

**IN THE MATTER** of the Resource Management  
Act 1991

**AND**

**IN THE MATTER** of an application under s88 of the Act by  
B, M R Sim to the New Plymouth District  
Council to undertake a boundary change  
and five-lot subdivision, at 6 & 42 Leith  
Road, Okato (SUB21/47781)

**AND**

of an application under s88 of the Act by  
B, M R Sim to the New Plymouth District  
Council for a side boundary setback  
breach for a proposed dwelling on Lot 5  
of SUB21/47781 and earthworks within  
200m of Site of Significance to Māori and  
Archaeological Site ID 197 (under the  
Proposed District Plan) (LUC22/48312)

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**STATEMENT OF EVIDENCE OF**

**Richard Alexander Bain**

**Landscape Architect**

21 April 2023

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## **INTRODUCTION**

### ***QUALIFICATIONS AND EXPERIENCE***

1. My name is Richard Alexander Bain. I hold an honours degree in Landscape Architecture from Lincoln University (1992), and I am a registered member of the New Zealand Institute of Landscape Architects.
2. As stated in my (further) evidence of 24 January 2023, I have been working for over 29 years in New Plymouth as a self-employed landscape architect, specialising in site design and visual assessment.
3. I confirm that I have read the Code of Conduct for expert witnesses contained in the 2023 Environment Court Practice Note and that I agree to comply with it. I confirm I have considered all the material facts that I am aware of that might alter or detract from the opinions I express. In particular, unless I state otherwise, this evidence is within my sphere of expertise, and I have not omitted to consider material facts known to me that might alter or detract from the opinions I express.

### ***ROLE AND SCOPE***

4. I have prepared and presented evidence to the New Plymouth District Council to undertake a boundary change and five-lot rural subdivision, at 6 & 42 Leith Road, Okato, NPDC SUB21/47781.
5. I have not been directly involved with LUC22/48312 but am aware of its relationship to SUB21/47781, and therefore provide brief evidence on matters raised in the (further) Planning Officer's 42A Hearings Report, 17 March 2023, Appendix 2: Memo 3 from Natural Capital (Erin Griffith), 27 February 2023, relevant to rural landscape character and amenity.

## **RESPONSE TO MEMO FROM NATURAL CAPITAL**

6. Ms Griffith considers that revised proposal avoids effects but that the proposed mitigation measures on Lots 1, 4, 5 & 6 as originally prescribed and included in the proposed conditions of consent should be retained.

My response: I agree that the proposed consent conditions should be retained (as I also noted in my further evidence dated, and filed on, 24 January 2023).

7. Ms Griffith replicates the proposed conditions for Lot 1 adding comments regarding:
- Whether building height refers to habitable or non-habitable?

My response: In my view it should not apply to non-habitable buildings. I don't consider that this condition was ever intended to apply to farm buildings. In my original LVIA (July 2021) under mitigation recommendations I stated,

*e) To maintain rural character and avoid a dominance of built form, no habitable buildings should be higher than 6.0m above existing ground level.*

Non-habitable buildings in the rural environment include hay barns, tractor sheds and the like. Such buildings sometimes require height taller than 6m to accommodate tall machinery (e.g., gantry's, booms, hoppers) and materials. Such buildings appear appropriate in a working environment.

- Lighting should ensure that no lamp source is visible.

My response: This is a wording issue, but I agree with the intended outcome.

- A comment that a building platform is not defined therefore the location of planting is not known.

My response: Yes this is correct.

- That performance criteria for the planting on the southern side of the driveway on Lot 1 would be helpful and that the performance criteria be added to the condition for the Planting Plan, noting that the Bluemarble LVIA recommended:

*“A minimum of two rows of native vegetation at 1m spacings capable of reaching a minimum height of 3m in six years. Species should be selected from the coastal zone list in the Taranaki Tree Trust publication “Restoration Planting in Taranaki: A guide to the Egmont Ecological District. This publication is available on the TRC website.”*

My response: I consider that it is reasonable for this to be added to conditions so that whoever prepares the Planting Plan has clear direction.

8. Ms Griffiths also comments on freshwater matters which are outside the scope of my evidence/expertise.
9. Overall, as noted in my evidence of 24 January 2023, the revised proposal will not create any additional or unforeseen landscape character effects in my view.



Richard Alexander Bain  
Landscape Architect

bluemarble

21 April 2023