

BEFORE THE KAIKOURA DISTRICT COUNCIL

UNDER the Resource Management Act 1991

IN THE MATTER of an application for subdivision and land use consent at 2 Mt Fyffe Road, Kaikoura

BETWEEN **AN APPLICATION FOR SUBDIVISION AND LAND USE CONSENT AT 2 MT FYFFE ROAD, KAIKOURA**

Vicarage Views Limited

STATEMENT OF EVIDENCE OF ANNE ELEANOR WILKINS - LANDSCAPE

Christchurch
Solicitor acting: G J Cleary
Level 9, Anthony Harper Tower
62 Worcester Boulevard
PO Box 2646, Christchurch 8140
Tel +64 3 379 0920 | Fax +64 3 366 9277
gerard.cleary@ah.co.nz

A handwritten signature in dark green ink that reads "Anthony Harper". The signature is written in a cursive, flowing style.

1 INTRODUCTION

- 1.1 My full name is Anne Eleanor Wilkins.
- 1.2 I am the Principal Landscape Architect and Urban Designer at Novo Group.
- 1.3 I hold a Bachelor of Landscape Architecture (Hons) and I am a Registered Landscape Architect of the New Zealand Institute of Landscape Architects (the NZILA).
- 1.4 I have over 14 years' experience in landscape architecture and urban design. During this time, I have undertaken landscape and visual effects assessments across a broad range of project areas throughout New Zealand, including subdivisions, commercial developments, infrastructure, coastal works, marina developments, sport and park spaces, reserves, transmission lines, road projects and housing developments, for a wide range of clients including development groups and local authorities.
- 1.5 I have experience in providing landscape and visual effects assessments for developments of a similar nature, working on behalf of both applicants and councils. I am on various panels across New Zealand to peer review landscape development assessments. I have attended hearings, given evidence, and provided expertise, on a variety of landscape matters, including residential subdivisions similar to the proposal.

2 CODE OF CONDUCT

- 2.1 Although this is a Council hearing, I have read the Environment Court's Code of Conduct for Expert Witnesses 2023, and agree to comply with it. My qualifications as an expert are set out above. I confirm that the issues addressed in this brief of evidence are within my area of expertise. I have not omitted to consider material facts known to me that might alter or detract from the opinions expressed.

3 SCOPE OF EVIDENCE AND ASSUMPTIONS

- 3.1 I have been asked by the Applicant to assess the potential landscape and visual effects associated with the application by Vicarage Views Ltd.
- 3.2 In advance of preparing my evidence, I have visited the site and the surrounding areas, including the adjacent Seaviews subdivision on Shearwater Drive to the south of the application site.
- 3.3 In advance of preparing my evidence, I have reviewed the application and all submissions relevant to my area of expertise. My assessment has been made from public viewpoints¹ from the adjacent Mt Fyffe Road area.

¹ Not within any private land, or the specific submitter site.

- 3.4 My evidence addresses the following:
- A summarised description of the proposal, with a focus on matters pertaining to landscape and visual impacts.
 - Policy matters regarding relevant landscape and visual matters.
 - Effects of landscape character and amenity (landscape effects).
 - Visual effects assessment from key viewsheds and sensitive audiences.
 - Specific response to issues raised by submitters.
 - Response to the Section 42A Report.

4 DESCRIPTION OF PROPOSAL

4.1 The proposal is to undertake a 67-lot subdivision of Residential B zoned land at 2 Mt Fyffe Road, at an average allotment density of approximately 500m², which is 50% the average density requirement of the Zone. The application also includes land use consent to establish dwellings on each of the individual allotments, with dwellings being subject to a development envelope that includes limits on matters such as maximum height, site coverage and separation from boundaries.

4.2 For the majority of the development, the maximum height will be consistent with the 8m standard applying to the Residential B Zone, whereas site coverage will be 35% as opposed to 25% under the relevant Residential B standard. For two allotments, at the centre of the application site, development down to a density of 300m² is proposed, which is to be restricted to a maximum height of 5.5m.

5 POLICY FRAMEWORK REVIEW

5.1 It is my understanding that since the Application has been lodged the Kaikoura District Plan has been "rehoused" to be consistent with the National Planning Standards. One consequence of this is that the Zone is now referred to as the 'General Residential Zone', although the same standards apply to the Site as under the 'Residential B' provisions, the difference being that this Zone is now referred to as a '**Low-Density Residential Precinct**'.

5.2 The Application is a restricted discretionary activity, because of non-compliance with the density standards of the 'Residential B Zone' / 'Low-Density Residential Precinct' with the matter of discretion being "*the effect of non-compliance with the standard*".

5.3 I have reviewed the proposal based on the **General Residential Zone (GRZ)** considerations in the District Plan. The objectives and policies for the General Residential Zone include:

GRZ-01 Provide for residential amenity

To provide an essentially low density, small scale residential environment within the Kaikōura urban area with a dominance of open space and planting over buildings, and where the pleasantness and amenity of the residential area is maintained and enhanced.

GRZ-P3 Preserve residential amenity values

To ensure that the design and siting of development (building height, building coverage, recession lines, setbacks and provision of outdoor living areas) is controlled so that:

- a. development will not unreasonably deny neighbouring properties sunlight, daylight, views or;*
- b. ample on-site provision of outdoor living space oriented to the sun exists; and*
- c. an open and attractive scene exists; and*
- d. a character and scale of buildings and open space is maintained which is compatible with the anticipated residential environment.*

GRZ-P6 Avoid development that adversely affects residential amenity and character

To avoid or mitigate development which would detract from the predominant character, scale and amenity of the particular residential environment.

GRZ-P8 Enable a mix of housing types

To enable a mixture of housing styles in residential areas provided the amenity of these areas is not adversely affected.

GRZ-P9 Enable higher densities

To enable higher density development to be established in areas where this is appropriate.

- 5.4 The above recognise the importance of open space within developments, and the need to maintain amenity values of residential areas, including for residents within a development. Important matters such as access to sunlight and views are to achieve a reasonable level of protection. In addition, a mixture of housing styles is encouraged

where amenity is maintained, including higher density housing in appropriate locations.

5.5 The proposal has allowed for landscaping to mitigate any effects on amenity and character. The overall character and open space for neighbouring properties will not be compromised, given open spaces have been retained in the form of reserve lots, and high quality landscaping mitigation in the proposal. A mix of housing types will be allowed for under the land use performance standards. Higher densities are appropriate at the site, given the area has limited views from wider recreational areas, and is located directly in between future and existing residential areas of a similar scale. Localised higher densities (Lot 91 and 92) have been positioned in the middle of the site to minimise any visual impacts on the immediate adjacent areas. Therefore, the proposal is consistent with the aims of the objective and associated policies.

5.6 I have also reviewed the relevant sections of the Subdivision matters specifically **SUB-O6** and **SUB-P6** which outlines provisions for amenity, and pleasant environments:

SUB-O6 Ensure subdivision design and amenity

To ensure subdivisions are designed and constructed to create a pleasant amenity, so that solar energy is taken advantage of and so that erosion is avoided.

SUB-P6 Policies to subdivision design and amenity

1. At the time of subdivision, to encourage the retention of existing vegetation where possible and to consider alternative methods of run-off control, such as bunding and mechanical silt traps, in order to improve amenity, reduce erosion and reduce the amount of run-off.

2. To encourage subdivision design and construction which results in the creation of pleasant environments.

5.7 The landscape plan has allowed for high-quality treatments including change in pavement surfaces, recreational park spaces, gate structures and planting and trees along the streetscape. In my opinion, this has provided for a unique and pleasant landscape expression for the subdivision, which will be consistent and readable. A landscaped treatment area is allowed for in Lot 96 and the existing bunded and planted area will be partially retained in Lot 94. Therefore, the proposal is consistent with the aims of this objective and associated policy.

6 LANDSCAPE CHARACTER AND AMENITY

- 6.1 Key considerations for the potential landscape impacts of the proposal include:
- The site is zoned residential i.e., the anticipated landscape character is a modified, residential environment.
 - No large areas of vegetation or key trees are to be removed.
- 6.2 The site is largely exotic grassland. No protected trees or significant areas of vegetation are to be removed. Some localised vegetation will be removed around the existing farm dwelling and around the mounded area, however this will be replaced with extensively more landscaping as per the proposed Landscape Plan. Additionally, the existing planted area (located at proposed Lot 94) is to be retained in part. Overall, the Biophysical effects on the landscape will be **very low**.
- 6.3 The anticipated zoning for the site is residential. Therefore, any Associative and Perceptual effects are **low** as this is the anticipated character of the site.
- 6.4 The residential activity is anticipated at the site and therefore under the provisions of the District Plan will be able to be absorbed into the context of the receiving environment. The key consideration is the increased anticipated density (from 1000m² to 533m² and the site coverage being up to 35% not 25%) will adapt the amenity values to a degree. However, a number of mitigating factors minimise the potential amenity effects, being:
- The site is 64,746m² which, under the allowed provisions, could fit up to 64 lots of 1000m² (not significantly different from the amenity effects of the 67x lots proposed with at least 2 of which are reserve areas).
 - The zoning of the area to the immediate south is residential, meaning the future character of the wider area will encapsulate any localised amenity effects.
 - The development at the 'Seaview' subdivision to the south contains lots as small as approximately 706m², and lots off the adjacent Fyffe Avenue are as small as 400-500m² which is not significantly different to the proposed 553m² average lot size of the proposal. Therefore, the surrounding landscape residential fabric is of a similar nature.
- 6.5 Overall, the increased density will have a **low** effect on the landscape values of the site.

7 VISUAL EFFECTS

7.1 Key considerations for the visual impacts of the proposal include:

- The site is zoned residential i.e the anticipated visual aesthetic of the site.
- Topography, location, and orientation limits the immediate viewing audience.
- High-quality landscaping is proposed.

7.2 It is important to regard the potential visual impacts in the context of the anticipated zoning at this site, being residential. The anticipated visual change at this site, is to be that of a built-up modified environment containing residential dwellings. Visual change and visibility do not equate to a visual impact, as outlined in the *Te Tangi A Te Manu* NZILA Guidelines for visual assessment. Although the visual impact of the addition of built forms (dwellings) will be apparent, this is the anticipated future visual aesthetics under the District Plan. Therefore, how the proposal has sought to mitigate the increased density is the key consideration, rather than the overall visual impact of a residential subdivision.

7.3 **Public roads / transient views** are limited to a section of Ludstone Road, and portions of Mt Fyffe Road. Large portions of the site will not be visible from these roads, given the surrounding landscaping, the rail corridor, and the topography of the site. Views from public roads tend to be less sensitive (unless the context provides for a higher sensitivity audience e.g., a scenic route). The views will be experienced at higher speed given the rural environment to the north and west, and are experienced in the context of the wider, expansive open spaces. Existing landscaping and topography will also screen parts of the area from view, particularly when in passing. Visual impacts on public roads will be **low**.

7.4 **Recreational areas / semi-transient views** are not apparent from immediately or areas in the near vicinity. Any views from wider areas (coastlines, Mt Fyffe walkways etc) would be from a significant distance which would be a key mitigating factor. In any case, views will have limited impact given the residential development is anticipated at the site and any views are impartial / in passing. Visual impacts on recreational areas are **very low**.

7.5 **Residential / fixed views** are largely from the east / southeast, and west. To the west these are those 2-3 rural-residential properties off Ludstone Road and the upper portion of Mt Fyffe Road. The area to the wider north contains rural-residential dwellings however these are upwards of 300 metres away and therefore the visual impacts will be very limited to wider areas to the north. The residential area to the south is generally offset due to the large area of existing rural landscape (zoned

residential), however some views 'down' to the proposed site would be evident from areas off Bayview Street and Fyffe Avenue.

7.6 The impacts on surrounding residential areas should be considered in context. Residential dwellings are an anticipated visual addition to this landscape. Therefore, the visual impacts are the proposed intensification in the density only. The higher density lots (Lot 91 and 92) are in the middle of the site, with graduating lots surrounding these on all sides. The zoning permits 8 metres in height, and this will not be breached, therefore any additional permeation of the skyline or views to the surrounding larger sites, views out upon sea views, and the coastline is not anticipated beyond that which would be evident and allowed for under the existing zoning. Overall, any visual impacts on surrounding rural-residential or residential viewing audiences will be **low-moderate** at worst.

7.7 There will be visual change at the site. However, a number of mitigating factors minimise any potential amenity effects, being:

- Residential dwellings are anticipated as a part of the future visual aesthetics at this site.
- The height will be no more than 8 metres as anticipated by the residential zoning, so no additional screening to larger areas to the coast or out to sea views would be above and beyond that which is allowed for.
- There will be high-quality landscaping implemented at the site to create a pleasant outlook.

8 SUBMISSIONS

8.1 I have read the submission by the LA Margetts & WM Smart Partnership (the Margetts), who are the owners of Residential B zone land to the south, and Rural Zoned land to the west of the application site. The submission specifically refers to the potential impact the proposal will have on views of the sea from their residence.

8.2 I have reviewed the proposal in relation to the existing residence referenced in the submission located to the west of the site at 21 Mt Fyffe Road. The dwelling is situated approximately 85 metres to the west of the proposal site and is orientated towards the north / northeast. Due to the topography the dwelling sits at a higher elevation than the adjacent proposal site and will likely have direct views across the subdivision. Due to the proposed areas of fill in the north of the proposal site, the existing dip of the land will be elevated and residential properties up to 8 metres in height may modify views from this property to the wider area and potentially across to the sea. Mitigating factors include:

- These proposed dwellings will cover no more than 35% of each allotment, with several areas for reserve and stormwater areas that will ensure gaps and open space is retained.
- Lot 94 will be open reserve land which means dwellings will not be located immediately adjacent to the road across from 21 Mt Fyffe Road and the immediate view will be buffered by landscape and open space.
- The 8 metre allowed height limit will be complied with so any development regarding height (and relating to permeation of skyline to sea views) at this site is anticipated by the District Plan.

8.3 While the views from this property are likely to be adapted, areas of open space will be retained and landscaping (both existing and proposed) will soften views towards the site. In any case, the site is zoned residential and maintains the zoning height limit of no more than 8 metres, so development of this scale is anticipated under the District Plan.

8.4 I have reviewed the submission by B. Dunnett which outlines that more vegetation is to be removed than implemented. Upon review of the Landscape Plan, there is to be very little vegetation removed at the site, being localised shrubs around the existing farm dwelling, and a small amount by the existing bunding. No notable trees are to be removed. I also note that there are upwards of 1600m² of planting and at least 28 trees in the road and streetscape proposed which is significant. Additionally, more planting is also anticipated in and around Lot 96.

9 **SECTION 42A REPORT**

9.1 Section 5.1.1 of the Officers Report notes the proposal is “out of keeping with the surroundings but mostly in keeping with the existing zoning”. While anticipating effects on the landscape character the appropriate District Plan zoning, of which is residential, is the overriding character reference. Additionally, while rural areas border the site to the north and the west, the site is also adjacent to residential development to the east and far south (Seaview) of a similar scale and a future residential area to the south. The report notes “residential development on this site would [however] be in keeping with the general policies and objectives on the subject site, given the residential zoning”.

9.2 Section 5.7 discusses the planning framework as outlined above, noting compliance with the relevant Policies and Objectives as I have outlined. There is a note for additional planting recommended under SUB-P5 outlining “Planting is existing – further planting is encouraged and would be advised for in the conditions”. I understand the intention is for individual allotment owners will not be constrained as to additional

landscaping. Overall I agree with the Officers Report which concludes that it is “considered that the effects of the activity on the environment will be no more than minor”.

10 **SUMMARY**

- 10.1 The proposal sites adaptation to residential is the anticipated visual and landscape character of the site under the District Plan. The proposal has pre-emptively considered landscaping, layout, and other mitigations to lessen any potential effects, creating a pleasant subdivision environment, which meets the relevant provisions of the Kaikoura District Plan. I find that the subdivision proposal is a suitable and appropriate design for the residentially zoned land and can be successfully integrated into the landscape fabric and the visual environment.

Anne Wilkins

11 April 2023.

