

BEFORE THE INDEPENDENT HEARINGS PANEL

IN THE MATTER of the Resource Management Act 1991 (**"the Act"**)

AND

IN THE MATTER of Private Plan Change 5 (**"PPC5"**) -100 and
110 Te Moana Road, Waikanae

**REBUTTAL EVIDENCE OF SIMON LEIGH BUTTON ON BEHALF OF THE KĀPITI COAST
DISTRICT COUNCIL**

LANDSCAPE

9 September 2026

1. INTRODUCTION

- 1.1** In my statement of rebuttal evidence, I respond to the Evidence in Chief of Mr Ormsby.
- 1.2** Overall, there is broad alignment between Mr Ormsby and myself, notably in relation to potential effects on natural character, landscape character and broader visual amenity. However, there is disagreement on the potential visual amenity effect of the Plan Change from 4, 6, 8 and 10 Fairway Oaks Drive; whereby I conclude a **Moderate** adverse effect, and Mr Ormsby concludes a **Low** adverse effect.
- 1.3** This rebuttal evidence specifically addresses paragraphs 36-39 of Mr Ormsby's evidence.

2. REBUTTAL TO THE EVIDENCE OF MR ORMSBY

- 2.1** I agree that the proposed General Residential Zone will establish a different landscape character and visual amenity environment from that currently anticipated under the General Rural Zone, however, I do not agree with Mr Ormsby's conclusion that this change negates the need for additional measures to manage visual effects at the interface with the adjoining properties at 4, 6, 8 and 10 Fairway Oaks Drive.
- 2.2** In my opinion, paragraph 36 of Mr Ormsby's evidence presents a false distinction between a departure from the visual amenity anticipated by the current zoning and an adverse visual effect arising from a proposed development. Under the principles outlined in Te Tangi a Te Manu, visual amenity effects are assessed by examining the degree of change experienced by viewers and the extent to which existing visual amenity values are altered. The visual environment anticipated by the operative zoning forms an important component of the receiving environment against which effects are assessed. A substantial departure from those anticipated visual conditions is therefore directly relevant to the assessment of adverse visual effects.
- 2.3** My evidence does not suggest that the existing open outlook must be retained in its entirety following rezoning. Rather, my concern is that PPC5 enables a materially different development outcome from that currently anticipated by the

operative zoning, including the potential for buildings up to 11 metres in height located substantially closer to neighbouring properties than would otherwise be anticipated. In my opinion, the resulting change in outlook for 4, 6, 8 and 10 Fairway Oaks Drive is sufficiently pronounced to warrant further mitigation.

- 2.4** In relation to paragraph 37, I acknowledge that General Residential zoning applies throughout the wider surrounding area and that medium density development is anticipated within that zone. However, the operative zone of the site is General Rural and the relevant consideration is not only the broader urban context, but the scale of change experienced at the interface between the site and existing residential properties. The fact that MDRS provisions apply elsewhere does not reduce the visual effects arising from introducing that development potential immediately adjacent to properties whose current outlook is towards undeveloped land zoned General Rural. Assessment of visual effects should therefore focus on the receiving environment experienced by viewers rather than on consistency with the broader zoning alone.
- 2.5** I also disagree with the implication in paragraph 38 that a planted setback would serve little purpose because it would replace an open outlook with a vegetated outlook. The purpose of the planted setback is not to replicate existing openness. As acknowledged in my primary evidence, a loss of openness is an inevitable consequence of rezoning the site for residential development. Rather, the purpose of landscape mitigation is to reduce the magnitude of visual change, soften the interface between the site and properties along Fairway Oaks Drive by providing separation, filter views of built form, and assist the integration of future development into the receiving environment. These are well-established landscape mitigation outcomes, without which could result in MDRS enabled development (11m in height) located 1m from the site boundary.
- 2.6** In my opinion, the effectiveness of a planted setback should be assessed against the degree to which it reduces adverse visual effects, rather than whether it fully retains existing visual conditions. While a planted setback would not preserve the current open outlook, it would provide a meaningful reduction in the prominence and perceived scale of future development and would therefore reduce adverse effects experienced by adjoining residents.
- 2.7** With respect to paragraph 39, I acknowledge that the site includes two boundaries which adjoin the General Residential Zone. One boundary is the

focus of the recommended planted setback, and the second boundary is located to the north of the QEII area (where existing development is elevated and screened by existing vegetation). Whilst I agree that the recommended planted setback will result in a different development response to the treatment of the boundary to the north of the QEII area, this is because its purpose is to address specific effects (which are not relevant to the north of the QEII area). In my opinion, it is appropriate for plan change provisions to respond to the particular and specific effects that it generates.

- 2.8** Accordingly, I maintain my opinion that while overall landscape effects associated with PPC5 remain **Low**, and natural character effects remain **Low-Moderate**, the visual amenity effects experienced by the immediately adjoining Fairway Oaks Drive properties are **Moderate** in magnitude and would benefit from specific mitigation measures. I continue to consider that a planted setback, implemented through an appropriate planning mechanism, would provide an effective and proportionate response to those localised visual effects.

A handwritten signature in black ink, appearing to read 'Simon Button', with a stylized flourish extending from the bottom right.

Simon Button

9 September 2026