

IN THE MATTER

of the Resource Management Act 1991

A N D

IN THE MATTER

of hearing submissions and further submissions on the
Proposed Waikato District Plan

PARTIES REPRESENTED

MIDDLEMISS FARM HOLDINGS LTD

BUCKLAND LANDOWNERS GROUP

**STATEMENT OF EVIDENCE OF
ROBERT JAMES PRYOR
ON BEHALF OF MIDDLEMISS FARM HOLDINGS LTD AND
BUCKLAND LANDOWNERS GROUP
DATED: 8 SEPTEMBER 2020**

1. INTRODUCTION

- 1.1 My full name is Robert James Pryor. I am a registered landscape architect and a Director of LA4 Landscape Architects. I have the qualifications and experience set out in my curriculum vitae which is attached as **Appendix 1**.
- 1.2 I hold a Bachelor of Science degree in Psychology from Otago University (1980) and a post-graduate Diploma of Landscape Architecture from Lincoln University (1984). I am a registered member of the New Zealand Institute of Landscape Architects (**NZILA**).
- 1.3 I have over 30 years' experience undertaking landscape assessments for clients in both the public and private sectors on a wide variety of major projects within a range of landscape settings. I specialise in the preparation of landscape and visual effects assessments and have undertaken numerous assessments as outlined in my curriculum vitae.
- 1.4 This evidence is in support of the submission by Middlemiss Farm Holdings Ltd and the Buckland Landowners Group, seeking an enhancement subdivision opportunity and the enabling of rural related activities and development subject to appropriate management.
- 1.5 I have read the Code of Conduct for Expert Witnesses in the Environment Court Practice Note 2014. I have complied with the Code of Conduct in preparing this statement of evidence and confirm that I will do so in presenting my evidence to the hearing commissioners. 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 I express.

2. MIDDLEMISS FARM HOLDINGS SUBMISSION

- 2.1 The Middlemiss Farm Holdings submission (794.26) of relevance to this evidence is to amend the provisions within Chapter 22.4 Subdivision, to provide for incentivised subdivision rules to enable ecological benefit within the rural area as a restricted discretionary activity, originally as follows:

(b) In situ opportunity in all rural zones but which are subject to overlay rules for outstanding landscapes, features etc.

(c) Lot yields

- *Restoration planting: 1 new lot for every 2ha minimum*
- *Retirement succession: 1 new lot for every 4ha minimum*
- *Wetland establishment: 1 new lot for every 0.5ha establishment (excluding buffer areas)*
- *Riparian protection: 1 new lot for every 1.5ha minimum (minimum width of 10m and an average minimum of 15m either side of the stream bank or wetland).*

(d) the submitter considers whether a maximum cap be applied

(e) lots with sizes ranging between 5000m² and 1.5ha.

(f) clustering of lots is encouraged but not required as it is a design response issue and site dependent.

2.2 Subsequent to the lodgement of the original submission, the relief being sought has been further amended in the evidence of Mr Shane Hartley, and I refer to the draft set of rules attached to his evidence.

2.3 The submission also seeks to amend the provisions within Chapter 22.4 Subdivision for incentivise subdivision rules to enable ecological benefit within rural areas by incorporating the following Restricted Discretionary Assessment Criteria as follows:

(a) Site specific design led approach to the identification of protection/enhancement areas, lot boundaries and building platforms;

(b) Priority provided for the LENZ 4 most at-risk land, wetlands and streams;

(c) Opportunity for linkages to other existing or future ecological areas;

(d) The qualities and features of the resources to be protected/enhanced;

(e) Locating accessways and building platforms, where practicable;

- *off elite soils;*

- *where reverse sensitivity risk is managed;*

- *to maintain rural production (broadly defined); and*

- *to maintain and enhance rural amenity values.*

(f) The ecological and other benefits of the enhancement; and

(g) Legal long-term protection and maintenance mechanisms.

3. SCOPE OF EVIDENCE

3.1 My evidence will outline why I consider that the Proposed Waikato District Plan's (PWDP) Rural provisions of a minimum lot size of 40ha, with an allowance for a single additional title of 0.8-1.6ha to be created for every 40ha balance is overly restrictive, and outline how the relief sought by the submitter can manage change and mitigate potential adverse effects on rural character. My evidence will cover:

(a) Appropriate mechanisms for siting, building design and materials to maintain rural amenity values (Section 4)

(b) Indigenous revegetation work to restore important ecological linkages and reinforce distinctive landscape patterns in rural areas, as well as increasing the

visual absorption capacity of rural areas, through vegetative screening and backdrop integration planting (Section 5)

- (c) An analysis of the environmental enhancement work undertaken on the site at 95 Jericho Road and how the surrounding rural area is an exemplar for an enhancement subdivision opportunity (Section 6).

4. MAINTENANCE OF RURAL AMENITY VALUES

4.1 I consider that there are a number of site specific design responses for subdivision provisions that could be applied to avoid, remedy, and mitigate, any potential significant adverse effects of buildings and structures on rural character and amenity including:

- Minimising disruption to natural landform, using the existing landform to locate the placement of buildings and roads.
- Avoidance of elements that contribute to a more urban character (including street lighting, kerb and channels, bulk earthworks) to reduce adverse rural amenity effects.
- Earthworks for access drives to be minimised with the use of grassed swales for stormwater (no kerbs) to minimise earthworks and infrastructure. Access roads are to follow the landform
- Building sites identified within the site and integrated with the surrounding natural landform and dwellings located close to roads – minimising infrastructure servicing and length of individual driveways.
- Integration and screening of more sensitive visual catchments through building placement, sensitive access drive placement and vegetation screening methods.
- Single level dwellings with rural character design controls applied. Houses designed with visually recessive materials and forms and of a design sympathetic to the rural character.
- Integration of the natural features of the site into an open space framework with pasture, revegetation and riparian planting and screening / mitigation / integration planting associated with the dwellings and between lots (outlined below).
- Building platforms should be located such that they are visually and physically separated from each other through either physical distance and/or level difference so that cumulative visual effects are minimised or avoided.

4.2 In addition, clustering of lots into hamlets / papakainga is an appropriate mechanism in some cases and avoids the 'patchwork' effect or 'ribbon development' that dwellings

spread evenly across a wider rural area can often create. This also engenders a more rural character than the same number of houses spread across a wider area.

5. INDIGENOUS REVEGETATION PLANTING

- 5.1 I consider that indigenous revegetation planting can be successfully utilised to restore important ecological linkages and reinforce distinctive landscape patterns in the Waikato rural areas, as well as increasing the visual absorption capacity of rural areas, through vegetative screening and mitigation and integration planting.
- 5.2 The protection, enhancement, and restoration of degraded natural and physical resources – watercourses, streams, gullies, and steep, unstable erosion prone land is a priority. Streams and watercourses would be revegetated to enhance the site's vegetative framework, wildlife corridors and landscape amenity and rural character. This would also assist with the visual integration of future development, while better managing extreme rainfall events. Steep unstable slopes, in particular those associated with drainage gullies and steep escarpment faces, would be retired from farming use and revegetated, enhancing future land management, by restricting inappropriate land use activities while enhancing the visual integration of built development.
- 5.3 Vegetative framework planting within the lots would include backdrop, foreground, and shoulder planting, designed to partially screen dwellings while also grounding built form and fragmenting constructed form.
- 5.4 One of the most successful examples where indigenous revegetation planting has been extensively used to produce positive net landscape benefits as a primary outcome of development implementation is the Waiheke Island – Western Entrance Headland Landscape project. The project represents the evolution of an international planning, design and implementation programme that has transformed a significant landscape over a 30-year period from 1987. The project involved the formulation of district plan strategy and policy comprised of specific provisions that were proactive in their purpose and intent. This in turn promoted and created opportunities where landowners and developers were encouraged by way of District Plan incentives and bonus provisions to implement projects that have produced significant ecological, coastal, and visual amenity outcomes. The project represents a specific example and illustration of the tangible results that have emerged from the implementation of a 'visionary' formal district planning programme.
- 5.5 The overall outcome is the result of the contributions of an interactive team of politicians. Council and consultant planners, landscape architects and other interdisciplinary professionals, community, iwi, organisations, developers, land managers and land users overtime. **Photographs 9 and 10** illustrate the success of the project.

6. ENVIRONMENTAL ENHANCEMENT AT 95 JERICHO ROAD

- 6.1 The nature and characteristics of the environmental enhancement work undertaken to date on the site at 95 Jericho Road is an exemplar for an environmental subdivision model. The existing vegetation patterns and landform characteristics of the site are elements that would assist in mitigating any potential effects of increased density within the site on the rural character and visual amenity of the surrounding rural environment.
- 6.2 To date, 4.1 ha of indigenous riparian planting has been undertaken along the northern stream corridor and lower lying degraded flats on the northern side of the stream. This planting was implemented in 2018 and has become well established, with over 32,000 native plants. **Photograph 1** is taken from within the site looking across the riparian planting in the northern part of the site.
- 6.3 The planting has entirely transformed a previously degraded waterway into a significantly enhanced environmental asset. To illustrate the success of this environmental initiative, photographs have been taken of the existing watercourses within the property that have not been planted. **Photograph 2** illustrates the stream crossing in the northwestern part of the property. The fenced riparian planting is visible to the left of the crossing and the fenced, but not planted stream is to the right of the photograph. **Photograph 3** illustrates the unplanted section of the stream and **Photograph 4** the environmentally enhanced riparian planting. The ecological, rural character and visual amenity benefits of this enhancement planting are clearly apparent.
- 6.4 **Photograph 5** illustrates an unplanted fenced stream within the site with minimal ecological value, being flanked with pasture grasses. **Photograph 6** illustrates an unfenced and degraded watercourse and clearly shows an example of numerous watercourses throughout the district.
- 6.5 Opportunities exist throughout the surrounding Pukekohe East environs to accommodate additional development through enhancement subdivision, including in the Buckland Landowners Group area. The landform, vegetation patterns, steep and broad gullies, and a number of degraded streams and watercourses means the local environment has the capacity to visually absorb additional built form through environmental enhancement. **Photograph 7** illustrates a stream in the adjoining property to the south and **Photograph 8** degraded watercourse and eroding slopes in a property in Beaver Road to the southeast. Clearly both of these examples would benefit significantly from environmental enhancement through riparian and revegetation planting.

7. CONCLUSIONS

- 7.1 I acknowledge that while rural production activities are critical to the future sustainability and functioning of the district economy and social wellbeing, the underlying reality is that some areas of the existing rural environment are inappropriate for farming activities and more suited for land-use management with associated lifestyle activities.
- 7.2 The relief sought by the submitter is a tool which can expedite ecological enhancement, while ensuring that fragmentation of larger landholdings is minimised and sensitively designed development is allowed to occur.
- 7.3 I therefore consider that incentive based enhancement subdivision to restore fragmented ecological patterns and biodiversity, with positive environmental outcomes, is an innovative and integrated land use planning strategy. It could be successfully implemented in appropriate locations in rural areas without adversely affecting the rural character and amenity values of the Waikato rural countryside.



Robert James Pryor



PHOTOGRAPHS



Photograph 1 – Riparian enhancement planting within the site



Photograph 2 – Stream crossing in the northwestern part of the site



Photograph 3 – Unplanted fenced stream



Photograph 4 – Riparian planted stream



Photograph 5 – Unplanted fenced stream



Photograph 6 – Unplanted unfenced stream



Photograph 7 – Unplanted fenced stream on adjoining property



Photograph 8 – Degraded watercourse and eroding slopes in Beaver Road



Photograph 9 – Western Entrance Headland



Photograph 10 – Aerial Photograph Western Entrance Headland

APPENDIX 1: CIRRICULUM VITAE



ROB PRYOR Director

Qualifications

Bachelor of Science Degree (Psychology) – Otago University (1982)

Diploma of Landscape Architecture – Lincoln University (1984)

Registered Member, New Zealand Institute of Landscape Architects

Member, Resource Management Law Association

Member, Urban Design Forum

Background

1996 – Present: Director, LA4 Landscape Architects, Auckland

1993 – 1996: Landscape Architect, LA4 Landscape Architects, Auckland

1989 – 1993: Director, Bannatyne Pryor Associates, Wellington

1984 – 1989: Landscape Architect, Wellington City Council, Wellington

Skills and Experience

Rob has over thirty years' experience as a practicing landscape architect, including five years as Landscape Architect for Wellington City Council and four years as director of the Wellington consultancy Bannatyne Pryor Associates. He has been involved in a wide variety of local authority, public and private sector work. He has been involved in a wide variety of local authority, public and private sector work and has had a longstanding involvement in landscape assessments, visual and landscape effects assessments, reserve management planning and precinct planning and urban design projects.

Rob specialises in landscape and visual effects assessments and has been involved in a number of large infrastructure projects, roading developments, marine farms and large scale commercial development including the North Shore Wastewater Treatment Plant, Mangere Wastewater Treatment Plant, Waikato River Water Source, Regional Prisons – site selection, marine farms, subdivisions and telecommunications facilities. This work has also included providing advice on landscape treatment and mitigation measures to reduce any adverse visual and landscape effects of development.

Rob has been involved in a number of Plan Change applications and peer reviews of landscape impact assessments and is very familiar with the Resource Consent and appeals process having prepared numerous applications for North Shore City, Auckland City, Waitakere City, Taupo District, Far North District, Whangarei, Marlborough and Taupo District Councils.

He has prepared evidence for and appeared before numerous Council, Environment Court and Board of Inquiry hearings in relation to landscape, visual and amenity effects on the environment.

Fields of Special Competence

Landscape and Visual Effects Assessment

Landscape Planning and Design

Urban Design

Open Space and Recreation Planning

Contract Documentation

Contract Administration | Project Management | Expert Witness

Relevant Experience – Landscape and Visual Effects Assessments: Large Scale Mixed Use Developments

- Beachside Mission Bay
- Tuwharetoa Hotel
- Milford Retail and Residential Development
- George Street Apartments
- Milford Town Centre Private Plan Change
- Progressive Enterprises
 - *Palmerston North*
 - *Hastings*
 - *Havelock*
 - *Regent*
 - *Onetangi*
 - *Warkworth*
 - *Peachgrove*
 - *Whitianga*
 - *Papakowhai*
 - *Hobsonville*
 - *Rotorua*
- Beachlands Village Business Centre
- Hobsonville Village Centre
- TaTa Valley
- Highbury Shopping Centre Private Plan Change
- St Lukes Private Plan Change
- North Shore Hospital Private Plan Change
- Massey North Town Centre
- Matakana Estate
- Bunnings Queenstown
- Craddock Farms

Institutional Developments

- AUT City Campus
- University of Auckland Tamaki Campus
- Middlemore Hospital
- Middlemore Woman's Health
- North Shore Hospital Elective Surgical Centre
- Auckland Memorial Park
- Springhill Men's Corrections Facility
- South Auckland Women's Corrections Facility
- Summerset at St Johns
- Molly Ryan Retirement Village
- Arvida Aria Bay Retirement Village
- Aria Park Retirement Village
- Bethesda Retirement Village
- Copper Crest Retirement Village
- Wiri Men's Prison
- O-I Glass
- Orica Mining Services

Coastal Developments

- Matiatia Marina
- Murrays Bay Stormwater Outfall
- Murrays Bay Sailing Club
- Marine Farms – Marlborough, Southland, Coromandel, Otago and Wellington
- Coastal Subdivisions
- Owhanake Bay
- Matauwhi Wharf
- Karekare Surf Club
- Half Moon Bay Ferry Terminal

Motorways, Roading and Transport Networks

- Puhoi to Wellsford RoN's Motorway
- Glen Innes to Tamaki Drive Cycleway
- Beach Road Cycleway
- Quay Street Cycleway
- New Lynn to Waterview Cycleway
- Waterview Connection Shared Path
- AMETI Phase 1 and 1A
- AMETI Phase 2
- SH26 Ruakura Interchange
- Newmarket Railway Level Crossing
- Dominion Road Transport Designation
- Waikato Expressway (Hamilton Section)
- Southern Links Hamilton
- Wairere Drive Interchange
- Tamahere East-West Link
- Te Atatu Road Widening
- Bombay Motorway Service Centre
- Central Rail Link Overpass
- Auckland Domain Rail Designation

Public Infrastructure

- City Rail Link
- Watercare Northern Interceptor
- Wiri Oil Services – oil terminal expansion
- Orica Mining Services
- Vector Broadband Fibre Network Rollout
- Waikato River Water Source
- Vortec Wind Turbine
- Mangere Wastewater Treatment Plant
- Project Rosedale – North Shore Wastewater Treatment Plant
- Telecommunication Networks – Vodafone, Telecom and BCL
- Hunua No. 4 Watermain
- Ravensdown Fertiliser Te Puke
- Metservice Northland Radar
- Southdown Cogeneration Plant
- Kordia Trans-Tasman Cable
- Unison Networks Rotorua

Proposed Auckland Unitary Plan – Evidence

- Topic 020 – Volcanic Viewshafts
- Topic 016 and 017 – Rural Urban Boundary North/West and RUB South
- Topic 050 – City Centre
- Topic 078 – Building Height
- Topic 081 Rezoning and Precincts (Geographical Areas)

Special Housing Areas – Auckland Unitary Plan

- Auranga A and B
- Kingseat Village
- Rotokauri North
- McRobbie Road Kingseat
- Great South Road
- Barrack Road
- Bremner Road
- Red Hills
- Oruarangi
- Northridge Estates – Flatbush
- Beachlands Multi-Housing
- Sale Street Apartments
- Hitchen Block Pokeno

Recreational Facilities

- Wairakei Golf and Sanctuary
- Whakapapa and Turoa Ski Areas
- Cable Bay Winery
- Waiheke Golf Club Course Development
- Northern Rock Climbing
- Gibbston Valley Winery

Residential Apartment Developments

- Parkside Residences
- Lakewood Court
- Parkway Drive
- Grace Victoria Quarter
- Edition Parnell
- Great South Road
- Marua Residences
- Great North Road
- Mairangi Bay
- Beach Road
- Remuera Road
- Beachside Mission Bay
- Walmsley Road
- George Street
- Union Green CBD
- The Point
- Milford Residential
- Sale Street

Rural Subdivisions

- Awaroa River Road
- Taraunui Road
- Tudehope Road
- Albany Heights
- Hibiscus Coast Highway
- Royden Drive Rautangata
- Waikopua Whitford
- Monument Road Clevedon
- Oaia Road Muriwai
- Point View Drive

Quarries and Cleanfills

- Te Arai Quarry
- Drury Quarry Expansion
- Huntly Quarry Expansions
- Emerald Downs Gravel Extraction Plant
- Brookby Road Cleanfill
- Petersons Road Cleanfill
- Twilight Road Managed Fill
- Brookby Cleanfill
- Petersons Road
- Wood Valley Managed Fill Waimauku

Corporates

- Progressive Enterprises | Woolworths NZ Developments | Z Energy