OAKURA FARM PARK LIMITED

PRIVATE PLAN CHANGE 48

IN THE MATTER OF The Resource Management Act 1991

AND IN THE MATTER OF Private Plan Change 48 to the New Plymouth District Plan: Wairau Road, Ōākura Rezoning

PANEL OF COMMISSIONERS

Bill Wasley

Antione Coffin

EXPERT JOINT CONFERENCING WITNESS STATEMENT TO THE NEW PLYMOUTH DISTRICT COUNCIL HEARINGS PANEL

PLAN CHANGE 48 WAIRAU ESTATE LANDSCAPE AND VISUAL EFFECTS

10 JULY 2019

CONTEXT

Proposed Private District Plan Change 48 – Rezoning of land at Wairau Road, Oakura from Rural Environmental Area to Residential Environmental Areas (proposed Residential A, C and Medium Density), proposed Rural Lifestyle Area, Open Space B and C Environment Area and Business C Environment Area with specific provision for subdivision and development.

INTRODUCTION

1. This joint signed report is written in response to the New Plymouth District Council's direction (893442, 10 June 2019) that requires experts seek to identify and reach

agreement with the other expert witness(es) on the issues/matters within their field of expertise.

2. This joint witness statement relates to the conferencing topic of Landscape and Visual Effects. It is written in relation to the Private Plan Change 48 Wairau Road, Ōākura Rezoning Request requested by Oakura Farm Park Limited ("**OFPL**") against the decision made by New Plymouth District Council ("**STDC**").

3. A conferencing meeting was held on 10 July. The facilitator was Dr. Louise Tester.

4. Participants in person at the conference were:

   (a) Emma McRae (on behalf of New Plymouth District Council);

   (b) Richard Bain (on behalf of Oakura Farm Park Limited);

   (c) Peter Kensington (on behalf of Matthew Peacock, Richard Shearer, Steven Looney, Wayne Looker and those submitters supporting them).

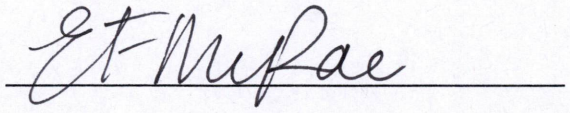
5. This joint statement is prepared in accordance with section 4.7 of the Environment Court Practice Note 2014.

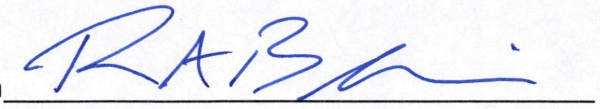
6. It is confirmed that all present have read the Environment Court Practice Note 2014 – Code of Conduct and agree to abide by it.

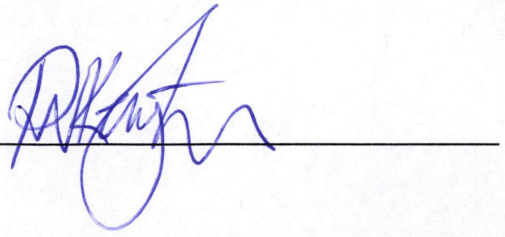
7. In particular it is confirmed that all present have read the Environment Court Practice Note 2014 in respect of Appendix 3 – Protocol for Expert Witness Conferencing and agree to abide by it.

8. The Joint Witness Statement confirms the areas of agreement and disagreement recorded. All participants in the conferencing agree with that wording.

EXPERT WITNESS AGREEMENT

Emma McRae 

Richard Bain 

Peter Kensington 

Wednesday 10 July 2019

CONFERENCING MATTERS

9. The following Joint Witness Statement signed by the experts include the following matters:

   - Issues
     - Change to landscape from rural to urban, including scale and extent of rezoning/development area and proposed zone typologies
     - Effects on landscape character and views of the Kaitake Ranges
     - Effects of the proposed noise attenuation bund
     - Effects of proposed roundabout
     - Effects on KNE and gully tributaries (including from road construction)
     - Other effects (e.g. effects of proposed underpass and stream crossing, visual effects from stormwater bunds and water tanks, night light effects and cumulative effects)
     -
   - Key facts and assumptions that are agreed upon by the experts;
   - Methodology or standards used by the experts in arriving at the opinions and reasons for differences in methodology and standards (if any);
   - Matters and issues that are agreed between the experts;
   - Issues upon which the experts cannot agree and the reasons for their disagreement;
   - Identification of published standards or papers relied upon in coming to their opinions, including identification of all material regarded by the experts as primary data;
   - Confirmation that in producing the statement the experts have complied with the Code of Conduct for Expert Witnesses.

CONFERENCING OUTCOMES

10. <u>Appropriateness of the methodology used for assessing the actual or potential landscape and visual effects of the proposal.</u>

    Experts agree that the critical consideration is the narrative around the experts' interpretation of 'significance' based on effects. Understanding of language based on table below provides the context for the experts' interpretation of significance.

Experts agree that their application of the methodology should be viewed as per the table below.

Treatment of Significance in Evidence by Experts		
Peter Kensington	**Richard Bain**	**Emma McRae**
1 – negligible		Very low
2 – very low	No change	Low
3 - low / minor	Low adverse	Moderate low
4 – moderate	Medium adverse	Moderate
5 – high	High adverse	Moderate / High
6 – very high	High adverse	High
7 - extreme	High adverse	Very High

11. Adequacy of existing information to make an informed assessment, including representative viewpoints.

All experts agree that viewpoints are represented.

All experts agree that the following studies and existing information have been covered, i.e. Coastal Plan, Oakura Structure Plan, Rural Review, RPS, Regional Landscape Study, Rural Subdivision and Design Guidelines.

12. Description of the existing environment, landscape and visual amenity values.

PK is of the opinion that the site is in the coastal environment, but this is not a relevant consideration as the key issues for our assessment relate to the rural environment.

RB and EM agree that the site has a 'coastal context' which has a coastal influence but is not in the coastal environment.

EM and PK require greater description of the site and its surrounds in order to assess effects.

EM and PK considers the consent notice and FUD considerations are both an important part of the existing environment.

RB acknowledges the FUD and Consent Notice, but in relation to his description of the exiting environment he 'parks' them and treats differently.

13. Change to landscape from rural to urban, including scale and extent of re-zoning / development area and proposed zone typologies.

    a. Key facts and assumptions that are agreed upon by the experts;

All agree on change from rural to urban.

    b. Methodology or standards used by the experts in arriving at the opinions and reasons for differences in methodology and standards (if any);

Addressed in section 10.

    c. Matters and issues that are agreed between the experts;

All agree on change from rural to urban.

    d. Issues upon which the experts cannot agree and the reasons for their disagreement;

Scale and Extent of Development

There is fundamental disagreement about scale and extent of development across all experts. PK states that the current development is inappropriate because of the purpose of the Consent Notice is not being achieved, EM argues development should be aiming to achieve effects that are less than significant, as opposed to managing significant effects, based on a detailed analysis of the site.

Rural Lifestyle Area Buffer

PK and EM do not not accept the rural lifestyle area (buffer / equestrian zone) as an effective transition from urban to rural. It does not offer a defensible boundary to urban development and the proposed lot sizes will not achieve rural character.

Visual Effects from Paddocks

PK and EM propose that the Plan Change requires a stronger Landscape Framework requirement with the Structure Plan. This may be appropriate for a development of this scale because it offers a stronger landscape structure. This would break up the scale and form of development, assist in maintaining rural

character, and potentially mitigate views from The Paddocks and SH45. RB considers that additional landscape matters can be addressed by subsequent subdivision applications.

All experts agree that fencing controls are important and should be required.

e. Identification of published standards or papers relied upon in coming to their opinions, including identification of all material regarded by the experts as primary data;

None identified outside of written evidence submitted.

f. Consideration of the relevant statutory matters;

None identified outside of written evidence submitted.

g. Proposed and recommended measures to avoid, remedy or mitigate landscape and visual amenity effects.

None identified.

14. <u>Effects on landscape character and views of the Kaitake Ranges.</u>

a. Key facts and assumptions that are agreed upon by the experts;

All experts agree that the site is not located within an area of outstanding landscape, however PK and EM consider its proximity to be highly relevant.

b. Methodology or standards used by the experts in arriving at the opinions and reasons for differences in methodology and standards (if any);

Discussed in section 10.

c. Matters and issues that are agreed between the experts;

All experts agree that there is an effect and there will be an impact on landscape character and a loss of visual amenity. Disagreement is in regard to the scale of effect and the quality of the view from the SH45.

All agree that the character of the view will be changed.

d. Issues upon which the experts cannot agree and the reasons for their disagreement;

<u>Views</u>

The experts do not agree about the degree of the adverse effect on the views of the Kaitake Ranges.

e. Identification of published standards or papers relied upon in coming to their opinions, including identification of all material regarded by the experts as primary data;

District Plan Policy 15.1 states that development shall not create adverse visual effects.

Regional Policy Statement Objective NFL1 protects outstanding features and natural landscapes from inappropriate subdivision and development.

Oakura Structure Plan buffer deals with sensitivity of sites with via subdivision controls i.e. height controls

f. Consideration of the relevant statutory matters;

None identified outside of written evidence submitted.

g. Proposed and recommended measures to avoid, remedy or mitigate landscape and visual amenity effects.

None identified.

15. Effects of the proposed noise attenuation bund.

a. Key facts and assumptions that are agreed upon by the experts;

All experts understand that the bund is 2m high as per the Marshall Day evidence.

Experts acknowledge that the purpose of the bund is noise mitigation.

b. Methodology or standards used by the experts in arriving at the opinions and reasons for differences in methodology and standards (if any);

None identified outside of written evidence submitted.

c. Matters and issues that are agreed between the experts;

All experts agree that the bund will block views of the development from those travelling in cars.

All experts require further information as to the scale and length of the bund and its interface to SH45 access. Without this information cannot provide additional expert comment.

All experts agree that clarity is required regarding the rationale for return proposed on the bund (see figure 7, S42a report, figure 2 Marshall Day report).

All experts agree that return on the bund will potentially result in adverse effects particularly the area in close proximity to KNE.

d. Issues upon which the experts cannot agree and the reasons for their disagreement;

PK and EM agree that the bund unless re-designed, will be perceived as an inappropriate artificial landform. RB proposes that once planted the bund's underlying form will not be apparent.

e. Identification of published standards or papers relied upon in coming to their opinions, including identification of all material regarded by the experts as primary data;

None identified outside of written evidence submitted.

f. Consideration of the relevant statutory matters;

None identified outside of written evidence submitted.

g. Proposed and recommended measures to avoid, remedy or mitigate landscape and visual amenity effects.

PK and EM agree that consideration to be given to a bund design that integrates with the overall landscape, which may require additional depth from SH45.

16. Effects of proposed roundabout.

a. Key facts and assumptions that are agreed upon by the experts;

None identified

b. Methodology or standards used by the experts in arriving at the opinions and reasons for differences in methodology and standards (if any);

None identified

c. Matters and issues that are agreed between the experts;

Experts agree that the roundabout and underpass were not considered in the original LVIA, so there is an absence of clarity about the visual effects of these structures and how they tie into existing environment. There is an absence of detail to understand the amenity effects of this part of this proposal.

d. Issues upon which the experts cannot agree and the reasons for their disagreement;

None identified

e. Identification of published standards or papers relied upon in coming to their opinions, including identification of all material regarded by the experts as primary data;

None identified outside of written evidence submitted.

f. Consideration of the relevant statutory matters;

None identified outside of written evidence submitted.

g. Proposed and recommended measures to avoid, remedy or mitigate landscape and visual amenity effects.

RB - Landscape architect should be involved with the detailed design of the underpass and roundabout so as to avoid adverse amenity effects.

17. Effects of KNE and gully tributaries.

a. Key facts and assumptions that are agreed upon by the experts;

Experts agree that the streams are important landscape features, Wairau Road Stream is particularly important, so any structures such as crossings should be undertaken in a manner so as to not to undermine the character and amenity value of these waterways

b. Methodology or standards used by the experts in arriving at the opinions and reasons for differences in methodology and standards (if any);

Dealt with in paragraph 10.

c. Matters and issues that are agreed between the experts;

Crossing Structures

All experts agree that further detail about the form and nature of the structures on each of the streams is required to provide certainty about the avoidance of landscape character effects.

d. Issues upon which the experts cannot agree and the reasons for their disagreement;

None identified

e. Identification of published standards or papers relied upon in coming to their opinions, including identification of all material regarded by the experts as primary data;

None identified outside of written evidence submitted.

f. Consideration of the relevant statutory matters;

None identified outside of written evidence submitted.

g. Proposed and recommended measures to avoid, remedy or mitigate landscape and visual amenity effects.

18. Other effects.

a. Key facts and assumptions that are agreed upon by the experts;

Staging

Staging effects vary between the two proposals (superstage concept plan C-09 and superstage concept plan alternative C-10) and it is important that each stage mitigates itself.

Earthworks

Experts acknowledge that earthworks required for the urban development will be extensive and if not well managed may cause adverse character effects.

b. Methodology or standards used by the experts in arriving at the opinions and reasons for differences in methodology and standards (if any);

Dealt with in paragraph 10.

c. Matters and issues that are agreed between the experts;

Stormwater Bunds

Experts agree that the stormwater bunds need to be well designed and integrated into the gully landforms.

Cumulative Effects

Experts agree that each stage of the development needs to stand on its own, and each stage must be able to independently mitigate and remedy its effects to avoid adverse cumulative effects.

Water Tanks

All experts agree that it water tanks are needed; they should be hidden from view.

d. Issues upon which the experts cannot agree and the reasons for their disagreement;

None identified.

e. Identification of published standards or papers relied upon in coming to their opinions, including identification of all material regarded by the experts as primary data;

None identified outside of written evidence submitted.

f. Consideration of relevant statutory matters;

None identified outside of written evidence submitted.

g. Proposed and recommended measures to avoid, remedy or mitigate landscape and visual amenity effects.

Experts agree that landscape planting measures to the gullies and waterways across the whole site should be undertaken prior to any development on the site to assist with mitigating potential effects from staging.

12/7

Julie / Nadia

Experts have confirmed their acceptance of this statement

Thanks

Louise

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