

BEFORE THE COMMISSONER

APPOINTED BY THE WAIPA DISTRICT COUNCIL

IN THE MATTER OF

the Resource Management Act 1991 ('the Act')

AND

IN THE MATTER

Resource consent application by Kiwifruit Investments Limited for partially retrospective and partially prospective land use consent to construct vertical and horizontal overhead artificial kiwifruit shelter buildings at 582 Parallel Road, Cambridge (Council Reference LU/0147/22)

AND

IN THE MATTER

Resource consent application by Kiwifruit Investments Limited to establish shelterbelts at 582 Parallel Road, Cambridge (Council Reference LU/0252/22)

SUBMITTERS

Nicholas B Jennings and Vanessa L Jennings

STATEMENT OF PLANNING EVIDENCE OF JOANNA LOUISE SOANES

15 February 2023

1 Qualifications and Experience

- 1.1 My full name is Joanna Louise Soanes. I am a Principal Landscape Architect at Boffa Miskell Limited, a position I have held since April 2018. Previously, I worked at WSP Opus for nine years. I have a Bachelor of Landscape Architecture with Honours from Lincoln University.
- 1.2 I have 18 years' experience working with landscape and visual issues. I have a broad skills base with experience spanning landscape planning, assessment and design for a diverse range of projects in both urban and rural contexts. I have practised as a Landscape Architect in Auckland, Hamilton, Wellington and Christchurch, undertaking work for a wide range of clients, ranging from local and regional councils, central government, educational institutions to private companies and developers.
- 1.3 I have previous experience in providing expert evidence on landscape and visual effects at council hearings for resource consent applications and notices of requirement, including Waipā District Council.
- 1.4 I wish to disclose that I was commissioned by Kaipaki Properties Ltd in 2018 to prepare a landscape and visual effects assessment and visual simulations for the proposed berry farm development located at 630 Kaipaki Road. This development was granted consent and has been constructed.

2 Code of Conduct

- 2.1 Although this matter is not before the Environment Court, I have read and am familiar with the Code of Conduct for Expert Witnesses in the current Environment Court Practice Note (2023), have complied with the Code of Conduct in the preparation of this evidence and will follow the Code when presenting evidence to the Commissioner. My qualifications as an expert are set out above.
- 2.2 I confirm that the matters addressed in this statement of evidence are within my area of expertise, except where I rely on the opinion or evidence of other witnesses, in which case I have stated so. I have not omitted to consider material facts known to me that might alter or detract from the opinions I express.

3 Methodology

- 3.1 I was commissioned by the submitter (Mr and Mrs Jennings) to provide expert landscape evidence in relation to effects of the proposal on landscape and visual amenity.
- 3.2 My evidence relates to the submission prepared by the submitters and addresses the Landscape and Visual Amenity effects on their property located at 598 Parallel Road, which

shares boundaries to the Application site located at 582 Parallel Road to the west, north and east.

- 3.3 I originally prepared evidence for the submitter in relation to the original application for LU/0147/22. The s42A prepared by Ms Cowan, dated 22 December 2022 provides a background to the Applications.
- 3.4 Since the original application has been lodged there have been subsequent amendments to the application and a consent lodged by the Applicant's Agent seeking resource consent for retrospective and prospective shelterbelts. This consent was lodged on the 25th October 2022. Full details of the changes have been discussed in Ms Cowan's s42A reports and in Section 3 of Ms William's evidence.
- 3.5 As application LU/0147/22 and application LU/0252/22 are to be determined concurrently, my evidence will consider both of these applications.
- 3.6 Ms Cowan has recommended that application LU/0252/22 for retrospective and prospective land use resource consent for shelterbelts be granted on a non-notified basis. The minute of the Independent Commissioner dated 19 January 2023 has declined to adopt this recommendation until hearing from Counsel for the Applicant and Submitter.
- 3.7 My assessment has taken into consideration the relevant documentation as supplied by the submitter. In preparing my evidence, I have:
 - a reviewed the application on the 15th September 2022;
 - b reviewed the s42A Officer's Report prepared by Ms Lomas (Waipa District Council) and supplementary s42A report prepared by Ms Cowan, dated 22 December 2022;
 - c reviewed the submission made by the submitters (Mr and Mrs Jennings)
 - d reviewed the evidence prepared by Ms Williams (Barker and Associates Limited).
 - e visited the Submitters' property (at 598 Parallel Road Ōhaupō 3495) on the 21st September 2022, including the surrounding area to understand the nature of the existing environment, proposed development and its physical and visual relationship to 598 Parallel Road.
 - f Reviewed alternative shelterbelt plant species provided by the applicant.
 - g Undertaken desktop research to investigate existing shelterbelts surrounding kiwifruit orchards, within the wider surrounding landscape of the Waikato Region.

- 3.8 The preparation of my evidence has involved the coordination with other disciplines including the submitters Planner, Ms Davidson, Senior Planner of BTW Company.
- 3.9 In this instance, the application and mitigation proposed has not been informed by expert landscape design and assessment, nor has council engaged an expert to inform the recommendations in the section 42a report.
- 3.10 This has necessitated the submitter to engage myself, a Landscape Architect, to provide expert landscape and visual evidence.

4 Scope of evidence

- 4.1 In my evidence I will:
- a Provide an overview of my involvement in the application.
 - b Outline the approach that will be taken and identify the key factors that will affect existing landscape and visual amenity values.
 - c Provide a summary of the application, the submission made by the Submitters, the s42a Officer's Report and the Applicants Planning Evidence.
 - d Describe the existing environment and site character.
 - e Relevant statutory provisions.
 - f Discuss the landscape and visual effects of the proposal, including from the submitter's property at 598 Parallel Road.
 - g Provide a conclusion and discuss the recommended mitigation measures.

5 Background

- 5.1 The site is located within the Rural Zone of the Waipa District Plan (WDP). The site is subject to the Hamilton Airport – Conical Surface Overlay and a Significant Natural Area – WP344.

Artificial structures

- 5.2 This application (LU/0147/22) is assessed as a Discretionary activity under the provisions of the Operative Waipa District Plan ('District Plan') as outlined in paragraph 50 of the supplementary s42A report prepared by Ms Cowan.
- 5.3 The proposal breaches road, internal and SNA boundary setbacks as well as site coverage rules as part of the District Plan.

- 5.4 The artificial structures fall under the District Plan definition of a 'Building' and therefore Rural Zone rules for buildings are applicable.
- 5.5 The artificial structures have already been constructed in parts of the site, proposed to cover an overall area of approximately 23 hectares in total, starting from the eastern end of the site and working towards the west. The site was purchased by Kiwifruit Investments Ltd at the beginning of 2021, with proposal works commencing in the far eastern area, towards the end of 2021.
- 5.6 Confirmation has not been received that Regional Council have granted resource consent to reclaim the identified water body on the western area of the site marked 'future block'.

Shelterbelts

- 5.7 Shelterbelts (relating to application LU/0252/22) have already been planted on the subject property, as described in Section 1.1 of the s95 and s42A report.
- 5.8 Permitted shelterbelts include the cryptomeria (*Cryptomeria japonica* 'Egmont') planting along the eastern boundary of the submitter's property. Should the Commissioner choose to accept the sleepout as a 'dwelling' and not defined separately as an accessory building, the northern shelterbelt will not be considered a permitted activity. The proposed karo shelterbelt along the western boundary of the submitter's property is not a permitted activity.
- 5.9 The Proposal has been comprehensively described in the AEE for both applications and summarised in the s42A Reports prepared by Ms Lomas and Ms Cowan.

6 Proposal description

- 6.1 The proposal is to construct artificial structures over a future kiwifruit orchard. As part of these artificial structures, a vertical and a horizontal artificial cloth will be attached around the perimeters, to protect kiwifruit planting within the canopy area. The vertical cloth is 2.1m high and links to the horizontal (overhead) cloth that has a height of 6 metres on a 45-degree angle. The cloth will be white in colour and translucent, which means some light is able to be passed through, however, views of the landscape beyond through this cloth are not easily discernible.
- 6.2 The vertical cloth is proposed in the application to be located 6 metres from the road boundary of Parallel Road and will vary on internal boundaries, which includes the boundaries of the submitter. The proposed artificial structure significantly exceeds the 30m road and 25m internal boundary standards of the District Plan (4.4.2.1(b) and 4.4.2.2(e)).

- 6.3 The proposed total area of 23 hectares will result in a site coverage of approximately 65.18%, which also significantly exceeds the District Plan building site coverage standard of 3% for a site over one hectare (4.4.2.10).
- 6.4 The amended proposal for the artificial structures seeks to increase the setback of the artificial structure on the northern boundary of 598 Parallel Road from 6 metres to 14 metres, to enable the proposed shelterbelt (as part of application LU/0252/22) to be setback at least 30m from the dwelling located at 598 Parallel Road and compliant with Rule 4.4.2.58 of the WDP.
- 6.5 *Cryptomeria japonica* 'Egmont' planting has recently been planted (as part of application LU/0252/22) along internal boundaries such as the eastern boundary of the submitter's property and along the Parallel Road frontage, *Cryptomeria japonica* 'Egmont' has also already been planted along the northern boundary in combination with *casuarina sp.* shelterbelt plant species. *Pittosporum crassifolium* (Karo) has been proposed along the western boundary of the submitter's boundary. The purpose of the shelterbelt (in combination with the cloth) as stated in applicant's evidence, is to decrease the chance of spray drift and provide visual screening.

7 The existing environment

- 7.1 The Site is located within the Hamilton Basin, at 582 Parallel Road, Ōhaupō 3495, approximately 7.5km east from Ōhaupō settlement, and 4.5km west of Leamington. The site itself is approximately 35ha, located on the northern side of Parallel Road.
- 7.2 A combination of geographical factors and human activities have influenced the existing landscape patterns throughout the wider area.
- 7.3 The site is a part of the Waikato Lowlands as classified in The Waikato Regional Landscape Assessment¹, which describes the landscape character of this area as:
- a *The Waikato lowlands are flat and low in contrast with the surrounding hill country. They comprise pasture, hedges, groups of both exotic and indigenous trees, and has a well maintained and developed landscape character.*
 - b *The Waikato River is the central feature in this landscape. With Hamilton as the main city.*
 - c *In general, the land use comprises market gardening, fruit growing, arable farming, cattle, dairy farms, stud farms and racing stables.*

¹ Waikato Regional Landscape Assessment, February 2010. Technical Report # 1636162, page 26

d The main pressure on this area is the demand for residential homes in a rural setting – i.e. rural residential development, particularly given the large nearby populations of Auckland and Hamilton. State Highway One runs along beside the Waikato River².

- 7.4 The site is within the rural zone under the WDP, however, due to the urban sprawl of Cambridge, the wider surrounding landscape includes both rural and urban characteristics, through rural residential development.
- 7.5 The character of the District's rural environment, as outlined in paragraph 4.1.12 of the Waipā District Plan, is dominated by open space, flat to rolling terrain, remnants of indigenous vegetation and views to the volcanic cones of Maungatautari, Pirongia and Kakepuku.
- 7.6 Being within the urban periphery has enabled the area to develop from predominately large rural holdings to more varied land use of smaller rural lifestyle blocks (including as small as 1ha properties) and horticultural development, with larger rural holdings becoming more common further south.
- 7.7 Existing kiwifruit farms are located within the wider surrounding areas. It is worth noting that the recently constructed kiwi fruit orchards located on Parallel and Cambridge Roads to the south / south east are currently going through a retrospective consent process and judicial review. Established green kiwi fruit orchards are located north-east from 1.6km from the site, along Kaipaki Road.
- 7.8 A mixture native and exotic vegetation is typically located along road corridors, fence lines, surrounding dwellings. Vegetation within the wider surrounding area consists mostly of the forms and species typical of a Waikato landscape, with a mixture of exotic and indigenous species used for boundary planting, hedgerows, shade trees, small wood lots and garden amenity planting associated with rural residential dwellings.

8 Site & Immediate Surroundings

- 8.1 The site and the nature of the topography is influenced by the Mangawhero Stream, a tributary of the Waikato River, which is located north-east of the site. Part of this gully system runs along the northern boundary of the site, with shallow gullies diverting off into the west and north and eastern extents of the site.
- 8.2 The Mangawhero Stream has been identified as a Significant Natural Area ('SNA') as part of the Waipa District Plan, identified as WP344. Part of this policy overlay extends into the northern and eastern areas of the site.

² Waikato Regional Landscape Assessment, February 2010. Technical Report # 1636162

- 8.3 There are no outstanding natural landscapes ('ONL'), features ("ONF") or areas of outstanding / high natural character ("ONC" / "HNC") within the site.
- 8.4 Retrospectively (before any works associated with this proposal commenced), a farmhouse, and dairy shed, and farm ancillary buildings were located centrally within the site and surrounded by mature vegetation and curtilage planting. There are currently no dwellings, or farm ancillary buildings within the site, as they were cleared as part of the proposal.
- 8.5 Structures associated with the proposal have already been constructed. The only remaining portions of the site in pasture, without structures, are located immediately to the north and more extensively to the west. The western area of the site is characterised by a shallow gully (associated with the Mangawhero Stream) which meanders south-north through the site and is bordered either side by pastoral land.
- 8.6 Shelterbelt planting has already been implemented along the eastern and northern boundaries of the submitter's property.

9 Submitter's Property

- 9.1 The submitter's property is approximately 6,500m² in size, located at 598 Parallel Road.
- 9.2 The site is also zoned Rural and is subject to the Airport Conical Surface overlay under the District Plan.
- 9.3 The property contains a single-storey dwelling, sleepout, two garages, and additional utility sheds which are surrounded by curtilage planting and small paddocks used for grazing. The property is accessed via a driveway, south of the dwelling from Parallel Road.
- 9.4 The main living areas within the dwelling, including the kitchen and lounge are located on the northern side of the dwelling, with the master bedroom located on the west. The main outdoor living areas, including the decking and pool area are located within the northern end of the submitter's property, with the main entrance located on the eastern side of the dwelling.
- 9.5 The submitter's property contains a mixture of native and exotic vegetation. An existing line of trees (pittosporum spp.) is located sporadically along the western and eastern boundaries of the property. A large mature tree is located in the north-western corner of the property.

10 Statutory Provisions

- 10.1 The key focus of the relevant provisions include the following:
- a The maintenance and enhancement of rural character;
 - b Amenity values; and

- c Visual integration of buildings and subdivision design including earthworks, vegetation management.
- 10.2 Refer to Ms Davidsons evidence for assessment on relevant Waipa District policies and objectives.

11 Landscape Effects

- 11.1 Landscape effects can result from changes in the physical landscape which may in turn give rise to changes in the character of the landscape and how this is experienced. Factors that can be taken into account include landform, landcover and land use.
- 11.2 Change in a landscape does not, of itself, necessarily constitute an adverse landscape or visual effect. The landscape is dynamic and is constantly changing over time in both subtle and more dramatic ways. These changes are both natural and human induced. What is important in managing landscape change is that adverse effects are avoided or appropriately mitigated to ameliorate the effects of the change in land use.

Landscape and Rural Character

- 11.3 Productive land uses, such as kiwifruit growing, and associated structures are common and anticipated with the Rural Zone. The use of shelterbelt planting to screen or contain activities within a rural setting is also somewhat common and can be considered appropriate, if it can be successfully integrated into the surrounding environment and implemented in such a way that responds well to the landscape and adjoining interfaces such as rural residential properties.
- 11.4 It is inevitable that the proposal will result in a change in characteristics with a decrease in pastoral landscape (including the removal of existing shallow gullies) and an increase in intensified horticultural development. The proposed artificial structures will result in an overall coverage area of 23 hectares, which is approximately 65.18% of the site, exceeding the District Plan building site coverage standard of 3% for a site over one hectare (section 4.4.2.10 within the WDP).
- 11.5 While the proposed structures are not “typical” of a building, due to the external materiality (translucent cloth with varying views through), I consider that the proposal will have similar bulk and density of that of a building due to the design of the structure, proposed height and the overall 65.18% site coverage. It should be noted that a typical building of this size and site coverage is not considered to be in keeping with rural characteristics. Due to the proposed bulk and density of the artificial structures, I do not consider that the proposal has appropriately responded to the surrounding environment and cannot be implemented in such a way that responds well to the landscape, particularly without informed mitigation practices, permitted setbacks and appropriate design responses to adjacent properties.

- 11.6 Encroaching on the setbacks set out by WDP, which help to maintain open rural character, and internalise adverse effects, will increase the chance of accumulated effects, such as shading on neighbouring properties (affecting pasture and vegetation growth), wind dumping, increased chance of spray drift, erosion of land adjacent to gullies, increased earthworks as a result of increased structures in the land, and therefore mean that such affects may no longer be internalised.
- 11.7 It should be noted that even if the artificial structures were relocated to the complying setback of 25m from an internal boundary (section 4.4.2.2 within the WDP), the proposal will still afford a significant increase in development as it does not comply with the site coverage rule of 3% (section 4.4.2.10 within the WDP).
- 11.8 The proposal will include direct physical change as a result of constructing these structures. This includes earthworks associated with filling shallow gullies to flatten out the site. Although the shallow gully may not hold significant ecological value, filling it in will alter the overall landscape pattern, decreasing the size of the natural gully to the north of the site and as a result will have a small landscape adverse effect.
- 11.9 Although *cryptomeria* sp. and *pittosporum* sp. are not uncommon plant species to plant within the rural landscape, it is the location, proximity and extent to which the shelterbelts are proposed in relation to a neighbouring dwelling that is not typical and common. It is considered that most rural dwellings have an open rural outlook/view from main living areas and a sense of openness.
- 11.10 It should also be noted that *Pittosporum crassifolium* (karo) is not typically used as mitigation as part of horticultural activity, in particular kiwifruit orchards. It is my understanding karo is not used due to its ability to achieve suitable height and density, and that it is not resilient to spray drift.
- 11.11 The proposal will result in a moderate adverse effect on the landscape and rural character.

12 Visual Effects

- 12.1 Visual effects will result from the degree of visibility of the changes to the landscape that will arise from the proposed development primarily from:
- a The temporary effects associated with the construction of structures (temporary);
 - b The 6m high kiwi fruit structures, and associated cloth that will be visually prominent; and
 - c The proposed shelterbelts, including the form, height (maintained to a height of 6 m).

- 12.2 The viewing audience comprises both static viewers, typically from private residences and transient viewers, typically people in vehicles travelling along Parallel Road. More detail on the assessment of effects has been given to the immediate residents at 598 Parallel Road.
- 12.3 Residential audiences have a great sensitivity to change within their outlooks, particularly to the north where they generally locate their outdoor living areas. This is partly due to the duration at which views can be appreciated, but also because the enjoyment of their outlooks depends largely upon the character of the landscape (view).
- 12.4 Viewers travelling along the surrounding roads such as Parallel Road are generally less sensitive to change within the landscape than static views from permanent residences, because their view is constantly changing, with visual amenity being drawn from the experience of passing through the wider rural landscape.
- 12.5 Due to the predominantly flat nature of the site and surrounding landscape, the site, including the existing unconsented structures which have already been built, is visible from the submitter's property at 598 Parallel Road and from surrounding local roads including Parallel Road and Goodwin Road.
- 12.6 From the submitter's property, the existing unconsented kiwifruit structures including the 6m high posts and the cloth (both horizontal and vertical) are visible to the north, north-east and east. The material stockpile for the construction of works is also clearly visible to the north of the submitter's property. No kiwifruit structures have been constructed to the west of the submitter's property, and therefore maintains such rural character and long views out over open rural pasture.
- 12.7 It is expected that the greatest level of visual change will be experienced from the submitter's property at 598 Parallel Road, due to the proposed development located on three property boundaries (north, east and west).
- 12.8 Pastoral land with scattered mature vegetation in surrounding properties, and distant views of the Pakaroa Range and hills including Maungakawa can be obtained (looking to the north-east) between gaps in the structure cloth and above, from some locations within the submitter's property. It can be assumed that before the construction of these structures, viewers from this property would have obtained clearer views of these hills (un-interrupted by artificial structures), and overall have had a rural outlook that is characterised by wide-open pastoral land compartmentalised by post and wire fencing, comprising scattered trees, and clusters of vegetation associated with the gully to the north.
- 12.9 The applicant has proposed shelterbelts surrounding the artificial structures as mitigation to decrease the chance of spray drift and provide visual screening.

- 12.10 Careful consideration to mitigation measures and recommendations is required, so that it appropriately responds to the immediate receiving landscape. It should be noted that to fully screen something from view within the receiving environment is not the only outcome considered. Some considerations may include;
- a Proximity to neighbouring properties.
 - b Plant species ability to thrive in the environment.
 - c Colour, form and composition of the proposed plant species.
 - d Existing plant species identified in the immediate surrounding landscape. It should be noted that any vegetation within adjoining properties cannot be relied upon as visual mitigation.
 - e Height in which plant species can achieve over how many years.
 - f Whether the proposed species can ultimately integrate with surrounding landscape.
- 12.11 From the submitter's living areas (particularly from the deck), the proposed kiwifruit structures will be visible to the north and east, above and through potential gaps in the proposed *Cryptomeria (Cryptomeria japonica 'Egmont')* shelterbelt until it reaches an established height of 6m, approximately 5 years and a density of 90%. The proposed kiwifruit structures will be visible to the west above and through potential gaps through the *pittosporum crassifolium* (Karo) shelterbelt until it reaches an established height of 6m, in an unknown timeframe, and if the karo can achieve 90% density. Both those factors remain uncertain and indicate against the use of this species.
- 12.12 The proposal results in a loss in open rural outlook that would be obtained from the property at 598 Parallel Road. The proposal will inevitably intrude on views, becoming a notable feature from the submitter's property, resulting in an adverse effect on perceived visual amenity.
- 12.13 Although the *Cryptomeria (Cryptomeria japonica 'Egmont')* shelterbelt will provide a dense shelterbelt once established, which will in time fully screen the proposed structures (not necessarily a desired outcome), it will also present a ridged and monotonous character becoming a prominent feature in views obtained from the submitter's property, eliminating any rural outlook to the north, east.
- 12.14 *Pittosporum* sp. is typically used as a hedgerow in some areas of the country (particularly coastal environments). It is in my opinion that maintaining *pittosporum crassifolium* (Karo) for a sustained period of time, to a height of 6m which is higher than a typical hedge of 2-4m, will typically cause the shelterbelt to thin out and create an undesirable visual mitigation outcome.

- 12.15 I consider that implementing a 6m high shelterbelt, along three boundaries shared with an adjacent neighbouring property (enclosing an area of private neighbouring land) is not an acceptable visual mitigation outcome and will result in a cumulative effect.
- 12.16 Although the shelterbelts may mitigate against some adverse effects, such as spray drift and visibility effects of the structures, it is not clear that amenity effects have been taken into consideration.
- 12.17 Considering the above, there will be a moderate-high adverse effect on the landscape and visual amenity from the Submitters property at 598 Parallel Road. Refer to my recommendations as part of my evidence.

13 Comment on the Officer's Report

- 13.1 I have reviewed the Officer's section 42 Report, prepared by Marne Lomas, dated 20 October 2022 and Amended Supplementary Planners Statement, prepared by Louise Cowan, dated 22 December 2022, report in relation to landscape and visual effects, in particular in Sections 12.1 Rural Character and Amenity, Section 13 Waipa District Plan and Section 17 Conclusion.
- 13.2 Rural Character – I agree with the Ms Lomas that the Rural Zone is a broad concept and defined by the various elements that make up the rural environment, as outlined in my evidence above. I also agree that the Rural Zone is primarily a pastoral rural working environment that is reliant on the rural land and soil resource of the District, and is largely typified by an open rural landscape.
- 13.3 Built Form – I agree with Ms Lomas that the structures will form a prominent feature in the landscape due to the considerable site coverage and atypical nature of the artificial shelter in the existing environment. It should be noted that a building within the rural zone of same or similar site coverage is not common and is not a typical characteristic.
- 13.4 Visual Effects – I agree with Ms Lomas in section 12.1.14 and reduced setbacks that the artificial structure being 19 m closer than what is permitted creates a significant visual change for the Submitter's property and the submitters will be adversely impacted due to the proposal's bulk and dominance around the three internal boundaries.
- 13.5 Mitigation Measures – I agree with Ms Lomas that the Cryptomeria shelterbelt is not a satisfactory mitigation measure. I agree that there will be effects on amenity associated with the proximity, from both the submitter's property and other locations surrounding the site. Although the proposed mitigation will completely screen the artificial structures (not necessarily a successful mitigation outcome), it will also visually enclose the Submitters property. Open rural character will not be maintained and it is in my opinion that the mitigation planting will not respond well to the receiving environment.

- 13.6 The Amended Supplementary Planner's Statement report provides a different conclusion on the amended application which I will now cover in the following paragraphs.
- 13.7 I do not agree with Ms Cowan that the visual effects on the property at 598 Parallel Road from the shelter structures, will only be experienced for a period of between 3 to 5 years. As noted in my evidence above, *Cryptomeria* (*Cryptomeria japonica* 'Egmont') reaches a height of 6m, in approximately 5 years (planted at 1m height and allowing for 1m growth rate per year). While the *Pittosporum crassifolium* (Karo) has the potential to reach a height of 6m, it is unknown how long this will take and whether it can achieve 90% density. The submitter requires certainty around visual screening and the planting growth rates must be realistic.
- 13.8 I do not agree with the reference made to the original notification / section 42A report that within a few years the shelter belts will be over 3m which would be above most people's sightlines, therefore visual effects on the property will be only temporary 3 – 5 years. I do not agree with this comment, as a person's sightline is dependent on distance and elevation from the structure. Due to the elevated nature of the Jennings' northern deck and living area the structures will be visible until the shelterbelt planting reaches approximately 5.5 - 6m. Pushing the structures back to permitted 25m from the boundary will enable the shelterbelt planting to be maintained at a lesser height, at approximately 4.5m in height to screen the structures from the Jennings' northern boundary.
- 13.9 In paragraph 53 of Ms Cowan's report the conclusion states that the moderate effect on landscape and visual amenity is limited to 3 to 5 years until the shelterbelt reaches reasonable maturity. The report refers to a note a note from the Council's Arborist Planner (Ms Brockelbank) that the "*Karo would take upwards of 5 years to reach maturity for shelterbelt purposes, but this will be dependent on the size of the plants when initially planted, the nature of the growing conditions and sufficient rainfall.*"
- 13.10 I agree with Ms Brockelbank's note that the shelterbelt will take upwards of 5 years to achieve maturity. Karo are slow growing and require regular trimming to achieve a dense bushy form, otherwise they become woody and open (like most pittosporum species as they age). Additionally, I have not been able to source examples of Karo hedges established above 5m in height, achieving a dense bushy form (90%). The example illustrated in Ms Cowan's report is 5 – 8 years old and has been trimmed at 3-4 m height. Karo hedges tend to be maintained at a height of around 2-4m. It is in my opinion that there can be no certainty that a karo hedge can establish successfully as an effective screen at 6 m height and maintained for the life of the kiwifruit orchard.
- 13.11 In paragraph 57, Ms Cowan concludes that the adverse effects will only occur in the short – medium term (3 – 5 years). Even once the shelterbelts have reached maturity and visually screens the structures, in my opinion there will still be adverse effects resulting from the short setbacks for the structures, loss of rural openness and amenity. In addition to this, the

cumulative effects of the shelterbelts located on all three sides of the Jennings' property will have long term adverse landscape effects.

- 13.12 In paragraph 54 Ms Cowan refers to the appearance and 'monotonous character' of the plant species and does not include this in her assessment. I do not agree with this comment, and I believe that the maintenance including trimming the shelterbelt to achieve a visual screen is a part of visual amenity that needs to be addressed, particularly from within the Jennings' property and living areas.

14 Response to Applicants Planning Evidence

- 14.1 In preparing my evidence, I have also reviewed the Applicant's planning evidence and make comment on Receiving Environment in Section 8.0 and Rural Character and Amenity in Section 9.0.
- 14.2 I agree with Ms Williams, that there are significant horticultural activities located within the surrounding area and that this development influences the rural character. While the existing character of the wider landscape can be noted, distance separation of these activities and sensitivity of viewers and perceived amenity are also required to be taken into consideration.
- 14.3 In Section 8.5, Ms Williams refers to the submitter's property including substantial mature hedging planted on all three internal boundaries where adjoining the subject site and that the hedging on the eastern and western boundary is dense. I disagree with Ms Williams' description that the planting is mature and dense. An existing line of trees (*pittosporum* spp.) is located sporadically along the western and eastern boundaries of the property. Views of the subject site are afforded over vegetation and where there are gaps in the planting. The planting allows a sense of openness to the property, and this is particularly evident when viewed from the outdoor living area on the northern side of the Submitter's property and within the wider garden spaces.
- 14.4 It is worth noting that vegetation within the Submitter's property cannot be relied upon as visual mitigation.
- 14.5 In Section 8.7 the proposed shelterbelt has already been implemented along the three boundaries adjoining the Submitters property. I understand that clarification is required around the activity status of the northern shelterbelt.
- 14.6 Rural Character and Amenity – I agree with Ms Williams in Section 9.1 of her evidence that rural character and amenity effects of the artificial structure are key matters in contention with the Submitters and the location from internal boundaries.
- 14.7 As with Ms Lomas, we are in agreement around consideration of the rural character and that this helps form expectations for those travelling, working or living in a rural environment, and

that the Rural Zone chapter of the District Plan acknowledges that “The policies and rules in this Plan seek to find a balance between economically driven farming practice and amenity, landscape, biological, cultural and social values”.

- 14.8 The Applicant’s mitigation rationale, while reflecting a rural solution, has not utilised landscape expertise. It is my opinion the Applicant has not provided an appropriate response to 598 Parallel Road that responds to both landscape and visual effects.

15 Recommendations

- 15.1 The Applicant has not fully addressed the landscape and visual effects that will be obtained from the submitter’s property. It is my opinion that addressing the following recommendations will achieve a more appropriate design response and mitigate visual effects to an acceptable level.
- 15.2 Design and layout considerations to be explored and undertaken, where height of structures may be reduced, coverage is reduced, and structures are located to create pocketed views into the Site to provide visual recognition of the activity whilst avoiding visual dominance of the activity from 598 Parallel Road.
- 15.3 Locate the vegetation, used for visual mitigation screening appropriately from boundaries and provide a specific planting and mitigation plan than responds to the rural and visual amenity of the Submitters property. Locating shelterbelts at permitted setbacks will assist in retaining a sense of openness.
- 15.4 Delay construction of structures along western boundary and northern boundary until permitted shelterbelt planting has achieved a height of 5.5m and an average planting density of 90%
- 15.5 Setback structures from northern and western internal boundaries to 25 m to assist in maintaining rural character and utilise rural area for providing amenity set back, this may include utilising the space between the structures and shelterbelts with green kiwi fruit. This design consideration will provide a more appropriate interface treatment and a stepped approach to size and scale of structures from the submitters northern and western boundaries.
- 15.6 Maintain proposed shelterbelts at 6m height, with a minimum trimming height of 5.5 m and a 90% density.
- 15.7 To achieve the required visual screening, density and resilient long-term planting outcome, an alternative planting approach of utilising a mix of native plant species in a 5 m wide planting strip, offsetting plants in a minimum of 3 rows is recommended. In my opinion will ensure a robust long term visual mitigation and acceptable amenity outcomes for the submitter.

15.8 The shallow gully (associated within the Mangawhero Stream), west of 598 Parallel Road is maintained and enhanced.

15.9 No development is constructed adjacent to the gully (associated within the Mangawhero Stream), west of 598 Parallel Road until relevant consents has been granted by Waikato Regional Council.

16 Conclusion

16.1 In summary, the Applicant's proposal including minimal setbacks, height of structures, large site coverage and shelterbelt planting have the potential to create moderate - high degree effects, equating to a more than minor adverse visual effect.

16.2 I do not agree with the proposed mitigation and design outcomes associated with the proposal which have the potential to generate moderate landscape and visual effect and therefore I do not support the application in its current proposal and design. It is my opinion that further considerations / recommendations as outlined above are required to ensure the landscape and visual effects are acceptable for the Submitters property.

15 February 2023

Joanna Louise Soanes

Principal, Landscape Architect
Boffa Miskell