

BEFORE THE HEARING COMMISSIONERS

AT WAIKATO DISTRICT COUNCIL

IN THE MATTER of the Resource Management Act 1991 (RMA)

AND

IN THE MATTER of submissions and further submissions on the Proposed District Plan

**STATEMENT OF EVIDENCE OF DAVID GRAHAM MANSERGH FOR SUBMITTER
[387]: DIAMOND CREEK FARMS LIMITED
16 February 2021**

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STATEMENT OF EVIDENCE OF DAVID GRAHAM MANSERGH

INTRODUCTION

1. My full name is David Mansergh. I am a qualified Landscape Architect and Recreation Planner. I am a Registered Member of the New Zealand Institute of Landscape Architects (NZILA). My qualifications include a Dip P&RM (Diploma in Parks and Recreation Management with Distinction) completed in 1988, a BLA Hons (Bachelor of Landscape Architecture with Honours) completed in 1990 and an MLA (Master of Landscape Architecture) completed in 1992, all from Lincoln University, Canterbury.
2. I have been a Director of Mansergh Graham Landscape Architects Ltd since 1996. Prior to this, I was employed by the company as a landscape architect (1992 - 1996). I have also worked for the Department of Conservation (1986 – 1988) and before that, the Department of Lands and Survey (1985).
3. During my career I have been involved in the preparation of and/or the peer review of a significant number of visual and landscape assessments for a wide range of activities and developments. These include: subdivisions; District Plan changes; residential, commercial and industrial buildings within the urban and rural environment; quarries (hard rock and sand); mines (coal and gold) and landfills; power stations; hydro dams; wind farms; power transmission lines and substations; marine farms; major port facilities; coastal developments; canal housing and marinas; telecommunication masts; ski fields, gondolas and ziplines; dairy factories; poultry farms; and major roading infrastructure projects.
4. I also have considerable experience in the preparation of visual simulations and photomontages.
5. I was involved in the NZILA Landscape Planning Initiative, tasked with developing the 'best practice' approach for landscape and visual assessment in New Zealand.
6. I have presented evidence at Resource Management hearings before Council, the (then) Planning Tribunal and the Environment Court. I acted as an Independent Commissioner at the Rangitikei District Plan hearings.

Code of Conduct

7. I confirm that I have read the Expert Witness Code of Conduct set out in the Environment Court's Practice Note 2014. I have complied with the Code of Conduct in preparing this evidence and agree to comply with it while giving evidence.
8. Except where I state that I am relying on the evidence of another person, this written evidence is within my area of expertise. I have not omitted to consider material facts known to me that might alter or detract from the opinions expressed in this evidence.

SUBMISSION TO THE PROPOSED DISTRICT PLAN

9. Diamond Creek Farm Ltd made a submission to the Proposed Waikato District Plan (PWDP) seeking that part of the property at 3355 State Highway 23 (SA1205/178) is rezoned as Country Living Zone (CTZ). Diamond Creek Farm seeks to rezone approximately 43ha to the north of State Highway 23, while the balance of the property to the south of State Highway 23 will remain in grazing.

PURPOSE AND SCOPE OF EVIDENCE

10. Mansergh Graham Landscape Architects Ltd (MGLA) has been engaged by Diamond Creek Farm to assess the suitability of the landscape adjacent to the Te Uku settlement for large lot residential development and to assess the potential effects of the rezoning on existing landscape character and rural amenity.
11. I am responsible for the preparation of the report titled *Diamond Creek – Proposed Rezoning: Landscape and Visual Assessment Report* dated October 2020.
12. In preparing my evidence I have read the s42A Framework report prepared by Council and the evidence prepared by the following witnesses:
 - (a) Mr Glenn Neems and Ms Abbie Neems (Submitter)
 - (b) Mr Bevan Houlbrooke (Planner)
 - (c) Ms Judith Makinson (Traffic Engineer).
13. In my evidence I will discuss:
 - (a) The suitability of the site for the proposed Country Living Zoning.
 - (b) Development of the proposed structure plan and development achievable under the proposed zone.
 - (c) Effects of the proposed Country Living zone on existing landscape character and visual amenity.

(d) Relevant provisions of the planning documents.

(e) The s42A Framework Report.

14. I do not repeat the contents of my report in detail, rather I will provide a summary of the key findings of the report and solutions proposed.

15. It should be noted that I refer to two separate set of attachments, these include attachments within my evidence in chief and attachments within my graphic evidence.

16. When I refer to the 'core', I refer to the heart of Te Uku Settlement (for example the Te Uku Convenience Store and the Roast Office). It will refer to the functional core, not to be confused with the geographical core.

STUDY APPROACH

17. The study approach is outlined in my main report. I do not provide further detail in my evidence other than to say that I have:

(a) Followed an industry standard landscape and visual assessment approach;

(b) Assessed the general suitability of the wider Te Uku landscape for the intensification of buildings and rezoning;

(c) Identified a design solution for the application site that achieves the intended outcomes of the requested zoning; and

(d) Assessed the effects of development on surrounding rural character and visual amenity.

SUITABILITY OF THE SITE

18. I have used an overlay analysis approach to assess the suitability of the site for rezoning within the context of the wider surrounding landscape. This involves a common scale of values being applied to a set of diverse and dissimilar inputs to allow optimal site selection and suitability modelling. By mapping the various physical factors that influence development opportunities, the spatial variations and values of the component features can be compared to understand landscape suitability. Factors that influence landscape character and aesthetic factors have been given more analytical weight than some other factors.

19. Economic, geotechnical, specific social factors and tangata whenua values have not been included, as the purpose of the general suitability analysis is to determine if the

Te Uku landscape can support further development at a broad level, without adversely affecting the characteristics of the wider surrounding landscape.

20. As part of my assessment, I have also considered the suitability of the land to the west of the application site. While the owners of this land are not currently seeking to have this land re-zoned, I have considered it in terms how future development could occur to reinforce the core of the existing village.
21. The key objective is to identify which parts of the landscape are suited to development while maintaining the landscape and visual amenity values associated with the wider rural landscape.
22. Consideration has been given to topographical, landcover, land use and urban design factors to determine if the application site is suitable from a landscape and visual perspective.
23. From a development perspective, the application site is located on gently undulating to flat terrain and is contained by surrounding steeply undulating hill country, as identified on the slope analysis map. The application site does not contain any significant native vegetation or have a protection status; and is not identified as a significant natural area or landscape with significant natural character. There are no outstanding natural landscapes or features located within the site or immediately adjacent to it.
24. Slope and vegetation cover analysis maps are contained on pages 2 & 3, respectively, of my graphic evidence (attachment 1 & 2).
25. From an urban design perspective, the application site is considered appropriate because it is proximate to the existing Te Uku Village centre and presents an opportunity to reinforce an existing development node within a rural context in a manner that is consistent with good urban design practice.
26. By consolidating development and intensifying existing nodes, uncontrolled or inappropriate subdivision sporadically located throughout the rural landscape will be avoided and larger areas of wide-open rural character can be preserved.
27. Existing development patterns can be seen in the *Existing Development Density Map* contained on page 4 of my graphic evidence (attachment 3).

28. In my opinion, the lower density development option, that I will discuss in my evidence shortly, is consistent with the requirements of the Country Living Zone and the scale and density of the development that will result from the proposed zone change will be similar to other nearby rural settlements, such as Waitetuna.

DEVELOPMENT OF THE PROPOSED STRUCTURE PLAN AND DEVELOPMENT ACHIEVABLE UNDER THE PROPOSED ZONE

29. To test the potential effects of the proposed plan change on landscape character and visual amenity values surrounding the proposed zone change, a structure plan and potential subdivision design has been developed to demonstrate that the proposed change in zoning can be developed in a sensible and sustainable manner.
30. An iterative design process has been applied to the development of the *Proposed Structure Plan* and different development concepts for the application site, with applicant, Council, landscape architectural, survey, traffic, and planning input.
31. Together with the set of additional rules and guidelines outlined in the evidence of Mr Houlbrooke, the *Proposed Structure Plan* is intended to control future development within the zone change area. A copy of the proposed Structure Plan on page 5 of my graphic evidence (attachment 4).
32. A landscape ecological approach, following the “Design with Nature” philosophy promoted by McHarg¹ and current best practice urban design considerations have been applied to:
- (a) Maintain and enhance key landscape and ecological features within the zone change area;
 - (b) Reinforce the existing Te Uku Village core as the heart of a rural village;
 - (c) Form connections (vehicle and pedestrian) between the zone change area, the existing Te Uku Village core and the school;
 - (d) Create a safe and sociable rural village neighbourhood for people to enjoy;
 - (e) Provide different sized lots for spatial variety and to reinforce a transect that encourages slightly higher development densities towards the core of the village

¹ “Design with nature” is an approach, first promoted by McHarg and adopted by a large number of landscape architectural practices, in which care is taken during the planning and design process to ensure that both the ecology and the character of the landscape is taken into consideration. A key component of this strategy is working with existing landforms and features in a way that minimises the disturbance and/or restores natural patterns and processes.

(smaller lots), which also reflects different topography and drainage capacities, and generally lower development density along the Matakotea Stream (larger lots);

(f) Provide reserve areas containing a pedestrian/cycle access network; and

(g) Allow a future vehicle/pedestrian connectivity option to provide for village growth.

33. The adoption of a transect approach to development, which results in a gradient that consolidates and places smaller lots near the village core and larger lots around the periphery of the site, will allow the development to nest into the surrounding rural environment in an appropriate way. This will help the development to avoid a harsh transition to the adjacent rural landscape at its fringe.
34. The separation of pockets of development within the site by the natural gully systems that flow through it, will further help development within the zone change area to integrate with the adjacent rural landscape.
35. These gullies also enable the formation of a range of connection options between the existing core of Te Uku Village and within the area to be re-zoned. Linkages to both existing and proposed features in the wider environment are also possible, further enhancing the connectivity with the adjacent rural landscape. Opportunities exist for further coherent integration with the rural land adjacent to the Te Uku school.
36. The key features of the *Proposed Structure Plan* are as follow:
- (a) Road access to the site from within the 80km speed zone from SH23.
 - (b) Internal site access via a main spine road with local roads and right of way access to developable areas.
 - (c) Future road connection opportunities to the west and east.
 - (d) Private and public reserves within the gully and wetland systems.
 - (e) Cycleway/walkway to provide internal connectivity and connections to Te Uku Village (core, church, and school).
 - (f) Design provision that promotes larger lots adjacent to existing rural areas to the north and east.
37. To help guide the development of the *Proposed Structure Plan* and aid in the assessment of effects, three were developed. Each concept demonstrates that the land can be subdivided in a way that will support a high-quality rural residential neighbourhood, all the while remaining compatible with the District Plan.

38. In the three cases, consideration has been given to slope, proximity to the gully edge, accessibility, and the flood plain. Lots will be accessed from the spine road, local roads, or private right of way. Lot sizes comply with the relevant *Country Living Zone* and *Village Zone* provisions, respectively.
39. The CLZ development concept (*Plan C09 – Country Living Zone Development Concept (≥5000), Revision R0*) demonstrates low density development that is compliant with the proposed zoning.
40. This concept would result in a yield of 53 lots, ranging in size between 5007m² and 10900m². All lots maintain open space character, are at a low density and can be self-sufficient in terms of water supply, wastewater, and stormwater disposal. The creation of undersized lots is avoided.
41. A copy of this plan is contained on page 6 of my graphic evidence (attachment 5) and is consistent with the submission.
42. To preserve, maintain and enhance the gully systems and Matakotea Stream, native species will be used throughout, with an opportunity to develop a Pā Harakeke (Flax pā) within the main public reserve.
43. Images taken from a 3D model showing the spatial configuration of the existing site and both development scenarios can be found on pages 9 to 13 of my graphic evidence (attachment 8).
44. The model can be found at the following link:

www.mgla.co.nz/webviewer/ceviewer.html?3dWebScene=webscenes/DCFCL.3ws
45. By way of development, two other concepts have been developed for the site, and have been considered in the assessment of landscape and visual effects. These are:
- (a) *Plan C06 - Village Zone Development Concept (≥2500), Revision R1*, which explores a low-density/larger lot development with a yield of 82 lots ranging between 2500m² and 10900m²; and
- (b) *Plan C07 - Village Zone Development Concept (≥800), Revision R1* explores a higher-density design solution and achieves a yield of 161 lots, ranging in size between 800m² and 10900m².

46. These plans show how the CLZ compliant plan (C09) can be adapted, with minimal change to the proposed road or reserve network, to meet the higher density development provisions of the *Village Zone*, without an unacceptable increase in effects on rural landscape character and amenity.
47. A copy of these plans is contained on page 7 & 8 of my graphic evidence (attachment 6, 7).

Recommended Requirements of The Structure Plan

48. The submitters have chosen to progress a rezoning request for Country Living, which is the basis of the original submission. In my view a Structure Plan for Country Living Zone development will cause least disruption to the character of the Te Uku Village environment. Having said that, any of the 3 concepts could be accommodated by the proposed structure plan without an unacceptable level of adverse effect on the surrounding rural environment or the village.
49. The following recommendations from my report have been taken into consideration by Mr Houlbrooke, who will address how he has integrated them into the provisions around the proposed structure plan in his evidence:
- (a) That the roading layout is in general accordance with that identified on the Proposed Structure Plan.
 - (b) That any subdivision within the Proposed Structure Plan area provides for a range of lot sizes, designed to be sympathetic to the existing topography of the site by avoiding the need for major recontouring. Retaining walls greater than 1m in height should be avoided.
 - (c) That subdivision lot density increases towards the existing core of Te Uku Village (the shop and school) meaning that smaller lots are generally located closer to the existing village and larger lots are located adjacent to rural areas and on the lower terraces.
 - (d) That the gullies and riparian margins of the Matakotea Stream are to be planted with native indigenous plant species, which will help maintain, restore, and enhance the existing landscape patterns. Restorative planting should also occur within disturbed areas of the site.
 - (e) That pedestrian and cycleways should be along gullies, riparian margins of Matakotea Stream and from the application site to the existing Te Uku Village for connectivity.

- (f) That, if required for noise mitigation reasons, any earth bunding along SH23 should be shaped to visually integrate with the surrounding natural landform and should be planted with native vegetation.
- (g) That building colours are limited to neutral and/or darker toned exterior cladding and roofing materials, to assist the integration of buildings into the surrounding landscape (backdrop of existing and proposed vegetation/pasture). This will decrease visual prominence of built forms and allow built forms to integrate successfully with the existing surrounding rural environment.
- (h) That any subdivision design includes planting throughout the site to help to reduce the visual prominence of the development on surrounding roads and rural areas and to retain the overall rural character.

EFFECTS OF THE PROPOSED COUNTRY LIVING ZONE ON EXISTING LANDSCAPE CHARACTER AND VISUAL AMENITY

50. I have used a standard assessment approach to identify the existing landscape and natural character of the site and its surroundings and to assess the potential effect of development enabled by the zone change on landscape and visual amenity. In broad terms, the assessment consists of the:
- (a) Identification of the key elements or attributes of the proposed change in zoning;
 - (b) Identification of the landscape values, natural character, key attributes, and social preferences within the context of biophysical, associative, and visual landscape interpretation; and
 - (c) Identification of relevant assessment criteria within the context of the relevant statutory framework.
51. I have rated the effects of development, enabled by the zone change, against existing rural character and visual amenity within the context of the provisions of the existing rural zone. This includes the consideration of the changes that will occur against a baseline that includes a relative absence of buildings and a requirement for the maintenance of open space. A change in the underlying zoning will not alter the effects of the development on the existing character, but rather alter the factors against which those effects are evaluated.

Wider Landscape Context

52. Geographically, the application site and the immediate surroundings are contained by steeply undulating terrain including Kokako Hill and Otonga Hill to the north-east, the Kapamahunga Range to the southeast, Te Uku Hill to the south, Mt Pirongia (Calckalic volcano) to the far south, Mount Karioi (a 2.4 million year old extinct stratovolcano) to the west and Pukepuketetai Hill to the north, where viewers can obtain vistas over Raglan Harbour (Whaingaroa).
53. The Waitetuna River Valley is nestled between the foot slopes of the Kokako Hills and the Wharauoa Plateau and runs along State Highway 23, converging with the Matakotea Valley at the northern boundary of the application site before flowing into the Raglan Harbour at Te Uku Landing. Numerous meandering stream channels traverse the Matakotea Valley floor, including the Matakotea Stream, Mangawhero Stream and Mangakino Stream. The profile and paths of these streams have been modified by adjacent agrarian activity.
54. Rural development has been the predominant influence on landscape character, with the valley floors and lower ridgelines distinguished by pastoral land use.
55. While exotic shelter plantings dissect the open pastoral farmland in places, much of the valley floor has an open spatial character with scattered mature shade trees, clusters of pine trees, riparian vegetation, remnant stands of indigenous vegetation punctuating the surrounding pasture. Several large tracts of exotic forestry and blocks of native vegetation can be found on the upper ridgelines and slopes associated with the containing hill country.
56. Development within the wider landscape includes the Te Uku windfarm, which is located on the Wharauoa Plateau, to the south of SH23, Te Uku Village and scattered rural housing, associated amenity curtilage plantings and ancillary farm sheds.
57. Te Uku Village currently comprises the Te Uku Convenience Store, Te Uku Roast Office, Te Uku School and Surfside Church (including carpark and Te Uku Wind Farm Lookout), all of which are situated on the northern side of SH23. It also includes the Te Uku Community Hall and tennis courts which are located on the southern side of SH23. The occasional small rural service buildings, equestrian facilities, tourism facilities such as retreats, attractions and accommodation are also present in the wider landscape. Raglan is located further to the west (approximately 10km).

58. Photographs of the surrounding landscape context can be found on page 14 of my graphic evidence (attachment 9).
59. A map showing the site within the context of the surrounding landscape can be found on page 16 of my graphic evidence (attachment 11).

Site Context

60. Although the predominant land use of the application site is currently agrarian (wide open pastoral paddocks divided by post and wire fencing and includes features such as a hay barn), the natural patterns and formative processes are still apparent within the application site and the immediate surroundings.
61. The Matakotea Stream, which runs along the northern boundary of the application site, has cut down through the landscape over time to create two distinct river terraces within the application site (referred to as the lower terrace and upper terrace). A combination of deeply incised and narrow shallow gullies, meander through the site and flow into the Matakotea Stream, dissecting the upper terrace into small spurs.
62. Consistent with the agrarian land use, the main vegetation cover of the area is pasture, but also includes a mix of native and exotic vegetation along the banks of the Matakotea Stream and in parts of gullies.
63. Because there are few structures and areas of dense vegetation within the site, views across the pastoral paddocks are readily attainable. Due to the complexity of the local terrain (river terraces and meandering gully systems dissecting the land), from within the site, its full extent of the site cannot be viewed from any one location.
64. Te Uku Village (Te Uku Convenience Store Te Uku Roast Office, Te Uku School, Surfside Church and Te Uku Community Hall) adjoins the application site immediately to the west, the core of which is located at the intersection at State Highway 23, Okete Road and Matakotea Road.
65. Te Uku Village is the only node of rural settlement in the immediate area.
66. Photographs of the application site can be found on page 15 of my graphic evidence (attachment 10).

EFFECTS ON LANDSCAPE AND RURAL CHARACTER

67. The effect of the type of development that would be enabled by the zone change has been assessed against the key landscape elements identified during site investigations, analysis of aerial photography, and other relevant background information.
68. The application site and surrounding landscape lie within an area modified by rural land use, with landscape values contributed to by the open agrarian landscape and surrounding development patterns, including the existing Te Uku Village. Existing amenity values are derived from a combination of existing rural character and views of key landscape features such as Mount Pirongia, Kariori and the wind farm.
69. Subdivision like that shown in the Country Zone Development Concept (and the higher density Village Zone concepts) will respond to the existing topography by minimising earthwork requirements and avoiding unnecessary disturbance to steep slopes and gullies through the strategic placement of lots and roads. Where land is identified as being too steep or unbuildable, it has been put into public or private reserve. Where indicated on the plan, a covenant will be placed over private property requiring it to be planted in a manner consistent with the public reserve plantings.
70. Planting within the gullies and along the riparian margins of the adjacent streams will help to enhance the wetland and riparian areas within the site and will help the development integrate into the adjacent rural landscape by softening the visual effects of residential development on adjacent rural character.
71. By consolidating large lot residential development and intensifying existing nodes, uncontrolled or inappropriate subdivision sporadically located throughout the rural landscape will be avoided and larger areas of wide-open rural character can be preserved.
72. Overall, the proposed zone change will enable development which would have **No Effect** to **Moderate** adverse effect on the key attributes of the surrounding landscape which influence wider landscape character. This takes into consideration a **Moderate** positive effect associated with riparian restoration planting and gully development works associated with the concept (public and private) would have.

EFFECTS OF VISUAL AMENITY

73. The visual effects of the proposed rezoning have been assessed by using the Country Living Zone Development Concept as a proxy for the type of development likely to result from the zone change.
74. Effects have been assessed against a baseline of the existing rural environment, which includes those activities that can be carried out in the rural zone. It should be noted that the Rural Zone and the Country Living Zone allow for slightly different outcomes in terms of landscape character and visual amenity, with the Rural Zone seeking to maintain rural character and amenity (PWDP Objective 5.3.1) with a focus on productive land use, and Country Living Zone seeking to maintain or enhance the character and amenity of the zone (CLZ) whilst maintaining open rural character and maintaining views of the wider rural environment beyond (PWDP Objective 5.6.1 & Policy 5.6.2(b)).

Visual Catchment and Visual Absorption Capability

75. Viewshed analysis has been used to identify the visual catchment within the application site can potentially be seen. Field verification checks found that, views of the site are restricted by surrounding buildings, including the existing Te Uku Village as well as existing vegetation.
76. A Zone of Theoretical Visibility (ZTV) map can be found on page 17 of my graphic evidence (attachment 12).
77. The restricted visual catchment surrounding the site is an indicator that development resulting from the proposed zone change can be absorbed into the wider rural landscape without affecting its general characteristics.
78. In general, the landscape's ability to absorb the changes afforded by the proposed zone change ranges from **Very Good to Very Poor**.
79. The higher ratings generally occur in locations where views into the site are partially screened by vegetation and topography, and the site is seen within the context of Te Uku Village and surrounding development. The lower ratings generally occur in locations close to the site, where there is no screening, or elevated locations.

80. The definitions for the visual absorption ratings and the landscape and visual amenity effect ratings for all view locations are attached in appendix 2 & appendix 3, respectively, of my evidence in chief.

Analysis of Visual Effects

Existing Landscape and Visual Amenity

81. I consider that the key features that contribute to existing rural character and the landscape values that give rise to visual amenity at a wider level include:

- a. The steep, bush covered slopes of Mt. Karioi (to the west) and Mt. Pirongia (to the south) volcanic cones. These distinct landscape features are clearly visible in the distance beyond steeply undulating terrain. These features are located within the Landscape Policy Areas and Ridgeline Policy areas.
- b. Mixed cropping, pasture, native bush and forest covered hills of Kokako and other foothills such as Otonga Hill to the north-east, Kapamahunga Range to the southeast, Te Uku Hill to the south.

82. At a local level, the key landscape characteristics that give rise to visual amenity include:

- a. The incised nature of the Matakotea, Mangakino and Waitetuna Valleys and associated rivers and streams that chisel the landscape and meandering north into Raglan Harbour.
- b. The gently undulating hills and river terraces which are dissected by shallow gullies systems which run into the Matakotea Stream.
- c. Pockets of native vegetation located along streams and rivers. Native vegetation in some instances backdrop the view from surrounding locations.
- d. Pastoral farmland, peppered with pockets of rural plantings, woodlots, hedgerows, and shelterbelts. Cropping can also be observed occasionally within the surrounding farmland.
- e. Scattered buildings, of various sizes, styles and uses, including the Te Uku shops, surrounding rural and residential dwellings, farm ancillary buildings, the Surfside Church, the windfarm viewing area, the Te Uku hall, tennis courts (somewhat dilapidated), roads.

83. These features and characteristics of the existing rural landscape can be seen within the photographs attached on pages 14, 15 and 19 to 27 of my graphic evidence (attachment 9, 10, 14, 15).

Factors that will affect landscape character and visual amenity

84. The components of development (enabled by the zone change) that have the potential to affect the existing visual amenity include:
- (d) The form of subdivision (size and shapes of lots);
 - (e) Configuration of the road, pedestrian, and cycleway networks (width, berm treatments, street lighting);
 - (f) Building development (size, design style, cladding material, colour, location within the lot, distance from neighbouring buildings)
 - (g) Curtilage treatments within each lot (planting patterns, plant types, lawns, fencing styles and heights); and
 - (h) Reserve development (planting patterns within the gullies and riparian areas, planting types, track development)

Overview of Effects on Existing Landscape Character and Visual Amenity

85. I have considered the effects of the development enabled by the proposed zone change on existing visual amenity from 10 public view locations surrounding the application site.
86. I have grouped view locations by their relative location in relation to the application site. This is because, the level of effect is proximity based, as the landscape itself is relatively compartmentalised due to the undulating topography and the variety of land uses in the area. The key differences being the context or backdrop against which the development (enabled by the zone change) is viewed.
87. The 2 groups include:
- a. Group 1 – Outlying views of the subject site (VL 1, 6, 7, 8, 9 & 10); and
 - b. Group 2 – Views from SH23 (VL 2, 3, 4 & 5).
88. A map showing the view location points can be found on page 18 of my graphic evidence (attachment 13). An analysis table for each view location can be found in appendix 1 of my evidence in chief.

Common Effects

89. In my opinion, the main effect on visual amenity that will arise from development enabled by the proposed zone change, is the intensification of dwellings and associated curtilage within an area that is currently characterised by its open spatial appearance and lack of buildings.
90. Open views across this part of the landscape will eventually be lost to a more restricted views containing clusters of development, separated by areas of intensive planting within the gullies and/or pastures within the larger lots.
91. Within the larger lots (<5000m²), it is expected that rural character will be retained through the development of “lifestyle block” activities. Within the smaller lots (<2500m²), such as those that might occur in a Village Living Zone scenario, I would expect that in some instances pasture will give way to manicured lawns with intensive curtilage plantings within the lots.
92. A degree of openness will be maintained by a requirement that will restrict fencing styles to those compatible with rural character (i.e. post and rail or similar).
93. It should be noted that although the existing open pastoral character of the site will change, with the introduction of development and planting, the full extent of this change will not be viewed in its entirety from within the surrounding landscape (including the SH23 corridor) due to the undulating nature of the terrain and screening from vegetation likely to be established within the site. As such wider rural character values are maintained.
94. All ratings provided relate to the effect of the proposed *Country Living Zone*. Effects ratings provided in the assessment of landscape effects report originally provided to Council relate to the effect of *Village Zoning*. The reason for this change is addressed in the legal submissions.

Group 1 - Outlying views of the subject site

95. In most instances, steeply undulating landform that surrounds the site will form the backdrop for development enabled by the proposed zone change.
96. Although from view locations 9 & 10, viewers will be looking down on the application site from a more elevated location (when compared to the other outlying locations),

the development will be largely screened from view by intervening topography and existing vegetation within the midground.

97. The effects on visual amenity from outlying views surrounding the subject site (VL 1, 6, 7, 8, 9 & 10) will range between being ***Negligible*** to ***Low***.
98. Photographs from outlying locations can be found on pages 19 to 23 of my graphic evidence (attachment 14).

Group 2: Views from SH23

99. Due to the proximity of the site with SH23, development enabled by zone change will be clearly visible from these locations, and in some instances will appear above the skyline of the ridge that backdrops the site. Amenity planting and gully planting once established will aid in screening and backdropping portions of the development.
100. Because most views into the site from this group of view locations are attained from a similar elevation to the nearest part of the site, the closest part of any development enabled by the zone change is likely to screen that beyond it.
101. From along the SH23 corridor (VL 2, 3, 4 & 5), the effects on visual amenity will range between ***Low*** to ***Moderate***.
102. Photographs from proximity locations along SH23 can be found on pages 24 to 27 of my graphic evidence (attachment 15).

Overall Effect Rating

103. In my opinion, when considered in the round, development enabled by the zone change will have a ***Negligible*** to ***Moderate*** effect on landscape character and associated visual amenity values. This level of effect is not unexpected and must be considered within the context of the intention of the zone change, which is to enable the intensification of development around the core of Te Uku village.

Analysis Table

104. A more detailed analysis from each view location is appended to my evidence as appendix 1 of my evidence in chief.

Submissions Seeking to Reduce the Minimum Lots Size of the CLZ

105. I am aware of several submissions seeking amendments to the minimum lot size requirements for the CLZ. As identified in the s42a report prepared for Council ...*Most submissions challenged the minimum lot size of 5000m² and sought a reduced lot size ranging from 1000m² to 4000m² and everything in between. Some submissions, such as Ted and Kathryn Letford, did not specify a particular minimum lot size, but considered that it should be less than the minimum 5000m² as notified.*²
106. An example of one of the smaller lot sizes sought is the Sharp submission³ which seeks ... *the logical future provision for 1,000m² sized serviced (reticulated service) lots on the outskirts of towns and villages. the minimum lot size of the CLZ to 1000m² services and have considered the effect of this outcome.*
107. Other submissions have sought minimum lot sizes of 2500m², 3000m² and 4000m².
108. I acknowledge that there are also several submissions in opposition to reducing the minimum lot size.
109. The Village Zone Development Concepts (Plans C06 and C07 found on pages 7 to 8 of my graphic evidence) demonstrates that the site is capable of absorbing lots down to 2500m² and 800m², subject to onsite wastewater disposal system capability.
110. The effects of this level of development have been assessed in the landscape and visual assessment report⁴ prepared for the Village Zone approach.
111. As identified in this report, while the level of effect will be slightly greater, the change is still within the bounds of acceptability from a landscape and visual effects perspective.

² Section 42a Report. Hearing 12: Country Living Zone s42A report. 3 March 2020 Para 587.

³ Submission of Keven Sharp, Page 30. This submission also states (on page 30) "*7. Te Uku – This is near Raglan and its creation into a larger village would ease pressure on Raglan development while providing a good lifestyle area suitable to develop on its flatter reaches. Village zone type allotments that are serviced or 2,500m² non-reticulated lots could be developed here.*"

⁴ Diamond Creek Farm - Proposed Rezoning Landscape and Visual Assessment Report. Mansergh Graham Landscape Architects Ltd. October 2020. R2

RELEVANT PLANNING MATTERS

112. In this part of my evidence, I only address the provisions relevant to landscape and visual amenity. A complete assessment of all the relevant planning provisions is provided by Mr Houlbrooke.

Resource Management Act 1991 (RMA)

113. Because relevant sections of the RMA (landscape and visual amenity) including s6 (a) (b) & s7 (c) and (f) are addressed in the regional and district statutory documents, no assessment of the provisions of the RMA has been undertaken.

Waikato Regional Policy Statement (WRPS)

114. Relevant objectives and policies contained in the WRPS pertaining to the protection of outstanding natural features and landscapes (Objective 3.20), amenity (Objective 3.21) and natural character (Objective 3.22).

115. There are no Regionally Outstanding Natural Features or landscapes located within the subject site. The application will not directly affect areas of significant natural character.

116. In my opinion development enabled by the zone change:

(a) Will not affect any significant amenity views associated with the wider environment, due to the complexity of the wider rural landscape and the context in which the site sits.

(b) Will be located within an already modified landscape, where areas of natural character are limited.

Operative Waikato District Plan (OWDP)

117. The relevant Objectives and Policies of the OWDP can be found in appendix 4 of my evidence in chief.

118. In terms of the provisions relating to the district growth strategy (Objective 1A.8.1 and Policy 1A.8.3), by reinforcing a transect that encourages a higher development density towards the core of the existing Te Uku Village (smaller lots) and lower development density towards the outer fringe along the rural interface (larger lots), the location of the existing village in relation to the wider rural landscape can be maintained and potential conflicts can be minimised. While this is less pronounced within the CLZ

concept example (Plan C09), the distinction between the smaller lot located near the road and Te Uku Village, and the larger lots in the north eastern part of the site, are important.

119. Regarding natural features and landscapes (Objectives 3.2.1 and Policy 3.2.6), the application site is not located within or adjacent to any identified outstanding natural features or landscapes. Views of the closest identified features (Mount Pirongia, Mount Karioi and Kokako Hill) will be maintained from public locations.
120. In terms of Objectives 3.4.1 and Policies 3.4.2 and 3.4.3, while the zone change will affect the appearance of the site, wider rural landscape and visual amenity will be retained. There are no distinctive landforms or prominent ridgelines located within the application site. The location of the application site and the nature of the undulating terrain will limit the extent to which subsequent development will be seen within the same visual catchment as surrounding distinctive landforms and prominent ridgelines.
121. Existing wetlands, gullies and riparian margins within the site will be enhanced through the establishment of native vegetation.
122. Regarding the amenity provisions of the OWDP (Objectives 13.2.1, 13.2.6, 13.4.2 and Policies 13.2.2, 13.2.4, 13.2.7, 13.2.8, 13.4.2), a combination of the separation of areas of development within the site by the gullies, noise bund (if required), curtilage planting and mitigation planting will reduce adverse effects associated with visual amenity, lighting, and privacy concerns.
123. While the zone change will affect visual amenity derived from views across the existing rural landscape within the site, due to the relatively contained visual catchment, the higher adverse effects on landscape and visual amenity values will be limited to specific viewer locations within the surrounding landscape.
124. The scale and intensity of the development enabled by the zone change will be managed by the structure plan and the application of a density transect across the site (the gradual transition from slightly higher density/smaller lots to lower density/larger lots). This will mean viewers will not experience a sudden change (worst-case scenario) between the surrounding rural landscape and the slightly higher density area proposed adjacent to the existing Te Uku Village. Proposed zone change development situated

on the lower terrace and fringe of the development, will be more in keeping with the surrounding rural character.

125. While the characteristics of the subject site will change with residential development, it is considered that the scale and intensity of the development will not be out of proportion when compared to other rural villages and large lot residential developments within the wider surrounding rural landscape.
126. The existing and proposed riparian planting within the subject site will help to break up the bulk of built forms, soften and/or screen the development enabled by the zone change and will aid in integrating it with the existing rural landscape.
127. In terms of the provisions relating to subdivision, building and development (Objective 13.4.1 and Policies 13.4.2, 13.4.3), as demonstrated by the two development concept plans, development enabled by the zone change will be able to be constructed in accordance with the various requirements of the district plan and will be designed in accordance with the requirements of the proposed structure plan.
128. In terms of the provision relating to rural character (Objective 13.6.1 and Policies 13.6.2, 13.6.3), a previously discussed, while the rezoning of the application site will result in a notable change to the existing rural character and rural amenity values within the site itself, the effects on the wider rural landscape are consistent with the direction of the policy.
129. Change in existing landscape character and visual amenity values is an expected outcome of the zone change process.

Proposed Waikato District Plan (PWDP)

130. When assessed against the relevant provisions of the Country Living Zone, as demonstrated by the development concept, the application site can be developed in a manner that is consistent with the objectives and policies of this zone. Activities are capable of being self-sufficient in the provision of on-site water supply, wastewater, and stormwater disposal.
131. The proposal will modify the existing landform including the onsite gullies to allow for the formation of roads and building pads for suitable development sites. Gullies will be avoided as much as possible to avoid unnecessary earthworks and other disturbances.

132. The existing site currently has mild erosion on banks due to current land use. Enhancing the gully systems and Stream (through riparian and mitigation planting) within the site will compensate for the existing disturbances and future earthworks required during the construction of development associated with the proposed zone change.

S42A FRAMEWORK REPORT

133. I have read the relevant sections of the s42A Framework report, relating to Rural and Country Living, relevant to landscape and visual amenity matters.
134. Paragraph 70 of the s42A Framework report identifies a conflict between PWDP Objective 5.1.1(iii), which directs urban and country living development away from areas of high-class soils and productive rural areas, and Objectives 4.1.1(b) and 4.1.2(a) which seek to consolidate development around existing town.
135. While I identify that the site is suitable from a landscape and urban design perspective, the proposal is not entirely consistent with the higher order documents identified in Paragraph 74 of the report as high-class soils cannot be avoided. Development within the site can however meet the various policy requirements identified in the PWDP. These are identified in appendix 4 of my evidence in chief. Mr Houlbrooke will address this in more detail in his evidence.
136. Regarding the analysis contained at Paragraph 103 of the s42A Framework report, while the application site is not contained within an area identified by *Future Proof*.
137. With reference to paragraph 105, development within the site:
- (a) Avoids new development in open landscapes largely free of urban and rural-residential development due to its proximity to Te Uku Village (para 105(c));
 - (b) Is not a ribbon development and does not require direct lot access of the State Highway (para105(d));
 - (c) Minimise visual effects and effects on rural character through locating development within appropriate topography and through landscaping (para 105(f));
 - (d) Is capable of being serviced by onsite water and wastewater services (para 105(g));
- and

- (e) Will result in the protection of sensitive areas such as the Matakotea Stream, gully-systems, and areas of remnant indigenous biodiversity (para 105(h)).

CONCLUSIONS

138. In my opinion, the proposed zone change will affect existing rural character and visual amenity by enabling a type and particular density of development to occur within an existing rural area that differs from what can currently be achieved under the rural zone.
139. While the change in zoning, from *Rural* to *Country Living Zone*, will enable an overt change in landscape character of the site and will affect existing views across the rural landscape, from a landscape design and urban planning, the change in zoning is appropriate because it enables the consolidation of an existing node of development in and around Te Uku and is an alternative to further fragmentation.
140. The landscape and amenity effect of changing the minimum lots size requirements of the Country Living Zone, from 5000m² to as low as 2500m², as requested in some of the submissions, does not alter this finding. While the number of dwellings potentially visible may change, the nature of the effect will remain the same with effect ratings increasing slightly. In a similar manner, the site can absorb a reduction in the minimum lot size down to 800m² (Village Zone densities) with appropriate mitigation.
141. While the effects (of a change from *Rural Zoning* to *Country Living Zoning*) on existing rural character and visual amenity, derived from the existing landscape character will range between **Negligible** and **Moderate** (depending on location), when considered cumulatively the overall effect will be **Low**.
142. Having considered the potential effects of development within the site at a range of development densities, I have reached the conclusion that the effect on adjacent rural character resulting from a change in zoning will relate in part to development density achievable under the new zone and in part to the location of the new zone in relation to existing development. In my opinion, the context provided by Te Uku Village means that adjacent development will more likely be perceived as appropriate as it binds and consolidates different parts of the village from an urban design perspective.
143. In my opinion, by concentrating development in this location, pressure is reduced on surrounding rural areas, which help preserve wider surrounding rural character values.

144. Having considered the suitability of the site from the perspective of existing landscape character and visual amenity, rural character, current best practice approaches to landscape and urban design, I have reached the conclusion that, from a landscape architectural perspective, the application site is suited to the proposed Country Living Zoning. I have also reached the conclusion that, with careful design, the site would also be capable of supporting the higher levels of development enabled by Village Zoning. Such densities would only result in a small increase in the overall effect on landscape character and visual amenity.

Appendix One: Assessment of Visual Effects Table

VL No.	Location, Viewing Audience & Sensitivities	Existing Landscape & Visual Amenity Values	Expected Change	Visual Absorption Capability Ratings and Notes	Potential Effects & Mitigation Requirements	Effect Rating (Country Living Zone)
1	<p>Whaingaroa Parish Reserve, Ohautira Road (Public)</p> <p><i>Transitory viewers such as pedestrians and motorists will have more opportunity to view the development enabled by the zone change, however, will be less susceptible to change (than residents) within this location.</i></p>	<ul style="list-style-type: none"> • Agrarian Land use • Te Uku Windfarm • Surrounding steeply undulating terrain which includes Te Uku Hill to the south • Scattered vegetation, Shelterbelts. • Whaingaroa Reserve/Landing. • Waitetuna River. 	<p>Development enabled by the zone change on both the upper and lower terraces will be partially visible from this location. The larger lots/lower density areas located in the north-east of the site will be more visible than the smaller lots/higher density area along the upper terrace due to proximity to VL.</p> <p>Due to the terraced nature of the terrain within the site, the development enabled by the zone change will be visually layered, (dwellings will be seen above rooflines of dwellings in front.</p> <p>From this VL some higher density development will be visible along the upper terrace, viewed above rooflines of the lower density development along the lower terrace.</p> <p>Development on the upper terrace will be visible above the skyline.</p>	<p><u>Good</u></p> <p>The deciduous trees located within the foreground will aid in breaking up views of the development enabled by the zone change, particularly from a transient viewers perspective. It should be noted that when trees are in leaf, general visibility of the site will decrease and become less notable from this location.</p> <p>As portions of the development along the upper terrace will be seen against/above the skyline, development will appear more prominent in the landscape than if it was backdropped by topography or vegetation.</p> <p>Separation distance (500m) in combination with topographic and vegetative screening and visual results in higher VAC from this VL.</p> <p>Lack of development context from this VL will make it difficult for the development enabled by the zone change to integrate within the wider surrounding landscape.</p>	<p>There will be a shift from rural to Country living character within the site which will contrast with the surrounding rural landscape. The development enabled by the zone change will alter the existing landscape patterns, introducing infrastructure and buildings over an extent and to a degree that are not present within the receiving environment.</p> <p>The development enabled by the zone change will be difficult to discern from this VL due to extensive vegetative screening in the foreground of the view (especially when trees are in leaf). A portion of the development enabled by the zone change will be seen in between the trees in the foreground which contrasts to the surrounding rural landscape.</p>	<p>Rating:</p> <p>Effect rating against the baseline of the existing rural zone: <u>Very Low</u></p>
2	<p>Entrance of 3293 State Highway 23 (public)</p> <p><i>Adjacent residents including those along State Highway 23 are more sensitive, due to their perception of amenity being derived from the surrounding rural character. Permanent</i></p>	<ul style="list-style-type: none"> • Agrarian Land use • Te Uku Windfarm • Surrounding steeply undulating terrain which includes Te Uku Hill to the south and Pukepuketetai to the north. • Rural land use, compartmentalised by hedgerows and clusters of mature specimen trees, with rural residences, farm buildings and associated amenity planting interspersed. • Matakotea Stream and 	<p>The larger lots/lower density areas located within the lower terrace, directly in view, will be seen nestled between the undulating land.</p> <p>Although less readily visible than the development on the lower terrace, some of the smaller lot/higher density development will be visible above the skyline and existing vegetation from this view location.</p>	<p><u>Poor – Neutral</u></p> <p>Existing intervening vegetation and topography will screen a large portion of the development enabled by the zone change from view from this view location. The viewing angle will mean that the dwelling closest to the view will screen dwellings further back. In combination with proposed planting, will aid in breaking up the visual mass of the built forms.</p> <p>Steeply undulating terrain associated with Pukepuketetai and vegetation pine trees associated with the Matakotea Stream/ Pukepuketetai hill backdrop the application</p>	<p>There will be a notable shift from rural character to country living character within the site, which will contrast with the surrounding rural landscape.</p> <p>Although only a portion of the eastern fringe of the development (large lots/lower density) will be visible, and the majority of the smaller lots/higher density development will be screened from view, the development enabled by the zone change will alter the existing landscape pattern, introducing infrastructure and buildings over an extent and to a degree that are not present within the receiving rural environment (Te Uku Village is not visible from this view location to provide development</p>	<p>Rating:</p> <p>Effect rating against the baseline of the existing rural zone: <u>Low -Moderate</u></p>

VL No.	Location, Viewing Audience & Sensitivities	Existing Landscape & Visual Amenity Values	Expected Change	Visual Absorption Capability Ratings and Notes	Potential Effects & Mitigation Requirements	Effect Rating (Country Living Zone)
	<p><i>residence will have a moderate sensitivity to change in this area.</i></p>	<p>associated riparian vegetation.</p>		<p>site, aiding in nestling and integrating the development enabled by the zone change with the surrounding landscape.</p> <p>From this VL, the lower density area will be sporadic in view, and in combination with future curtilage planting, will help break up visual mass of the built forms.</p> <p>Higher density development will be seen above the skyline of the view, increasing the visual prominence of the development enabled by the zone change.</p> <p>The lack of development context will make it difficult for the development enabled by the zone change to integrate with the surrounding landscape.</p>	<p>context).</p> <p>When considered from the perspective of a moving vehicle, the combination of vehicle travel speed, the constant change in the available view towards development (in terms of extent, orientation and depth) and separation distance, means that the level of effects associated with the development will be reduced in comparison to the perspective of a permanent resident.</p>	
3	<p>Entrance of 3355 State Highway 23 (Public)</p>	<ul style="list-style-type: none"> • Agrarian Land use • Te Uku Windfarm. • Surrounding steeply undulating terrain which includes Te Uku Hill to the south and Pukepuketetai to the north. • Rural land use, compartmentalised by hedgerows and clusters of mature specimen trees, with rural residences, farm buildings and associated amenity planting interspersed. • Surfside Church. 	<p>The application site is clearly visible, directly opposite SH23. Wide-open views across the upper terrace are attainable particularly the smaller lots/higher density development. Due to the elevated location of this VL and the intervening foreground topography, the lower terrace (and associated larger lot/lower density development) will not be visible.</p> <p>The change in landscape character from open pastoral rural character to country living zone character will be highly discernible from this location and will contrast with the surrounding rural landscape to the south and east.</p>	<p><u>Very Poor</u></p> <p>Lack of intervening vegetation or topography will mean that development along the upper terrace will be clearly visible. Intervening topography will screen development on the lower terrace from view.</p> <p>Steeply undulating terrain associated with Pukepuketetai hill/ridgeline and a mixture of exotic pine and native trees associated with the Matakotea Stream will backdrop portions of the development enabled by the zone change.</p> <p>As some portions of the development along the upper terrace will be seen against/above the skyline, the development will become more prominent in the landscape than if it was backdropped by topography or vegetation. A portion of the development enabled by the zone change will intrude on views of Mt Karioi to the west.</p> <p>The Te Uku Windfarm road sign and the</p>	<p>There will be a notable shift from rural character to country living character within the site, due to the decrease in open pastoral landscape and the introduction of higher density development within the view.</p> <p>Development enabled by the zone change will alter the existing landscape pattern, introducing infrastructure and buildings over an extent and to a degree that are not present within the receiving environment.</p> <p>Vehicle movements, particularly during construction, will draw more attention to the site when effects from lighting are considered.</p> <p>The sites landscape character change afforded by new development will be notable from this location due to the density of the development visible, view distance and built forms visible above the skyline.</p> <p>If required, the earth bund will partially screen</p>	<p>Rating:</p> <p>Effect rating against the baseline of the existing rural zone:</p> <p><u>Moderate</u></p>

VL No.	Location, Viewing Audience & Sensitivities	Existing Landscape & Visual Amenity Values	Expected Change	Visual Absorption Capability Ratings and Notes	Potential Effects & Mitigation Requirements	Effect Rating (Country Living Zone)
				<p>80km/hr change in speed signage indicate, in combination with the distant view of some buildings create development context for the development enabled by the zone change enabled by the zone change.</p>	<p>the lower portions of the development enabled by the zone change (enabled by the proposed rezoning). This will help to reduce visual amenity effects from this VL and privacy and noise from the perspective of future owners of the subsequent development. Proposed planting will further aid in breaking up the visual bulk of the built form and backdropping the development enabled by the zone change, aiding in integrating it with the surrounding landscape.</p> <p>Transient viewers approaching from the east will firstly view the site larger lots/lower density areas of housing, before transitioning to the higher density area to the west of the application site. Approaching from the west means viewers will have already viewed existing development associated with Te Uku Village before transitioning towards the smaller lots/higher density to the west.</p> <p>When considered from the perspective of a moving vehicle, the combination of vehicle travel speed, the constant change in the available view towards development (in terms of extent, orientation and depth) and separation distance, means that the level of adverse effects associated with the development will change constantly and will generally be reduced when compared to adverse effects associated with a constant, fixed view (such as from a permanent residents perspective).</p>	
4	Surfside Church & Te Uku Windfarm Lookout, State Highway 23 (Public)	<ul style="list-style-type: none"> Surfside Church and the Te Uku Windfarm Lookout. Agrarian Land use Surrounding steeply undulating terrain which includes Te Uku Hill to the south and Pukepuketetai to the north. 	From the Surfside Church outdoor recreation areas, viewers will look directly into a proposed reserve area (directly north) and the development enabled by the zone change (directly east) which will consist of smaller lots/higher density. The expected lower density development located on the lower terrace will not be visible from	<p><u>Very Poor</u></p> <p>Proximity of viewer location will increase the visual prominence of the proposed development enabled by the zone change</p> <p>Some of the development enabled by the zone change will be seen above the skyline, drawing attention to the development, and</p>	<p>The development will alter the existing visual characteristics of the site and immediate surroundings, due to the shift in land use. There will be a decrease in pastoral land and the establishment of country living type development because of the proposed zone change.</p> <p>Development enabled by the zone change will</p>	<p>Rating:</p> <p>Effect rating against the baseline of the existing rural zone:</p> <p><u>Moderate</u></p>

VL No.	Location, Viewing Audience & Sensitivities	Existing Landscape & Visual Amenity Values	Expected Change	Visual Absorption Capability Ratings and Notes	Potential Effects & Mitigation Requirements	Effect Rating (Country Living Zone)
		<ul style="list-style-type: none"> Rural land use, compartmentalised by hedgerows and clusters of mature specimen trees, with rural residences, farm buildings and associated amenity planting interspersed. 	<p>this location.</p> <p>From locations within the car park (including from the Te Uku Windfarm Lookout), a portion of the development enabled by the zone change will be clearly visible and create a contrast between the higher density development and the adjacent open pastoral farmland.</p>	<p>increasing its visual prominence.</p> <p>Although Surfside Church is a part of the higher density development of Te Uku Village, within proximity to this VL, viewers will overlook an open pastoral landscape to the north, (no development context for the proposal), making it difficult for the development enabled by the zone change to integrate with the surrounding landscape.</p> <p>Partial existing vegetative and topographic screening. Once plants within the reserve become established, more screening will be afforded.</p>	<p>be perceived as more akin to that of Te Uku village, than the open pastoral landscape to immediately adjacent to this VL. The change from rural to country living zone will therefore alter perceptions of existing rural character values from this VL.</p> <p>The proposed vegetation within the public and private reserves within the application site will break up the visual bulk and perceived density of development from this view location.</p>	
5	Te Uku Village, State Highway 23 (Public)	<ul style="list-style-type: none"> Te Uku Village, including the roast Office, The convenience store, Te Uku School, and the Surfside Church. Land use is Agrarian, including wide open paddocks and deeply incised gully systems. Surrounding steeply undulating terrain which includes Pukepuketetai to the north. Rural land use, compartmentalised by hedgerows and clusters of mature specimen trees, with rural residences, farm buildings and associated amenity planting interspersed. 	<p>The western area of the development enabled by the zone change within the will be clearly visible from this view location across foreground pastoral land and a shallow gully.</p> <p>Viewers including visitors, staff, and students of Te Uku Village. People associated with the stores/businesses within Te Uku Village will look out over adjacent farmland to the north-east and across to the development enabled by the zone change in the distance.</p>	<p><u>Neutral</u></p> <p>The shelterbelt planting which surrounds the Surfside Church and Te Uku Windfarm lookout, will screen the southwestern most portion of the application site from view. The development enabled by the zone change within the lower terrace will not be visible from this location.</p> <p>The surrounding steeply undulating land visible in the distant background of the view will backdrop the site. No development will be visible above the skyline.</p> <p>Although the application site will change from rural to Country living zoning, the Te Uku Village setting provides enough visual context that the development will be perceived as an extension of the existing built form from this VL.</p>	<p>Although the application site will change from rural to Country living zoning, the Te Uku Village setting provides enough visual context in view, that the development will look like an extension of the existing built form. The character of the development enabled by the zone change will be discernible from this location and identifiable as Country living – which contrasts to the surrounding rural landscape.</p> <p>A low positive effect from these reserves will help offset some adverse effects. The proposed planting (including vegetated public and private reserves) within the site will visually break up the bulk and visual prominence of built form located along State Highway 23.</p> <p>When considered from the perspective of a moving vehicle, the combination of vehicle travel speed, the constant change in the available view towards development (in terms of extent, orientation and depth) and separation distance, means that the level of effects associated with the development will be reduced in comparison to the perspective</p>	<p>Rating:</p> <p>Effect rating against the baseline of the existing rural zone: <u>Low</u></p>

VL No.	Location, Viewing Audience & Sensitivities	Existing Landscape & Visual Amenity Values	Expected Change	Visual Absorption Capability Ratings and Notes	Potential Effects & Mitigation Requirements	Effect Rating (Country Living Zone)
					of people associated with Te Uku Village.	
6	<p>Matakotea Road (Public)</p> <p><i>Adjacent residents including those along Matakotea Road are more sensitive, due to their perception of amenity being derived from the surrounding rural character. Permanent residence will have a moderate sensitivity to change in this area.</i></p>	<ul style="list-style-type: none"> • Agrarian Land use • Te Uku Windfarm including wind turbines • Surrounding steeply undulating terrain which includes Pukepuketetai to the north. • Rural land use, compartmentalised by hedgerows and clusters of mature specimen trees, with rural residences, farm buildings and associated amenity planting interspersed. • Tourist features and accommodation such as Raglan Retreat. 	<p>The development enabled by the zone change within the upper terrace of the site will be visible across flat pastoral land. The development enabled by the zone change within the lower terrace will not be visible from this location.</p> <p>The higher density/smaller lots and the main entrance to the zone change development will be visible between and in some cases above the neighbouring dwellings and curtilage planting from this view location.</p>	<p><u>Neutral</u></p> <p>Rural pastoral land will continue to dominate this view. Pastoral Land will contain the development enabled by the zone change. Development within the site will be seen against a backdrop of vegetation located along the Matakotea Stream and lower slopes of the Pukepuketetai ridgeline, located along the northern site boundary.</p> <p>Neighbouring dwellings and associated curtilage planting will screen the western and eastern areas of the application site from view.</p> <p>The development enabled by the zone change will not be visible above the skyline and will be visually contained by the surrounding landscape. Due to the separation distance, the view from this location is more visually complex, aiding in integrating the development enabled by the zone change with the surrounding landscape from this location.</p> <p>It should be noted that viewers would have already travelled through Te Uku Village, and likely have travelled passed the development enabled by the zone change along the State Highway before arriving at this location. These viewers would have already experienced the transition between the proposed country living zone and adjacent rural land.</p>	<p>There will be a notable shift from rural character to country living character within the site, resulting in a perceived change in landscape character values. There will be a decrease in a portion of the wide-open pastoral land within this view as the development enabled by the zone change is constructed.</p> <p>Development enabled by the zone change will alter the existing landscape pattern introducing an extent of built form not currently seen throughout this location or in view.</p> <p>As the main site entrance will be directly visible from this VL, vehicle movements will draw more attention to the site, especially at night when effects from lighting are considered.</p> <p>The proposed bund (if required), in combination with the vegetated public and private reserves within the site will visually break up the bulk and visual prominence of built form located along State Highway 23.</p> <p>When considered from the perspective of a moving vehicle, the combination of vehicle travel speed, the constant change in the available view towards development (in terms of extent, orientation and depth) and separation distance, means that the level of effects associated with the development will be reduced in comparison to the perspective of a permanent resident.</p>	<p>Rating:</p> <p>Effect rating against the baseline of the existing rural zone: <u>Low</u></p>
7	<p>Entrance of 47 Okete Road (Public)</p> <p><i>Adjacent residents</i></p>	<ul style="list-style-type: none"> • Agrarian Land use, including pastoral paddocks and large gully systems. • Te Uku School & Surfside 	<p>Both the upper and lower terrace development enabled by the zone change will be visible from this location.</p> <p>A visual layering of built forms will</p>	<p><u>Neutral</u></p> <p>Majority of the development enabled by the zone change within the site will be screened from view, due to intervening undulating</p>	<p>There will be a notable shift from rural character to country living character within the site. Development enabled by the zone change will alter the existing landscape patterns,</p>	<p>Rating:</p> <p>Effect rating against the baseline of the</p>

VL No.	Location, Viewing Audience & Sensitivities	Existing Landscape & Visual Amenity Values	Expected Change	Visual Absorption Capability Ratings and Notes	Potential Effects & Mitigation Requirements	Effect Rating (Country Living Zone)
	<p><i>including those along Okete Road are more sensitive, due to their perception of amenity being derived from the surrounding rural character. Permanent residence will have a <u>moderate</u> sensitivity to change in this area.</i></p>	<ul style="list-style-type: none"> Church Te Uku Windfarm Surrounding steeply undulating terrain which includes Pukepuketetai to the north and associated vegetation. Rural land use, compartmentalised by hedgerows and clusters of mature specimen trees, with rural residences, farm buildings and associated amenity planting interspersed. 	<p>appear as construction commences. Once the development enabled by the zone change is built along the western boundary, these houses will screen the balance of the development from view.</p>	<p>topography and the viewing angle (dwellings will be screened behind one another) which will only allow the western most development enabled by the zone change to be visible from this viewer location.</p> <p>A portion of the development enabled by the zone change will be seen above the skyline of the view, drawing attention to the development, and increasing its visual prominence within the landscape.</p> <p>Otonga Hill is visible within the background and will backdrop a portion of the development enabled by the zone change, nestling this portion of the development into the landscape.</p>	<p>particularly spurs and gully systems from this view, introducing infrastructure and buildings over an extent and to a degree that are not present within the receiving environment.</p> <p>Although the full extent is not attainable in view, the character of the development enabled by the zone change will be discernible from this location and identifiable as country living – which contrasts to the surrounding rural landscape visible in the foreground.</p> <p>Proposed planting will help screen, break up the visual bulk of the built development and backdrop it, aiding in integrating it with the surrounding rural landscape.</p> <p>When considered from the perspective of a moving vehicle, the combination of vehicle travel speed, the constant change in the available view towards development (in terms of extent, orientation and depth) and separation distance, means that the level of effects associated with the development will be reduced in comparison to the perspective of a permanent resident.</p>	<p>existing rural zone: <u>Low</u></p>
8	<p>Hauroto Bay Road (Public)</p> <p><i>Adjacent residents including those along Hauroto Road are more sensitive, due to their perception of amenity being derived from the surrounding rural character. Permanent residence will have a <u>moderate</u> sensitivity to</i></p>	<ul style="list-style-type: none"> Rural Agrarian Landscape and largely visible gully systems and streams throughout the wider landscape. Te Uku Windfarm Surrounding steeply undulating terrain which includes Te Uku Hill to the south and Pukepuketetai in the midground to the side of the view. Rural land use, compartmentalised by hedgerows and clusters of mature specimen trees, with rural 	<p>Portions of the development enabled by the zone change will be clearly visible across neighbouring open pastoral farmland from this location. Smaller lots/higher density development will be visible from a distance. Larger lots/lower density areas development located on the lower terrace will be partially visible in the distance beyond.</p> <p>Reserves and infrastructure will be partially visible weaving throughout built development.</p>	<p><u>Neutral</u></p> <p>Although buildings are sporadically located throughout the landscape, the lack of a country living type development context (like the development enabled by the zone change) will make integration within the surrounding landscape more difficult.</p> <p>Majority of the lower terrace and larger lots/lower density areas on lower terrace will be screened from view by rolling topography.</p> <p>Due to the combination of separation distance, visual complexity of the view and the backdrop to the proposal, the development enabled by the zone change will be more</p>	<p>Due to the elevated vista across the site, there will be visible and notable shift from rural character to country living character within the site.</p> <p>Development enabled by the zone change will alter the existing landscape pattern particularly the gully systems, introducing infrastructure and buildings over an extent and to a degree that are not present within the receiving environment. Lack of country living type development visible within the existing view will introduce a development character which will contrast with the surrounding open pastoral landscape.</p> <p>Due to the visual separation, backdrop by</p>	<p>Rating:</p> <p>Effect rating against the baseline of the existing rural zone: <u>Low</u></p>

VL No.	Location, Viewing Audience & Sensitivities	Existing Landscape & Visual Amenity Values	Expected Change	Visual Absorption Capability Ratings and Notes	Potential Effects & Mitigation Requirements	Effect Rating (Country Living Zone)
	<i>change in this area.</i>	residences, farm buildings and associated amenity planting interspersed.		easily integrated into the surrounding landscape. Development will not be viewed above the skyline, which will aid in reducing the visual prominence of the development enabled by the zone change.	existing vegetation and topography and the complexity of the view (ability for the landscape to absorb the subsequent development), the proposal will be more easily integrated with the surrounding landscape. Mitigation planting will help screen, break up visual bulk and backdrop the development enabled by the zone change, aiding in integrating it with the surrounding landscape. When considered from the perspective of a moving vehicle, the combination of vehicle travel speed, the constant change in the available view towards development (in terms of extent, orientation and depth) and separation distance, means that the level of effects associated with the development will be reduced in comparison to the perspective of a permanent resident.	
9	Checkley Road (Public) <i>Adjacent residents including those along Checkley Road are more sensitive, due to their perception of amenity being derived from the surrounding rural character. Permanent residence will have a <u>moderate</u> sensitivity to change in this area.</i>	<ul style="list-style-type: none"> Rural Agrarian Landscape backdropped by steeply undulating terrain such as Mt. Pirongia and Te Uku Hill to the south. Te Uku Windfarm Rural land use, compartmentalised by hedgerows and clusters of mature specimen trees, with rural residences, farm buildings and associated amenity planting interspersed. Raglan Harbour to the north. 	<p>The development enabled by the zone change within the application site is visible between undulating spurs of the foreground topography.</p> <p>The zone change will afford the introduction of country living type development; that is not seen throughout this landscape to the south.</p> <p>The proposed entrance to the application site will be visible from this view location, meaning increased vehicle movements will be notable.</p>	<p><u>Very Good</u></p> <p>Most of the application site will be screened from view by vegetation and undulating topography. From this location, the hill country visible within the background will backdrop the development enabled by the zone change and provide a feeling of containment.</p> <p>Due to the combination of separation distance, visual complexity of the view and the backdrop to the proposal, the development enabled by the zone change will be more easily integrated into the surrounding landscape.</p> <p>Development will not be viewed above the skyline, which will aid in reducing the visual prominence of the development enabled by the zone change.</p>	<p>There will be a small visible shift from rural to Country living within the site.</p> <p>Development enabled by the zone change will alter the existing landscape pattern, introducing infrastructure and buildings over an extent and to a degree that are not present within the receiving environment.</p> <p>Due to the extensive screening afforded by existing topography and vegetation, the change in landscape character (introduction of country living type character) resulting from the development enabled by the zone change will be difficult to discern from this location. s.</p> <p>Mitigation planting will further aid in screening, breaking up the visual bulk and backdropping the development enabled by the zone change, aiding in integrating it with the surrounding landscape.</p>	<p>Rating:</p> <p>Effect rating against the baseline of the existing rural zone: <u>Negligible</u></p>

VL No.	Location, Viewing Audience & Sensitivities	Existing Landscape & Visual Amenity Values	Expected Change	Visual Absorption Capability Ratings and Notes	Potential Effects & Mitigation Requirements	Effect Rating (Country Living Zone)
				<p>The application site and subsequent development will not intrude or obstruct views of the steeply undulating terrain including Mt Pirongia in the far distance.</p>	<p>It should be noted that houses located along Checkley Road are not orientated towards the application site. Majority of existing houses are orientated to the northwest towards Hauroto Bay Road and Raglan in the distance.</p>	
10	<p>Checkley Road (Public)</p> <p><i>Adjacent residents including those along Checkley Road are more sensitive, due to their perception of amenity being derived from the surrounding rural character. Permanent residence will have a <u>moderate</u> sensitivity to change in this area.</i></p>	<ul style="list-style-type: none"> Rural Agrarian Landscape backdropped by layers of hill country such as Mt. Pirongia in far distance and Te Uku Hill to the south. Te Uku Windfarm Pockets of Exotic and native planting including riparian planting and forestry production. Rural land use, compartmentalised by hedgerows and clusters of mature specimen trees, with rural residences, farm buildings and associated amenity planting interspersed. Raglan Harbour to the north. 	<p>The lower terrace of the application site is visible through a combination of exotic and native trees located within the foreground of the view.</p> <p>Larger lots/lower density areas of development will be visible, where lots sizes will be much larger and housing development will become more distanced when compared to the higher density/smaller lots on the upper terrace.</p>	<p><u>Very Good</u></p> <p>Most of the application site will be screened from view by undulating topography. The lower terrace of the application site is partially screened by exotic and native trees located within the foreground of the view.</p> <p>From this location the ranges visible within the background backdrop the application site and provide a feeling of containment.</p> <p>Due to the combination of separation distance, visual complexity of the view and the backdrop to the proposal, the development enabled by the zone change will be more easily integrated into the surrounding landscape.</p> <p>Development will not be viewed above the skyline, which will aid in reducing the visual prominence of the development enabled by the zone change.</p> <p>The application site and subsequent development will not intrude or obstruct views of the steeply undulating terrain including Mt Pirongia in the far distance.</p>	<p>There will be a small visible shift from rural to Country living within the site.</p> <p>Development enabled by the zone change will alter the existing landscape pattern, introducing infrastructure and buildings over an extent and to a degree that are not present within the receiving environment.</p> <p>Due to the extensive screening afforded by existing topography and vegetation, the change in landscape character (introduction of country living type character) resulting from the development enabled by the zone change will be difficult to discern from this location.</p> <p>Mitigation planting will further aid in screening, breaking up the visual bulk and backdropping the development enabled by the zone change, aiding in integrating it with the surrounding landscape.</p> <p>It should be noted that houses located along Checkley Road are not orientated towards the application site. Majority of existing houses are orientated to the northwest towards Hauroto Bay Road and Raglan in the distance.</p>	<p>Rating:</p> <p>Effect rating against the baseline of the existing rural zone: <u>Negligible</u></p>

Appendix Two: Visual Absorption Capability Definition Ratings

VISUAL ABSORPTION CAPABILITY DEFINITION RATINGS	
Visual absorption capability (VAC) is a measure of the sensitivity of the landscape/seascape to integrate a development, or feature into its existing visual character without significant change.	
VAC Rating	Use
Very Good	<p>The proposed development/activity would be completely screened, almost completely screened, or completely absorbed by existing landscape features. Any views of the development would be either unidentifiable or at a great distance, and/or;</p> <p>The development/activity would not affect the existing character of the surrounding landscape or view in which it is seen, and/or;</p> <p>The development/activity would introduce a visual element into the landscape or view which may be viewed very frequently or continuously in that or similar landscape types.</p>
Good	<p>The proposed development/activity would be mostly screened or visually absorbed by existing landscape features, but still be identifiable. The development/activity may act as a tertiary focal attraction within the landscape or view in which it is seen, and/or;</p> <p>The development/activity would not affect the existing character of the surrounding landscape or view in which it is seen, and/or;</p> <p>The development/activity may introduce a visual element into the landscape or view which may be viewed frequently in that or similar landscape types.</p>
Neutral	<p>The proposed development/activity would neither be screened nor become a visual intrusion or focal attraction within the landscape or view in which it is seen. The proposed development/activity may act as a minor focal attraction from some locations, and/or;</p> <p>The development/activity would alter the existing character of the surrounding landscape or view in which it is seen, and/or;</p> <p>The development/activity would introduce a visual element into the landscape or view which may be viewed occasionally in that or similar landscape types.</p>
Poor	<p>The proposed development/activity would be clearly visible but would not act as a primary focal attraction, and/or;</p> <p>It would be expected that the proposed development/activity would alter the existing character of the surrounding landscape or view in which it is seen, and/or;</p> <p>The development/activity may introduce a new visual element into the landscape or view. The development/activity may be viewed infrequently in that or similar landscape types.</p>
Very Poor	<p>The proposed development/activity will be highly visible and may act as a primary focal attraction or feature. It would also be expected that the proposed development/activity will significantly alter the existing character of the surrounding landscape or view in which it is seen, and/or;</p> <p>The development/activity will introduce a new visual element into the landscape or view, which will be significantly different in appearance, or scale from the landscape elements surrounding it, and/or;</p> <p>The development/activity would be found very rarely in that or similar landscape types.</p>

Appendix Three: Landscape and Visual Amenity Effect - Rating System

LANDSCAPE AND VISUAL AMENITY EFFECT - RATING SYSTEM (NZILA Best Practice Guidelines)	
Effects Rating	Use and Definition
Extreme	<p><u>Use</u> The development/activity would:</p> <ul style="list-style-type: none"> a. Result in an extreme change on the characteristics or key attributes of the receiving environment and/or the vista within which it is seen; and/or b. Have an extreme effect on the perceived amenity derived from it. <p><u>Oxford English Dictionary Definition</u> Extreme: adjective 1 utmost. 2 reaching a high or the highest degree.</p>
Very High	<p><u>Use</u> The development/activity would:</p> <ul style="list-style-type: none"> c. Have a very high level of effect on the character or key attributes of the receiving environment and/or the vista within which it is seen; and/or d. Have a very high-level effect on the perceived amenity derived from it. <p><u>Oxford English Dictionary Definition</u> Very: adverb 1 in a high degree. 2 with superlative or own without qualification: the very best quality. High: adjective 1 extending above the normal level. 2 great in amount, value, size, or intensity. 3 great in rank or status. 4 morally or culturally superior.</p>
High	<p><u>Use</u> The development/activity would:</p> <ul style="list-style-type: none"> e. Have a high level of effect on the character or key attributes of the receiving environment and/or the vista within which it is seen; and/or f. Have a high level of effect on the perceived amenity derived from it. <p><u>Oxford English Dictionary Definition</u> High: adjective 1 extending above the normal level. 2 great in amount, value, size, or intensity. 3 great in rank or status. 4 morally or culturally superior.</p>
Moderate	<p><u>Use</u> The development/activity would:</p> <ul style="list-style-type: none"> g. Have a moderate level of effect on the character or key attributes of the receiving environment and/or the vista within which it is seen; and/or h. Have a moderate level of effect on the perceived amenity derived from it. <p><u>Oxford English Dictionary Definition</u> Moderate: adjective 1 average in amount, intensity, or degree.</p>
<p>“Minor” Threshold Under the RMA. Ratings above this threshold are “More than Minor”. Ratings below this threshold are “Less than Minor”. Low-Moderate ratings are “Minor”.</p>	
Low	<p><u>Use</u> The development/activity would:</p> <ul style="list-style-type: none"> i. Have a low level of effect on the character or key attributes of the receiving environment and/or the vista within which it is seen; and/or j. Have a low level of effect on the perceived amenity derived from it. <p><u>Oxford English Dictionary Definition</u> Low: adjective 1 below average in amount, extent, or intensity. 2 lacking importance, prestige, or quality; inferior.</p>
Very Low	<p><u>Use</u> The development/activity would:</p> <ul style="list-style-type: none"> k. Have a very low level of effect on the character or key attributes of the receiving environment and/or the vista within which it is seen; and/or l. Have a very low level of effect on the perceived amenity derived from it. <p><u>Oxford English Dictionary Definition</u> Very: adverb 1 in a high degree. 2 with superlative or own without qualification: the very best quality. Low: adjective 1 below average in amount, extent, or intensity. 2 lacking importance, prestige, or quality; inferior.</p>
Negligible	<p><u>Use</u> The development/activity would:</p> <ul style="list-style-type: none"> m. Have a negligible effect on the character or key attributes of the receiving environment and/or the vista within which it is seen; and/or n. Have a negligible effect on the perceived amenity derived from it. <p><u>Oxford English Dictionary Definition</u> Negligible: adjective that need not be considered.</p>
<p>Detectable Effect Threshold</p>	
No Effect	<p>The development/activity would have no effect on the receiving environment.</p>
<p>Note: Ratings may be positive (e.g. high level of enhancement) or negative (e.g. high adverse effect).</p>	

EFFECT THRESHOLDS IN RELATION TO THE RMA AND NZCPS							
Ratings	Negligible	Very Low	Low	Moderate	High	Very High	Extreme
Act/Policy	Threshold						
RMA	Less than Minor			More than Minor			
NZCPS						Significant	

Appendix Four: Relevant Planning Matters (Landscape and Visual Amenity)

Waikato Regional Policy Statement (WRPS)

The relevant Objectives that relate to landscape and visual amenity issues include:

3.20 Outstanding natural features and landscapes

The values of outstanding natural features and landscapes are identified and protected from inappropriate subdivision, use and development.

3.21 Amenity

The qualities and characteristics of areas and features, valued for their contribution to amenity, are maintained or enhanced.

3.22 Natural character

The natural character of the coastal environment, wetlands, and lakes and rivers and their margins are protected from the adverse effects of inappropriate subdivision, use and development.

Operative Waikato District Plan (OWDP)

The relevant Objectives and Policies that relate to landscape and visual amenity issues include:

1A Waikato District Growth Strategy

Objective:

1A.8.1 Landscape, character and amenity values of rural areas are maintained.

Policies:

1A.8.3 The expansion of towns, villages and defined growth areas should occur in a manner that minimises the potential for conflicts with the surrounding rural area.

3 Natural features and landscapes

Objective:

3.2.1 Outstanding natural features and landscapes are recognised and protected.

Policies:

3.2.6 Views of outstanding natural features and landscapes from public places should be protected from the adverse effects of inappropriate subdivision, use and development.

Objective:

3.4.1 Landscapes and visual amenity values, as viewed from public places, are retained and enhanced.

Policies:

3.4.2 Natural features and landscapes, including locally distinctive landforms and prominent ridgelines, and general visual amenity values should be protected from inappropriate subdivision, use and development, in particular by:

- a) avoiding or mitigating adverse effects on natural features such as indigenous vegetation, lakes, rivers and mountains*
- b) ensuring that the visual effects of buildings can be absorbed without significant adverse effects on the landscape*

c) locating buildings and development so as to integrate them with the surrounding landscape and backdrops, to avoid dominating the landscape

3.4.3 Rural land uses, including productive rural activities, should predominate in the Rural and Coastal Zones.

13 Amenity Values

Objective:

13.2.1 Adverse effects of activities on amenity values are managed so that the qualities and character of the surrounding environment are not unreasonably compromised.

Policies:

13.2.2 Adverse effects associated with lighting, litter, electromagnetic radiation, vermin, traffic, spray drift, and noise should be contained within the site where they are generated.

13.2.4 Adverse effects that cannot be contained on the site where they are generated must be remedied or mitigated.

Objective:

13.2.6 Amenity values of localities are maintained and enhanced.

Policies:

13.2.7 Scale, intensity, timing and duration of effects of activities should be managed to be compatible with the amenity and character of the locality.

Activities with similar effects or a similar expectation of amenity should be located together.

Objective

13.4.1 Amenity values of sites and localities maintained or enhanced by subdivision, building and development

Policies

13.4.2 Subdivision, building and development should be located and designed to:

(a) be sympathetic to and reflect the natural and physical qualities and characteristics of the area

(b) ensure buildings have bulk and location that is consistent with buildings in the neighbourhood and the locality

(c) avoid buildings and structures dominating adjoining land or public places, the coast, or water bodies

(e) encourage retention and provision of trees, vegetation and landscaping

13.4 Subdivision, Building and Development

Objective:

13.4.1 Amenity values of sites and localities maintained or enhanced by subdivision, building and development

Policies:

13.4.2 Subdivision, building and development should be located and designed to:

(a) be sympathetic to and reflect the natural and physical qualities and characteristics of the area

- (b) ensure buildings have bulk and location that is consistent with buildings in the neighbourhood and the locality*
- (c) avoid buildings and structures dominating adjoining land or public places, the coast, or water bodies*
- (d) retain private open space and access to public open space*
- (e) encourage retention and provision of trees, vegetation and landscaping*
- (f) arrange allotments and buildings in ways that allow for view sharing, where appropriate*
- (g) provide adequate vehicle manoeuvring and parking space on site*
- (h) provide vehicle, cycling and pedestrian connection to transport networks, including roads, cycleways and walkways, and facilitate public transport*
- (i) promote security and safety of public land and buildings, and places*
- (j) mitigate foreseeable effects (including reverse sensitivity effects) on, and from, nearby land use, particularly existing lawfully established activities*
- (k) mitigate foreseeable effects on water bodies*
- (l) maintain adequate daylight and direct sunlight to buildings, outdoor living areas and public places*
- (m) maintain privacy*
- (n) avoid glare and light spill.*

13.4.3 Trees that have special amenity value should be protected.

13.6 Rural Character

Objective:

13.6.1 Rural character is preserved.

Policies:

13.6.2 Rural subdivision and development should be of a density, scale, intensity and location to retain or enhance rural character, including:

- (aa) a predominance of natural features over built features*
- a) a very high ratio of open space in relation to areas covered by buildings*
- b) open space areas in pasture, trees, crops or indigenous vegetation*
- c) tracts of unmodified natural features, indigenous vegetation, streams, rivers, wetlands and ponds*
- d) large numbers of farm animals and wildlife*
- e) noises, smells and sights of farming, horticultural and forestry uses*
- f) post and wire fences, purpose-built farm buildings, and scattered dwellings*
- (fa) low population density [...]*
- h) a general absence of urban-scale and urban-type infrastructure such as roads with kerb and channel, footpaths, mown berms, street lights, advertising signs, sealed and demarcated parking areas, decorative fences and gateways*
- i) a diversity of lot sizes and shapes, related to the character and pattern of the landscape.*

13.6.3 Rural land should be retained in large holdings sufficient in size to enable productive rural activities to occur, and the creation of large holdings encouraged and where appropriate boundary relocations should be encouraged that facilitate holdings of sufficient size to support these activities.

Proposed Waikato District Plan (PWDP)

The relevant Objectives and Policies that relate to landscape and visual amenity issues include (Emphasis added):

5.3 Rural Character and Amenity

5.3.1 Objective - Rural character and amenity

(a) Rural character and amenity are maintained.

5.3.2 Policy - Productive rural activities

(a) *Recognise and protect the continued operation of the rural environment as a productive working environment by:*

- (i) Recognising that buildings and structures associated with farming and forestry and other operational structures for productive rural activities contribute to rural character and amenity values;
- (ii) *Ensuring productive rural activities are supported by appropriate rural industries and services;*
- (iii) *Providing for lawfully-established rural activities and protecting them from sensitive land uses.*

5.3.4 Policy - Density of dwellings and buildings within the rural environment

(a) Retain open spaces to ensure rural character is maintained.

(b) *Additional dwellings support workers' accommodation for large productive rural activities.*

5.3.5 Policy – Earthworks activities

(a) *Provide for earthworks where they support rural activities including:*

- (i) *Ancillary rural earthworks and farm quarries;*
- (ii) *The importation of fill material to a site;*
- (iii) *Use of cleanfill where it assists the rehabilitation of quarries.*

(b) *Manage the effects of earthworks to ensure that:*

- (i) Erosion and sediment loss is avoided or mitigated;
- (ii) *The ground is geotechnically sound and remains safe and stable for the duration of the intended land use;*
- (iii) Changes to natural water flows and established drainage paths are avoided or mitigated;
- (iv) *Adjoining properties and public services are protected.*

5.3.7 Policy - Reverse sensitivity effects

(a) *Recognise the following features are typical of the rural environment and the effects are accepted and able to be managed:*

- (i) *Large numbers of animals being farmed, extensive areas of plants, vines or fruit crops, plantation forests and farm forests;*
- (ii) *Noise, odour, dust, traffic and visual effects associated with the use of land for farming, horticulture, forestry, farm quarries;*
- (iii) *Existing mineral extraction and processing activities;*
- (iv) *Minor dwellings;*
- (v) *Papakaainga housing developments within Maaori Freehold land.*

(b) *Avoid adverse effects outside the site and where those effects cannot be avoided, they are to be mitigated.*

(c) Mitigate the adverse effects of reverse sensitivity through the use of setbacks and the design of subdivisions and development.

(d) The scale, intensity, timing and duration of activities are managed to ensure compatibility with the amenity and character of the rural environment.

(e) *Enable the use of artificial outdoor lighting for night time work.*

(f) Ensure glare and light spill from artificial lighting in the rural environment does not:

- (i) *Compromise the safe operation of the road transport network; and*
- (ii) Detract from the amenity of other sites within the surrounding environment.

(g) *Frost fans are located and operated to ensure adverse effects on the surrounding environment are minimised.*

- (h) Provide for intensive farming activities, recognising the potential adverse effects that need to be managed, including noise, visual amenity, rural character or landscape effects, and odour.

5.3.8 Policy - Effects on rural character and amenity from rural subdivision

- (a) Protect productive rural areas by directing urban forms of subdivision, use, and development to within the boundaries of towns and villages.
- (b) Ensure development does not compromise the predominant open space, character and amenity of rural areas.
- (c) Ensure subdivision, use and development minimise the effects of ribbon development.
- (d) Rural hamlet subdivision and boundary relocations ensure the following:
- (i) Protection of rural land for productive purposes;
 - (ii) Maintenance of the rural character and amenity of the surrounding rural environment;
 - (iii) Minimisation of cumulative effects.
- (e) Subdivision, use and development opportunities ensure that rural character and amenity values are maintained.
- (f) Subdivision, use and development ensures the effects on public infrastructure are minimised.

5.3.9 Policy - Non-rural activities

- (a) Manage any non-rural activities, including equestrian centres, horse training centres, forestry and rural industries, to achieve a character, scale, intensity and location that are in keeping with rural character and amenity values.
- (b) Avoid buildings and structures dominating land on adjoining properties, public reserves, the coast or waterbodies.

5.3.13 Policy - Waste management activities

- (a) Provide for the rehabilitation of existing quarry sites, including landfill and cleanfill activities, where there is an environmental gain.
- (b) Waste management facilities are appropriately located to ensure compatibility with the surrounding rural environment.
- (c) Waste management facilities within the following areas are undertaken in a manner that protects the natural values of:
- (i) An Outstanding Natural Landscape;
 - (ii) An Outstanding Natural Feature;
 - (iii) An Outstanding Natural Character Area;
 - (iv) A High Natural Character Area.

5.3.14 Policy - Signs

- (a) The scale, location, appearance and number of signs are managed to ensure they do not detract from the visual amenity of the rural environment.
- (b) Ensure signage directed at traffic does not distract, confuse or obstruct motorists, pedestrians and other road users.
- (c) Limit the duration of temporary signage.
- (d) Recognise that public information signs provide value to the wider community.
- (e) Provide for signage on heritage items, notable trees and Maaori Sites of Significance for the purpose of identification and interpretation.

5.6 Country Living Zone

5.6.1 Objective – Country Living Zone

Subdivision, use and development in the Country Living Zone maintains or enhances the character and amenity values of the zone.

5.6.2 Policy – Country Living character

(a) Any building and activity within the Country Living Zone are designed, located, scaled and serviced in a manner that does not detract from the character of the area by:

(i) Maintaining the open space character;

(ii) Maintaining low density residential development;

(iii) Recognising the absence of Council wastewater services and lower levels of other infrastructure.

(b) Maintain views and vistas of the rural hinterland beyond, including, where applicable, Waikato River, wetlands, lakes, and the coast.

(c) Maintain a road pattern that follows the natural contour of the landform.

(d) Ensures that the scale and design of any non-residential activities maintains the open rural character and addresses site specific issues such as on-site servicing, and transport related effects.

(e) Requires activities within the Country Living Zone to be self-sufficient in the provision of water supply, wastewater and stormwater disposal, unless a reticulated supply is available.

5.6.3 Policy – Subdivision within the Country Living Zone

(a) Subdivision, building and development within the Country Living Zone ensures that:

(i) The creation of undersized lots is avoided where character and amenity are compromised;

(ii) new lots are of a size and shape to enable sufficient building setbacks from any boundary;

(iii) building platforms are sited to maintain the character of the Country Living Zone and are appropriately-positioned to enable future development;

(iv) existing infrastructure is not compromised;

(v) existing lawfully-established activities are protected from reverse sensitivity effects.

5.6.4 Policy – Building setbacks

(a) Maintain the existing spaciousness between buildings with adjoining sites.

5.6.5 Policy – Scale and intensity of development

(a) Minimise the adverse effects of development created by excessive building scale, overshadowing, building bulk, excessive site coverage or loss of privacy.

5.6.6 Policy – Height of buildings

(a) Ensure building height does not result in loss of privacy or cause overshadowing on adjoining sites or detract from the amenity of the area.

5.6.7 Policies - Earthworks

(a) Manage the effects of earthworks to ensure that:

(i) Erosion and sediment loss is avoided or mitigated.

(ii) The ground is geotechnically sound and remains safe and stable for the duration of the intended land use;

(iii) Changes to natural water flows and established drainage paths is avoided or mitigated;

(b) Manage the importation of fill material to a site.

(c) Appropriately manage the importation of cleanfill to a site.

(d) Manage the amount of land being disturbed at any one time to avoid, remedy or mitigate adverse construction noise, vibration, odour, dust, lighting and traffic effects.

(e) Subdivision and development occurs in a manner that maintains shape, contour and landscape characteristics.

5.6.8 Policy – Non-residential activities

(a) Limit the establishment of commercial or industrial activities within the Country Living Zone unless they:

- (i) Have a functional need to locate within the Country Living Zone; and
- (ii) Provide for the health and well-being of the community.

5.6.9 Policy – Existing non-residential activities

(a) Enable existing non-residential activities to continue and support their redevelopment and expansion, provided they do not have a significant adverse effect on the character and amenity of the Country Living Zone.

5.6.14 Policy – Managing the adverse effects of signs

- (a) The location, colour, content, and appearance of signs directed at traffic is controlled to ensure signs do not distract, confuse or obstruct motorists, pedestrians and other road users.
- (b) Maintain the visual amenity and character of the Country Living Zone through controls on the size, location, appearance and number of signs.
- (c) Avoid signs that generate adverse effects from illumination, light spill, flashing or reflection.

5.6.15 Policy – Artificial outdoor lighting

- (a) Provide for artificial outdoor lighting to enable night time work, farming activities, recreation activities, outdoor living, transport and security.
- (b) Control the intensity and direction of artificial lighting to avoid significant glare and light spill to adjacent sites.
- (c) Ensure artificial outdoor lighting is installed and operated so that light spill does not compromise the safe operation of the transport network.

5.6.17 Policy – Outdoor storage

(a) The adverse visual effects of outdoor storage are managed through screening or landscaping.

BEFORE THE HEARING COMMISSIONERS

AT WAIKATO DISTRICT COUNCIL

IN THE MATTER of the Resource Management Act 1991 (RMA)

AND

IN THE MATTER of submissions and further submissions on the Proposed District Plan

**GRAPHIC EVIDENCE OF DAVID GRAHAM MANSERGH FOR SUBMITTER
[387] : DIAMOND CREEK FARMS LIMITED
16 February 2021**

Harkness Henry
SPECIALIST LAWYERS

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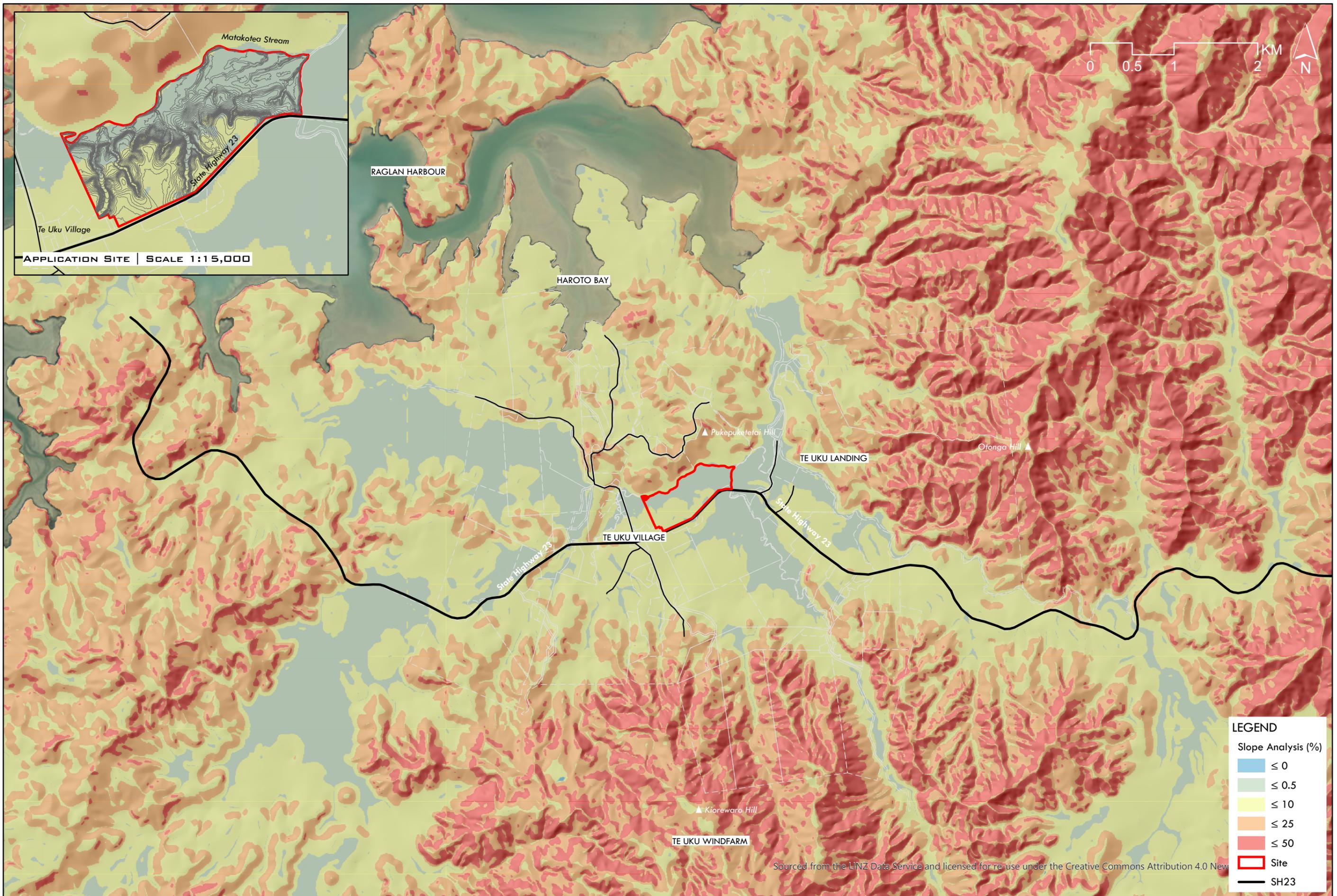
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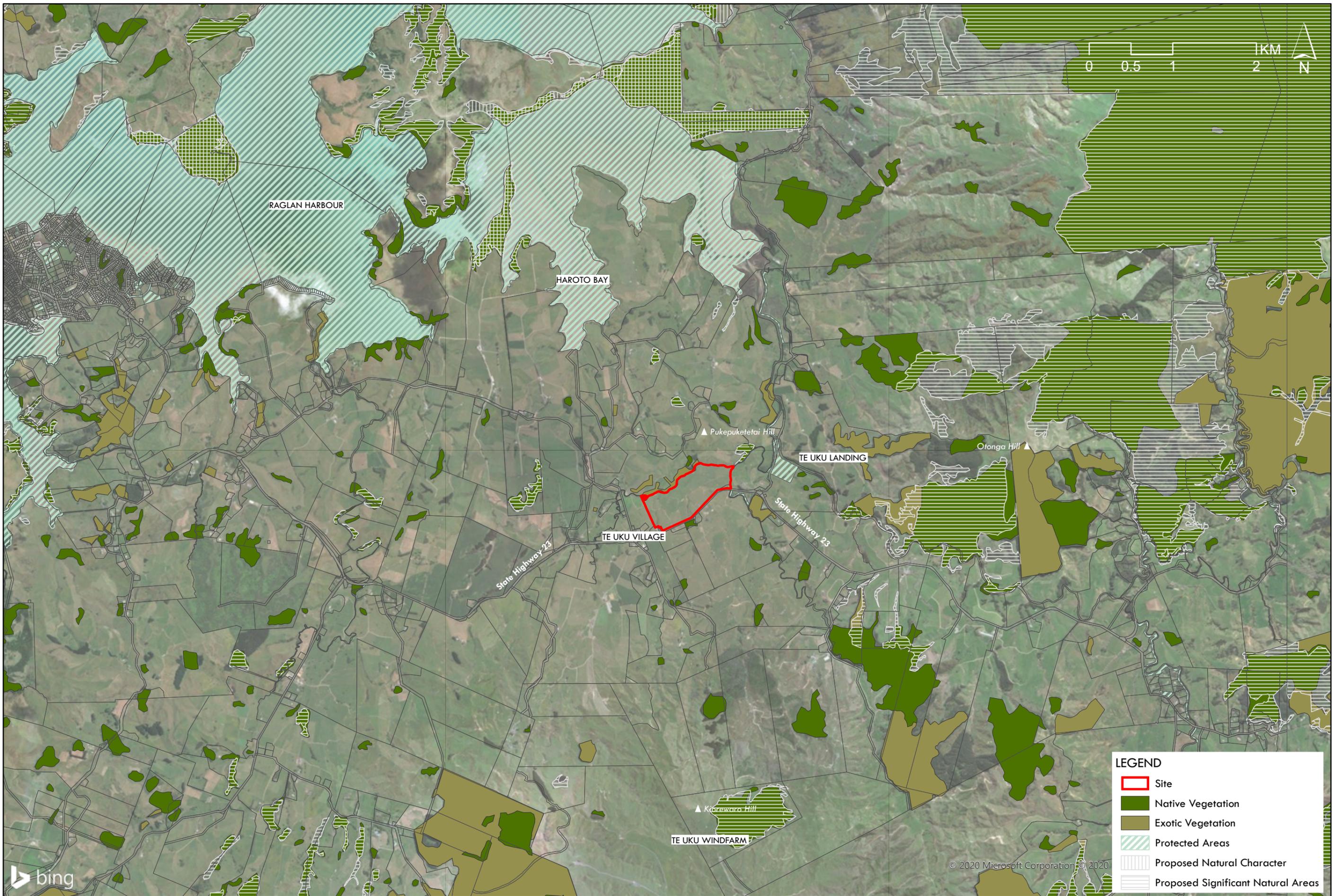
Dr J B Forret
(joan.forret@harkness.co.nz)

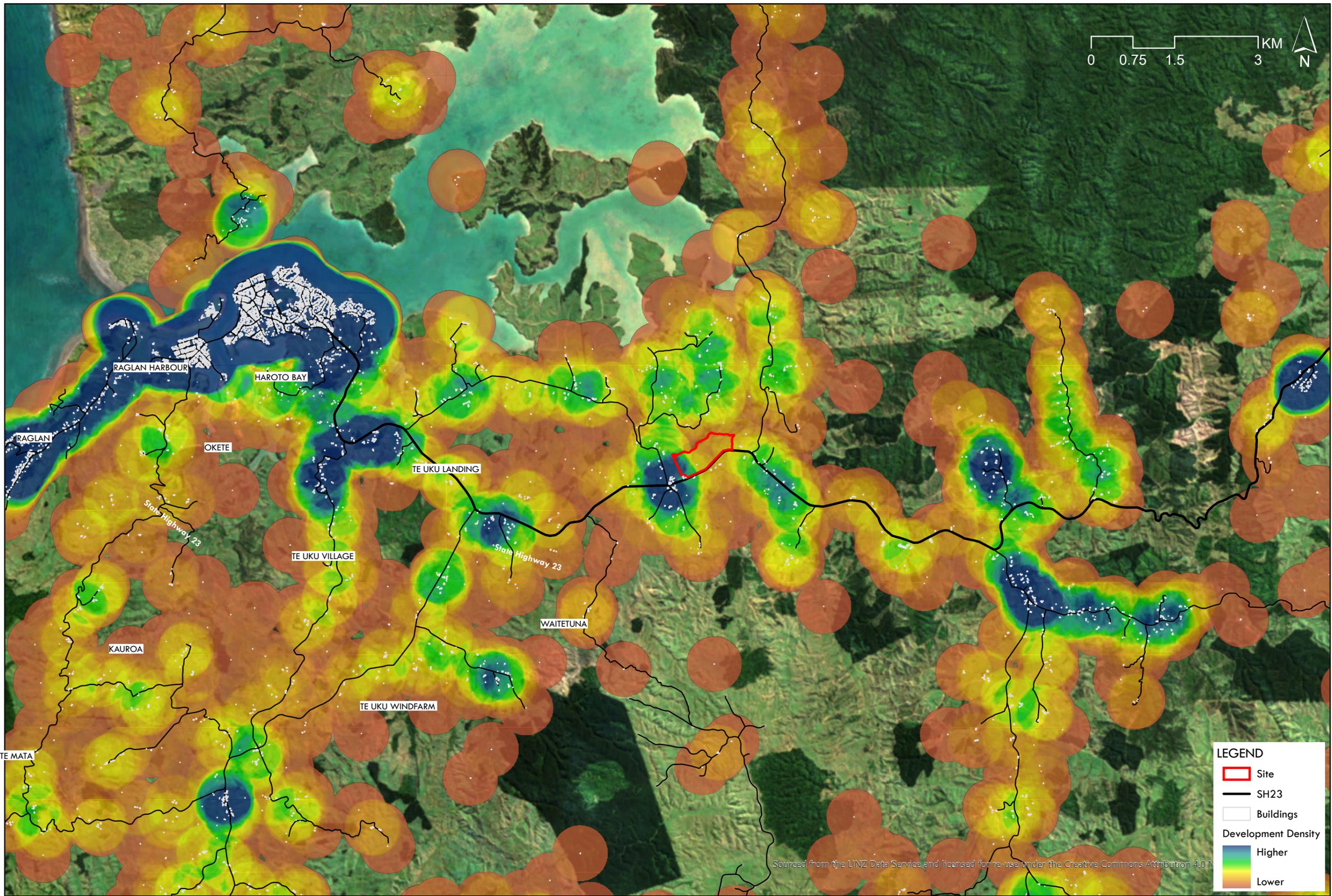
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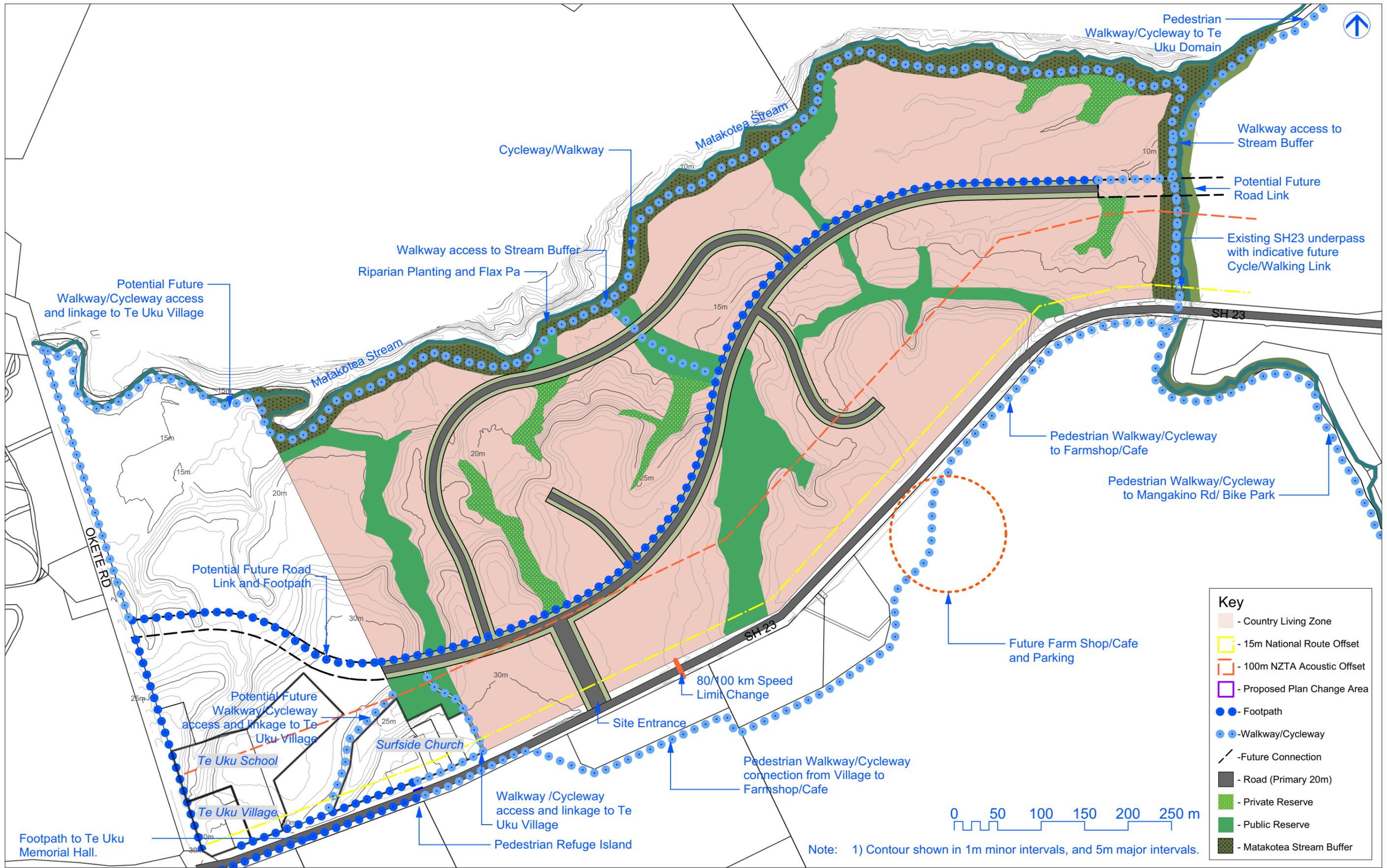
P Kaur
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Contents	
Slope Analysis	2
Vegetation Cover	3
Development Density	4
Proposed Structure Plan	5
Country Living Zone Development Concept ($\geq 5000\text{m}^2$)	6
Village Zone Development Concept ($\geq 2500\text{m}^2$)	7
Village Zone Development Concept ($\geq 800\text{m}^2$)	8
3D Model Images	9
Surrounding Landscape Context - Photographs	14
Context Plan	15
Application Site - Photographs	16
Zone of Theoretical Visibility Analysis (ZTV)	17
View Location Map	18
Group 1: Outlying Locations – Photographs	19
Group2: Views From SH23 – Photographs	24









The purpose of this plan is to show the general intent of the design and may not be complete in every detail. This plan is not intended as a construction drawing and should not be used as such.



Proposed Structure Plan - Country Living Zone

Scale 1:4000 @ A3
Revision No. R3
Date 02/02/21 C04



The purpose of this plan is to show the general intent of the design and may not be complete in every detail. This plan is not intended as a construction drawing and should not be used as such.



Country Living Zone Development Concept (≥5000m²)

Scale 1:4000 @ A3
Revision No. R0
Date 02/02/21 C09



Diamond Creek Farm Ltd

Project No. 2019-048
 Phase Concept



Village Zone Development Concept (≥800m²)

Scale 1:4000 @ A3
 Revision No. R1
 Date 25/09/20

Plan No. **C07**



1 | Existing Landscape - Photograph



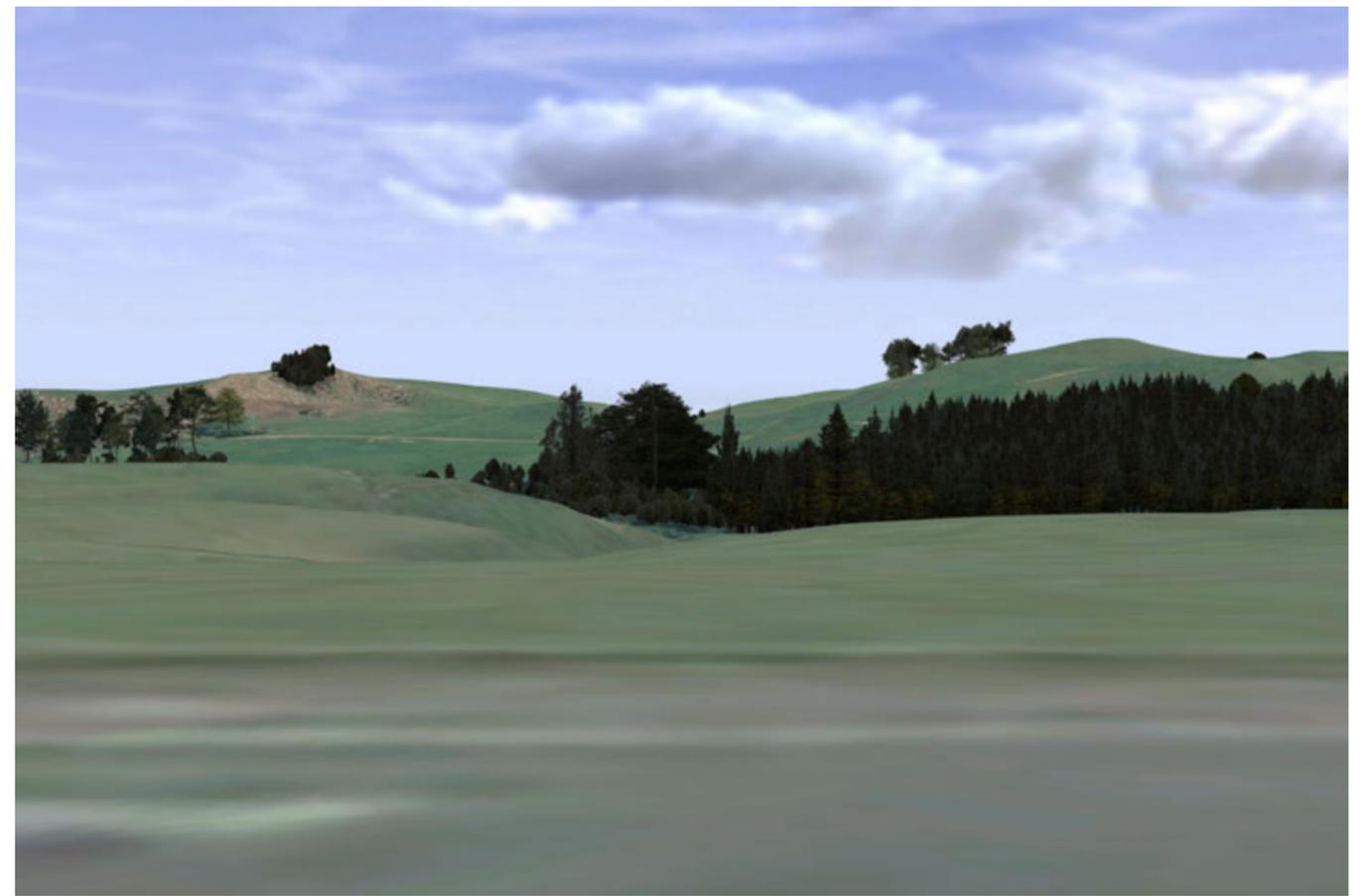
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3 | Indicative Development Design ≥5000



1 | Existing Landscape - Photograph



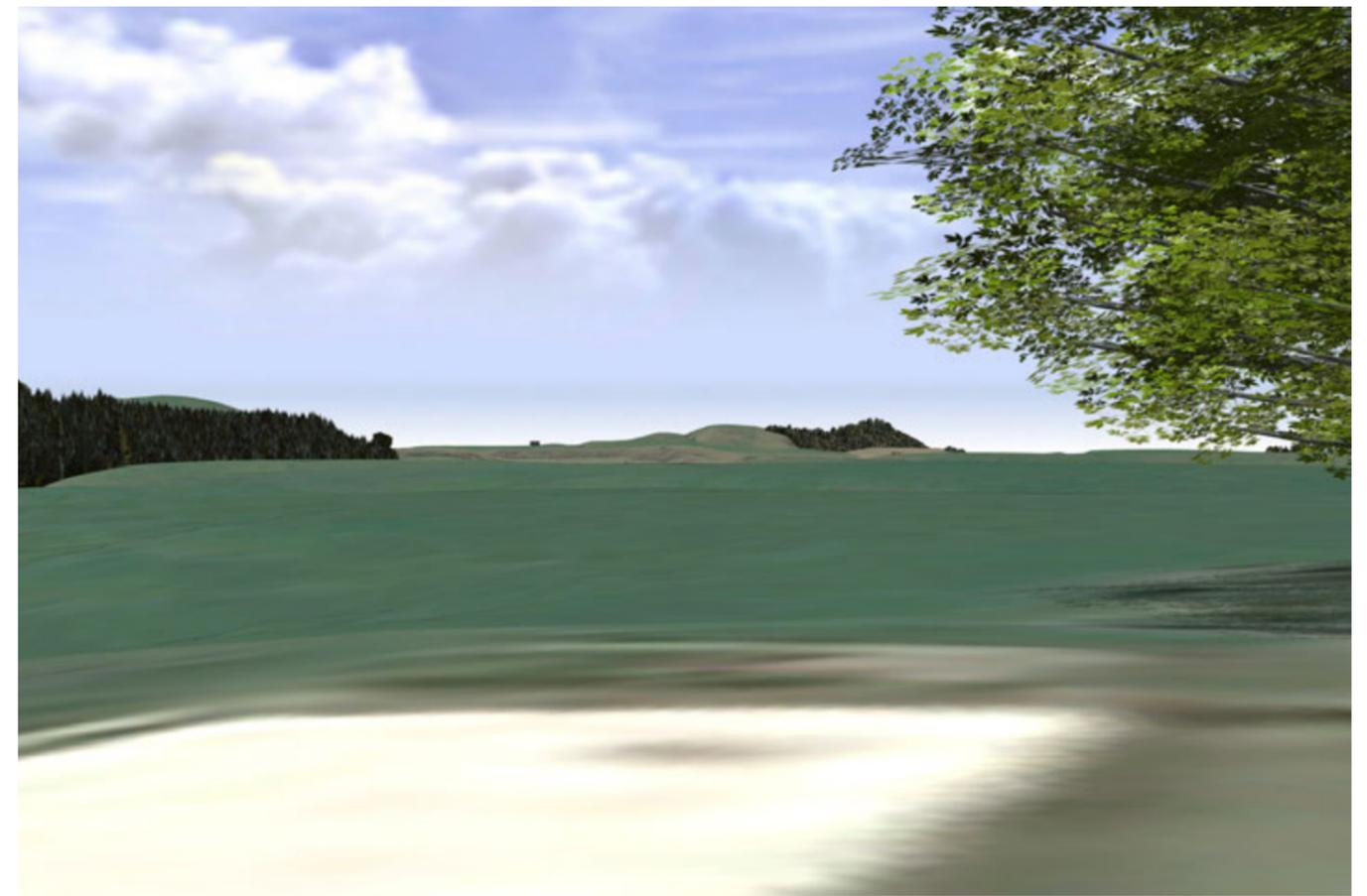
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3 | Indicative Development Design ≥ 5000



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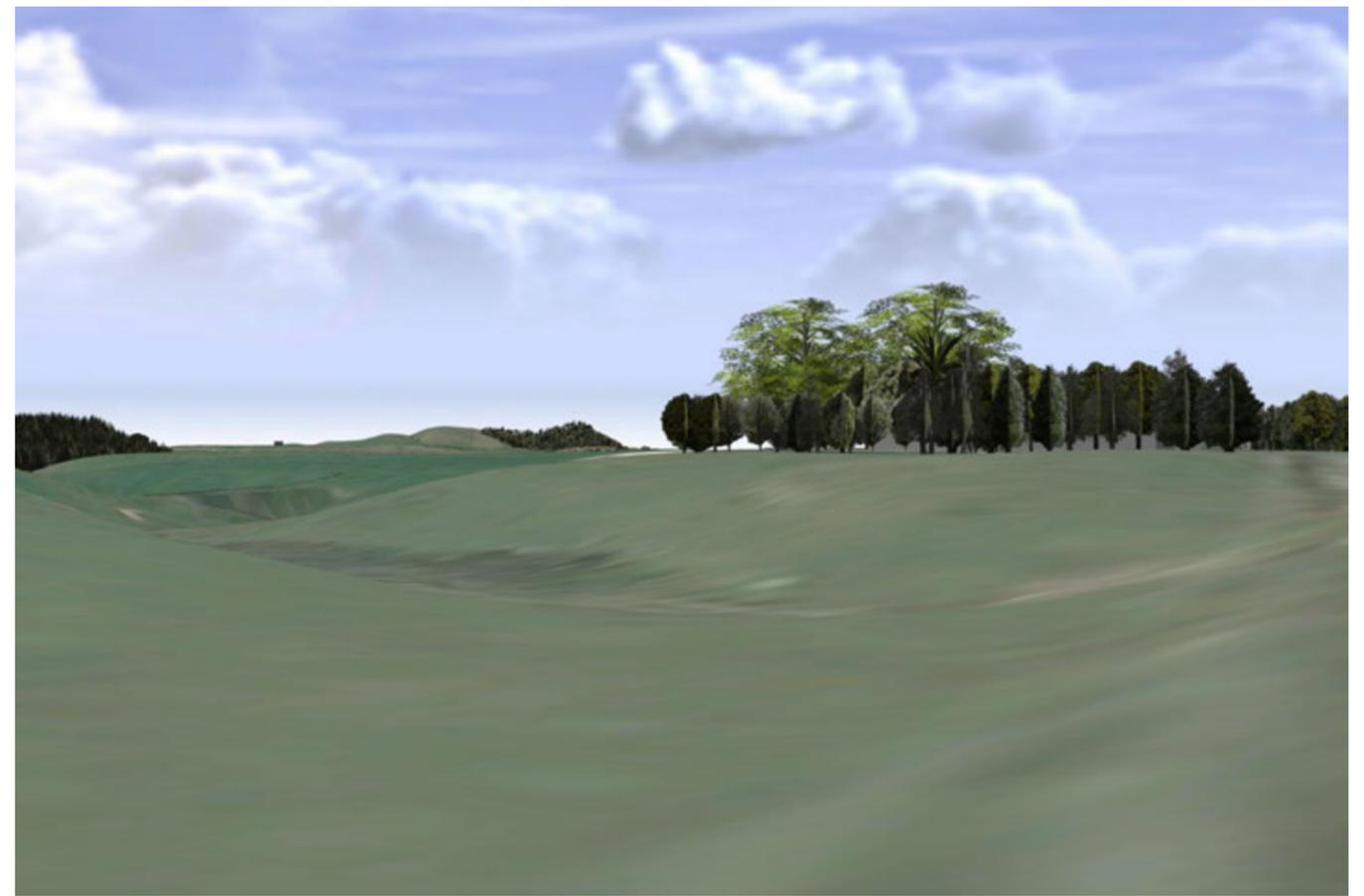
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3 | Indicative Development Design ≥5000



1 | Existing Landscape - Photograph



2 | Existing Landscape - Model



3 | Indicative Development Design ≥5000



1 | Existing Landscape - Photograph



2 | Existing Landscape - Model



3 | Indicative Development Design ≥ 5000



1.



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3.



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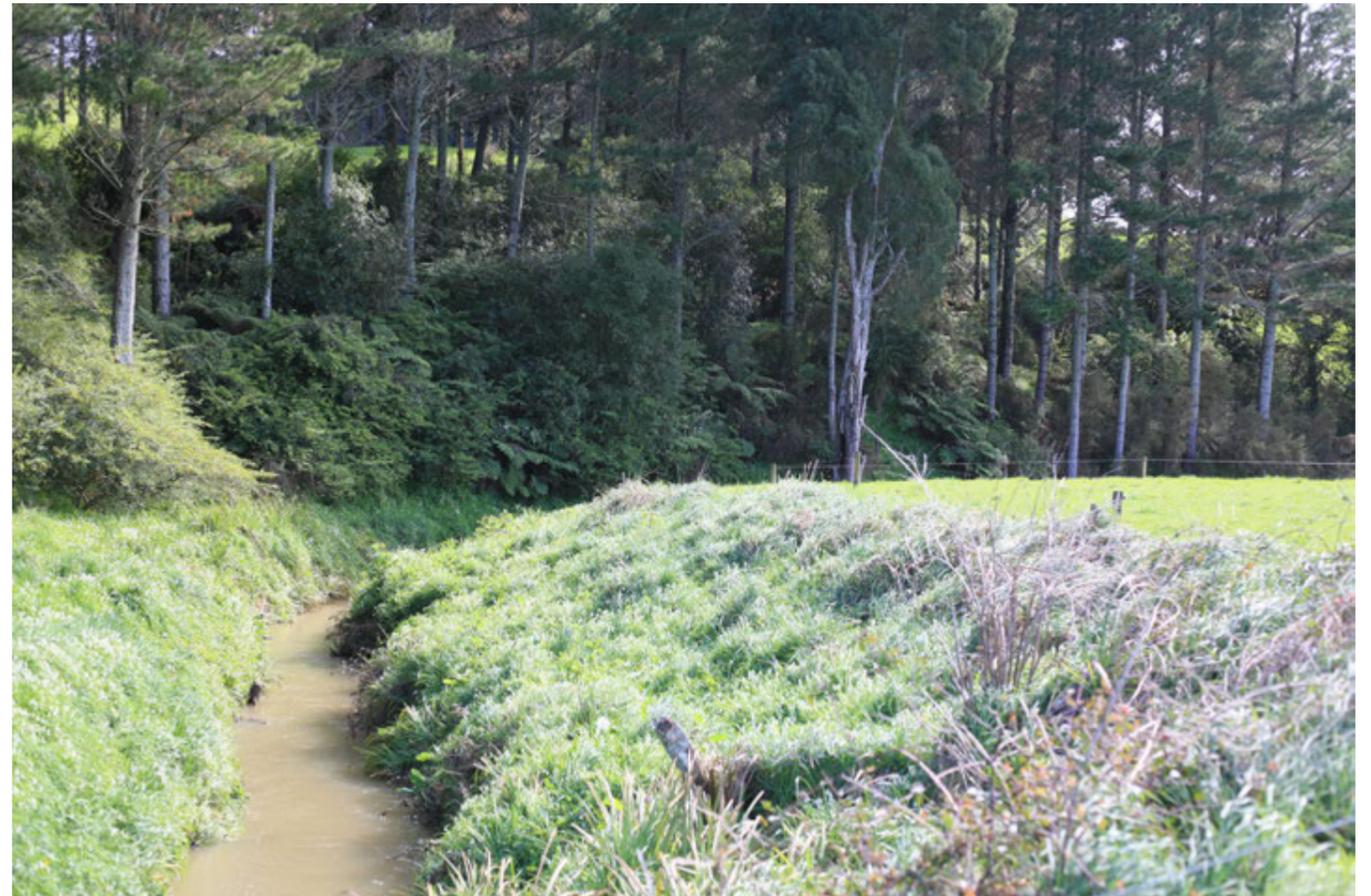
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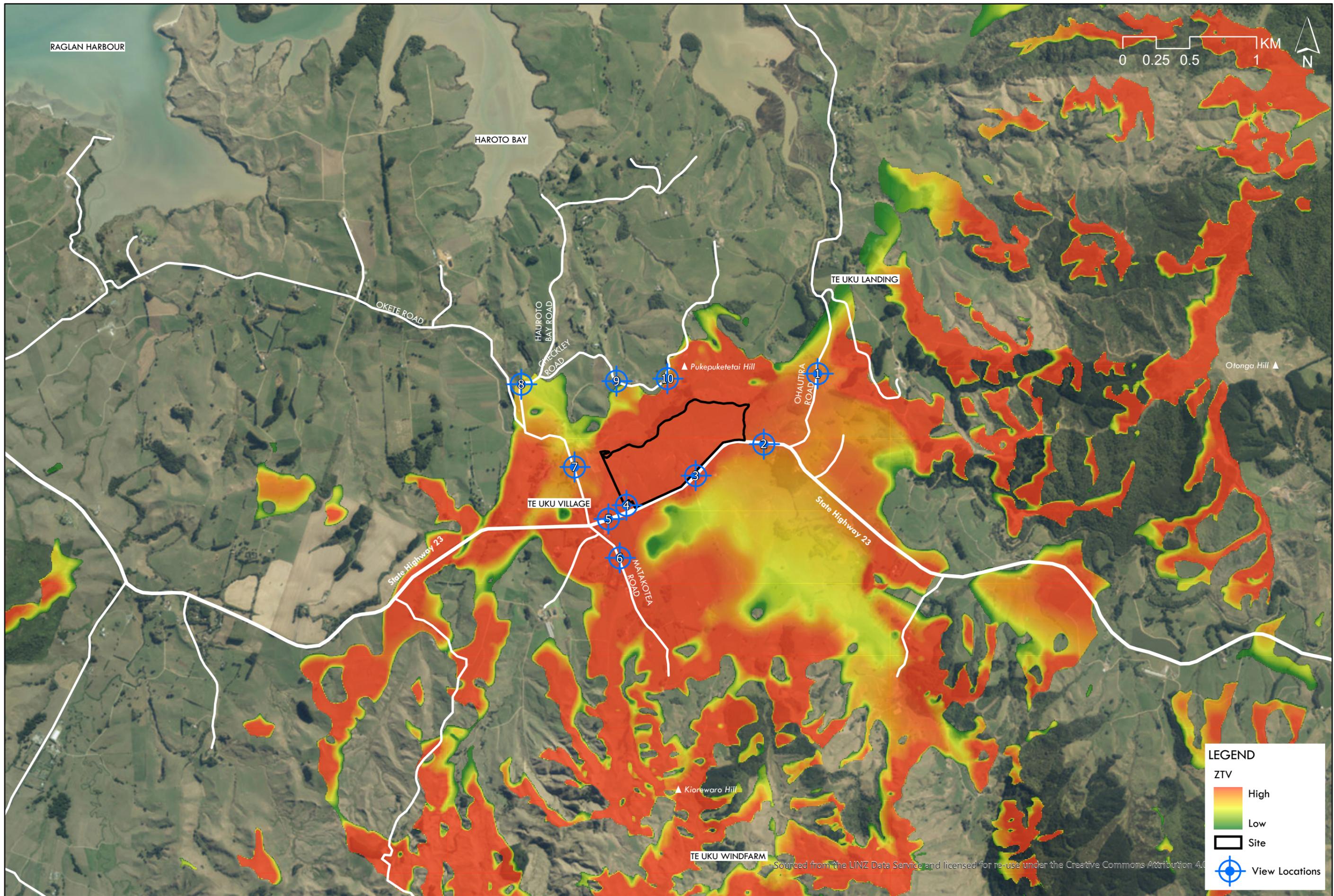


3.



4.







LEGEND

-  View Locations
-  Investigated
-  Site

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View Location Data

NZTM Easting: 1773894.1
NZTM Northing: 5812470.6
Focal length: 50mm
Photographer: D. Mansergh
Camera: Canon EOS D5 Full Frame Digital
with EF 50mm F1.4 USM (Prime)
Date: 27th July 2020



View Location Data

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NZTM Northing: 5811094.1
Focal length: 50mm
Photographer: D. Mansergh
Camera: Canon EOS D5 Full Frame Digital
with EF 50mm F1.4 USM (Prime)
Date: 29th July 2020



View Location Data

NZTM Easting: 1771678.3
NZTM Northing: 5812391.4
Focal length: 50mm
Photographer: D. Mansergh
Camera: Canon EOS D5 Full Frame Digital
with EF 50mm F/1.4 USM (Prime)
Date: 29th July 2020



View Location Data

NZTM Easting: 1772390.5
NZTM Northing: 5812415.0
Focal length: 50mm
Photographer: D. Mansergh
Camera: Canon EOS D5 Full Frame Digital
with EF 50mm F/1.4 USM (Prime)
Date: 29th July 2020





View Location Data

NZTM Easting: 1772770.9
NZTM Northing: 5812433.5
Focal length: 50mm
Photographer: D. Mansergh
Camera: Canon EOS D5 Full Frame Digital
with EF 50mm F1.4 USM (Prime)
Date: 29th July 2020



View Location Data
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Focal length: 50mm
Photographer: D. Mansergh
Camera: Canon EOS D5 Full Frame Digital
with EF 50mm F/1.4 USM (Prime)
Date: 29th July 2020



View Location Data

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Date: 29th July 2020



View Location Data

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Date: 29th July 2020



View Location Data

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Date: 29th July 2020