

**BEFORE THE WHANGĀREI DISTRICT COUNCIL INDEPENDENT HEARING PANEL**

**UNDER** the Resource Management Act 1991  
("RMA")

**IN THE MATTER OF** an application by Hurupaki Holdings  
Limited for resource consent to create  
and operate a 73 residential allotment  
and café at 131 and 189 Three Mile  
Bush Road, Kamo

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**STATEMENT OF EVIDENCE OF MICHAEL IAN FARROW, ENGAGED BY THE  
APPLICANT**

**LANDSCAPE AND URBAN AMENITY**

**27 APRIL 2022**

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## 1. SUMMARY OF EVIDENCE

- 1.1 My name is Michael Ian Farrow and I am the Principal of Littoralis Landscape Architecture. I have been engaged by Hurupaki Holdings Limited to assist with configuring the Proposal and to assess potential effects upon rural character, visual amenity values and landscape values.
- 1.2 My evidence will traverse:
- (a) an overview of the Proposal;
  - (b) a discussion about the effects associated with the Application;
  - (c) an outline of changes made to the Proposal following notification;
  - (d) an explanation of a series of landscape simulations that I have provided;
  - (e) comments on submissions received to notification of the Application;
  - (f) comments on the s42A Report; and
  - (g) some conclusions.
- 1.3 I do not agree with the findings and recommendation of Mr Peter Kensington (Landscape peer reviewer engaged by WDC) or those found in the s42A Report, which are largely guided by the landscape peer review in relation to matters falling within my area of expertise. The Council's appointed officers have determined that the part of the Proposal lying with the Rural Production Zone would be of an urban form that does not retain rural character and amenity.
- 1.4 My findings are almost diametrically opposed to those of Mr Kensington. Whilst we agree upon the positive effects that would result from the restorative and protective measures that are intended by the Application (although possibly not quite upon the level of worthwhile impact that those measures would achieve), I have assessed the low-lying portion of the northern part of the Site to be of limited landscape sensitivity and rural character and established that potential adverse effects arising from building houses on that part of the Site are very limited.
- 1.5 Whilst Mr Kensington considers that a net environmental benefit is not achieved by the Application, I have assessed that a notable net environmental benefit would be

gained by proposed restoration, protection and management when weighed against the limited level of adverse landscape, rural character and visual amenity effect that I have assessed to result from the Proposal. The body of my evidence explores these matters in detail.

- 1.6 Having been considerably influenced Mr Kensington's advice, the s42A Report recommends that the Application be declined. I also disagree with this proposition, as my analysis of the characteristics of the Proposal, its potential effects and countering benefits demonstrates that there is not a sound basis for decline.
- 1.7 I consider that the proposed conditions of consent – as they relate to my area of expertise – proactively address potential areas of adverse effect and deliver an enduring structure to ensure that the outcomes envisaged by my contribution to the project are achieved and perpetuated.
- 1.8 My overall conclusions are that the Proposal reflects a careful and integrated spatial design process that would deliver a very well-integrated neighbourhood that could stand as a local benchmark of good practise on several fronts.
- 1.9 The flank of Hurupaki (recognised nearer its peak as being an Outstanding Natural Landscape and an Outstanding Natural Feature) and Waitaua Stream corridor are determined to be important rural landscape elements that have framed the configuration of the Proposal.
- 1.10 The net environmental benefit that results from restoring and protecting these elements is assessed as being greater than the adverse effects arising from the Proposal, which I have determined to be no more than minor.

## 2. INTRODUCTION

- 2.1 My full name is Michael Ian Farrow.
- 2.2 I am the Principal of Littoralis Landscape Architecture, which I founded in 1995. A statement of my qualifications and summary of some relevant experience are included in **Annexure 1**.
- 2.3 This evidence is in respect of an application by Hurupaki Holdings Limited ("**the Applicant**") for subdivision and land use resource consent at 131 and 189 Three Mile Bush Road, Kamo ("**the Site**"), to:

- (a) create 73 residential allotments, drainage and recreational reserves to vest and other associated works; and
- (b) establish a food and beverage activity within proposed lot 22, for setback from boundary and coverage infringements (future residential units within Rural Production Zone) and to relocate dry stone walls.

(together "**the Proposal**")

2.4 A number of minor amendments have resulted to the Proposal post notification, further detailed in section 6 of my evidence.

2.5 My evidence will focus on matters of landscape and urban amenity. It should be read in conjunction with the Assessment of Landscape and Neighbourhood Amenity Effects<sup>1</sup> ("**my Assessment**") which formed part of the Assessment of Environment Effects prepared for the Proposal, dated 1 October 2021 ("**AEE**"). Specifically, my evidence will include:

- (a) my involvement with the Proposal;
- (b) an overview of the Proposal;
- (c) updates to the Proposal post-notification;
- (d) a description of landscape visual simulations;
- (e) discussion of landscape and neighbourhood amenity effects;
- (f) comments on submissions;
- (g) comments on the s42A Report; and
- (h) proposed conditions.

2.6 In producing this statement of evidence, I have reviewed the following evidence and materials:

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<sup>1</sup> Littoralis Landscape Architecture. Proposed Subdivision of 131 Three Mile Bush Road, Kamo. Hurupaki Holdings Ltd. Landscape and Neighbourhood Amenity Assessment. September 2021



- (a) The original Whangārei District Council (“**WDC**” or “**the Council**”) application documents, including the AEE, associated technical reports, s92 requests for further information and responses and WDC’s s 95 notification decision;
- (b) the application to the Northland Regional Council and associated technical reports, s 92 request for further information and responses and the decision;
- (c) the s 42A hearing report (“**s42A Report**”) prepared by Alister Hartstone, planning consultant on behalf of WDC; and
- (d) the expert evidence provided by the Applicant to support its case, including statements of evidence from:
  - (i) Mark Holland (Applicant);
  - (ii) Madara Vilde (Ecology);
  - (iii) Aaron Holland (Three Waters);
  - (iv) Dean Scanlen (Transport);
  - (v) Charlotte Nijssen (Legal survey and subdivision design);
  - (vi) Jonathan Carpenter (Archaeology); and
  - (vii) Melissa McGrath (Planning).

2.7 I am familiar with the Code of Conduct for Expert Witnesses in the Environment Court Practice Note 2014. I have complied with the Code of Conduct in preparing this statement of evidence. 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.

### **3. INVOLVEMENT WITH THE PROPOSAL**

3.1 I was engaged by the Applicant late in April 2021. Since my appointment, I have visited the Site and surrounding area on at least five occasions and have walked over most parts of the land, including the central valley floor and margins, the related flank and crest of Hurupaki, and less demanding terrain of the property. I have also driven all of the local roads, frequently stopping to consider potential views to the Site from the road margins.

- 3.2 My initial task was to provide an opinion on the potential adverse effects on landscape values and wider rural amenity that the Proposal would potentially generate. At that point the Applicant had commissioned the initial scheme plan seen as **Attachment One** to this evidence and received preliminary advice from other members of the consultant team who have been involved in the application. I also reviewed the initial scheme in terms of urban design parameters and neighbourhood amenity.
- 3.3 Having identified some aspects of that scheme that would benefit from reconfiguration, a central part of my involvement has been in reshaping the spatial arrangement of the Proposal. My preliminary impression was that the characteristics of the land provided many cues for a highly resolved and well-integrated development across the lower lying parts of the terrain, and the opportunity to create an example of an optimised residential neighbourhood. Having subsequently worked on iteratively refining the Proposal for many months with the rest of the Applicant team, I believe that this opportunity has been expressed through the application.
- 3.4 In an effort to optimise the relationship between the potential development and the characteristics of the Site, and to heighten the amenity offered to future residents, I have been involved in shaping a range of aspects of the Proposal, including:
- (a) Working collaboratively with roading and civil advisors in the positioning and form of stormwater ponds, road alignments and configuration of roadside footpaths, thresholds and lighting.
  - (b) A network of off-road walkways that create localised linkages, a range of connecting loops and broader scale integration with routes (some of them potential or future routes) connecting over Hurupaki, across to Kamo and south to the tracks running through Pukenui Forest is woven into the fabric of the Proposal.
  - (c) Liaising with the Applicant's ecologist throughout to ensure that key ecological corridors and elements are either created or enhanced. The merging of ecological, landscape and neighbourhood amenity dimensions of vegetation patterns is particularly evident in this application – in other words, the proposed planting initiatives simultaneously serve multiple roles.
  - (d) Working with Mr Holland (Applicant) to draw on his extensive land development experience to explore opportunities to promote a range of lot sizes and

configurations that encourage a diverse social composition of the future community, and to offer choice to people seeking various forms and scales of residential environment in their living environment.

- (e) Advising on the proposed café and working alongside registered architects Ms Felicity Christian and Mr Scanlen to prepare the indicative drawings contained in the application. Once again, Mr Holland's commercial expertise helped to shape the outcome.

- 3.5 Pulling together the various elements outlined above, my office refined an overall concept for the Proposal through numerous iterations into the resulting Neighbourhood Masterplan (ref 1304\_DC1\_20210906) which was included in the application. Alongside this I prepared the Assessment of Landscape and Neighbourhood Amenity Effects provided with the AEE.
- 3.6 I have been involved in updates to the Proposal post-notification, as detailed in section 6 of my evidence, below.
- 3.7 I contributed to drafting the proposed conditions of consent that have been offered by the Applicant, which incorporate relevant aspects of the dimensions detailed above, the initiative to create Landscape Integration and Ecological Management Guidelines and in response to the feedback received from Mr Kensington's (Council's Landscape expert) reviewing role.
- 3.8 I have overseen the preparation of the range of visual simulations that are found in **Attachment Four** to my evidence. These were created, in part, to address the matters raised in Mr Kensington's initial memorandum of 11 November 2021, which is referred to in para 15 of the s42A Report. We also believed that these would be a useful resource for submitters, Council's appointed officers and the Commissioner. An initial volume of these simulations was issued to Mr Hartstone on 4 April 2022. Since that issue my office has continued to develop the underlying model and an alternative development as a lifestyle block holding for the RPROZ portion of the Site, which is now contained in the fuller suite of simulations attached to my evidence. I will describe these in some detail later in my evidence.

#### 4. OVERVIEW OF PROPOSAL

4.1 I consider that the description of the Proposal found at paragraphs 10-16 of the s42A Report is very concise, but accurate. It is further articulated by my Assessment and related drawings which include detailed descriptions of the landscape context (section B), the application site (section C), the Outstanding Natural Landscape (“**ONL**”) and Outstanding Natural Feature (“**ONF**”) (section D), and urban design assessment (section F).

##### **Landscape context**

4.2 The Site lies on the western periphery of Kamo’s urban area, where it lies closely within the influence of a localised field of four volcanic cones. Hurupaki looms as an immediate, imposing backdrop that has been recognised as being both an ONL and an ONF.

4.3 That volcanic heritage has provided dark, free draining soils and a multitude of small rocks that were formed into the agricultural stone walls that are a feature of the Site and the surrounding area, particularly to the west.

4.4 The cones rise from broad flats or gently rolling lowlands, with the Site lying on the eastern margin of one of these. Indigenous vegetation is found in isolated pockets, belts associated with watercourse, and the crowns of the most of the cones, predominantly in the form of broadleaf podocarp associations.

4.5 Farming and horticultural areas stretching out to the west of the Site are hosting an increasing level of rural residential development that dilutes the rural signature of large parts of that western hinterland.

4.6 Residential areas dominate to the south and east of the Site, including the recently-completed The James subdivision that abuts the Site to the east. Hurupaki School lies immediately to the east of this new residential development.

4.7 An important dimension of the context of the Site is the combination of Rural (Urban Expansion) Zone and Low Density Residential zoning that applies to the undeveloped block of land that lies to the opposite, western, margin of the Site.

### The application site

- 4.8 Sitting within this wider context, the Site features most of the component elements that shape the character of the area to the west of Kamo.
- 4.9 It is bounded along its Three Mile Bush Road frontage by a stone wall that originates at Hurupaki School and continues on beyond the western extent of the Site. Other portions of stone walling exist within the Site.
- 4.10 In its southern extent, the Site is largely of gentle terrain, although it drops steeply to the Waitaua Stream to the north east and virtually plummets into a very steep-sided gully that the stream has cut down to a volcanic bed a short distance upstream. At the head of that gully, the water falls over a marked bluff in the parent rock and from there west flows through a narrow and shallow channel that has clearly been diverted from its natural course into the confines of a drain.
- 4.11 The very steep terrain associated with this central valley or gully has allowed a matrix of indigenous trees to colonise and endure, with a grove of mature puriri on the northern margin giving the impression that they were planted as a gridded grove. Some substantial conifers and a wide range of invasive exotic plants had been well established within the shelter of this stream corridor, but most have been removed by the Applicant in an effort to commence more responsible management of this space. That clearance has temporarily left some quite large voids in the tree cover. The combination of severe terrain and substantial vegetation found in this valley has the effect of largely screening the northern part of the Site from the south and creating something of a spatial divide.
- 4.12 The northern, Rural Production zoned (“**RPROZ**”) land to the far side of the central valley initially rises gradually from the crest of the valley wall, but transitions to a much steeper and uniform grade as it ascends the southern flank of Hurupaki. That part of the flank that lies within the Site is entirely grazed, with the slope terraced by cattle movement and a fragile cover of impoverished “pasture” (unsurprising on a heavily leached, south facing slope) evidently struggling to hold the surface together against the forces of surface water and stock trampling. Until recently, blackberry was widely established on this face, but the Applicant’s weed management efforts appear to have almost entirely removed that invasive plant.

4.13 A house is established on the flattest part of this northern area, along with a range of small ancillary buildings, fences and cattle troughs. Access to that home runs along the western edge of the property from Three Mile Bush Road.

### **Outstanding Natural Landscape and Outstanding Natural Feature**

4.14 The northern edge of the Site, from approximately half way up the Hurupaki flank to the fence marking the upper boundary, lies within the Hurupaki Volcanic Cone ONL. A second “resource boundary” along the same alignment (in this area) contains the ONF overlay that acknowledges Hurupaki’s status as being Regionally Significant as a Geo-preservation Site.

4.15 The ONL Assessment Worksheet<sup>2</sup> for Hurupaki Volcanic Cone records the compromised naturalness of the lower slopes and the quarry, but that the mid and upper slopes retain an unmodified and natural appearance.

4.16 In being restricted to the land beyond the toe of the cone, the “built” component of the Application is well separated from the ONL and ONF. The proposed walkway to link with the existing Hurupaki track would pass through the ONL/ONF area as a subtle element, little more prominent than the existing contour cattle tracks on the slope and rapidly concealed within proposed planting.

### **Urban design**

4.17 My Assessment measures the Proposal against the framework of the Ministry for the Environment’s *New Zealand Urban Design Protocol*. That document identifies 7 key urban design qualities, commonly referred to as the “7 C’s”, as follows:

- (a) **Context:** the Application responds to the biophysical landscape setting and reinforces those contextual influences through its design.
- (b) **Character:** the design has been configured to draw in local influences and express those through the project, including such elements as the stone walls and stream. An intention to restore and conserve the central valley and Hurupaki face are major gestures to acknowledge and strengthen those pivotal

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<sup>2</sup> Littoralis Landscape Architecture and Simon Cocker Landscape Architecture. Northland Regional Landscape Assessment Worksheet: Hurupaki Volcanic Cone

elements of local character that would infuse the future neighbourhood (including adjacent areas).

- (c) **Choice:** a subtly varied range of living opportunities are provided within the fabric of the application, in terms of lot size, positioning, outlook and context within the developed Site. These are anticipated to promote a varied demographic of future residents. The Proposal is also seen as a “choice” in its own intrinsic right in that it offers an alternative to more conventional urban models that tend to prevail.
- (d) **Connections:** the extensive network of walkways and highlighted wider opportunities provide for pedestrian connectivity, including to neighbouring urban areas and Hurupaki School. The Site is closely situated to Kamo and not far removed from Whangārei’s CBD and a wide range of community facilities. Specific provision has been made for a public bus service to access the Site.
- (e) **Creativity:** the Proposal is considered to be inherently “creative” in its response to the Site, context, infrastructure elements such as roads and stormwater management, and in its spatial arrangement. Including the café and playground in the Proposal is considered to promote social engagement and community building.
- (f) **Custodianship:** the Application has adopted something of a stewardship mindset in recognising and forcefully advancing the restoration, protection and ongoing care of the cone flank and central valley, furthering that ethos with the connecting fingers of open space and enhancement that then push out into the midst of the housing.
- (g) **Collaboration:** as an expression of the close interactions of the various disciplines involved in formulating the Proposal, the Application is an expression of collaboration in its format and function. Liaison with WDC staff has informed aspects of infrastructure and future public open space, whilst Northpower engagement has allowed for resolution of the Critical Electricity Line as it relates to the Proposal.

## The Proposal

4.18 The underlying rationale that has shaped the Proposal from a landscape and urban design / neighbourhood amenity dimension includes:

- (a) A recognition that, whilst uniform/conventional housing development of the southern portion of the Site is effectively a permitted activity under the General Residential zoning (“GRZ”) that applies, there is considerable opportunity to optimise the amenity and urban characteristics of that housing in the way that it is designed. There is also scope to provide a variety of lot sizes to provide for varying living needs and resources. In grasping that opportunity, the southern part of the Proposal has been largely configured around a central reserve corridor that acts as defining feature from the point of entering the neighbourhood. It also draws from the mature native vegetation that defines the central valley, as does the proposed northern enclave.
- (b) Minimising the presence of the road and potential dominance by vehicles by specifying a road surface width achieved by pushing parking provision into paved bays, incorporating regular use of contrasting thresholds in key positions, and incorporating street trees.
- (c) Relating pedestrian linkages within and beyond the Site to the road space, so that road footpaths are an integral part of that walking network.
- (d) Incorporating a café as a community focal point which promotes social interaction and a point of interest. The proposed café can be seen as a modern equivalent to the traditional corner dairy – a local landmark where people bump into each other or arrange to meet; a social hub. It has been very deliberately positioned on a prominent corner where it is close to the primary walking route and backs onto the central valley reserve. The indicative café design provided as part of the Application has been configured to minimise the potential externalities that typically arise from café activities and the Applicant intends imposing a covenant on the adjoining proposed Lot 21 to preclude any complaints from that title.
- (e) Maintaining the rectilinear presence of stone walls as a defining feature by conserving the existing walls wherever practicable and by reconstructing walls that need to be dismantled. The locations and alignments of those rebuilt walls



have been very consciously determined to relate to the landform and spatial arrangement of the Proposal so that they are perceived as logical and predictable, rather than appearing as a decorative feature. In addition, ensuring that reconstructed walls are distinguishable from original walls to avoid the potential for some distant “historic confusion” about which predate urban development.

- (f) Heightening the presence of the Waitaua Stream course and related depression (“the central valley”) as a natural division and corridor that largely splits the Site into two areas to either side spatially (but not thematically). As an integral dimension, recognising and emphasising the ecological role and the indigenous podocarp broadleaf belt associated with that valley as it spans across the core of the Site as part of a much wider pattern of indigenous groves.
- (g) Emphasising the focal status of Hurupaki – as part of a collective of the immediate area’s most significant landforms – as a backdrop to the Site and wider hinterland and strengthening the identity of the cone by freeing it of the damaging presence of cattle and undertaking to draw down its forested mantle through restorative plantings. This measure is considered to be a significant gesture to unifying the maunga and asserting its presence as an outstanding feature amidst the wider landscape.
- (h) Addressing that RPROZ part of the Site that lies between the central valley and the toe of Hurupaki as a contained enclave that is spatially and physically defined by terrain of the flank to its north; the vegetation/landform of the central valley; and zoning provisions applying to neighbouring land to its west – in effect creating a “zoning island” across that part of the Site. It is this part of the Proposal that triggers the overall non-complying status of the Application and is contested by submitters and the s42A Report, so much of my evidence is devoted to this topic.
- (i) Capturing opportunities to lace the neighbour together with a network of walking routes which encourage pedestrian movement and engender community-building – a few strategically placed seats, for example, can become places where people pause and bump into others. An off-road walking corridor to Hurupaki School via The James subdivision is a critical linkage. Ensuring connections to compatibly zoned land to the west of the Site and to The James

to the east means that the benefit of the indicated paths is more widely enjoyed and facilitates local extensions. That the Site can act as a pivotal element in a potential broader network of off-road walking paths that links out to Dip Road, central Kamo and Pukenui Forest progresses this initiative further still. **Attachment Three** to my evidence has been lifted from the attachments to my Assessment and shows the role of the Site in this walking network.

- (j) Approaching stormwater ponds as a multi-faceted resource that provide added amenity and habitat potential in addition to their function in water management. This involves ensuring that ponds are as well-fitted to natural contours as possible, with resulting forms being more aesthetically pleasing than conventional rectilinear shapes, promoting the edges of ponds as zones of heightened ecological activity, merging the margins of ponds with wider planting patterns, and aligning paths to engage with ponds as a feature of a walking experience. In terms of the pond nearest Three Mile Bush Road, this approach has been extended still further with the idea of a small jetty being projected into the body of the pond.

4.19 It is important to appreciate that the various initiatives that I have just outlined have been developed when considering the Site as a whole, rather than as two unrelated enclaves that are entirely divided by the central stream valley.

4.20 As an expression of this wide range of design and spatial planning imperatives, I believe that the Proposal would create a level of amenity, integration and acknowledgement of its context that is rarely achieved. I am not aware of another residential subdivision within Whangārei District that has pursued such lengths to achieve an optimised urban form. As such, I consider that the Proposal can serve as a benchmark to be held up when contemplating comparable housing initiatives.

4.21 In providing the advice to the Applicant that has assisted to shape the Proposal to its current form and to step beyond the norm, I have been very mindful that these various initiatives add considerably to the cost of the development and that such costs need to be borne from across the saleable lots if the project is to be viable. That awareness has progressively developed over three decades of involvement in shaping living environments and is, in my opinion, a critical dimension of the design parameters to a project; there is no point in designing elements or systems that cannot be afforded.

## 5. EFFECTS ASSESSMENT

- 5.1 There are a range of potential landscape and neighbourhood amenity effects that may be associated with the Proposal. These are considered in detail within my Assessment Landscape and Neighbourhood Amenity prepared for the Proposal, and briefly summarised below.<sup>3</sup>
- 5.2 Visual amenity effects are influenced by the nature of the Proposal, acknowledging that the southern part of the Application is effectively a permitted activity. For the northern sector of the Proposal, the framing and screening context of terrain and established vegetation are central to containing the potential level of exposure and dominance of that part of the Application. The possible contrast, and hence prominence, of those buildings would be further suppressed by Mr Kensington's recommendation of finish controls, which have been adopted within the proposed conditions of consent being offered by the Applicant.
- 5.3 In combination with the nature of the Proposal, the "visual catchment" of the development is of central importance. In this case, the containment of the northern part of the housing within the Proposal (as just described) and nature of surrounding terrain, vegetation patterns and distribution of buildings – both existing and likely future buildings – results in the northern area being substantially sealed from external views. The view from Hurupaki School seen in Panoramic Photograph 1 found in **Attachment Four** of my evidence is the most open view to the northern part of the Site from a public place that I was able to find, and even here that part of the Proposal has a limited exposure within the wider frame of view and looming mass of Hurupaki as a backdrop.
- 5.4 In light of the combination of the containment of the proposed northern enclave and limited opportunities to witness that part of the Site from external area, visual amenity effects are assessed as being *very low* and less than minor.
- 5.5 Landscape effects are shaped by the characteristics of the Site and its context, by the future of that context that results from zoning, and by the nature of the Proposal itself. Residential development of the southern part of the Site is permitted and so the landscape effects of that part of the Application are put aside accordingly. In relation to the balance of the Site, it has been my assessment that the deliberate

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<sup>3</sup> Assessment of Landscape and Neighbourhood Amenity Effects – Section G.

configuration of the design to respond to vegetative and topographic pattern, and to grasp the opportunities to strengthen those components, results in a net *moderate positive* effect upon landscape,

- 5.6 Rural character and amenity effects are explored in some detail later in my evidence (founded largely on my earlier formal Assessment). The enduring contribution of the Hurupaki flank – ideally in a restored form as proposed – and the central Waitaua Stream corridor are central to the rural character of the northern part of the Site as it exists and would become strengthened under initiatives proposed by the Application. Zoning to the west of the Site signals a future shift to residential forms of use, severing the Site from its connection to the rural land that then extends further to the west. That changed land use will imbue the remaining low-lying pocket on the Site, as will residential development to the south and south east. When considered in the context of these influences, rural amenity effects are assessed as being *very low*, and less than minor.

## 6. UPDATES TO THE PROPOSAL POST-NOTIFICATION

- 6.1 The following updates to the Proposal have occurred post-notification, relevant to landscape and neighbourhood amenity effects:
- (a) Removal of three lots north of Waitaua Stream (originally numbered 62, 63 and 69) resulting in the:
    - (i) reduction of total number of residential allotments to 73;
    - (ii) re-alignment of the northern allotment boundary of the proposed lots (proposed lots 62 – 67);
    - (iii) adjustment of allotment area of proposed lots 62 – 67.
    - (iv) deletion of the two most northern lots (originally identified as lots 62 and 63) has removed the need to establish vehicle access between proposed lots 61 and 62. This is replaced with a pedestrian access, 3m wide incorporated into proposed lot 205 to ensure connectivity to the proposed recreation reserve and walking tracks; and

- (v) deletion of the third lot (originally identified as lot 69) has reduced the number of lots gaining access via proposed JOAL 302, from 10 to 9, proposed lots 63 – 71.
- (b) Further mitigation to the future residential built form within allotments proposed north of Waitaua Stream have been proposed to be imposed by way of consent notice conditions, this includes the following:
  - (i) building and major structure height limits of 5.5m;
  - (ii) building and major structure colour controls;
  - (iii) building, major structure and a 5m setback for earthworks from the northern boundary of proposed lots 60 – 67; and
  - (iv) permeable and recessive fencing of proposed lots 60 – 67.
- (c) Increasing the extent of the low level Hurupaki Cone planting that relates to the rehabilitation planting area by just under 2,500m<sup>2</sup>.

6.2 The Neighbourhood Masterplan that my office had prepared has been amended accordingly to reflect these changes, with that revised set of drawings found in **Attachment Two** to my evidence and highlighted as being modified in the titles.

6.3 Simulations and related graphic materials have also been created post-notification and are addressed below in section 7.

6.4 These changes have primarily been made in response to the discussion, primarily between Mr Kensington and I, in relation to matters of rural character, landscape and amenity effects as recorded in para 15 of the s42A Report.

## 7. EXPLANATION OF SIMULATIONS

7.1 When seen in the context of its current-day setting, it is challenging to visualise the Proposal amongst what are likely to be quite imminent changes to that setting. In effect, existing zoning provides for residential development along the entire frontage of the section of Three Mile Bush Road stretching from Hurupaki School to Cowshed Lane, and then for some distance up Cowshed Lane. This shift in land use and character will dramatically modify the way that the Site is experienced from outside

and within the land, as well as fundamentally shifting the character and identity of this part of Three Mile Bush Road.

- 7.2 In an effort to more graphically illustrate the many parameters of the Proposal and the influence of the context of the Site under a range of potential development scenarios, a number of visual simulations have recently been prepared. These focus particularly upon the Proposal as it applies to the northern, RPROZ portion of the Site in recognition that the southern part of the Site has a GRZ. The vantage points used for the panoramic photographs were agreed with Mr Kensington as being most typically representative and potentially useful for his task of reporting upon the application.
- 7.3 The simulations are based upon a 3-dimensional digital model of the Site and surrounding terrain that my office has created. Two snapshots of that model are seen in **Attachment Five**.
- 7.4 Most of the Site has been specifically surveyed to generate contours, whereas on adjoining land we have utilised LIDAR contours, which provide an acceptably accurate base for this purpose. Models of sample buildings have also been created and placed within the proposed allotments. The photographs used for the simulations have been captured from known positions using a lens of a defined focal length. That same viewing position, in terms of its elevation, angle and distance, is then replicated in the digital model to create a very accurate structure to the proposed landform, roading, planting and indicative buildings within each site. After “inserting” the model into the photographic view, the modelled elements are further detailed and rendered within the image to reflect proposed conditions of consent and to add a measure of realism to the image. This process of generating the simulations aligns to the New Zealand Institute of Landscape Architects best practice guidelines.<sup>4</sup>
- 7.5 The building models have been generated to reflect a typical house that would be found on the types of sites present and the proposed building controls contained in the conditions of consent that have been volunteered by the Applicant.
- 7.6 The overall model extends across the neighbouring property to the west that extends to Cowshed Lane (Part Lot 4 DP99045 NA93D/53) and has a mix of Rural (Urban Expansion) Zone and Low Density Residential Zone underlying it (as seen in

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<sup>4</sup> New Zealand Institute of Landscape Architects Best Practice Guide – Visual Simulations BPG 10.2.

Attachment Three to my Assessment). The digital model for this area shows a hypothetical subdivision development across these zones, with the Urban Expansion portion containing moderately-scaled houses upon allotments that are largely in the order of 450-500m<sup>2</sup>.

- 7.7 The Low Density portion of the model contains larger homes and ancillary buildings on titles that are approximately 2,000m<sup>2</sup> on the whole, but anticipates bigger sections for the two houses on the foot of the maunga, with those lots stretching up to the back northern boundary of the underlying title. For the purposes of this indicative illustration there is no vegetation shown within this adjoining potential development, but it should be noted that street trees and domestic plantings would almost certainly occur, just as they do in typical residential neighbourhoods. The larger titles of the Low Density zoned area would be likely to foster more generously scaled areas of vegetation that would significantly shape the character of that part of the land in a way that is not represented by our model.
- 7.8 In preparing this modelling of the neighbouring land we have been very conscious that the development that we are indicated is not reflective of a permitted baseline, because the activity is not *permitted*. Instead, we have set out to show the sort of development that is *probable* following a transition to GRZ once reticulated water is provided to this part of Three Mile Bush Road. As such, I would describe the scenario that we have modelled for this land for illustrative purposes as being a “reasonably predictable development outcome” that is consistent with recent residential development found on Large Lot and GRZ land in the District. In order to distinguish the modelled buildings in this title from those on the application site, those to the west are coloured pale green. The houses shown in the neighbouring Low Density Residential Zone are modelled as being at the permitted activity limit of 8m for the zone, based on the rationale that if they are to conform with the current norm of being large, steeply gabled buildings, the apex of the roof is likely to approach that limit.
- 7.9 A further layer of modelling covers a situation where the northern, RPROZ portion of the Site is not developed as proposed, but instead is sold as a lifestyle block – as would be likely to occur if the application is declined. In that modelling, the Hurupaki slope is seen to continue its current grazing use. A large house is placed close to the water tank near the base of the flank, where it would provide for a pleasing view through its slightly elevated position. In my observation, people will usually carry the added construction challenges and cost involved in building in a more elevated

location if they are rewarded by such a view and there appear to be no regulatory constraints to that occurring.

- 7.10 A large barn or utility building is indicated downslope. The more prominent presence of these buildings in the simulations is explained by a combination of topographic elevation, building scale and the absence of the controls over building scale and finish that are proposed by this application. To that end, the house is shown as 8m in height above the finished ground level of a bench cut into the slope. The adjacent barn structure as being 9m above the lowest part of the natural terrain that it is shown to sit upon. For illustrative purposes we have shown these buildings adopting what is still a popular translation of the traditional “red ochre” colouring of rural house roofs and of barns being entirely finished in that deep red colour. Contemporary examples of each type of building are shown in the images below.



*Image 1: This multi-gabled, red roofed country home picks up on the red ochre vernacular that was prevalent in early NZ country buildings and is not uncommon today. Source: High Country Homes Ltd*

- 7.11 It should be noted that the model does not go so far as to show a driveway and manoeuvring area, retaining walls or fences, water tanks, amenity plantings, or extensive areas of tended lawn, most of which would almost certainly occur under this scenario and would add to the sense of “domestication” of the landscape that this model image hints of.





*Image 2: A typical modern red rural shed. Source: Shed Alliance*

7.12 The simulations present varied scenarios. I record here that the version of the simulations provided to WDC were necessarily an abbreviated version of the fuller exploration contained in my Attachments.

7.13 I shall now summarise the scenarios presented in relation to each vantage point.

7.14 For Panoramic Photograph 1 taken from within Hurupaki School:

- (a) Existing view to the Site.
- (b) Proposed development inserted into that view, incorporating all elements including buildings, street planting, and restorative planting on Hurupaki slope.
- (c) Southern, GRZ portion of the Proposal shown to left and northern RPROZ portion assigned to use as a lifestyle block as outlined in paragraph 7.9 above. No provision for planting the flank of the maunga and pastoral grazing of that steep slope continues as it presently does.
- (d) The preceding lifestyle block scenario, but with the possible Low Density Residential development on the land to the west seen in the background. Those hypothetical neighbouring buildings are coloured in pale green for distinction.

7.15 Panoramic Photograph 2 taken looking across the frontage of The James from Three Mile Bush Road:

- (a) Existing view to the Site.
- (b) Indicative and imminent buildings inserted into the roadside strip of The James subdivision, demonstrating that buildings along this frontage and the next rank beyond will almost entirely block views to the RPROZ part of the Site that is proposed to contain buildings from this part of Three Mile Bush Road, but with an upper portion of the proposed flank planting seen above the nearest building roof.
- (c) RPROZ portion sold as a lifestyle block and a resulting house seen as constructed near the existing flank water tank and a large ancillary building nearby. No planting on flank. Hypothetical buildings on Low Density Residential zoned land to west seen to the left of the red buildings. Note that this image has been included for explanatory purposes only, as it is almost certain that there will be buildings entirely lining "The James" Three Mile Bush Road frontage before any building could occur on the Site via this application.

7.16 Panoramic Photograph 3 taken from near the existing entrance to 131 Three Mile Bush Road:

- (a) Existing view to the Site.
- (b) Current gateway opening in wall repaired and Indicative buildings inserted into the roadside portion of the GRZ portion of the Site, illustrating that these single-storey buildings would obscure views to approximately half way up the Hurupaki slope. This second image incorporates the Proposal as it applies to the RPROZ part of the Site and therefore includes the intended flank restoration planting.
- (c) Whilst predominantly blocked from view, a third image represents a situation where the northern, RPROZ, part of the Site is assigned to a lifestyle block and the grazed face of the maunga is shown as remaining.

7.17 Panoramic Photograph 4 taken from approximately 20m up the private Cowshed Lane:

- (a) Existing view across intervening paddocks to the Site.
- (b) Incorporating the Proposal as it applies to the RPROZ part of the Site and hence including the intended flank restoration planting.

- (c) The scenario where the RPROZ portion of the Site is sold and hypothetically developed as previously outlined.
- (d) The view following creation of houses within the Rural (Urban Expansion) Zone, based on these being at what might be seen as a generous General Residential density of approximately 500m<sup>2</sup> lots. The modelled LRZ lies in the background of this simulation, but is blocked by the hypothetical foreground buildings, as is almost all of the Site and its various potential buildings.

7.18 If viewing the simulations in digital form within a pdf file it is possible to toggle backwards and forwards between the existing, unmodified photographs of the view and its equivalent that contains the digital simulation. By moving backwards and forwards between the images in this way, the difference can be usefully highlighted.

7.19 In my opinion, this suite of simulations demonstrates the considerable influence of anticipated changes to the land that surrounds the Site. They also show that the low-lying portion of the northern, RPROZ, part of the Site has a low presence in views into that area from public vantage points and that buildings that comply with proposed conditions of consent would have a far from prominent presence with the limited views to the Site that are available.

7.20 I consider that these images show that a lifestyle block use of the land, involving a singular large house and ancillary storage building, is likely to generate greater visual amenity and landscape effects than the Proposal, due to the absence of control over where that building/s could be situated, the permitted height limit available, a lack of constraint over finishes and the flank of the cone being likely to remain in a realm of pastoral cover with continued progressive degradation under grazing.

7.21 Allied to this, I also consider that the simulations illustrate the substantial positive impact that restoring the Hurupaki flank would bring, creating a significant advance into what is currently a substantial void in the maunga's vegetative pattern and setting a precedent that could be adopted in the future management of the property to the west to address what would be a smaller remaining gap in flank cover. It could equally act as a cue for the land cover of the title to the east when a stand of pines is removed from the steep slope of that property

7.22 In my analysis of the simulation sequence, the potential adverse effect arising from the subdued presence of the buildings sought to be provided for in the northern

enclave (which would assist to fund the flank and central valley restoration and related public access initiatives) is substantially mitigated by the topographic setting of that part of the Site and therefore considerably outweighed by the contribution to the landscape integrity of the cone that is achieved by bringing an indigenous forest cover to its southern flank, quite apart from the various other benefits proposed under the application.

## **8. COMMENTS ON SUBMISSIONS**

- 8.1 A total of 20 submissions on the application have been noted in the s42A Report as being formally received by Council. I have reviewed the submissions received and the summary of submissions prepared by the Council.
- 8.2 The main points of submissions in opposition to the application related to my areas of expertise are contained largely in those prepared by Mr D Hewitt, Ms R Reynolds and Ms R Marsh. Rather than dissect these and respond to each individually, I shall instead tease out what I understand to be the topics raised and provide some comments under that structure from the perspective of my training and experience.

### **Stone walls**

- 8.3 The Proposal has been formulated around a number of constraints, with existing stone walls being one. Where practicable, the walls have been conserved and incorporated into the design. Two of the walls are positioned and aligned in a way that would result in the efficient and cohesive use of the land for residential purposes being considerably compromised. Rather than demolishing and removing these walls, the proposed design has identified places for them to be reconstructed and continue to contribute to the character of the Site. There has been an awareness that these “new” walls do not carry the heritage status of the original walls, and of the importance of being able to distinguish new from original. In my opinion, this is an appropriate response, although I defer to Mr Carpenter in relation to heritage dimensions.

### **Landscape effects**

- 8.4 Submitters assert that the northern part of the land is best left in RPROZ and as farmland. People like looking at Hurupaki as it is and there is an apparent desire that

no houses will be built there to change that view. Hurupaki is identified amongst a number of submitters as being important.

- 8.5 As the simulations indicate, it is proposed that there be a dramatic and positive change to the appearance to this part of Hurupaki through planting to restore an appropriately composed indigenous forest canopy. This clearly represents a significant shift from the pastoral state that the submitters seek to perpetuate.
- 8.6 In my opinion, the proposed scenario for the flank is a markedly superior outcome and would, over a relatively short time, justify an extension to the currently defined ONL) that currently applies only to the upper slopes within the Site.
- 8.7 Removing stock will halt the gradual degradation of the soils of the slope that has been occurring over many years. It will also enable weeds such as blackberry and gorse that colonise that area to be rapidly out-competed if they are to return following the Applicant's efforts to control over the past year. Indigenous seeds from the adjacent forest will have an opportunity to take hold amongst the planting, rather than be browsed off by stock as they currently are.
- 8.8 Apart from this physical benefit, the wider landscape and ecological advantages of restoring the flank face to forest are well documented by this evidence, that of Ms Vilde and our respective technical reports. In my opinion, that benefit is clearly established as being well justified by this documentation.
- 8.9 The portion of the subdivision Proposal that lies within the RPROZ lies on lower, more gently sloping land when compared to the prevailing gradient on the body of the flank. This is particularly so now that formerly proposed Lots 62 and 63 have been removed from the Proposal. Simulations relating to Panoramic Photograph 1 show that buildings would sit low and largely in the lee of the large trees of the central valley, and are far from imposing. In my observation, the simulations demonstrate that the Proposal would not noticeably adversely impact upon views to Hurupaki and that buildings would be largely unnoticed in public views to the Maunga.
- 8.10 In relation to the submissions that note the importance of Hurupaki, this position is uncontested. It is acknowledged as being both an ONF and an ONL and is one of a cluster of extremely significant landforms in the immediate area. The Proposal has avoided the body of the flank that can be considered as the essence of the cone and

incorporates considerable restoration undertakings that would serve to strengthen and extend the maunga's status and identity in landscape terms.

### **Residential amenity**

- 8.11 Submissions address the Proposal to incorporate a café and comment upon some areas that are outside of my expertise.
- 8.12 Having assisted to resolve the café component of the Proposal, I can attest that the site planning for that facility has been configured to avoid and minimise adverse effects upon neighbouring titles within the Site through the choice of location and the way that the building and ancillary aspects such as noise containment, rubbish handling, delivery, parking and vehicle movement.
- 8.13 In my opinion, the café has the potential to enliven the neighbourhood, provide a social focus and promote the development of the new community as a social entity. These benefits carry weight that serves to counterbalance the potential adverse effects mentioned by submitters. I defer to Mr Scanlen and Ms McGrath in their responses to this point of submission.

### **Rural amenity**

- 8.14 The submissions observe that the land is best left as rural production. I have addressed this contention under the heading of "landscape" above and will not replicate that response here.
- 8.15 Another dimension of submission is that the quiet rural amenity and character of Three Mile Bush Road with low density housing deserves to be maintained.
- 8.16 The zoning diagrams contained in **Attachment Three** to my Assessment show the significant changes foreshadowed by the zones applying to land stretching from Hurupaki School to Cowshed Lane. That signalled shift in land use is shown in the simulations that I have presented. I consider that these demonstrate that the rural amenity that partially exists in this sector of Three Mile Bush Road (noting that The James subdivision has commenced the transition) will not be perpetuated and that the relationship between Three Mile Bush Road and the lowest slopes of Hurupaki will be lost to intervening houses.

8.17 That part of the Site than maintains a RPROZ is largely detached from public perception by the surrounding frame of zoning and the changes in use that will occur in those adjoining areas. My earlier mention of the relatively gentle terrain proposed to be occupied by Lots 55 to 73 being effectively an “island” by virtue of that adjacent, inconsistent zoning and the much steeper topography to the north and north east – being the steeper flank of Hurupaki – is particularly relevant to this submission.

## **9. COMMENTS ON THE COUNCIL’S SECTION 42A REPORT**

9.1 Council’s s42A Report was prepared by consultant planner, Mr Alister Hartstone, with input by Mr Peter Kensington. Mr Kensington was appointed specifically to review the matters being addressed by my involvement in the Application and Mr Hartstone defers to him accordingly. As such, the following portion of my evidence will primarily address Mr Kensington’s memorandum of advice<sup>5</sup> to Mr Hartstone and I shall summarise his commentary by way of context and cite his headings and paragraph numbering for efficiency in my following response. I shall then return to Mr Hartstone’s s42A Report in relation to a few ancillary matters

### **Walking track scar**

9.2 At his para 19, Mr Kensington speculates that “the proposal to construct a walking track to the summit of Hurupaki is likely to result in a visually prominent temporary “scar” on the hillside until such time as the proposed enhancement planting becomes established’. In reply, I advise that the track will necessarily be a narrow formation, almost certainly constructed by hand, and timed to coincide with spring or autumn to allow a dressing of short-lived grass seed (e.g., short annual ryegrass) on cut and fill batters to germinate and survive. This approach would ensure that the majority of any potential scarring effect would be subdued within a matter of weeks and that this solution would then stand until the indigenous planting is established and gains stature over a period of 1-2 years. These sorts of protocols would be included in the proposed Landscape Integration and Ecological Restoration Strategy.

### **Differences in assessment findings**

9.3 Through his paras 21-23 Mr Kensington relays his perspective of where he and I differ in our opinions. As a foundation, he states his opinion that “the proposal is at odds

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<sup>5</sup> Kensington Planning and Landscape Consultants (14 April 2022) Memorandum to Alister Hartstone – Specialist Review Advice – Assessment of Landscape Effects.

with the anticipated outcomes sought for this part of the site under the Proposed District Plan's zoning and objectives and policies'.

- 9.4 He then observes "the landscape sensitivities" of the northern part of the Site and states his opinion that "the landscape is not able to readily absorb the scale and density of residential development proposed". Following on, he sets out his assessment that the Environmental Benefit provisions of the Proposed District Plan "might enable one or two additional lots", rather than the 19 lots being proposed for this area by the Application.
- 9.5 Commencing his para 23, Mr Kensington says "in my opinion, this component of the proposal will result in an urban form and character, that will not maintain rural character and amenity". He then ponders a scenario of a much lower intensity of development, with less additional lots of larger size located within large areas of open space.
- 9.6 After further exploring the topic of environmental benefit at his para 24, his next paragraph goes on to indicate that a rural residential or rural lifestyle character of development is a more appropriate outcome – through the Environmental Benefit provisions. Limits upon the location of future building areas and a greater extent of revegetation than is currently proposed would be required in his submission, and he goes on to suggest that there should not be a stormwater pond located north of the stream.

### **Reasoning**

- 9.7 Mr Kensington assesses the northern, RPROZ, portion of the site as having existing landscape character, values and sensitivities (although he does not offer an assessment of the magnitude of those) arising from biophysical and cultural influences. Further in para 27, he opines that the Waitaua Stream tributary "is a strong natural feature that is, and could continue to be, an effective "boundary" between urban land use (to the south) and rural land use (to the north)".
- 9.8 He continues on to state that the part of the Site to the north of the stream is strongly connected as a part of the volcanic landform. He then comments that the ONF and ONL should more appropriately extend to the stream corridor.



- 9.9 In his para 29, Mr Kensington acknowledges that the restoration of the steeper part of the Site will have a positive landscape outcome and that it could stand as a positive precedent for the neighbouring property.

### **My response**

- 9.10 In setting out his opinions in his paras 21-23, Mr Kensington traverses a number of inter-related matters which - whilst entirely coherent in his memorandum - may benefit from being dissected as I reply. As such I have attempted to group the matters that he has raised under discrete headings in the following, all of which continue to relate to the northern, RPROZ, part of the Site.

#### *Extent of Hurupaki cone and relationship with stream*

- 9.11 In my observation, Hurupaki shares a similar morphology to most of the District's comparable volcanic cones in having a uniformly steep flank that typically descends from a slightly rounded, weathered brink at the maunga's crest. At its toe, the cone either eases into adjoining lowlands or is more sharply defined by a stream course along its toe. For the property neighbouring to the east of the Site, the latter is true. Reference to the model view in **Attachment Five** shows the contours of the flank descending steeply and evenly to the stream in this area. For the property to the west of the Site (zoned, in part, LRZ), the cone flank transitions quite rapidly into the lower, flattened terrain, with the stream at this point being some distance to the south as can be seen in the model view.
- 9.12 The Site sits in the transition to these differing relationships between cone and stream. On the Site's western margin, the stream is some distance from the base of the cone. By the time the stream has descended through the small gully that it has carved into the Site to reach the eastern boundary, it is closing in on the consistently steep face of the maunga, as just described. In my assessment of the topography of the Site, this leaves what is effectively a crudely triangular portion of gently sloping ground between what I consider to be the toe of the cone and the stream. It is this area that proposed Lots 55-73 are positioned within. Once again, reference to the model views of **Attachment Five** may assist to clarify this description.
- 9.13 I believe that the following set of photographs further illustrate my contention that the toe of the cone, as expressed by a tangible transition in gradient, lies some distance to the north of the Waitaua Stream corridor. The first is taken from on the lower part

of the steep cone face onto the gentler land below, and the other looks across to the western boundary of the Site (with the boundary fence running down the skyline) from Cowshed Lane to the west. This latter image shows this part of the Site in profile – effectively almost a cross section – to demonstrate how the slope markedly eases as it descends below the water tank on the Site. In my opinion, this terrain inevitably has a relationship with the cone, but is different and distinguishable from the maunga proper.



**Photograph 1a:** half of a split panorama to be viewed in combination with the other half labelled Photograph 1b, below. This portion looking across the eastern sector of the gentle terrain below the toe of the cone flank (which, in my observation, is indicated by the two water troughs seen to lower left), with The James in the background and the diagonal stone wall proposed to be relocated in the midground.



**Photograph 1b:** to join the image above. The toe of the flank is considered to be approximately aligned to the fence that the young cattle are gathered by.



**Photograph 2:** Looking across towards the western boundary of the Site from Cowshed Lane. The water tank on the Site can be seen against the sky, along with the western boundary fence. This image usefully illustrates the profile of the landform, with the very steep and uniform primary flank of the maunga seen to the left and the gradual easing of that slope through the area occupied by the water tank to the very modest grade at the point where a fence (being aligned to the one on the Site that features in the preceding photograph) can be seen traversing roughly along the contour.

9.14 I consider that these images, combined with the benefit of standing within the Site and examining the topography, illustrate why my position on this question of the extent of the cone (and correspondingly the appropriate extent of the ONL) differs from that of Mr Kensington.

#### *Rural character and zoning*

9.15 The RPROZ chapter of the PDP commences an outline of *Issues* with a statement that helpfully sets out the Zone's purpose as a driver for its provisions, as follows:

The purpose of the Rural Production Zone is to sustainably manage the natural and physical resources of the rural area in order to:

- Protect, sustain and promote rural production activities as well as those activities that support rural communities.
- Protect areas of significant ecological and biodiversity values (such as indigenous bush and wetlands).
- Enable the rehabilitation of ecological and biodiversity values.
- Maintain rural amenity and character.

9.16 I shall return to this list of bullet-pointed requirements shortly.

9.17 The first of the chapter's policies, *RPROZ-P1 – Rural Character and Amenity*, seeks to protect the distinctive rural character and amenity of the RPROZ that might be considered to typically define the zone (but which it is not limited to):

1. A dominance of natural features including landforms, watercourses and vegetation.
  - a. A predominately working rural production environment, including:
    - i. The presence of large numbers of farmed animals and extensive areas of plant, vine or fruit crops and areas of forestry.
    - ii. Ancillary activities and structures (including crop support structures and artificial crop protection structures) across the landscape.
  - b. Seasonal activities.
  - c. A low intensity of development, involving a combination of domestic and rural production buildings and major structures.
  - d. Varying levels of noise associated with seasonal and intermittent rural production activities.
  - e. Relatively open space and low density of development.
  - f. Odours, noise and dust typical of rural activities.
  - g. Generally low levels of vehicle traffic with seasonal fluctuations.

9.18 In its current state, the entire Site is undeniably rural in character and satisfies most of the above criteria to some degree, despite being of very modest scale for a working rural property. It has limited built development present, features farming elements like stone walls, fences and stock handling facilities and has a predominantly pastoral land cover. As so often occurs, pastoral activities have taken a high toll on landscape and ecological values, in this case in the form of denuding and eroding the slope of the maunga and adverse impacts upon the stream and its related ecology.

9.19 In my assessment, there are three primary characteristics that contribute to the rural character of the northern part of the Site that is defined as RPROZ:

- (a) A simple, prevailing pastoral land use – as mentioned above.

- (b) The dominance of the natural feature of Hurupaki volcanic cone (for which it is recognised as being outstanding).
- (c) The presence of the Waitaua Stream, which might also be considered to have a measure of dominance when the scale of the vegetation currently occupying its corridor is acknowledged.

9.20 In making this observation, I am conscious that rural landscapes are not a uniform entity; they have widely varying characteristics and qualities and I would suggest that the northern part of the Site stands as an example in containing such variability in its structure and character.

9.21 In my opinion, the cone flank and stream corridor are the most powerful distinguishing and character-forming elements in this part of the Site and are acknowledged as being part of the *distinctive rural character and amenity* of the RPROZ as item 1 of Policy P1 (*A dominance of natural features including landforms, watercourses and vegetation*). The Application's intention is to restore both, which would satisfy the 2<sup>nd</sup> and 3<sup>rd</sup> bullet-pointed items under the *Purpose* of the zone, as set out in para 9.15 above. Mr Kensington appears to strongly support both of these restorative commitments.

9.22 If it is accepted that these two most imposing elements of *rural character and amenity* are to be rehabilitated and conserved, and that the southern GRZ zoned balance of the land can be legitimately developed for residential use, this leaves only the narrow portion of gently inclined land that lays between the toe of the cone's flank and the edge of the central stream valley as what could be considered a "working" rural landscape, with a portion of its very modest extent committed to access, a house and allied buildings.

9.23 It is informative to then test that small portion of only modestly fertile land (at best) against the de facto criteria of Policy RPROZ-P1, that are set out at para 9.17 above. In my opinion, this small pocket of land struggles to qualify as a *predominately working rural production environment* because it does not currently (and is highly unlikely in future) to provide for the *presence of large numbers of farmed animals and extensive areas of plant, vine or fruit crops and areas of forestry* as it has inadequate space to do so and/or lacks a suitable soil type.



- 9.24 Nor can it realistically contain ancillary activities and structures (including crop support structures and artificial crop protection structures) across the landscape for the same reasons.
- 9.25 Varying levels of noise associated with seasonal and intermittent rural production activities and odours, noise and dust typical of rural activities are unlikely to be generated on such a small portion of land and, if they were, would lead to reverse sensitivity issues with more residential land-uses that are effectively provided for in close proximity, i.e. through the adjoining residential zoning.
- 9.26 It is plausible that the pocket could cater for a low intensity of development, involving a combination of domestic and rural production buildings and major structures and retain relatively open space and low density of development, although it is unlikely that this would come in a form other than would occur on a compact rural lifestyle property. In my opinion, a small lifestyle block typically has a measure of rural character and amenity, but that level is much reduced from the level contributed by, say, a commercially viable farm, orcharding property, vineyard or commercial forest. Nor would it bring the rural character and amenity contributed by the widespread tracts and ribbons of native vegetation that characterise many rurally-zoned parts of the District.
- 9.27 In my consideration, the preceding analysis against some of the RPROZ provisions demonstrates that it is the restored flank and stream corridor that would provide an enduring and expressive rural character to the northern part of the Site, and that the spatially and visually contained strip of land between those two natural elements is of considerably less prominence or importance in terms of rural character and amenity.
- 9.28 It would appear that my approach in considering the flank and stream corridor – as a large proportion of the RPROZ part of the Site – to have a perpetuated and strengthened rural character and amenity under the Proposal is an area where Mr Kensington and I have a differing perspective. I consider that my position is supported by the fact that some of the key purposes of the RRPOZ section are to protect and enhance such areas, to enable rehabilitation and to maintain rural character amenity and character (which such measures would achieve when applied to these dominant elements of this rural landscape). These aspects of the RPROZ do not appear to have been given any attention in Mr Kensington’s assessment.

- 9.29 Having assessed the rural characteristics of the northern part of the Site (as partially influenced by the Proposal), it is now appropriate to consider the influence of *the environment* in terms of those aspects that are not physically expressed in the current nature of the Site and its context.
- 9.30 Zoning patterns within the Site determine that the front part of the property can be developed for housing as a permitted activity under its GRZ status. That circumstance reduces the extent of the Site that can be considered to have the prospect of continuing rural character to being that portion to the north of the central stream valley which is defined as RPROZ.
- 9.31 If this southern area of GRZ was the full extent of provision for future housing in the immediate context of the Site, I would concur that a rural production character could prevail across the entirety of the northern part of the Site since it would be contiguous with similarly characterised land running off to the west.
- 9.32 As I have explained in my earlier Assessment report – particularly including **Attachment Three** – and earlier in this evidence, this contiguity does not exist. Ms McGrath provides a synopsis of the process that has led to the zoning of land neighbouring to the west as Rural (Urban Expansion) and Low Density Residential at paras 4.3 to 4.6 of her evidence. The fact that these zones were applied as a result of appeals rather than through the fuller analysis of the strategic development of the district plan is, I consider, influential.
- 9.33 In my experience in structure planning, small pockets of inconsistent zoning, such as the least elevated part of the RPROZ on the northern part of the Site, would receive particular scrutiny during any review of a district plan or a structure planning process. The fact that this has not occurred since the land to the west was zoned as it was does not imply that the RPROZ on the Site is necessarily justified, only that there have been no specific submissions or appeals on this particular Site to trigger a wider review of whether the RPROZ remained appropriate for this piece of land in the context of the surrounding change.
- 9.34 Notwithstanding whether the RPROZ zone continues to be appropriately applied to the Site or not, I entirely accept that it is the zone that is present and so the focus of my attention has been primarily upon effects. When considering the effects of a potential change, I believe that it is as critical to consider the future nature of a site and its context by way of what is provided for through zoning as it is to analyse the



characteristics of the site and context as these are currently expressed. This is, of course, the nature of the construct of “the environment”, and it is a perspective that is of particular relevance to the Site due to the frame of zoning that applies.

- 9.35 If one traverses 360°, the forces bearing upon the pocket of RPROZ on the Site are evident. The Oblique View – DP Change Appeals Version diagram in **Attachment Five** to my Assessment sets out to show this graphically, but I shall do so by description here.
- 9.36 The northern portion of the RPROZ pocket is occupied by the steep slope of Hurupaki, where the most desirable and sustainable future scenario is to restore it to native forest cover. Alternatively, it could be maintained as impoverished pasture or suffer the same fate as some of the other faces of Hurupaki under a pine plantation. Either would be provided for under the RPROZ provisions as long as a plantation occurred outside the defined ONL.
- 9.37 To the west, the combination of Low Density Residential and Rural (Urban Expansion) Zone zoned land is likely to see a future where houses and allied buildings associate with that boundary, filtering a residential character upon that part of the Site. **Attachment Five** to this evidence gives some sense of this outcome.
- 9.38 Southwards, the GRZ of the front part of the Site results in the continuation of a conventional residential model established by The James to the east, albeit with a range of initiatives to optimise amenity and to integrate with the RPROZ portion. The vegetation associated with the Waitaua Stream central valley will serve to buffer the imposition of that zoned residential area but not entirely, particularly at the western end of the stream course through the property where there is no established vegetation (see the unaltered Panoramic Photograph 3 in **Attachment Four** to this statement).
- 9.39 Turning to the east, the continuing steep face of Hurupaki runs right down to the stream. This steep part of the neighbouring land has a topography almost identical to the cone flank on the Site. It currently has a cover native forest on its upper slopes, a block of pine plantation on the mid slope and a matrix of grassland and scattered totara on the lower portion of the flank. The same rationale that I outlined earlier in relation to the flank of the Site, i.e. in terms of the logic of restorative planting, applies equally here. If this were to occur, a consistent, forested character would unify the steep slopes of both properties.

- 9.40 What is left from the preceding description is the gently sloping portion of RPROZ proposed to receive Lots 55-73. This is physically contained by the vegetation (existing and potential) and topography related to the cone accounting for a little over 180° to the northern sector and influenced by likely nearby built development across almost all of the southerly balance of a 360° arc. In my opinion, this combination of influences considerably shapes and diminishes the level of rural character and identity that remains in this low portion of the RPROZ within the Site.
- 9.41 I note that Mr Kensington makes passing mention of the adjoining zonings in his paras 8 and 9. However, he does not appear to have then explored how those likely existing and future uses impose upon the remaining character and values of the isolated RPROZ part of the Site, nor how that context reinforces the greater value of accentuating the landform, vegetation and watercourse elements of the Site, rather relying on a pastoral land use to maintain and enhance rural character and amenity. It has occurred to me that this may be part of the reason that he and I have formed such different opinions upon that part of the Site.
- 9.42 Overall, it is this combination of forces that has informed my conclusion that the lower part of the Site has suppressed rural character and amenity values when seen in the context of a “reasonably foreseeable environment” (once again emphasising that I am not suggesting a permitted baseline situation). It has also led me to apply the description of this RPROZ land being an “island” in relation to surrounding terrain, land cover and zoning, in that it is effectively isolated.

*Potential adverse effects*

- 9.43 The preceding discussion outlines many of the underlying matters that have shaped my assessment of the potential adverse effects of the RPROZ zoned part of the Proposal. It has led me to conclude that the rural character and qualities of that pocket of land will be considerably muted by all that is likely to occur around it. This circumstance then bears upon the magnitude of potential effects. The sensitivity and vulnerability of a place with suppressed values is typically deflated and the relative impact of changes is correspondingly suppressed in comparison with a situation where those same changes occur in a place with heightened rural qualities and sensitivity. This principle has informed my assessment of effects, as it effectively “calibrates” the basis for those effects (in other words, not all rural areas are created equal or have consistent sensitivity).

- 9.44 In addition to what is likely to develop *around* the Site, I have also considered what could happen *within* the property as a permitted activity, as I outlined earlier in my paras 7.10 and 7.11, As I noted, a compliant set of buildings within the RPROZ could be (and would arguably be likely to be) set up the toe of the cone in order to benefit from east and south east views that this added elevation offers.
- 9.45 If sold as a single title, the convenient location and scale of this land-holding would probably attract a large building/s, as seen elsewhere around the periphery of Hurupaki and west in the area associated with Amalin Drive and Karanui. Such buildings could be to a height of 10m as a permitted activity within the RPROZ and without control over materials and finish. Water tanks could be placed at will. Fences – including post and rail – could be constructed as desired, regardless of their impact upon the natural contour of the landscape. And the flank could continue to be grazed or, if outside of the ONL, established in a monocultural plantation or vineyard.
- 9.46 It is my opinion that a singular residential development of this nature could generate external landscape and visual effects that match or exceed those created by the collective elements found in this RPROZ portion of the Proposal. I consider that three images subtitled “Visual Simulation Alternative Rural Production Zone Development” that are found through **Attachment Four** to my evidence support that finding.
- 9.47 A further consideration when contemplating the potential level of adverse effects is how those effects may be expressed or experienced. The containing role of the cone flank, the likely encapsulation of much of the perimeter of both the Site and neighbouring title by future development, and the division brought by the substantial vegetation that is associated with the central stream gully all serve to limit the exposure of that part of the Proposal that lies within the RPROZ portion of the Site. The visual simulations of **Attachment Four** and model views provided in **Attachment Five** to this evidence assist to appreciate that level of containment which is already noteworthy and will become more absolute following future development nearby.
- 9.48 In concluding this portion of discussion, I consider that it is useful to acknowledge that the vegetated stream corridor and Hurupaki flank are both very robust landscape elements or features within the RPROZ part of the Site and beyond. The intention to restore both will progressively add still more strength to the presence and resilience of each. In my opinion, these features carry sensitivity and vulnerability to inappropriate activities within them, but they have the scale and robustness to ensure

that the enclave of housing proposed for the RPROZ part of the Site that lies in the low terrain between them is substantially subservient. It is my view that the attachments to my evidence clearly demonstrate that relationship.

*Environmental benefit*

- 9.49 Ms McGrath provides a comprehensive overview of the Environmental Benefits provisions of the PDP in section 8 of her evidence. I concur with her commentary and conclusion. Having worked very closely with Ms Vilde on the nature and configuration of the proposed restoration for the Hurupaki cone flank and Waitaua Stream corridor, I strongly endorse her analysis and conclusions.
- 9.50 In making these references to the findings of others, I emphasise that the integrative approach brought to the planning and design of the Proposal has spanned across both the spatial configuration of the Site and the inputs of expertise from various disciplines. In my opinion, this leads to the initiatives that can be defined as “benefits” being multifaceted, with ecological restoration measures also fostering landscape values, heightening rural amenity, adding social amenity, and leading to enhanced stormwater management.
- 9.51 In landscape terms (noting that a distinction between landscape and ecology is often a rather artificial one), my analysis is that the undertaking to restore the flank of Hurupaki would bring a substantial benefit that goes well beyond any formulaic measure of this planting representing “x ha” of habitat that then justifies “x number of additional lots”.
- 9.52 Reference to the simulations of my **Attachment Four** illustrates the substantial positive impact of reinstating a forest cover to the overall integrity and identity of Hurupaki. The photographs for these simulation images have been deliberately captured from relatively close to the Site for their primary purpose. The benefit derived from this restorative gesture expands far wider however, since Hurupaki stands as a landmark and feature within a system of cones from across an expansive area of the District. As such it is one of many ONLs that recognise the volcanic heritage of Whangārei. The cone planting would enable the cone to stand in a more cohesive and “assertive” manner as part of that system within those views from the south and east.

- 9.53 The current alignment of the ONL boundary applying to Hurupaki is self-evidently determined by a combination of the landform and an associated indigenous vegetation pattern. I oversaw the mapping of ONLs for the Whangārei section of the Regional Policy Statement for Northland, which was then almost entirely adopted by Whangārei District Council as the basis for the PDP landscape provisions. As a result of that oversight, I am aware that the adverse impact of the grazed and production forested faces of the cone was deemed to limit the values of those parts of the landform so that they did not qualify for outstanding status. Restoration of the flank vegetation within the Site (and, desirably, adjoining titles) would justify an extension of the extent of the ONL to the toe of the cone face in a future review of the District's outstanding landscapes. In my opinion, this situation highlights the magnitude of the landscape benefit, and related contribution to rural character and amenity, that the flank planting would bring.
- 9.54 Restoration of the Waitaua Stream corridor also brings landscape benefits in addition to its positive ecological outcomes. The stream, whilst currently rather anonymous in its upper reaches, is an expression of the broader landscape setting as a catchment, since it drains the elevated volcanic plateau to the west of the Site, gathers water from Hurupaki and adjacent cones and then creates a meandering corridor through towards urban Kamo.
- 9.55 The intention to restore that portion of the stream setting that passes through the Site would serve to strengthen the signature of the watercourse for that part of its route and, like the Hurupaki flank initiative, serve as an example that could be adopted and extended elsewhere within its corridor.
- 9.56 The Proposal to prepare Landscape Integration and Ecological Management Guidelines is intended to offer a strong framework for creating the various enhancements within the open space system of the Proposal, and to provide a clear direction for their future management. In my view, the Guidelines would form a perfect alignment with the "*ongoing management*" dimension of the Environmental Benefit provisions.
- 9.57 I remain of the opinion that the benefits associated with the restorative dimensions of the application readily outweigh the potential adverse effects that would be generated by the Proposal to create an enclave of housing within the RPROZ. My position clearly contrasts with that of Mr Kensington, when he states at his para 24 that "... it

is my opinion that the benefits will not be greater than the adverse effects that will arise...”.

9.58 I respectfully suggest that the reason for the difference between our perspectives in this regard may be threefold:

- (a) Firstly, that Mr Kensington has over-estimated the rural character and amenity values associated with the lower part of the RPROZ sector of the Site, as a result of not adequately acknowledging the influence of the fuller “environment” that the Site exists within.
- (b) In combination with this, I believe that he has inflated the visual impact that the proposed development would have upon rural character values, and I refer again to my **Attachments 4** and **5** in this regard.
- (c) Thirdly, I gain the impression that he under-estimates the benefits associated with the flank and stream corridor restoration proposals, giving them some credit in his commentary, but perhaps not recognising the fuller contribution to the identity of the cone and watercourse as broader, structural elements of a far wider hinterland (and the justification for an expanded ONL area). He may also not acknowledge the restored stream corridor and cone flank as being a perpetuation – and strengthening – of rural character and amenity over the large part of the RPROZ sector that they occupy.

9.59 Collectively, the balances emerging from these assessments influence the establishment or otherwise of a “net environmental benefit”. If the character and amenity of a site are attributed an inflated value and combined with a consequently heightened assessment of the effects of an activity upon that environment, then the level of benefit required to counterbalance that level of effect is comparably heightened. If the assessment of the potential benefit is then not adequately acknowledged, the equation for a net benefit is not deemed to be achieved.

9.60 In comparison to Mr Kensington, I consider that the existing rural character and amenity of the RPROZ portion of the Site (excluding the flank and stream corridor, albeit in their degraded state) is heavily suppressed when examined through the lens of the “environment” that exists. In my reading of the zone provisions, it would appear that the remaining balance of land that sits amidst the areas of proposed restoration would struggle to satisfy the criteria of what is essentially “rural”. It is my opinion that

the effects of the development proposed within that zone are very contained and comparable to, if not less than, the potential effects of a permitted activity rural lifestyle development of that part of the Site when considered from a broader perspective of the wider rural landscape resource. I have assessed the benefit of restoring the cone flank and stream to landscape values and rural amenity values to be significant and thereby outweighing the adverse effects generated by part of the Proposal which would be contained within the RPROZ.

*Other benefits*

- 9.61 As I have outlined previously, the Proposal is founded upon a very deliberate, integrative approach that draws the entire Site into a “landscape system” that then provides cues to feed out into the wider context of the Site.
- 9.62 The relatively narrow spectrum of the aspects that fall into the definition of an “environmental benefit” have been discussed above, but these are just components of a greater whole.
- 9.63 Initiatives like the positioning and configuring of the stormwater ponds so that they offer visual interest and amenity, ecological habitat and contribute to the intended walking corridors is just one example.
- 9.64 The walkway system that not only provides localised circuits and links (such as that through The James to Hurupaki School) but predicts how the Site could fit into, and encourage, a much more far-reaching network, is another.
- 9.65 Incorporating a central, axial reserve through the midst of the GRZ part of the Site has required developable land to be “sacrificed”, but leaves a lasting viewshaft to Hurupaki and a valuable pocket of open space for the southern part of the Proposal to benefit from can be recognised as having considerable benefit.
- 9.66 These spatial corridors and the predominantly indigenous planting that is envisaged within them create habitat in their own right and provide linkages back to the greater mass of the central stream corridor and Hurupaki. They are not accounted for in terms of “environmental benefit” but they create an expanded system that brings considerable benefit regardless.
- 9.67 Incorporating a playground that would serve those inhabiting the application site, The James, the student body of Hurupaki School and others within the immediate urban

catchment brings self-evident benefits. Like the café part of the Proposal, the playground, walkways and open space areas are all part of a community-building energy, where facilities that draw people out of their private spaces encourage social interaction and a sense of neighbourhood is the fullest meaning of that word.

9.68 Collectively, these measures represent a significant departure from what might be considered a bare-minimum compliance with the GRZ rules, WDC Environmental Engineering Standards, and other provisions that bear upon residential subdivision development. As the Neighbourhood Masterplan illustrates, they are applied across the entirety of the Site in a unifying way, rather than just being concentrated in the GRZ-zoned part, emphasising the importance of treating the Proposal and its myriad benefits as an integrated whole.

9.69 Mr Kensington makes passing reference to some of these proposed elements when describing my Assessment as part of the Application in his para 18, but does not provide any further comment. In my view, the concerted effort to step well beyond the norm to provide an optimised residential neighbourhood brings numerous benefits that warrant recognition. It is my opinion that they positively “colour” the Application as a whole.

*Precedent*

9.70 The preceding commentary is addressed to the matters raised by Mr Kensington through his memorandum of 14 April which then largely shapes related reporting and findings in Mr Hartstone’s s42A Report. As such, I anticipate that my commentary in this section 9 of my evidence addresses the s42A Report equally. A discrete aspect of the s42A Report that warrants my further comment lies at its para 115, where Mr Hartstone raises his opinion that the RPOROZ portion of the Proposal *would set an unacceptable precedent that could actively undermine the District Plan provisions where future proposals adopted a similar approach.*

9.71 Ordinarily I would leave discussion about the topic of precedent to those with resource management and legal expertise. In this case, however, I believe that it is warranted for me to observe that the combination of very specific landscape, geophysical and established zoning patterns that influence the northern part of the Site are almost certainly unique within the District through my eyes as a local landscape architect who has gained an intimate knowledge of the District’s landscape and land use characteristics through decades of broadscale assessment (as referenced in



**Attachment 1** to this statement) and general knowledge of the land-use and zoning arrangements through an involvement in a multitude of applications and peer reviews.

9.72 From that basis of my area of expertise, I suggest that Mr Hartstone's concern about a potential precedent being set is allayed by the exceptionally unusual circumstances applying in this case.

## 10. CONDITIONS OF CONSENT

10.1 A suite of volunteered consent conditions has been provided by Ms McGrath and are referred to more fully in her statement of evidence. They are also referred to earlier in this evidence at para 3.7. I contributed to the scope and wording of those conditions in order to ensure that the design parameters, spatial planning and management outcomes implied by the documentation that we have prepared is satisfied in the event that the Proposal is granted consent. I consider that the conditions set out in Attachment 3 to Ms McGrath's evidence suitably address the matters necessary from my area of expertise.

10.2 Mr Kensington provides some suggestions to the draft proposed conditions of consent in Attachment C to his memorandum to Mr Hartstone of 14 April 2022. I have scrutinised his comments and noted that most are related to the mechanics of implementation, to which I do not object. I understand these have been incorporated in the Applicant's proposed conditions of consent attached to Ms McGrath's evidence.

10.3 There are two insertions that he proposes which I consider to be superfluous, but to which I otherwise take no issue:

- (a) The first is a clarification that "natural ground" level is informed by **(prior to earthworks being undertaken)**. In my experience, natural ground is deemed to be terrain that is unmodified.
- (b) The other is to condition reference to "materials" with **external** (which I can see as adding useful clarity) and to add in **(including roofing)**. In terms of this later suggestion, I observe that roofing is inherently an "external material" and so further definition in this way isn't necessary.

## 11. CONCLUSIONS

- 11.1 The application is a reflection of an intensive spatial design process that has been informed by analysis of both the biophysical characteristics of the land and existing and future settlement patterns that inform the wider context of the Site.
- 11.2 An integrative approach has been applied to developing the Proposal, both in terms of drawing together the various elements into a whole, but also in considering the traffic/roading, stormwater management, civil design, ecological, archaeological, landscape and amenity dimensions in a cohesive way to shape the function and character of the resulting neighbourhood. As a result, I consider that the Proposal represents a close alignment with the Urban Design Protocol's "Seven C's" and with Whangārei District Council's Urban Design Guidelines.
- 11.3 When approaching the northern, RPROZ portion of the Site, the Proposal has identified the Hurupaki cone flank (partially within an ONL and ONF) and nearby Waitaua Stream corridor as being important and expressive landscape elements, each prominent components of rural character / amenity that have framed the configuration of the Application. As such they are destined for concerted restoration and enduring management and protection within the Proposal.
- 11.4 Within the physical context of these noteworthy landscape elements and the "context" created by adjacent zoning patterns, the small residue of low-lying land beyond the toe of Hurupaki that lies largely in the northern lee of the central valley's established indigenous cover is assessed as having substantially deflated rural character and amenity values. It is also considered to have a low level of landscape sensitivity as a result of this physical containment and the likely imposition of future neighbouring land use.
- 11.5 In my assessment, the net environmental benefit arising from restoring and protecting the imposing key landscape elements within the RPROZ area demonstrably outweighs the adverse effects related to providing for houses to be placed within the area of very limited landscape and visual amenity sensitivity within that part of the Site. To that end, I disagree with the position of Mr Kensington and the s42A Report when it is claimed that the adverse landscape effects of the RPROZ portion of the Proposal would be high and that a net environmental benefit is not achieved by the Proposal.

11.6 In summary, and having carefully considered Mr Kensington's review and reconsidered my own earlier findings and rationale in light of that scrutiny, I have satisfied myself that my overall conclusion that the landscape, rural character and visual amenity effects of the Proposal range from very low adverse effects to moderate positive effects. As such, I assess the effects of the Application to be no more than minor.

Michael Farrow

Date: 27 April 2022

## **ANNEXURE ONE – QUALIFICATIONS AND EXPERIENCE**

Mike Farrow holds the qualifications of Diploma of Horticulture, Diploma of Landscape Technology, Bachelor of Science (primarily earth sciences) and a postgraduate Diploma of Landscape Architecture. He is an Associate and Registered Member of the New Zealand Institute of Landscape Architects, and is a former executive committee member of that body.

During more than three decades of experience as a landscape architect he has been engaged by local authorities, central government departments and private clients in New Zealand and offshore. He has coordinated the landscape components of a wide a range of urban expansion, subdivision, quarrying, landfill, roading, rail, telecommunication and coastal management or development projects.

Structure planning and resolving the configuration of urban development has been a common theme amongst Mike's work. This has included structure-planning and master-planning engagements related to Orewa West, Silverdale South, Kerikeri, northern Warkworth and parts of Whangārei District. He is frequently engaged as a peer reviewer and is currently filling that role for the Marsden Point port expansion.

At a higher, strategic, level, he led the region-wide landscape assessment for the operative Regional Policy Statement for Northland. This Statement is now serving as the foundation for the outstanding natural landscape (ONL) mapping being brought into the three composite District Councils, including the operative landscape provisions of the WPDP. Mike also prepared a guideline document that informs those landscape-related provisions. He is currently engaged by Northland Regional Council to assess and map outstanding natural landscapes in the CMA as part of its Regional Plan process.

This more recent work follows an earlier focus during the 1990's when he prepared a number of district and regional-scale landscape assessments for the first generation of plans under the RMA. These included landscape assessments of the urban Auckland and south east Manukau City coastlines, along with the coasts of Waiheke and Great Barrier/Aotea for the Auckland Regional Authority, and for the first RMA District Plans for Far North and Whangārei Districts, whilst employed by LA4 Landscape Architects. He also led an assessment of Hawkes Bay region during this period and subsequently completed a landscape assessment for the entirety of Kaipara District

# ATTACHMENTS TO EVIDENCE OF M I FARROW

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HURUPAKI | THREE MILE BUSH ROAD

# ATTACHMENT ONE

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Initial draft scheme plan March 2021

# 'CC DEVELOPMENTS' STAGES 1 & 2

- STAGE 1  
57 RESIDENTIAL LOTS
- STAGE 2  
20 RESIDENTIAL LOTS

## SCHEDULE OF EXISTING EASEMENTS

PURPOSE	BURDENED LAND	SHOWN	CREATED BY
RIGHT TO CONVEY WATER	LOT 2 DP 99045	A	EC. B199435.4
	LOT 3 DP 99045	B	

## MEMORANDUM OF EASEMENTS

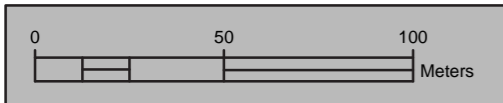
PURPOSE	BURDENED LAND	SHOWN	BENEFITTED LAND
RIGHT OF WAY	LOT 200 HEREON	C	LOT 13 HEREON
RIGHT TO CONVEY ELECTRICITY, TELECOMMUNICATIONS & WATER	LOT 102 HEREON	D	LOTS 29 - 31 HEREON
RIGHT TO DRAIN STORMWATER & SEWAGE	LOT 300 HEREON	E	LOTS 66 - 67 HEREON
	LOT 103 HEREON	F	LOTS 69 - 75 HEREON

## SCHEDULE OF PROPOSED EASEMENTS IN GROSS

PURPOSE	BURDENED LAND	SHOWN	GRANTEE
RIGHT TO CONVEY ELECTRICITY & TELECOMMUNICATIONS	LOT 200 HEREON	C	NORTHPOWER LTD. & NORTHPOWER FIBRE LTD.
	LOT 102 HEREON	D	
	LOT 300 HEREON	E	
	LOT 103 HEREON	F	

## MEMORANDUM OF EASEMENTS IN GROSS

PURPOSE	BURDENED LAND	SHOWN	GRANTEE
RIGHT TO DRAIN STORMWATER & SEWAGE	LOT 200 HEREON	C	WHANGAREI DISTRICT COUNCIL
	LOT 102 HEREON	D	
	LOT 300 HEREON	E	
	LOT 103 HEREON	F	

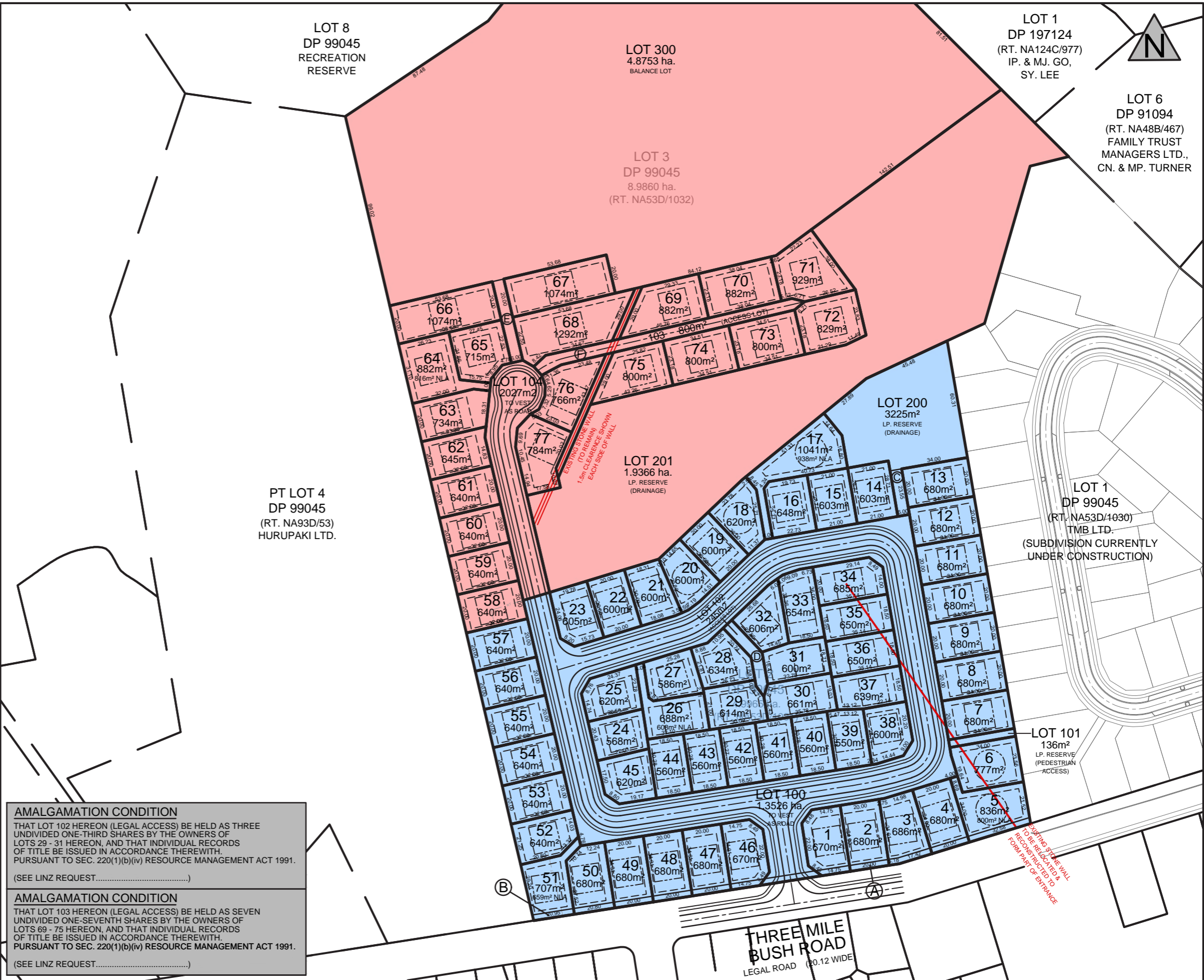


**NOTE:**

- ALL AREAS AND DIMENSIONS SUBJECT TO FINAL SURVEY AND APPROVAL FROM THE WHANGAREI DISTRICT COUNCIL
- LEGAL DESCRIPTION: LOT 2 DP 99045 AREA: 4.9965 ha. (RT. NA53D/1031)      LOT 3 DP 99045 AREA: 8.9860 ha. (RT. NA53D/1032)
- TOTAL AREA: 13.9825 ha.
- ZONE: LIVING 1 (LOT 2), RURAL (LOT 3)
- AERIAL PHOTO SUBJECT TO DISTORTION
- ALL LEVELS ARE IN TERMS OF ONE TREE POINT

**AMALGAMATION CONDITION**  
THAT LOT 102 HEREON (LEGAL ACCESS) BE HELD AS THREE UNDIVIDED ONE-THIRD SHARES BY THE OWNERS OF LOTS 29 - 31 HEREON, AND THAT INDIVIDUAL RECORDS OF TITLE BE ISSUED IN ACCORDANCE THEREWITH, PURSUANT TO SEC. 220(1)(b)(iv) RESOURCE MANAGEMENT ACT 1991.  
(SEE LINZ REQUEST.....)

**AMALGAMATION CONDITION**  
THAT LOT 103 HEREON (LEGAL ACCESS) BE HELD AS SEVEN UNDIVIDED ONE-SEVENTH SHARES BY THE OWNERS OF LOTS 69 - 75 HEREON, AND THAT INDIVIDUAL RECORDS OF TITLE BE ISSUED IN ACCORDANCE THEREWITH, PURSUANT TO SEC. 220(1)(b)(iv) RESOURCE MANAGEMENT ACT 1991.  
(SEE LINZ REQUEST.....)



No.	Amendment	Init.	Date	Designed	CN/MW	01/21
1	DRAFT - For Discussion	WAB	01/03/21	Drawn	WAB	11/03/21
2	DRAFT STAGING PLAN - For Discussion	WAB	11/03/21	Checked		
3				Approved		

**PROPOSED OVERALL SCHEME PLAN**  
**LOTS 2 & 3 DP 99045**  
 151 THREE MILE BUSH ROAD, KAMO - WHANGAREI  
 Prepared for: CC DEVELOPMENTS

**Blue Wallace Surveyors Ltd.**  
 25 Harwood Street, P O Box 38,  
 Hamilton Central, HAMILTON.  
 Phone (07) 839 7799, Fax (07) 839 4455

Datum: Circuit: Mt Eden 2000	
Height: One Tree Point Datum 1964	
Resource Consent Number: .....	
BW Ref.	Stg. Purp. Dwg. # Revision:
20183-01-PL-101	#C

S:\2020\201831 - PLANNING\1 - SCHEME PLANS\20-183-PL-001 #C01-03-21.DWG

# ATTACHMENT TWO

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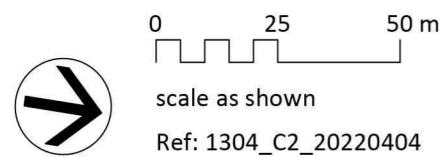
Revised Neighbourhood Masterplan



Note:  
Indicative house footprints



LEGEND		
<b>A</b> Existing stone walls	<b>F</b> Wetland margin to pond	<b>K</b> Bridge
<b>B</b> New stone wall	<b>G</b> Walking track	<b>L</b> Amenity planting low
<b>C</b> Existing stone wall to be reconstructed elsewhere	<b>H</b> Service access track	<b>M</b> Indigenous broadleaf forest restoration
<b>D</b> Paved thresholds	<b>I</b> Potential future walking connection	<b>N</b> Controlled height indigenous planting
<b>E</b> Timber viewing deck	<b>J</b> Neighbourhood cafe	<b>O</b> Hurupaki traverse track







**LEGEND**

- (A)** Existing stone walls
- (B)** New stone wall
- (C)** Existing stone wall to be reconstructed elsewhere
- (D)** Paved thresholds
- (E)** Timber viewing deck
- (F)** Wetland margin to pond
- (G)** Walking track
- (H)** Service access track
- (I)** Potential future walking connection
- (J)** Neighbourhood cafe
- (K)** Bridge
- (L)** Amenity planting low
- (M)** Indigenous broadleaf forest restoration
- (N)** Controlled height indigenous planting
- (O)** Hurupaki traverse track

Note:  
Indicative house footprints

0 25 50 m

scale 1 : 750 @ A3

Ref: 1304\_C2\_20220404





**LEGEND**

- A** Existing stone walls
- B** New stone wall
- C** Existing stone wall to be reconstructed elsewhere
- D** Paved thresholds
- E** Timber viewing deck
- F** Wetland margin to pond
- G** Walking track
- H** Service access track
- I** Potential future walking connection
- J** Neighbourhood cafe
- K** Bridge
- L** Amenity planting low
- M** Indigenous broadleaf forest restoration
- N** Controlled height indigenous planting
- O** Hurupaki traverse track

Note:  
Indicative house footprints



0 25 50 m

scale 1 : 750 @ A3

Ref: 1304\_C2\_20220404



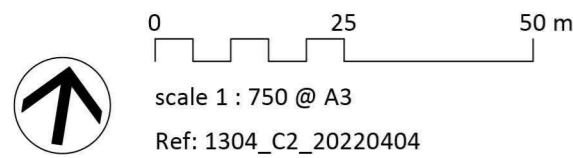




**LEGEND**

- (A)** Existing stone walls
- (B)** New stone wall
- (C)** Existing stone wall to be reconstructed elsewhere
- (D)** Paved thresholds
- (E)** Timber viewing deck
- (F)** Wetland margin to pond
- (G)** Walking track
- (H)** Service access track
- (I)** Potential future walking connection
- (J)** Neighbourhood cafe
- (K)** Bridge
- (L)** Amenity planting low
- (M)** Indigenous broadleaf forest restoration
- (N)** Controlled height indigenous planting
- (O)** Hurupaki traverse track

Note:  
Indicative house footprints



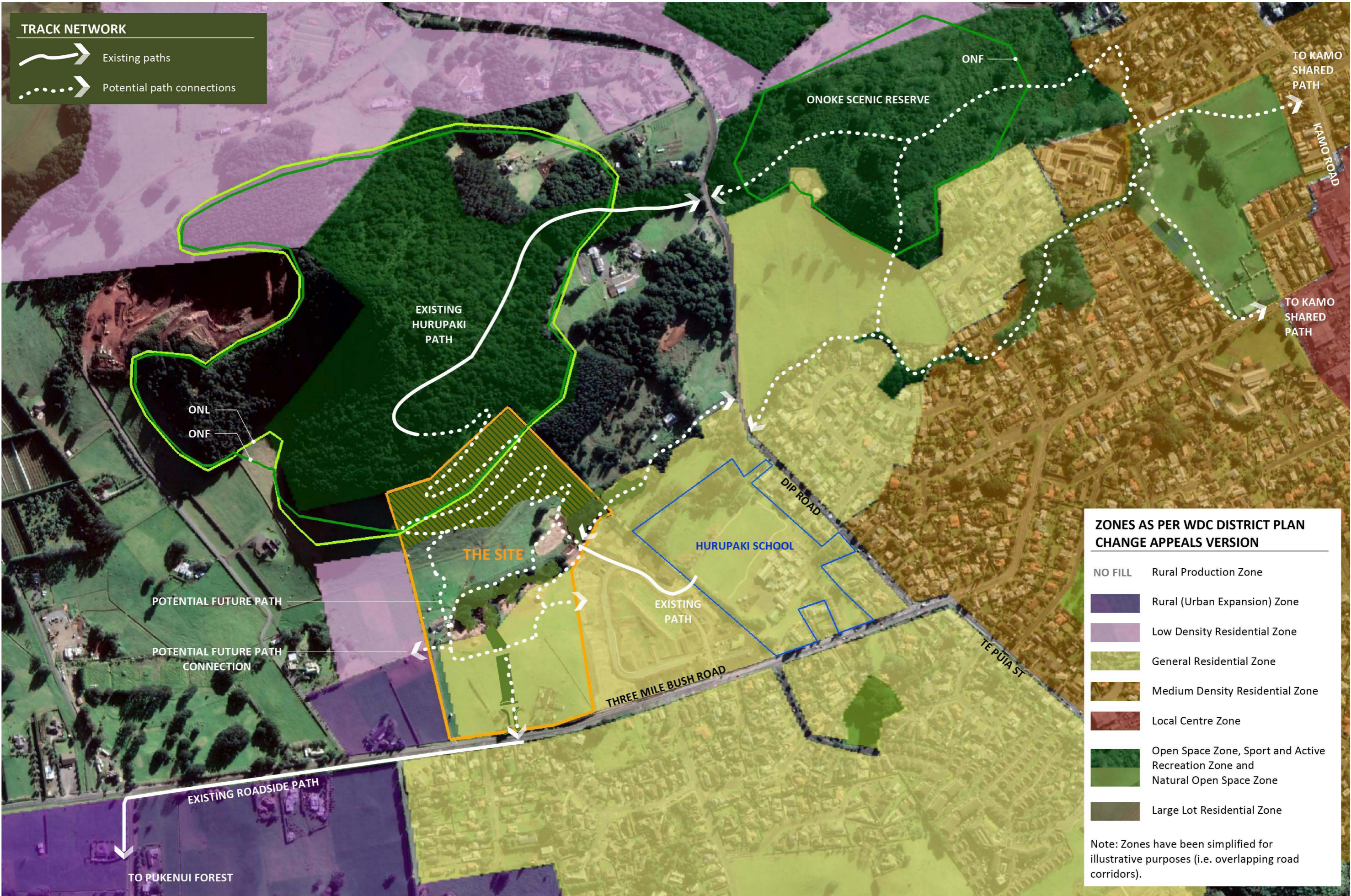


# ATTACHMENT THREE

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Potential walking track network





**TRACK NETWORK**

- Existing paths
- Potential path connections

**ZONES AS PER WDC DISTRICT PLAN CHANGE APPEALS VERSION**

- NO FILL Rural Production Zone
- Rural (Urban Expansion) Zone
- Low Density Residential Zone
- General Residential Zone
- Medium Density Residential Zone
- Local Centre Zone
- Open Space Zone, Sport and Active Recreation Zone and Natural Open Space Zone
- Large Lot Residential Zone

Note: Zones have been simplified for illustrative purposes (i.e. overlapping road corridors).

0 50 100 150 200 m  
 scale as shown  
 Ref: 1304\_Tracks\_20210812



**POTENTIAL WALKING TRACK NETWORK  
 THREE MILE BUSH RD/DIP RD AREA**



# ATTACHMENT FOUR

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Visual simulations





THE SITE

HURUPAKI SCHOOL

THE JAMES SUBDIVISION

THREE MILE BUSH ROAD

VP4

VP3

VP2

VP1

0 50 100 150 200 m

scale as shown

Ref: 1304\_VPsVisSim\_20220422



**VIEW POINT LOCATIONS VISUAL SIMULATIONS  
HURUPAKI HEIGHTS**





Elevation / Eye height: 168.2m / 170.0m  
Date of photography: 2022-03-15 1:57pm  
Horizontal field of view: 40°  
Optimum viewing distance when printed on A3 (landscape): 550mm

Existing view from Hurupaki School access





Enlargement of proposal within Rural Production Zone

Elevation / Eye height: 168.2m / 170.0m  
Date of photography: 2022-03-15 1:57pm  
Horizontal field of view: 40°  
Optimum viewing distance when printed on A3 (landscape): 550mm

View from Hurupaki School access with model of proposal, including buildings, street planting and restorative planting on Hurupaki slope digitally inserted





Elevation / Eye height: 168.2m / 170.0m  
Date of photography: 2022-03-15 1:57pm  
Horizontal field of view: 40°  
Optimum viewing distance when printed on A3 (landscape): 550mm

View from Hurupaki School access with model of proposal within General Residential Zone and alternative development within Rural Production Zone digitally inserted





Elevation / Eye height: 168.2m / 170.0m  
Date of photography: 2022-03-15 1:57pm  
Horizontal field of view: 40°  
Optimum viewing distance when printed on A3 (landscape): 550mm

View from Hurupaki School access with model of proposal within General Residential Zone and alternative development within Rural Production Zone digitally inserted





Elevation / Eye height: 177.0m / 178.8m  
Date of photography: 2022-03-15 2:02pm  
Horizontal field of view: 75°  
Optimum viewing distance when printed on 2 x A3 (landscape): 550mm

Existing view from Three Mile Bush Road looking across The James subdivision



VISUAL SIMULATION PROPOSED DEVELOPMENT WITHOUT INTERVENING FUTURE BUILDINGS ON THE JAMES SUBDIVISION



Elevation / Eye height: 177.0m / 178.8m  
Date of photography: 2022-03-15 2:02pm  
Horizontal field of view: 75°  
Optimum viewing distance when printed on 2 x A3 (landscape): 550mm

View from Three Mile Bush Road showing proposed development without intervening future buildings on The James subdivision.





Elevation / Eye height: 177.0m / 178.8m  
Date of photography: 2022-03-15 2:02pm  
Horizontal field of view: 75°  
Optimum viewing distance when printed on 2 x A3 (landscape): 550mm

View from Three Mile Bush Road following the construction of houses within The James subdivision.  
Application site almost entirely obscured by future buildings on The James.  
Building forms indicative only.



VISUAL SIMULATION ALTERNATIVE RURAL PRODUCTION ZONE DEVELOPMENT



Elevation / Eye height: 177.0m / 178.8m  
Date of photography: 2022-03-15 2:02pm  
Horizontal field of view: 75°  
Optimum viewing distance when printed on 2 x A3 (landscape): 550mm

View from Three Mile Bush Road showing alternative development and potential building to west without intervening future buildings on The James subdivision.





Elevation / Eye height: 177.0m / 178.8m  
Date of photography: 2022-03-15 2:06pm  
Horizontal field of view: 75°  
Optimum viewing distance when printed on 2 x A3 (landscape): 550mm

Existing view from across Three Mile Bush Road near south west corner of site





Elevation / Eye height: 177.0m / 178.8m  
Date of photography: 2022-03-15 2:06pm  
Horizontal field of view: 75°  
Optimum viewing distance when printed on 2 x A3 (landscape): 550mm

View from across Three Mile Bush Road near south west corner of Site with proposal and repair of road frontage stone wall digitally inserted. Building forms indicative only.





Elevation / Eye height: 177.0m / 178.8m  
 Date of photography: 2022-03-15 2:06pm  
 Horizontal field of view: 75°  
 Optimum viewing distance when printed on 2 x A3 (landscape): 550mm

View from across Three Mile Bush Road near south west corner of Site with proposal for General Residential portion of site and repair of road frontage stone wall digitally inserted. Building forms indicative only.





Elevation / Eye height: 108.2m / 210.0m  
Date of photography: 2022-03-15 2:13pm  
Horizontal field of view: 114°  
Optimum viewing distance when printed on 2 x A3 (landscape): 550mm

Existing view from private Cowshed Lane.





Elevation / Eye height: 108.2m / 210.0m  
Date of photography: 2022-03-15 2:13pm  
Horizontal field of view: 114°  
Optimum viewing distance when printed on 2 x A3 (landscape): 550mm

View from Cowshed Lane with proposal digitally inserted.  
Building forms indicative only.





Elevation / Eye height: 108.2m / 210.0m  
Date of photography: 2022-03-15 2:13pm  
Horizontal field of view: 114°  
Optimum viewing distance when printed on 2 x A3 (landscape): 550mm

View from Cowshed Lane with proposal for General Residential portion of site and alternative development within Rural Production Zone wall digitally inserted.  
Building forms indicative only.



VISUAL SIMULATION PROPOSED DEVELOPMENT WITH HYPOTHETICAL DEVELOPMENT TO WEST



Elevation / Eye height: 108.2m / 210.0m  
Date of photography: 2022-03-15 2:13pm  
Horizontal field of view: 114°  
Optimum viewing distance when printed on 2 x A3 (landscape): 550mm

View from Cowshed Lane with proposal and hypothetical development in foreground digitally inserted.  
Building forms indicative only.



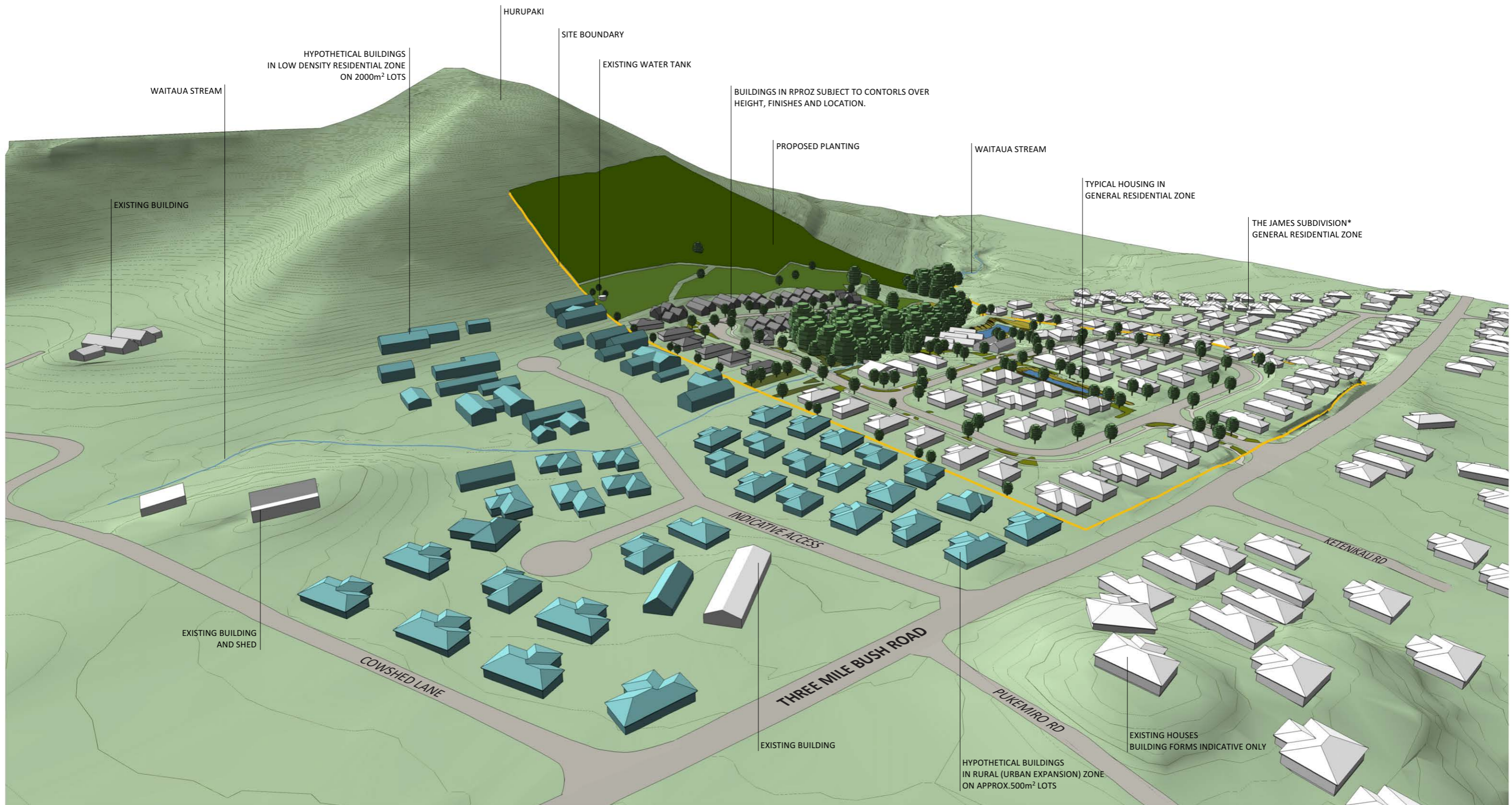
# ATTACHMENT FIVE

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Digital model shots to assist with overview of Site and surroundings



\*Majority of contour information in this area pre-dates  
The James subdivision, contour source LIDAR.



Indicative view from south west at approx. 140m elevation above GL.



\*Majority of contour information in this area pre-dates  
The James subdivision, contour source LIDAR.



Indicative view from south east at approx. 120m elevation above GL.