

**BEFORE THE FAR NORTH DISTRICT COUNCIL**

**IN THE MATTER**

of the Resource Management Act 1991 ("**Act**")

**AND**

**IN THE MATTER**

of an application by Nags Head Cow Hotel Limited  
for resource consent to subdivide Lot 2 DP 442820  
located at Kerikeri Inlet Road, Kerikeri.

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**BRIEF OF EVIDENCE FOR CHRISTINE HAWTHORN ON BEHALF OF  
NAGS HEAD COW HOTEL LIMITED  
Dated: 6<sup>th</sup> October 2025**

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**MAY IT PLEASE THE COMMISSIONER:**

1. My full name is Christine Susan Hawthorn.
2. I am giving this evidence as the director of Hawthorn Landscape Architects Limited on behalf of the applicant Nags Head Cow Hotel Limited.
3. I hold a Bachelor of Landscape Architecture (Honours) from Lincoln University. I have been practicing in the Northland region for the past 30 years.
4. I have read and agree to comply with the code of conduct for expert witnesses in the Environment Court 2023 Practice Note.

**Application**

5. I prepared a landscape assessment report in January 2025 in support of the application. A summary of the report is as follows:
  - The site is located within the South Kerikeri Inlet zone, the upper contours of the site and the coastal escarpment has been identified as being within the defined "sensitive area" (being visually sensitive) within the South Kerikeri Inlet zone. These areas are the more elevated contours along the eastern boundary and the coastal edge of the northern boundary of proposed Lot 4 (including the BDZ).
  - The property has no landscape overlays as identified on the Resource Maps within the Operative Far North District Plan. Two thirds of the site is located within the Coastal Environment as mapped on the Regional Policy Statement maps. The site has no mapped landscape overlay features on it as defined in the OFNDP, PDP and RPS.

- The site is an irregular rectangular shape and has a total area of 16.1200ha. The lot is aligned north/south and extends approximately 750m inland from the coastal edge adjoining the Kerikeri Inlet. There is a Marginal Strip located along the coastal edge of the site, thus separating it from the Kerikeri Inlet.
- The coastal escarpment of the property drops steeply to the mangrove lined coastal fringe and extends for approximately 350m in a west/east orientation. The elevation of the land adjoining the coastline extends from sea level up to the high point of 30m on a small knoll. This knoll screens a lot of the inland portion of the site from view within the Kerikeri Inlet.
- Proposed Lots 2 – 4 are located within the coastal environment. Proposed Lot 4 is the predominate lot that will be visible from within the Kerikeri Inlet.
- The inland portion of the property slopes from the high point along the eastern boundary falling away to the lower contours that abut a pond along the western boundary. The elevation ranges from 29m above sea level along part of the eastern boundary, dropping to 5m along the edge of the pond where there are more gentler contours suitable to build upon. The property forms part of a larger landscape, with the contours rising further beyond the eastern boundary to a ridgeline.
- The landscape of the Kerikeri South Inlet zone is characterised by its predominantly rolling pastoral landscape, with low-lying backshore flats, vegetation lined coastal escarpments and elevated inland ridgelines. The coastal fringe to the first ridgeline and elevated inland portions of the landscape that are more visible from within the Inlet have been identified as being within a 'sensitive area'.
- Built development is present and located throughout the zone, however it is more predominantly located within the first 100m back from the coastal edge. House sites are generally located 120m to 400m apart, with some houses being more clustered together, and some being located more individually. All the houses along the coastal edge are located within the identified 'sensitive area' of the zone.
- The inland portion of the zone has less residential development present and is more rural in character due to its pastoral nature. Dwelling sites have been located upon the high points within this landscape to gain the coastal views. The dwelling located at 505 G Inlet Road is at an elevation of 70m asl and is within the mapped 'sensitive area' of the zone. The dwelling at 505C is at 50m asl and the dwelling at 505D is located on a knoll of 40m asl and is also within the 'sensitive area'.
- The wider setting of the site is characterised by mixed land uses including pastoral farms, forestry blocks, scattered rural residential development and pockets of indigenous vegetation. The repeated occurrence of houses along the coastline within this area in the South Kerikeri Inlet zone is a characteristic element within this landscape setting.

- The applicant proposes to subdivide their 16.1200ha site (made up of 14.3750ha (Lot 2 DP 442820) and 1/3 share of Lot 4 DP 167657 (pond), into four lifestyle lots ranging in size from 6,7465ha to 2,0720ha.
- The three wetland areas on the property will be protected by covenants, these areas are labelled AA, AB and AC on the Scheme Plan. It is proposed to restore these areas through the implementation of wetland enhancement plantings and fencing the areas off from stock.
- Landscape enhancement and mitigation plantings are proposed to provide a vegetated setting for future buildings and development to be set within. This will assist with softening of the built forms and minimising the potential adverse landscape and visual effects of the proposal so that the existing visual amenity and landscape values are not adversely affected. The key planting types include:
  - Backdrop screen planting – to provide a vegetated backdrop and screen dwelling sites from neighbours
  - Specimen trees – to provide a vegetated setting and screen dwelling sites from neighbours
  - Foreground plantings – to provide foreground softening of built development upon Lot 4 when viewed from the water.
  - Wetland revegetation plantings - areas of pasture will be fenced off around the wetland covenant areas AA, AB and AC. This will be revegetated with a mix of wetland species to restore the ecological habitat of the wetland areas. This planting will also provide a vegetated buffer between lots and screening of the development from neighbouring properties.
- A set of building design guidelines are proposed to assist with enabling future-built development to be set into the landscape with the least amount of visual intrusion, thus minimising the potential impact upon neighbours, coastal marine area and the surrounding natural and rural character values. The building design guidelines will control aspects such as building height, colours, reflectivity, design style and form and scale.
- The public viewing audiences who have the potential to view the development are limited to long distance public views, with most of the development being located low on the slopes, next to the pond. Future development will be viewed in context of an existing rural lifestyle settlement pattern and will not alter the recognisable landscape elements of the present landscape setting. The potential adverse visual effects of the proposal generated upon the public viewing audience is assessed as less than minor.
- The areas of the site that are in the “sensitive area” along the toe of the ridgeline to the east on Lots 1-3 have been avoided, with the BDZ’s located on the lower contours close to the pond. The BDZ on Lot 4 will be located within the defined sensitive area, however, will not be located on the highest contours of the lot, and will be developed with building design guidelines, height restrictions and

landscape integration plantings to ensure that there will be minimal adverse effects upon the sensitive area and natural character values of the coastal environment.

- There are eight other houses located in a similar manner to the proposed BDZ on Lot 4. They are positioned along the coastal edge of this zone and are subsequently located within this sensitive area.
- The nearest house to the east of the proposed BDZ on Lot 4 is 500m away, and the nearest to the west is 250m away. This creates a 750m long “gap” along the coastal edge where there are no dwellings present. The proposal for one dwelling to be located within this area will result in a dwelling density along this part of the coastline that is not intensive and will still retain the undeveloped nature of the maritime gateway to Kerikeri and the existing character of this zone.
- The BDZ on Lot 4 has been positioned away from the high point of the knoll on this lot. It will be located on a natural shelf on the western side of the knoll where there are gentler contours. A building height restriction of 6m will assist with ensuring any future dwelling is not visually obtrusive. It is recommended that the building platform is set into the side of the hill slope so that the roofline is below the 29m asl contour so that it does not protrude above the highest contours on this lot. Building design controls stipulating recessive colours will limit the visibility of any future built form on the lot. Proposed foreground, backdrop plantings, and specimen tree plantings will visually soften and absorb the future built forms into the site. All these measures will ensure that any development upon Lot 4 will result in less than minor potential adverse effects upon natural character values of the coastal environment.
- Development on the site will be managed to protect coastal natural character, rural amenity values, and the visually sensitive areas of the South Kerikeri Inlet zone. This will protect the maritime entrance to Kerikeri.
- The assessment of natural character values concluded that the site has been highly modified to a point where there are little remaining natural character values. The proposed landscape integration plantings, and more particularly the wetland restoration plantings will provide some positive effects upon natural character values. This will restore the diminished natural elements, processes and patterns of the degraded wetland areas.
- The potential effects upon the surrounding landowners who have dwellings that overlook the site was considered during the design of the subdivision and placement of building sites and landscape integration plantings. It was determined that the potential adverse visual and landscape effects generated by the development upon these residents will be less than minor. This was due to the BDZ's not being the focal point of the line of sight from the main view from their dwellings, not blocking water views, and being located at reasonably long focal distances from the existing dwelling sites. In addition, the presence of existing intervening screening vegetation and the proposed landscape plantings will

screen and soften the views towards the BDZ's, with the building design guidelines ensuring built form is recessive.

- The potential effect of the development upon rural landscape character values will be minimised to a less than minor level due to the placement of the BDZ's low on the contours on Lots 1- 3 and the implementation of the design guidelines and integration plantings.
  - The proposal is located within an area that can accommodate rural lifestyle living. The proposed mitigation measures will ensure that the proposal will not adversely impact upon the sensitive areas as currently defined within the OFNDP. There will be only one BDZ on the site visible from boats approaching Kerikeri from within the Kerikeri Inlet. The proposed design controls and landscape plantings will ensure that development upon this lot is sensitive to the landscape setting and will not diminishes the values of the gateway experience to Kerikeri via the Kerikeri Inlet.
  - This development is consistent with the relevant objectives, policies and assessment criteria found within the OFNDP, PDP, NZCPS and RPS pertaining to landscape issue. Providing the mitigation plantings and building design guidelines are implemented the potential adverse landscape, visual and natural character effects of the development will be less than minor.
6. I continue to rely on that assessment report and ask that it be considered in support of the application.
7. The purpose of this evidence is to respond to the key issues raised by submitters and within the s42A report in relation to my area of expertise.

### **Submissions**

8. I have read the submissions made on the application. So far as they raise issues within my expertise, I make the following comments:

#### Houry submission

Point 6 states *"My house is on a hill overlooking my side of the lake behind trees am not sure how and if there would be any screening from across the lake?"*

The landscape integration planting proposed as part of the subdivision development includes the planting of tall fast growing specimen trees strategically located along the western boundaries of Lots 1- 3, adjacent to the lake, specifically to provide a vegetated buffer between the proposed building sites and the existing Houry residence located to the west.

These trees, being *Liquidamber styraciflua*, *Hymenosporum flavum* and *Hoheria sexstylosa* are all very tall growing trees, *Hymenosporum* in particular can grow up to 2m in a year. These species have been selected due to their fast growth rate, and their ability to effectively visually mitigate to a less than minor level the potential adverse visual amenity effects upon neighbours to the west.

The viewing angle to the north from the Houry residence takes in the expansive water views across the Kerikeri Inlet. The view to the east which includes the application site is partially obscured by the existing vegetation present around the Houry residence.

On proposed Lot 4 a vegetated backdrop of native trees will screen any future dwelling located on Lot 4. Any building on this lot will be limited to a height of 6m and set into the landscape by digging the building platform into the hill slope. These measures will ensure that the potential adverse visual effects of future development on Lot 4 on the Houry's water view will be less than minor.

#### Taylor submission

Point 5 states that *"The "sensitive area" which affects lots 3, 4 and to an extent lot 2 was assessed by FNDC, as we recall, taking into account various views from surrounding areas to the pasture at ground level as existing. Where the ground falls away below that sensitive area line it becomes no longer "sensitive area" in a two dimensional sense but this takes no account of a building of any height, but say 6 metres which has a footprint just outside the sensitive area line on the ground but which is then very visible and in a 3D sense obstructs the view to sensitive area. This issue would have been appropriate to have been considered under the management plan required by the zone rule see above."*

Point 6 states that *"In the absence of a management plan addressing the above point, the applicant is requested to supply a cross section of the suggested house sites showing, from the assumed viewing points, how much of the proposed lot buildings at various heights would intrude on and be visible horizontally above the sensitive area line height. Obviously a lower maximum building height may assist in minimising this effect."*

Point 7 states that *"Much is made in the application of settling the buildings into the landscape. With respect, putting urban type dwellings into a rural landscape and then seeking to screen them with plantings is somewhat crude. Conditions as to screening plantings are easy for owners to ignore and practically impossible for local authorities to police and enforce. Where there might be a "view" from the buildings, as here across the lake, it is unrealistic to expect that screening to be maintained when it will block "the view". There are a number of other ways of better settling buildings into the landscape, and minimising the effect on the landscape one of which is earth roofed or earth sheltered structures. If you think of it as peeling back the existing soil layer, putting a house underneath and then rolling back the soil layer you can see that it is a rather better way of settling a building into the landscape. This technique has been very successfully employed at various places in the Bay of Islands- at the world acclaimed lodge in Donkey Bay at the west end of Long Beach, Russell and on the ridge overlooking Dick's/Jack's Bay - come immediately to mind. Lot 4 is in the sensitive area on a dominant undeveloped ridge on the southern edge of the Kerikeri Inlet before Reinga Heights and it is submitted warrants the utmost attention to landscape values. If minimising impact on those values is the aim, as is required, to protect general landscape values and rural views for adjoining properties,*

*within or without the development, an earth roofed/sheltered building is a solution the Applicant may wish to consider."*

The application site is located within the South Kerikeri Inlet Zone, within this zone some areas have been identified as being within a 'sensitive area'. These areas are mapped as being along the coastal edge and along the ridgelines and upper contours of the zone which are visible from the Kerikeri Inlet. **Figure 1** illustrates the extent of the "sensitive area" that is located to the north and east of the application site.

The proposed building envelopes on the application site are shown, with the average RL's of the building envelopes identified, and RL's of the ridgeline within the 'sensitive area'.

The proposed building sites on Lots 1-3 have been positioned outside of the sensitive area, on the lower contours of the toe of the slope. They have an average RL of 13-15m. The 'sensitive area' that is located along the ridgeline to the east and south of the building sites has RL's climbing from 36m to 90m.

Proposed Lot 1 building site is located between the 12-18m contour intervals. The sensitive area boundary to the east of the building envelope starts close to the 30m contour, therefore is well away from the building site. An 8m tall dwelling placed on this building site will not protrude above a horizontal line of 26m if built at the 18m contour line (18m contour line being the worst case scenario, it is more likely a dwelling will be placed in the middle of the building envelope closer to the 15/16m interval). Any future building will not extend into the horizontal line of the toe of the sensitive area.

Proposed Lot 2 building site is located between the 12-15m contour intervals. The sensitive area boundary to the east of the building envelope starts close to the 20m contour. An 8m tall dwelling placed on this building site if built at the 15m contour line will have a horizontal line of 23m. This would mean that the building would extend 3m into the toe of the sensitive area. The ridgeline of the sensitive area is around the 36m contour line. If a building was placed more sensibly in the middle of the building envelope, closer to the 13m contour, it would only extend 1m above the horizontal line. The potential adverse effects of the upper part of a dwelling extending up to 3m into the toe of the sensitive area is considered to be less than minor.

Proposed Lot 3 building site is located between the 12-17m contour intervals. The sensitive area boundary to the east of the building envelope starts close to the 21m contour. An 8m tall dwelling placed on this building site if built at the 17m contour line will have a horizontal line of 25m. This would mean that the building would extend 4m into the toe of the sensitive area. The ridgeline of the sensitive area is around the 36m contour line. It is more likely that a dwelling will be built around the 14-15m contours, which would mean the dwelling would only extend 2m into the sensitive area if built to an 8m height. As the ridgeline behind the building site extends to the 36m contour line, it is considered that the potential adverse visual effects of an 8m tall dwelling extending at the worst case 4m into the toe of the sensitive area is less than minor.

On proposed Lot 4 the high point of the knoll of the sensitive ridge is 29m. As the proposed building site on Lot 4 is located within the sensitive area building design controls are proposed to limit the maximum building height to 6m, and that no built form shall protrude above the highest point of the knoll. The building site sits between contour intervals 14 – 23m. If built with a floor level around the 18m contour, and 6m tall it will extend up to the 24m contour line, so be well below the highest part of the knoll.

This knoll blocks the view of most of the application site from the Kerikeri Inlet. The backdrop knolls on the ridgeline step up from 36m, to 47m to the east of the site, and then 56m, 83m, and 90m to the south of the site. These areas are the most visible from within a wide visual catchment. This ridgeline provides a land backdrop to the future built form on the proposed lots. These built forms will have a vegetated backdrop to the south and east of the building sites. They will also have clusters of tall growing specimen trees to the west of the building sites that will assist with providing a vegetated setting and partially screening, breaking up built form when viewed from the wider visual catchment. This planting will not block the water view or the main view shafts from the surrounding neighbouring dwelling sites.

The use of earth roofed buildings has not been discouraged, and may be a building style that future lot owners may utilise.

#### Mark & Flintoff submission

This submitter requests native planting to the south of all man-made structures (houses, driveways) to protect their view as well as privacy.

The Landscape Integration Plan prepared with the landscape assessment illustrates that there are areas of planting proposed to south of the four proposed building areas. The plantings are made up of native backdrop plantings, specimen tree plantings, and wetland revegetation plantings. The landscape plantings will in areas take in either side of the main access road, this is in areas where there will be no stock grazing. Where there is the likelihood of the paddock being utilised for stock no plantings are proposed.

The building site on Lot 4 will be dug into the hill slope, and backdrop plantings will screen any future structure on this lot from views to the south, and the Mark & Flintoff property.

The backdrop plantings to the south and east of the building sites will assist with providing a vegetated setting for future built form and the access road to be set within. This will minimise the potential adverse visual effects upon neighbours to the south and east to a less than minor level.

#### **Council s42A Report**

9. I have read the report prepared by the Council pursuant to s42A of the Resource Management Act 1991 (**RMA**). Again, so far as it addresses issues within my expertise I comment as follows:
10. I concur with the conclusions of the s42A report which states following paragraphs which state “ *Although the proposed subdivision layout will*

increase the density of built development on the land, the overall it is considered that the intensity remains low, and in accordance with the nature of nearby rural lifestyle development. Further, policy 10.10.4.1 (a) supports the clustering of development which is considered in keeping with the proposed".

"Overall, I consider that any adverse effects in relation to allotment sizes and dimensions on the wider environment will be less than minor and therefore acceptable".

"In summary, I consider the proposed building locations are appropriately positioned to minimise adverse effects upon the sensitive area and natural character values of the coastal environment, provide safe and stable building platforms, and avoid adverse ecological impacts, with effects overall considered to be acceptable".

"The proposed development creates appropriately placed BDZs, with building design guidelines to ensure that future built form is of an appropriate size, bulk and form. Together with proposed wetland and landscape integration planting, adverse visual and landscape effects are avoided, mitigated and remediated by the proposal".

11. With respect to the comment made in the s42A report in relation to submissions regarding visual effects, screening and minimal planting I agree with the comment that "Landscape and visual effects are evaluated in the L&VEA, which notes that the proposed development creates appropriately placed BDZs, with building design guidelines to ensure that future built form is of an appropriate size, bulk and form. Together with proposed wetland and landscape integration planting, I considered adverse visual and landscape effects are avoided, mitigated and remediated by the proposal". This statement aligns with my assessment.

## Conclusion

12. In summary, it is my evidence that:

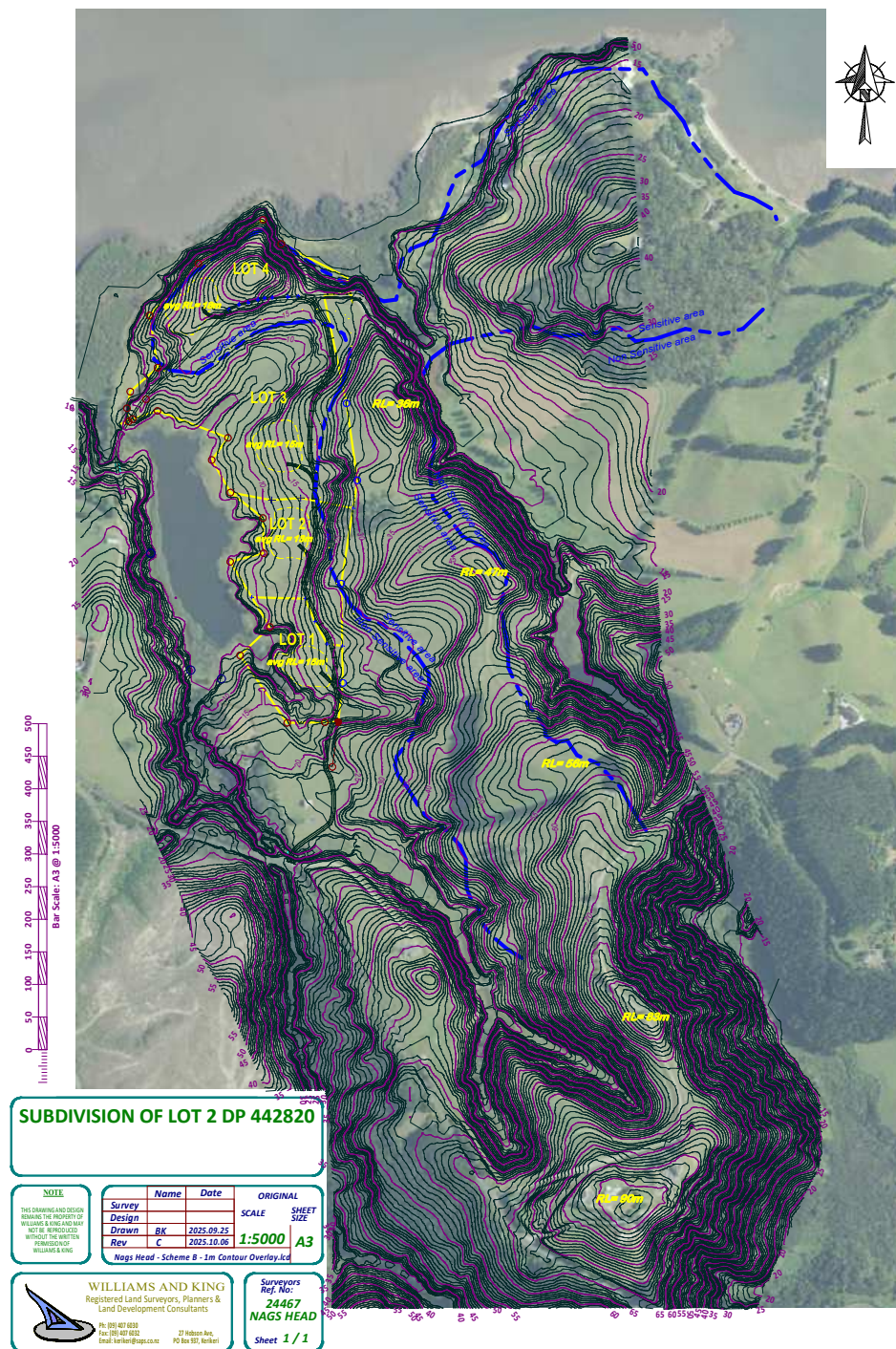
- The conclusions of my assessment report are current and should be used in support of this application.
- The potential adverse visual, landscape, rural and natural character effects of the proposed development will be less than minor providing the proposed landscape mitigation plantings are implement



**DATED** 6<sup>th</sup> October 2025

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**Christine Hawthorn**  
Hawthorn Landscape Architects Ltd.



**Figure 1:** Sensitive Area Location Map