

IN THE MATTER of the Resource Management Act
1991

AND

IN THE MATTER of an application to Kapiti Coast
District Council for non-complying
resource consent for a proposed 53 lot
subdivision (including earthworks and
infrastructure) at Otaihanga, Kapiti
Coast.

**STATEMENT OF EVIDENCE OF DAVID JOHN COMPTON-MOEN ON
BEHALF OF THE APPLICANT**

1. INTRODUCTION

Qualifications

- 1.1 My full name is David John Compton-Moen. My qualifications are a Master of Urban Design (hons), Bachelor of Landscape Architecture (hons) and a Bachelor of Resource Studies (Planning). I am a Full Member of the New Zealand Planning Institute, a member of the Urban Design Forum and I have been a Registered Landscape Architect of the New Zealand Institute of Landscape Architects since 2001.

Experience

- 1.2 I am employed by DCM Urban Design as an Urban Designer/Registered Landscape Architect. I am also the Director of this company, started in August 2016 and now has ten employees. The company focuses on urban development and assessment work. Our office is based in Christchurch, but we work throughout New Zealand on urban design and landscape projects.
- 1.3 I have worked in the urban design, landscape architecture and planning fields for approximately 23 years, here in New Zealand and in Hong Kong. During this time, I have worked for both private consultancies and local authorities, providing expert evidence for urban design, landscape

and visual impact assessments on a wide range of major development and infrastructure proposals, including the following relevant projects:

- (a) 2013- current – Working with different clients, including Maypole and Kapiti Developments Limited, I have provided master planning, landscape assessment and detailed design services for the preparation of the Ngarara Farms Master Plan and Waimeha Neighbourhood Plan. I am currently working on the next neighbourhood in Ngarara, being Ti kouka (renamed Harakeke Heights), which includes a primary school.
- (b) 2020-21 – Working with Waimakariri District Council, I have assisted with the development of four structure plans for future urban growth in Rangiora and Kaiapoi.
- (c) 2020-21 – Working for several different consortiums, I have provided urban design and landscape advice for the following recent private plan changes in the Selwyn District:
 - (i) Lincoln South, Lincoln
 - (ii) Trents Road, Prebbleton
 - (iii) Extension to Falcons Landing, Rolleston
 - (iv) Rolleston Southeast
 - (v) Holmes and Skellerup Block, Rolleston
- (d) 2018-20 – Working for Queenstown Lakes District Council I assisted with preparing design guides for future development in Residential and Business Mixed Use zones.
- (e) 2015-19 – I worked with the Hutt City Council providing urban design evidence for Plan Change 43. The Plan Change proposed two new zones including a Suburban Mixed-use and Medium Density Residential as well as providing the ability for Comprehensive Residential Developments on lots larger than 2,000m². A Medium Density Design Guide was prepared to support the proposed objectives and policies with the view that the design guide would become part of the District Plan. The Plan

Change was approved recently by an Independent Hearings Panel and adopted by Hutt City Council in November 2019.

Background

- 1.4 The proposal involves a 53 lot subdivision in Otaihanga that would see 46 residential and 7 infrastructure lots created on a 18ha¹ site just east of the Kapiti Expressway, and earthworks for the infrastructure required to service the subdivision. Details of the proposal are included in Mr Hansen's Planning Evidence.
- 1.5 Regional resource consents for earthworks/soil disturbance; the discharge of sediment laden runoff to land/water; and the discharge of operational stormwater to land where it may enter water including to land within 100m of a natural wetland, have already been granted for the proposal by the Greater Wellington Regional Council.
- 1.6 I have been involved in the following design and assessment aspects of the proposal. Specifically, this has involved:
- (a) Preparation of the Landscape Concept Plan including planting plan for the proposal that was included in the lodged application;
 - (b) Assistance with shaping and development of the proposal, in particular identifying areas of no-build to protect existing landforms or vegetation;
 - (c) Testing/ assessment of potential landscape and visual effects;
 - (d) Authored Landscape and Visual Impact Assessment (LVIA) report (Appendix D of the AEE), as to the effects of the application;
 - (e) Participated in meetings with KCDC reserves in 2021 and developed the Reserves Plan with Council staff;

¹ The original application was for 17ha but additional land has been included as a result of Waka Kotahi offering back land no longer required for the Expressway

- (f) Assisted the Applicant to respond to Further Information Requests by Council in terms of Urban Growth, Landscape Character and Visual effect.
- (g) Participating in two rounds of expert conferencing with Council's landscape expert and revising the design of the development.

1.7 My evidence will focus on my area of expertise, being Landscape and Visual amenity.

2. CODE OF CONDUCT

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

3. EXECUTIVE SUMMARY

3.1 The proposed development is considered to be a natural, in sequence extension of residential development in Tieko and Potoitoi Streets as part of the existing urban settlement of Otaihanga. The proposal has, through the adoption of several different mitigation measures which have now been incorporated into the suggested consent conditions, addressed concerns regarding the development's connection to existing urban amenities, the loss of existing landscape features, a change to the landscape and urban character of the receiving environment, and any potential effects to visual amenity. In totality, any effects were considered to be minor at most following the implementation of mitigation measures, when the proposal was lodged with Council in June 2021, due to the retention and enhancement of natural wetlands (4 natural wetlands have been identified on site by Wildlands which meet the NPSFM criteria), protection of native vegetation, limiting of earthworks,

imposition of fencing controls, and the protection of key topographical features.

3.2 Following receipt of Council's post-notification RFI (RFI dated 21 January 2022) that included matters raised by an independent Peer Review of my LVIA, a site visit was undertaken with Council's consultant Landscape Architect and the proposal further developed at a joint workshop in July 2022. At this workshop, the following changes to the lodged application were adopted to address the Council's consultant Landscape Architect's landscape and visual amenity concerns:

- (a) A reduction in the residential lots at the southern end of the development by 3. The total number of residential lots in the southern area is now 24;
- (b) A 10m wide planting strip along the northern edge of the constructed wetland (Lot 200), with 5m of this planting being within lots 38-44.
- (c) Extension of the dune separating lots 42 - 44 fronting Otaihanga Road to provide greater screening and offset the loss of some natural character.
- (d) Four (4) clumps of planting on the boundary between private Lots 23/24; 32/34; 38/39; and 41/42 adjacent to the cul-de-sac street corridor.
- (e) Creation of pinch points, with native landscape planting maintaining sightlines, within the street corridor at the southern end (the cul-de-sac).
- (f) Changing the street trees on the northern section from individual specimen trees to clump plantings.

3.3 While I considered the lodged application to be a well-considered and appropriate development for the site, the revised scheme further reduces potential effects and adds further benefits to the community (additional landscape planting and a lower density). There is now agreement with Council landscape experts that the development is appropriate.

4. SCOPE AND STRUCTURE OF EVIDENCE

4.1 I have structured my evidence as follows:

- (a) A summary of the Landscape Concept Plan for the proposal
- (b) Summary of my report and key conclusions as to effects
- (c) Response to submitters
- (d) Response to Council's Requests for Further Information
- (e) Response to Officers' Report 42A and Landscape peer review report
- (f) Conditions
- (g) Conclusion.

5. SUMMARY OF LANDSCAPE CONCEPT PLAN

5.1 Early in the design process, the proposed layout was designed to minimise its impact on the underlying topography by retaining key dune formations within the site while allowing residential development to occur in less sensitive locations. This ensures that the landscape character of the area can largely be retained while allowing for additional housing to be created.

5.2 At the northern end of the development, larger lot sizes are proposed which are accessed off an extension from Tieko Street. Natural wetlands and stands of native vegetation (kānuka) have been identified and incorporated into the development. These areas are to be enhanced through pest, control, weed removal (blackberry, gorse and broom) and additional native specimens planted.

5.3 Initially the two sections of the development were linked by a spine road but after consultation with mana whenua, identification of the old dray track and with a view to reducing earthworks, and as a result of the need to protect the natural wetlands onsite the spine road was replaced with two cul-de-sacs and a shared path connection. The intention of this shared path is to create a link for local residents which is low-key, has minimal earthworks and reflects the low-density residential character in

which it will site. Fencing on either side of the path is open style to ensure adjoining properties have clear and open views of the track.

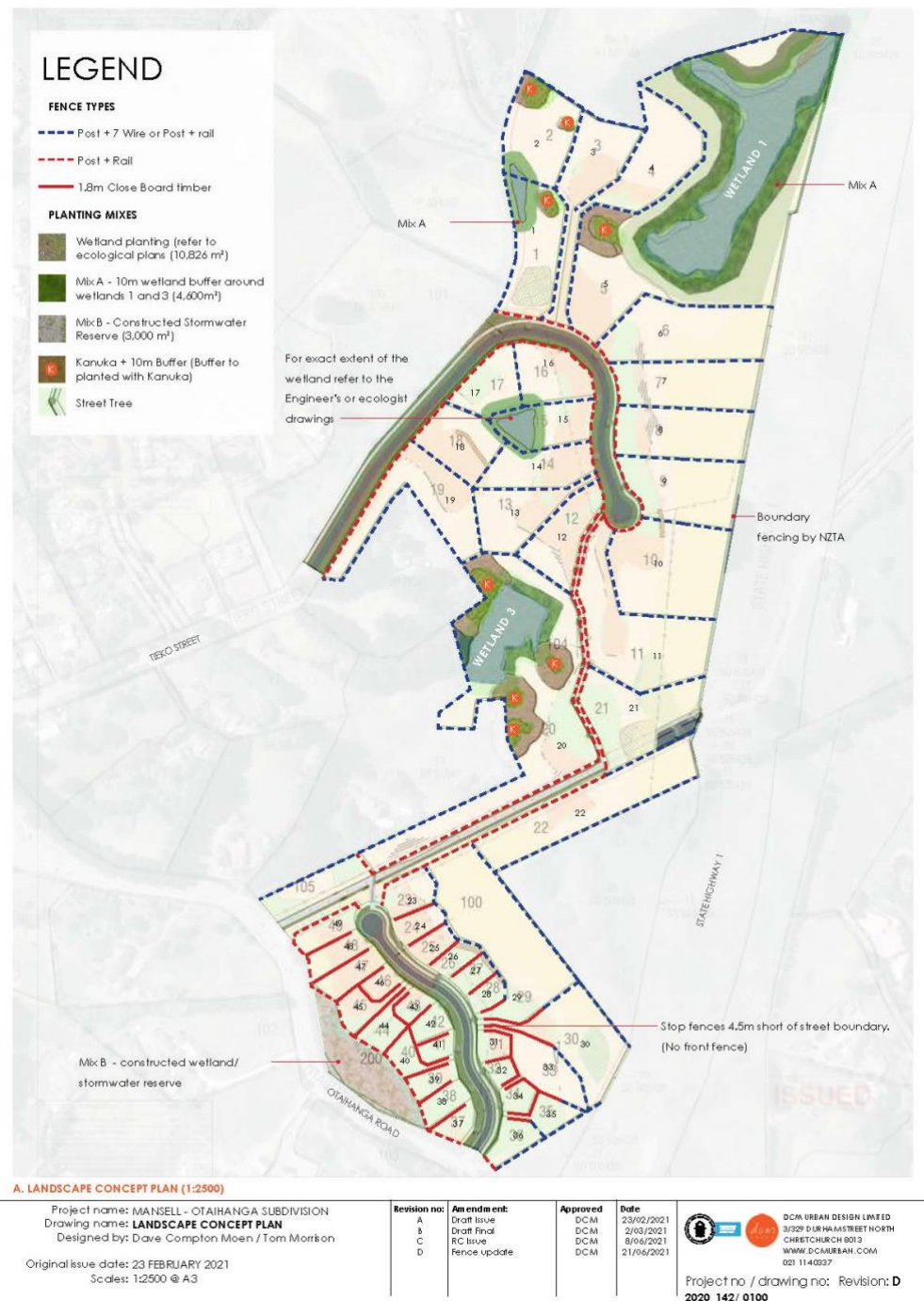


Figure 1: Landscape Plan as notified version

5.4 The southern portion's landscape design has evolved with consultation with Council's Landscape Architect, noting that the constructed wetland was always proposed to be planted with native wetland species, creating a new habitat for native bird species. The allotments have been laid out to ensure each section backs onto a no-built area, either a dune form or

the constructed wetland, the only exceptions being those lots adjacent to the existing house, lot 33. The number of allotments has been reduced at the southern end and close board timber fencing replaced with open style fencing and hedging as well as additional planting added.

5.5 Native plantings are proposed throughout the development around natural wetlands, around existing kākūka stands, in road reserves, the constructed wetland and on private sections. This is combined with pest animal control and weed removal. Greater detail regarding the planting around the natural wetlands is provided in the Wildlands Report.



5.6

Figure 2: Updated Landscape Concept developed with KCDC Landscape Architect

5.7 Close board timber fencing has been removed from the design with only post and rail or post and wire fencing allowed. The post and rail fencing is supported by the planting of *Griselinia littoralis* (broadleaf-native) hedges which helps to retain an open, more natural character. This supported with the 10m wide planting strip on the northern edge of the constructed wetland – southern edge of lots 38-43 that will create a well-landscaped, high amenity environment.

5.8 The front of lots 23/24, 32/34, 38/39, and 41/42 will have clustered planting as shown on Figure 2, planting of pinch points in the legal road and native grasses on the berm between the road and pavement is also proposed, adding to the natural feel to the development.

6. SUMMARY OF REPORT

METHODOLOGY

- 6.1 The methodology used in my report (refer to Section 2 of the LVIA) followed recognised methods outlined in the Te Tangi a te Manu Aotearoa New Zealand Landscape Assessment Guidelines dated 5 May 2021 (which was the relevant industry guideline applicable at the time of that report). I note that the final version of the guidelines is due to be published on 27th July 2022. From correspondence with the NZILA, there are some adjustments to the 'level of effects' table which will result in some changes to how effects are classified. However, the conclusions in my report have not changed with the key findings of my report outlined below.

7. KEY FINDINGS

URBAN FORM / GROWTH

- 7.1 With reference to the National Policy Statement for Urban Development, in my opinion, the proposed subdivision naturally extends existing residential development at Otaihanga, namely on the western side of Tieko and Pitoitoti Streets very close to the western boundary of the Site. The continuation of residential dwellings at a similar density is likely to be seen as an anticipated natural extension when compared to the broader context. While the proposed density at the southern end is higher than parts of the existing environment of the Site, the proposed subdivision retains similar levels of density when compared to nearby existing residential development in Tieko and Pitoitoti Streets.
- 7.2 The proposed development is 2km from the coastal edge, 1.2km from the Waikanae River, and as outlined above, I consider forms part of the Otaihanga residential area, with the expressway creating an 'edge' or barrier to residential development to the east. Waikanae River forms a physical barrier to development to the north, and a natural edge to Paraparaumu Beach/Otaihanga and Waikanae Beach. All of the streets in Otaihanga are somewhat disjointed in this respect with limited connectivity. Originally a public road was to link the northern end of Tieko St round to Otaihanga Road (the cul-de-sac) but, following consultation with mana whenua, the need to protect natural wetlands on

the site and to reduce earthworks, the proposed shared path was considered a preferable design option.

- 7.3 On the eastern side of the expressway the character is more rural-residential with larger lots and larger houses typically found in Otaihanga. There are also several commercial activities including Composting New Zealand Limited and Southward Car Museum with the area largely compartmentalised into relatively small catchments as opposed to wide sways of rural farmland. Vegetation, including pine and eucalyptus plantations and shelter belts are common, as well as tracts of native vegetation along the river corridor. The level of stewardship and the quality of the rural-residential environment varies greatly through the area, with the expressway itself being a significant piece of infrastructure cutting through the landscape.

LANDSCAPE AND NATURAL CHARACTER EFFECTS

- 7.4 The character of the receiving environment is semi-open, rural-residential and is used for a wide range of activities including residential purposes. The proposed development modifies the landscape from one that is semi-open with predominantly grass landcover in character to one that is denser and more suburban in nature, where infrastructure and amenities are more concentrated for Lots 20-46. Where Lots 1-19 are proposed, the open rural-residential character will be retained to a degree due to the lots being of a larger size with an average size of almost 4,000m² (discounting Lot 5 which is 2.8Ha. and contains the largest wetland, pushes the average lot size up to 5,300m²). Aspects of rural character can and will be maintained through the mitigation of fencing types/position and landscape planting. The character of existing housing is typically detached dwellings, which the proposal intends to continue, albeit at a slightly higher density.
- 7.5 Natural character is highly modified, having been cleared for grazing land use. This is reflective in the lack of native vegetation present in the wider area. Existing amenity of the natural landscape is to be enhanced and retained through the planting and development of green networks connecting the wider landscape. Shared pedestrian/cycle/bridleway connections to adjoining developments and access to areas which are not currently accessible enhances the amenity of the site. The proposal has identified key areas to preserve the natural character of the coastal

environment, natural wetlands and their margins from inappropriate subdivision as follows:

- (a) Development avoids the natural wetlands, which have been identified and included into the concept plan for protection. These natural wetlands will be enhanced with a 10m wide planted buffer and fenced off to prevent stock entering these areas. Buildings will not be allowed in these areas;
- (b) Development avoids the larger dune forms which provide a degree of natural character to the coastal environment. Mapping the existing topography, earthwork and building exclusion areas have been identified to ensure the character of the area is retained. Smaller, internal landforms will be modified to provide access and building sites but it is considered these changes are acceptable with the key topographical elements being retained. The building and earthwork exclusion areas are highlighted on the Scheme Plan – Ecological Constraints and Earthworks, prepared by Cuttriss.

7.6 Overall, the character and land use of the area will shift from open, undulating grass paddocks to a more concentrated, high amenity development for Lots 20-46. The constructed wetland (lot 200) fronting Otaihanga Road, native planting and proposed fencing controls will assist with retaining an open character, with the majority of lots set back from the road, separated by the proposed constructed wetland which will occupy the majority of this frontage. For lots 1-19 an open, rural residential character will be maintained. Through mitigation measures, open character and significant landscape components will be retained and enhanced, where possible.

7.7 I consider that the effects on Landscape and Natural Character will be low to very low (minor or less than minor in RMA terms) due to the modified rural-residential character of the receiving environment and key landscape elements being retained. The receiving landscape character has a rural-residential character with limited buildings and large grassed hillocks. The buildings which are present are large scale dwellings, generally in excess of 200m². The Expressway has had a major effect on the character of the area with substantial earthworks undertaken, the installation of road related infrastructure including signs, and the

imposition of traffic. Middle distance views are largely contained along the road corridor with large grass hillocks or knolls framing views, as well as screening views of the proposed site from nearby properties.

LANDSCAPE VALUES

7.8 There are several Objectives and Policies of the PDP which relate to Landscape Values and amenity which were addressed in my report. The key findings being:

- (a) Objective/Policy O2.9 - The proposal is not located within an identified landscape or feature and while the undulating dune form of the topography provides a degree of natural amenity, the proposal has identified and protects the most prominent landforms from inappropriate development while recognising that rural residential development (buildings) are anticipated in the zone. Development controls are proposed to ensure natural processes and natural amenity is maintained.
- (b) Objective/policy O2.4 - The proposal is not located in an area of outstanding natural character or high natural character. Clumps of indigenous vegetation have been identified on site (see Ecological report) and are to be protected from inappropriate development (i.e. the siting of dwellings and cadastral boundaries).
- (c) Objective/policy O2.11 - The subdivision (both layout and earthworks) has been designed to minimise effects on the underlying dune form and ensuring that key elements are retained and protected from inappropriate development.
- (d) Objective/policy – DW4 - The scale of proposed development is considered appropriate for the zone with more intensive residential development proposed close to Otaihanga Road where the underlying topography is less sensitive. Originally a 'spine' road was proposed through the site to provide a higher level of connectivity for all modes but this required a higher level of earthworks than the proposed design. The introduction of the National Policy Statement – Freshwater Management (2020) (NPS-FM) required the protection of natural wetlands, and as a result the original design was modified to ensure

earthworks are minimised, infrastructure is moved away from the natural wetlands, and the natural wetlands are protected.

VISUAL AMENITY EFFECTS

- 7.9 The receiving environment is to maintain aspects of openness through the protection of hillocks, native vegetation and the avoidance of development near natural wetlands as well controls on fencing. Management of fencing and bulk and location of the development will also help create a sense of openness throughout the site and limit visual effects.
- 7.10 The highest likely visual amenity effects after mitigation will be experienced by those residential properties closest to the proposal, along Otaihanga Road and Tieko Street although views are often blocked by either vegetation or topography or a combination of both. In some locations it will be possible to see future houses but given the proposed density, the retention of large dune forms and the character of current views this is not considered to be a magnitude of change more than low when the proposed mitigation measures are implemented. I note that in many locations it is also possible to see the expressway.
- 7.11 Travelling receivers, i.e., those using the expressway or Otaihanga Road, are considered to have a low sensitivity to change, with any residual visual effects considered to be less than minor. This is due to the development being screened from most viewpoints or the fleeting nature of the view experienced with the magnitude of change being very low or low following implementation of the proposed mitigation measures.
- 7.12 Though there is a change from rural-residential to a higher density for lots 20-46, the magnitude of change is considered low as the proposal appears as a natural extension of the existing development to the west of the proposal and is positioned behind an existing dune. Now more of that dune formation is being continued and once works are complete [refer to Cuttriss drawing] retained as a no-build area, combined with more planting on the edge of the constructed wetland (lot 200), there is now a substantial buffer of native vegetation and landform between future houses and Otaihanga Road.

- 7.13 The proposal includes the retention of existing shelter belts where possible which will assist in maintaining privacy for existing properties, noting that I consider that the District Plan yard setbacks will achieve an appropriate level of separation between existing and new dwellings to ensure privacy is maintained. Existing shelter belts can be removed as of right and individual property owners have the ability to plant their property boundaries as they see fit, if privacy issues were to be a concern. However, the Applicant, in discussions with the Custodial Trustee (44 Tieko Street), has offered to replant the shelter belt with appropriate indigenous trees if this does need to be removed.
- 7.14 Any residual visual amenity effects are considered to be very low to low (less than minor) at most.

CONSTRUCTED WETLAND

- 7.15 The constructed wetland (lot 200) provides an opportunity for the planting of appropriate native wetland species in the area as well as providing a physical buffer between Otaihanga Road and new houses. The constructed wetland will be planted with a mix of native wetland species which are outlined in the Wildlands report² and below under mitigation measures. Weed species, such as blackberry and gorse, will be removed from these areas. A 10m wide plant strip of trees and flax is proposed along the northern edge of the wetland and southern edge of lots 38-43 which will over time provide a dense green strip screening any houses from Otaihanga Road as well as nearby residential dwellings.

MITIGATION MEASURES

- 7.16 A series of mitigations were developed to mitigate or minimise any potential adverse effects on the receiving environment as follows:
- (a) (MM1) Provide a diversity of house size and lot size to provide choice, with higher density development located in less sensitive locations. This is provided for through the proposed location of low and rural-residential density housing.
 - (b) (MM2) Locate higher density towards Otaihanga Road, buffered by lower density development along the Expressway

² Table 3, page 29 of the Wildlands report.

and adjoining rural residential area. This is provided for through the placement of smaller sections close to Otaihanga Road

- (c) (MM3) Create streets which have a high level of amenity, provide for different modes, and allow for the use of low impact design techniques including grass swales and detention basins. Suggested street tree species included, but will be confirmed after consultation with KCDC:
- i. *Rhopalostylis sapida*, nikau
 - ii. *Cordyline australis*, ti kouka
 - iii. *Podocarpus totara*, totara
 - iv. *Alectryon excelsus var. excelsus*, titoki
 - v. *Sophora microphylla*, kowhai
 - vi. *Hoheria sextylosa*, lacebark
- (d) (MM4) Create a well-connected walking and cycling network which combines with the green / blue network and existing facilities, prioritising walking and cycling with a mix of on-road, separate, and off-road facilities to promote active transport modes. Key connections are provided for through the site, linking the Tieko Street extension with the proposed cul-de-sac and Otaihanga Road.
- (e) (MM5) Identify and protect important topographical features on site. Restrict buildings to less prominent locations
- (f) (MM6) Solid fencing should preferably be restricted to side yards to retain an open character along streets and existing roads or at a minimum front boundary fencing will have restrictions. Side fencing should not extend forward of the front wall closest to the street of a house or would need to be limited in height.
- (g) (MM7) Identify and protect important wetland features on site. Create a 10m wide buffer around existing natural inland wetland areas to prevent future buildings or earthworks having a

detrimental effect. The following species are proposed around the natural wetlands, being Mix A – Wetland Planting in the following percentages at 750mm, 1500mm or 3,000mm centres depending on the species:

- i. *Cordyline australis* - 5%, 3,000mm crs
 - ii. *Phormium tenax* – 20%, 1,500mm crs
 - iii. *Leptospermum scoparium* – 5%, 3,000mm crs
 - iv. *Kunzea robusta* (raised land only) – 10%, 3,000mm crs
 - v. *Coprosma propinqua* – 10%, 1500mm crs
 - vi. *Coprosma robusta* (raised land only) - 10%, 1500mm crs
 - vii. *Podocarpus totara* (raised land only) - 5%, 3,000mm crs
 - viii. *Muehlenbeckia complexa* – 10%, 1,500mm crs
 - ix. *Carex geminata* (plant closest to wetland margin) – 25%, 750mm crs
- (h) (MM8) Identify and protect important vegetation features on site. Protect existing kānuka stands from development. A 10m buffer is proposed around existing stands of kānuka trees which is to be planted with *Kunzea robusta* (kānuka) at 3,000mm crs

7.17 Additional mitigation measures or changes to the design were then made following on-site discussions with the Council's consultant Landscape Architect, being:

- (a) A reduction in the residential lots at the southern end of the development by 3.
- (b) A 10m wide planting strip along the northern edge of the constructed wetland (Lot 200), with 5m of this planting being within Lots 38 - 44.

- (c) Extension of the dune separating Lots 42 - 44 fronting Otaihanga Road.
- (d) Additional planting of the strip between road and pavement with low growing native species to provide amenity, biodiversity and reduce mowing requirements. The species selected will ensure vehicle sightlines are maintained and do not create future safety issues.
- (e) Planting and pinch points using a combination of low growing native species and kānuka trees. The trees will be appropriately limbed to ensure open sightlines are maintained
- (f) Cluster planting on the internal boundary between private Lots 23/24; 32/34; 38/39; and 41/42. Four clusters are proposed to provide additional amenity where it is not possible to add this in the road reserve;
- (g) Changing the individual 34 (Titoki – *Alectryon excelsus*) specimen street trees in the northern section (which are currently at regular spacings) to 7 clumps or stands of trees similar to those proposed in the southern area. These are to be located on the following boundaries (size of planter):
 - (i) Lot 18/19 (9m²) – 3 kānuka underplanted with *Libertia* and flaxes;
 - (ii) In front of Lot 1 (16m²) – 1 totara tree + 3 kānuka underplanted with *Libertia* and flaxes;
 - (iii) Lot 5/6 (9m²) – 3 kānuka underplanted with *Libertia* and flaxes;
 - (iv) Lot 15/16 (9m²) – 3 kānuka underplanted with *Libertia* and flaxes;
 - (v) Lot 8/9 (9m²) – 3 kānuka underplanted with *Libertia* and flaxes;
 - (vi) Lot 10/11 (9m²) – 3 kānuka underplanted with *Libertia* and flaxes;
 - (vii) Lot 11/21 (16m²) – 1 totara tree + 3 kānuka underplanted with *Libertia* and flaxes;
- (h) Applicant has agreed to retain shelterbelts where possible.

8. RESPONSE TO SUBMITTERS

- 8.1 The following concerns relevant to landscape and visual amenity have been raised in submissions on this proposal.
- 8.2 **NZ Custodial Trustees**, prepared by The Property Group on behalf of the owners of 44 Tiekō St, has raised concerns over the proposed density, loss of privacy due to vegetation removal and potential visual dominance from future neighbouring properties. While there will be an increase in neighbours, the character and density of the northern section is not dissimilar to residential development in the immediate area, most notably on the western side of Tiekō Street.
- 8.3 The pines in proposed Lot 19 will be retained if possible. Over time these trees will need replacing as they will reach a size and age when they are not suitable for this location, close to existing dwellings including number 44 Tiekō St itself. If removed, the trees can be replaced with native species which are more suitable for the location. It is worth noting that pine trees are not a protected species, and the Applicant could remove these trees as of right. Therefore I do not consider that their removal would cause any effects as it is a permitted activity.
- 8.4 In terms of potential visual dominance from future buildings, any new buildings in the northern section of the development are required to adhere to the District Plan building height and yard setbacks. This will ensure that there is sufficient space between dwellings and that no visual dominance or privacy issues result. Over time, residents are likely to plant along their boundaries to provide additional privacy. While this creates a more compartmentalised landscape character, it is a change in character that already exists in the receiving environment and one which is permitted under the current District Plan standards.
- 8.5 Several submitters raise concerns over the loss of visual amenity, loss of bird habitat and increased light pollution, being:
- (a) **Brent James and Leanne Morris, 111 Otaihanga Road**
 - (b) **Gerald and Elizabeth Earl, 31d Tiekō Street**
 - (c) **Matthew and Maris Andres, 13b Tiekō St**
 - (d) **Sheryn McMurray, 73 Otaihanga Road**

(e) **Brian and Stephanie Middleton, 34 Tiekō St**

- 8.6 The proposal includes significant amounts of native planting to supplement the retention of existing stands of kānuka and protection and improvement of existing natural wetlands. The additional planting will be most noticeable along the Otaihanga Road frontage (Lot 200) where a constructed wetland will be planted with native wetland species. A 10m wide planting strip is also proposed along the northern edge of the constructed wetland and the southern edge of the proposed residential lots (as discussed in sections 3.2 and 7.16 above). Once the planting establishes, along with the retention and extension of a small dune parallel to Otaihanga Road, houses in the southern section will largely be screened from Otaihanga Road and neighbouring properties.
- 8.7 All of the existing natural wetlands identified on site are to be retained and enhanced. Weed and pest control is also proposed which will remove blackberry, gorse and rabbits from the site, improving the biodiversity of the site.

9. RESPONSE TO PEER REVIEW REPORT

- 9.1 I have read the Peer Review Report prepared Ms Robin Simpson, Council consultant Landscape Architect, and subsequent addendums. There are several areas where we disagree on the magnitude of change or level of effects, but both are in agreement that the development is an acceptable proposal for the location.
- 9.2 For the northern section we are largely in agreement that the design is appropriate with only two points of clarification which have since been resolved:
- (a) Changing the regularly spaced specimen street trees on the Tiekō St extension to irregular clumps of trees, similar to what is now proposed on the southern section.
 - (b) Working with the owner of 44 Tiekō St to investigate the removal or retention of the large pines fronting Tiekō St.
- 9.3 Over the past six months I have worked with Ms Simpson to address her concerns regarding density, topographical changes and planting of native vegetation on the southern section. These changes are outlined

in Section 8 above and have been incorporated into the Landscape Concept Plan and Scheme Plan.

- 9.4 While we disagree on the development's position or role in the urban growth of Otaihanga/Paraparaumu, I am still of the opinion that Otaihanga Estates is well-connected and served by existing amenities. Reviewing the road/street pattern to the west, it is evident that The Drive will eventually connect through to Otaihanga Road with only a small corridor (350m wide) of remnant rural lifestyle land between Paraparaumu Beach and Otaihanga remaining. The corridor is not wide enough to create a significant role of 'open space' between the settlement and appears more as a remnant than having a positive role to define settlements. Over time it is likely the residential areas will merge.
- 9.5 In terms of local amenities, the proposal is:
- (a) 1.4km from Paraparaumu College
 - (b) 1.2km to Waikanae River
 - (c) 1.6km from Jolly Pub and Kitchen Kapiti
 - (d) 700m from Little Farm Preschool and Nursery
 - (e) 1.1km from Kapiti Learn to Swim
 - (f) 20m to NZ Native Oils
 - (g) 3.5km to the Kena Kena Shopping Centre (4 Square, Bottle Store, Café and Dairy)
 - (h) 3.0km to the commercial area on Kapiti Road/expressway via the shared path running adjacent
 - (i) 1.5km to the Mazengarb Rd commercial area. This area is yet to be developed to its full potential but is consented for commercial activity, forming part of the receiving environment. At the moment the development consists of a coffee cart, church and dentist.
- 9.6 All of these amenities are readily accessible to future residents either by foot, bicycle (e-bike) or car with the distances not considered greater

than many urban areas in New Zealand. The character of the area is considered urban fringe, with the proposed northern area (lots 1-22) being rural-residential in character and the southern section (lots 23-46) being in keeping with residential development on Tieko and Pitoitoti Streets. Both of these streets are within 500m of the proposal and therefore considered part of the receiving environment, with the proposal a natural extension of this urban area.

10. RESPONSE TO OFFICERS REPORT

- 10.1 I note that the Officer's Report at 6.2 discusses Landscape, Character, Amenity and Visual effects. At paragraph 92 the Officer accepts the position reached by the landscape experts and is supportive of the revisions made, concluding "*...that the adverse landscape, character and visual effects will be suitably minor and acceptable subject to conditions.*"
- 10.2 I note that there is an outstanding traffic issue as to the form and design of the shared path; Officer's Report paragraph 186 – 194 and the evidence of Mr Trotter, Council's Roading expert. I set out the reasons for my support for the path in the form proposed by the Applicant above at paragraph 5.3 of my evidence.
- 10.3 I am still of the opinion that the proposed path does not raise CPTED issues or should be designed to a higher 'built' standard than that proposed in the lodged application. It is important that the path retains a low-key, more natural appearance with limited earthworks/retaining walls to avoid adverse landscape/visual effects. I have concerns that a 'fully' standardised path with ramps and retaining walls will have a negative impact on the character through this space. I consider the path to be more informal and more in character with the original dray track which traversed the area, a path which is only likely to be used by immediate residents. In this regard, the Council's Landscape Architect, Mr Simpson, and myself are in agreement that the path should be unlit.
- 10.4 In terms of the planting of the pinch point, low growing species are proposed which are no taller than 400mm and trees are to be clear-stemmed up to a height of 2m to ensure sightlines are maintained. It is proposed to plant the berm with low growing native species which will

reduce maintenance requirements and assist in giving the development a more natural appearance.

11. CONDITIONS

11.1 I consider that the conditions proposed by the Council Planner relating to landscape are appropriate and take into account the mitigation measures developed prior to lodgement and then following discussions with the Council's consultant Landscape Architect. I have outlined the mitigation measures proposed above in Section 7.

11.2 There are a number of relatively minor issues with conditions proposed:

(a) Condition 14 prohibits earthworks and erection of any structure buildings in lots 42-46. As explained in the evidence of Mr Taylor, while much of the dune formation will be preserved and the no build area extended, some earthworks will be required in this area to extend the dune formation and create levels necessary for the effective functioning of the constructed wetland. Once those initial works have been undertaken, it will become a "no build" area. I suggest the condition is amended to provide for this situation only in respect of lots 42-46.

(b) Condition 22 as proposed by Council states:

'With respect to Lots 23-46, no fencing is permitted within 4.5m of the front boundary and there shall be no fencing of the front boundary.'

Note: a consent notice under s221 of the RMA will be issued for lots 23—46 to facilitate the recording of this condition, which is to be complied with on an ongoing basis.'

(c) The Form of Shared path and lighting conditions for shared path (condition 67) and (Condition 63) are addressed in detail in Mr Greenshields' (Urban Design), Ms Fraser's (traffic) Mr Taylor's (Infrastructure) and Mr Hansen's (planning) evidence and I support the Applicant's position on this from a landscape and visual perspective, as keeping this path in as natural a form as possible reflects both the dray track, helps preserve the underlying topography of the site and natural/rural character of the development.

(d) Condition 9 seeks that the Applicant enter into a fencing covenant to ensure Council is not liable for the upkeep of the fence of lot 105. I note while this can be achieved on some boundaries, Lot 105 is located on the boundary with a third party, and road boundary with Otaihanga Road. The Applicant cannot make guarantees in respect of boundaries not in its ownership or part of the development.

(e) Condition 21 states:

21. With respect to Lots 23-46 fencing alongside boundaries shall be post and rail and may include hedge only and no higher than 1.2m from original ground level.

Note: A Consent Notice under Section 221 of the RMA will be issued for Lots 23-46 to facilitate the recording of this condition, which is to be complied with on an ongoing basis.

(f) This condition should be clarified that fencing is no higher than 1.2m from **proposed** ground level. Hedging should be allowed to grow as high as the owners like, creating a natural green buffer between properties. There is no reason for the hedge height to be restricted by covenant.

12. CONCLUSION

12.1 I consider that in terms of the National Policy Statement: Urban Development, Policy 8, the proposed subdivision will add residential capacity with a proposed density consistent with the character of the receiving environment. While the proposed density on Lots 23-46 is higher than the existing pattern of residential development on adjacent sites on Otaihanga Road which are typically around 2-3000m² in area, it is considered lots 23-46 are consistent, and in sequence with existing residential development on Tieko and Pitoitoi Streets.

12.2 The placement of the proposed constructed wetland fronting Otaihanga Road will also assist with mitigating potential landscape character and amenity effects. The density for Lots 1-19 is consistent with a rural residential development. Any amenity effects on existing and future residents can be successfully mitigated through the proposed mitigation measures.

- 12.3 In terms of landscape character and natural character of the area, subject to the mitigation measures proposed, the proposal will result in an acceptable magnitude of change on the existing rural-residential landscape character and values. The existing character of the receiving environment is already modified with any natural features of note being protected, and enhanced, through the proposed mitigation measures.
- 12.4 In terms of visual amenity, the adjacent rural-residential properties will experience a change in the existing views but these are not necessarily considered adverse. Nearby suburban residential properties, current and future, overlooking the subdivision area will have a mix of open, partial, and screened views of future development. Changes to experience by these residents are considered low (minor) given the character of existing views and existing boundary treatments.
- 12.5 In terms of Landscape Values and the objectives and policies of the PDP, the proposal recognises and avoids developing on the landscape elements of value while creating a rural residential and residential development.
- 12.6 Overall, the level of adverse residual effects from the proposal are considered to be low (minor).



David John Compton-Moen

18 July 2022