal living can be catered for on the river flats where tents, caravans and cabins can be erected and vacated or abandoned if necessary. Permanent housing must be located on the stable sites on the higher land. This is consistent with the rest of Little Bay settlement
12. The Waikato Landscape Assessment and Waikato Regional Policy Statement have taken the correct approach in identifying the Tuatēawa ONFL 10/3 as east of Little Bay, recognising and providing for settlement in the whole of Little Bay.

#### **ALTERATION SOUGHT**

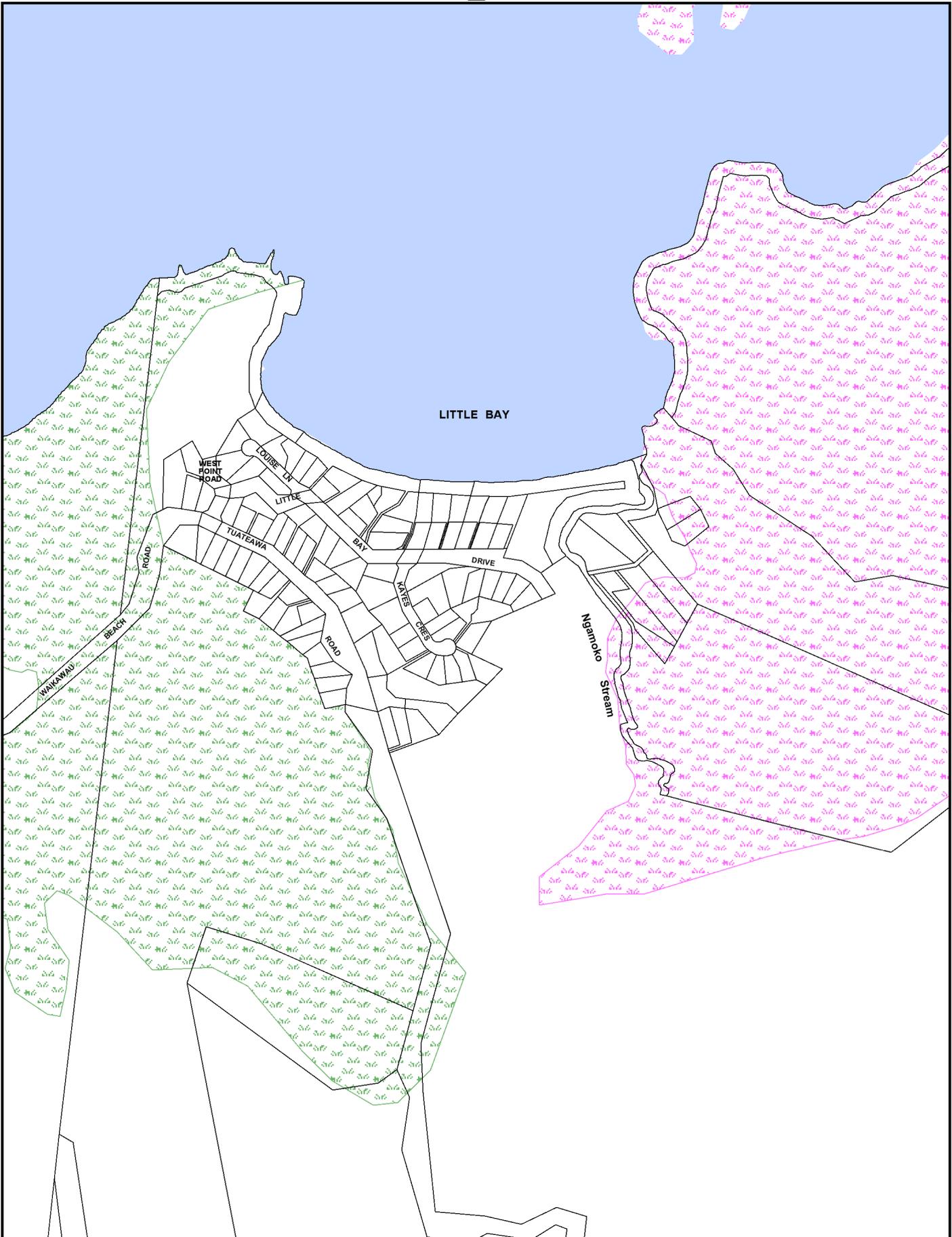
We request that the outstanding character overlay of Unit 47 be removed from Ngaure and Mangiao Block to accommodate settlement in Little Bay to the eastern boundary of the Ngaure and Mangiao Block.

Prepared by Peter Pratt and Graeme Lawrence

Dated 17 February 2016

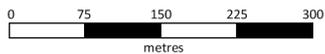
#### **Attachments**

1. Map 7A Overlays LITTLE BAY
2. Unit No 47 Natural Character Evaluation Table



MAP 7A OVERLAYS  
**LITTLE BAY**

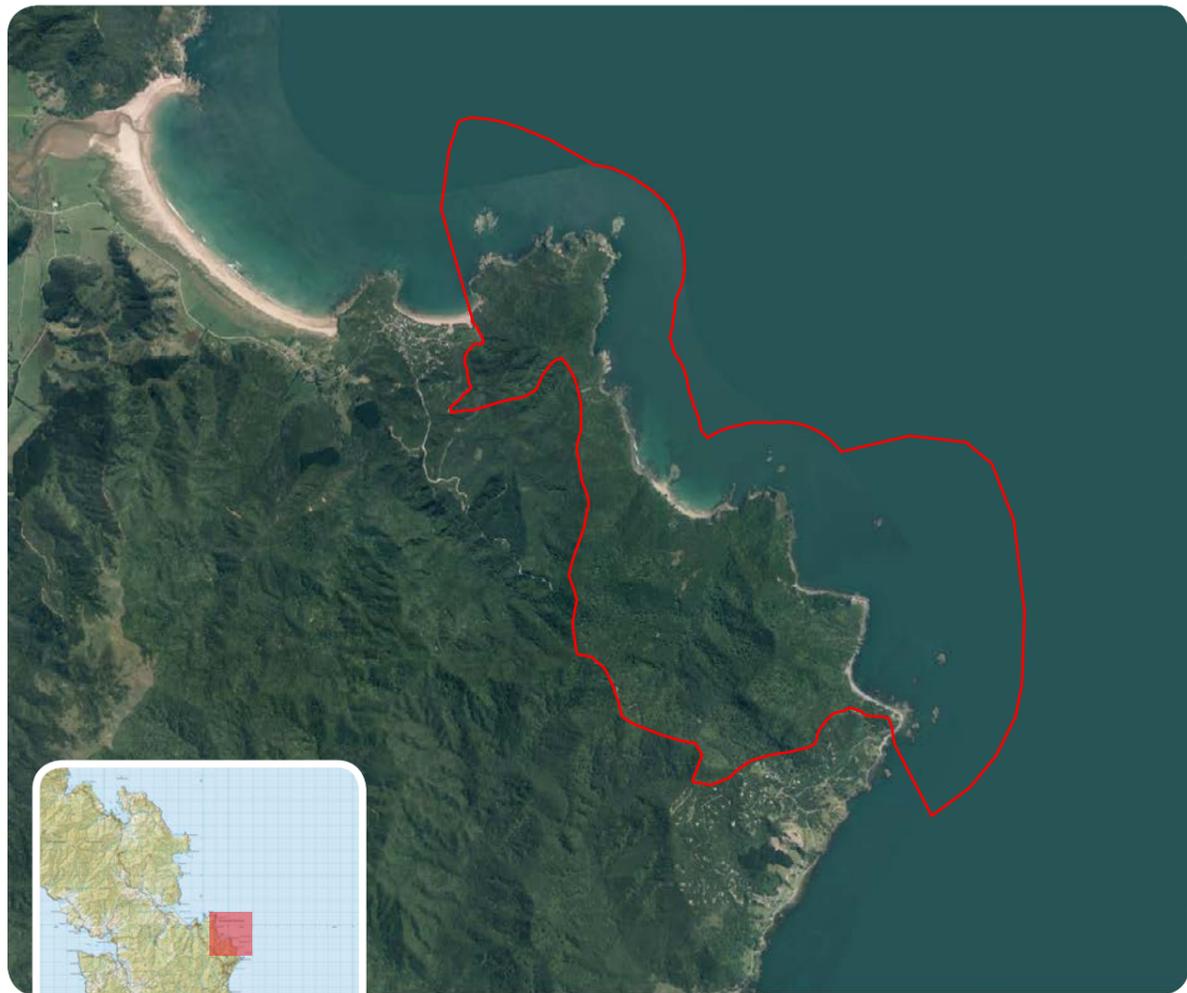
PROPOSED DISTRICT PLAN - August 2015  
 Scale 1:7,500 at A4 Paper Size



Cadastral information derived from Land Information New Zealand's Core Record System (CRS). CROWN COPYRIGHT RESERVED.

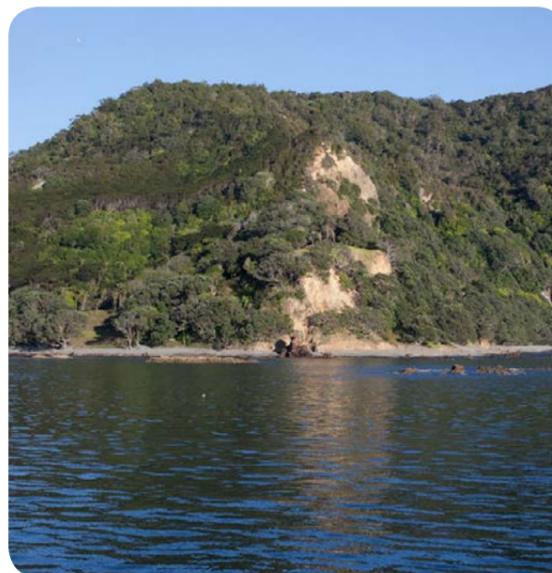


MAP PRINTED  
 25 March 2015



0 1 2KM

— Outstanding Natural Character Area  
— High Natural Character Area



NATURAL CHARACTER EVALUATION TABLE

Biophysical Characteristics

**Landforms** | intact coastal foothills with valleys characterised by broad ridgelines, headlands, a sequence of bays and coves, islands, bluffs, escarpments, and shoals providing strong engagement with the ocean.

**Vegetation type, Cover & Patterns** | extensive native coastal forest reinforce the strong elevated relief. Regenerating to mature podocarp forest gives way to pioneer coastal shrublands on ridgelines and exposed coastal slopes. The rocky islands are highly weathered and the degree of exposure is reinforced by low growing vegetation which clings to rock faces.

**Sea / Estuarine Water Bodies** | the flat expanse of the Pacific Ocean from eastern Little Bay to Waihirere provide contrast to the elevated landform.

**Land Uses / Activities / Structure** | relatively unmodified imparting a very strong sense of naturalness.

**Habitat Value** | vegetation cover and landform enable an ecological sequence connecting the upper ridge lines, through valleys coastal slopes and escarpments to the rocky shore and Coastal Marine Area; providing for a range of habitat opportunities.

**Natural Processes** | windswept vegetation and coastal erosion reinforce the exposure and rawness of the landscape. Highly expressive of the interplay of tidal interaction and coastal exposure with craggy headlands, steep bluffs, and stony and sandy beaches.

Rating of Biophysical Characteristics

□ □ □ □ □  Very Low.....Very High

Perceptual Characteristics

**Wildness / Wilderness / Remoteness** | relatively unmodified and highly expressive of the interplay of tidal interaction and coastal exposure, imparting a strong sense of wilderness.

**Experiential Attributes** | wind swept vegetation and coastal erosion reinforce the exposure and rawness of the landscape and provide a strong sense of isolation.

**Context / Setting** | slopes predominantly oriented towards the wider expanse of the Pacific Ocean, enhancing the strong sense of isolation. Connection to the extensive Coromandel Peninsula forests enhancing the sense of naturalness.

**Transient / Dynamic Attributes** | the elevated landform and the exposed aspect makes the unit highly receptive to atmospheric conditions. Rocky shoals and islands change with the ebb and flow of the ocean imparting a strong sense of naturalness.

**Night-time Values** | views of the night sky due to absence of dwellings and structures both within and in proximity to the character unit impart a high degree of naturalness.

Rating of Perceptual Characteristics

□ □ □ □ □  Very Low.....Very High

Overall Natural Character Evaluation

(Biophysical and Perceptual Values)

**OUTSTANDING**

