

BEFORE HEARINGS COMMISISONERS APPOINTED

BY THE FAR NORTH DISCTRIT COUNCIL

IN THE MATTER of the Resource Management Act 1991

AND

IN THE MATTER of the hearing of submissions on the Proposed
Far North District Plan

SUBMITTER Far North Holdings Limited

HEARING TOPIC: Hearing 4 – Natural Environment Values & Coastal
Environment

STATEMENT OF PLANNING EVIDENCE OF CATHERINE LEA HAMILTON

22 July 2024

INTRODUCTION

1. My name is Catherine Lea Hamilton. I am a Technical Principal Landscape Architect at WSP New Zealand Ltd (WSP). I am based in Northland and work nationally across Aotearoa. My role involves technical oversight of our national landscape architecture team and delivery of landscape planning and design services.
2. I have been engaged by Far North Holdings Limited **[FNHL]** to provide evidence in support of its original and further submissions to the Proposed Far North District Plan **[PDP]**.
3. I note that while the Environment Court Code of Conduct does not apply to a Council hearing, I am familiar with the principles of the code and have followed these in preparing this evidence.
4. Other than where I state that I am relying on the advice of another person, this evidence is within my area(s) of expertise. I have not omitted to consider material facts known to me that might alter or detract from the opinions that I express.
5. I have qualified my evidence where I consider that any part of it may be incomplete or inaccurate, and identified any information or knowledge gaps, or uncertainties in any scientific information or mathematical models and analyses that I am aware of, and their potential implications. I have stated in my evidence where my opinion is not firm or concluded because of insufficient research or data or for any other reason and have provided an assessment of my level of confidence, and the likelihood of any outcomes specified, in my conclusion.

QUALIFICATIONS AND EXPERIENCE

6. I hold a Bachelor of Landscape Architecture (BLA) degree with honours from Lincoln University, Canterbury.
7. I am a Fellow of the New Zealand Institute of Landscape Architects/Tuia Pito Ora.
8. I have been in practice as a landscape architect in Aotearoa for over 35 years. For the past eleven years I have been employed by WSP NZ. Prior to that I was the owner/director of a landscape and urban design company based in Auckland. During this time, I employed and mentored many landscape architects to attain professional proficiency and NZILA registration.
9. I specialise in landscape assessment, planning and design at all scales. At the broader scale I work with Crown agencies to manage conservation estate landscapes, assist Territorial Authorities with regional growth planning and work with Iwi, Hapu and Whanau in the development of landscape strategy and design. At the finer scale I have delivered numerous landscape assessment, planning and design projects in both rural and urban settings.

10. My work has been awarded nationally and internationally. I have presented at national and international conferences in Australasia and Taiwan and have been a guest lecturer on the topic of landscape architecture practice.
11. I am currently the monitor for the Bachelor of Landscape Architecture undergraduate degree at Unitec, providing evidence to NZQA for accreditation purposes.
12. I have undertaken and participated in many landscape assessments at district and regional levels. I have also assessed many development proposals as part of resource consent and NoR applications.
13. I was involved in the development of Te Tangi a te Manu: Aotearoa New Zealand Landscape Assessment Guidelines, New Zealand Institute of Landscape Architects (NZILA), July 2022, through participation in workshops.

SCOPE OF EVIDENCE

14. Hearing 4 addresses submission points relating to the PDP – Natural Environment Values & Coastal Environment. The s42A reports splits these matters into four reports in line with the structure of the PDP.
 - a) Ecosystems and Indigenous Biodiversity
 - b) Natural Character
 - c) Natural features and Landscapes
 - d) Coastal Environment
15. Documents reviewed in the course of preparing this evidence:
 - Tuia Pito Ora New Zealand Institute of Landscape Architects (2022) Te Tangi a te Manu: Aotearoa New Zealand Landscape Assessment Guidelines
 - Tuia Pito Ora New Zealand Institute of Landscape Architects (2010) Best Practice Guide: Visual Simulations BPG 10.2 NZILA
 - Resource Management Act 1991
 - New Zealand Coastal Policy Statement 2010
 - Proposed Northland Regional Plan 2024
 - Regional Policy Statement for Northland 2016
 - Operative Far North District Plan 2009
 - Proposed Far North District Plan

- Bay of Islands Marina / Marine Park / Commercial Estate Masterplan (The Masterplan), WSP 2022
 - Section 32 Report: Coastal Environment, Far North District Council, May 2022.
 - District Plan Review: Coastal Environment, Outstanding and High Natural Character Areas, Outstanding Natural Landscapes, Melean Absolum Limited Landscape Architects, March 2020
 - Submission on the Proposed Far North District Plan 2022, Bay of Islands Planning, October 2022
 - Opuia Marina PDP Hearing Urban Design Assessment, WSP Ltd, dated 22 July 2024
 - Section 42A
16. I have been asked by FNHL to provide expert landscape advice in relation to the Natural Character of the Coastal Environment as it relates to FNHL's submission to the Far FNDC and PDP.
17. My evidence relates to the Natural Character and Coastal Environment provisions of the PDP as they relate to the FNHL's four sites (referred to as '**Landholdings**') which include 'Bay of Islands Marina', 'Marine Business Park', 'Commercial Estate', and 'Colenso Triangle', collectively referred to as the Opuia Marina Development Area [**OMDA**],
18. In preparing this evidence, I have reviewed the Section 42A Coastal Environment, and Natural Character reports and have adhered to the instructions of hearing Minute 1 'take a lead from the s42A Report in terms of content of evidence, specifically that evidence highlights areas of proposed (along with the rationale for these changes) together with an assessment pursuant to S32AA of the RMA'.
19. In preparing this evidence I have drawn on my own assessment of the Natural Character of the Opuia Coastal Environment, undertaken in July 2024.

SUMMARY OF KEY ISSUES

PDP Coastal Environment Overlay

20. FNDC PDP maps show the Coastal Environment overlay and identify areas within it that contain high or outstanding natural character. FNHL four landholdings are covered fully, or in part, within the Coastal Environment overlay.
21. The Coastal Environment overlay gives effect to higher order policy documents aimed at giving effect to s6(a) of the RMA as a matter of national importance, for: "*the preservation of the natural character of the coastal environment (including the coastal marine area), wetlands and lakes and rivers and their margins, and the protection of them from inappropriate subdivision, use and development.*"

22. The effect of the Coastal Environment overlay is to impose development limits aimed at protecting the natural character of the coastal environment. These limits include a 5m building height restriction and 300m² building coverage controls.
23. In my opinion, the height limits and building coverage controls are difficult to justify based on protecting natural character. This is because the coastal landscape of Opuia has already been heavily modified, is urban in character, and the natural character values have been lessened because of human incursions.
24. To further explain my opinion, the following considers (1) existing baseline for assessment of the natural character of the Opuia Coastal Environment out in the PDP; (2) the s42A report on coastal environment changes relating to natural character; (3) my assessment of existing natural character as it relates to Opuia, and (4) the potential for Opuia to accommodate further development while protecting the natural character of the Coastal Environment.

Existing baseline, Natural Character of the Opuia Coastal Environment

25. The baseline against which to consider the extent of existing natural character and therefore the need to protect this is underpinned by two key factors.
26. First, the Northland Regional Policy Statement from which the PDP Coastal Environment overlay maps are derived, draws on the Northland Mapping Project (NMP). Within the NMP, natural character is identified as existing along a continuum and states that ...
 - *“The natural character of a “site” at any scale is the degree to which it is part of nature, particularly indigenous nature; is free from the effects of human constructions and non-indigenous “biological artefacts”; exhibits fidelity to the geomorphology, hydrology, and biological structure, composition and pattern of the reference conditions chosen; exhibits ecological and physical processes comparable with reference conditions.”*
27. Second, the guidance provided by Te Tangi a te Manu Aoteroa New Zealand Landscape Assessment Guidelines which are generally recognised profession-wide as constituting best practice in landscape assessment methodologies. Of note is that the purpose of assessing natural character is to inform its management. Preserving and protecting natural character does not necessarily mean maintaining the status quo, or avoiding subdivision, activities and development.
28. In my opinion, the mapping of the natural character of the Coastal Environment, and the development limits imposed, is not nuanced or fine grained enough to recognise the diversity of natural character that exists in and around Opuia settlement.

s42A report on coastal environment changes relating to natural character

29. It is noteworthy then that in the s42A report, the reporting planner, and landscape expert for Council, Melean Absolum, (MAL), agree that the limitations imposed by the Coastal Environment overlay are too restrictive as they relate to Opuia settlement.

30. MAL states that *“In my opinion the 300m2 building coverage controls are appropriate in the majority of the coastal settlements, but a more nuanced response to a handful of locations is appropriate, given that larger and taller buildings already exist and have already impacted on natural character values. These locations are:*

- *Coopers Beach;*
- *Mangonui;*
- *Opuia;*
- *Paihia & Waitangi;*
- *Rawene; and*
- *Russell / Kororareka.*

31. Ms Absolum goes on to state that:

“As with my consideration of building coverage controls, above, I think there may be some opportunities for building height increases, in some specific circumstances. In particular, I believe permitted building heights can be increased in some zones in the six coastal settlements identified above:

- *Coopers Beach;*
- *Mangonui;*
- *Opuia;*
- *Paihia & Waitangi;*
- *Rawene;*
- *Russell / Kororareka.*

32. The reason for the recommended relaxing of development limits is that, in MAL’s opinion:

“The coastal edge of Opuia, particularly to the south and east of the ferry terminal, is already characterised by substantial buildings in both the LIZ and MUZ. Restricting permitted new development to 5m high in these areas would, in my opinion, be inappropriate, as the natural character values have already been compromised”

33. I agree with the s42A recommendation 315, which recommends a change to CE-S1 (maximum height restriction) wording to recognise that natural character exists on a sliding scale and the already built up nature of existing urban areas. Opuia is one such settlement where natural character has been highly compromised by human incursions.

Assessment of Natural Character as it relates to Opuia

34. An assessment of the natural character of Opuia’s Coastal Environment, and specifically the FNHL landholdings was undertaken by the author. The assessment evaluates the likely effects on the natural character of the Coastal Environment in relation to FNHL’s submission to the PDP in relation to Opuia settlement. The submission seeks a Mixed Use

Zone across four sites: Opuia Marina Development Area, Marine Business Park, Opuia Commercial Estate and Colenso Triangle, and changes to permitted development heights and site coverage.

35. Three scenarios were considered for all four FNHL sites to determine the ability of the coastal environment to absorb different levels of development without adverse effects on coastal character these were:
 - The ODP enabled development
 - The PDP proposed limitations imposed by the Coastal Environment overlay
 - The change sought by FNHL to apply a Mixed use zone across all four sites, with 16m height limit and increased footprints.
36. My assessment was undertaken using the 7-point scale of effects as set out in Te Tangi a te Manu, from very high effects to very low effects in scale, and adverse to positive in nature.
37. The overlapping dimensions of physical and perceptual values were assessed. This included evaluating the extent to which the natural patterns processes and elements prevail within the four sites and as part of their connection to the wider coastal landscape. An holistic approach was taken across the coastal interface and the area of coastal influence.
38. I did not assess associative values as these relate to Mana Whenua. I am not designated to speak on behalf of Iwi and Hapu as part of this assessment. A separate cultural values assessment is understood to be available.
39. My assessment looked at perceptual values from both a land and water perspective, as guided by ArcGIS mapping of the Zone of Theoretical Visibility. Ten representative viewpoints were selected to assess perceptions of existing natural character and changes as a result of the FNHL submission
40. The heights and extents of development were modelled to illustrate the change and therefore understand the potential effects of built form on natural character.
41. My assessment went beyond what I consider to be a low baseline of managing effects and identified the latent opportunities of improving the natural character of the Coastal Environment as a result of the FNHL proposed change to Mixed Use zone, with height and density changes.
42. In summary my assessment concludes as follows:
43. The natural character of the Coastal Environment sits on a spectrum from high to low. The highest natural character exists where physical patterns, processes and elements of the coastal landscape are highly expressive and dynamic. These landscapes are unmodified by human interventions. At the other end of the spectrum are highly modified landscapes which possess low natural character attributes. Incursions by humans into these landscapes are evident and, in some cases, dominant.


44. All four OMDA sites are highly modified by human activity. Further contributing to their man-made character is the wider setting which features a marina, car ferry ramp, reclaimed edge and an array of industrial, commercial and residential buildings supported by roads and infrastructure. As such, the sites and their setting are assessed as having very low natural character attributes overall. Consequently, the ability for these sites to accommodate the development heights and densities as set out in the FNHL’s submission, with minimal adverse effects on the natural character of the Coastal Environment, is assessed as high.
45. The opportunity to go beyond minimising adverse effects on the natural character of the Coastal Environment of Opuia cannot be overstated. There exists untapped potential for FNHL’s sites - and indeed the wider settlement of Opuia, to evolve into a vibrant, mixed-use precinct that complements the region’s existing attractions and Coastal Environment.
46. The interplay of concentrated settlement and unmodified coastal landscape is a familiar vernacular around the coastline of Aotearoa New Zealand and indeed within the Bay of Islands itself. Concentrating and containing greater levels of development within Opuia, with the right controls and standards in place, will ensure that both the built environment and the unmodified coastal landscape contribute positively to the natural character of Opuia’s Coastal Environment.
47. In conclusion, my assessment of the FNHL sites, after mitigation, is summarised in the table below. It is my opinion that the proposed changes as set out in the FNHL submission will have **very low effects** on the natural character of the Coastal Environment and will be **positive in nature**.

EFFECT	MAGNITUDE OF EFFECTS AFTER MITIGATION	NATURE OF EFFECTS AFTER MITIGATION
Landscape Effects	Very Low	Positive
Natural Character Effects	Very Low	Positive
Visual Effects - VP’s 1 - 10	Very Low	Positive

Recommendations

48. The four OMDA sites are distinct in terms of their respective existing landscape character (baseline) and the proposed development limits set out in the FNHL submission. A nuanced approach to the development of each site is therefore appropriate. A precinct plan is recommended to set out an integrated approach to development with appropriate design standards, in a way that will impact positively on the natural character of the Coastal Environment of Opuia.
49. The FNHL proposed plan changes raise potential opportunities due to the following factors:

- The NZCPS recognises the importance of infrastructure to the social, economic and cultural wellbeing of people and communities. The development of the sites into a mixed use zone has the potential to improve the site’s landscape values, enhancing the overall quality of life for all users.
- The NZCPS encourages the consolidation of existing development to avoid sprawling or sporadic patterns of settlement and urban growth. The rezoning of the sites will allow for development to occur in areas that are already highly modified, minimising any additional sprawling or sporadic patterns of settlement.
- The sites are located within the coastal environment. In accordance with the RMA, public access to and along the coastal marine area, lakes and rivers is to be maintained and enhanced. Mixed-Use development at the sites could allow for this to be achieved.
- Enablement of the masterplan would also allow for good design principles and integration of the built form into the wider landscape context to be achieved. In particular, the masterplan looks to:
 - Enhance the relationship between the green networks (nature, bush and landscape) and blue networks (water, ocean and marine landscapes). This could improve the existing landscape values through creating a more harmonious relationship between humans and the blue-green landscape. This would be achieved through better physical connection and access to both green and blue networks.
 - Create a ribbon of built form, framing the water’s edge and providing for built amenity along the waterfront. The development of built environment along the water’s edge could promote and provide for access to the water, improving the site’s landscape values. Thoughtful development could also allow for the coastal edge patterns to be retained through high quality built form.
 - Form a memorable gateway entry to the Bay of Islands Marina.
 - Develop a community heart and place for people to gather.
 - Integrate green spaces into the development, connecting them to the broader vegetation patterns and softening the visual envelope of the proposed buildings.



Catherine Hamilton

22 July 2024