

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

**UNDER** of the Resource Management Act 1991

**AND**

**IN THE MATTER** of an application (SL2100046) by Hurupaki Holdings Limited for subdivision and land use resource consents to authorise: the creation of 73 residential allotments, drainage and recreational reserves to vest (with associated works, including servicing, roading and landscape and ecological rehabilitation and enhancement); and the establishment and operation of a food and beverage activity (café within proposed Lot 22), future building setback / coverage infringements and relocation of dry stone walls, at 131 and 189 Three Mile Bush Road, Kamo West

**SUPPLEMENTARY STATEMENT OF EVIDENCE OF PETER NOEL KENSINGTON**

(LANDSCAPE EFFECTS)

**1. INTRODUCTION**

- 1.1 My full name is Peter Noel Kensington. I prepared a specialist technical review memo<sup>1</sup> (**my Report**) dated 14 April 2022 for the Whangarei District Council (**Council**) as part of the regulatory task of reporting on the above application and to inform the Council's reporting planner's recommendation.
- 1.2 My evidence relates to an assessment of the landscape (and visual effects) of the **Proposal**<sup>2</sup> for which resource consents are being sought.

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<sup>1</sup> Refer Hearing Agenda Appendix 7

<sup>2</sup> As generally described in the intituling above

## 2. QUALIFICATIONS AND EXPERIENCE

2.1 My qualifications and relevant experience are set out in my Report<sup>3</sup>.

## 3. CODE OF CONDUCT

3.1 I have continued to comply with the Code of Conduct for Expert Witnesses outlined in the Environment Court's Consolidated Practice Note 2014.

## 4. RESPONSE TO EVIDENCE / SUBMISSIONS

4.1 I agree with many of the points made in Mr Farrow's evidence. I keep questioning my findings – on first impression the proposal appears appropriate; however, it is the planning context that brings my landscape assessment review into focus (appears straightforward; however, complexities / subtleties – rely on Mr Hartstone).

4.2 I also agree that the design of the proposal is well-considered and responds appropriately to the site's landscape opportunities and constraints. This includes the retirement of steep existing grazing land and the restoration of this land with revegetation; which, in particular, will result in significant landscape benefits (these areas must be maintained in perpetuity, in order to achieve the applicant's vision).

4.3 Additionally, the restoration of the Waitaua stream corridor, as an important landscape feature on the site, is a positive aspect of the proposal.

4.4 The vesting of these areas and other areas of open space on the site, with the provision of future public access through these spaces, is also a positive aspect of the proposal as a whole.

4.5 I acknowledge the '*masterplan approach*' to the site, with a lesser than possible density within the southern portion of the site and larger (relative to the southern portion) lots proposed within the northern portion of the site. Agree that it would be a missed opportunity to revert back to a '*standard*' residential subdivision without the proposed landscape benefits within this southern portion.

4.6 I also acknowledge that there are costs associated with the implementation of the landscape benefits that are proposed – with the development as a whole needing to be financially viable in order to achieve these positive outcomes.

4.7 I also acknowledge Mr Farrow's exploration of an alternative '*permitted baseline*' scenario, which I agree would not bring the positive landscape outcomes described

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<sup>3</sup> Within Attachment A

above and would, in my opinion, result in greater adverse landscape effects than that of the proposal.

- 4.8 While visibility plays a role in assessing landscape character (i.e. how the proposal will be perceived and experienced by people), just because the proposed development within the rear portion of the site (to the north of the stream) will not be prominent when viewed from existing publicly accessible locations, this should not heavily influence the findings of an overall assessment of landscape effects.
- 4.9 Should the proposal (as currently designed) be consented and constructed, there will be newly created publicly accessible locations within the site (for example, on footpaths / tracks and from within areas of open space) from where the rear portion of the site will be clearly visible from relatively close proximity. Similar opportunities will arise within the neighbouring land to the east (The James development) once construction is complete and public access is available into that land. I therefore caution placing too much weight on the visual simulations (as static images from fixed viewpoints) to draw strong conclusions on the proposal's landscape effects.
- 4.10 Having said this, I acknowledge that the visual simulations and all of the graphic material produced by Mr Farrow, are very useful in helping to understand the proposal and the likely landscape effects that will result – at the time of preparing my Report, I had only viewed early draft versions of some of these illustrations.
- 4.11 My assessment of landscape effects is undertaken within the context of the applicable statutory provisions. As I understand it, these provisions anticipate a continuation of rural character, with the avoidance of urban character, for the northern portion of the site. If my assessment was undertaken without consideration of these '*framing*' statutory provisions, or if they anticipated a different outcome, I would likely conclude that the proposal would represent an entirely appropriate landscape outcome, with associated positive effects (because it has been well considered / designed as I have recorded above). Alternatively, if the rural zoned portion of the development had more of a rural-residential character (as the plan anticipates might occur through use of the environmental benefit provisions) then that would also represent an appropriate landscape outcome, in my opinion.
- 4.12 The existing site has rural character. Clearly the proposal, as currently designed, will result in some areas of the rural zoned part of the site becoming urban in character. I acknowledge that other areas within this part of the site will have enhanced landscape character (while not being truly rural in character), through the proposed revegetation of the steeper slopes of Hurupaki, the enhancement of the Waitaua

stream corridor and the provision of areas of public open space (albeit containing a stormwater attenuation pond – which I acknowledge that Mr Farrow’s intention is to create these as amenity features).

- 4.13 Additionally, in order to achieve the proposed outcomes, a reasonably extensive degree of earthworks will be required within this northern portion of the site, which will modify the existing natural landform, in order to achieve the desired urban outcomes (i.e. to provide for vehicular access and to create the stormwater attenuation pond).
- 4.14 ONL/F extent – acknowledge as mapped and described by Mr Farrow. My Report (para 20) noted that the physical landform of Hurupaki extends to Waitaua stream corridor; however, I was not suggesting the ONL/F mapping extent was incorrect.
- 4.15 The *Low Density Residential* zoned land to the west of the northern portion of the site is ‘*muddying the waters*’ somewhat, as a zoning anomaly. The proposal will create somewhat of a ‘*hard edge*’ at this interface (not being consistent in character).
- 4.16 Highlight the ‘*avoid*’ part of the policies (my Report Attachment B). Is having a portion of the rural zoned land as urban an acceptable outcome, within this context?
- 4.17 The proposal, if consent were to be granted, will effectively rezone part of the northern portion of the site, through this application, from rural to urban.
- 4.18 I acknowledge Ms Henderson’s submission; which furthers my understanding of the site’s context within a wider Māori cultural landscape which has significance / value.
- 4.19 Within the above context, I stand by my conclusions that the adverse landscape effects will be high (based on the same scale of effects which has been utilised by Mr Farrow in his assessment).

**Peter Kensington**  
**12 May 2022**