

**Before the New Plymouth District Council
Independent Hearings Commissioner**

IN THE MATTER of the Resource Management Act 1991

AND

IN THE MATTER of a Two-Lot Subdivision and Land-Use Consent
Application at 373 Maude Road, Korito, New Plymouth

**STATEMENT OF EVIDENCE OF RICHARD ALEXANDER BAIN
(LANDSCAPE AND VISUAL EFFECTS) ON BEHALF OF G & C
BROADMORE**

Dated: 26 April 2024

PRESENTED FOR FILING BY:

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STATEMENT OF EVIDENCE OF RICHARD ALEXANDER BAIN

1. QUALIFICATIONS AND EXPERIENCE

- 1.1 My full name is Richard Alexander Bain. I am the owner of Bluemarble Landscape Architects. I have been working for over 30 years in New Plymouth as a self-employed Landscape Architect, specialising in site design and visual assessment.
- 1.2 I hold an honours degree in Landscape Architecture from Lincoln University (1992), and I am a registered member of the New Zealand Institute of Landscape Architects.
- 1.3 I have been involved with this subdivision project since July 2023. The focus of this involvement has been the assessment of effects on landscape character and visual amenity, and preparation of landscape mitigation plans.
- 1.4 I have visited the site and surrounding area several times, most recently on the 19th of April.

2. CODE OF CONDUCT FOR EXPERT WITNESSES

- 2.1 I confirm that I have read the Environment Court's Code of Conduct for Expert Witnesses as contained in the Environment Court's Practice Note 2023. I have complied with the Code when preparing this written statement and will do so when I give oral evidence. The data, information, facts and assumptions I have considered in forming my opinions are set out in this statement to follow. The reasons for the opinions expressed are also set out in the statement to follow. Unless I state otherwise, this evidence is within my sphere of expertise, and I have not omitted to consider material facts known to me that might alter or detract from the opinions that I express.

3. PURPOSE AND SCOPE OF EVIDENCE

- 3.1 I have been asked by G & C Broadmore (Applicant) to provide expert landscape and visual evidence in relation to their application.

- 3.2 My evidence covers:
 - 3.2.1 Brief Description of the Proposal.
 - 3.2.2 Site Context, Character, and Visual Amenity.
 - 3.2.3 Assessment of Effects – Landscape Character and Visual Amenity.
 - 3.2.4 Mitigation.
 - 3.2.5 Comments on issues raised in Submissions and Planning Officer's Report.
 - 3.2.6 Conclusion.

4. DOCUMENTS AND MATERIALS REFERENCED

- 4.1 In producing this statement of evidence, I have reviewed the following evidence and materials:
 - 4.1.1 The consent application dated 8 July 2022 prepared by Pat Sole Surveyor (Application).
 - 4.1.2 NPDC notification decision.
 - 4.1.3 Submission in opposition (Donald and Martina Murray).
 - 4.1.4 Addendum to lodged AEE dated 2 April 2024 prepared by planner Jeremy Brophy.

- 4.2 I have also relied on:
 - 4.2.1 The evidence of Mr Brophy regarding planning matters relevant to my evidence. This includes earthworks provisions under the Proposed District Plan (PDP), subdivision provisions under the Operative District Plan (ODP), and PDP. Mr Brophy's evidence covers these planning matters so are not repeated in my evidence.

 - 4.2.2 In preparing my evidence I have relied on technical information provided by GJP Pike Licensed Cadastral Surveyor regarding site topography and building levels.

- 4.3 I prepared two memoranda in support of the Application (July 2023 and February 2024) and I continue to hold the opinions expressed in those memoranda (Landscape Memoranda).

5. EVIDENCE

Brief Description of the Proposal

- 5.1 The main aspect of the proposal relevant to landscape character and visual amenity relates to the creation of Lot 1, which will enable a future dwelling and associated infrastructure such as driveway access, curtilage, water tanks, and amenity and shelter vegetation. Earthworks drawings and calculations required to construct a building platform have been prepared, providing certainty around the position of a future dwelling and driveway.
- 5.2 For the balance lot, the proposal (including proposed mitigation) will not enable any additional potential landscape change.

Site Context, Character, and Visual Amenity

- 5.3 The area's character is predominantly rural but also includes rural lifestyle properties typically located adjacent to Maude Road. The wider landscape is a mix of open pastoral land mixed with mature shelter vegetation. There are expansive elevated views from Maude Road, which runs along a narrow ridge, to a landscape where topography, vegetation, streams, and building pattern combine to create a layered three-dimensional landscape. Dwellings in the area are generally screened from the road by shelter and amenity vegetation which intensifies rural spaciousness, creating a visual rhythm of openness and enclosure when driving along the road.
- 5.4 The subject site comprises an undulating topography and includes an existing dwelling, farm buildings, and a pond. The site generally slopes from Maude Road steadily east to the bush-clad Mangakotukutuku Stream. North of the pond the land rises to a low but distinctive ridgeline that separates the site into two parts. Proposed Lot 1 and its building platform are located north of this ridge.
- 5.5 From public viewpoints the area's visual amenity is primarily derived from elevated open views, noting my earlier comment about openness and enclosure. From private viewpoints, visual amenity is derived from specific views from dwellings generally to the north and east. Western and southern flanks are usually planted for shelter.

Assessment of Effects – Landscape Character and Visual Amenity.

- 5.6 The proposal maintains rural character by preserving rural elements and character such as spaciousness. The separation distance between the existing dwelling on Lot 3 and the proposed dwelling on Lot 1 is sufficiently large to maintain a low-density landscape assisted by the site's undulating topography. Also, the dwelling on Lot 1 is positioned within a discrete setting – 'tucked' behind a distinctive ridge. This position ensures that the site's defining landforms remain intact and legible. The proposed vegetation will also further absorb a future dwelling into the landscape setting.
- 5.7 In my first Landscape Memorandum (July 2023) I also assessed potential effects on 335 Maude Road who have submitted in opposition. To undertake my assessment, I did not access 335 Maude Road but inferred intervisibility from the applicant's property. From this perspective, it is clear that a future dwelling on Lot 1 will be partially visible from parts of the submitters' property, with the most visibility occurring from the Blue Petal studio (a converted dairy shed) nearest the site boundary and adjacent orchard area. While these views are not from the property's main living areas or outdoor courtyards (generally regarded as high amenity areas), the proposal will nonetheless introduce urban form into a predominantly pastoral view. For this reason, I concluded that without mitigation, the level of effect on the submitter's visual amenity would be low to moderate. This equates to 'more than minor' using the NZILA Te Tangi a te Manu Landscape Assessment Guidelines. To mitigate these effects, several measures are proposed by the applicant. In addition, my Landscape Memoranda includes a Landscape Mitigation Plan (**attached**) that will screen views of the proposal from the submitters' property as shown on the Landscape Mitigation Plan - Cross Section. With this planting, and the other measures proposed by the applicant, the level of effect on the submitter's property will be very low.

Mitigation

- 5.8 The applicant's proposed mitigation measures include screen planting, a proposed no-build area, a limit of one dwelling, building height restriction, as well as controls on light reflectivity (roof and cladding), water tanks, fencing typology, exterior lighting, and driveway materials. The dwelling building area and prescribed building level are also prescribed. In my opinion these are effective mitigation measures.

- 5.9 Concerning the screen planting, the Landscape Mitigation Plan shows the extent and position of planting, a list of preferred species, plant spacings and a requirement that 80% of the planting must reach a minimum height of 4m within six years. I consider this requirement for a minimum height is achievable and realistic. The Landscape Mitigation Plan does not prescribe a minimum height at the time of planting. In my experience, smaller plants (at the time of planting) perform better than larger ones, so 'height outcome' is more relevant than the size of the plants when they are installed.

Comments on issues raised in Submissions and Planning Officer's Report

- 5.10 I have read the submission of Donald and Martina Murray who live at 335 Maude Road.
- 5.11 Concerning landscape and visual amenity effects, the submitters raise concerns around potential effects on rural character, particularly on easterly facing windows of the submitters' property.
- 5.12 As provided in the preceding paragraphs, in my opinion, the proposed mitigation measures will maintain the submitter's visual amenity in so far as they will not see the proposed dwelling on Lot 1 but will see additional vegetation, which is in keeping with its rural context.
- 5.13 I have reviewed the NPDC Section 42A Report and my comments relate to matters of disagreement or clarification.
- 5.14 Regarding screen planting, I note that in paragraph 14 of the suggested conditions, there is a requirement for planting to be installed prior to 224 certification and '*should comprise of indigenous plants with 80% capable of reaching a minimum height of four metres in six years at a maximum of 1m spacings*'. There is no reference in this condition to the species listed on the Landscape Mitigation Plan so could include any indigenous species and no mix of species. In my view, the wording for this condition should be revised to

Prior to 224 certification screen planting shall be installed in the areas labelled 'Planting Mitigation' on the Landscape Mitigation Plan. This planting should comprise of a minimum mix of seven indigenous plant

species from within the Egmont Ecological District, with 80% capable of reaching a minimum height of four metres in six years at a maximum of 1m spacings.

- 5.15 I have reviewed the Consent Notices on Lot 1 (paragraph 21) which lists the mitigation measures. These are consistent with my assessment and evidence and will provide effective mitigation, reducing the level of effects in my opinion to very low.

Richard Alexander Bain

26 April 2024

Annexures

Landscape Mitigation Plan	Drawing L1.0	28 July 2023
Landscape Mitigation Plan Cross Section	Drawing L2.0	2 August 2023



MITIGATION PLANTING

Native evergreen specimens are to be planted within both areas labeled 'Planting Mitigation'. 80% of these specimens must reach a minimum mature height of 4m within six years. This species mix allows for infill and lower specimens to fill in the understorey (such as flax).

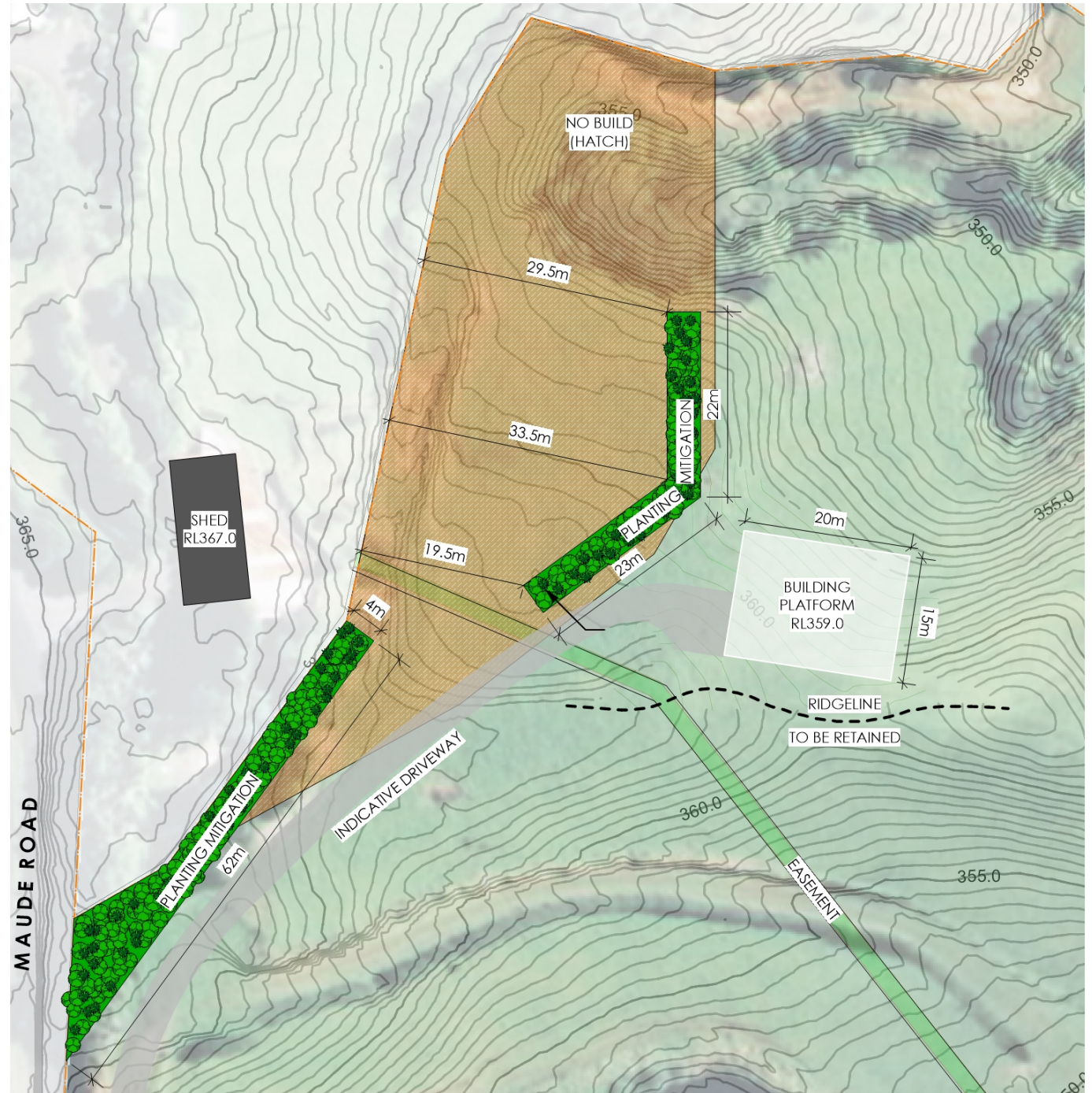
The 4m strips will contain 3 lines of planting (widening out to the south near the road). Specimens are to be planted at a maximum of 1m centres.

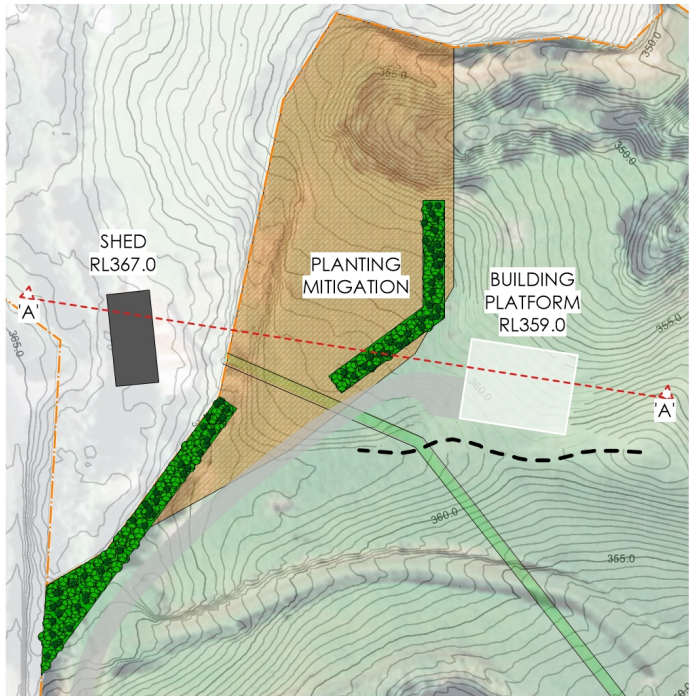
No specimens to be planted over the easement.

Planting to be a mix of (a minimum seven species) from the following list:

- | | |
|--------------------------------|--------------------------|
| <i>Phormium cookianum</i> | Mountain Flax, Wharariki |
| <i>Phormium tenax</i> | Flax, Harakeke |
| <i>Cordyline australis</i> | Cabbage tree, Ti kouka |
| <i>Griselinia littoralis</i> | Broadleaf |
| <i>Chamaecytisus palmensis</i> | Tree lucerne |
| <i>Prumnopitys ferruginea</i> | Miro |
| <i>Vitex lucens</i> | Puriri |
| <i>Leptospermum scoparium</i> | Manuka |
| <i>Weinmannia racemosa</i> | Kamahi |
| <i>Pseudopanax arboreus</i> | Five-Finger |
| <i>Pittosporum tenuifolium</i> | Kohuhu |
| <i>Pittosporum eugenioides</i> | Lemonwood, Tarata |

One additional area of planting is to extend to the south of the driveway entry as a single row of specimen trees, 6 m long to screen driveway headlights from the road. Specimens to be *Griselinia littoralis* and maintained at a height no lower than 3m - (Area marked 'A' on the plan above)





SCALE 1:1000

SEE CROSS SECTION BELOW

