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## Peer Review

**Project:** Building Extension at 39-41 Molesworth Street, New Plymouth

**To:** Karleen Thomson - Planner on behalf of NPDC ([karleen.thomson@gmail.com](mailto:karleen.thomson@gmail.com))

**From:** Richard Bain - Principal Landscape Architect, Bluemarble

**Date:** 12 December 2023

**Subject:** Peer Review of Assessment of Landscape & Visual Effects (LVIA)

### 1. INTRODUCTION

- 1.1. This report reviews the *Assessment of Landscape and Visual Effects* (LVIA) dated 17 October 2023 prepared by Daniel McEwan (BOON) for a building extension at 39-41 Molesworth Street, New Plymouth. The Applicant is K.D Holdings Limited.
- 1.2. I have been engaged by the New Plymouth District Council (NPDC) and have reviewed the LVIA appended to the Application (Appendix F). I visited the site on the 9<sup>th</sup> of February 2023 and the 8<sup>th</sup> of December 2023.
- 1.3. This review is based on peer review guidelines in the NZILA Aotearoa New Zealand Landscape Assessment Guidelines - *Te Tangi A Te Manu*.
- 1.4. The purpose is to assist decision-makers (and others) by confirming (or otherwise) that the assessment:
  - Follows a sound methodology for the purpose.
  - Considers the relevant statutory provisions and any 'other matters'.
  - Accurately describes, interprets, and evaluates the relevant landscape character and values.
  - Analyses the effects on landscape values in a balanced and reasoned way.
  - Reaches credible findings supported by reasons.
  - Makes appropriate recommendations concerning findings.

## 2. ASSESSMENT REVIEW

### Methodology:

- 2.1. Chapter 2 of the LVIA contains a methodology statement that is consistent with industry best practice concepts and principles based on *Te Tangi a te Manu* (NZILA Landscape Assessment Guidelines). Appendix D provides an 'Effects Rating and Definitions' table that includes a seven-point ratings scale and definitions.
- 2.2. The methodology is appropriate for the assessment, the nature of the landscape, the statutory planning provisions, potential landscape issues, and the scale of the proposal and its potential effects. The assessment is consistent with the stated method.
- 2.3. The LVIA assesses public viewpoints that were agreed between me (Richard Bain) and Daniel McEwan on the 9<sup>th</sup> of February 2023.

### Landscape Context

- 2.4. The site and surrounding context are fully described identifying the site's coastal clifftop position, proximity to the railway line, relationship with the Huatoki basin, and historical site of Waimanu Pā. The existing building is described, as are the buildings in the local area which are described as being of 'low to standard architectural quality', citing elements such as vehicle-dominated frontage and poor human scale activation to the coastal facing edge of buildings. The LVIA goes on to describe those buildings that express a positive relationship with the coast. The analysis of the area's context is consistent with my observations and knowledge of the area.
- 2.5. The site's vegetation is accurately described, noting that *"although the majority of the vegetation in and surrounding the subject site is native, it still lacks local endemic species which aligns with the biodiversity and revegetation aspirations of local hapū and the central city strategy."* I agree that the existing vegetation lacks biodiversity and but also agree that the existing vegetation to the north provides important screening from the coastal walkway and its connections.

### Landscape Character and Values

- 2.6. This section of the LVIA describes the historical context of the site referencing, amongst other things, the railway corridor to/from Port Taranaki, the coastal walkway, Central City Strategy, and Waimanu Pā. The resulting landscape values associated with the area are related to the site's coastal setting.
- 2.7. In my opinion, the relevant landscape is identified (coastal and urban context) and the attributes and values pertinent to the assessment are described. The analysis of the local area's building's qualities is useful in providing a baseline for assessing the qualities of the proposed building extension, and the values associated with history (pre and post-settlement) and coastal setting are appropriately identified.
- 2.8. The planned environment has been considered with references to the PDP provisions and central city strategy which both seek to enhance central city intensification.

### Proposal

- 2.9. The proposal is described in sufficient detail to understand potential landscape effects. Architect's drawings are not provided within the LVIA but are referenced. The proposal described within the LVIA is consistent with the architect's drawings and the Application.
- 2.10. This section of the LVIA provides both quantitative and qualitative details, split into 'built form', 'façade treatments' 'scale' and 'landscape'. In assessing these elements the LVIA references the architect's design statement which provides the reasons/rationale for the building's colours and materials. The LVIA, in assessing this, notes that *"it is difficult to distil any further narrative or connection to the coastal environment or the local context within the design."* There is a comment on the aluminium cladding system regarding the degree to which it will create glare - a matter of potential contention.
- 2.11. The scale of the building is described, relating its height to new (14m) PDP height limits in this area. Regarding the proposed 4<sup>th</sup>-level building the LVIA contends that its smaller footprint helps *"offset the potential bulk and scale of the building"*. I do not necessarily share this view that the 4<sup>th</sup> level building creates a positive effect by way of scale offset. One could argue that it is out of scale with the wider building and appears out of character. I discuss this matter later in this review.
- 2.12. Concerning planting, the LVIA notes that no planting plan is provided and that no specimen trees are specified on the road frontage. Section 8 of the LVIA makes recommendations regarding landscape-related matters, including planting.

### Statutory planning provisions:

- 2.13. The LVIA defers to the planning matters covered in the AEE, noting that the pertinent provisions are the site's PDP zoning (City Centre Zone), and PDP special notations. The relevant PDP Objectives and Policies are listed. ODP zoning and special notations are also listed noting that it is assumed that PDP matters now takes precedence as the Appeals Version has been given legal effect. The district plan provisions are supported by relevant planning maps.
- 2.14. The statutory planning provisions referenced in the LVIA are consistent with my understanding of the PDP and its relationship with the ODP. Having said that, I will leave it to the planning experts to determine how the two plans operate at present. Notwithstanding this, I don't imagine that any contention as to relevant district plan matters invalidates the LVIA's approach or assessment.
- 2.15. There is no reference made to the NZCPS within the LVIA. Given the site's coastal prominence, an assessment against the NZCPS may be appropriate and could help inform the landscape values to be maintained, particularly around the preservation of natural character. It is not stated in the LVIA, but I presume the author has assumed that the coastal environment provisions within the PDP give effect to the NZCPS.

### Evaluation of Effects (Landscape and Visual)

- 2.16. Regarding the identification of a visual catchment, a rationale for its extent is provided. This relies on accepting a permitted baseline of a 14m height limit. I am not sure this is entirely valid given that the proposal is discretionary (not restricted discretionary). However, public viewpoints are as agreed with the council and the potentially affected private viewing audience is very difficult to determine as the site is potentially within a viewing catchment that includes much of the central city. In this regard, the LVIA takes a practical/common sense approach based on the permitted height baseline.
- 2.17. The assessment of landscape effects identifies effects on landscape values in the context of the relevant statutory provisions. This includes, amongst other things, reference to the small footprint of the level 4 lookout structure which “could have occupied a much greater area”. I referred to this lookout structure earlier in this review about its scale. The LVIA’s assessment, as described above, strikes me as slightly perverse - essentially saying that its okay because it could have been worse. I’m not sure I agree. However, the fact is that that it does not exceed the permitted height limit.
- 2.18. In assessing effects on the local area, the LVIA assesses that the proposed façade and colours are beneficial. However, the LVIA considers that *“when considered against the perceived and actual character and values associated with the landscape in which the proposal sits, it is my professional opinion that the opportunity to connect in a meaningful way with the landscape character and values of the community and area has been either missed or overlooked.”* The assessment does not provide further explanation as to how these connections might be addressed although there is a recommendation for cultural narrative to be considered.
- 2.19. By way of an effects rating, the assessment rates the mitigated proposal (as recommended in the LVIA chapter 8.2) as ‘very low’ with a beneficial effect. Unmitigated, the proposal is rated as ‘mod-low’ with a neutral level of effect. Reasons for these ratings are provided and are consistent with the methodology and report’s narrative.
- 2.20. This section of the LVIA also provides an assessment against PDP provisions whereby further assessment reasoning is outlined. This includes a statement around the extent (cadastral & perceived) of Waimanu Pā. Building bulk is assessed and rated, noting that although there is change, the resultant effect is beneficial or neutral depending on the user viewpoint. The assessment goes on to explain (with reasons) both the nature and magnitude of effects for the other PDP provisions. Glare is assessed, and although not quantified, the effects are based on reasonable assumptions. Existing vegetation in the coastal area is considered mitigative but because proposed planting is not provided, effects are assessed as neutral. The LVIA also states that *“no consideration of incorporating mātauranga Māori is evident within the design at present and would likely provide mitigation and enhancement of potential effects when assessed against the coastal environment, SASM and Tangata Whenua chapters of the PDP.”* I note that a CIA has been requested by the Applicant which may address this issue.
- 2.21. Assessment against the City Centre Zone is provided, noting the proposal has only one residential unit, has little consideration for mātauranga Māori in its design, and there is little opportunity for public use and access. Section 8 provides recommendations to remedy some of these issues.

Architectural finishes and colours are assessed as complementary to the site's context. The assessment against the City Centre Zone is appropriately undertaken and provisions addressed.

- 2.22. Table 1 provides an assessment summary from four areas. The Huatoki basin, the coastal walkway, the coastal environment, and Waimanu Pā. Each area (mapped in Appendix A) is fully described and assessed. The reasons for the effects ratings are provided and consistent. Based on my site visits and knowledge of the area, the reasons and ratings are valid, noting the 'mod-low' degree of effects and 'adverse' nature of effect for Waimanu Pā.

#### Visual Effects

- 2.23. For visual effects, Table 2 provides an assessment summary for each public viewpoint agreed between myself (as council's appointed landscape expert) and Daniel McEwan in February 2023. Each viewpoint is listed (mapped in Appendix A) and fully described and assessed, supported by photo simulations that are accurate and presented in a fair way. The reasons for the effects ratings are provided and are consistent, identifying both adverse and positive landscape effects. Where mitigation recommendations are assumed to be implemented, effects ratings are reduced. Based on my site visits, the reasons and ratings are valid.
- 2.24. Viewpoint 8 in Table 2, assesses a potential private audience at 30 & 40-42 Molesworth Street. The assessment relies on assumptions, as the properties were not accessed. The conclusion is that the potential effects will be 'Low' with a 'Neutral' nature of effect, based on assessment against permitted ODP provisions. While consider this a practical approach, but that only by visiting the properties can a robust assessment of effects on visual amenity be undertaken. Little is known about the nature of these properties and their occupants.

#### **Landscape Assessment Recommendations**

- 2.25. Chapter 8 of the assessment provides mitigation recommendations that would *"result in a lower overall degree of effect and a beneficial overall nature of cumulative effects in some instances."* There are three recommendations.
- 2.26. The first is about planting and recommends a planting palette of endemic species. No planting plan is provided in the Application.

#### Reviewer Recommendation

A Planting Plan for publicly visible outdoor living areas, and road frontage (including the carpark) be required as a condition of consent. Plant species should be endemic and include specimen trees as well as shrub and ground cover species.

- 2.27. The second recommendation relates to cultural narrative, noting that a CIA had not been completed before the LVIA.

#### Reviewer Recommendation

Review landscape implications once CIA is completed.

- 2.28. The third recommendation is to *“Ensure cladding and façade treatments have no greater adverse glare effects than a glazed façade would afford on the North, West and East facades of the proposed development.”*

#### Reviewer Recommendation

Request specific information from the Applicant regarding glare.

#### **Conclusion**

- 2.29. The LVIA concludes that the overall effect on landscape character and values is ‘Mod-Low’ - referring to the four broad areas assessed in Table 1 of the report.
- 2.30. Regarding visual effects, it is concluded that the overall degree of effect on both public and private visual amenity is ‘Low’.
- 2.31. Cumulative effects are concluded to be ‘Low’ with a ‘Neutral’ nature of effect, which would likely reduce to ‘beneficial’ nature of effect if the landscape mitigation recommendations in Section 8.2 are adopted.
- 2.32. The assessment’s findings and overall conclusions are credible and consistent with the analysis.

### **3. PEER REVIEWER COMMENTS AND CONCLUSIONS**

- 3.1. Overall, in my opinion, the LVIA is consistent with best practice methodology. The assessment is thorough, and logically presented, and the findings (assessment of landscape and visual effects) are credible. I consider that the LVIA impartially assesses effects and does not advocate for the Applicant.
- 3.2. The LVIA expresses reservations about the proposal in three areas. Namely, the lack of detail around planting, lack of cultural narrative in the context of the proximity to Waimanu Pā, and glare. My recommendations on these three matters are provided in the previous section of this review.
- 3.3. My only concern about this LVIA is the nature of the private viewpoints. On the first page of the LVIA it states *“Private viewpoints have been considered within this report but no private property has been individually assessed. Potential effects therefore have been derived from relevant public viewpoints and desktop analysis.”* The property at 30 & 40 - 42 Molesworth Street is subsequently assessed (page 19) with the potential effects rated as ‘Low’ with a ‘Neutral’ nature of effect. Reasons are provided. Given the reasons, in my opinion the level of effect on these properties revolves around the nature of the occupants. If these upper level properties are occupied by businesses, then I agree with the ‘low’ and ‘neutral’ rating and no site visit is required. However, if there is residential living, the properties should be specifically visited and assessed.
- 3.4. I am aware that landscape and visual assessments have the potential to assist consenting planners in preparation of their notification reports. In particular, as one of the tests for deciding if an application is to be publicly notified under s95A: i.e. that the adverse effects of the activity “on the environment are more than minor” and/or as one of the tests for determining if a person is an “affected person” to decide if they are to be notified under the s95E “limited notification” provisions: i.e. that the adverse effects on the person will be “minor or more than minor (but are not less than minor).” In this regard, I offer the following comparative matrix from *Te Tangi A Te Manu* - NZILA Aotearoa New Zealand Landscape Assessment Guidelines (page 151).



As shown on this diagram, **moderate** equates to *more than minor* (RMA), and **low-mod** effects are minor. This is reinforced in the text on page 150 as follows.

*More than minor' can be characterised as 'moderate' or above.*

*Minor' adverse effects means some real effect but of less than moderate magnitude and significance. It means the lesser part of the 'minor-moderate-major' scale. Minor' can be characterised as 'low' and 'mod-low' on the 7-point scale.*

- 3.5. Using this chart, it is my interpretation that the LVIA's assessment of the proposal equates to '**minor**' for landscape character and values and '**less than minor**' for visual effects.

Richard Bain

Landscape Architect

