

Before Kaipara District Council

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

And

IN THE MATTER of an application for Private Plan Change 83 ("**PC83**") by THE RISE LIMITED to rezone 56.9 ha of land at Cove Road and Mangawhai Heads Road, Mangawhai from Rural Zone to Residential Zone.

STATEMENT OF EVIDENCE OF SIMON JOHN COCKER ON BEHALF OF THE RISE LIMITED

LANDSCAPE ARCHITECTURE

23 February 2024

Michael Savage

Barrister

Park Chambers

1. SUMMARY OF EVIDENCE

- 1.1 My evidence describes the proposal as set out in the application and in my Assessment of Landscape Effects¹ (ALE) and provides a more detailed description of the landscape mitigation proposal where this applies to the northern slope, and the Cove Road frontage.
- 1.2 The balance of my evidence primarily reflects the structure of the s42A where it applies to my area of expertise (focusing on paragraphs between 176 – 189). The main areas of focus are:
 - a. The mitigation measures proposed for the Northern Sub-precinct (including maximum building height, colour controls, site coverage, and landscape mitigation on the PC83 Site boundaries), and;
 - b. The change in landscape character resulting from PC83.
- 1.3 Finally, I address remaining matters of concern raised by submitters where these fall within the area of my expertise.
- 1.4 I conclude that I remain supportive of the plan change as set out in the PC83 application, but recommend a number of changes in response to matters raised in the s42A and in specific submissions with regard to details of the proposal.
- 1.5 These are as follows:
 - a. An increase to the maximum height limit for buildings as a permitted activity within the Northern sub-precinct;
 - b. The application of the existing ODP Residential Zone permitted activity standard for site coverage and impermeable areas within the Northern sub-precinct;
 - c. The inclusion of a rule that requires the planting of a landscape mitigation buffer along a portion of the eastern boundary of the Site where it adjoins Lot 42 DP 348513, in the vicinity of the identified Lot 42 building site.

¹ Simon Cocker Landscape Architecture. Assessment of Landscape Effects. 6 October 2022.

- 1.6 I confirm that my opinion with regard to the potential adverse landscape and rural character effect of the proposal remains unchanged, and that I am of the opinion that PC83 is appropriate from a landscape and visual perspective.

2. INTRODUCTION

- 2.1 My full name is Simon John Cocker. I am the principal landscape architect with Simon Cocker Landscape Architecture (SCLA), a landscape architectural consultancy based in Whāngarei.
- 2.2 My qualifications and experience are Bachelor of Arts in Geography and a Master of Philosophy in Landscape Design, both from the University of Newcastle upon Tyne. I have more than 25 years' experience as a landscape architect, practising primarily in the United Kingdom and New Zealand. In New Zealand I was employed from 1994 to 2002 as a landscape architect by Boffa Miskell Limited, within both their Auckland and Whangārei Offices. From 2002 to 2004 I was a Parks Landscape Officer within the Whangārei District Council. Until August 2009 I was employed as a Senior Landscape Architect by Littoralis Landscape Architecture and since that date I have been practising as SCLA.
- 2.3 I am a Registered Member of Tuia Pita Ora, the New Zealand Institute of Landscape Architects (**NZILA**).
- 2.4 As a consultant, my primary focus of work has been landscape planning. This has involved assessing the visual or landscape effects of a range of plan changes and development projects including private dwellings, subdivisions, commercial developments, infrastructure projects, extensions to power stations and quarries, and developing mitigation strategies for those activities.
- 2.5 I have also assisted Auckland, Whangārei, Kaipara, and Far North District Councils with the assessment of resource consents and private plan changes from a landscape and visual perspective, and with the provision of landscape architectural advice regarding consent matters.
- 2.6 I am familiar with the subject Site having been involved in The Rise subdivision application in 2016, subsequent land use consent applications related to the subdivision, and input into implementation of the consent conditions where they related to landscape mitigation planting. Consequently, I have visited the PC83 area on

frequent occasions, the most recent being in relation to preparation of my landscape assessment on 3 March 2022, and 31 June 2022.

- 2.7 I attach a copy of my CV in **Attachment 1** which provides further detail on my experience and expertise.
- 2.8 I have read the Code of Conduct for Expert Witnesses in the Environment Court Practice Note 2023. I have complied with the Code of Conduct in preparing this statement of evidence. Unless I state otherwise, this evidence is within my sphere of expertise and I have not omitted to consider material facts known to me that might alter or detract from the opinions I express. I have no conflict of interest to declare with respect of PC83.

3. INVOLVEMENT WITH THE PROPOSAL

- 3.1 I have been engaged by The Rise Limited to provide landscape architectural evidence in support of Private Plan Change Application 83 (“**PC83**”). In October 2022 I prepared the assessment of landscape effects which was included in the Plan Change application.²

4. DESCRIPTION OF PROPOSAL

- 4.1 The location of the PC83 Site is illustrated on **Figure 1** in **Attachment 2**. The proposed zoning plan, Cove Road North Precinct Plan, and concept plan are included in **Attachment 2** as **Figures 2a, 2b and 2c**.
- 4.2 The proposal presented at the hearing include changes recommended in the planning evidence, some of which reflect recommendations contained in my evidence. The recommended provisions are included in the planning evidence of Ms McGrath and Ms Neal.
- 4.3 PC83 seeks to enable residential development for a range of allotment sizes at a density where a high level of urban design is achieved, ecological enhancement, and pedestrian and transport connectivity are achieved. Identified as the ‘Cove Road North Precinct’ (henceforth referred to as the ‘Plan Change area’), the Plan Change area will integrate with the proposed Residential Zone to provide for a variety of residential intensities that promote housing and living choices whilst recognising the landscape,

² SCLA. The Rise Limited. Assessment of landscape effects. 6 October 2022. 22027_01

natural features and characteristics of the area. The PC83 provisions³ recognise the ecological and landscape sensitivities of the plan change area, where these occur.

- 4.4 The Cove Road North Precinct will form an interface between residential and rural zones, and built form should establish a transition between zones, and maintain an open frontage to Cove Road.
- (a) The Application is supported by a Concept Plan, included as **Figure 2c** in **Attachment 2** which illustrates the key elements of a possible development outcome in line with the proposed Plan Change provisions.
- 4.5 The Precinct Plan identifies a Northern sub-precinct which promotes larger lots across the northern slope, which is proposed to be controlled by bespoke rules. Including a subdivision rule requiring a minimum net site area of 1,000m², excluding covenanted bush. The larger minimum lot size ensures a sensitive approach to the development of the steeper land which forms a lower-density transition to the rural residential landscape to the north of the Plan Change area. The southern boundary of this sub-precinct approximately follows the 40m contour in order to integrate lot boundaries with the landform.

Landscape Mitigation

- 4.6 The northern slope on the northern edge of the Plan Change area has been identified as having sensitivities in relation to the rural and natural landscape to the north. These sensitivities are recognised and responded to through the proposed objectives, policies and rules. My assessment recommended that the following rules be included for the purpose of mitigating the potential adverse effect of development within the northern sub-precinct.
- (a) *Maximum height of 6m for buildings and structures. This allows for a single storey dwelling with some flexibility when constructing on the slope;*
- (b) *Building platforms and land required for an accessway must be located a minimum of 10m from areas of existing native vegetation.*
- (c) *Accessory buildings shall be located a maximum of 15m from the main dwelling.*

³ As updated January 2024.

(d) The exterior finish of the building or structure shall have a reflectance value of not more than 30 per cent as defined within the BS5252 standard colour palette.

(e) Accessways and driveways shall be constructed from materials that are dark in colour

4.7 I recommend that these mitigation measures be modified following review of the s42A and submissions, and these modifications are discussed in the subsequent sections. I support the recommended provisions contained in in the planning evidence of Ms McGrath and Ms Neal.

5. RESPONSE TO S42A

5.1 The s42A discusses a number of matters of relevance to my area of expertise. It draws these as topics raised in submissions and for ease of referencing, I will use the same headings as used in the s42A.

Northern sub-precinct.

5.2 In paragraph 176, the s42A notes that a number of submitters (located within Bream Tail Farms) have sought that the minimum lot size for the northern slopes be increased from 1,000m².

5.3 I have previously discussed the fact that – in my assessment – I identified the fact that the northern slopes (to the north of the ‘spine ridge’ as identified in **Figure 3** in **Attachment 2**) are imbued with a higher sensitivity, and I described how this sensitivity is recognised in the proposed policies and methods and potential effects are mitigated.

5.4 Whilst noting that the Plan Change will indisputably result in a change in the landscape character from the current open pastoral appearance of this hillside, the s42A opines that quarter acre minimum sized sites will allow for generous amenity landscape planting. I concur with this view and agree with the follow-on statement which notes that the provision of larger lots on this slope enables a transition in development densities from smaller suburban sized sections in the township, through larger garden-dominated lots on the northern edge, and then to the large lifestyle blocks in Bream Tail.

5.5 I will discuss the likely change in landscape and rural character that will result from PC83 later in my evidence.

Northern sub-precinct: height

- 5.6 The s42A, at paragraph 179 questions the workability of a 6m height limit for housing on sloping topography, stating that unless a dwelling is designed to step down a slope in line with the underlying contour, invariably the design of an internal single level floorplan involves the construction of a basement (or at least high foundations) on the down-slope side of the building. At the downslope point the height from existing ground level to dwelling roofline will often exceed 6m.
- 5.7 I have reviewed the proposed 6m height limit with a view to understanding the effectiveness and practicality of this restriction on the northern slope and have reached the conclusion that such a height limit will have the potential to constrain development, or encourage a greater degree of landform modification and retaining than would otherwise eventuate.
- 5.8 Noting that the building height in the ODP is measured using the rolling ground method, the constraint of a 6m maximum height (above natural ground level) on the down-slope side of the building will, as is posited in the s42A, require that the building be cut back into the slope, or stepped.
- 5.9 For example, an assumed 6m high building, constructed 'along' the contours, and with a width of 12m would require a minimum cut of 3.5m (retaining wall or batter) on its up-slope side.
- 5.10 It is likely that future owners of lots will seek to construct a garage below the dwelling, with living on the first floor level and although this is – with the excavation described above – possible, the design of the building will be constrained by the height limit. This will necessitate a suburban character design which includes low hip or monopitch roofs.
- 5.11 Increasing the maximum height provides the opportunity to reduce the depth of cut by creating a balance of cut and fill, and reducing the requirement for retaining.
- 5.12 Minimising modification of the landform, and the need for structures such as retaining walls is consistent with the intent of the Northern sub-precinct, where the design controls seek to moderate the urban character of the northern slope.
- 5.13 In addition, increasing the maximum height will provide the opportunity for more simple and elegant building design with gable, rather than hip roofs, barn-like, or other elegant forms which better embody the rural character of the area.

- 5.14 My review has therefore confirmed that the 6m height limit is overly restrictive on the sloping terrain, and recommend that the height limit be increased to 7m with provisions for a maximum of 50% of the vertical height of the roof (up to 1m) over the permitted 7m height.

Northern sub-precinct – building and accessway location and colour

- 5.15 At paragraph 180, the s42A comments on the requirement (13.10.15 (1)) for buildings and accessory buildings to be setback at least 10m from 'existing indigenous vegetation', noting the ambiguity of the rule wording. The report recommends that the setback be amended to refer to indigenous vegetation that is subject to a conservation covenant or subdivision consent condition so that it captures the existing large bush features without capturing later garden plantings.
- 5.16 My understanding is that the rule only applies to the Northern sub-precinct where the intention is to apply a 10m setback from the existing area of native vegetation where it 'spills' over from Bream Tail Farm into the PC83 boundary into the sub-precinct area.
- 5.17 The wording of (13.10.15 (1)) should, in my opinion reflect this and be unambiguous. I agree that the proposed rule may be ambiguous, I rely upon the planning evidence and recommendations of Ms McGrath and Ms Neal.
- 5.18 At paragraph 181, the s42A discusses colour controls for buildings and surfaces (13.10.15(3)(i)) and determines that the colour control for buildings is supported.
- 5.19 The s42A does not support the inclusion of a colour control for accessways (13.10.15(3)(ii)), considering that such a control is both ambiguous as a rule trigger and challenging to enforce. The report also opines that accessways are not particularly visible elements in hillside suburbs.
- 5.20 As is illustrated in **photo 1** in **Attachment 2**, white (natural) concrete carriageways, when located on hill slopes have the potential to be viewed from considerable distances, with the brightness of the concrete drawing the eye.
- 5.21 The example image occupies a pastoral hill landscape, and it is accepted that the presence of dwellings is likely to moderate the prominence of the access, even so, the presence of light coloured elements which 'glare' in the sunlight will increase the overall intrusion of the development.

Northern sub-precinct: Site coverage

- 5.22 In paragraph 183, the report notes that the PC83 provisions do not propose a differentiated approach to controlling either building coverage or impervious surfacing for the northern sub-precinct.
- 5.23 PPC83 proposes to apply higher permitted activity standards within the Plan Change area than the ODP permitted activity building coverage and impermeable coverage rules from 35% (under the OPD), to 45% building coverage and from 40% (under the OPD) to 60% impermeable coverage.
- 5.24 The s42A comments that, where these rules apply to the Northern Sub-precinct, the changes are not appropriate and recommends that the operative ODP controls on these two matters be retained.
- 5.25 Having considered the argument posited in the s42A which calculates that enable the proposed site coverage rule would provide for buildings with a footprint of some 450m² on a 1,000m² site. Noting the intent of this sub-precinct; to provide a transition between the proposed residential zone and the landscape to the north, I am now of the opinion that the building coverage and impermeable coverage rules for the Northern Sub-precinct should reflect the ODP permitted building coverage and permeable surfaces coverage rules as detailed in the planning evidence and recommendations of Ms McGrath and Ms Neal.
- 5.26 In my view, it is important that there is a distinct change in built density within the Northern Sub-precinct. Facilitating larger dwellings may require more substantial earthworks and retaining structures which could subsequently result in adverse landscape effects from development within the Northern Sub-precinct. As stated in the s42A, I agree that it is important to ensure that an appropriate balance between buildings, hard surfacing and contextual open space and garden planting is maintained.

Northern sub-precinct: Landscaping adjacent to northern edge.

- 5.27 The s42A notes at paragraph 184, that several submitters seek the inclusion of a requirement to establish a landscaped strip along the site's northern boundary and interface with the Tangaroa Place properties.

- 5.28 The submissions referred to are understood to include 8.2, 14.2, and 63.2. These seek the inclusion of a landscape strip / buffer (of a variety of widths) along the common boundary of the PC83 area and the Bream Tail Farms land.
- 5.29 The report posits that a landscaped perimeter would assist in creating a clear transition between the application site and these larger rural properties to the north and suggests that the rule requirements mirror those proposed for Cove Road, with a 2m minimum depth.
- 5.30 I consider for the reasons set out below that a landscape strip along the entire boundary of the shared boundary between the PC83 area and the Bream Tail Farms land is not of benefit..
- 5.31 To the north, the Plan Change area boundary is physically and visually contained – as is illustrated by **Figure 4 and photo 2 in Attachment 2** – by native bush. This vegetation is between 50m – 100m wide.
- 5.32 Since the bush screens views into the Plan Change area along the majority of its northern boundary with Bream Tail Farms, there will be no benefit gained from requiring a landscape strip along this boundary.
- 5.33 This bush precludes views into the Plan Change area from Tangaroa Road as far east along the road as the Bream Tail Farm Manager’s house (1 Tangaroa Road). Beyond this point, fragmented views to the south west, to the rising slope of the PC83 area are possible through gaps in the riparian vegetation (refer to **photo 3 in Attachment 2**).
- 5.34 Such views are primarily limited to users of Tangaroa Road who are transitory in nature.
- 5.35 Panoramic views from elevated terrain and properties to the north east (refer to **photo 4 in Attachment 2**).
- 5.36 From these locations a landscape buffer strip would provide limited screening and integration limited since observers will have the potential to gain views of much of, or the entire northern slope of the spine ridge. The planting buffer will merely serve to screen the lower strip of the ridge flank along the boundary and will therefore, be ineffectual.

- 5.37 Rather it is the larger minimum lot area, and the proposed design controls that assist with the transition from the rural residential to residential character landscape, when viewed from these locations.
- 5.38 In my opinion, a planted strip would benefit occupants of Lot 42 DP 348513. Views are possible from the identified building areas within Lot 42 along the spine ridge crest (within the Plan Change area, and the northern slope (refer to **photos 5 and 6** in **Attachment 2**). As such, these individuals would have the potential to gain relatively proximate views (between 40 – 80m) of future built development within the Plan Change area.
- 5.39 **Figure 4** in **Attachment 2** illustrates the north eastern corner of the Plan Change area and its interface with Bream Tail Farm. The building area for Lot 43 is visible and indicates that the future dwelling within this lot will be oriented to the north east.
- 5.40 The Lot 43 boundary with PC83 has been planted with a 5m (approximately) wide buffer of native planting (**Figure 4** in **Attachment 2**).
- 5.41 Construction has not commenced within Lot 42 to date, but it is assumed that a dwelling within this lot will be oriented in a similar direction to that within Lot 43 rather than toward the PC83 Site.
- 5.42 Notwithstanding this, I am of the opinion that – given the relative proximity of the Lot 42 building area to the Plan Change area boundary, and the potential of the future dwelling to offer views of future development on the crest of the spine ridge and on the northern slopes – there would be some merit in providing visual buffering between Lot 42 in the vicinity of the identified building site, and the Plan Change area.
- 5.43 The location and extent of the recommended buffer strip is illustrated on **Figure 4** in **Attachment 2**. It will serve the same purpose as the proposed planted strip along the Cove Road frontage (as referred to in paragraph 184 of the s42A), since it will buffer proximate views from the nearby residence within Lot 42 DP 348513 into the PC83 Site.
- 5.44 This matter is addressed through proposed Rule 13.13X.2(xi) Subdivision Design in the recommended provisions attached to the planning evidence of Ms McGrath and Ms Neal.

Landscape Change

- 5.45 In paragraph 185, the s42A states that any rezoning and resulting change in use will result in a change in the character of the landscape. It is stated that a change is not necessarily adverse and references the visual amenity afforded many suburban areas of Mangawhai which is typical of coastal communities.
- 5.46 I concur with this opinion.
- 5.47 The landscape effect of the proposal is discussed in detail in section 6 of my ALE (p14 – 17).
- 5.48 It concludes that the proposal will result in a marked change in the biophysical attributes of the Plan Change area, although the sensitivity of the Plan Change area with regard to these attributes is assessed as being low due to its modified condition.
- 5.49 With development of the Plan Change area, although the volume of earthworks is likely to be relatively modest, the hydrology of the Site will be substantially modified. Mitigation measures (in the form of stormwater treatment devices) will ensure that runoff from the development will be captured and treated so that water quality is maintained.
- 5.50 Thus, the abiotic change arising from the proposal will be localised and any adverse effects arising from the biotic changes in the landscape can be mitigated.
- 5.51 The changes with regard to social, cultural and associative attributes are assessed as being small. No archaeological or cultural sites have been identified.
- 5.52 The contextual rural landscape of the area displays a varied character. To the west, built development within The Sanctuary, particularly within its lower lying eastern portion imparts a residential character. The open space separating the dwellings is domestic in character – comprising gardens or amenity grassland and plantings with no productive capacity (refer to **photo 7** in **Appendix 2**).
- 5.53 The Bream Tail Farm development to the north and north east differs in that – whilst built form is an element of its character, it retains a spacious openness and rural elements.
- 5.54 The existing rural land to the east and south east of the site (refer to **photo 8** in **Attachment 2**) has an existing residential zoning which – as can be seen in **Figure 2a**

in **Attachment 2** – extends across to the existing urban edges. This Residential zoned land and is expected to also change in character and appearance over the coming years.

- 5.55 To the south the site is bounded by existing suburban development which it will match in appearance.
- 5.56 The proposal will result in a change of land use that will herald a conspicuous change in the landscape character of the Plan Change area.
- 5.57 The change in the landscape character of Plan Change area will be evident from within the visual catchment, but when viewed from the western, south western, southern, and south eastern portion of the catchment, the change will be seen within the context of surrounding existing rural residential settlement. In addition, when experienced from the south, south east, east and north east, the change will be seen within the context of the existing Residentially zoned land. The zoning of this land anticipates a marked change in the character of the landscape along this eastern edge of the PC83 Site.
- 5.58 When viewed from the north and north east, the change will be tempered by measures that will help to moderate the change in character. On the northern slope, the landscape and / or ecological values have been recognised as being elevated, and my ALE identified there is a greater sensitivity to land use change. To this end, the PC83 provisions seek to reduce the density and prominence of development on the northern flank of the northern ridge, to protect and enhance the watercourses within the PC83 area, and to impose measures to reduce the dominance of built form on key road frontages.
- 5.59 Overall therefore, it is my opinion that the overall landscape change of the proposal will be moderate. I accept that change in character is not necessarily an adverse effect.
- 5.60 The proposed precinct provisions seek to protect landscape and ecological features, and will manage adverse effects on residential amenity. Based on this I am of the opinion that the landscape change that will be facilitated by PC83 is appropriate from a landscape perspective.

Cove Road frontage

- 5.61 Referring to the proposed frontage rules and landscaping associated with the Cove Road frontage, the s42A opines that this element of the proposal will provide an appropriate interface with the rural lifestyle areas on the far side of Cove Road.
- 5.62 The prevailing character of the Cove Road corridor is rural residential and the PC83 provisions seek to maintain this character by providing setbacks for buildings, structures, car parking and storage areas, and using planting or other methods to soften and / or screen built form.
- 5.63 These measures will ensure that the Cove Road frontage of the PC83 area retains an open and spacious character which is consistent with the prevailing Cove Road rural residential character.
- 5.64 As such, I concur with the opinion expressed in the s42A.
- 5.65 In paragraph 189 the report recommends that the Cove Road landscaping requirements need not apply to the frontage with Mangawhai Heads Road. This is due to the suburban character of the southern side of Mangawhai Heads Road.
- 5.66 Notwithstanding this, I note that in response to the s42A an increase in the setback from Mangawhai Heads Road to 5m the evidence of Ms McGrath and Ms Neal accepts this increase. The rationale for this increase is to maintain a consistency with existing setbacks to the south of the road.
- 5.67 My **photo 9** in **Attachment 2** illustrates the character of the Mangawhai Heads Road corridor where dwellings dominate the significant sections of the road frontage. PC83 will facilitate a similar form of development along the northern edge of Mangawhai Heads Road and as such, I concur with this recommendation.

6. RESPONSE TO SUBMITTERS

- 6.1 The principle landscape, rural character and visual issues raised in submissions have been addressed in the previous section in the groupings set out in the s42A and I do not propose to revisit these matters.
- 6.2 Matters raised in submission that have not yet been addressed, are addressed below:

Loss of privacy

- 6.3 Submission 7 (Barry and Shirleyann Prangley) does not specify the precise location of the property that they own. The wording of the submission suggests that the property is located within the south western part of the PC83 area.
- 6.4 In section 3.2.3 of my ALE I assess the potential adverse visual effect that will be experienced by occupants of dwellings within The Rise subdivision and occupants of dwellings within rural residential properties in the south western corner of the PC83 area.

Loss of rural outlook

- 6.5 Dwellings within The Rise benefit from northerly, westerly and, along the southern edge of the subdivision, south westerly / southerly outlooks. The views from these properties are elevated and offer views to the Brynderwyn Ranges, across the rural residential landscape to the south, south west and west.
- 6.6 The proposal will result in a marked change in the outlook, with PC83 providing for residential development within the valley to the south. This will be apparent from those properties located on the south western and southern facing slopes within the southern third of The Rise.
- 6.7 The change in the character of this outlook will be marked, but given the elevation of these properties, will not affect the longer views across the rural landscape and it is the opinion of the author that the potential adverse visual amenity effect will be moderate for occupants of properties located on the south western and southern facing slopes within the southern third of The Rise. For occupants of the remainder of properties within The Rise, the level of adverse effect will be low.
- 6.8 The rural residential properties located within the south western portion of the PC83 area fall into two categories. The first comprises those located on the crest of, and to the north west of the south western trending ridge which bisects this area (refer to **Figure 3 in Attachment 2**), whilst the balance comprises those to the south east. The former primarily benefit from views to the Brynderwyn Range and across the PC83 area, whilst the latter generally have an easterly and south easterly outlook.
- 6.9 The change in the character of the landscape as experienced by the former group will be marked, with the midground of their outlook changing from rural, to residential in character. For those individuals that occupy dwellings in elevated situations (such as

Lots 1 – 4 DP 549949), views over the valley to the Ranges will be unaffected. Where dwellings are located within lower lying properties, such as within Lot 6 DP 208703, Lot 3 DP 502554, Lot 1 DP 502554, Lot 2 DP 502554, future development within the PC83 area will occur on a similar level to these properties, and the outlook experienced by occupants will be affected. It is the opinion of the author that the potential change in landscape within the Plan Change area could be perceived as a moderate to high visual amenity effect for these individuals.

- 6.10 For the former group, including Lot 2 DP 487992, Lot 1 DP 487992, Lot 1 DP 486549, Lot 2 DP 486549, Lots 2 and 4 DP 533096 and Lot 3 DP 445000, where the primary outlook is away from the Plan Change area, the level of potential adverse visual amenity effect will be very low.
- 6.11 It is common in my opinion, for individuals to experience a change in visual amenity as a result of rezoning from rural to residential. The proposed precinct provisions seek to protect landscape and ecological features, and will manage adverse effects on visual amenity to ensure that potential effects overall will be acceptable.

7. CONCLUSION

- 7.1 My broad opinions where they relate to the PC83 proposal remain unchanged however, on reviewing the s42A and submissions, I have recommended a number of changes with regard to details of the proposal.
- 7.2 These are as follows:
- a. A change in the maximum height limit for buildings within the Northern sub-precinct;
 - b. The retention of the ODP site coverage and impermeable areas within the Northern sub-precinct, and;
 - c. The inclusion of a rule that requires the planting of a landscape mitigation buffer along a portion of the eastern boundary of the Site where it adjoins Lot 42 DP 348513, in the vicinity of the identified Lot 42 building site.
- 1.6 I confirm that my opinion with regard to the potential adverse landscape and rural character effect of the proposal remains unchanged, and that I am of the opinion that the change that will be facilitated by PC83 is appropriate from a landscape perspective.

The proposed precinct provisions seek to protect landscape and ecological features, and will manage adverse effects on residential amenity

Simon John Cocker

Date: 23 February 2024

LIST OF ABBREVIATIONS USED IN THIS STATEMENT OF EVIDENCE:

Council	Kaipara District Council
s42A	Section 42A of the RMA / Council's Section 42A Report
ODP	Kaipara District Plan

Attachment 1 – Simon John Cocker CV

Simon Cocker

Curriculum vitae



Professional Qualifications:

Geography BA (Hons) (University of Newcastle Upon Tyne) 1985

M.Phil Landscape Design (University of Newcastle Upon Tyne) 1987

Registered Landscape Architect (NZILA)

SiteWise registered.

Previous Positions:

Senior Landscape Architect

Littoralis Landscape Architecture, (2002-2009)

Parks Landscape Officer

Whangarei District Council (2002-2004)

Landscape Architect

Boffa Miskell Ltd, Auckland and Whangarei (1994-2002)

Present Position:

Principal

Simon Cocker Landscape Architecture (2009 - present)

Within Simon Cocker Landscape Architecture, Simon has had a strong focus on landscape planning including resource consent and policy planning, regional and project related landscape assessment. This has included a number of large scale infrastructural projects including roading, rail and power generation projects, both in the United Kingdom and in New Zealand.

The practice has also provided landscape architectural input (assessment and design) for infrastructural projects including the Te Matau ā Pohe bridge and link roads, the State Highway 1 widening projects between Tarewa Road and Kensington Avenue, the State Highway 1 Brynderwyn Hills project and the Matakohe / Northland Bridges project on State Highway 14, water storage projects for the Te Tai Tokerau Water Storage Trust including Matawii (Kaikohe) and Te Waihekeora (Te Kopuru) reservoirs in the mid and Far North, a wind farm project in Palmerston North, and for solar farm projects in Pukenui (Far North), Ruawai, Edgecumbe, Marton, Foxton, Greytown, Kikiwa and Waipara.

Simon has been involved in a number of private plan changes, including most recently, Private Plan Change 81 (Dargaville Racecourse – Kaipara District Council), and Private Plan Change 73 (O'Hara, Waiuku – Auckland Council).

Simon is an experienced expert witness, preparing and presenting evidence on behalf of Council and private clients in both Council hearings and in the Environment Court.

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Examples of relevant experience (landscape assessment and private plan changes):

McNichol Road Quarry, Clevedon: Visual assessment and the preparation of mitigation measures for the expansion of an existing quarry. Subsequent preparation of evidence and presentation of evidence at the Environment Court. (1996).

Mussel Farm, Whangape Harbour: Visual assessment for input into the consent application for a proposed mussel farm at the entrance to the Whangape Harbour. (1998).

Oyster farm, Whangaroa Harbour: Visual assessment for input into the consent. Application for a proposed oyster farm in Whangaroa Harbour. (1998).

Wilsonville Quarry Expansion, Hikurangi: Landscape integration concept and visual assessment for input into resource consent application. (1998).

State Highway 18, Greenhithe: Input into detailed route planning of new road alignment, visual assessment and preparation of conceptual mitigation plans. Presentation of evidence at council hearing. (1995)

Sandglass Corporation, Sand Extraction Facility: The preparation of the assessment of landscape and visual effects for a sand extraction proposal with a total area of 46 ha near Mangawhai. The site is located near the Tomarata Lakes and is within an area identified in the district plan as having notable landscape values. As a consequence, internalisation of the potential adverse effects was key to the potential success of the project. Also involved in the development of a mitigation strategy to minimise the visibility of the extraction process, and the preparation of a landscape management plan to detail the progressive rehabilitation of the site.

Involvement in all stages of the consent process including environment court mediation. The project was granted consent following mediation in which the mitigation of visual and natural character effects was a key issue. (2005-2008)

Knight Road Quarry: The preparation of the assessment of landscape and visual effects for an application to extend a quarry in a rural area. The visual catchment of the quarry include a large number of rural residential properties which necessitates careful design and mitigation of the activity. (2008).

Golden Bay Portland Quarry: The preparation of an assessment of landscape and amenity effects for an application to council for consent to extend and operate the quarry for an additional 35 years. Subsequent to consent being granted. Involved in the preparation of a landscape management plan to satisfy conditions of consent. (2009).

Marsden Point Rail Link: A comprehensive review of various alignment options in terms of landscape effects and impacts upon natural character, followed by a more detailed assessment of impacts upon landscape character and rural amenity resulting from a preferred alignment option. Included consideration of possible mitigation strategies as part of a scoping study for a major rail corridor linking the current northland rail corridor with the Marsden Point Deep Water Port. Involved with the preparation of, and presentation of evidence to the Council Judicial hearing. (2008-2009).

Turitea Wind Farm, Palmerston North – Preliminary assessment of landscape effects of an 80 turbine wind farm on the Tararua Ranges for Mighty River Power (2008).

State Highway 1, Tarewa Road – Selwyn Avenue alteration to designation: Preparation of urban design assessments, visual assessments, and tree assessments for each of the four stages. Presentation of evidence at Council hearing for the Selwyn Avenue to Central Avenue, and State Highway 14 junction sections. Preparation of detailed landscape plans, specification and schedules. Technical observation under Engineer to the project. (2010 – 2018).

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State Highway 1, Kensington Avenue alteration to designation: Scoping of proposal prior to preparation of landscape and visual assessment, liaison with Council as the adjoining landowner, development of detailed landscape design for junction and Kensington Park frontage. Preparation of detailed landscape plans, specification and schedules. (2012 – 2018).

Lower Hatea River Crossing (Te Matau a Pohe): Preparation of landscape assessment, and presentation of evidence at Council hearing. Preparation of detailed planting plans, schedules and specification for approach roads, roundabouts, coastal margin and for landscape context of the approach road on Pohe Island (2011 – 2013).

Opuia Stage 2 Marina Expansion: Preparation of a landscape assessment for inclusion in the resource consent application for the expansion of the existing marina in Opuia. Preparation of the landscape concept for the outdoor spaces associated with the proposed marina buildings, including events spaces, gardens, rain gardens and walkways. Presentation of evidence at joint FNDC and NRC hearing. (2013 – 2016).

State Highway 1, Brynderwyn Safe Systems Project: Input into design of road alignment, preparation of the landscape and visual assessment for inclusion in the consent application, and development of landscape mitigation plans, in conjunction with project ecologist (2014 – 2015).

Whitianga Marina Expansion: Preparation of a landscape and visual assessment for inclusion in the resource consent application for the expansion of the existing marina in Whitianga. (2018).

Whangarei Marina Expansion: Preparation of a landscape assessment for inclusion in the resource consent application for the expansion of the existing marina in Whangarei for the Whangarei Marina Trust. Preparation of the landscape concept for the outdoor spaces associated with the proposed marina buildings, including events spaces, gardens, rain gardens and walkways. (2016 – 2017).

Opuia Stage 2 Marina Expansion: Preparation of a landscape assessment for inclusion in the resource consent application for the expansion of the existing marina in Opuia. Preparation of the landscape concept for the outdoor spaces associated with the proposed marina buildings, including events spaces, gardens, rain gardens and walkways. Presentation of evidence at joint FNDC and NRC hearing. (2013 – 2016).

Northland Bridges Project: Preparation of the detailed landscape design for the Matakoho bridges project, including technical observation for the landscape implementation works. (2018 – 2020).

Ngawha Innovation Park, Kaikohe: Project led by Far North Holdings for the development of rural land east of Kaikohe for a rural industrial and horticulture hub. Input as part of multidisciplinary team, into the masterplan, and preparation of landscape and visual assessment for inclusion in the consent application. (2019 – 2020).

Te Tai Tokerau Water Storage Project: Landscape architecture input into a series of reservoir projects in Kaipara District and the Mid North, including Matawii in Ngawha. Preparation of landscape assessment and landscape mitigation strategy for various resource consents, and liaison with Tangata Whenua. (2020 – present)

Solar Farm projects: Assessment of solar farm projects of varying scales in Whangarei (Maungatapere), Ruawai, Pukenui, Edgumbe, Foxton, Marton, and Greytown (2019 – present).


Private Plan Change 150. (Marsden City) (2020 – 2021). Landscape architecture lead in a multidisciplinary team seeking a plan change to the Whangarei District Plan to provide for a retirement village development.


Private Plan Change 81. (Dargaville Racecourse) (2020 – 2022). Landscape architecture lead in a multidisciplinary team seeking a plan change to the Kaipara District Plan to provide for mixed use development.

Private Plan Change 73. (O'Hara, Waiuku) (2022 – present). Landscape architecture lead in a multidisciplinary team seeking a plan change to the Auckland Unitary Plan to provide for residential development.

Attachment 2 – Figures



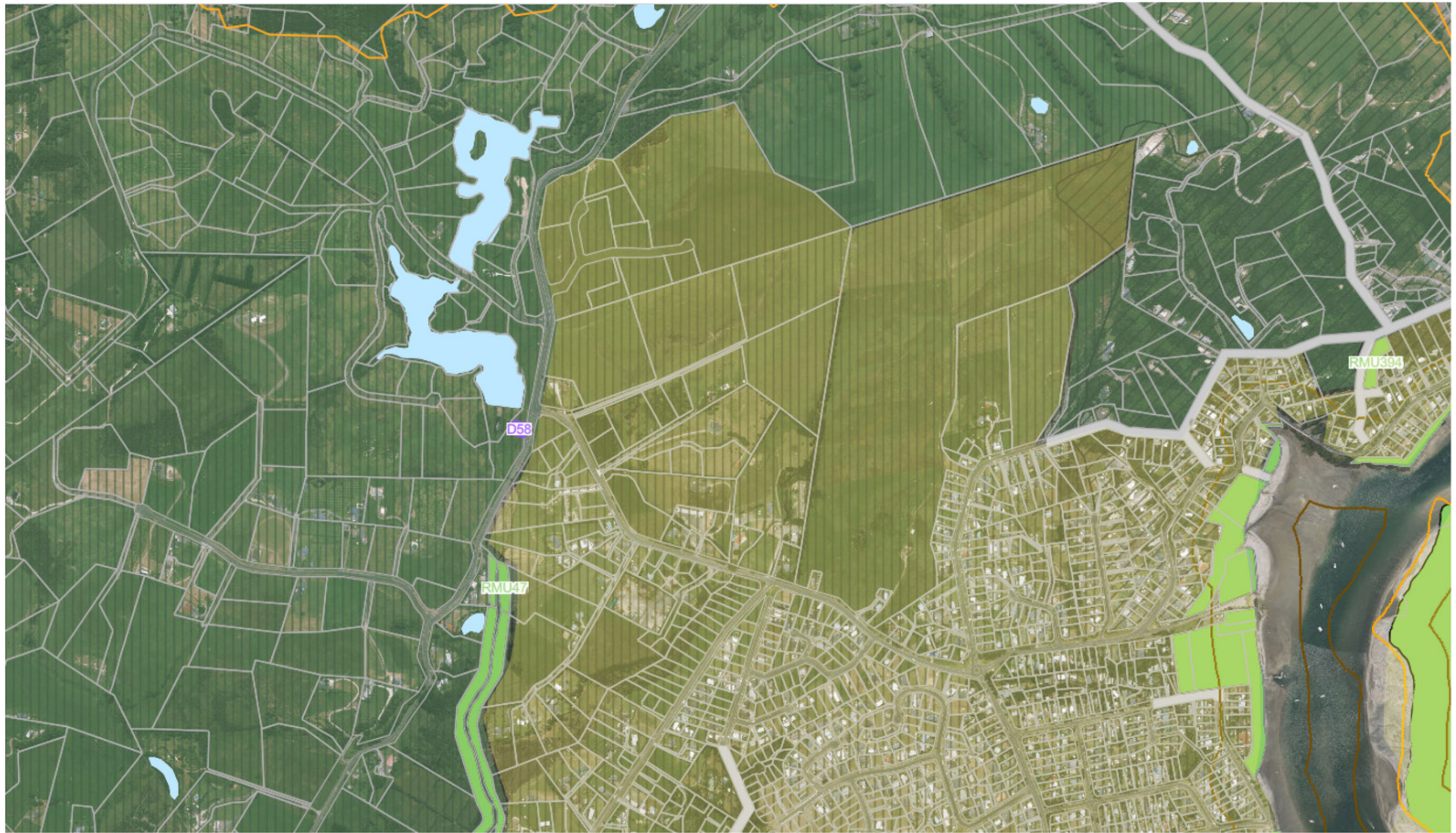
 VP7 Photo location

 PC83 boundary

**PRIVATE PLAN CHANGE 83
Evidence of Simon John Cocker**

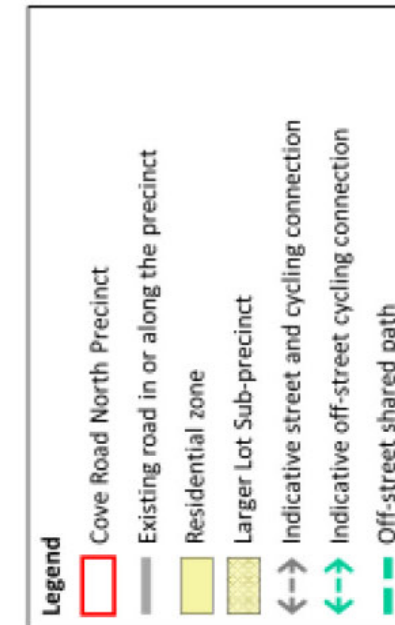
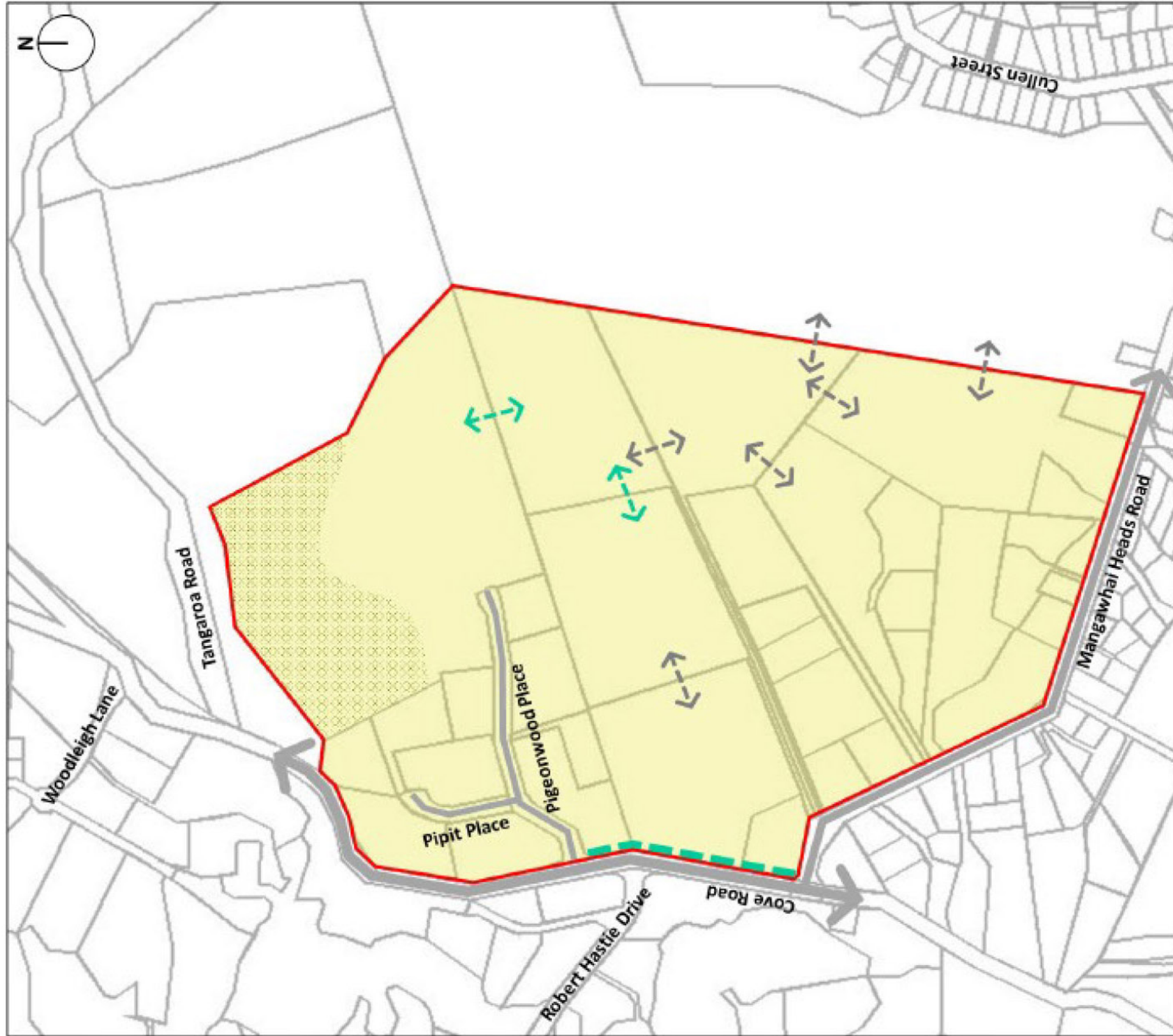
FIGURE 1: Context of the Site





PRIVATE PLAN CHANGE 83
Evidence of Simon John Cocker

FIGURE 2a: Proposed Zoning Plan

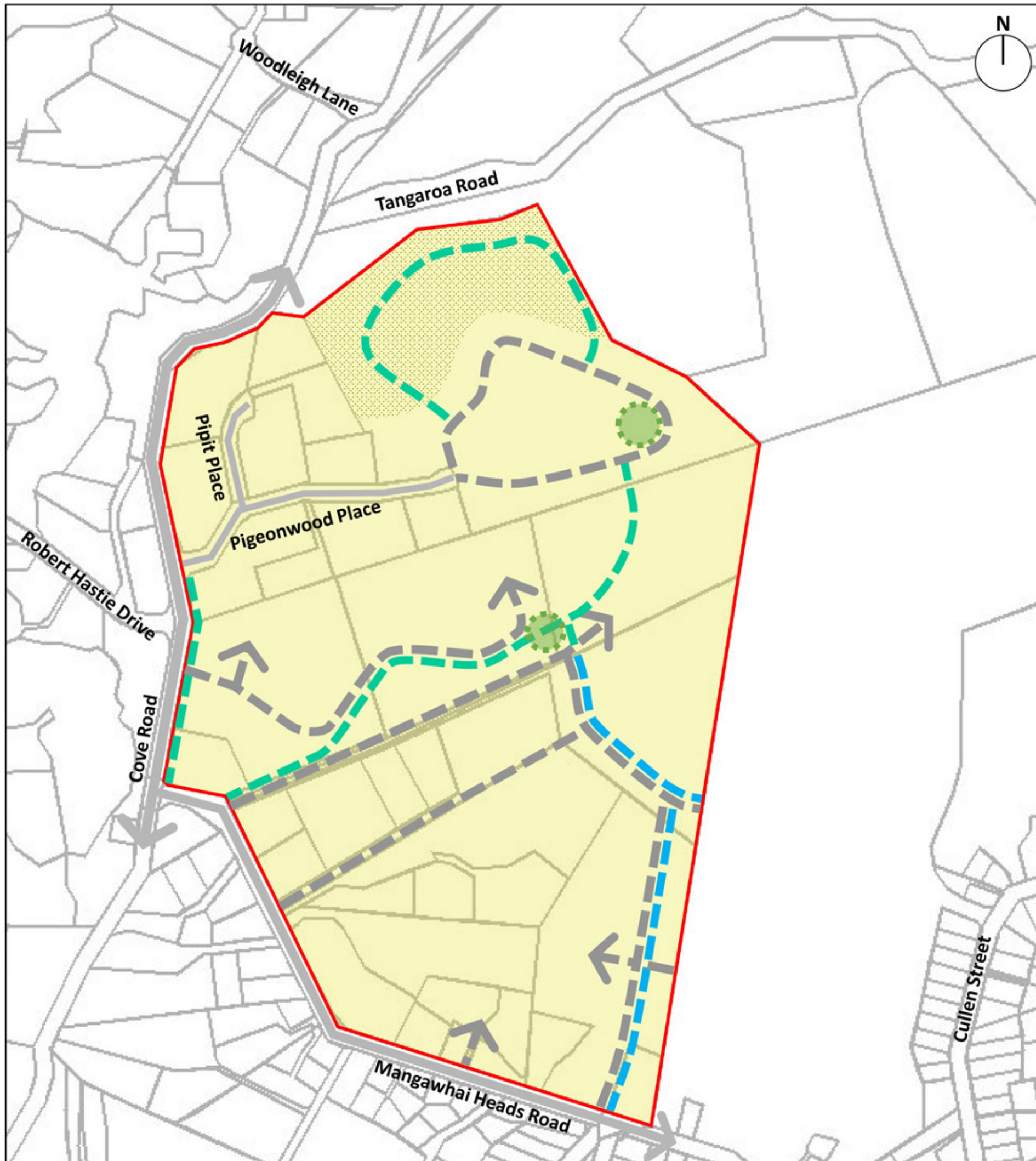


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FIGURE 2b: Cove Road North Precinct Plan

Concept Plan

DRAFT 19-08-2002

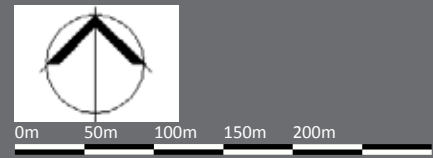


Legend

- Precinct Plan site
- Existing road in or along the precinct
- Residential zone
- Larger Lot overlay
- Street
- Off-street shared path
- On-street cycle lanes
- Park

PRIVATE PLAN CHANGE 83
Evidence of Simon John Cocker

FIGURE 2c: Cove Road North Concept Plan

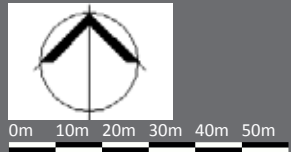
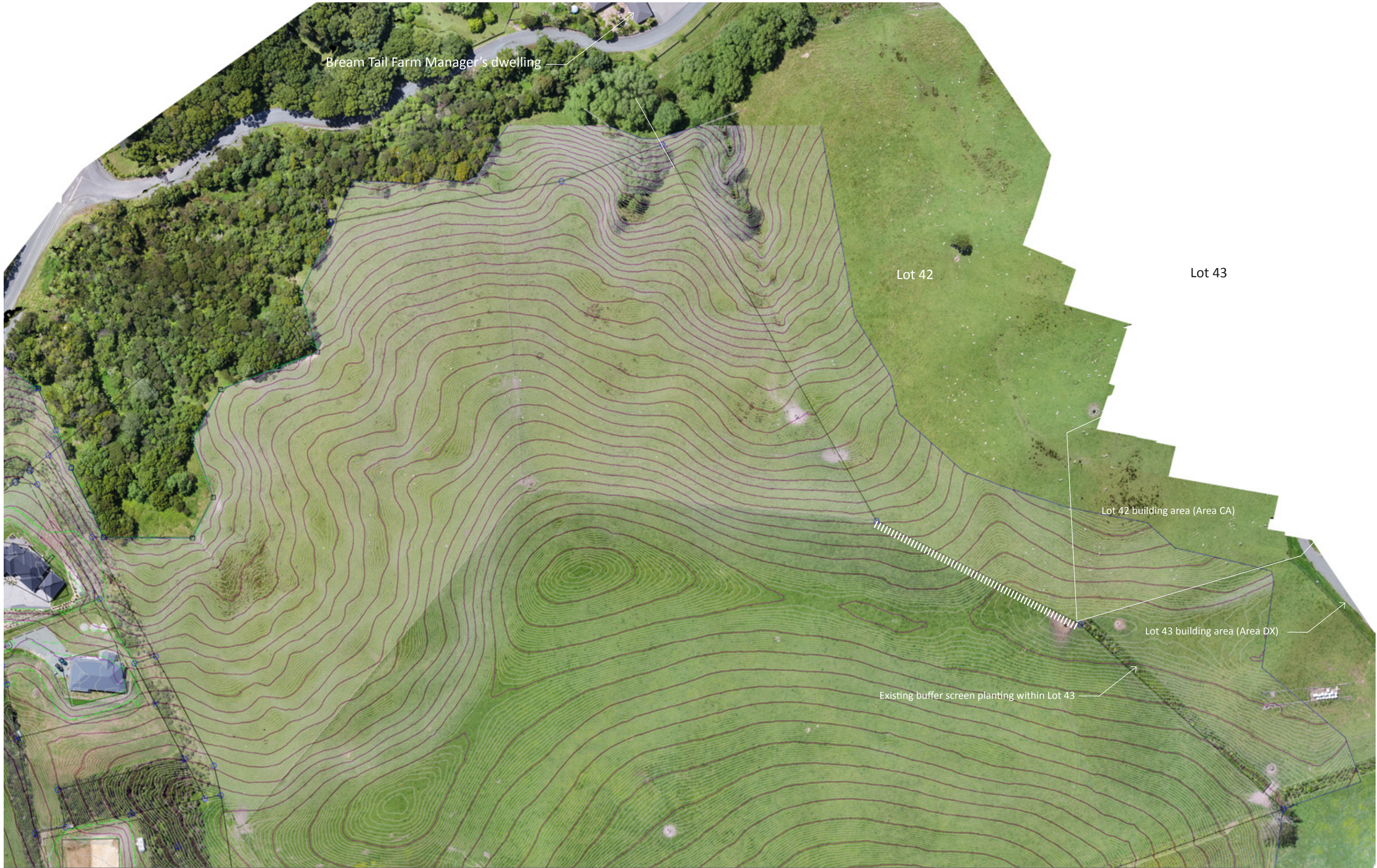


- Precinct boundary
- Intermittent stream
- Ridgeline
- Native vegetation

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FIGURE 3: Site features





Recommended location of landscape buffer planting

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FIGURE 4: Recommended Lot 43 DP 348513 boundary planting





Photo 1: View to north west from Lot 2 DP 460606

Photo sourced from Cato Bolam web site

PRIVATE PLAN CHANGE 83
Evidence of Simon John Cocker



Photos



PC Site

Photo 2: View to northern slope within PC83 area from Woodleigh Lane

Photo date - 3 March 2022

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Evidence of Simon John Cocker
Photos

(Photographs taken with digital equivalent of 50mm focal length unless otherwise specified)





Photo 3: View south west from the Tangaroa Road corridor across Lot 42 to the PC Site

Photo date - 8 April 2016

PRIVATE PLAN CHANGE 83
Evidence of Simon John Cocker
Photos

25(Photographs taken with digital equivalent of 50mm focal length unless otherwise specified)





PC Site

Photo 4: View south west to PC Site from Tangaroa Drive

Photo date - 8 April 2016

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Evidence of Simon John Cocker
Photos

(Photographs taken with digital equivalent of 50mm focal length unless otherwise specified)





Photo 5: View to west from within Lot 43 (8 Tangaroa Road) (Pan 1 of 2)

Photo date - 11 January 2017

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Evidence of Simon John Cocker
Photos

(Photographs taken with digital equivalent of 50mm focal length unless otherwise specified)





Photo 6: View to west from within Lot 42 (6 Tangaroa Road) (Pan 1 of 2)

Photo date - 11 January 2017

PRIVATE PLAN CHANGE 83
Evidence of Simon John Cocker
Photos

(Photographs taken with digital equivalent of 50mm focal length unless otherwise specified)





Photo 7: View from eastern end of Pigeonwood Drive to west (The Sanctuary)

Photo date - 23 June 2022

PRIVATE PLAN CHANGE 83
Evidence of Simon John Cocker
Photos

(Photographs taken with digital equivalent of 50mm focal length unless otherwise specified)





Photo 8: View east across Residentially zoned land from entrance to 71 Cullen Street

Photo date - 3 March 2022

PRIVATE PLAN CHANGE 83
Evidence of Simon John Cocker
Photos





Photo 9: View east along Mangawhai Heads Road from entrance to number 113

Photo sourced from Google StreetView

PRIVATE PLAN CHANGE 83
Evidence of Simon John Cocker
Photos

