

BEFORE THE FAR NORTH DISTRICT COUNCIL

IN THE MATTER of the Resource Management Act 1991

AND IN THE MATTER of the submissions and further submissions made by Bentzen Farms Limited, Setar Thirty Six Limited, The Shooting Box Limited, Matauri Trustee Limited, PS Yates Family Trust, and Mataka Residents' Association Incorporated

AND Hearing 4: Natural Environment Values and Coastal Environment

STATEMENT OF EVIDENCE OF JOHN LEWIS GOODWIN

On behalf of Bentzen Farms Limited, Setar Thirty Six Limited, The Shooting Box Limited, Matauri Trustee Limited, PS Yates Family Trust, and Mataka Residents' Association Incorporated

DATED 22 JULY 2023

Introduction

- 1 My full name is John Lewis Goodwin. I am a landscape architect and consulting partner within Boffa Miskell Limited (**Boffa Miskell**), a national firm of consulting planners, ecologists, urban designers and landscape architects.
- 2 I am providing landscape and natural character evidence in relation to submissions and further submissions on the Natural Environment Values and Coastal Environment sections of the proposed Far North District Plan (**FNDP**) in support of the submissions lodged on behalf of the parties listed below¹.
- 3 I hold the qualifications of a Bachelor of Social Science from the University of Waikato (1977) and a postgraduate Diploma in Landscape Architecture (1982). I am a Fellow and Registered Member of the New Zealand Institute of Landscape Architects and have practised as a landscape architect for over 40 years.
- 4 Throughout my career, I have undertaken numerous landscape and visual assessments, primarily working throughout the upper North Island in rural, urban and coastal environments. These have included both territorial landscape assessments for regional and district councils, project master planning, landscape management and landscape assessments.
- 5 The territorial landscape assessments have typically identified and described landscape types and character areas, natural character attributes, Outstanding Natural Features (**ONF**) and Outstanding Natural Landscapes (**ONL**), and the existing attributes and values of the landscape and its sensitivity in relation to a range of potential activities.
- 6 In relation to project-based assessments, I have been involved in a range of subdivision, land development, infrastructure, utility and restoration projects within rural, coastal and urban areas. My involvement has included:

¹ Bentzen Farm Limited Submission 167, Further Submissions 066, 376 and 578; Setar Thirty Six Limited Submission 168, Further Submissions 069 and 377; The Shooting Box Limited Submission 187, Further Submissions 067, 383 and 579; Matauri Trustee Limited Submission 243, Further Submission 582; P S Yates Family Trust Submission 333, Further Submission 068, 384 and 580 and Mataka Residents Association Incorporated Submission 230, Further Submission 143 and 581.

- (a) Site and master planning in relation to the particular characteristics and sensitivities of a location and surrounding landscape context.
 - (b) Preparing landscape restoration and rehabilitation proposals to enhance degraded landscapes.
 - (c) Preparing specific mitigation proposals to integrate development into a landscape setting.
 - (d) Preparing natural character, landscape and visual effects assessments for resource consents, plan changes, notices of requirement and designations.
- 7 Many of these assignments have included giving evidence as an expert witness at Council, Environment Court and/or Board of Inquiry hearings.
- 8 My relevant experience in relation to this FNDP review includes a range of land development projects in the Auckland and Northland regions, including a number of the submitters' properties in the Bay of Islands. Many of these have related to the development, protection and management of landscapes for mixed housing, lodge, visitor accommodation, recreational and conservation land use activities. Specific relevant projects in Northland include:
- (a) Ōmarino Subdivision (part of Bentzen Farm) – site planning for 16 residential sites on 141 hectares (ha) of coastal land in the eastern Bay of Islands. This project was approved under the Far North District Plan management plan provisions and, in addition to the siting of houses and other infrastructure, my involvement included the preparation of a management plan for the property with a suite of design control measures and extensive revegetation proposals.
 - (b) Kauri Cliffs, Matauri Bay – landscape assessments associated with planning and resource consent applications for the property including the recently approved beach pavilion, dam and storage lake for water supply, and workers accommodation; providing advice on the Kauri Cliffs Special Zone areas and their appropriateness in relation to the landscape attributes of the property and the potential for the land to accommodate further residential development.

- (c) Mataka Station, Purerua Peninsula – Stage 2 site planning, development controls on buildings and rehabilitation and land management advice within the 1,150 ha property. I am also a member of the Mataka Design Review Committee who, on behalf of the Residents' Association, review each proposal for new housing and development on the property before an application for resource consent is made to the Far North District Council.
- (d) Matauri Bay – site planning, landscape assessment and mitigation proposals for two additional dwellings within the General Coastal zone and an Outstanding Landscape on the 340 ha Matauri Trustee Limited property.

9 My involvement in the FNDP review process has been to:

- (a) review the proposed provisions for the Coastal Environment (**CE**), Natural Character and Outstanding Landscapes including the recommended changes in the Section 42A report;
- (b) review of the relevant sections of the Melean Absolum Limited report to the Far North District Council (**MAL Report**) with respect to the submitters I appear on behalf of. This included a review of the mapping and recommended amendments to the CE, Outstanding Natural Character (**ONC**) and High Natural Character (**HNC**) areas and Outstanding Natural Landscapes (**ONL**);
- (c) undertake a site visit to the submitters' properties (apart from the Setar property on Moturua Island, which I have visited previously) to review and "ground truth" the mapping of the CE, ONC, HNC and ONL's and the recommended changes in the MAL Report; to confirm or recommend any amendments to these areas; and to gain a general overview of the issues and how the provisions may affect each. These site visits were undertaken on 11 and 12 July 2024 with Mr Peter Hall and Ms Joanna Beresford and representatives of each of the submitters that I am giving evidence on behalf of. I have also previously undertaken site visits to Ōmarino, Bentzen Farms, Mataka Station and Matauri Trustee properties in relation to other projects that I have worked on at those properties;

- (d) liaise with Mr Hall on recommended amendments to the Coastal Environment, Natural Character and Outstanding Natural Landscape provisions in the proposed FNDP; and
 - (e) prepare evidence in relation to the natural character and landscape related amendments proposed in the Section 42A report and the changes proposed in Mr Hall's evidence.
- 10 Prior to our site visit I had a series of maps prepared – one for each of the submitter's properties – by Boffa Miskell's GIS team. These maps are georeferenced and allowed us to identify the location of the overlays and other information through an app on my iPad. Each of the maps depicts the property parcels, CE, ONC, HNC, ONL and where relevant the amendments recommended in the MAL report. I have attached the maps where changes are proposed to these overlays as **Appendix 1** in my evidence:
- (a) Figure 1: Setar Thirty Six (Moturua Island).
 - (b) Figure 2: The Shooting Box Limited.
 - (c) Figure 3: PS Yates Family Trust.
 - (d) Figure 4: Matauri Trustee Limited.

Code of Conduct

- 11 I have read and am familiar with the Code of Conduct for Expert Witnesses contained in the Environment Court Practice Note 2023. I agree to comply with the Code of Conduct. My qualifications as an expert are set out above. Other than where I state that I am relying on the advice of another person, I confirm that the matters addressed in this statement of evidence are within my area of expertise. I have not omitted to consider material facts known to me that might alter or detract from the opinions I express.

Scope of Evidence

- 12 There are four main areas that I will address in my evidence. These are:
- (a) Mapping – comment on the CE, ONC, HNC and ONL areas and boundaries and the recommended amendments proposed in the MAL Report;
 - (b) Vegetation Management – with particular respect to the CE, ONC and HNC areas adjacent to domestic dwellings;
 - (c) Height Limits – review the proposed height limits for the CE and the various overlay areas;
 - (d) Assessment Criteria – for various controlled and restricted discretionary activities within the CE and ONC, HNC and ONL overlay areas.

Mapping

- **Setar Thirty Six Ltd**

- 13 Although I did not undertake a site visit to Moturua Island and this property on 11/12 July, I viewed it across the water and I have been to the island previously. I agree with the submission request to remove the HNC area from open grass as recommended in the MAL Report (Area 7 Appendix C). This area is depicted on **Figure 1** in **Appendix 1** attached to my evidence.

- **The Shooting Box**

- 14 I agree with Ms Absolum that the area of open lawn/grassland where these have been incorrectly mapped should be removed from the HNC area, as depicted in her Area 6 photo (**Figure 2** of **Appendix 1** attached my evidence).

- **PS Yates Family Trust**

- 15 On this property are two areas of lawn/open area and minor scrub which Ms Absolum has highlighted for removal (Area 1, depicted on **Figure 3** in

Appendix 1 of my evidence). Following a review of these areas on site I agree that they should be removed from the HNC area map.

- **Matauri Trustee Limited**

- 16 Matauri Trustee's submission requested that the CE overlay adjacent to the southeastern boundary of the property as highlighted in Figure 3 of the MAL Report be removed. Ms Absolum considers the only part of this area that should be removed from the CE is the triangle to the west of the road. Having reviewed this area on site I concur with Ms Absolum and agree with her reasoning for this change as the triangle area above the road is located on a grassy plateau and is not oriented towards the coast. The balance of the area southeast of the road is oriented towards the coast and in my opinion should remain within the CE. I have highlighted the area for removal in the **Figure 4** in **Appendix 1** to my evidence.

Vegetation Management

- 17 On visiting the Shooting Box and Yates properties for the first time it was clear to me that the owners take great care and pride in the management of their planted gardens surrounding their dwellings and lawn areas. In most places these carefully managed gardens utilise indigenous plants which merge seamlessly into the regenerating indigenous vegetation beyond and provide a high amenity outcome for the owners. The gardens also provide a transition to and from the more natural regenerating ONC and HNC areas beyond. In this situation I consider that provision should be made for the ongoing maintenance of these planted gardens outside ONC and HNC areas, including providing for removal and replacement of indigenous plants. I support the provision proposed by Mr Hall in the Coastal Environment (CE-R3 PER-1) and the Natural Features and Landscapes (NFL-R3 PER1) sections of the plan.

Height Limits

- 18 In my opinion having a permitted height limit of 5m within the CE and ONL areas is an appropriate starting point. The key issue is that a visible unrelieved two storey high building elevation is avoided in views from the coast. However, in my experience a maximum 5m height restriction using the

rolling height method can in some situations result in impractical or awkward building designs and/or unduly restrict good architectural outcomes.

- 19 At Ōmarino the height limit provided for is a mix of 4m and 5m (with one 6m site) depending on the location of the specific lot and the surrounding landform and vegetative context. This is a bespoke design control where nearly all the 5m sites are located within flat coastal embayments (near the water) where there is plenty of room to build large low dwellings; with the 4m lots on more elevated peninsulas where it is important to manage the potential adverse effects of taller buildings on the surrounding coastal landscape.
- 20 At Mataka Station my site by site landscape assessment for Stage 2 lots recommended a mix of 5m and 6m height limits depending on the location and size of the building area in relation to landform, existing vegetation and proposed revegetation.
- 21 Within the CE (outside the ONL) these areas do not have the characteristics, qualities and values that are found in the ONLs and are therefore not as sensitive. For example, the Bentzen Farm property contains a large area of low-lying farmland that is within the CE but outside any ONL. In such locations a two storey building may be appropriate and some relaxation of the 5m height limit should, in my opinion, be provided for.
- 22 To allow for some flexibility I consider it is appropriate in the CE to enable dwellings to be constructed above 5m high as a restricted discretionary activity where there is a defined building platform. This should be considered alongside a range of design controls and assessment criteria to ensure that the characteristics, quality and values of the site and surrounding landscape can be maintained. In this situation the matters listed in Policy CE-P10 and NFL-P8 as sought in the evidence of Mr Hall provide an appropriate list to control the location and design of development within the CE and ONL areas.

Design Controls and Assessment Criteria

- 23 In my opinion the matters of control proposed in the mark-up of the CE, NC and ONL provisions attached in **Attachment 2** to the evidence of Peter Hall, address the issues associated with dwellings within a defined building platform (or identified buildable area) and are appropriate to achieve good design solutions and landscape outcomes.

Summary and Conclusion

24 The evidence of Peter Hall contains a number of recommended tracked changes to those proposed in the Section 42A report (**Attachment 2**) and a summary of the reasons behind these recommendations (**Attachment 1**). I have reviewed these and provided input into the preparation of those matters that I have commented on above. In relation to landscape matters I consider that they provide appropriate measures to manage the effects of use and development within the CE, ONCs, HNCs and ONLs.

John Lewis Goodwin
Registered Landscape Architect
22 July 2024

Appendix 1: Maps Figures 1-4







