

BEFORE THE NEW PLYMOUTH DISTRICT COUNCIL (The Council)

IN THE MATTER of the Resource Management Act 1991

AND

IN THE MATTER of the Resource Consent Application submitted by B, M and R Sim to undertake a boundary adjustment and five-lot discretionary activity subdivision at 6 and 42 Leith Road, New Plymouth.

(Council Reference SUB21/47781)

Statement of Evidence of Martha Dravitzki

Peer Review of Landscape and Visual Impact Issues

23 May 2022

Introduction

1. My full name is Martha Mary Dravitzki. I am a Registered Landscape Architect.
2. I hold a Bachelor's degree in Applied Science Landscape Management from Massey University and a Masters in Landscape Architecture from Lincoln University. I have gained experience in Urban Design and Landscape Architecture for four years with the Christchurch City Council and nine years at New Plymouth District Council. My role at New Plymouth District Council involved providing landscape and urban design advice to policy and regulatory activities and capital projects. I was the lead author of the New Plymouth District Rural Subdivision and Development Design Guidelines. I have assessed and peer reviewed expert assessments of the landscape effects of many resource consent applications within the New Plymouth rural environment. I have undertaken Landscape Assessment and related design work for Jufferman's Surveyors Ltd (JSL) over the past four years. I am also deputy chair of the New Zealand Institute of Landscape Architects (NZILA) registration panel.
3. I have read and am familiar with the Environment Courts Code of Conduct for Expert Witnesses, contained in the Environment Court Practice Note 2014, and agree to comply with it. My qualifications are set out above. Other than where I state that I am relying on the advice of another person, I confirm that the issues addressed in this statement are within my area of expertise. I have not omitted material facts known to me that might alter or detract from the opinions that I express.

4. I was engaged by the applicant to prepare a peer review of landscape and visual impact evidence for the hearing.

Outline of Evidence

5. My statement of evidence will cover the following:
 - A peer review of the applicant's Landscape and Visual Impact Assessment (LVIA) and of the Council's landscape expert's landscape information, including a peer review of the applicants LVIA August 2021 and a landscape memo dated December 2021.
 - My opinions and recommendation on the proposal being pursued.

Proposal

6. The application is described in the applicants Assessment of Environmental Effects (AEE) and associated LVIA and is not repeated here.



Figure One: The proposed subdivision layout at Leith Road (An extract from the Application Assessment of Environmental Effects)

7. In preparing my evidence I have relied on the following documents:

- The Application and Assessment of Environmental Effects prepared by JSL (May 2021);
- The Applicant's Landscape and Visual Impact Assessment prepared by Mr Bain (July 2021);

- The Planning Officers Notification Decision and Section 42a Report and the Council's Landscape Expert Peer Review (August 2021) and further Landscape Memo (dated December 2021) prepared by Ms Griffith's,
- Information and evidence from the Applicant and experts in the Applicant's project team, and
- A site visit.

Peer Review Methodology

8. There is no prescribed methodology for LVIA or peer review.
9. Landscape includes consideration of the cumulative expression of natural and cultural features, patterns and processes in a geographical area, including human perceptions and associations. A Landscape and Visual Impact Assessment is used to identify and assess the nature and significance of potential landscape and visual effects that may arise as result of a proposed development.
10. The NZILA has adopted an assessment guideline - *TE TANGI A TE MANU- AOTEAROA NEW ZEALAND LANDSCAPE ASSESSMENT GUIDELINES*, May 2021 (The guidelines). The guidelines do not advise significant change to current practice but provide a useful framework for practitioners to improve their ability to assist decision makers. They promote assessment methodology to be provided, and for it to be clear and concise. The guidelines do not prescribe assessment methodology and criteria to apply to landscapes to determine their quality; this relies on judgement by a suitably qualified expert to use appropriate assessment and to provide it so others can understand the rationale for recommendations and conclusions.
11. The methodology adopted for this review is as follows:
 - Assessment Methodology;
 - District plan matters- with a focus on whether the landscape information provided adequately covers the relevant District Plan matters;
 - Description of Landscape Character and Visual Amenity;
 - Assessment of Effects – Landscape Character, Visual and Cumulative Effects;
 - Mitigation; and
 - Conclusions

Assessment Methodology

12. Mr Bain's LVIA adopts a methodology that aligns with guidance provided in The NZILA guidelines.
13. Ms Griffith's describes that the Peer Review methodology she adopted for this application aligns with examples of Mr Bain's and others found online.

14. There are no obvious methodology matters that appear to have led experts to a difference of opinion in the rank of landscape and visual effects in my opinion.

Relevant Statutory Provisions and focus of this evidence

15. The Application/ AEE along with the planning officers Section 42a Report and Ms Gerente's Planning Evidence and the Landscape evidence provide a thorough description of the landscape and the relevant planning provisions. The Operative New Plymouth District Plan (the plan) rules relating to rural character are the most directive and pertinent for this evidence. The plan reserves discretion over development to ensure '*design and layout including consideration towards SITE size, shape, aspect, position of boundaries and placement to maintain RURAL CHARACTER.*' Rural Character is defined in the District Plan.
16. The adverse effects of contention relating to landscape matters are closely aligned with the assessment criteria for Rur78 especially criterion 1 and 2; namely the effect on rural character, specifically spaciousness and low building density. Determining the extent of this effect is based on professional judgement of a suitably qualified expert, there is no other recognised metric that defines this effect.
17. The potential adverse effect that is the focus of this evidence is the impact on spaciousness and building density on the existing rural character resulting from the application. The potential adverse effect is the visibility of up to 3 new residential scale buildings and whether they can be accommodated to be in keeping with the existing rural character. Landscape experts largely agree that the potential adverse effects of proposed Lots 4, 5 and 6 have been managed with mitigation measures proposed. There is no change anticipated in the vicinity of proposed Lot 4 and so it is not considered in more detail in this evidence. The potential change in proposed Lot 5 has been fully described in Ms Gerente's and Mr Bain's evidence and is not further considered in this evidence. Current use of agricultural cropping and grazing on proposed Lot 6 is intended to be continued. The focus of this evidence is, therefore, proposed Lots 1, 2 and 3.
18. The variance in expert opinion on the extent of potential adverse effects is the basis for providing this additional independent peer review of the LVIA and Council's landscape information.

Description of Landscape Character and Visual Amenity

19. This section reviews information that describes the landscape character and amenity qualities of the receiving environment. The site is located to the northeast of Okato settlement along Leith Road which is a quiet country road with farmhouses, cowsheds and rural lifestyle properties. The underlying landform is flat to undulating sloping north to the sea and dissected with undulating topography. Pastoral landcover is predominant along with associated land uses.

20. Experts agree that *"The defining aspects of the site (in the area of Lots 1-3 that contributes to its rural character are spaciousness and generally elevated outlook."* first stated in Mr Bain's LVIA, July 2021 and referenced in Ms Griffith's Peer Review, August 2021.
21. A key point of difference in the landscape information provided is the importance placed on the topography of the site. Ms Griffith's highlights the sites variation in topography and describes gently rolling 'hillocks' that warrant protection based on the paragraph 7.6.4 of her Peer Review, August 2021, *'ensure the open space associated with the rising hillock is protected/maintained as this area of openness and spaciousness is, to me, the most vulnerable to change and the area which will have the greatest adverse effect if dominated by dwellings (and associated activities).'*
22. Mr Bain's LVIA notes the attractiveness of the location of Lot 2 and 3 to contribute to high quality amenity and appreciation of the surrounding landscape; he does not identify the hillocks as notable or unique. Mr Bain's evidence also states that while the defining character of the site is spaciousness and generally elevated outlook that there are limited public views into the site, and views are typically fleeting glimpses through gaps in the boxthorn hedge as the viewer moves along Leith Road or SH45.
23. I agree with Mr Bain, the topography of the site is typical when seen in the context of the surrounding landscape. There are more obvious rising hillocks in the wider landscape that are more distinctive and unique and, in my opinion, qualify for increased attention when compared to the topography of proposed Lots 2 and 3.

Assessment of Effects- Landscape Character and Visual Amenity

24. There are no major differences in the landscape information provided describing the landscape character effects. The main difference is the opinion of each expert as to the degree of effect on the spaciousness and low building density elements of the rural character in the area around proposed Lots 1, 2 and 3. In this evidence, consideration of landscape character and visual effects are uncharacteristically combined for simplicity based on the varied ways they are considered between landscape experts and the relevant issues in this evidence.
25. Ms Griffith's states in the Landscape Memo, December 2021, that *'I do not consider that the effects, cumulative and combined, of the subdivision (particularly Lots 2 & 3) have been mitigated by the above to the point where the effect on rural character is no more than minor'*. She lists the District Plan assessment criteria and the proposed mitigation to provide clarification on her opinion. It is hard to understand in more detail the factors contributing to Ms Griffith's opinion, the Landscape Memo, December 2021. on page 2 states that there should not be development on the rising landform adjacent to Leith Road as would be possible in proposed Lots 2 and 3 but this is somewhat negated in the same paragraph which outlines *'A 5m setback from the crown of the hill was recommended by the LVIA and I noted in the peer*

review that the 15m/10m side setback would apply to construction of buildings if the boundary aligned with the crest of the hill. Such preservation, as seen from the state highway and entrance to Leith Road would preserve the most “distinctive landscape pattern [arising] from its elevated parts of open pasture” as described in the LVIA.’ The evidence of Ms Gerente includes an updated scheme plan which clarifies that this setback is achieved in the proposed subdivision. It is not clear whether achieving this setback reduces the effect to a satisfactory level in Ms Griffith’s view. Further on in the Landscape Memo, December 2021, additional information, vegetation and alternative lot dimensions are also recommended by Ms Griffith’s and are addressed below.

26. Mr Bain’s LVIA and evidence outline in detail the likely landscape change of a relatively small area of land within proposed Lots 1, 2 and 3 changing from pasture to a house and associated activities. He notes that this type of change is common and legible (or understood) in the rural landscape. He states that the landscape change being described is not inherently adverse. Nor is it contemplated as such by the Plan in the Management Strategy where the reasons for Objective 4 are provided: *‘Allowing opportunities for subdivision within the RURAL ENVIRONMENT AREA that are consistent with RURAL CHARACTER will help to ensure sustainable use and development of the rural land resource while allowing for appropriate use and development and ensuring an appropriate density of development.’*
27. Mr Bain’s LVIA and evidence outline the extent of the effects and how mitigation measures such as design controls on buildings and screening vegetation maintain rural character to an acceptable degree. I agree with Mr Bain’s assessment of landscape character effects.
28. Landscape character and visual effects are likely to be experienced in the subsequent development of proposed Lots 1, 2 and 3 where an area of land will change from a paddock to there being a house and associated activities. The primary mitigating factor is the retention of the large balance area of proposed Lot 6 as a viable productive working rural property which, in the round, retains spaciousness and other elements of rural character. The topography and size of proposed Lot 1 means that built development is not likely to be a prominent new feature in the landscape.
29. The close location and more typical rural lifestyle size of Proposed Lots 2 and 3 with 5 aligns with good design principles as noted in the Rural Subdivision and Development Design Guideline by
 - Clustering built development,
 - Optimising the balance of production orientated land within Proposed Lot 6,
 - Limiting the effect of fragmentation in the landscape, and
 - Ensuring efficient resource use when creating access and servicing rural dwellings.
30. It means the impression of built development is minimised and most of the Leith Road frontage will be maintained in open pasture with a roadside box thorn hedge that has characteristic gaps that allow open views of paddocks.

31. In the Peer Review and Landscape Memo Ms Griffith's considers that additional information on future built development within proposed Lots 2 and 3 would assist in assessing the level of effect. When considering the information provided to date including:
- the building design controls, and vegetation proposed in the mitigation,
 - the amended scheme plan in Ms Gerentes evidence that shows the boundary setbacks.
32. In my opinion, the possible variance in building location and bulk is not likely to alter the degree of visual effect from most viewpoints given the setback to the views. This is limiting consideration to the information provided rather than visualising alternative lot layout which is often considered outside of the scope of Peer Review due to the redundancy in the process as ultimately the decision maker is limited to consideration of the application on its merits.
33. In my opinion, there is enough information provided to undertake an assessment of the visual effects and I agree with Mr Bain's conclusions that the visual effects on viewers along Leith Road will not alter perceptions beyond a very low degree.
34. Development is setback more than 250m distance from SH45, and with partial boxthorn hedging along the roadside - views are fleeting and limited due to the viewer moving along the road at pace. I agree with Mr Bain's evidence that landscape change perceived from viewers driving along SH45 will be barely noticeable.
35. Typically, the location from where an effect is experienced influences the magnitude of the adverse effect. Outlook and privacy from main shared living areas indoors and outdoors are considered to impact on residents' sense of enjoyment of dwelling more strongly, compared to people temporarily travelling through the landscape in a car. There are no residents or public viewers submissions to the application in relation to landscape and visual effects.
36. Ms Griffith's Peer Review outlines the landscape effect of creating access to proposed Lots 2 and 3 but I understand this has been managed by mitigation regarding design and a restriction to less than 1.5m earthwork cuts and the location for access is directed in the Council Development Standards.

Assessment of Cumulative Effects

37. Mr Bain concludes that the proposal does not create a change in the landscape character that would create an adverse cumulative effect. I agree with this opinion for the same reasons he provides.

Mitigation and Consent Conditions

38. Both the landscape experts advice regarding mitigation is overwhelmingly adopted in the draft consent conditions. The extent of vegetation is the main area of contention remaining to be reviewed in this evidence. Additional information and the size of the lots was previously reviewed in this evidence.
39. Ms Griffith's considers in the Landscape Memo, December 2021, that additional vegetation to the north, east and south of proposed Lots 2 and 3 is necessary, and that this could be located near to the buildings rather than the lot boundaries. This is in contrast to the draft conditions that specify in clause 21 there should be planting along the road frontage and driveways of Lots 1, 2 and 3.
40. Mr Bain considers retention of the existing box thorn hedge is sufficient to mitigate effects to a very low degree and retain openness and spaciousness. He notes that given the limited views into the site that additional planting would be of limited benefit and because it would restrict some views it may detract from the open and spacious qualities of the rural character.
41. I agree with Ms Griffiths that planting might be nice to have if located near to the buildings therefore softening any minor and temporary views of built development without restricting open and spacious qualities of the rural character. But, given the conclusions drawn about the very low effect on the rural character without this planting I also agree with Mr Bain that it would be of limited benefit in the circumstances of this application and is not required to further mitigate potential adverse effects for the reasons canvassed.

Conclusion

42. This evidence reviews expert landscape information on the proposal's impact on rural character and visual amenity. It finds the experts judgement of the extent of effects on rural character is the key difference. Based on careful consideration of the information provided and my own opinion I agree with Mr Bain that with mitigation I consider the proposal will not create significant adverse rural character or visual effects.

Martha Dravitzki

Registered Landscape Architect