IN THE MATTER OF	the Resource Management Act 1991
AND	
IN THE MATTER OF	of a resource consent application to Waikato District Council for subdivision and land use consents for residential development at 24 Wayside Road, Te Kauwhata, including earthworks and construction of four show homes.
BY	Te Kauwhata Land Ltd

STATEMENT OF EVIDENCE OF MICHAEL RICHARD GRAHAM ON BEHALF OF TE KAUWHATA LAND LTD

INTRODUCTION

1. My full name is Michael Richard Graham and I hold the position of Director at Mansergh Graham Landscape Architects (MGLA). I have been in this position since 2002.

2. I hold the Qualifications of a Bachelor of Science in Philosophy completed in 1990, from Canterbury University, Christchurch and a Bachelor of Landscape Architecture completed in 1992, from Lincoln University, Canterbury. I am a qualified Landscape Architect and Registered Member of the New Zealand Institute of Landscape Architects.

3. During my career I have been involved in the preparation of a large number of visual and landscape assessments, and the peer review of landscape assessments for a range of activities in the urban and rural landscape. These have included subdivision developments, large scale retail developments, retirement complexes, light industrial developments, telecommunications facilities within urban environments, bypass alignments, wind farms and power transmission lines.

4. I have prepared several district-wide landscape studies, and have provided advice to various councils on the preservation of landscape character, urban design and growth strategies for both rural and urban areas. I am a current member of the Hamilton City Urban Design Panel and have been a sitting member and occasional chair since its inception in 2008.

5. In June 2016, I prepared an urban and visual effects assessment report on the proposed 165 lot residential subdivision on Wayside Road, Te Kauwhata. The proposed development will be entirely located within the Te Kauwhata West Structure Plan Area, which is identified within the Waikato District Plan as suitable for residential development and if approved would replace the consented Silverspur subdivision. The report was prepared within the context of current "best practice" in urban design and landscape architecture, the existing Te Kauwhata township and relevant provisions of the Waikato District Plan. The findings of my 2016 report, which accompanied the Application, form the basis of my evidence.

6. I have been asked by the Te Kauwhata Land Development Ltd (**TKL**) to prepare this statement of evidence to summarise the key matters of the Application relevant to my expertise.

7. This evidence is intended to supplement the information contained in the Application and the assessment of environmental effects (**AEE**).

8. I confirm that I have read the Code of Conduct for Expert Witnesses contained in the Environment Court Practice Note and that I agree to comply with it. I confirm that I have considered all the material facts that I am aware of that might alter or detract from the opinions that I express, and that this evidence is within my area of expertise.

SCOPE OF EVIDENCE

9. This evidence will address the following matters:

(a) An overview of the assessment approach I have used;

(b) Identification of the existing landscape context surrounding the site and a description of the site;

(c) Identification of the key elements of the proposal that affect landscape, visual and urban amenity;

(d) Identification and discussion of the effects of the proposal on existing landscape character;

(e) Identification and discussion of the proposal on existing visual and urban amenity values;

(f) Discussion of relevant planning matters;

(g) Comments on submissions;

(h) Response to the Officer's Report; and

(i) Conclusions

EXECUTIVE SUMMARY

10. The proposed development is located on the western fringe of Te Kauwhata, approximately 16 Ha of horticultural/pastoral land, within an area identified for development to an urban environment. The entire site is contained within the Te Kauwhata West Structure Plan area, which has been identified in the district plan as a suitable area for residential development.

11. The proposed subdivision has been developed to replace the consented but not constructed Silverspur Subdivision. The consented Silverspur Development was found to be problematic when tested under detailed design, presenting poor roading gradients and requiring extensive use of retaining walls to enable the development to be constructed, (in excess of 7 metres high in some instances). I considered that the extent of retaining required would have a noticeable adverse effect on the amenity of the undulating site resulting in a developed outcome incongruent with the Structure Plan

outcomes. Later in my evidence I make specific comment in regard to the integration of land form, the presence of retaining structures, public reserve development and response to the Urban Design Guide. These matters are covered in paragraphs 98 -147 with additional commentary in my *response to the officers report* paragraphs 148 -172).

12. The irregular nature of the site's overall shape and undulating topography, has significant challenges in creating an efficient subdivision design that balances desired urban design principles with efficient lot and block sizes, whilst avoiding unnecessary road pavement and extensive retaining structures. The proposed development addresses these challenges through the reorganisation of the road and block layout, the use of rear lots and a finer grain of lots overall.

13. The road and block layout was modified to improve the responsiveness to the site contour. A higher ratio of finer grain lots is introduced to reduce the extent of retaining by allowing smaller, more frequent level changes at lot boundaries and allow a better connection with adjacent roading levels. 'Laneways' are introduced as a specific design response to minimise potential adverse effects associated with rear lots, being wider than a typical right of way and including the introduction of covenanted setbacks on 'laneway' lots as a means of ensuring these laneways are attractive, accessible and integrate positively into the overall subdivision design.

14. The development includes two drainage reserves and a portion of the hilltop recreation reserve which contribute to the amenity of the development by providing green open spaces as a natural counterpoint to surrounding built development. Two alternative designs have been prepared for the hilltop reserve. While I prefer the initial modified contour hilltop reserve as originally applied for, the applicant is open to having the final design approved by Council subject to approved parameters.

15. While the area of the proposed hilltop reserve is reduced, by comparison to the Silverspur application, the hilltop reserve results in a useable area that is consistent with the Parks Strategy.

The proposed development also includes an extensive specimen tree and planting strategy throughout the subdivision, including the covenanting of specimen trees within the lots. In combination these strategies result in a development is a similar in general appearance to the Silverspur development but with noticeable improvements to the overall amenity.

16. I consider that the application meets the intent of the relevant objectives, policies and rules of the OWDP and is consistent with the requirements of sections 6(b) and 7(c) of the RMA. Overall, I consider the proposed development results in *less adverse* amenity effects than that of the Silverspur Development, with the overall effects of the current proposal on the existing environment considered to be *very low to negligible.*

ASSESSMENT APPROACH

17. I have used a standardised assessment approach to identify the existing landscape and urban character of the site and its surroundings, in order to assess how the proposed development affects surrounding visual character and urban amenity values.

18. In broad terms, the assessment consists of the following elements:

(a) Identification of the existing landscape values and character;

(b) Identification of the key elements or attributes of the proposed development;

(c) Assessment of the effects of the proposed subdivision on existing visual character and urban amenity; and

(d) Assessment of the proposal within the context of the relevant statutory instruments and current best practice urban design.

19. A diagram depicting the assessment framework I have followed and the key factors considered in my assessment are contained in my graphic evidence **Appendix 1 page 11**.

LANDSCAPE CONTEXT AND SITE DESCRIPTION

20. In this section of my evidence, I describe the landscape character of the site and its surrounding context. I will address the issue of character and identify why, in my opinion, the existing character of the site and surrounding context will not be adversely affected by the proposal. A fuller description is contained in my original assessment.

Context

21. The application site is located on the western fringe of Te Kauwhata. Te Kauwhata is a small rural Waikato town, with a population of approximately 1470, located approximately midway between Auckland and Hamilton. The township is surrounded by rolling farmland and is nestled between the Whangamarino Wetland to the north and Lake Waikare to the south. The character of the town is typical of many other small rural service towns; structured around traditional generously spaced strip development along a main street with associated residential housing, but undergoing a gradual incremental transition.

Te Kauwhata Urban Character

22. The commercial centre of Te Kauwhata consists of a short strip of shops and community facilities on Main Street. Immediately to the west, the main trunk line (three tracks wide) severs Te Kauwhata from development to the west and forces a deviation in the alignment of Te Kauwhata Rd, the only entrance to the town from this direction.

23. The majority of the existing residential development in Te Kauwhata is concentrated along the ridge east of the commercial centre with the urban fabric generally conforming to a grid configuration. This is manifest in the neighbourhood blocks bounded by Waerenga Rd, Mahi Road, Rata Street, and Roto Street and produces a road network with good connectivity and legible way finding.

24. West of the railway line, a small cluster of residential development has occurred within the Living and New Residential Zones around Eccles Avenue and Totara Place. Residential development further west consists of larger lot development within the Country Living Zone concentrated around Travers, Orchard, Wayside and Moorfield Roads. A small vacant commercial node occupies the corner of Te Kauwhata and Wayside roads. SH1 forms a north- south boundary 2km west of central Te Kauwhata.

25. The urban grain is characterised by pockets of subdivision from different eras of development over approximately the last 50 years. Each is noticeably different in visual character due to variations in section sizes, building footprint, setbacks, architectural style, the extent and height of fencing and vegetation, and the width and configuration of roads and footpaths. Collectively, this mixture characterises the township as a whole as a traditional rural town with more recent residential growth to the north and a scattering of lifestyle blocks to the west.

26. Due to significant projected population growth, the Te Kauwhata Structure Plan was developed to manage future development in an orderly and coordinated way. The site is captured within the western extent of the structure plan area zoned Te Kauwhata West Living Zone (TKWLZ). The TKWLZ anticipates a landscape character shift from rural lifestyle development to urban development.

27. The parcel of land to the east of the subject site, currently being developed for residential use by Jetco Ltd, is also within TKWLZ. It involves the construction of an 83 lot residential subdivision, which will connect with the spine road of the current application.

The Application Site

28. The site is approximately 16.5 Hectares located on the western fringe of Te Kauwhata, an area currently transitioning from a former rural environment to a fully urban development. The entire site is contained within the Te Kauwhata West Structure Plan area, which has been identified in the district plan as a suitable area for residential development.

29. Rural residential properties (zoned Country Living) border the site to the northwest. To the northeast, the Jetco Ltd subdivision, accessed off Travers Road, is currently under development, while to the southeast the site borders land in pasture and zoned TKWLZ. A small cluster of dwellings and commercial buildings occupy the corner of Te Kauwhata and Wayside Roads to the south of the site.

30. The site contour is undulating, with some steeper areas which, at the time of site investigation, were in grapevines and pasture. (The grapevines have subsequently been removed). I draw you attention to the fact that the site has been in horticultural pastoral land use for some time and as such has undergone the pragmatic easing of the land contours through the repetitive cycles of cultivation associated with a variety of crops, and farming practices. The Wayside Road boundary is delineated by a typical rural post and batten fence, inside which are a row of shelter trees. To the north, the larger lot rural residential properties bordering the site contain a mixture of mature specimen trees and native plantings. At the northernmost end of the Country Living Zone (CLZ) boundary, the site adjoins an olive tree plantation.

31. Views towards the Hunua Ranges to the north and Hapukohe Ranges to the east are afforded from the more elevated locations within the site, as are glimpsed views of Lake

Waikare and Lake Kopuera. A modest sense of enclosure is created by the local, low ridgelines to the north and northeast.

The Consented Silverspur Development

32. In December 2015, consent was granted for a 129 lot residential subdivision on the site. The consented Silverspur Development, while of a coarser grain than the current application, shared a similar road network design based on the structure plan layout. It also featured a drainage reserve on the CLZ boundary of the site and a central hilltop recreation reserve.

33. Te Kauwahata Land Ltd purchased the consented development from Silverspur Developments Ltd and engaged Blue Wallace Surveyors to undertake developed design of the subdivision plan for construction. During this more detailed process it became apparent that the combination of site factors; including contour, width and length, and the consented subdivision layout and conditions, (the position of the road ways, requirement to retain the highpoint landform in the recreational reserve and the configuration and number of lots), resulted in a number of outcomes incompatible with good urban design and the intent of the District Plan.

34. These incompatibilities focussed around an expectation of the retention of the highpoint landform within the recreational reserve and the ability to provide appropriate roading gradients within a compatible subdivision layout, which responds to the layout contained within the Structure Plan, without unduly compromising accessibility and safety. (I rely on the evidence of *Alasdair Gray* of *Gray Matter Ltd* in respect of the roading gradients). Blue Wallace developed and abandoned several incomplete site schemes due to the difficulty of resolving the gradient issues in and around the hilltop reserve while providing for suitable gradients elsewhere throughout the site.

35. It was at this time that Mansergh Graham was engaged to assist with finding an approach that might better fit the site.

36. While an earthworks scheme for the Silverspur subdivision was completed, maintaining the existing highpoint contours within the Reserve, in combination the lot size and road gradients required the construction of extensive retaining walls throughout the subdivision. This was most notable around the Recreation Reserve area where retaining in excess of 7 metres high was required. In my opinion this extent of retaining would have a noticeable adverse effect on the amenity of the Silverspur residential

development. The proposed TKL development sought to reduce the extent of retaining and improve the overall amenity.

THE PROPOSED DEVELOPMENT

37. The proposed subdivision (following design changes that increased the size of the drainage reserve and reduced the number of residential lots) involves the creation of 163 residential lots ranging in size from 576 m2 to 962 m2 over the 16.520 ha site. (An overview plan of the site is included in my graphic evidence **appendix 2 page 14 Plan C1**).

38. The range of lot sizes includes finer grain lots at a higher ratio than provided for as a controlled activity by the District Plan and, than that contained within the consented Silverspur subdivision. I consider that the finer grain lot layout assists in better integrating lot development across the undulating contour by allowing smaller more frequent level changes at lot boundaries. The areas of finer grain will generally be located internally within the development to ensure any associated potentially adverse effects on surrounding locations are minimised. I consider the finer grain of development, achieved through a combination of revised earthworks proposal and the smaller lot sizes with more (and smaller) grade changes, establishes an overall outcome which best achieves the general intent of the structure plan outcomes in terms of limiting earthworks and retaining structures.

39. The proposed road layout follows the general scheme design for the *Te Kauwhata West Structure Plan Area*, with minor amendments incorporated to ensure the roads respond to existing topography. The main entry to the site will be via Wayside Road onto the proposed 25 metre wide spine road with centralised swale (referred to as Bragato Way in the survey plans) which will connect with Travers Road via the Jetco subdivision, (under construction to the east of the site). The roading design also includes 20 metre wide roads running approximately perpendicular to the spine road, which provides for future connections to Te Kauwhata Road, consistent with the general intent of the Te Kauwhata West Structure Plan Area.

40. Augmenting this road layout are a series of short straight 8 metre wide laneways which provide access to internal block lots. Plans C2 & C2A (contained in my graphic evidence **Appendix 2 pages 15 and 16**) illustrate that the laneways will include swathes of locally appropriate native grasses and concrete footpaths adjacent to mountable kerbs. This will allow additional trafficable surface for vehicle manoeuvring if

required, while providing pedestrian amenity. I consider these laneways offer a better alternative to the more traditional narrow right of ways serving rear lots, by providing specifically designed wider access with improved visibility and amenity, controlling boundary fence heights on adjacent lots and opening the rear lots to the laneway streetscape.

41. The application also includes two drainage reserves and a hilltop recreation reserve which contribute to the amenity of the development by providing green open spaces as a natural counterpoint to surrounding built development. In regard to the hilltop recreation reserve, I have given detailed consideration to the form of this reserve. While I support the hilltop reserve presented in the application, which maintains the existing contours of the high point within the site, I do not consider this is the best solution for the hilltop recreation reserve. I will return to this matter in more detail later in my evidence. (Plan C4 (**Appendix 2 page 18**), illustrates a proposed reserve design and includes a comparison of useable space with the original reserve design that accompanied the Silverspur approval. Plans C5a and C5b (**Appendix 2 pages 20 and 21**) illustrate the two Reserve designs and gradients. Plans C6, C7 & C8 (**Appendix 2 pages 24, 25 and 26**) demonstrate the relative landform profiles between the existing landform, proposed subdivision and previously consented subdivision).

Subdivision Planting

42. The development also includes an extensive planting regime incorporating specimen tree planting within the streetscape, specimen tree and hedge planting along the country living boundary, specimen tree planting within the lane ways and within the lots, and specimen tree, swale and amenity planting within the reserve areas as appropriate

43. Planting within the proposed subdivision will serve several purposes. Swale planting will assist with storm-water management and enhance amenity. While street tree and boundary planting will both enhance the amenity of the site for future residents of the subdivision. This planting will assist in providing some screening both internally within the development and externally, helping to integrate with neighbouring rural residential development.

44. On the *CLZ* boundary of the site Fagus sylvatica (Common Beech) and Acer Rubrum (Red Maple) specimen trees will provide an appropriately large scale, deciduous frame to the site. The deciduous nature of this planting will provide seasonal colour and allow sufficient solar gain to dwellings on the north-western boundary of the site. The

specimen tree planting will be supported by a 1.2m high evergreen hedge (Corokia Geenty's Green) to form a constant visual screen along this boundary.

45. Within the development, the main street tree species will be Acer freemanii 'Autumn Blaze' (Freemans Maple), a medium-sized tree with intense red autumn colours, which will provide further seasonal interest and break up views of dwellings within the subdivision from surrounding locations. Within the lots, smaller specimen trees are proposed within the front yards addressing the road network. Only deciduous species are utilised on any northern aspects of lots to avoid any conflict with solar gain.

46. In addition to the specimen tree planting within the lots, the overall reduction in site coverage within the TKL development, results in an increase in site curtilage. While it is recognised that this may not be generally perceived from the street level it is considered that, where more expansive views of the development are obtained, the greater extent of curtilage within the view may enhance the general amenity of the site.

Urban/Rural Residential Interface

47. Within the proposed subdivision, particular consideration has been given to the interface with the adjacent CLZ to avoid an abrupt clash between semi-rural and urban elements.

48. In addition to the specific planting treatment along the CLZ, larger lots (900m2) are located along the boundary to manage the transition from urban to rural, as recommended in the *Te Kauwhata Design Guide*. This is in keeping with good urban design practice, which identifies that transects[1] that gradually transition from greater to lesser density toward the rural zone should be used to avoid a juxtaposition of rural and urban elements.

49. Bragato Way, the 25 metre wide main spine road in the subdivision, also provides a break in built development between the properties on the CLZ boundary and the balance of the subdivision. This road will contain an avenue of specimen trees and central swale planting which will partially screen adjacent development and reduce the

1 A transect is a geographical cross section of a region used to reveal a sequence of environments. For human environments, this cross section can be used to identify a set of habitats that vary by their level and intensity of urban character, a continuum that ranges from rural to urban. In transect planning; this range of environments is the basis for organising the components of the built world.

extent of the sealed surface. In addition the lot depth along this boundary, plus the wide collector road reserve result in setting back the balance of residential development from the CLZ by between 56 and 77 metres. In combination I consider the CLZ boundary planting, the Bragato Way Avenue planting, and the spatial offset of the larger lots reduces the intensity of built development at this zone interface.

50. A drainage reserve will also be located on this boundary, extending some 94 metres along this interface. This reserve will form an open green space, reducing the extent of residential development perceived by the adjacent residents in the adjoining rural/residential land by providing a visual break to the line of dwellings present along this boundary. (The specific planting regime within the drainage reserve is yet to be developed but I would anticipate it would complement the swale planting). This outcome is consistent with the Environment Court's decision on appeals to the Te Kauwhata Structure Plan[2].

51. The use of swales within the main spine road and the drainage reserves, as proposed within the subdivision design, are aligned with *Waikato District Council's* commitment to the use of *Low Impact Design* (LID) principles, which promote the use of natural drainage features in the landscape rather than piped systems for storm water management (Operative Waikato District Plan, Part 2 Rules, 29.3 Reasons for rules in chapters 21 to 28 and appendices).

ASSESSMENT OF VISUAL AND AMENITY EFFECTS

52. I will now address visual and amenity effects in terms of visibility and integration.

Visual Catchment

53. The *Visual Catchment* of the site is constrained by surrounding undulating topography, shelter planting and built development, which screens or partially screens views of the development from many surrounding locations.

54. Site inspection identified that the surrounding visual catchment is influenced by topography and land cover in the following ways;

[2] In particular see paragraphs 74 – 76 of the decision which is Appendix I to the s 42A report.

(a) Due to the undulating topography of the site, it is not possible to view the entire development from any single publicly accessible location. This is particularly notable from view location 2 where foreground topography significantly limits views of the site

(b) Vegetation, both within the site and in the surrounding area, which consists of amenity/shelter planting and stands of existing trees, east, north and west of the site, restrict views of the site. This is notable from view locations 3, 4 and 9 where vegetation significantly limits views of the site.

(c) Existing development surrounding the subject site consists predominantly of residential/lifestyle development. This type of development further restricts views of the site. This is most evident from the north and east of the study area.

Viewer Type and Distance

55. Views of the site are generally obtained by road users on the perimeter roads surrounding the study area (being Te Kauwhata, Travers, and Wayside Roads and including Moorfield Rd), and the occupiers of the residential/lifestyle properties accessed off them. Most publicly accessible views are mid distance to distant views between 120 - 800 metres from the site, with the exception of the view from Wayside Road at the entry to the subdivision where the site and the road reserve share 150m length of boundary. This location affords a view directly into the site.

56. In general, views from adjoining roads would be of short duration and of secondary influence due to the speed of traffic along Te Kauwhata, Travers, and Wayside Roads, and that these views are typically seen obliquely to the direction of travel. By contrast, nearby residents, particularly within the adjoining Country Living Zone are considered to have the greatest exposure to the site due to their proximal location and the frequency and duration of views.

57. A number of potential views were investigated during the preparation of the assessment report. Nine view locations were selected for review, on the basis of existing views, viewer frequency, viewer types, availability of the view from public property, viewer distance and the viewing time and framework available at the time of study

These view locations are shown on the View Location map in my graphic evidence (**Appendix 1 page 2**).

Visual Absorption Capability (VAC)

58. One of the main factors that influence a development's visual effect, is the visual absorption capability of the surrounding landscape. This is the ability of the contextual landscape to integrate a development, or feature, into its existing visual character without significant change.

59. The undulating topography of the site and surroundings, in combination with the screening effects of shelter planting and existing development (the Jetco subdivision, in combination with existing development on the western fringes of Te Kauwhata (centred on Eccles Ave and Totara Place, and Te Kauwhata Roads) assist with the integration of the development, both with providing context but also limiting the extent of the proposed subdivision visible from most surrounding locations.

60. While the existing context of built development provides context for subdivision, (visually the site currently presents a pastoral backdrop) the development of a subdivision on the site will represent a noticeable change to a more urbanised landscape, particularly from the Country Living Zone to the north.

61. The site's VAC was rated using a 5 step scale ranging from *poor* to *very good*. Based on the visible context, the site's ability to visually absorb the proposed development range from *poor,* to very *good*. *Very good* ratings occur predominantly from views of the site where existing vegetation and built development will largely screen the development from view, and/or will provide a context for the proposal. *Poor* ratings occur where views of the site are afforded within a greater extent of horticultural and pastoral context. (This includes areas outside of the site which are zoned residential and will contain residential development in the future).

62. While the proposed development generated some *poor* VAC ratings, given that residential use in this area is anticipated by the district plan, I consider that these ratings are consistent with an anticipated shift in character.

63. With current residential development underway, and further development earmarked for the Te Kauwhata West Living area, residential development is an already present feature of the western fringe of Te Kauwhata.

64. When the effects of the proposed application are evaluated within the context of the consented Silverspur development, I consider that the VAC rating would be *very good*. In general, from a macro perspective, views of two subdivisions of similar density and the same extent within the same landform, built under the same regulatory framework do not produce significantly different large scale visual effects. Minor changes in configuration may be present but do not generally effect the overall view. As such I consider the substitution of the Silverspur subdivision for the TKL subdivision at a macro level has little effect.

Effects on Visual Amenity

65. I will now summarize the salient points regarding the visual effects of the proposed development. These are predominantly focussed around intermediate proximity views due to the particular orientation of the development, the configuration of the existing road network and the underlying topography. A more detailed account of the visual effects can be found in my Assessment Report (paragraphs 49 through 68).

66. Visual effects of the subdivision have been assessed from a series of surrounding locations to determine the likely effect of the development on landscape character and visual amenity values. These locations represent the views attainable from adjacent locations on Wayside Road, Te Kauwhata Road, Travers Road, and from within the adjacent Country Living Zone. (The View Location Map (**Appendix 1 page 2**) and View Location Photos (**Appendix 1 pages 3, 5-7 and 9**) are contained within my graphic evidence. In addition to the view location photos, a view shed analysis of the site from view location 2 and view location 7 (**Appendix 1 pages 4 and 8)** has been provided to demonstrate the screening effect of topography within the site and wider context).

67. Notwithstanding the undulating nature of the topography, the study area expresses an overall topographical rise to the north and with it a greater number of lifestyle/residential lots. Where views of the site are afforded from the north, these contain lifestyle blocks in the fore ground, comprising residential dwellings and broad curtilage development, with shelter belts and pastoral land present in the mid to back ground of the views.

68. From northern locations, the increased elevation generally allows broad views of the study area with portions of the site visible within the mid to back ground. Consequently the change of land cover from horticultural/pastoral to urban development will be

obvious. As part of these views the presence of the streetscape and CLZ boundary planting will be evident. These views also typically capture aspects of the *Jetco* development which, in conjunction with the existing lifestyle properties, provide a degree of context for the subdivision and the transitioning of the site to an urban character.

69. To the south, the study area is generally given over to more horticultural/pastoral context. Most views from southern locations contain foreground horticultural /pastoral elements including shelter belts, either along the road boundaries or within rolling pasture. In addition the undulating topography results in foreground ridgelines screening portions of the site.

70. From southern locations, the foreground topography generally restricts views of the site, with only portions of it visible within the mid to background. Again, the change of land cover from horticultural/pastoral to urban development will be obvious, but as the site forms a smaller portion of the view, the effect is reduced. These views also capture aspects of the *Jetco* development, and in some instances views of the lifestyle blocks beyond, which provide a degree of context for the proposed subdivision and the transitioning of the site to an urban character.

71. The exception to these more general view locations is view location 1, off Wayside Road, where the view afforded looks directly into the site at close proximity. As a result both the site and the changes that occur on it are evident. The transition from rural to urban character will be obvious.

72. I have considered the visual effects of the application against the existing visual environment and on balance consider them to be *moderate*. This reflects the presence of existing contextual development such as the Jetco site, and the topographical and vegetative screening of the surrounding view catchment. It also reflects that the proposed development creates a shift in the ratio of existing elements within the study area, rather than introducing aspects that are not already present.

73. It is important to note, however, that the consented *Silverspur* development forms part of the existing environment and as such the application must be considered against a context as though the *Silverspur* development were constructed. In my opinion, while the visual effects that will accompany this development on existing views may be *moderate*, the difference in visual effects on an existing environment containing the

consented Silverspur development compared to the current application would be *very low to negligible*.

74. As stated previously I consider that, from a macro perspective, views of two subdivisions of similar density and the same extent within the same landform, built under the same regulatory framework do not produce significantly different large scale visual effects. Minor changes in configuration may be present but do not generally affect the overall view. In my opinion the substitution of the Silverspur subdivision for the TKL subdivision at a macro level has little visual effect.

75. While the proposed subdivision does present a finer grain of development than the consented Silverspur subdivision, as the undulating terrain does not typically allow views of the entire development as a whole, this comparison will not be readily obtained. By contrast I do consider that subdivision-wide differences, such as the reduction in the extent and size of retaining structures and the reduction in building coverage, would be apparent at the local level. These I consider confer amenity benefits, both internally to the subdivision development and to the wider receiving context as a whole.

76. On balance therefore, I consider any potential adverse effect that the finer grain of lot layout may produce is more than offset by the benefits of this proposal's more detailed earthworks, platform design and the reduction in building coverage. This results in a more sensitive landform integration with a reduced extent of retaining walls and reduced site coverage of building within the area.

77. In addition the proposed street tree planting and the carefully designed transition between the site and the neighbouring CLZ assists in integrating the development and softening the zone boundary. As a consequence I consider the proposed development to result in a reduction in adverse amenity effects as compared to that of the Silverspur development, with the overall effects of the current proposal on the existing environment *less than minor.*

Rate of Development and Staging

78. Effects on the amenity of nearby residents in the adjoining *Country Living Zone* will be influenced by the rate at which residential development occurs within the subject site. (Notwithstanding Stage 4 of the TKL development is screened by landform from these

residences). As residential development on this land is anticipated in the District Plan and has been consented, and the proposed development conforms to the proposed stage 1 area of the TKWLZ, this change in character is consistent with the direction of the district plan. I anticipate that the effects related to the fundamental change from a horticultural/production environment to a residential environment have already been dealt with at the time of the Plan Change.

79. As a consequence, a benefit of developing the majority of stage 1, as proposed under this application, is that a significant part of the road network is established in the early stages of development. This will enable street tree planting to take place as soon as possible. This planting, in combination with planting within lots and reserves, will soften views of dwellings and aid in the maintenance of natural character values.

80. It is my recommendation, therefore, that to enable street tree planting to have a positive impact on amenity values as soon as possible following planting, that performance standards are employed to ensure that large grade specimens are used within the road network.

SUBMISSIONS

81. I have reviewed the submissions which relate to landscape and visual amenity effects. They generally express the same or similar concerns over the perceptions of the non-compliances in respect to;

(a) Lot size and width on the CLZ boundary
(b) Number of rear lots,
(c) Average lot size.

As such I will address the concerns in relation to the issue rather than the individual submitter;

Lot size and width on the CLZ boundary

82. Relative to Silverspur, the TKL development presents a reduced number of residential lots along the boundary; being 16 lots compared to 19. Of these lots, within the TKL scheme 4 of the lots are fully complaint. While the balance fulfils the percentage area requirement (at least 900m2), they do not achieve the minimum 30 metre width

requirement. In general, however the average non-compliance is less than that of the Silverspur development.

83. Also of note is the increase in width and area of the drainage reserve. Within the TKL development the drainage reserve now extends almost 95 metres along the boundary, compared with 57 metres for the Silverspur development. I consider that: the meandering form of Bragato Way, which increases the degree of separation from the balance of the subdivision; the proposed planting of specimen tree and evergreen hedging along the boundary; the increased extent of drainage reserve and the reduction in residential housing; in combination result in an improved effects outcome relative to the Silverspur development.

Number of Rear Lots

84. Due to the topography and irregular nature of the overall shape of the site, the number of rear lots proposed is more than the desired district plan percentage/standard in some areas. Recognising this issue, and looking to offset potential effects associated with rear lots, a specific design response through the use of 'laneways' is proposed as a means of ensuring these rear lots are attractive, accessible and integrate positively into the overall subdivision design.

85. The laneways are a series of short, straight, 3.5 metre carriageways contained within an 8 metre wide private lane which provide access to internal block lots. (I refer to plans C2 & C2A contained in my graphic evidence (**Appendix 2, pages15 & 16**)). The laneways will include swathes of locally appropriate native grasses and concrete footpaths adjacent to mountable kerbs, which will allow additional trafficable surface for vehicle manoeuvring if required, while providing pedestrian amenity. In addition the laneways include a restriction on the height of boundary fences that address a road or 'laneway' to no greater than 1200mm high and a covenanted 'rear of the lot' 6 metre offset to achieve the spatial delineation anticipated by the TKWLZ. The laneways offer a better alternative to the more traditional, narrow, right of ways that normally serve rear lots, by providing specifically designed wider access with improved visibility and amenity, controlling boundary fence heights on adjacent lots and opening the rear lots to the laneway streetscape.

86. I consider that this non-compliance will not result in noticeable adverse effects on amenity, due to the internal location of the non-compliant lots and the treatment of the

laneways. I note that the HG report is in general agreement with the effects of this approach;

> *From an internal neighbourhood/street perspective*,… the rear lots… *are unlikely to be perceptible, as lot frontage widths and front yard setbacks (along with building mass and setback) may be comparable with the Silverspur proposal.*[3]

From the wider perspective I do not consider the laneways will be readily discernible external to the site, as the rear lots visually integrate with the wider overall subdivision development. As a result I consider the overall effect of the rear lots to be minimal.

Average Lot Size

87. While the proposed subdivision lot size is not compliant with the district plan and presents a finer grain of lot development than that of the consented Silverspur subdivision, I do not consider that the effects of the non-compliance will be significant as the undulating terrain does not typically allow views of the entire development as a whole. Similarly at street level the lot size is difficult to determine as while the lot width may be readily seen, lot depths are generally more difficult to discern due to intervening curtilage and privacy screening.

88. In addition, while the TKL development does increase the number of lots and buildings within the area, it crucially reduces the permitted coverage of buildings due to the maintenance of setbacks and introduction of covenants. As a result there is a reduction in overall *site coverage* as compared to the Silverspur subdivision. To put it simply there is less overall building on the site. The amount of difference is significant with 4802 m2 less site coverage for the TKL Development. (This equates to 20 x 240 m2 houses).

89. Within residential development, maximum site coverage is now the common approach undertaken in new developments. Based on QV NZ statistics the average house size in NZ since 2010 is 205 m2 and is continuing increase. The general trend is that newer subdivisions built in the last couple of decades are populated by larger houses. I have been advised by the applicant that they have been approached by a building company who is seeking sites that can accommodate dwelling in excess of 300m2 as they have

[3] Paragraph 4.5.7: Harrison Grierson Review dated 4 April 2017/

demand for that product. This is consistent with the comment by a WDC planner in that in respect to an application for 3000 m2 lots within the country living zone ….

> *Council has granted a number of landuse consents for exceedances in relation to large dwellings and curtilage not meeting site coverage and permeability provisions for 5000m2 Lots. … I am concerned that the 300m2 building area is too small…*

90. Typically an increase in the number of lots becomes manifest through an increase in both the number and extent of site coverage As the finer grain of the TKL development does not generate an increase in the overall site coverage, anticipated by the reduction in average lot area, the overall effect of the reduced average lot size is not considered to be significant. (I discuss the relationship of lot size, site coverage and density in more detail later in my evidence at paragraphs 144 to 148).

RELEVANT PLANNING MATTERS

91. In this section of my evidence I address the planning provisions that I consider relevant to the landscape and amenity matters. I have not provided a balanced assessment against any other provisions relevant to the application. That assessment is contained in Mr Dawson's evidence.

92. The planning documents that I have taken into consideration include the Resource Management Act 1991 (**RMA**), the OWDP and the Waikato District Council Parks Strategy (2014).

Resource Management Act 1991

93. With regard to section 7(c), I consider the effects of the proposed development on the maintenance and enhancement of amenity values will be '*less than minor'*. In my opinion the proposed development will be visually compatible with the existing residential and rural-residential development in this area. I consider it is visually comparable to the consented Silverspur proposal, and offers improvements through careful design of the interface with the adjoining CLZ, considerable streetscape planting, refinement of the hilltop reserve, a reduction in required retaining structures and a road network and lot layout which responds both to the site's existing topography and to the receiving environment.

Operative Waikato District Plan (OWDP)

94. The subdivision site is located within the TKWLZ area of the Te Kauwhata Structure Plan. The bulk of the TKWLZ area is bounded to the northeast by rural residential land (zoned Country Living) with Te Kauwhata, Wayside and Travers Roads forming the remaining boundaries. This main portion of the zone contains an indicative roading layout and provision for a hilltop reserve. I consider the proposed subdivision generally conforms to roading layout of the Silverspur development, with minor adjustments made in order to respond to natural topography, which is, in turn based on the structure plan layout. Allowance has been made for future road connections to adjoining land. A hilltop reserve is proposed as part of the application, as a local highpoint, with views to the surrounding landscape. (I refer you to my graphic evidence Plans C31 C32 and C33 (**Appendix 2, pages 39, 40 and 41**))

Section 1A Waikato District Growth Strategy

95. Objective 1A.4.1 of the OWDP requires that residential and rural residential areas achieve and maintain high amenity values. The policies allied to this objective require that subdivision, use and development in towns and villages should be sympathetic to their existing character (Policy 1A.4.2) and subdivision, use and development in towns, villages and new defined growth areas should occur in accordance with a structure plan for the area and promote high quality living environments (Policy 1A.4.3).

96. While the grain of development proposed for the subdivision is finer than anticipated as a controlled activity by the Te Kauwhata Structure Plan, I consider that, due to the reduction in extent of retaining walls, the reduction in building coverage and the location of rear lots generally near the centre of the site, this finer grain of development will not readily be perceived from surrounding locations or adversely affect existing amenity values associated with Te Kauwhata's village character.

97. The transition from the site to the adjoining CLZ will be managed sensitively to maintain high amenity values in keeping with the outcomes consented by way of the Silverspur Proposal. Covenanted deciduous tree plantings and hedging will be included along the boundary to soften views of the subdivision from neighbouring country living properties. Street trees and a boundary hedge will help to integrate the development with adjoining residential properties and break-up views of dwellings within the subdivision from rural-residential properties to the north and northwest. The inclusion of a drainage reserve on

the country living boundary further reduces the density of development and provides visual relief from built development.

Te Kauwhata Structure Plan

98. The Te Kauwhata Structure Plan was developed in 2011 in response to significant projected population growth in Te Kauwhata which at that time was anticipated to occur over 50 years. This time frame has shortened over the intervening years. The plan is intended to ensure the orderly development of the village in such a way as to achieve a number of integrated objectives, such as the maintenance and enhancement of the existing village character and amenity values derived from the existing landscape. Section 15A of the plan addresses the objectives and policies of the Te Kauwhata Structure Plan area. It is intended to be read in conjunction with the district-wide provisions contained in the plan.

99. The site is located within the Te Kauwhata West Living Zone of the structure plan area. An urban design guide for this zone is appended to the Plan which I have addressed in detail in attachment ten of my report. The structure plan seeks to retain the distinctive rural village character of Te Kauwhata, which is characterised by strong connections to the surrounding rural landscape, lakes, wetlands and surrounding hills. An important element of the Structure Plan is to ensure that the *Te Kauwhata village character is not lost as the village expands* (Section 15A.3: Reasons and Explanations).

100. Objective 15A.2.1, within the Te Kauwhata Structure Plan section of the OWDP, requires that *Te Kauwhata village characteristics are maintained and enhanced*. Policy 15A.2.2, *requires that development should contribute to the Te Kauwhata village character,* by adherence to the following items:

1. *a predominance of residential lots that contain significant open space*
2. *retaining amenity trees*
3. *public open space which is conveniently accessed and highly visible*
4. *retaining views to natural landscapes and features*
5. *a strong association with rural amenity values*
6. *a compact form that does not sprawl into the countryside*
7. *integrated development that reinforces the town centre as a community focal point*
8. *convenient access to light industries*
9. *locating light industry predominantly along heavy traffic routes*

10. *recognising cultural and historic values and land uses including horticulture, viticulture and traditional Maori values*
11. *the integration of buildings, private open space and public open space*
12. *a general consistency of building scale and form that integrate into the natural landscape*
13. *compliance with the Te Kauwhata Structure Plan and Urban Design Guide*
14. *a strong association with ecological values of the wetland environments in the vicinity of the township, in particular Whangamarino Wetland and Lake Waikare.*

101. I consider the proposed development generally complies with the above relevant items, for the following reasons

- While the development will involve the removal of some shelter belts, considerably more trees will be planted within the subdivision than currently exist on site. The combination of street trees, boundary, reserve and lot planting will enhance amenity values by softening views of dwellings from surrounding locations.

- The central location of the reserve within the site ensures that occupants of the development are in close proximity to existing publicly accessible open space (it is approximately 2km to Te Kauwhata Memorial Domain).

- The green space provided by the proposed drainage reserves and hilltop reserve, will be conveniently accessed where appropriate and highly visible from within the subdivision to enhance amenity values.

- The development will have a compact form, which does not sprawl into the countryside.

- The scale and form of buildings will be consistent with adjoining residential areas (Eccles Avenue and Totara Roads).

- The development is generally consistent with the *Te Kauwhata Structure Plan* and *Urban Design Guide*.

- The development will not adversely affect the wetland environments in the vicinity of the township and will include locally appropriate riparian planting as part of a low impact storm water system.

102. Objective 15A.2.10 requires that *diverse living and working environments in Te Kauwhata create a positive sense of place and neighbourhood identity*. In order to achieve this outcome the plan requires *that subdivision, use and development should be located and designed to provide a variety of living and working environments with recreational opportunities in close proximity* (Policy 15A.2.11) *and living, working and recreational environments should contribute to the Te Kauwhata village character and have high amenity values through the use of design principles* (Policy 15A.2.12).

103. I consider that the proposed subdivision design is appropriate to the site, located between higher density residential development, in the existing *Te Kauwhata Residential Zone,* and larger lot rural residential development. It will provide for a variety of dwelling types, from large family-sized dwellings on the properties bordering the *Country Living Zone* boundary through to smaller dwellings on the smaller lots, internal to the site. The road network has been designed to respond to the contours of the site and the subdivision includes a neighbourhood park reserve in general alignment with the WDC Parks Strategy.

104. The subdivision's proximity to both the commercial centre of Te Kauwhata and the Te Kauwhata Memorial Domain will offer convenient, walkable access to working and recreational environments via the permeable road network.

105. I consider the following specific standards are relevant to the proposed development:

106. Rule 21B.19 (Allotment Size) requires as a controlled activity standard that *every allotment other than a utility or access allotment shall have a net site area of at least 650m2 and that the average net site area of all allotments shall be 875m2*. While the proposed subdivision includes lots smaller than the minimum required 650m2, I consider that the proposed density of development will not create any significant adverse effects on amenity above that which would result from sections with sizes which meet the 650m2 minimum size.

107. A corollary of the reduced lot size is the net reduction in the overall extent of building in the development with a finer grain of development producing less site coverage. In addition this development proposes that the net site coverage is restricted to 30% over all lots, with a maximum building coverage of 280 m2 for lots over 800m2 to be imposed

on each lot via covenant. (Compared to 35% on lots of 750 m2 and above). In combination these controls result in a significant reduction in the extent of built area within the subdivision compared to the Silverspur development and as permitted under the District Plan. (Refer to plans C25, C26, C25a and C26 (**Appendix 2, pages 31 - 34**)). Conversely, this also results in an overall increase in the extent of available curtilage within the development.

108. There is also a requirement that a*t least 50% of allotments within each neighbourhood block are 800m2*, *at least 25% are 900m2 and 80% of allotments bordering the Country Living Zone are at least 900m2*. While the subdivision does not comply with the first two of these standards, importantly, 87% of allotments adjacent to the CLZ are at least 900m2. This meets the requirement of the final clause of rule 21B.19, which is intended to limit the intensity of development on the urban/rural–residential boundary. In addition the drainage reserve area extends some 94 metres along this interface. I consider that, in terms of the amenity values of residents in the adjoining country living zone, this is the most important area within which to provide larger lots, which will create a gradual transition from one zone to the next.

I note that officer's report concurs with my opinion;

> *…the realignment of Bragato Way better recognises the natural landform and thereby integrates more closely with the land. It will also provide a greater variation of lot depths (and therefore sizes) along the north side of Bragato Way, potentially assisting with the interface to the Countryside Living Zone. I also agree that the increase in size of the drainage reserve… along the Country Living Zone will improve the interface with the Country Living Zone in comparison with the SS consent. (SUB0009/17 Section 42a Report, page 30).*

109. While the ratio of lot sizes within the development do not match the ratio specified in the district plan, a range of lot sizes are present within the development. (I note the shift in average lot size is not dissimilar to that shown in WDP UDG *Oga 5 Overall Examples* which is accepting of the average smaller lot size). Notwithstanding the particular focus along the CLZ boundary, a general trend to larger lots is present from east to west across the site, although it is modified as a result of topography and the overall site shape. This does result in a transect configuration albeit modified by site specific requirements. As identified previously I consider given site constraints the finer grain of development, and reduced extent of retaining walls is a preferable compromise to maintaining the larger lots sizes.

I note further that although some of the section sizes are smaller than those in Silverspur, the outdoor space and building areas will be immediately useable without the need for further consenting of retaining walls and earthworks. A large number of sites in the Silverspur development would have steeply sloping outdoor areas with little flat, useable space. (I provisionally estimate this equates to 30 Lots within the Silverspur Development compared to 7 within the TKL development).

110. 21B.20 (Rear Allotments) requires that no more than 10% of allotments per neighbourhood block shall be rear allotments. Due to the irregular nature of the overall shape of the site, there are difficulties in creating an efficient subdivision design that balances desired urban design principles with efficient lot and block sizes. To efficiently develop the site, the number of rear lots proposed is more than the desired district plan percentage/standard in some instances.

111. The need to ensure flexibility and better design outcomes is explicitly recognised in the Environment Court's decision on the Structure Plan appeals. At paragraph 3 of the Reasons for Decision, the Court notes:

> *"There has been a consequential need to increase the number of rear lots to achieve the extra width required, and rule 21B.20.1.A has been amended to allow an increase from 5% to 10% rear lots. This achieves a greater degree of flexibility and better design outcomes."*

The increased proportion of rear lots for flexibility of design was applied across all of the Te Kauwhata West Living Zone within the Structure Plan area and not just the TKL site. When that is taken into account it is implicit that this particular site, which is also topographically the most challenging, may require even greater flexibility in terms of layout in order to achieve the best design outcomes.

112. Recognising this issue, and looking to offset the potential effects associated with rear lots, a specific design response through the use of 'laneways' is proposed as a means of ensuring these rear lots are attractive, accessible and integrate positively into the overall subdivision design.

113. Part of this approach includes a restriction on the height of boundary fences that address a road or 'laneway' to no greater than 1200mm high, maintaining passive surveillance from and to the houses built on the lots. Plans C2 and C2A (**Appendix 2 pages 15 and 16**) contained in my graphic evidence demonstrate the suggested treatment. (I note under 4.5.6 in HG are in general agreement with this approach… *the*

use of proposed 'laneways' which are longer and more connective and essentially function as minor public roads with respect to fronts and backs etc. can also be employed to reduce the cost and impact of full width public roads).

114. In addition lots on the laneway will be covenanted to require that the nominated 'rear of the lot' maintains a 6 metre offset to achieve the spatial delineation anticipated by the TKWLZ. In combination with the general topography, which produces a more open aspect to the adjacent (uphill) lot due to the small gradient steps between lots, the rear lot set back will maintain the sense of 'unbuilt' open space.

115. In consideration of rule 21B.20 (Rear Allotments), there are 10 neighbourhood blocks containing internal lots within the proposed subdivision. Two of these blocks, located on the Country Living Boundary, (Lots 147-165) are compliant with this rule. I consider that this non-compliance will not result in noticeable adverse effects on amenity, due to the internal location of the non-compliant lots and the treatment of the laneways. (I note under 4.5.7 HG are in agreement with the effects of this approach;

> *From an internal neighbourhood/street perspective*,… the rear lots… *are unlikely to be perceptible, as lot frontage widths and front yard setbacks (along with building mass and setback) may be comparable with the Silverspur proposal. In some ways, from a streetscape perspective, the increased density is "hidden" through the use of rear lots while residential development on front lots exhibit the kind of outcome proposed by the Silverspur plan.*

116. The proposed development complies with 21B.13 Living Court (Position), which requires that an outdoor living court shall be *provided located between 45 degrees north east through north to 90 degrees west of the dwelling measured from the southernmost part of the dwelling*. It is noted that several lots will require site specific design to achieve compliance with the general requirements of the district plan.

117. While it is recognised that the development may not comply with some District Plan rules for controlled activities with respect to lot size and percentage of rear lots, I consider that this approach produces a better outcome than Silverspur and the effects of the subdivision on visual and landscape amenity are consistent with the overall intent of the rules and objectives of the OWDP. The proposed development responds appropriately to the existing character of the area, which includes a planned interface between rural-residential and urban development. Particular regard has been given to the softening of the boundary with adjacent country living zoned land, the maintenance

of offsets between dwellings, and enhancing the amenity of the streetscapes with the use of street tree planting, the inclusion of a hilltop reserve, and the provision of adequate open space at a lot level.

TK West Living Urban Design Guide

118. I consider the proposed development is generally consistent with the TK West Living Urban Design Guide (UDG). Working with the constraints of the site; recognising its relationship to the wider development area and responding to the existing structure plan and development pattern, the overall site layout is a connected street network that integrates the natural features of the site, with considered lot orientation to provide solar gain and usable outdoor areas.

119. Three key interrelated issues that have been highlighted with regard to the TKL Subdivision are addressed within the UDG;
Permeability,
Earthworks,
Retaining walls.

Permeability

120. The TK West Living UDG contains a hierarchical structure of 5 urban design factors to be considered for subdivision design. Numbered 1-5 in order; *Permeability, Spatial Variety, Legibility, Robustness, Visual appropriateness*. Permeability is the first of these and considered the most important as it defined as … *the ability to pass through an environment with the greatest number of options*. Further explanation of this urban design consideration is given in Og 2.1 Permeability;

> *Key to this concept is achieving both visual and physical connections so that people are not only able to see how to get to their destination, but are also **able to** travel towards it relatively unencumbered and as efficiently as possible. [Emphasis added].*

121. Permeability is not simply a function of providing a physical route through an environment but ensuring that the route is able to be used. Fundamental to the layout of the TKL subdivision has been the intention to achieve gradients that make the subdivision more accessible and therefore more permeable. In some instances, due to

the steeper contours, this has resulted in larger block sizes to achieve a more accessible perimeter road gradient, particularly around the site's high point.

122. Comment has been made that this reduces permeability as the larger block size increases the overall length of the block perimeter. I consider this fails to recognise the crucial aspect that is key to this design factor; that the connection is able to be used. A modest increase in perimeter length but with broader utility to a wider demographic is not less permeable but more permeable. Throughout the roading layout the TKL development has endeavoured to achieve the maximum desirable gradient of 8% or less. In comparison with the Silverspur development, it achieves a greater extent of accessible gradient, and in this regard the TKL Development must be considered more permeable. (Mr Gray in his evidence comments more extensively on gradients and the comparison between the two developments).

Earthworks

123. In respect of earthworks the TKL development volume of earthworks is increased compared to the Silverspur application. This is unsurprising given the Silverspur development lacked developed design in respect of earthworks. The TKL proposal was developed with an intention to provide a generally accessible subdivision that reduces the extent of retaining while working with the existing landform. As with the change of land use from its uncultivated state to horticultural/pastoral land use, a degree of modification to the landform is an expected part of the urbanisation process. Given the intention to ensure a comprehensive development, the TKL development incorporates earthwork adjustments across the whole site, making it compatible with the change of land use, while maintaining the general form of the topography.

124. This is consistent with the UDG wherein it is recognised that earthworks are anticipated, and a degree of modification to the topography of the site is part of the urbanisation process. This is expressed within the UDG under *Oga6 Assessment Criteria; Natural Environment; Is the* ***general appearance*** *of the existing topography maintained? [Emphasis added].* The TKL subdivision retains the general appearance of the topography resulting in a subdivision on undulating topography with a reserve located on the highest point within the subdivision.

125. The next criterion asks; *Are natural landmarks such as a ridges, valleys or knolls used to maintain character and differentiate one neighbourhood from another?* Again the TKL subdivision utilises the local high point for a reserve and integrates the landform into its

stormwater management. Note this criterion does not ask if the original landform is retained. That is neither expected nor required unless the landform itself has been identified as being worthy of protection. Irrespective, this does not that mean that this landform is ignored. Rather, re-contouring of a landform to fit the intended land use, while responding to and integrating with the general topography is an accepted and appropriate practice.

126. Although the TKL development has endeavoured to work with the site's existing contour it anticipates earthworks volumes of 379,000 m3 for the site. It is noted by contrast the Silverspur development anticipated earthwork volumes of 292,000 m3 to create a subdivision with reduced accessibility and more extensive retaining. The assumption that the quantitative evaluation of earthworks in itself identifies the effectiveness of the earthworks is incorrect. The qualitative evaluation of the final landform in terms of intended use and integration with surrounding contours is the significant aspect. The effect of earthworks is relative to what is considered an appropriate response to the site to achieve the intended outcome.

127. I consider the TKL subdivision achieves a better outcome than the Silverspur subdivision in this regard. This is due to the comprehensive earthworks approach which not only seeks to reduce the extent of retaining in and around the site, but addresses earthworks including building platforms within the site in a holistic manner. This is a preferred approach giving a more certain, consistent and coherent outcome, rather than requiring a piecemeal approach whereby each individual lot owner successively applies for retaining for their particular lot to be constructed in the manner and method they see fit.

Retaining Walls

128. The potential impact of earthworks, in particular the need for extensive retaining on the site, has been a key driver for the development of the subdivision, given the outcomes identified in the Silverspur development. The introduction of rear lots has been used to adapt to the undulating topography and minimise earthworks which would otherwise be required to accommodate the topography and irregular land parcel shapes. Consequently the subdivision layout has been designed to minimize the need for retaining walls, and where needed these have been kept as low as practicable and internal to the block layout. (I refer you to my graphic evidence plans C20 and C21 (**Appendix 2 pages 28 and 29**) which compare the two schemes retaining, while C22 (**Appendix 2 page 30**) provides graphic references to the heights).

129. *Site Design Guidance Og 5.3 building fronts and front yards (UDG*) specifically addresses the concern of earthworks at the lot level and retaining walls. The guide states (page 40 figure 29); *Retaining Walls detract from [the] streetscape* … and on the same page;

> *Minimising retaining walls in the front yard improves the streetscape. Berms or sloping landscaped areas are preferable in front yards*.

Again on page 40 some understanding of the how to minimise earthworks is provided;

> *On steeper slopes **cutting** building platforms to most of the section area results in very high retaining walls.[Emphasis added]….Earthworks designed to provide usable quality on dwelling sites while retaining much of the original slope profile can be cost effective to achieve, and still create attractive lots.*

Figure 31 (Page 41) demonstrates this and is captioned… ***Cutting and filling*** *sites to **minimise earth work** on steeper slopes*. *.[Emphasis added].* This is the preferred approach that has been undertaken within the TKL subdivision. It is not only anticipated by the UDG, but relative to other approaches minimises the extent of earthworks and works with the overall landform by… *retaining much of the original slope profile*. This approach maintains the general topography of the site, working with the broader contours to respond to the ridgelines and valleys within the development site.

Hilltop Reserve

130. Consistent with the TK West Living Urban Design Guide, outlook to the wider context has been maintained through the development of the hilltop reserve with the road network responding to the broad contours of the site. The proposed hilltop reserve has two streets as perimeter frontage, with existing gradients within the reserve being retained as much as practicable. I now consider the hilltop reserve in greater detail.

131. The hilltop reserve was identified within the *Te Kauwhata Structure Plan Report; TK West Living: Urban Design Guide Og8.5 Hilltop Reserve* which states;

> *This proposal reserve keeps the highest point of the Travers/Wayside Block as a green feature and preserves natural character in what will become an urbanised area. The reserve is envisaged as a neighbourhood passive open space…. with view of the wetland, town centre and Lake Waikare.*

132. The proposed application contains (part) of the hilltop reserve, (the balance being located within the Jetco Site) which is consistent with the relevant Te Kauwhata Structure Plan Area policies, that seeks to create public open space which is conveniently accessed, highly visible and retains views to surrounding natural landscapes and features (Policies 15A.2.2.3, 15A.2.2.4). Its location, in a visually prominent area, will contribute significantly to the character of the area, provide extensive road frontage, and enhance the visibility and amenity values of this open space (Section 15A.2.9).(Plans C4, C5a and C5b (**Appendix 2 pages 18, 20, 21 and 22**).

Knoll Landform

133. In my site investigation, while I confirmed that the knoll within the reserve was topographically the high point within the site, I did not identify the knoll as being of particular significance to the general locale. The knoll is neither the highest point within the study area, nor does it present a particularly unique or remarkable landform within the surrounding topography. Nor did I identify any significant ecological component in the reserve area. (I refer you to my graphic evidence Plan C5D (**Appendix 2 Page 23**) which is a topographical map of the site and wider area, with local highpoints identified).

134. Given the existing land use of the site at the time of investigation, I considered its contour is likely to have been modified over the decades of cultivation that have occurred on it. Further, my review of survey maps of the area did not identify or name the high point to suggest any cultural recognition. It was not identified within the district plan as an outstanding landscape or landscape feature, nor was it identified as part of the Ridgeline Protection Strategy. Based on discussion with the applicant and his liaison with local iwi representatives, (and I rely on his evidence in this regard), the knoll holds no particular cultural significance for the local iwi. (Local iwi do, however desire input in respect of naming the reserve). While the broader landform of the hill is identified on a natural character Plan within the UDG, it is identified under a general descriptor of *Protect hill as natural feature.* From my investigation its appearance and identification coincided with the locating of the reserve area within structure planning process.

135. As Dave Mansergh of Mansergh Graham and Chris Dawson, the Planner for the applicant, were involved in developing the guidance which formulated the TK West Living : Urban Design Guide and Structure Plan, I sought clarification directly from them

of the importance of the reserve location. In particular I sought an explanation of its purpose, extent and the relevance of the high point within the structure plan. (Mr Mansergh and Mr Dawson cover this matter in their respective evidence).

136. I was advised that the reserve location had been positioned centrally within the subdivision to maximise its catchment within the structure plan area, and the specific location on the high point was to facilitate views out toward the wider landscape which contains a number of identified outstanding landscape features. This location and aspect had been brought to their attention by a local councillor who had an arrangement with the then landowner whereby they could walk their dog through the area and enjoy the view. Given the broad brush approach of structure planning, the general location and extent of the Reserve were only broadly identified, as was the roading layout, with the expectation that it would be refined as developed proposals were submitted based on more detailed assessment of the area.

137. In respect of the relationship between the Reserve and the knoll, other than the provision of an outlook to the wider landscape due to elevation , *and preserves natural character in what will become an urbanised area,* the particular contours of the knoll itself were not considered of special significance at that time.

Reserve Size and Location

138. The proposed reserve area is generally compatible with the size requirements of a neighbourhood park, as defined by the council parks strategy. Although somewhat larger than the ideal size for a neighbourhood park (which is 3,000m2 to 5,000m2, as defined by the *WDC Parks Strategy 2014*), the reserve will provide a passive recreation space for the local community.

139. When compared against the consented Silverspur Development, ostensibly the gross reserve areas (including the Jetco site) are very different. (The TKL Reserve 7654 m2, Silverspur Reserve 12,712 m2). Although both reserves exceed the '*ideal size'*, the TKL reserve area is much closer to the preferred range, and when considered in light of accessible areas is a better fit as it can be designed to provide a greater percentage of usable space. I note that HG urban designer concurs with my opinion in this regard.

140. This reserve satisfies council's aims to provide access to an open space park area within a 10 to 15 minute walk of any residential property in urban areas. Effectively this

means parks should be distributed so that there is no greater distance than 800 metres from an urban residential property to a park.

Two Different Reserve Plans

141. As part of this application process two different Reserve plans have been prepared; an *Engineered Contour Reserve* (Plan C5b (**Appendix 2 Page 21**)) where the priority was to produce a reserve which provided visibility, accessibility and recreational utility, and subsequently an *Existing High Point Reserve;* where the design priority was to maintain the location of the existing high point contours (Plan C5a (**Appendix 2 Page 20**));

142. The *Engineered Contour Reserve* reduced the high point by 2 metres and repositioned it to a more central location within the reserve area which resulted in an accessible reserve, with increased passive surveillance while maintaining views out to the landscapes beyond. The engineered contour enabled more functional space, providing accessible routes, multiple entry points and reduced areas of steep gradient where barriers from falling might be warranted. The *Engineered Contour Reserve* provided views to the outstanding natural features and landscape, while the central location of the high point reduced adjacent property overlook and potential shadowing effects.

143. Consultation on the *Engineered Contour Reserve* was undertaken with the WDC Parks Department, under direction of the council planning team. The outcome of which was reported as.. *the 'Parks Team'… are happy with the size of the reserve as long as the knoll (as shown within the scheme plans provided) is constructed to retain views and covenants are registered on titles in the vicinity of the reserve to restrict buildings, fences & vegetation*. (WDC Letter Ref SUB0009/17 dated 5 September 2016).

144. After the HG peer review, the retention of the existing highpoint contour and location within the Reserve became a matter of concern for council and the applicant was encouraged to prepare an alternative *Existing High Point Reserve* Plan. This scheme retains the existing height and location of the high point. The balance of integration with the surrounding road gradients and retention of as much of the landform results in a significant amount of the reserve being subject to engineered contours and steeper gradients around the perimeter of the reserve. This reduces the accessibility and the potential for passive surveillance of the reserve. Although requested, no further feedback from HG in respect of the alternate scheme was received until the S42A report was released.

145. I support the *Existing High Point Reserve*, in as much as it satisfies the intent of the Plan to provide for views to the landscape features in the surrounding area and retain the site contours, assuming that the *natural character* must be read as landform within the subdivision. I consider the *Engineered Contour Reserve* provides a better outcome overall, providing an alternative approach for maintenance of the views and preserving natural character in terms green space, while maintaining consistency with the *Waikato District Council Parks Strategy* (2014) (WDCPS). This strategy prefers a *Neighbourhood Park* to have three access points, 50% flat usable land, an open frontage and allow for a reasonable mix of activities including play space, playgrounds, gardens and quiet space.

146. While two designs have already been prepared for the reserve, the applicant has indicated that they are happy to agree to parameters for a further design of the reserve to be developed as a condition of consent.

RESPONSE TO OFFICER'S REPORT

147. I have read the Officer's Report and offer some additional comments with regard to the application ;

Earthworks

148. I consider the TKL proposal is consistent with the UDG wherein it is recognised that some earthworks are anticipated, and a degree of modification to the topography is an expected part of the urbanisation process. The TKL subdivision retains *the general appearance of the topography* resulting in a subdivision over undulating topography with the highest point within the subdivision located within the reserve. It uses techniques identified within the UDG to minimise earthworks and retaining structures, particularly retaining structures located within front yards

Density

149. Within the officer's report and the Harrison Grierson report the term *density* is used frequently. This term is somewhat ambiguous as it can be defined in a number of ways including;

> *density;* the number of lots and therefore buildings within an area (common usage),
>
> or within urban design;

urban density ; the number of people inhabiting a given urbanised area; and

building density; the ratio of building floor area to urbanised area.

This is distinguished from *site coverage* where it is only the footprint of the building that is taken into consideration and not the *gross floor area* which factors in the number of floors in a building. (This distinction is relevant when more than one storey is involved in buildings but is lost if all buildings are single storey).

150. The common usage of *density* contains a concomitant that is not explicit; that an increase in *density* not only increases the number of lots and buildings within a site, but also results in an increase in the overall *site coverage*. Or put simply there are more square metres of building not simply a greater number of buildings. This is what is typically assumed by an *increase in density (common usage)*. (Conversely, without this concomitant on the application of the term '*density'*, a reduction of 4800 m2 from the overall building coverage within the Silverspur development would have no effect on '*density')*.

151. I consider that the common usage interpretation of '*density'* has been applied to the TKL development and the determination that it results in *an increase in 'density'* has no regard to the difference in *site coverage* generated by the development. While the TKL development does increase the number of lots and buildings within the area, it crucially reduces the permitted coverage of buildings due to the maintenance of setbacks and introduction of covenants within the area. As a result there is a reduction in overall *site coverage* as compared to the Silverspur subdivision within the same area. To put it simply there is less area of building on the site. The difference is significant with 4802 m2 less site coverage for the TKL Development. (This equates to 20 x 240 m2 fewer houses).

152. Due to the ambiguity within the terminology I prefer to describe the grain of development which references the lot configuration as either coarser or finer compared to the other, and make explicit the relative building coverage. On this basis the Silverspur development has a coarser grain but higher building coverage (less lots but bigger buildings) compared to the TKL subdivision which has a finer grain and lower building coverage (more lots but smaller buildings).

153. I have identified that the finer grain of development does not generate the implicit increase in site coverage anticipated by the increase in '*density'* (common usage). That reasoning is flawed. The comparison of the Silverspur subdivision with the TKL subdivision is not one of *an increased number of smaller houses with smaller gaps between them versus fewer larger houses with larger gaps* but rather an increased number of smaller houses versus fewer larger houses (covering an additional 4,800 m2 equivalent to 20 x 240 m2 houses more), both of which fall under the same setback regime.

154. The TKL development, however also imposes additional setbacks for rear lots, introduces multiple 8 metre wide laneways, and has an increased extent of drainage reserve area, all of which contribute to the spatial distribution of buildings within the development. I consider the HG description of the TKL development is inaccurate and does not consider the development holistically.

155. Page 19 of the officer's report bullets comments provided by Harrison Grierson to which I make the following responses;

156. I refer to my preceding paragraphs 111 to 125 in regard to the hilltop reserve. I do not consider the landform has or warrants any particular preservation status outside what is identified in the district plan. The location was identified as a reserve to provide views out to the wider landscape and to… *preserve natural character within an area that is to become urbanised*. In all schemes presented, it remains the highest point within the Travers/Wayside Block and presents natural character. Beyond these attributes the landform itself was not identified as having specific qualities requiring protection.

157. Comment is also made in respect of the lack of retaining shown within the Hilltop Reserve in the Silverspur application. I was not involved in the development of the Silverspur application but would comment that due to the relative gradients of the area and the desire to implement residential subdivision over the surrounding land, irrespective of which proposal was to be implemented, modification to the site contour to enable stabilisation of the higher contour of the reserve area would have to occur. The choice of stabilisation through retaining, batters or regrading all modify the landform to a greater or lesser extent. (I refer you to my graphic evidence plan C4 -C5b (**Appendix 2 Pages 18 to 21**)).

158. The decision then resides in what best serves the urbanised context of the reserve; the retention of a modified land form that limits the utility of the reserve, creates issues in

terms of visibility, accessibility and safety, or one that includes the modification of the contour to improve those factors. As stated previously, the applicant has indicated that a willingness to agree to parameters regarding the design of the reserves which can be developed as a condition of consent with the final engineering design to be approved prior to construction as applies to the roading layout.

159. The Harrison Grierson Report does not distinguish between the visibility of an object and the determination of effect. Based on ZTV analysis it was determined that the subdivision development would be visible in part from View Location 2 and View Location 7. I do not consider that these view locations allow determination of the density of the subdivision. While some appreciation of density can be inferred when it is at the extremes, determining whether you are viewing more nuanced density variations is very difficult. Street or low level views from around and within the development do not allow an accurate determination of density as screening by foreground elements is too extensive. This generally requires a much higher relative elevation, to be able to gauge density and when similar, as in this instance, would require a comparison. (I refer you to my graphic evidence plans C25, C25A, C26 and C26A (**Appendix 2 Page 31 to 34**), which provide an idealised view for comparison, while the simulations C27 – C30 do not readily provide that information (**Appendix 2 Page 35 to 38**)).

160. The HG report suggests that the increase in lots will result in the rooftops merging together indicating increased *density*. I disagree with this statement. Maintaining the same setback regimes between roofs and building-less roof area will not cause roof tops to merge together to any greater extent than the Silverspur development having larger roof area and under the same separation distances, (especially as the Silverspur development contains a significantly greater roof area of an additional 4800 m2). Given the degree of difference between permissible roof extents, I consider the Silverspur development is equally likely, if not more so, to result in a merging of rooftops. This effect in itself does not indicate 'density' but indicates the relative position of the viewer to the objects being viewed such that foreground objects appear to lap more distant objects. Given the undulating terrain and the use of curving roads, rooftops will appear to merge in both subdivisions, but this is not a reliable indicator of density.

161. I agree the subdivision will be of a finer grain than the Silverspur development but the benefits of reduced retaining walls, less building coverage and greater accessibility are consistent with the intent of the Structure Plan. In addition a specific design approach has been applied to the laneways to ameliorate the effect of rear lots. I consider that overall, any adverse effects which may be perceived as a result of the finer grain of the

TKL subdivision are less than the adverse effects produced by the Silverspur Development.

162. On page 20 paragraph (1) the officer confirms the Hilltop Reserve area has not been identified as a *Prominent Ridgeline* or within the *Landscape Policy Area* in the District Plan and lists four outcomes intended to be satisfied. Although I have reservations about the language used, I consider the reserve options proposed satisfy these outcomes.

163. Paragraphs (2) and (3) contain further commentary and discussion over the Hilltop Reserve options. At the time of the application, despite repeated requests to council, I had received only the initial peer review report and endeavoured to respond to the guidance contained in that report. I have indicated a preference based on my understanding of the site conditions and the options produced to date. The applicant has indicated a willingness to consider further development of a third Hilltop Reserve concept should design intent be agreed on and a set of parameters identified.

164. With regard to paragraph (4), the boundary along the CLZ is proposed to be a MSE wall (mechanically stabilised earth wall) where visible from the CLZ, and will be vegetated.

165. I note that while the reporting officer quotes extensively from Mr Mansergh's evidence to the Structure Plan appeals hearing, the Court's decision specifically adopts a different approach on some issues. At paragraph 14 of the reasons for decision (dated 7th September 2012) the decision states:

> *"The potential for a 2m wide planting strip was raised by Mr Mansergh in his report and is now being sought by the appellants. The Court in fact adopted a different approach in this regard in requiring larger sections. It is explicit in such a conclusion that it intended that these sections could be seen from the Countryside Living area, and that it was not the Court's intention that they be screened. This was clearly adopted by the Court as an alternative to planting or other screening attempts."*

166. In response to paragraph (5), I have given a full explanation of my position in respect to the earthworks, retaining walls and the contour highpoint in my paragraphs 119 to 147. I disagree with the conclusion drawn and find the suggestion that there is an expectation to retain rural character to be at odds with intended urbanisation within the area.

167. I have canvassed the general discussion contain in paragraphs (6) and (7) in my preceding evidence (refer paragraphs 150 – 155). I believe the notion of increased *density* is incorrectly applied and do not agree that the development results in increased *building density* or *site coverage,* or that it will result in a perception of increased density due to the visibility of rooftops. I consider the effects of the development to be similar to the Silverspur development but with increased amenity.

168. On page 21, paragraph (8) raises the notion of increased *density* being perceived through the number of vehicle crossings present and additionally a consequential impact on landscape opportunities. In general, per roadway the increase in actual road crossings is quite modest (1 to 2 per roadside where the roads are comparable and in some instances results in a reduction). Where the roads are curving or over undulating terrain this increase is less easily determined as the length of road is not seen in its entirety from a given view point. While it would be possible to count the vehicle crossings, perceptions of our environment are less analytically determined and generally acquired by the apprehension of the whole as a *gestalt.*

169. In respect of the potential impact on landscape opportunities, I consider it is negligible. The typical spacing of street trees is at 20 metre intervals. This allows for a degree of tolerance for the exact positioning of street trees with vehicle crossings and right of ways. The deduction or addition of 1 or 2 vehicle crossings over street lengths of 200m is readily accommodated by detailed street tree positioning. The laneways to rear lots have been specifically considered as an additional opportunity to provide enhanced amenity and have been designed as such.

170. Also in paragraph (8) comment is made in respect of the greater number of traffic movements potentially increasing the perception of density. Although I consider the two subdivisions to be generally similar, they are different and include a different road layout which will result in a different distribution of traffic movements. I defer to the expertise of Mr Alasdair Gray on this issue.

171. Overall I consider that the two subdivisions, when seen at the macro level are similar. When viewed in more detail however, I consider the TKL development offers superior outcomes from an amenity perspective when compared with the detrimental aspects inherent within the Silverspur development, being: extensive roadside retaining; incremental and uncoordinated lot development; and compromised road gradients. I consider that when comparing the developments, some of these effects are finely nuanced, such as the perception of lot numbers and building density, while others such

as the coherent integration of earthworks, the absence or presence of retaining walls along roadsides and those that will be visible within lots, and the walk-ability of the streets and reserve are more fundamental and will continue to affect the everyday experience and enjoyment of the future occupants of the subdivision.

CONCLUSIONS

172. A number of factors influence the extent to which the development will affect existing landscape character and amenity values (visual and urban). These include:

(a) The development will be contained within a restricted view shed due to its location within undulating topography and the presence of existing buildings, surrounding mature vegetation and landform.

(b) The subdivision represents the urban development of land with a rural residential zone interface. While the proposed subdivision will represent a considerable change in the visual character of the site given the current land cover of pasture and vineyard, this change of character is anticipated by the structure plan and TKWLZ. That change of character is specifically contemplated in the Environment Court's decision on the Structure Plan.

(c) The development is located on the same site as the consented Silverspur subdivision development. As the Silverspur subdivision is consented, it forms part of the existing environment and in terms of effects it should be considered to have been built.

(d) Due to the undulating topography, the subdivision is not anticipated to be visible in its entirety from any publicly accessible view location.

(e) The development incorporates roading gradients and the application of a finer grain of lots, including lane way lots, to facilitate inter-block level changes which significantly reduce the requirement for extensive retaining works across the subdivision, while better maintaining the overall land contour.

(f) The development incorporates overall limits on site coverage and covenanted site setbacks to maintain space between buildings resulting in less built area when compared with the consented subdivision. The difference is significant

with 4802 m2 less site coverage for the TKL Development. (This equates to 20 x 240 m2 houses).

(g) The boundary with the Country Living Zone has been carefully designed to soften the transition from urban to rural-residential development. It incorporates larger lots than the Silverspur Development and an increased drainage Reserve, reducing the visual density of development along this interface. The larger size of lots on that boundary was significant in the Environment Court's decision and the TKL development better reflects that outcome.

(h) The main access road through the site provides a break between the larger lots that line the Country Living Zone boundary and provide a significant setback from the zone boundary to the balance of the site.

(i) The proposal includes a hilltop reserve, which maintains the existing topographical high point, providing views out to the surrounding landscape features.

(j) The development includes extensive specimen tree and amenity planting including within the road reserve, lane ways and within the lots, which assist enhancing the amenity of the development and the integration of the development into the surrounding

173. My analysis of the TKL development within the context of the above factors and when considered from the view locations surrounding the site, found that:

(a) I have considered the visual effects of the application against the existing visual environment (but not including the Silverspur development) and on balance consider them to be *moderate*. This reflects the presence of existing contextual development, and the topographical and vegetative screening present within the surrounding view catchment. As a result I consider the proposed development creates a shift in the ratio of existing elements within the study area, rather than introducing aspects that are not already present. It also factors in the proximity, duration and frequency of the view; for road users (typically being of mixed proximity, short duration and seen obliquely to the

direction of travel; rated *low*) and rural residential properties; (typically distant proximity with overlook, longer duration and broad extent of these views; rated *moderate*). It is relevant that the Structure Plan, by rezoning the site for urban development, specifically contemplates a change to that existing rural visual environment.

(b) When considered within the context of the existing land use, the development will result in an obvious change to the visual character of the site, however as the consented Silverspur Development forms part of the existing environment, the application must be considered against a context as though the Silverspur Development were constructed. In my opinion, while the visual effects that will accompany this development on existing views may be *moderate*, the difference in visual effects on the surrounding environment containing the consented Silverspur development and the current application would be *very low to negligible*.

(c) When considering urban amenity effects, the development is consistent with good urban design as it appropriately addresses adjacent properties, utilises appropriate form, and spatial resolution to introduce a contemporary residential development while maintaining good internal permeability and accessibility in and around the site and a strong connection with the surrounding area. It responds to the irregular nature of the site's overall shape, by creating efficient lot and block sizes and depths, whilst avoiding the addition of unnecessary retaining, and road pavement. In my opinion when considered against an existing environment that includes the consented Silverspur Development, the overall development results in improved urban, landscape and amenity effects internal to the development.

(d) Compared with the consented Silverspur Development, I consider the effects of the proposed development on the landscape and amenities of the wider receiving environment are very similar. While the proposed subdivision has a higher ratio of finer grain development than the consented Silverspur subdivision it contains 13% less building coverage. When considered on balance any potential minor adverse effects that this may produce are more than offset by the benefits of more sensitive landform integration, and the

extensive specimen tree and amenity planting. This results in a reduced extent of retaining walls, improved accessibility and connectivity, maintenance of an outlook from the reserve, and a carefully designed transition between the site and neighbouring Country Living Zone.

(e) In general, the development is consistent with the design guide for the Te Kauwhata West Structure Plan area. While the proposed subdivision has a finer grain subdivision, and contains a higher ratio of rear lots than anticipated by the District Plan, this is in response to specific site challenges and allows for improved landform integration with the site, and in combination with the site design and subdivision planting, I consider that the proposed development is consistent with the intentions of the Te Kauwhata West Design Guide.

174. I consider that the application meets the intent of the relevant objectives, policies and rules of the OWDP and is consistent with the requirements of sections 6(b) and 7(c) of the RMA. Overall, I consider the proposed development results in *fewer adverse* amenity effects than that of the Silverspur Development, with the overall effects of the current proposal on the existing environment *very low to negligible*.

Michael Graham
14 December 2017