

Technical memorandum for an application for subdivision consent under the Resource Management Act 1991 in respect of 42 Okura Road, Elsthorpe

Ruataniwha Street,
PO Box 127, Waipawa 4240
New Zealand

Phone: 06 857 8060
Fax: 06 857 7179

info@chbdc.govt.nz
www.chbdc.govt.nz

To: Ryan O'Leary, Planning Manager, The Property Group

From: Erin Griffith, Principal, Landscape and Urban Design, Natural Capital

Application details

Applicant's name: SR & BJ Williams Charitable Trust Board (Applicant)

Application number: RM230016

Activity type: Eleven lot fee simple rural subdivision (8 Rural Lifestyle Lots)

Site address: 42 Okura Road, Elsthorpe, legally described as Lot 2 DP 481291 (RT 674477) (Property)

Introduction

1.0 Qualifications, relevant experience and involvement with the application

- 1.1. My name is Erin Griffith, and I am a Principal Landscape and Urban Designer at Natural Capital.
- 1.2. I hold a Master's in Urban Design from Auckland University with First-Class Honours and a Bachelor's degree in Applied Science (Landscape Management), from Massey University.
- 1.3. I gained experience in spatial planning and design from 2003, with a focus on communities and environment, in positions at Hastings District Council and, later, at Perth & Kinross Council (Scotland) before relocating to New Plymouth in 2008 and entering private practice. In 2013 I moved to Auckland to complete a Master's Degree in Urban Design. I have worked in the field of Landscape Assessment for 16 years, with a strong emphasis on rural character, amenities, and its interface with

the coastal environment. I have attended various hearings with regard to development in these areas on behalf of, and to assist, local government and private clients.

- 1.4. I also have experience working in the natural environment, where my roles have interfaced with environmentally focussed organisations such as the QEII National Trust and The East Taranaki Environment Trust. There, I monitored the region's several hundred protected areas and assisted with the ongoing research, regeneration, monitoring, and pest control programme of an 18,000ha conservation area.
- 1.5. Although I spent much of my working life away from Hawkes Bay, I was raised in Havelock North. The east coast beaches, including Kairakau, were important fixtures of my childhood, which, in this application, lend an intrinsic association and understanding of the site's landscape context.
- 1.6. I am an Associate member of the New Zealand Planning Institute, a member of the New Zealand Association for Impact Assessment, and a member of the Urban Design Forum.
- 1.7. I have been engaged to review the applicant's landscape assessment, prepared by Wayfinder, dated August 2023. I have visited the site on two occasions: Friday, April 19th, when I viewed it from publicly available locations, and Saturday, June 1st, when I was granted permission to access the property.
- 1.8. At this site visit, I used a mapping programme to locate all eight building platforms using GPS and installed temporary bamboo stakes on these locations (except for Lot 1 and Lot 8). This method was invaluable in understanding which landform, in what view, is proposed for modification post-development. After locating the platforms, I checked the viewing experience when ascending Williams Road toward the coast heading east, views of the site along the beach, views along Okura Road, and when leaving the settlement and ascending Williams Road, heading west.

2. Overview and scope of technical memorandum

- 2.1. The Applicant has applied for a resource consent to subdivide the Property into:
 - a. 8 Rural Lifestyle Lots;
 - b. two balance allotments (Lots 11 and 12); and
 - c. a separate lot (Lot 13) to be amalgamated with the adjoining property at 38 Okura Road (legally described as Lot 1 DP 25627).
- 2.2. My technical memorandum assesses the landscape character, natural character and visual amenity effects of the Application to assist the preparation of the Central Hawkes Bay District Council's (**Council**) reporting planner's report under s42A of the RMA and will cover the following matters:

- a. Landscape character effects, including rural character and visual amenity effects
- b. Natural character effects,

3. Peer Review process

3.1. This review seeks to assist the Hearing's Commissioner by checking the assessment:

- Follows a sound methodology for the purpose and scale of the activity and effects,
- Considers relevant statutory provisions and any 'other matters',
- Accurately describes, interprets, and evaluates the relevant landscape character and values,
- Analyses the effects on landscape values in a balanced and reasoned way,
- Reaches credible findings supported by reasons,
- Makes appropriate recommendations with respect to findings.

3.2. In preparing this technical memorandum, I have reviewed the following documents relevant to the Application:

3.3. Applicant's resource consent application (**Application**), and in particular (with reference to Appendix numbers, as applicable):

- i. D1 - Landscape, Natural Character and Visual Effects Assessment
- ii. D2 - Landscape & Visual Assessment Graphical Attachment
- iii. E - Geotechnical Assessment Report, Project: 10-Lot Subdivision, Mangakuri Beach, Revision R19385B-04
- iv. E1 - Geotechnical Report Review, Revision R19385B-04
- v. G2 - Engineering Plans, Project No: J5864, Revision C
- vi. G3 - 3 Waters review Response, Job Number: 5864
- vii. H - Cut Fill Plan, Job Number: 5864, Sheet C150, Revision 3
- viii. Council's Section 92 Request
- ix. The Applicant's Section 92 Response Letter
- x. D3 - Addendum to Landscape, Natural Character & Visual Effects Rural Amenity Assessment

xi. E2 - Geotechnical Assessment Report, Revision R19385B-05

xii. Email from Phil McKay on Proposed Conditions to Limit Fragmentation

3.4. Of particular relevance to understanding the effects likely to be created by the proposal was the use of the Geotechnical and Engineering Plans, as these documents are explicit in their quantification of landscape modification around the building platforms and access driveways.

a. Relevant supporting information with reference to the requirements of Issue 4 the Central Hawke's Bay District Plan (**ODP**) and the Central Hawke's Bay Proposed District Plan (**PDP**);

b. Other information

i. Retrolens and Google Earth aerial imagery, including historical imagery

ii. Grip Ltd. Mapping and Avenza Maps.

iii. 'Natural Character Assessment of the Central Hawkes Bay Coastal Environment' by Hudson Associates Landscape Architects 2019 (page 42 plate images of rural settlements)

iv. New Zealand Coastal Policy Statement 2010.

v. National Policy Statement for freshwater management 2020

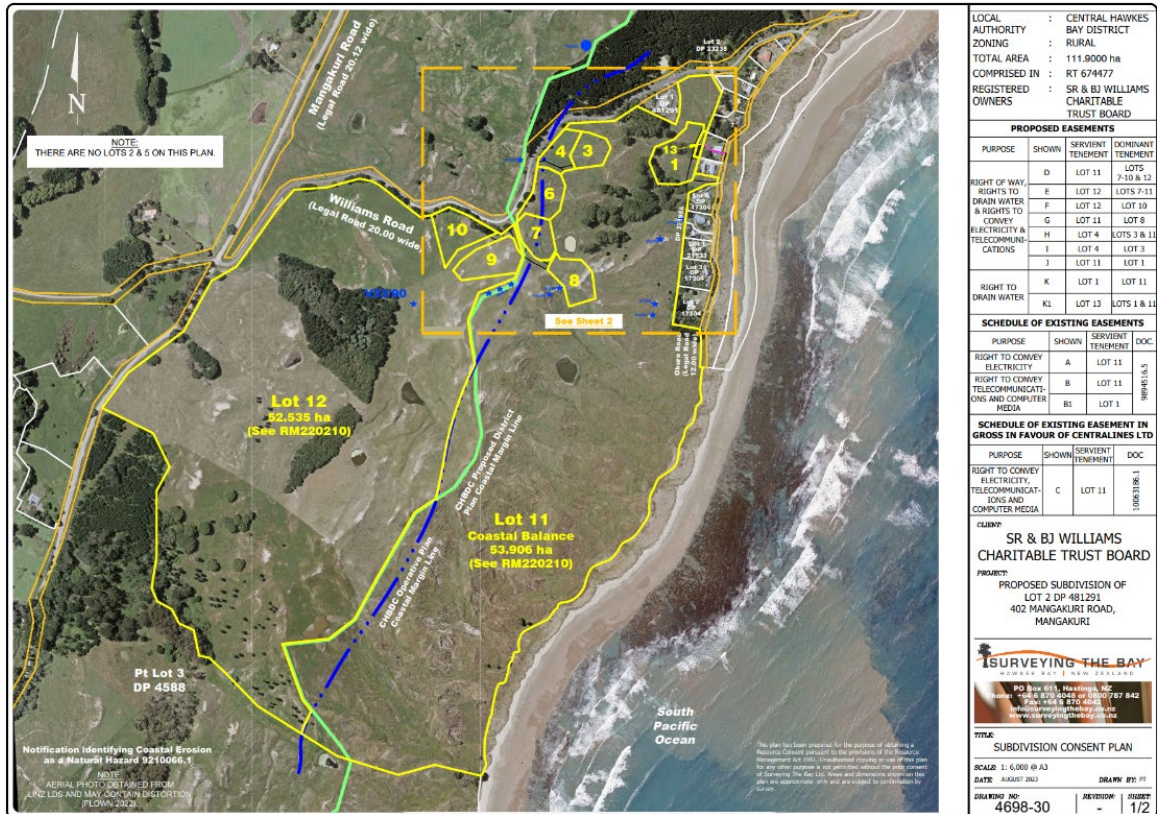
vi. Submissions **1 – 18 and 20 - 25**

4. Executive summary

- 4.1. The proposed subdivision will introduce 8 rural lifestyle lots into the rural coastal landscape with associated benching, sidling cutting, stormwater interventions, private landscape areas, driveways, and surrounding landscape enhancement areas. Overall, in my opinion, the landscape assessment does not provide substantive information to enable a conclusion whereby effects on natural coastal character, rural character, and visual amenity is very low or low.
- 4.2. Although I consider the methodology and design-led approach to the development to demonstrate best practice and that the reasoning within the assessment underscores the associated conclusions on effects, I am not in agreement with the findings.
- 4.3. The project is uniquely located and seeks to juggle various constraints, from geomorphology and natural hazards to archaeology and coastal processes, including an array of natural seeps. It relies heavily on the proposed landscape enhancement areas to 'balance' the adverse effects of development with the positive effects of coastal restoration. However, despite these potential positive vegetative framework outcomes, the scheme will alter the character of the upper ridge adjacent to Williams Road and the prominent spur from an overtly rural landscape dominated by coastal and natural processes to one defined by human intervention. Supporting a shift in landscape characterisation and expression from rural to lifestyle or coastal lifestyle is not directed by the ODP or PDP.
- 4.4. It is my opinion that there remains potential for moderate adverse landscape effects to be generated on rural and natural character. The mitigation measures currently offered by the Applicant do not illustrate in enough detail how adverse effects on the rural and natural character will be avoided, remedied, or mitigated to the point where the development can be integrated with the receiving environment so that landscape, rural, and natural character take precedence. In this vein, the development does not align with the strategic direction of the PDP to preserve rural and natural character.

5. Overview of Application

- 5.1. The Application describes the subdivision proposal in detail. However, by way of summary, it involves an 11-lot subdivision comprising eight rural lifestyle allotments (Lots 1, 3, 4, 6 to 10), two balance allotments (Lots 11 and 12) and a separate lot (Lot 13) to be amalgamated with the adjoining property at 38 Okura Road (legally described as Lot 1 DP 25627). It is to be completed over four stages. An excerpt of the proposed scheme plan is included in **Figure 1** below.



5.2. The Application is for subdivision consent only, and no land use consent has been applied for concerning the development of the proposed lots (e.g. for potential non-compliance of development with the Operative Central Hawke’s Bay District Plan’s Rural Zone’s permitted activity rules, such as minimum setbacks of residential dwellings from internal boundaries).

5.3. I understand that the subdivision proposal requires consent as a **discretionary** activity pursuant to rule 9.9.4 of the ODP as it is unable to comply with all relevant subdivision performance standards in standards 9.10(1)(a)-(i) of the ODP.

6. Summary of proposal relevant to landscape character and natural character effects:

6.1. A Landscape, Natural Character and Visual Effects Assessment (**LA or ‘assessment’**) has been undertaken by Mr Shannon Bray (**the assessor**) and outlines a multidisciplinary ‘landscape-led’ (p8,9) proposal to achieve the best land use outcomes for the site.

6.2. The final scheme plan, ref: Scheme Plan 4698-30, Sheets 1 and 2, have incorporated iterations as recommended through hui with mana whenua and advice from geotechnical engineers. I note that it does not consider the site from an ecological perspective, which appears in keeping with the ascertainment that the landscape is highly modified and, therefore, lacks significance in this field.

6.3. The key components of the proposal, which have the potential to create landscape, natural character, and amenity effects, include:

- a. To bench eight building platforms along the upper contours of the landform which loosely defines the western visual extent, and in some cases, the horizon when viewed from Mangakuri beach in a semi-circular arrangement.
 - b. Accessways from Williams Road via three Rights of Way, with secondary driveways leading to each lot.
 - c. Areas set aside for the traditional primary treatment of wastewater and stormwater.
 - d. Areas set aside for ‘privately managed landscapes’ in which swimming pools, pergolas, spa pools, and vegetation of the owner's choice are provided for.
 - e. Areas surrounding points a—d above are ‘proposed staged Landscape enhancement zones,’ which may only be established with approved coastal native revegetation.
 - f. Balance land between the proposed Lot 1 and the existing linear array of beaches along Okura Road and the upper lots will be retained as part of the working farm.
 - g. Potential residual development on the balance lots.
- 6.4. Methods of implementation include various ‘Design Controls’ with respect to building bulk, form, and materiality, and the requirement for a ‘Landscape Management Plan’, as referred to in Section 2.4 of the Section 95 Notification Decision

7. Site locality and description of the environment

- 7.1. Mangakuri is approximately 55 minutes from Havelock North and 40 minutes from Otane or Waipawa. It is located at the end of Williams Road, a relatively short, no-exit, partially unsealed winding road accessed from Mangakuri Road (also largely unsealed).
- 7.2. Mangakuri Beach includes a settlement that is one of a number of similar, isolated communities located along the Eastern Coast. These communities have one way in and one way out. They are visually shown on p42 of the Hudson Associate’s Landscape Character Assessment – **See Appendix A**. 1950s aerial imagery shows Williams Road, but only two buildings are present at opposite ends of what is now Okura Road and the northern extent of Williams Road.¹ **See Appendix B**. Today, the

¹ Retrolens Aerial Imagery

settlement has expanded between these historical buildings or 'bookends' to around 26 titles in a linear array along the beachfront, separated from the sea by duneland.

- 7.3. Regarding built form and the existing residential character, the southern compartment of dwellings accessed from Okura Road is most relevant to the proposal. The largest roof area measures 340m² (however, this is an outlier), and the smallest is around 40m² with most dwellings ranging between 80m² and 150m². Sections are generally well vegetated to the north and south (side boundaries), some have extensive vegetation along their western boundaries and eastern boundaries, while others are set within managed lawns only, but all have prominent windows and outdoor living areas with views of the ocean.
- 7.4. When viewed from Mangakuri Beach, roughly central to the Okura Road residences, the settlement is visually contained to the lower reaches of a rising residual hillslope with expressive undulating form inclusive of slip scars, minor ridges, spurs, hummocks and wet hollows associated with wet seeps and overland flow paths. Existing mature exotic vegetation is reminiscent of soil conservation measures of previous generations. The prominence of this landform associated with Mangakuri Station rising behind the dwellings to the west and south takes precedence. At the same time, a 10-ha pine plantation to the north of Williams Road contains views in that direction.
- 7.5. On p5 of the landscape assessment, old varieties of poplar trees are described as having been planted to help with stormwater runoff. According to retrolens imagery, they were established between 1970-1982, poplar are widely used across NZ for soil conservation due to their swift and extensive root mass². These poplars and the macrocarpa trees near the base of the hill create a vegetated backdrop to the settlement, and even in winter, when the poplar leaf drop has occurred, blur the ability of views to ascertain detail on much of the east-facing mid to lower slopes of the land directly behind the settlement.
- 7.6. Beneath the pines is what can be described as a 'moving' landscape; humps, hollows and pockets of wet areas containing rushes and sedges are regular features. It is somewhat 'unchartered' and contains a sense of wildness, and that 'nature' is at work, despite its obvious denuding of native vegetation and its use for pastoral farming.
- 7.7. Panning out and away from the site, the broader landscape is large in scale, dwarfing the presence of the odd person promenading along the white sandy beach in both directions. Rural practices and processes are immediately evident, with stock dams, trees for erosion control, and the odd flock of sheep scattered throughout the landscape, a rural landscape at the coastal edge, dominated by coastal processes.

² The New Zealand Poplar and Willow Trust: <https://www.poplarandwillow.org.nz/>

8. Technical assessment of effects

Methodology

- 8.1. The landscape assessment follows a sound methodology and uses the New Zealand Institute of Landscape Architecture (NZILA)'s Te Tangi a te Manu³ regarding the description and scale of effects. This is the industry standard, and I agree it is appropriate to the scale of the application.
- 8.2. However, I make two observations:
- a. the application omits using a terrestrial or coastal ecologist, who may have been useful in informing spatial and species profile attributes of existing conditions and positive interventions. This may also have provided a greater understanding of the duneland zone, areas of regenerating native species, potential wetlands, and whether there are specific interventions that would assist indigenous biodiversity (whether plant or management-related).
 - b. The assessment is light on graphic detail to substantiate the development's effects relying on a 2D landscape concept plan, and one photo montage location. It is also absent a viewpoint plan, visual catchment analysis, and a detailed private receptor analysis.

Statutory Provisions

- 8.3. The assessment provides a breakdown of applicable statutory provisions, focusing on the ODP. The PDP is noted, including the Coastal Environment (**CE**) overlay and the General Rural Zone (**GRUZ**), but no details are provided on how the application aligns with the incoming direction of the PDP.
- 8.4. However, in response to the Council's further information request, the assessor⁴ provides further commentary on the PDP's intent and raises philosophical concerns about the application of SUB-R5(1). I understand that SUB-R5(1) only applies to the GRUZ outside the CE overlay. This subdivision, and any other subdivision of the applicant's land within the CE, would require resource consent under SUB-R5(10) as a Discretionary Activity. Putting that point to one side, essentially, the assessor's response outlines the intent of this proposal is in support of, and in accordance with, GRUZ-P8 and, by its approval, will achieve the desired outcome of the policy, ie: limiting ad hoc fragmentation of the farm at large by clustering and consolidating effects in a managed way which would not be possible through simply seeking one lifestyle allotment every three years (I note, this

³ New Zealand Institute of Landscape Architecture. (2020). Te Tangi a te Manu: Aotearoa New Zealand Landscape Assessment Guidelines. Auckland: NZILA.

⁴ Appendix D3 of the applicant's s92 response.

would take 24 years and controls on materiality, height, landscape enhancement zones etc., would not be required).

- 8.5. Without philosophising the point, clustering and consolidation of effects is a useful tool that can, in my experience, work effectively alongside other development restrictions to reduce and avoid rural-residential sprawl and protect rural character from activities and development that seek to undermine its inherent qualities.
- 8.6. The landscape assessment references relevant landscape policies from the Regional Policy Statement (**RPS**) and the New Zealand Coastal Policy Statement 2010 (**NZCPS**). However, consideration of the relevance, or otherwise, of the National Policy Statement for Freshwater Management (**NPS-FW**) and the associated **NES-F** is absent. Although outside my specific area of expertise (in that I am not an ecologist), there are areas across the subject site that may meet the criteria of a wetland⁵. Of potential relevance is the proposal to modify an area of ground in catchment 'C' from its original state to a managed stormwater pond. See photos in **Appendix C**.
- 8.7. I note that only partial policies from the NZCPS are included in the assessment. The author concludes on various occasions that the defining character of the landscape is 'coastal' with a significantly 'diminished' rural amenity. The CE and NZCPS are, therefore, fundamental to guiding development and assessing landscape and natural character effects.
- 8.8. Policy 13 is paraphrased in the landscape assessment as: *"preservation of natural character by avoiding subdivision or development in areas of outstanding natural character; but noting that the site is not identified in any planning instruments as having outstanding natural character."* However, Policy 13 states in full:
1. *To preserve the natural character of the coastal environment and to protect it from inappropriate subdivision, use, and development:*
 - a. *avoid adverse effects of activities on natural character in areas of the coastal environment with outstanding natural character; and*
 - b. *avoid significant adverse effects and avoid, remedy or mitigate other adverse effects of activities on natural character in all other areas of the coastal environment; including by:*
 - c. *assessing the natural character of the coastal environment of the region or district, by mapping or otherwise identifying at least areas of high natural character; and*

⁵Wetland delineation protocol available at: <https://environment.govt.nz/publications/wetland-delineation-protocols>

- d. *ensuring that regional policy statements, and plans, identify areas where preserving natural character requires objectives, policies and rules, and include those provisions.*
2. *Recognise that natural character is not the same as natural features and landscapes or amenity values and may include matters such as:*
- a. *natural elements, processes and patterns;*
 - b. *biophysical, ecological, geological and geomorphological aspects;*
 - c. *natural landforms such as headlands, peninsulas, cliffs, dunes, wetlands, reefs, freshwater springs and surf breaks;*
 - d. *the natural movement of water and sediment;*
 - e. *the natural darkness of the night sky;*
 - f. *places or areas that are wild or scenic;*
 - g. *a range of natural character from pristine to modified; and*
 - h. *experiential attributes, including the sounds and smell of the sea; and their context or setting.*

8.9. Policy 6 is also highlighted but not quoted by the author in its direction toward consolidating residential activity within the coastal environment and how visual impacts of development can be avoided in areas sensitive to such effects. The applicable policies are quoted below:

8.10. Policy 6 1.c. *“encourage the consolidation of existing coastal settlements and urban areas where this will contribute to the avoidance or mitigation of sprawling or sporadic patterns of settlement and urban growth;”*

8.11. And policy 6 1.h. *“consider how adverse visual impacts of development can be avoided in areas sensitive to such effects, such as **headlands and prominent ridgelines**, and as far as practicable and reasonable apply controls or conditions to avoid those effects;” (bold added for emphasis).*

Proposed District Plan

8.12. The land subject to the proposal is located in the GRUZ, and all lifestyle lots, except for Lots 9 and 10, are subject to the CE overlay, depicted on the Scheme Plan in Appendix A1 of the application by the green line. Lot 1, and other parts of Lot 11 (the balance lot) are also subject to the Tsunami Hazard Overlay. Several Archaeological Sites are also present on the property and are visually depicted by way of a blue star on the scheme plan.

- 8.13. The strategic direction for the Rural Land Resource GRUZ includes Objectives and Policies that collectively seek to limit rural lifestyle subdivision and prioritise production activities. These include RLR-O2 and RLR-04, RLR-P3, and RLR-P5. GRUZ-P8 seeks to limit residential and rural lifestyle subdivision that results in rural land fragmentation and/or restrict rural land use for productive purposes.
- 8.14. The CE has been mapped in the District to define areas where coastal processes are dominant or significant and seeks to give effect to the NZCPS, outlined above. The overlay, and associated objectives and policies provide high-level guidance for sustainable management of the coastal environment. The chapter acknowledges that the extent to which development impacts on natural character will depend on how modified the environment is and how well the development has been designed to accommodate elements of natural character (including coastal processes) and mitigate adverse impacts. It identifies that the risk of incremental loss of natural character due to coastal land development and other activities on the coast can be high. CE-P2, CE-P3, CE-P4, CE-P6, CE-P7 and CE-P8 provide specific policy direction in this regard.

Landscape character effects, including rural character and visual amenity effects

- 8.15. According to Maanaki Whenua, the site is within the highest Threatened Environment Classification (TEC) of < 10 % Indigenous cover. In these environments, the loss of habitats for indigenous species has been greatest in the past and little indigenous biodiversity remains.⁶ Original vegetation cover is considered to have comprised of Rimu-Tawa-Kamahahi forest, *“with hīnau, rewarewa and māhoe also common. Above this canopy rimu, miro and tōtara trees poke through. Pukatea is common, particularly on valley floors, and there is often lots of kohekohe at lower elevations in wetter climates”*⁷.
- 8.16. The landscape experience, although highly modified, retains moderate to high levels of naturalness, rural amenity, and coastal character based on its location in the coastal dominance zone (between the active coastal zone and the first ridge). This is felt most clearly approaching the site from the west, rising out of the valley floor, when looking across the subject site, on descent or ascent to/from the beach, and when appreciating the rugged, undeveloped landscape while walking along the beach, or when out at sea looking back at the land.
- 8.17. The site’s rural character is expressive in its absence of built form, driveways, lighting, manicured lawns, and all other aspects of residential life. It is defined by its pastoral nature, high degree of openness, spaciousness, natural form, functions (wet seeps, naturalised vegetation), and processes,

⁶ https://ourenvironment.scinfo.org.nz/maps-and-tools/app/Habitats/lenz_tec/490,414,491,415,399,400?contextLayers=set-69,water_transport_text

⁷ <https://eco-index.nz/ecosystem-types/rimu-tawa-kamahahi>

the presence of stock, stock water dams, troughs, water tanks, farm plantings (poplar poles in sleeves), and farm fencing.

- 8.18. Te Tangi a te Manu outlines that “Landscape values are not limited just to special landscapes. Ordinary landscapes, where we mostly live our lives, have value to those who live in them and pass through them.” The assessment appears to overlook the site’s role in providing for and/or maintaining rural character, instead focusing on the proposal’s proximity and ‘fit’ with the existing bach community.
- 8.19. As outlined above, the proposal will alter the existing character to one that from various vantage points (approaching the ridge along Williams Road, particular areas of the beach, Okura Road, and when leaving the beach) will express a combination of ruralness (balance lot behind lot 1, and forward of lots 3-10), and of modified lifestyle subdivision with urban aesthetics (kerb and channel, lighting, managed private landscapes, managed stormwater and effluent areas, dwellings, garaging, washing lines, vehicles etc). In time (unspecified), new poplar plantings and areas of native coastal vegetation in the landscape enhancement zones will soften and, in some instances, screen/obscure views of the subdivision. Similarly, in time, the landscape enhancement zones will provide an element of restored native coastal vegetation, but in my opinion, it is unclear if this will be the dominant character. This change will be permanent.
- 8.20. Therefore, there is a potential disconnect between the statutory framework of the NZCPS, the PDP, and ODP and the values it seeks to preserve with the conclusions of the landscape assessment. The nature of the proposal's effect is the loss and reduction of openness, spaciousness, production-oriented use, low-density characteristics, and landform expression, including ridgelines and spurs, which are the foundations of rural character (and coastal character) in this area. In its place is the concept that lifestyle living opportunities at a rural-residential density, which, although set within a proposed landscape enhancement zone and in areas of lower productivity, will, for many years, become the prominent, dominating factor of the settlement.
- 8.21. This character change will shift the area's experiential quality from one where natural and rural processes dominate to one that is highly managed, supports built form (along with all other aspects of residential living), and is prominently located in the landscape. In other words, the development will create a clear rural-residential ‘lifestyle’ character within a partial framework of coastal native revegetation plantings across the upper zones of the landform.
- 8.22. The landscape framework and other design controls will help mitigate the stark contrast of built form within the landscape, but they are less effective tools for maintaining rural character than for development itself, seeing as the key issue for rural amenity is the loss and reduction in rural character. The mitigation proposed is primarily to soften the visual impact of residential development rather than to avoid, reduce, or mitigate the loss of rural character. In landscape

terms, the most significant benefit of the proposal is the potential positive biodiversity outcomes associated with an unquantified area of 'landscape enhancement'.

- 8.23. Considering these matters, without further substantiation through plans, graphic material, and detail, I am of the opinion that the effects of the loss of rural character have the potential to be moderate.

Natural Character Effects

- 8.24. The assessment of landscape values, which forms the basis for understanding the nature and magnitude of effect, is referenced in commentary throughout the LA. In particular, under the heading 'Potential Natural Character Effects' on p12, the assessor states, *"as explored above, the site is highly modified, and any historical native landcover has long been removed...waterways are largely incised overland flow paths, including overflow from a small farm reservoir...and have little, if any, natural character value." "...overall, the site is largely devoid of any physical (biotic or abiotic) natural character, whilst it is clearly part of the coastal environment, the experiential values are derived from the outlook to the beach (where visible) and ocean, alongside its sound and smell."*
- 8.25. The assessment goes on to say *"the proposed built form is unlikely to diminish from the experience of naturalness." "The wider landscape already contains built form, alongside human modifications by way of fences, roads and plantation forestry."*
- 8.26. The assessment underscores the benefits of the proposal's intervention on the landscape as a means to *"not fully restore the landscape to a natural state, but rather swing the balance away from highly modified"*. With the restoration areas proposed and the continuance of pastoral grazing through the centre of the site, the assessment concludes that the development will *"feel more natural than it does currently"* and that *"adverse effects on natural character resulting from the proposal will be very low"*.
- 8.27. The Environment Guide⁸ website provides useful reflections on 'natural character' and the NZCPS and acknowledges a *"spectrum of natural character from pristine to modified. The absence of specific vegetation, landforms or water features may simply mean that the landscape is less natural rather than non-natural. Natural Character exists to some degree in all parts of the coast, even in highly modified environments, because of the continued influence of the wind, waves and tides."*
- 8.28. 'Natural' *"connotes a range of qualities and features which are created by nature as distinct from human-made constructions. Natural may include things such as pasture and exotic trees and wildlife, both wild and domestic. It does not include human-made structures, roads or machinery. This means*

⁸ <https://www.environmentguide.org.nz/issues/natural-character/what-is-natural-character/>

that areas where indigenous vegetation has been replaced with pasture, may still have high natural character so long as built structures do not dominate the environment.”⁹

- 8.29. In my experience, when assessing coastal landscapes, a targeted natural character assessment framework or attributes assessment (see **Appendix D**) is generally carried out and included to articulate what aspects of the landscape hold value.
- 8.30. Where I find myself on opposing footing to the assessor is that the development, in my view, will result in a significant shift from the existing character of highly modified pastoral land with a high degree of modification to a situation that includes an even higher degree of natural character modification as built form takes the place of natural landform expression to dominate prominent parts of the site. This is best understood by walking over the building platforms with the engineering and landscape concept plans. At least three building platforms (Lots 6, 7 & 8) will be on prominent spurs or ridges, with Lots 9 and 6 requiring a significant sidling cut for their access drives. In this vein, I note the extent of change to the landscape resource through earthworks to form driveways, building platforms, and effluent fields is not discussed with specificity by the assessor.
- 8.31. Further, the darkness of the night sky and potential inappropriate lighting effects on the appreciation of natural character and amenity have not been addressed. Such effects are limited to the hours of darkness and are likely to be experienced most acutely from the beach.
- 8.32. Heavy reliance is placed on the landscape enhancement zone to mitigate adverse effects of the built form (including associated earthworks, driveways, effluent fields, etc.), but it is a part of the development that is least explored or provided for in terms of visualisation and quantification.
- 8.33. Without greater detail, it is likely that a sustained period of 10-20 years may occur before vegetation assumes heights sufficient in density and cover to achieve a degree of naturalness similar to the dwelling at no. 54 Okura Road – see **Appendix E**. However, I am unconvinced this level of envelopment will occur with the current design due to:
- a. The large benched building platforms ranging from 900m² upwards
 - b. That building platforms are subsequently surrounded by ‘privately managed landscape zones,’ which may include little more than mown grass or exotic species, pergolas, or pools.
 - c. Engineering recommendations require 1) “all cut and fill slopes to be planted with small shrubs and shallow rooting plants.” And 2) “large tree species may not be planted within a

⁹ Harrison v Tasman District Council [1994] NZRMA 193

horizontal distance equivalent to the mature tree height of any pertinent structure (house, road, stormwater, drainage).

- d. The location of landscape enhancement zones may be materially lower than the associated building platforms, and at 6.5m high, dwellings of this scale will extend the length of time between planting and the point at which screening/softening is achieved.
- 8.34. On this matter, I am concerned the landscape enhancement zones are not extensive and intimately related to each building site to achieve the kind of coastal restoration that would afford the development significant positive natural character impacts to the point that the loss of prominent landform features (individually, and cumulatively), the expression of natural character and the loss of rural amenity are acceptable.
- 8.35. I would welcome further information, which may include marking out the actual building platforms, landscape zones, affluent zones, and driveways on site, 3D simulations, cross sections, or photo montages of staged mitigation outcomes over time, including information on species profiles and quantified areas.
- 8.36. As per 'Te Tangi a te Manu' an assessor must be clear in statutory terms whether the proposal achieves policy outcomes in landscape terms. From the preceding discussion, and without further information, I am unable to conclude that the proposal in its current form is consistent with the direction of the PDP and CE zone. I am also unclear on whether the proposal would be subject to the NES-F.

Visual Effects

- 8.37. Generally, for an application with this complexity, including a viewpoint plan, private receptor/affected parties analysis, and visual catchment plan that graphically illustrates viewpoints with photos is common. However, these are not supplied. Private viewpoints are discussed in a generic manner. Although I agree that the main focus of views from dwellings is toward the sea, it would have been helpful to identify which dwellings will view particular parts of the development and in what capacity. Only 124 Williams Road is discussed directly.
- 8.38. Photos used to illustrate public viewpoints are contained in the body of the assessment but appear to have a wide angle and may not represent what the eye sees in reality. The assessment's photos were also taken in summer when the poplars were in full leaf, making views of parts of the site difficult. However, I note that the plan is to remove and replace the poplars with more ecologically appropriate species. Therefore, it is important to assess the site as if the poplar (and macrocarpa) were not present.

Williams Road

- 8.39. Visual amenity effects are concluded to be **low** regarding public views of the site when approaching, arriving, and leaving the beach settlement. The justification for this conclusion is *“that although change will be evident, the potential adversity of built form will be countered by the positive enhancement delivered through the vegetation framework.”*
- 8.40. The assessment describes that sequential visibility along Williams Road ‘is likely’ to occur for Lots 10, 6, and 4, with views of Lots 7 and 4 “largely screened by landform and vegetation”.
- 8.41. According to the Landscape Concept Plan, Lots 6 and 7 are located adjacent to the road in the absence of landscape enhancement zones. The ‘cut and fill’ and engineering plans show the western contours of both building platforms descending to the road, which suggests views will be open to both sites, with a small hummock remaining between. The two pine trees west of Lot 6 are not specified for retention or removal.
- 8.42. On p14, the assessor concludes that the “visual experience of arriving at Mangakuri will largely be protected”, stating that this ‘first’ experience is achieved once motorists have crested the ridge and started their descent toward the beach.
- 8.43. I am unconvinced that the existing visual experience of arriving at Mangakuri will be ‘protected’ – in that protection equates to a sense of permanence, and status quo, of preservation and looking after what is existing. In my opinion, with the proposed development and level of visibility likely, the experience of ‘arriving’ will shift to one associated with views of the dwellings clustered in close succession at the top of the ridge.
- 8.44. Moving along the crest toward the entrance to Lots 3 & 4, views of these lots will be more oblique and may be screened by mature planting once it has been established; however, commentary on page 14 states, *“the top of Lot 3 may be also be visible, but this will sit quite low below the road, such that the outward view to the sea remains visible.”* I note that Lot 4 is quite close to the road, and its presence may, in fact, screen views of Lot 3 and, in part, interrupt views of the sea. Without further analysis and detail of the planting areas and dwelling heights respective to the road, it is difficult to be definitive on this matter.
- 8.45. On the outward journey, the assessment identifies that visibility of Lots 3 – 9 may be viewed cumulatively but concludes that as these are seen against a land backdrop and contained within the vegetation framework, visual effects from Williams Road in either direction are considered to be **low**.

Okura Road

- 8.46. Visual amenity effects from Okura Road are concluded to be **very low** as views of the site are largely restricted by existing dwellings and their surrounding vegetation. It is acknowledged that snapshots up to particular lots may occur. However, the proposed development is described as *“sitting well behind, as a distant and only partially visible backdrop to the view”*. The visual experience from this road is also described as one that *“tends to be across the dune system to the coast, as well as to the foreground buildings and gardens”*. Conversely, Lot 1 is likely to be visible, but this is noted as a view that will *“soon diminish”* due to the proposed planting along the site boundary. I note, that development on Lot 8 may also be visible, particularly in the short to mid-term as vegetation establishes.
- 8.47. From Lower Williams Road, visual amenity effects are concluded to be **low** as much of the development site is obscured by the existing poplar canopy. I agree views of the development from the corner of Okura Road and Williams Road will be obscured by existing vegetation and landform.

Views from the Beach

- 8.48. Visual amenity effects experienced from the beach are concluded to be **low**. Several paragraphs of commentary and a series of visual representations from a static vantage point at the beach's northern end, closer to the junction with Williams Road, are provided. Despite commentary acknowledging the proposal's visibility from various beach areas, only one vantage point has been modelled in the graphic appendix – with the poplar trees retained in representations of the future scenario.
- 8.49. From my site visits, I agree that while the poplar remain Lot 8 and potentially Lot 9 will be the most prominent lots visually. The macrocarpa are proposed for removal (immediately), as are the poplar 'over time', though no time frame is given. Depending on the location, there are places where, when the poplar are removed (and native regen is much lower), the arc of dwellings from Lot 8, through 9, to 10, and round to 6 and 7 may be visible simultaneously. These lots are each located on a prominent landform belonging to the rough ridgeline (and an accompanying leading spur toward the east). Seen together above the beach settlement, they will create an upper arc of development that is obvious and lifestyle-oriented.
- 8.50. The assessor acknowledges that at least Lots 8 and 9 may be seen against the skyline, but considers that planting to their 'rear', design controls, and the scale of the overall landform mitigates this breach. The assessor notes the landscape is not an ONL, nor is it protected via 'high natural character' status. The assessment also concludes that although the development may be visible from the beach, the site is *“generally not the focus of a viewer...with the surrounding landform forming only the backdrop”*.

- 8.51. From public viewpoints, Williams Road, Okura Road and the beach, the development of Lot 1 is the most in keeping with the settlement, tucked in behind existing houses and set beneath prominent landform, with ample scope for native vegetation to establish in its more protected microclimate as is witnessed on adjacent properties.
- 8.52. Conversely, Lot 8 is located on top of the dominant, or leading spur that turns east toward the sea, while the rest of the ridge drops down toward Lots 7 & 6 and Williams Road. Although the landform continues to rise to its west on topographical plans, due to the angle of various views, this higher ridge behind Lot 8 is often not visible at the same time or in the same trajectory of view, where it would provide a backdrop to development. As a visual cue, the water tank can reference the site. The tank is visible from many locations, including south of the settlement, where the spur forms a prominent visual ridge and horizon line; from Okura Road, where it sits high above like a beacon; from the beach out in front of most of the dwellings; and from Williams Road. It will also be visible from 66 Okura Road. It is unclear if the vegetation proposed will suffice to screen views of the development, noting that a dwelling in this zone will be up to 250m² and 6.5m high, significantly larger than the water tank.
- 8.53. Given the site's physical characteristics, prominent location, and CE overlay, I would have expected the range of public viewpoints to be assessed using graphic simulations, detailed landscape cross-sections, or three-dimensional studies.
- 8.54. In my opinion, the development will potentially create moderately adverse visual amenity effects in the short to mid-term from public spaces and potentially into the long term (depending on further information). These effects are not adequately mitigated by the applicant's current design controls offered as conditions of consent.

9. Submissions relevant to Landscape Matters

- 9.1. Submission numbers 2, 3, 4, 6i, 6ii, 7, 8, 9, 11, 12, 13, 14, 15, 16, 17, 18, 20, 21, 22, 23, 24 reference concerns around the ability of the proposal to preserve landscape character and visual amenity. Other specific terms referenced include:
- a. Concern around there being an altered visual landscape and character
 - b. That Mangakuri is valued for its undeveloped natural character
 - c. That development will dominate the skyline
 - d. That development will alter the rural visual landscape and preserve natural beauty.

- 9.2. Submitters are strongly concerned about the proposals' impact on the physical resource, which in turn, gives rise to changes in the perceived quality of the environment. For submitters, there appears to be a consensus of opinion that despite the proposed landscape enhancement areas, the development cannot mitigate the adverse effect of the loss of rural and natural character. In particular, the location of dwellings will be seen atop spurs or ridges and, therefore, against the skyline, which will, in turn, create dominance and/or prominence effects.

Recommendation and conditions

- 9.3. I recommend providing further supporting information to demonstrate and quantify how the areas of landscape enhancement will mitigate the degree of landform medication and character change proposed by the application.

Mitigation

- 9.4. The mitigation strategy is consistent with methods regularly used to reduce, avoid, or mitigate adverse effects on rural character, amenity, and visual effects.
- 9.5. With regard to the discussions above, additional mitigations could assist the proposal, these may include:

Recommended Amendments to Conditions

- All external lighting shall be hooded and cast down to avoid adverse night and nuisance lighting effects. Lighting levels external to buildings (including attached to the external envelope of a building) must be for 'wayfinding' purposes only and shall not seek to uplift, emphasise, or illuminate outdoor spaces that will enable light spill. All security lighting must be on a timer basis and shall not be left on for sustained periods. Lighting shall not be directed toward oncoming traffic.
- To ensure that built form does not dominate the landscape, building heights must be reduced from 6.5m to 5m (to ensure low-profile rural dwellings are designed). 6.5m allows for a significantly large gable roof line or a two-storey dwelling with a monopitched roof line. Alternatively a 'house type' guide could be developed to ensure appropriate built form for each lot.
- To avoid building dominance over landscape features, only one dwelling must be permitted per lot, and no further subdivision of the lots must be permitted.
- Residual development on Lots 11 and 12 must be restricted from the CE as identified on the PDP.

- No fencing shall be permitted on lifestyle lots, as this is an urban treatment and has the potential to elevate the urban character of the lots. Electric perimeter zones can be installed where fencing is necessary to control domestic pets. Post and rail, post and wire, or mesh fencing are allowed between the farm and the lifestyle lots/landscape enhancement zones but should be sufficient to keep stock from browsing over and under fencing.
- Building materials must be limited to those that have the potential to develop a natural patina over time, namely natural stone, timber, powder-coated zincalume/colour steel products, and rammed earth. The applicant's proposed reflectivity values shall apply to both façade, roof materiality, and joinery. This recommendation is in general accordance with the recommendation in the landscape assessment.
- Consider whether the private landscape zone would better serve the development if included in the landscape enhancement zone for coastal restoration.
- Consideration could be given to whether bio-cycle or two-stage wastewater systems would better serve the receiving environment. This would allow the reduction in dedicated effluent field (and reserve field) provisions and enable landscape enhancement zones to extend into more areas.

10. Conclusion

- 10.1. While I generally agree with the proposal's design-led approach, I do not agree with various conclusions drawn from the assessment of effects based on the information provided and my experience of the site. The assessment relies heavily on landscape enhancement zones to balance the loss of rural and coastal character, and design controls to soften the impact of cumulative built form on the appreciation of the aforementioned amenity from public locations.
- 10.2. The proposed subdivision will introduce 8 rural lifestyle lots into the rural coastal landscape with associated benching, sidling cutting, stormwater interventions, effluent fields, private landscape areas, driveways, and surrounding landscape enhancement areas. Overall, in my opinion, the landscape assessment does not provide substantive information to enable a conclusion whereby effects on natural coastal character, rural character, and visual amenity is very low or low.
- 10.3. In my opinion, there remains potential for moderate adverse landscape effects on rural and natural character. The mitigation measures recommended by the Applicant do not currently illustrate how adverse effects on rural and natural character will be avoided, remedied, or mitigated to ensure landscape, rural, and natural character take precedence. In this vein, the development does not align with the strategic direction of the PDP to preserve rural and natural character.

APPENDIX A



APPENDIX B



© Sourced from <http://retrolens.nz> and licensed by LINZ CC-BY 3.0

APPENDIX C_plate 1



APPENDIX C_plate 2



APPENDIX C_plate 3



APPENDIX D_Source: Boffa Miskell. (2014). *Landscape Assessment for South Taranaki*.

EVALUATING NATURAL CHARACTER

Natural character is not defined in the RMA or in the NZCPS 2010. There are various working definitions of the concept which are broadly similar and have been used in a number of Environment Court cases. This includes definitions developed within the NZILA practice note 2010 which refer to “the expression of natural elements, patterns and processes in a landscape” and “a measure of naturalness”.

Based on this approach, a natural character evaluation framework (see Table 4) has also been developed on the basis of abiotic, biotic and experiential attributes to assess the level of natural character within each identified coastal sector. Further explanation of natural character attributes is set out in Appendix 13.

Natural Character Attributes		Coastal Zone and Description	Assessment
Abiotic	Landform	Zone A and B Identification of different landforms and considering their apparent level of modification (e.g. cliffs, dunes, wetlands)	The level of physical intactness and lack of modifications such as of infrastructure and built structures, road cuts, earthworks and reclamation works.
	Natural Systems and Processes	Zone A and B The degree of activeness of the tide, waves and currents as well as climatic influences. Includes consideration of coastal formation, erosion, river mouth and other freshwater processes including sedimentation.	Whether coastal patterns and processes are clearly expressive and have the continued ability to shape the coastal environment.
Biotic	Terrestrial & Aquatic Habitats	Zone A and B This attribute is ecologically and process based and primarily applies to the level of intactness of terrestrial areas above MHWS encompassing freshwater systems, estuaries and wetlands in relation to their natural processes, patterns and elements.	The level of intactness and expression / appearance of ecological processes ranging from dominant to non-existent including consideration of diversity of species, communities and habitats.
	Land Cover & Land Use	Zone B Land cover and associated land use, including the composition, distribution, and condition of land cover and freshwater bodies including the presence of indigenous / exotic plants and animals.	Whether there is a lack of physical structures such as infrastructure, housing and roading as well as agriculture and commercial forestry. The composition, distribution and health of indigenous flora and fauna and whether this is strongly represented with good restoration potential.
Experiential	Marine	Zone A Water surface and body of the CMA along the coastline including surf breaks and landforms (e.g. rocks, reefs, stacks and channels)	The degree to which the seascape retains a strong natural experience including the lack of modification and human activity such as dredging or built structures (e.g. moorings, jetties, marine farms off shore rigs and navigations structures)
	Terrestrial	Zone B The experience of seeing, feeling and perceiving the natural coastal environment. This includes aromas, aesthetics, auditory, sense of wildness, remoteness, isolation. Includes ephemeral human activity (such as recreation and commercial activities: including ports, marinas and aquaculture).	The degree to which the location and feel along the coast retains a strong natural experience including the lack of obvious modification which otherwise affect experiential attributes (e.g. ports, reclaimed land, infrastructure, roading, lighting, industrial noises and non-natural aromas).

Table 4: Natural Character Assessment Framework

APPENDIX E - 56 Okura Road

