

Before an Independent Hearings Panel of the Whangārei District Council

Under the Resource Management Act 1991 (**RMA**)

In the matter of an application by Ruakākā Developments Ltd for resource consent to develop a service centre on the sites located to the north-eastern corner of the junction of State Highway 1 and State Highway 15 (Port Marsden Highway)

**EVIDENCE OF BRIDGET MARY GILBERT ON BEHALF OF RUAKĀKĀ DEVELOPMENTS
LIMITED**

LANDSCAPE PEER REVIEW

28 May 2024

**SIMPSON
GRIERSON**

Bill Loutit / Rachel Abraham

T: +64 9 977 5092

bill.loutit@simpsongrierson.com

rachel.abraham@simpsongrierson.com

Private Bag 92518 Auckland

1. INTRODUCTION

- 1.1** My full name is Bridget Mary Gilbert. I have been engaged by Ruakaka Developments Limited (**RDL**) to peer review the landscape evidence prepared by Ms Julia Wick for a resource consent application to develop a service centre including refuelling, fast-food outlets and retail on the sites located to the north-eastern corner of the junction of State Highway 1 and State Highway 15 (the **Proposal** or **Application**).

Qualifications and Experience

- 1.2** I am a Landscape Architect and Director of Bridget Gilbert Landscape Architecture Ltd, Auckland. I hold a Bachelor of Horticulture from Massey University and a postgraduate Diploma in Landscape Architecture from Lincoln College. I am an associate of the Landscape Institute (UK) and a registered member of the New Zealand Institute of Landscape Architects.
- 1.3** I have practised as a Landscape Architect for almost 30 years in both New Zealand and England and I am currently an Independent Hearing Commissioner for Auckland Council.
- 1.4** During my career, I have been involved in a range of work in expert landscape evaluation, assessment and advice throughout New Zealand, including:
- (a) Landscape assessment in relation to Regional and District Plan policy;
 - (b) Conceptual design and landscape assessment of infrastructure, rural, and coastal developments; and
 - (c) Detailed design and implementation of infrastructure, rural, and coastal projects.
-

1.5 Of more specific relevance to the Proposal, I have assisted private landowners and Councils (in a peer review capacity) with resource consent applications for service centre type developments in a range of rural locations throughout Aotearoa New Zealand.

1.6 I have also assisted Whangārei District Council over the years with landscape advice in relation to District Plan policy for rural parts of the district and the peer review of resource consent applications in rural parts of the district. This has given me a reasonable understanding of the landscape related issues typically associated with development in rural Whangārei.

1.7 I am authorised by RDL to give this statement of evidence on its behalf.

2. CODE OF CONDUCT

2.1 I confirm that I have read the Code of Conduct for Expert Witnesses contained in the Environment Court Practice Note 2023 and have complied with it in preparing this evidence. I confirm that the issues addressed in this evidence are within my area of expertise and I have not omitted material facts known to me that might alter or detract from my evidence.

3. BACKGROUND AND SCOPE OF EVIDENCE

3.1 I was engaged by RDL in April 2024 to peer review the landscape evidence prepared by Ms Wick in support of the Application.

3.2 I visited the site and local area on 16 April 2024. I have not visited the rural living properties near the site. This includes the submitters' properties who have raised concern with respect to landscape related matters. For completeness, my evaluation of the landscape related effects of the application on private rural living properties is based on:

- (a) review of aerial photography;
- (b) field survey of the area from the local road network and the site itself, including reviewing the likely outlook to the site from rural living properties nearby; and
- (c) a review of Ms Wick's photographs and visual simulations.

3.3 In preparing my peer review evidence, I have read the following documents:

- (a) The Landscape and Visual Effects Assessment, Graphic Supplement and Landscape Plans, prepared by Boffa Miskell Limited, dated September 2020 (collectively referred to as the **Landscape Report**).
- (b) The Landscape s92 Response (including a graphic supplement), prepared by Boffa Miskell, dated February 2021.
- (c) The Architectural Plans (s92 Version), prepared by Buchan Group, dated June 2021.
- (d) The Assessment of Environmental Effects s92 Version (**AEE**) prepared by Tattico, dated June 2021.
- (e) The Council Landscape and Visual Assessment Peer Review comments, prepared by Evolve Planning and Landscape Architecture, dated 26 May 2021.
- (f) The Council Landscape and Visual Assessment Peer Review comments, prepared by Evolve Planning and Landscape Architecture, dated 10 May 2022.
- (g) The Cumulative Landscape Effects Assessment (including a graphic supplement), prepared by Boffa Miskell, dated April 2022.

- (h) The Wolfe 2008 Limited Development Layout Plans and Council Decision which relate to the consented Port Marsden Service Centre on the property immediately to the north of the site (i.e. 63 Port Marsden Highway). It is my understanding that the consented (but largely unbuilt) service centre development at 63 Port Marsden Highway anticipates extensive landscape planting that will anchor it into the setting.
- (i) The public submissions that express concern about landscape related matters.
- (j) The Council s42A Report, prepared by Mr Lex Wright, dated 21 May 2024 (and including the above-mentioned Council Peer Review reports, prepared by Evolve Planning and Landscape Architecture).
- (k) The landscape evidence of Ms Julia Wick dated 28 May 2024.

3.4 I understand that overall, the Proposal requires resource consent as it is a discretionary activity.

3.5 I confirm that my peer review methodology adopts the landscape assessment approach outlined in Te Tangi a te Manu (Aotearoa New Zealand Landscape Assessment Guidelines) (**TTatM**), including the seven-point effects rating scale reproduced below:

						SIGNIFICANT	
LESS THAN MINOR		MINOR		MORE THAN MINOR			
VERY LOW	LOW	LOW-MOD	MODERATE	MOD-HIGH	HIGH	VERY HIGH	

Figure 1: Effects rating scale. (Sourced from TTatM).

3.6 I have applied the thinking outlined in TTatM with respect to the scope and purpose of a peer review. Importantly, my peer review is not a parallel assessment, but rather focuses on whether the assessment by

Ms Wick is methodologically sound and her findings are credible and accurate.

4. PEER REVIEW COMMENTS

Landscape Assessment Methodology

- 4.1** In my opinion, the landscape assessment methodology applied by Ms Wick is consistent with landscape assessment best practice as guided by TTatM.

Description of the Proposal

- 4.2** I consider that Ms Wick's evidence provides an adequate description of the Proposal to inform an understanding of landscape related effects.

Description of the site and local area

- 4.3** I also consider that Ms Wick provides a clear and accurate description of the **landscape character of the site and local area** which is fundamental to a landscape effects assessment. In particular, I agree that the site and local area displays a 'modified' rural character in which the two state highways (i.e. State Highway 1 (**SH1**) and State Highway 15 (**SH15**)), a large traffic roundabout, associated lighting, signage and frequent traffic, along with the nearby existing and consented commercial development in the vicinity of the site, exert a significant landscape character shaping influence.
- 4.4** While pastoral rural land-uses and rural living land-uses are evident in the local area, these more 'urban' type features (i.e. the highways etc) form contrasting elements that ensure that the site and local area does not read as a distinctly 'working' or 'rural living' type rural landscape. In my opinion, the site and local area is better described as displaying a 'variable rural landscape' character. I discuss this in more detail shortly,

under my assessment of the proposal against the relevant statutory context.

Relevant Statutory Context

- 4.5** Referencing the Operative in Part District Plan Rural Production Zone provisions (**RPROZ**), I consider that the key objective of relevance to the consideration of the landscape effects of the Application focuses on the maintenance, and where appropriate, protection of, rural character and amenity (RPROZ-03).
- 4.6** Sitting underneath this objective are a series of policies that are of relevance to a landscape assessment of the proposal.
- 4.7** RPROZ-P1 seeks to protect the distinctive rural character and amenity of the zone and includes a list of 'characteristics' that typify rural character, including such matters as a predominantly working rural production environment, and a low intensity of development associated with domestic and rural building, a relatively open environment with a low density of development.
- 4.8** RPROZ-P2 outlines a number of characteristics of commercial land use activities that will protect rural character and amenity. Of relevance to a landscape assessment is the requirement to contain and manage adverse effects on-site.
- 4.9** RPROZ-P5 specifically addresses the maintenance of rural amenity and character, requiring new buildings and land uses to be of a scale and character appropriate to the RPROZ, buildings to be located to enable privacy, retention of openness and access to sunlight and avoid ribbon development.

Landscape Related Effects

Visual Effects

- 4.10** I consider that Ms Wick has correctly identified the viewing audiences that may be affected by the Application. I also concur with Ms Wick's evaluation of adverse visual amenity effects for each audience (including the effects of lighting).
- 4.11** In my opinion, the existing highway infrastructure (including traffic, signage and lighting), the existing G.A.S. Service Centre and consented service centre development at 63 Port Marsden Highway are important moderating factors in this regard.
- 4.12** I also consider that the careful landscape design of the Proposal contributes an important mitigating influence. In particular, the incorporation of:
- (a) generous landscape areas along the highway frontages with extensive and coordinated layout of specimen tree and shrub plantings;
 - (b) a planted bund along boundaries adjoining private dwellings on SH15; and
 - (c) a cohesive tree and shrub planting strategy around the northwestern and northeastern edges of the Proposal (including the stormwater treatment pond plantings)
- 4.13** This will serve to filter, screen and/or backdrop views of the Proposal from low lying vantage points in the medium term once the plantings have established (approximately 5 years).

4.14 For more elevated viewing audiences (including the rural living properties to the south of the site in the vicinity of Heatherlea Drive), while the screening influence of these plantings will be reduced to more of a grounding and filtering impact, I note that the Proposal will form part of a much larger panorama in which the visual ‘clutter’ and patterning of the existing highway infrastructure and service centre is an established and clearly legible component of the outlook. While the Proposal will see an additional service centre development added into the view, it will not obstruct the longer-range coastal views afforded from these vantage points (to the Whangarei Heads and the Hen and Chickens for example), and the comprehensive landscape treatment that is proposed across the entire service centre will ensure that the application does not detract from the outlook.

Landscape Effects

4.15 With respect to landscape effects, I agree with Ms Wick’s conclusions that the Proposal will generate **low** adverse landscape effects in the medium term once the plantings have established (approximately 5 years). In my opinion, the following factors are of relevance in this regard:

- (a) The absence of any landscape related overlay on the site or in the local area;
- (b) The absence of noteworthy landform or vegetation features on the site that could be adversely affected by the proposed development;
- (c) The contextual ‘landscape character fit’ for the Proposal afforded by the highway infrastructure along with the existing and consented service developments in the local area;

- (d) The enhancement to the landscape values of the site associated with the proposed riparian planting; and
- (e) The comprehensive landscape strategy that forms part of the Proposal and which will serve to integrate the development into the local setting.

Cumulative Landscape Effects

- 4.16** In accordance with landscape assessment best practice, Ms Wick has also considered whether the Proposal might generate cumulative adverse landscape effects. Such an assessment focuses on considering whether, when considered in the context of existing and consented (but largely unbuilt) development in the vicinity of the site, the Proposal might tip the balance and have a transformative 'negative' influence in terms of landscape character.
- 4.17** As explained earlier, I consider that the site and local area are already influenced by non-rural land-uses and activities to an appreciable degree and the area does not display an overtly 'working' or 'rural living' type rural landscape character.
- 4.18** When considered in combination with the existing highway infrastructure and G.A.S. service centre, it is my opinion that the Proposal will read as a logical and well-designed addition to an established commercial node at a busy highway junction.
- 4.19** Referencing the Wolfe 2008 Ltd Decision, it is my understanding that the consented (but largely unbuilt) development on the landholding to the north of the site, anticipates extensive landscape treatment to anchor the built development into the setting.
- 4.20** In my opinion, the Proposal builds on this more recent approach to 'appropriate' commercial development adjacent SH15, through the

incorporation of a comprehensive landscape strategy. So, while the Proposal will see an expansion of service centre development adjacent the highways, this form of land-use is an important existing landscape character shaping factor.

- 4.21** For these reasons, I consider that the adverse cumulative landscape effects associated with the Proposal are **low-moderate** in the medium term once the plantings have established (approximately 5 years).

Assessment against the Relevant Statutory Context

- 4.22** I agree with Ms Wick that, from a landscape perspective, there is no 'one size fits all' definition of rural character. Across the Whangārei District, and including the site and local area, I consider that there is a wide range of rural character 'typologies' evident that derive (primarily) from a combination of the location specific landform, vegetation, hydrological, cultural, land use and settlement characteristics of the area in question. Put another way, from a landscape perspective the term 'rural character' embraces a broad range of (rural) landscape character types. Within the rural parts of the Whangārei District, these include the more 'working rural landscapes', the more consistently 'rural living landscapes', the more 'vegetation dominated rural landscapes' and what I would describe as, the more 'variable rural landscapes' in which there is a mix of land uses including rural production related development and land uses, rural living and distinctly non-rural related development and land uses. I consider that the site and local area falls into this latter category.

- 4.23** For these reasons, I consider that the series of characteristics outlined in RPROZ-P1 and which focus on a 'rural production' type of rural character are not representative of the rural character of the site and local area. This means that from a landscape perspective, requiring the maintenance of such characteristics in this specific location does not reflect the 'variable rural landscape' character of the area.

4.24 I agree with Ms Wick's conclusions with respect to landscape effects (including cumulative effects) and consider that Ms Wick's analysis and conclusions suggest:

- a) a development that manages adverse effects on site (RPROZ-P2(d));
- b) new buildings and land uses that are of a scale and character appropriate to the rural landscape character of this part of the PRPROZ (RPROZ-P5(1));
- c) a development character outcome that does not adversely impact on privacy (via the planted bund), sunlight access and a sense of openness (via the generous boundary landscape treatments) (RPROZ-P5(2)) ; and
- d) avoids the impression of ribbon development, due to its location sandwiched between a State Highway interchange and the consented (commercial) Wolfe development (RPROZ-P5(3)).

5. LANDSCAPE MATTERS RAISED BY SUBMITTERS

5.1 I consider that Ms Wick has accurately scoped the landscape matters raised in submissions. I also agree with her analysis of those matters for the reasons explained in the preceding sections of my evidence.

6. SECTION 42A REPORT

6.1 I consider that Ms Wick has accurately scoped the landscape matters raised in the Section 42A Report. I also agree with her analysis of those matters for the reasons explained in the preceding sections of my evidence.

7. PROPOSED CONDITIONS OF CONSENT

- 7.1** I confirm that I have reviewed the proposed conditions of consent attached to the Joint Statement of Evidence of Mark Vinall and Ross Cooper. I agree with Ms Wick's assessment that the proposed conditions reflect the mitigation of landscape effects that are described in her evidence and are appropriate.

8. CONCLUSION

- 8.1** In conclusion, it is my view that the proposed development will sit comfortably into the rural landscape setting within which it is located.

Bridget Gilbert

28 May 2024