

**BEFORE INDEPENDENT HEARING COMMISSIONERS APPOINTED BY THE
KAIKOURA DISTRICT COUNCIL**

IN THE MATTER OF

The Resource Management Act 1991 (**RMA** or
the Act)

AND

IN THE MATTER OF

Proposed Plan Change 4 (**PC4**) to the Kaikoura
District Plan (**KDP** or **the Plan**) brought by
Kaikoura Business Park Limited (**KBP**)

AND

IN THE MATTER OF

The Hearing of Submissions and Further
Submissions on PC4

**EVIDENCE OF LIZ GAVIN FOR THE APPLICANT
KAIKOURA BUSINESS PARK LIMITED**

Dated: 12 March 2024

Presented for filing by:
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INTRODUCTION

- 1 My name is Elizabeth Jane Gavin.
- 2 I reside in Nelson and work for Boffa Miskell as a Senior Principal landscape planner.
- 3 I hold a Bachelor of Landscape Architecture (Hons) (2000) from Lincoln University, a Bachelor of Arts majoring in Anthropology from Otago University and a postgraduate Diploma (Distinction) in Anthropology from Otago University. I am a registered member of the New Zealand Institute of Landscape Architects (NZILA). I am an accredited commissioner through the Making Good Decisions course.
- 4 From 2010 up to 1st July 2022 I was a director of the landscape architectural firm Canopy NZ Ltd. From April 2005 to 2010, I worked for my landscape practice, Kidson Landscape Consulting, first in Queenstown and then in Nelson from 2007. Prior to this, I was employed by Civic Corporation Limited in Queenstown from January 2000 until April 2005 as Principal Landscape Architect.
- 5 Most of my work involves providing landscape and visual assessments in relation to resource consent applications for both applicants and regulatory authorities. I have also been engaged by various councils (including Queenstown Lakes District Council, Christchurch City Council, Tasman District Council, Nelson City Council and Marlborough District Council) to provide landscape advice on matters involving the creation of new zones and landscape classifications. I have provided landscape advice in relation to council-led and private plan changes in Nelson, Tasman, Marlborough, West Coast, Christchurch, and Queenstown. I have prepared landscape reports for five plan changes in Queenstown, four in Nelson, and two in Marlborough and have provided expert landscape evidence in 27 Environment Court cases over the past 20 years, which involved either landscape classification and/or assessment of landscape effects of a proposed development on the environment.
- 6 I have read the Environment Court's Code of Conduct and agree to comply with it. My qualifications as an expert are set out above. The matters addressed in my evidence are within my area of expertise, however where I make statements

on issues that are not in my area of expertise, I will state whose evidence I have relied upon. I have not omitted to consider material facts known to me that might alter or detract from the opinions expressed in my evidence.

SCOPE OF EVIDENCE

7 The applicant has applied for a private plan change Peketā Private Plan Change to create Kaikoura Business Park at 69 Inland Kaikoura Road Lot 2 DP 501321 Plan Change 4 [PC 4]. This evidence addresses landscape and amenity effects of the PC consent.

8 In my evidence I address the following:

- (a) The change in landscape character from a general rural zone and light industrial zone.
- (b) Landscape mitigation measures outlined within "*Peketā Private Plan Change Landscape and Visual Effects Assessment, 8 November 2022*" and those proposed within the Light Industrial Zone plan change provisions.
- (c) Landscape matters raised within the Section 42A report, and from submitters.

9 I have also since undertaken a subsequent Site visit to re-confirm viewpoints, including views from the properties of 2 neighbours who have lodged submissions which have since been withdrawn.

10 Within my evidence I will describe and outline the following:

- The site location and legal description.
- The landscape character of the Site and wider context.
- An outline of the proposal
- The statutory context, including current zoning under KDP (General Rural) and proposed zoning under PC4 (Light Industrial).
- Response to landscape matters raised within the Section 42a report and submissions on the proposal.

11 I affirm the contents of the following report(s):

- (i) *Peketā Private Plan Change Landscape and Visual Effects Assessment*. Prepared for Kaikoura Business Park 2021 dated 8 November 2022.
- (ii) *Application for Private Plan Change 69 Inland Kaikoura Road Lot 2 DP 501321*. Prepared for Kaikoura Business Park 2021 Ltd dated 25/08/2023.

HISTORY

12 Prior to notification of the proposed plan change and publications of the zone provisions, I provided a landscape and visual effects assessment of the Peketā Private Plan Change¹. This included suggested landscape mitigation measures which would improve design outcomes for the proposed Light Industrial Zone, which were put forward prior to the proposed rules relating to PC 4 being written. These mitigation measures are discussed further below. This was attached to the Plan Change application as Appendix 16 and is referred to as the Preliminary Landscape Assessment in my evidence. This evidence is written with the benefit of the proposed rules.

THE RECEIVING ENVIRONMENT

Landscape context

13 The broader context of the Site is located within the lower Kaikōura plains. The landscape is characterised by gently undulating river fan and outwash plains which are overlooked by the Te Whatakai o Rakihouia/ Seaward Kaikōura Range. The main river system within the context of the Site includes the Kowhai River and is a vital ecological link between the Seaward Kaikōura Ranges and the ocean. Historically, vegetation within the broader context would have included dense podocarp forest, and smaller swamp species including fern, toetoe, harakeke, raupo, tutu and koromiko. Today, the land cover in this area has been mostly modified to allow for farming practices and rural lifestyle properties.

14 The Kaikōura plains form the foreground to the Te Whatakai o Rakihouia/ Seaward Kaikōura Ranges, and comprise an open, rural setting containing a

¹ See Baseline Group Application for Private Plan Change Appendix 16

patchwork of farm boundaries, roads, shelter belts, and paddocks. Panoramic views of the highly legible connection between the mountains and the ocean can also be observed throughout the wider context due to the open character of the landscape.

- 15 Traversing the plains is the Kowhai River, a braided river which is highly expressive of its formative processes. Transient characteristics include the change in river channels during major flood events. West of the Kowhai River (and the site) is Stoney Creek (Ewelme Stream) which is also a natural feature in the plains landscape.
- 16 Ngāi Tahu are the iwi and Ngāti Kuri is the rūnunga who have territorial rights over this area. The wider context was occupied by tangata whenua for approximately 800 years prior to European settlement, with many of the settlements located near the coastline. During the 1860s after the Kaikōura Purchase in 1859, Europeans began to settle the plains for pastoral farming, and this land use is still evident today. Near Peketā there are several reserves associated with Ngāi Tahu.

Site Description

- 17 The Site is located approximately four kilometres south-west of Kaikoura township at the intersection of State Highway 1 and the Inland Kaikoura Road. The southern and eastern boundaries of the Site adjoin the road frontage, while the western and northern boundaries adjoin rural properties. Figure 1 of the Landscape Effects Assessment below identifies the Site and surrounding context.



Figure 1: Site Location Plan within the graphic supplement of the Landscape and Visual Effects Assessment.

- 18 There is minimal native vegetation within the Site due to its historical use for grazing stock, which have since been removed although the post and wire boundary fencing remains. There is a truck effluent disposal area on the south-eastern corner of the site where SH1 intersects with the Inland Kaikōura route. Due to the stock removal, pasture weeds are more prevalent. Shelterbelts delineate between paddocks fenced with traditional post and wire, with straight farm tracks extending parallel to these fenced boundaries. Overhead powerlines extend along the northern boundary through the adjacent Kōwhai Downs subdivision to the Inland Kaikōura Road.
- 19 Immediately north and west along shared boundaries is the Kowhai Downs development – which provides for 18 rural lifestyle properties. To the south is an existing property owned by the applicant (shown as Lot 19 in Figure 2 below).



Figure 2: Scheme plan and adjacent properties as shown in the Landscape and Visual Effects Assessment. Note Lot 19 sits outside of the site.

- 20 The Site is not located within an outstanding natural feature or landscape and is not identified as within the coastal environment².
- 21 State Highway 1 (SH1), a strategic arterial road, runs along the southern boundary, with the South Pacific Ocean separated from the southern boundary by SH1 and a coastal reserve. The Kowhai River delta enters the ocean at this point (see Figure 2 above). The current location of the Inland Kaikoura Road forms the eastern site boundary.

THE PROPOSAL FOR REZONING

Proposed Plan Change

- 22 As outlined within the application, Plan Change 4 proposes to rezone the 21.6-hectare Site from General Rural to a new Light Industrial Zone within the Kaikoura District Plan. The proposed objectives, policies, and rules would allow for a range of industrial activities, along with other activities that have similar characteristics, that are best suited to the Light Industrial Zone. A full description of the assessment was contained in the Plan Change Application.

² Preliminary Landscape Assessment Graphic Attachment A Figure 3

- 23 The Light Industrial Zone includes an outline development plan that shows area of the Plan Change, the relocation of State Highway 70 (Inland Kaikoura Road), and a 6-metre-wide landscape buffer on the perimeter of the proposed zone boundary.

RELEVANT PLANNING PROVISIONS

Existing statutory provisions

- 24 As mentioned above, the Site is currently zoned General Rural Zone within the Kaikoura District Plan (**KDP**). The following rules for the existing zone are of relevance to this proposal and are outlined below:
- (a) The minimum net area for subdivision outside of an Outstanding or Significant Natural Landscape is 2ha. As the site is 21.6 ha, this would allow for 10 rural allotments.
 - (b) Within each rural allotment, one residential unit can be located on a site with a minimum area of 2 ha and one ancillary residential unit that is less than 100m², located within 25m of the principal unit.
 - (c) Building heights are permitted to 12 meters: except where located within riparian areas.
 - (d) Setbacks from road frontage boundaries of 25 meters (commercial) and 10m all Residential units shall not be located closer than 25m to any other residential unit unless an ancillary residential unit is established in accordance with GRUZ-S4.
 - (e) Buildings which exceed 6m² in area and which are not residential units shall not be located closer than 10m to any residential unit on an adjoining site.
 - (f) Buildings 6m² in area or less shall not be located closer than 5m to any residential unit on an adjoining site.
- 25 These statutory provisions form the permitted baseline for the Site, which includes the presence of residential curtilage such as sheds, landscaping, and fences.
- 26 The current general rural zone is characterised by low-density rural development with a wide range of land uses including rural lifestyle, forestry,

and farming³. The overarching purpose of the zone is to ensure the amenity and environmental values of the rural environment are maintained and enhanced. Specific regard to separation distances between neighbours has been considered within the general rural zone to ensure these wide range of activities can be undertaken in a compatible manner, although without site coverage provisions, it is unclear whether the Policies⁴ seeking open and spacious character and privacy and outlook will be able to achieve this. I note that the 12-meter height limit for buildings and limited control on bulk means that built form has the potential to be highly visible in the General Rural Zone.

Proposed planning provisions

- 27 The proposed planning provisions of relevance to landscape matters include the following:
- (a) Building heights are permitted to 15 meters above ground level.
 - (b) Recession plane – Structures adjoining a different zone shall not project beyond the building envelope defined by recession planes in Appendix 3 of the KDP.
 - (c) All buildings shall be setback a minimum of:
 - (i) 10 m from any adjoining road with any strategic road, arterial road, collector road, or state highway classification.
 - (ii) 3 m from the road boundary of all other roads.
 - (d) The minimum building set back from internal boundaries that adjoin a site containing a different Zone shall be 6m.
 - (e) Site boundaries which adjoin a State Highway shall have at a minimum a 6 m wide landscape strip containing native species.
 - (f) Site boundaries that adjoin a road boundary shall plant a landscape strip that is a minimum width of 2.5 m.

³ Kaikoura District Plan, GRUZ Zone Description page 1.

⁴ Kaikoura District Plan, GRUZ P-1 & GRUZ – P3 page 5

- (g) Landscaping shall be provided and maintained along the full length of all internal boundaries adjoining sites contained in a different zone. This shall be a minimum of 6 m wide.
- (h) Any outdoor storage areas, other than those associated with yard-based activities and trade suppliers, shall be screened by either 1.8 m high solid fencing, landscaping, or other screening from any adjoining site contained in a different zone, except this rule does not apply at road boundaries.

ASSESSMENT OF THE PROPOSAL

- 28 The assessment below builds on the previous assessment, given the increased level of detail that is now available (relating to zone provisions). An update of the visibility analysis contained in Appendix 2 of the Preliminary Assessment has been included as **Appendix 2** to this report, which provides more detail regarding visual effects. Visual effects from The State Highway and Inland Kaikoura Road have been included in Appendix 2 which originally only dealt with private visual effects.

LANDSCAPE EFFECTS

- 29 Landscape character is derived from the distinct and recognisable pattern of elements that occur consistently in a particular landscape. It reflects particular combinations of geology, landform, soils, vegetation, land use and features of human settlement. It creates the unique sense of place defining different areas of the landscape.
- 30 Key landscape effects of the proposal will include the introduction of several structures that when compared to the General Rural Zone, exceed the existing height limit and density expected within the current Zone provisions. While there are no Site coverage rules for the General Rural Zone, the subdivision of two hectare lots as permitted within the Kaikōura District Plan, would result in the establishment of a rural residential character. A sense of openness would be retained within the landscape, but with an expected higher density of built form and associated curtilage.
- 31 The proposed development would not maintain rural character and would result in a lower level of amenity, compared with the landscape outcomes

anticipated in the General Rural Zone. This is largely due to the increase in height, bulk and *likely* site coverage, and lower emphasis on amenity values and landscape character as a zone outcome, with no colour or reflectance guidelines or limitations on signage over and above that provided by the general district wide control over signs. It is understood that under GRZ, a rural development could result in subdivision down to 2ha lots within the existing district plan provisions, which would result in a rural residential character. This would also not retain the level of openness and rural character normally anticipated in a general rural zone, where farmhouses and rural sheds would be part of a landscape dominated by open rural farmland.

- 32 It is acknowledged in the PC4 provisions that the landscape character of the Site will change from an open and spacious landscape to a landscape with increased built form and density. This change is recognised within the Notified Rules Package, with the effects on amenity and character of the Light Industrial Zone part of the effect that are identified needing to be managed:

*"The Light Industrial Zone provides primarily for a range of industrial activities, along with other activities that have similar characteristics, or which due to their scale or nature are best suited to the Light Industrial Zone. It is anticipated that future activities will generate a greater level of adverse effects than what can be expected in other existing zones. These may include, but are not limited to noise, visual dominance, shading, light spill etc. These effects need to be adequately managed to ensure that amenity values of adjoining zones are maintained and adverse effects on the environment are avoided, remedied and mitigated."*⁵

Also:

*"Activities carried out within the Light Industrial Zone may reduce the amenity of adjoining zones through increased traffic generation, on-street manoeuvring or parking, noise, and light without adequate controls".*⁶

- 33 Upon establishment of the Light Industrial Zone, the change in landscape character will be evident from the adjoining public and private viewpoints.

⁵ Baseline Plan Change Application, page 56

⁶ Baseline Group Plan Change Application page 61

While the 6-meter landscape strip surrounding the zone will soften the presence of structures within the proposed zone, there will be a loss of visual access to an open rural character landscape associated with the higher density of built form. The presence of mitigation planting will result in a foreground buffer of planting that will reduce visibility of the built form within, however with a wide range in variety of species (from low grasses through to shrubs and trees) the mitigating capabilities vary. As mentioned above, this change in landscape character can occur within the current plan provisions.

- 34 While some structures and residential curtilage are expected within the rural zone, including buildings up to 12 meters in height; the two-hectare lot size and comparative lower site density allows for views between buildings and creates an open rural character open that will not be retained.
- 35 The landscape character as experienced from outside of the Plan Change area once developed will be (generally) a native buffer planting in the foreground, (which will contribute to the foreground amenity) with built form immediately behind, with no control over exterior colour treatment, and no additional signage controls. Views across the site towards the wider landscape are not likely to be retained and will be replaced by the immediate view of the landscape buffer and built form associated with the Light Industrial Zone.
- 36 A recommendation has been included to ensure the landscape buffer is designed to achieve both amenity from views outside of the PC area and a level of screening of the built form, with different screening and amenity outcomes outlined. The buffer planting along the Inland Kaikoura Road as it travels through the site does not need to provide the same level of screening, however achieving amenity value is still important. This could be achieved by choosing street trees that have clear trunks, with lower plants creating ground cover, with the focus on increased amenity rather than complete screening.

VISUAL EFFECTS

- 37 Visual amenity effects are influenced by a number of factors including: the nature of the proposal, the landscape absorption capability and the character of the site and the surrounding area. Visual amenity effects are also dependent

on distance between the viewer and the proposal, the complexity of the intervening landscape and the nature of the view.

- 38 The surrounding landscape was visited to determine visual effects, with representative photos included from public viewing areas in the Graphic Supplement. Appendix 2 provides more detail regarding visual effects from the identified visual catchment⁷, with the summary included below.
- 39 Visual effects will include a change in landscape character from both public and private viewpoints. Key roads within proximity of the Site include State Highway 1 and State Highway 70 (Inland Kaikoura Road). Public views from these roads are currently open and include views of the Seaward Kaikoura Ranges to the north-west. I note that the applicant has planted mixed natives from the new zone species list along this boundary which will screen the views across the site from the State Highway⁸. This change in visual access across the site to distant landscape features could occur under general rural provisions. Also, that both the stock effluent area and Lot 19 are not part of the PC site, with this intervening land providing a visual buffer of up to 60m (for the stock effluent site), and up to 90m (for the Lot 19 site).
- 40 Open views of the Site are available from the Kowhai Downs subdivision (owned by the applicant) which sits directly to the north and west of PC4. This subdivision is owned by the applicant, and my understanding is that the neighbours bought into the subdivision with an understanding of the proposed commercial zone (see Figure 5 of the Graphic Attachment at **Appendix 3**).
- 41 Open views across the site are available from Residential properties to the south-west of the Site as described within the summary of submissions below and in Appendix 2, and from the adjoining Kowhai Downs subdivision to the north. Again, planting along the shared boundary will reduce visual access across the site⁹, which could also occur under existing zone provisions. To the north-east of the Site, long distance partial to glimpsed views of the Site are available from Ocean Ridge Subdivision, although many of the dwellings within the subdivision are orientated away from the Site.

⁷ Based on the site visit, and shown in the Graphic Attachment.

⁸ See Graphic Attachment figures 22-25 (viewpoints 11 and 12)

⁹ See Graphic Attachment figures 13-17 (viewpoints 5-7)

Private Views392A State Highway 1.

42 Since the preliminary assessment was written, a residential dwelling is now being built 30m from the shared boundary (see photo below). This photo also shows irrigated pittosporum planting along the shared boundary that will grow up to 5-6m in height and will reduce visual access across the shared boundary into the PC4 site. This planting is three years old at the time of writing evidence. The irrigated nature of these plants will increase their growth rates, with expected height after 5 years of around 4m¹⁰.

43 In addition, the above resident at 392A State Highway 1 and resident at 392B State Highway 1 have made private agreements with the applicant, that if approved, the following mitigation measures will relate to their shared boundary with PC 4:

- Buildings will be set back 60 meters from the shared boundary.
- First row of dwellings on the setback will be limited to 8 meters in height.
- Buildings facing the properties listed above will be painted green.
- There is to be planting along the 60m building setback line.

¹⁰ <https://www.southernwoods.co.nz/shop/pittosporum-tenuifolium/>



Figure 4: Photo from within the Plan Change site boundary looking towards the residential dwelling being constructed at 392A State Highway 1 through a hedge of pittosporum.

- 44 Regarding views from the residential property at 392A, visual effects were initially considered to be **moderate-high** (adverse) prior to the agreed 60-meter setback and building height limitations that form part of a private agreement. It is now known that there is a blanket height limit of 15m across the Site, that fits into the recession planes included in Appendix 3 of the KDP, with the exception of the 8-meter height limit on the shared western boundary. A 6m landscape buffer along the western boundary, and native planting within the PC area along this boundary is also proposed, as well as the additional agreed measures that I've listed above.
- 45 With this knowledge and in consideration to character and screening potential created by the landscape buffer and no build setback discussed above, the initial visual effect would be **moderate**, reducing to **moderate-low** as the 6m buffer establishes. It is noted that effects have been reduced to the satisfaction of the neighbours on the western boundary on the Site (392A and 392B State Highway 1) and they have withdrawn their submission.
- 46 Further maturing of the vegetation (if providing an 8-10m high screen) would further reduce adverse effects as vegetation established.

- 47 It is noted that it is unlikely the actual effect (i.e., buildings) would be established as soon as the plan change is approved and may not be built for many years. The vegetation may be in place and established before any built form along this boundary. With vegetation established and in place, adverse effects (if built form set back from the boundary and restricted to 8m high when within 50m of existing residential activity (or 20m from the shared boundary) would be **low** (adverse) due to the screening properties.

392 B State Highway 1

- 48 The visual effect on submitters at 392B SH1 is similar to that experienced by 392A, however is likely to be less, given that only one third of the eastern boundary is shared with the Plan Change. As stated above, the level of effect has been reduced to the satisfaction of the neighbours who have since withdrawn their submission.

Public Views

State Highway

- 49 Adverse effects on landscape character are **moderate-high at a local scale** (when parallel with the site) from the state highway parallel to the site, due to the loss of open rural vistas and the increase of modification (hard surfaces, built form, size and bulk of building) without steps taken to create a positive landscape character. This adverse effect will reduce to **moderate** with appropriate landscape mitigation measures that aim at increasing amenity and landscape character.

Inland Kaikoura Route

- 50 The new road alignment of the Inland Kaikoura Route would run through the zone for a distance of approximately half a kilometre. Here, views would be of the zone on either side of the road with the potential for views of the Kaikoura ranges retained. Whilst immersed within the zone, there would be a **moderate-high** adverse visual effect due to the loss of open rural vistas and the increase of modification (hard surfaces, built form, size and bulk of building) without steps taken to create a positive streetscape character. More certainty regarding the way the 2.5m landscape buffer strip is treated would provide more clarity

regarding amenity values. Recommended mitigation that creates street trees at even spacings and low ground cover planting would result in reducing effects to **moderate (adverse)**, recognising that the amenity within the zone will differ from the current general rural zone, and focusing on increasing streetscape amenity as experienced from within the zone.

RESPONSE TO MATTERS RAISED BY SUBMITTERS AND IN SECTION 42A REPORTS.

Summary of submissions and commentary on boundary effects

- 51 Initially, 114 submissions were received, with 107 in support of the Plan Change. Four were neutral, with four submissions received in opposition to the Plan Change. All four of these submissions (#23 Eion Fitzgibbon, #24 Emma and Darryn Hopkins, #47 John Leeder and Paul Murray (submitter #114)) have since withdrawn their submissions.
- 52 Submitters #114 and #24 are neighbours along the western site boundary. These neighbours have reached a private civil agreement with the applicant and have withdrawn their submission. Any future purchaser of these properties (should they ever be sold) will be buying with the Plan Change in place (as part of the realized or anticipated character), with the PC4 mitigation measures part of this character.
- 53 The Section 42a report notes¹¹ that all submitters and further submitters who indicated they would like to be heard, have withdrawn their requests to be heard. The report does note that Character, amenity, and Landscape are matters that ought to be addressed to satisfy the Councils Statutory Function.¹²
- 54 These matters have been considered below.
- 55 The following considerations are of relevance to landscape effects:
- (a) Rural Character.
 - (b) Visual effects, including views towards the Seaward Kaikoura Ranges.
 - (c) Re-alignment of the zone boundary to approximately 200 meters north towards the Inland Kaikoura Road.

¹¹ Paragraph 55 of S42A report.

¹² Paragraph 56 (f) of S42A report.

- 56 Light pollution (as an amenity issue) is being dealt with by an expert in this field, and I rely on their evidence on this matter.

Rural Character & Amenity

- 57 PC 4 has a blanket height limit of 15 meters, with built form near the boundary relating to set back and recession planes. This reduces the height of built form adjacent to boundaries, but not density (in terms of site coverage). Under PC 4 provisions, a 15m high dwelling could be located 12.5m from the boundary (with the ROW separating the lot boundary by 10m), with the exception of the agreed 60 metre setback on the western boundary where buildings will be limited to 8 metres in height¹³.
- 58 It is worth noting that under the Rural Zone, a 12m high building that is not residential in nature could be located 10m from neighbouring rural residential property, without site coverage rules, and without the requirement for creating a landscaped buffer. This activity would also reduce the level of open space character currently experienced along the shared boundary, however it is likely that a Light Industrial Zone would have a greater density of built form in terms of site coverage. Forestry could be located within this site and is encouraged within the General Rural Zone as long as neighbouring residential activity is located 50m from this activity¹⁴.
- 59 The landscape character achieved through the buffer planting, could be planted under the General Rural Zone, given that this planting is permitted, but it is not required to be planted while the General Rural Zoning remains.
- 60 A 6m buffer would contribute to a green outlook if medium-tall and tall tree species from the plant list (attached as Appendix 3 to the preliminary landscape assessment¹⁵) are planted to create a dense buffer. This would reduce the neighbouring properties visual access to the landscape character within the site.
- 61 I note that the zone provisions allow for a paling fence of up to 1.8m in height (as a mitigation measure to screen adverse visual effects). I would recommend

¹³ Private agreement reached between the residents at 392a and b SH1. This includes the setback of buildings by 60 metres from the shared boundary, and the first row of buildings located on the setback to be limited to 8 metres in height.

¹⁴ Kaikoura District Plan, GRUZ-P1 page 5 and GRZ-S2 page 11

¹⁵ Attachment 16 of Plan Change Application.

that if this was included, it be located on the Light Industrial side of the landscape buffer, so as not to be part of the landscape character viewed from the neighbouring properties.

62 Having considered the landscape and amenity effects of the proposed plan change, the conclusions reached in the Section 42A report is that the landscape and visual character will change as a result of the change in zoning, however the site is not identified as having any special landscape values¹⁶, and reached the conclusion that given the mitigation, the Site is well placed to be rezoned to light industrial from a landscape perspective. The recommendation included in the following section has been worded to ensure more certainty regarding the landscape and amenity outcomes associated with the zone, with this level of certainty, I agree with this finding.

63 I note that the s42A report suggests amendments to the Proposed District Plan, and Amendment 1B is worded to address reducing the potential for adverse effects associated with the future development of the LIZ. I consider that the wording for what the landscape buffer area should achieve (in the recommendations section below) helps to provide clarity around the visual and amenity outcomes are anticipated.

KEY ISSUES AND SUMMARY OF CONCLUSIONS

64 Key landscape issues relating to the plan change relate to the change in landscape character associated with a change in land use from Rural to Light Industrial. This has the following implications:

65 The proposed Plan Change has an increase in height for buildings to 15m and the landscape effects associated with this on both landscape character and visual amenity values has been considered with recommendations.

66 The change in landscape character associated with the density, scale, and bulk of built form, that results in a loss of open space values and views of undeveloped landscape, especially as this relates to the location of buildings near site boundaries and site coverage.

¹⁶ Section 42A report paragraph 81.


- 67 While the permitted baseline allows for the development of 2ha rural residential lots, the proposed zone will maintain less landscape values in terms of rural character and amenity due to different height and density outcomes compared to the anticipated character from the existing zone that considers rural character and outlook from neighbouring properties, retaining open rural character as viewed from roads, and buildings being compatible in scale to existing development within the rural zone¹⁷.
- 68 The proposed 6m of landscape buffer and a 15m height limit for the Light Industrial Zone would reduce but not completely mitigate the increased height and density from outside of the site. A buffer zone along the site boundary would not maintain *rural character* but would achieve a naturalised “green” edge to the zone, with Lot 19 and the stock effluent area contributing to a buffer that has a greener character with open space values.
- 69 As stated in the zone description of the Proposed Plan Change, it is anticipated that future activities will have a lower level of amenity compared to what was anticipated under the Rural General provisions. This is not surprising, given the character associated with Light Industrial Zones is expected to differ from a rural landscape character. The level of amenity and rural outlook will be reduced within the site, and a rural character will not be maintained (again in keeping with the change in zone). The proposed plan change has provided mitigation along the zone boundary to reduce the visibility of the built form within, and to reduce the adverse effects on landscape character values. Further mitigation measures (such as those recommended below) would provide further improvements from a landscape perspective. I note that all the original submissions in opposition to PC 4 have been withdrawn, with private agreements reached regarding the adjoining owners at 392A and B SH1.
- 70 The original landscape assessment written prior to the plan change provisions being available stated that landscape effects- without height, signage, reflectivity, landscape, and setback provisions had the potential to have **moderate-high** adverse effects- especially from SH1 and neighbouring properties at 392A and 392B SH1 (who are no longer submitters). Of these potential elements, only setback and landscape have been included within the

¹⁷ Kaikoura District Plan GRUZ-P1 page 5

Plan provisions, however a private agreement addresses the adverse effects on the 392A and B. Given the height of proposed buildings (15m), the landscape effects will remain initially **moderate-high** from the State Highway. A Recommendation has been included to reduce the visual effects of the change in character so that the views from the key neighbouring areas are mitigated to **low-moderate** for the adjoining properties, and **moderate** for views from the State Highway when parallel to the site. This includes ensuring landscape treatment along the Inland Kaikoura Road where it is diverted through the property achieves an appropriate level of amenity value.

- 71 While the landscape character of the PC site will change, the proposed recommendation considers ways to ensure amenity values are considered in the overall design of the zone, to reduce the contrast in character with neighbouring areas.

Elizabeth Jane Gavin

A handwritten signature in blue ink, consisting of a stylized 'EJG' followed by a horizontal line extending to the right.

Dated: 12 March 2024

RECOMMENDATIONS

1 It is recommended that the landscape buffer treatment has a policy written into the plan provisions:

The landscape buffer treatment shall consist of species from **Appendix 1** and shall be designed to achieve the following objectives:

- To achieve both amenity and a level of screening of the built form from views outside of the PC 4 area.
- The landscape buffer where adjacent to State Highway 1 and at Zone boundary entrances, shall ensure the landscape treatment contributes positively to the landscape character and visual amenity of the adjoining area and shall reduce adverse visual effects associated with the mass and bulk of built form within the Plan Change Zone. At zone entrances landscape planting shall maintain safety of sight lines for traffic.
- The buffer planting along the Inland Kaikoura Road as it travels through the Light Industrial Zone, and internal streets within the zone shall achieve amenity value by:
 - choosing street trees that have clear trunks,
 - spacing street trees evenly down the street (at between 40 – 50m spacings), with lower plants creating ground cover in plant beds. The objective of this planting should be a focus on increased amenity and consistency in street tree selection rather than screening.

Appendix 1: Landscape Effects Assessment Method

Method Statement

22 November 2023

This assessment method statement is consistent with the methodology (high-level system of concepts, principles, and approaches) of 'Te Tangi a te Manu: Aotearoa New Zealand Landscape Assessment Guidelines', Tuia Pito Ora New Zealand Institute of Landscape Architects, July 2022. The assessment provides separate chapters to discuss landscape, visual and natural character effects where relevant, but is referred to throughout as a Landscape Effects Assessment in accordance with these Guidelines. Specifically, the assessment of effects has examined the following:

- *The existing landscape;*
- *The nature of effect;*
- *The level of effect; and*
- *The significance of effect.*

The Existing Landscape

The first step of assessment entails examining the existing landscape in which potential effects may occur. This aspect of the assessment describes and interprets the specific landscape character and values which may be impacted by the proposal alongside its natural character where relevant as set out further below. The existing landscape is assessed at a scale(s) commensurate with the potential nature of effects. It includes an understanding of the visual catchment and viewing audience relating to the proposal including key representative public views. This aspect of the assessment entails both desk-top review (including drawing upon area-based landscape assessments where available) and field work/site surveys to examine and describe the specific factors and interplay of relevant attributes or dimensions, as follows:

Physical –relevant natural and human features and processes;

Perceptual –direct human sensory experience and its broader interpretation; and

Associative – intangible meanings and associations that influence how places are perceived.

Engagement with tāngata whenua

As part of the analysis of the existing landscape, the assessment should seek to identify relevant mana whenua (where possible) and describe the nature and extent of engagement, together with any relevant sources informing an understanding of the existing landscape from a Te Ao Māori perspective.

Statutory and Non-Statutory Provisions

The relevant provisions facilitating change also influence the consequent nature and level of effects. Relevant provisions encompass objectives and policies drawn from a broader analysis of the statutory context and which may anticipate change and certain outcomes for identified landscape values.

The Nature of Effect

The nature of effect assesses the outcome of the proposal within the landscape. The nature of effect is considered in terms of whether effects are positive (beneficial) or negative (adverse) in the context within which they occur. Neutral effects may also occur where landscape or visual change is benign.

It should be emphasised that a change in a landscape (or view of a landscape) does not, of itself, necessarily constitute an adverse landscape effect. Landscapes are dynamic and are constantly changing in both subtle and more dramatic transformational ways; these changes are both natural and human induced. What is important when assessing and managing landscape change is that adverse effects are avoided or sufficiently mitigated to ameliorate adverse effects. The aim is to maintain or enhance the environment through appropriate design outcomes, recognising that both the nature and level of effects may change over time.

The Level of Effect

Where the nature of effect is assessed as ‘**adverse**’, the assessment quantifies the level (degree or magnitude) of adverse effect. The level of effect has not been quantified where the nature of effect is neutral or beneficial. Assessing the level of effect entails professional judgement based on expertise and experience provided with explanations and reasons. The identified level of adverse natural character, landscape and visual effects adopts a universal seven-point scale from **very low** to **very high** consistent with Te Tangi a te Manu Guidelines and reproduced below.



Landscape Effects

A landscape effect relates to the change on a landscape’s character and its inherent values and in the context of what change can be anticipated in that landscape in relation to relevant zoning and policy. The level of effect is influenced by the size or spatial scale, geographical extent, duration and reversibility of landscape change on the characteristics and values within the specific context in which they occur.

Visual Effects

Visual effects are a subset of landscape effects. They are consequence of changes to landscape values as experienced in views. To assess where visual effects of the proposal may occur requires an identification of the area from where the proposal may be visible from, and the specific viewing audience(s) affected. Visual effects are assessed with respect to landscape character and values. This can be influenced by several factors such as distance, orientation of the view, duration, extent of view occupied, screening and backdrop, as well as the potential change that could be anticipated in the view as a result of zone / policy provisions of relevant statutory plans.

Natural Character Effects

Natural Character, under the RMA, specifically relates to ‘*the preservation of the natural character of the coastal environment (including the coastal marine area), wetlands, and lakes and rivers and their margins, and the protection of them from inappropriate subdivision, use, and development*’.

Therefore, the assessment of natural character effects only involves examining the proposed changes to natural elements, patterns and process which may occur in relevant landscape / seascape contexts.

As with assessing landscape effects, the first step when assessing natural character effects involves identifying the relevant physical and experiential characteristics and qualities which occur and may be affected by a proposal at a commensurate scale. This can be supported through the input of technical disciplines such as geomorphology, hydrology, marine, freshwater, and terrestrial ecology as well as input from tāngata whenua. An understanding of natural character considers the level of naturalness and essentially reflects the current condition of the environment assessed in relation to the seven-point scale. A higher level of natural character means the waterbody and/or margin is less modified and vice versa.

A natural character effect is a change to the current condition of parts of the environment where natural character occurs. Change can be negative or positive. The resultant natural character effect is influenced by the existing level of naturalness within which change is proposed; a greater level of effect will generally occur when the proposal reduces the naturalness of a less modified environment. In short, the process of assessing natural character effects can be summarised as follows:

- Identify the characteristics and qualities which contribute to natural character within a relevant context and defined spatial scale(s), including the existing level of naturalness;
- Describe the changes to identified characteristics and qualities and the consequent level of natural character anticipated (post proposal); and
- Determine the overall level of effect based on the consequence of change.



The Significance of Effects

Decision makers assessing resource consent applications must evaluate if the effect on individuals or the environment is less than minor¹⁸ or if an adverse effect on the environment is no more than minor¹⁹. For non-complying activities, consent can only be granted if the s104D 'gateway test' is satisfied, ensuring adverse effects are minor or align with planning objectives. In these situations, the assessment may be required to translate the level of effect in terms of RMA terminology.

This assessment has adopted the following scale applied to relevant RMA circumstances²⁰ (refer to diagram below), acknowledging low and very low adverse effects generally equate to 'less than minor' and high / very high effects generally equate to significant²¹.

¹⁸ RMA, Section 95E

¹⁹ RMA, Section 95E

²⁰ Seven-point level of effect scale. Source: Te tangi a te Manu, Pg. 15

²¹ The term 'significant adverse effects' applies to specific RMA situations, including the consideration of alternatives for Notices of Requirement and AEEs, as well as assessing natural character effects under the NZ Coastal Policy Statement.

LESS THAN MINOR			MINOR		MORE THAN MINOR		SIGNIFICANT
VERY LOW	LOW	LOW-MOD	MODERATE	MOD-HIGH	HIGH	VERY HIGH	

Appendix 2:

Table 1: Residential Visibility Analysis Prior to PC 4 provisions being available.
Refer to Figure 4 in the Graphic Attachment

Visibility Analysis with PC 4 provisions available.

PRIVATE VIEWS			
Address	Extent of visibility and level of visual effect as initially assessed in 2022	Mitigation (2022)	Additional comment assessing PC 4 provisions. Mitigation 2024
392 State Highway 1	The existing residential dwelling on 392 SH 1 is set amongst established vegetation that forms a screen which screens views of the Site. This dwelling is owned by the applicants, and they do not consider the zone to have an adverse visual effect.	No additional mitigation is required.	No additional mitigation is required.
392A State Highway 1	392A (Lot 3 DP527436) sits behind lot 4 DP 527456 (392B SH1) and shares its eastern boundary with the proposed zone. This neighbouring property has a tiny home located approximately 40m from its eastern shared boundary, with a deer shed near the shared boundary with the plan change area and is accessed along the shared driveway from SH1 that runs along the eastern zone boundary for approximately 60m. Without mitigation measures, it is	Boundary treatment of the zone will be important to reduce visual and amenity effects. This can be achieved by planting along this boundary to provide a green edge to the zone (along the zone boundary) with a continuous evergreen screen, with any fencing set back behind the landscape treatment. Building set back of 10m and meeting daylight angles for lots along the shared boundary will further reduce visual effects.	This property relates to Murray Paul (who has withdrawn his submission in opposition #14). I note there is a new residence being constructed within the property (see Figure 4). Through the private agreement reached with Murray Paul and the applicant, it has been agreed that buildings will be set back 60m from the shared boundary and reduced to 8m for the first row of buildings at the 60m setback line, with another row of amenity planting at that line, and with the sides of the

	<p>considered that the change in zoning would have an adverse moderate-high visual effect due to the proposed height of built form and bulk of building, and hard surfaces. This effect rating is prior to mitigation measures.</p>	<p>I rely on the expert reports of light experts to address any amenity issues relating to any potential light adverse visual effects.</p>	<p>building facing the neighbours painted green and restricted in height to 8m. With these mitigation measures, adverse landscape visual and amenity effects would reduce adverse effects on this neighbour to low-moderate and is likely to reduce further as the vegetation (if at the recommended level) matures. I note that this (shelterbelt) character could occur under current plan provisions.</p>
<p>392B State Highway 1</p>	<p>392 B is currently undeveloped in terms of built form. This lot sits to the west of the zone by approximately 240 metres for the southern 90 metres, and is separated by the ROW of 392A, for the northern 50 metres of the shared boundary²². The residential dwelling of 392 SH1 and its associated established trees provides a visual screen from the southern portion of the site. With views reduced to the northern half of the lot. Of this area, the north eastern views will be affected with the zone extending approximately 220m to the north east. Northern views are of the neighbouring deer farm and residence and 392A in the foreground, with Kowhai Downs subdivision in the mid distance. Without mitigation measures, it is considered that the change in zoning would have an adverse moderate-high visual effect due to the proposed height of built form</p>	<p>Boundary treatment of the zone will be important to reduce visual and amenity effects. This can be achieved by planting along this boundary (6m in depth) to provide a green edge to the zone (along the zone boundary) to a height of at least 1.8m, with any fencing set back behind the landscape treatment. Building set back of 10m and meeting daylight angles for lots along the shared boundary will further reduce visual effects.</p> <p>I rely on the expert reports of light experts to address any amenity issues relating to any potential light adverse visual effects.</p>	<p>This property relates to Emma and Darryn Hopkins (who have withdrawn their submission #24)</p> <p>292B SH1 was still in a greenfield state at the time of the site visit. Similar to the assessment relating to 392A above, a building setback from the shared boundary, and an 8m height limit where lots adjoin this property (within 60m) would reduce adverse visual and amenity effects to low-moderate and is likely to reduce further as the vegetation (if at the recommended level) matures.</p> <p>I note that this (shelterbelt) character could occur under current plan provisions.</p>

²² See Graphic Attachment A Figure 4

	and bulk of building, and hard surfaces. This effect rating is prior to mitigation measures.		
406 State Highway 1	<p>This residence is located approximately 260m from the site, separated from the proposed PC area by the intervening rural 2ha Kōwhai Downs lot sized lots which are anticipated to be built on²³.</p> <p>Given the flat nature of the topography and the buffer of rural land between the more distant residences to the west, visual effects are considered to be low - moderate without mitigation measures. Boundary treatment as proposed above would reduce the adverse visual effect to low.</p>	Where Kaikōura Business Park Zone adjoins Residential activity, daylight angles and building setbacks will be enforced to ensure adequate sunlight and amenity and an 12m permitted height limit will be included for lots within the zone along the zone boundary to achieve amenity values for neighbouring properties.	Mitigation measures proposed would result in a low adverse effect due to the visual separation and flat nature of the topography.
Residential lots along SH1 west	Other residential lots (430, 434 and 436 SH 1) located approximately 350-450m west of the site will have views screened by intervening vegetation and built form, resulting in a low – very low adverse level of visual effect.	No mitigation is required.	No mitigation is required due to the very low level of adverse effect.
Kōwhai Downs Subdivision	Adjoining lots that share the northern Site boundary with Kaikōura Business Park. The adverse visual effect on proposed lots 8-11 and 18 will be similar to those of 392A and 392B SH1, however all Kowhai Downs lots are owned by the applicant. Future purchasers will be	Where Kaikōura Business Park Zone adjoins Residential activity, daylight angles and building setbacks will be enforced to ensure adequate sunlight and amenity and an 12m permitted height limit will be included for lots within the zone along the zone	Mitigation measures as recommended in the Plan Change will result in moderate adverse effects once mitigation is established.

²³ See Graphic Attachment A Figure 4

	buying into the amenity level achieved through the PPC.	boundary to achieve amenity values for neighbouring properties.	
Ocean Ridge Development²⁴	Views from Ocean Ridge development (see Figure 3) show how at this viewing distance of 1.5km, the site forms only a small part of a wider view and is seen behind the Kaikōura Golf Course and the vegetation of the Kōwhai River. Based on this a neutral level of visual effect is expected.	No mitigation is required.	No mitigation is required due to distance and intervening topography.
PUBLIC VIEWS	Extent of visibility and level of visual effect as initially assessed in 2022	Mitigation (2022)	Additional comment assessing PC 4 provisions. Mitigation 2024
State Highway 1	<p>The flat topography and the angle of view (oblique to the viewer) means that the visual effect is experienced at a local scale, when close to the PPC boundary. To the west, the first visibility of the PPC relates to views through the currently undeveloped neighbouring property (392B SH1); and that of 392A SH1, with the site located 170m north east of the viewer. This view is mitigated in part by the foreground land and the residential house and established amenity planting associated with 392 SH1. Visibility is low-moderate.</p> <p>When parallel to the site, the plan change shares a boundary with SH1 and</p>	<p>12m permitted height limit will be included for lots within the zone along the zone boundary to achieve amenity values for neighbouring properties.</p> <p>Where Kaikōura Business Park Zone (external from the site) adjoins the Inland Kaikoura Road and the State Highway, buildings will have a height limit of no greater than 12m as a permitted activity (with 12-13m controlled).</p> <p>Buildings adjoining subdivision and State Highway shall be of a low glare/reflective value with surfaces can be painted or coated with a non-reflective finish of below 30%RV for roofs and 60%LRV for walls;</p>	<p>Mitigation proposed is less than from that recommended in my 2022 report.</p> <p>It is noted that the site boundary can be planted (and has been along the southern boundary) within the current GRZ provisions. Also, lot 19 (owned by the applicant) which includes an existing house and established vegetation, as well as an open field, sit between the viewer and the site for 220 metres.</p> <p>Adverse visual effect would remain moderate-high prior to mitigation, with recommended mitigation measures, the visual effect when parallel to the site would be moderate (adverse).</p>

²⁴ Graphic Attachment A Figure 3.

	<p>will be adjacent to the viewer for 220m. There is a willow tree- on part of the land zoned for Stock Effluent Disposal that will provide some visual mitigation of future buildings in the south east corner of the zone. Overall given the local proximity of the viewer, the visual effect in terms of loss of open rural character is anticipated to be moderate-high from this area, keeping in mind the existing zone plan provisions that would anticipate potentially two residential dwellings along this boundary plus associated buildings and curtilage.</p>	<p>Zone boundary entrance, streetscape and boundary design should require input from a landscape architect or urban designer.</p> <p>External zone fencing shall be consistent in treatment and shall be designed in a way that reflects the rural nature of the receiving environment and will contribute positively to the amenity of the road interface and the rural environment. Closed board fencing should be avoided along the road interface with SH 1 and Inland Kaikoura Road and should not form the zone boundary interface with adjacent rural zones. Landscape planting shall form the public and zone interface.</p> <p>Signage on buildings fronting the State Highway and Inland Kaikōura Road should be done in a manner that is not overly dominant and achieves an appropriate level of amenity. This should be achieved by limiting the size, colour and lighting of signage and requiring consent over a prescribed size to ensure positive amenity outcomes.</p> <p>Signage at entrance points co-located together on a panel to enable clear wayfinding and an uncluttered entrance.</p>	
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<p>Inland Kaikoura Road</p>	<p>With Kaikoura Inland route being potentially re-aligned as per the provided Baseline Group outline plan, the new road would run through the zone for a distance of approximately half a kilometre. Here, views would be of the zone on either side of the road with the potential for views of the Kaikoura ranges retained. Whilst immersed within the zone, there would be a moderate-high adverse visual effect due to the loss of open rural vistas and the increase of modification (hard surfaces, built form, size and bulk of building) without steps taken to create a positive streetscape character. This effect has considered the presence of Kowhai Downs and the potential for further rural development within the lot.</p>	<p>Car park areas shall be planted within or adjacent to the car parking area to increase carpark amenity and streetscape design. Consideration of including footpaths within the streetscape, and street trees set at entrance points into sites.</p> <p>Amenity planting at least 2.5 metres wide along the street frontage of any site, along with additional amenity planting within the site to contribute to streetscape amenity. Amenity plantings are maintained and replaced where dead, damaged or diseased.</p> <p>Zone boundary entrance, streetscape and boundary design should require input from a landscape architect or urban designer.</p> <p>Signage on buildings fronting the State Highway and Inland Kaikōura Road should be done in a manner that is not overly dominant and achieves an appropriate level of amenity. This should be achieved by limiting the size, colour and lighting of signage and requiring consent over a prescribed size to ensure positive amenity outcomes.</p> <p>Signage at entrance points co-located together on a panel to enable clear wayfinding and an uncluttered entrance.</p>	<p>More certainty regarding the way the 2.5m landscape buffer strip is treated would provide more certainty regarding amenity values. Recommended mitigation would result in reducing effects to moderate (adverse).</p>
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		As with descriptions above, streetscape and other mitigation measures have the ability to reduce this effect to moderate-low .	
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Appendix 3: Graphic Attachment A