

**BEFORE THE NEW PLYMOUTH DISTRICT COUNCIL
INDEPENDENT HEARING COMMISSIONERS**

IN THE MATTER of the Resource Management Act 1991

AND

IN THE MATTER of a request for Private Plan Change NPDC PLC18/00048
by Oakura Farm Park Limited to rezone land at Oakura
within the New Plymouth District

**RESPONSE TO COUNCIL OFFICERS REPORT AND SUBMISSIONS ON FURTHER
EVIDENCE OF RICHARD ALEXANDER BAIN (LANDSCAPE AND VISUAL) ON
BEHALF OF OAKURA FARM PARK LIMITED**

2 December 2019

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INTRODUCTION

1. This response is supplementary to my further evidence dated 11 October 2019, and responds to matters raised in the council's *Response to Further Evidence for Reconvened Hearing, Proposed Private Plan Change 48 Wairau Road, Oakura Rezoning* (council response), 22 November 2019. I do not respond directly to the Statement of Further Evidence of Peter Kensington, 15 November 2019, as the pertinent aspects of his evidence are imbedded in the council response.
2. I note the Commissioner's emphasis that unnecessary repetition of evidence already given and new matters are to be avoided.

COUNCIL RESPONSE

3. Clause 3.10, council express concern that the indicative road linkages potentially undermine the effectiveness on the open space area as rural/urban interface. In response, the indicative link is prudent to allow for future access into the open space area for whatever reason. The potential for road linkages does not undermine the effectiveness of rural/urban interface because the road is not a requirement. Its implicit formation is reliant on future use of the land and the potential need for road access, not the other way round.
4. Clause 3.10, I note the acknowledgment that the "proposal better interfaces with surrounding land uses by minimizing reverse sensitivity issues with adjoining rural land and open space areas."
5. Clause 3.26, reference is made to my evidence regarding associative values. Mr Evans (council landscape expert) suggests that because no Cultural Impact Assessment (CIA) has been provided my reference to associative values is invalid. In response, my use of the term associative values is made in the context of impacts on perceived natural character and legibility of the Kaitake Range as an Outstanding Landscape (OL).

Because the proposal is not located within the OL (and therefore no physical impacts), assessing the proposals impacts relies on associative values only. My assessment seeks to put some perspective around values as impacted by the reduced visibility of the Kaitake Range resulting from the proposal. The reduced visibility is negligible in the context of the local area and the revised proposal maintains one of the better views of the range in the locality. There are no provisions in the District Plan that support the notion that the views of the range across the subject site are especially important. The Operative Plan manages adverse visual effects in respect of OL's by way of assessment criteria for rules, and pertain to height of structures and buildings, site coverage, and reinstatement of earthworks.

6. Clause 3.29, Mr Kensington and Mr Evans seem to take issue with my evidence stating that the revised scheme has been developed from a first principles approach, suggesting that it is a scaled down version of the original proposal, and that there is a lack of information in which to assess whether the form, nature and scale of the revised proposal is appropriate. In response, I consider there is ample information to assess the appropriateness of the revised scheme. Given the original application and hearing evidence, the issues pertinent to landscape and visual are well canvassed. These are; contextual appropriateness of the development in regard to Oakura, visual effects of the proposal on the OL, visual effects on residents of the Paddocks, and rural/urban interface (landscape character effects). I consider that the revised scheme deals with these issues on a first principle basis in the following ways:
 - a. Given the traffic evidence, there is only one viable and agreed entry point for the site; that is from Wairau Road. This access necessitates crossing the stream at the point shown on the Structure Plan.
 - b. As a matter of first principles, the rural/urban boundary is formed by a natural waterway. Mr Kensington and council

raised this matter of natural vs cadastral boundary in the hearing. Therefore, I would have thought that this revised urban/rural interface would find considerable favour in this regard. Given the physical constraints of SH45 to the west, the Wairau Stream tributary to the east, and QEII area to the south, the extents of the revised scheme naturally derive from this pattern.

- c. The internal layout is a matter best suited to subdivision design with the indicative road layout providing a logical layout based on the flattest land within the (now reduced) plan change area.
7. Clause 3.31, I agree that no cumulative effects assessment has been made of lighting effect of the proposal with existing lighting.
 8. Clause 3.33, Mr Evans does not provide any evidence, nor refer to any evidence of others that lighting effects will be adverse. I therefore remain of the view that the reduced proposal is unlikely to create adverse effects due to lighting. The QEII buffer area will in time prevent views of the proposal, the vegetated buffer between SH45 and the site will become sufficiently tall to prevent views of light sources, and the resultant glow will be viewed from SH45 in the context of the houses along Wairau Road.
 9. Clause 3.39, reference is made to the area between the plan change area and lower slopes of the Kaitake Range as 'sensitive'. I note that the area is not identified in any NPDC or TRC plan or policy. There is no plan or definition that shows the extents of the lower slopes of the Kaitake Range. The closest we have to any attempt to deal with sensitivity around the OL in this area is the 2006 Oakura Structure Plan that shows an 'Inland Area' with the map legend referencing controls on building height, scale and form. The proposal is not within this 'Inland Area' area. I also note that that a theme of the Oakura Structure Plan as described in Mr Combers' hearing evidence was that the community did not want to see subdivision occur

along its coastal areas. Therefore, it is my view that this area is not especially sensitive to landscape change. It is adjacent to urban Oakura, and therefore contextually appropriate, is inland (thereby not subdividing coastal land) is relatively flat (as opposed to the paddocks area which is demonstrably steeper) and will be contained within a framework of native vegetation. The proposal will reduce views of the OL to a small extent, that is to a minor or less than minor extent - a loss that in my assessment will not subsume the presence of the Kaitake Range.

10. Clause 3.40, council considers that there is still insufficient or uncertain information regarding landscape and visual impacts. In response, I consider that there is ample information to assess the proposal. There is also in my view little uncertainty. The landscape effects are predictable (the change from paddocks to housing), as is the visual impact on the OL.
11. By way of response to Clause 5.5 of the latest s42A report, residents of the Paddocks will face, over time, a diminishing rural outlook as the vegetation within the QEII area that is interposed between The Paddocks and Wairau Estate grows to maturity.
12. Looking into the site from SH45, the landscape buffer between the highway and the development will screen views from the highway while at the same time retaining a vista across the retained rural land up to the Kaitake Range. In a landscape context, with the selection of appropriate (endemic) native species, this screening will be seen to be contextually appropriate and have congruence with the Kaitake backdrop.
13. The character of the residential area will be similar to that of Oakura if the same zoning applies, without additional provisions as were proposed in the original application. While similar provisions relating to landscape and visual matters could be included in the revised proposal, they are considered unnecessary given the small scale of the development, its

context next to urban Oakura, and the rules in the Proposed District Plan, particularly around front yard fencing.

14. In my opinion, the divergence in opinion between myself and council's landscape experts and Mr Kensington is around the level of sensitivity applied to the site. Notwithstanding those submitters who oppose the proposal, in my view the site possesses few qualities that suggest it ought not to be subject to the type of change proposed. The revised proposal will impact an area similar to that of the FUD, noting the FUD creates an expectation of landscape change by way of urban development. The reduced proposal retains one of the more immediate and open views of the OL, and a natural feature now forms the western boundary to the urban area. In short, it is my opinion that the revised proposal provides a high level of certainty around effects - effects contained within a discrete area bound by native vegetation.

Richard Bain

2 December 2019