

**BEFORE THE NORTHLAND REGIONAL COUNCIL HEARINGS
COMMISSIONER**

IN THE MATTER of an application under section 88 of the
Resource Management Act 1991 (Act)

AND an application by Doug's Opuā Boatyard for
resource consents relating to the redevelopment
of the boatyard located at 1 Richardson Street,
Opuā.

**STATEMENT OF EVIDENCE OF MIKE FARROW
ENGAGED ON BEHALF OF DOUG'S OPUA BOATYARD (DOBY)**

Dated this 20th day of July 2020

Henderson Reeves Connell Rishworth Lawyers

Solicitor: Colleen Prendergast

96 Bank Street
PO Box 11
Whangarei 0140

P: +64 9 430 4350

F: +64 9 438 6420

E: colleenp@hendersonreeves.co.nz

INTRODUCTION

Qualifications and experience

1. My full name is Michael Ian Farrow. I am a registered landscape architect and the principal of Littoralis Landscape Architecture. I hold the qualifications of Diploma of Horticulture, Diploma of Landscape Technology, Bachelor of Science (primarily earth sciences) and Postgraduate Diploma of Landscape Architecture. I am an Associate and Registered Member of the New Zealand Institute of Landscape Architects, and am a former executive committee member of that body.
2. During three decades of experience as a landscape architect I have been engaged by local authorities, central government departments and private clients in New Zealand and offshore. I have coordinated the landscape components of a wide range of land development and infrastructure projects, which typically involve undertaking assessments of landscape and visual effects, consulting with the public and stakeholders, assisting with the drafting of designation or consent conditions, the preparation of landscape concept / detailed documentation and overseeing implementation. Those developments include a range of urban expansion, subdivision, quarrying, landfill, roading, rail, telecommunication and coastal management or development projects.
3. Assessing the effects of wharfs, jetties and pontoons, either under engagement by an applicant or as a peer reviewer, has been a common theme amongst my Northland practise. This has ranged from major undertakings such as the Marsden Point port expansion and potential plans for Paihia's waterfront, down to a number of smaller structures scattered around the Bay of Islands and the coast running south.
4. At a higher, strategic, level, I led the region-wide landscape assessment for the operative Regional Policy Statement for Northland. This Statement is now serving as the foundation for the outstanding natural landscape mapping being brought into the Far North District Plan (the Plan) through the review of the Plan that is

currently underway. This relatively recent work follows an earlier focus during the 1990's when I prepared a number of district and regional-scale landscape assessments for the first generation of plans under the RMA. These included the landscape assessment which underpinned the first version of the Far North District Plan to be prepared under the RMA and which still holds in the Operative Plan.

5. I confirm that the evidence I present is within my area of expertise and that I am not aware of any material facts which might alter or detract from the opinions I express. I have read and agree to comply with the Code of Conduct for expert witnesses as set out in the Environment Court Consolidated Practice Note 2014. The opinions expressed in this evidence are based on my qualifications and experience, and are within my area of expertise. If I rely on the evidence or opinions of another, my evidence will acknowledge that position.

Involvement in the proposal

6. Doug's Opua Boatyard (DOBY) is located at Richardson Street in Opua (the Site). My role in the proposals to upgrade the facilities of DOBY commenced in early 2019. The brief that I worked to covered the entirety of the operational area of the boatyard and structures in the Coastal Marine Area (CMA).
7. My input to the project has followed a typical pattern of assessing the Site and its context, considering potential effects (both positive and negative), and applying a landscape, natural character and visual amenity integration lens to the formulation of the proposal. In other words, the assessment of the project has been an inherent part of its design process from the outset. When I came to prepare my report entitled *Doug's Opua Boatyard: Proposed Wharf and Land-based Facilities Upgrade – Assessment of Landscape, Natural Character and Visual Effects* (the Assessment) in March 2019, most of the background effects-related thinking had been applied to the conceptual design process.

8. As Mr Hood describes in paragraph 25 of his evidence, the portion of the overall upgrade to which this application relates is that part that occurs within the CMA or discharges to the CMA.
9. In terms of physical elements, the proposal encompasses:
 - Two marina berths that replace two work berths and are served by a floating pontoon and related gangway. Other existing work berths will remain.
 - Replacement of the existing wharf with a structure that is 3m wide and located marginally to the north of the main axis of the current structure.
 - Capital dredging.
 - Repositioning an existing mooring to clear the approach fairway.
 - A subsurface erosion barrier to conserve a bed of shellfish.
 - Reconstructing the existing slipway, with that part of the slip that extends into the CMA being shortened from its current 31m to 17.5m.
10. In relation to this part of the wider intended works, I provided advice upon how the wharf and its proposed appendages can be configured to fit most effectively with the location and the theme established by the existing structures, largely by aligning very closely to the footprint of the elements that they would replace.

PURPOSE AND SCOPE OF EVIDENCE

11. In my evidence I will:
 - a. summarise the key findings of my earlier work (as referred to above);
 - b. discuss the theoretical effects arising from consent expiry dates;
 - c. comment upon submissions of relevance to my area of expertise; and
 - d. address those parts of Council's s42A report that fall within my area of expertise.

KEY FINDINGS OF EARLIER WORK

12. The Assessment described the landscape context of the proposal, a detailed outline of the characteristics of the wider Site, including the related CMA, and the nature of the proposal in its fullest form (which extends beyond the scope of this application).
13. There are a number of important dimensions to the context of the proposal, and of the Site itself, that inform the findings that I drew:
 - Understanding the historical progression of both the Site and the wider Walls Bay setting is informative. A building has existed on, or in very close association with, the Site since the 1880s and a boat slipway at this northern end of the bay has been present since the 1960's. The slipway was moved the short distance to its current location in the mid 1970's.
 - What is now DOBY is the sole survivor of a number of small, private waterside boatyards and shipbuilding facilities that nestled along the shores of the Opuia area since the 1800's. Others are known to have existed further up the two estuarine tributaries. The remains of several of the most adjacent sites are seen in photographs on p14 of my Assessment (which forms Appendix 2 to the Application). These scattered relics are evidence of a long tradition which has now been almost entirely replaced by the more industrial-scale yards associated with Opuia marina.
 - A large wharf stretching across a generous portion of the mouth of Opuia Basin/Walls Bay has existed since the 1880's. The current structure was built in 1955, replacing a wharf of similar scale that had catered for international shipping up until that time.
 - The contained waters of Opuia Basin/Walls Bay have become an increasingly populated mooring area for recreational craft since the early 20th century. Seen from the Opuia Wharf or the passing car ferry, the bay shares a high density of swing moorings with the nearby margins of Veronica Channel and mouths of the Waikare Inlet and Kawakawa River. This presence combines with the more recent Opuia Marina to

mark an intensive hub for recreational and tourism-related maritime craft.

- Opuā settlement has grown alongside these maritime progressions, building out from narrow backshore benches to string along nearby spurs and ridges.
- Collectively, the maritime and land-based development that focusses upon Opuā (and Okiato Point area) brings a “modified” character to the area that the Site lies within, explaining why the locale is not recognised for landscape and natural character values at the High or Outstanding levels that many of the more intact areas upstream and in the outer Bay of Islands are. The area possesses a measure of both types of values, but that level lies a little above the median of a spectrum that spans from totally modified to entirely natural. The proposal is assessed as not diminishing natural character from that current level.
- The existing boatshed, slipway, wharf, seawall, dinghy racks and, to a lesser extent, mown lawns of the reserve area, all serve to detract from natural character.
- Landscape effects – in terms of impacts upon the structure, pattern and character of the landscape – are assessed as being very low.

14. During my involvement in the proposal, I have visited the Site four times. I also undertook a boat trip around the related coastal waters from the midst of Veronica Channel off Okiato Point to the north west, up to the confluence of the Waikare Inlet and Kawakawa River to the south east. This extent of CMA is the entire area that the Site can be seen from when on the water, due to the containing effect of the slight cove of the “Opuā Basin”/Walls Bay that DOBY lies within, combined with the screening barrier of Opuā Wharf. Panoramas VP4 and VP6, which are contained in the Attachments to my Assessment (and found in Appendix 2 of the Application), provide an impression of the views to the Site from what can be considered “typical” public vantage points within this area.

15. Similarly, I traversed all of the adjacent public roads on either side of the divide created by Veronica Channel, and the short portion of the Opuā to Paihia walkway that relates to the Site. Panoramas VP1-3 and 8-9 are captured from those typical parts of the road corridors. For the sake of completeness, I also took a return trip on the Opuā car ferry, standing by the rail of the vessel to get the best view to the Site. The most exposed of this ferry view is represented by Panorama VP5.
16. Inland of the Site, I took the opportunity to visit the elevated home situated at 4 Richardson Street to capture Panorama VP15 found in my Assessment Attachments. This image is thought to be broadly representative of views to be had from nearby properties accessed from Sir George Back Street.
17. The nature of each grouping of viewing audience and the potential visual amenity effects that each would experience are found in Section 7 of the Assessment. In summary, these effects (based upon the more comprehensive proposal addressed by the Assessment) are as follows:
 - Coastal walkway users: *negligible / very low*.
 - Walls Bay foreshore and low-lying homes: *barely perceptible / very low*.
 - Users of Opuā Wharf: *no tangible change / very low*.
 - Passengers and crew of Opuā ferry: *imperceptible / very low*.
 - Western parts of Okiato: *limited distant glimpse / very low*.
 - Richardson Street: *subtle change / very low*.
 - Homes on Richardson Street and Sir George Back Street: *very low/provisionally low in absence of visiting those houses*.
18. Collectively, with visual effects assessed as ranging from very low/negligible to low, these impacts equate to being *less than minor* in RMA terms.

CONSENT EXPIRY CONSIDERATIONS

19. My Assessment of early 2019 was undertaken on a basis of what exists and is proposed, without regard to the life of any consents that may provide for built elements to be present. I have since been advised that the duration of the consent applying to the

current maritime structures runs through to 2036, whereas the consent duration for the proposed elements is 2054, representing a 35-year expiry. This implies a theoretical situation where the existing structures have been removed and the proposed development occurs within an unmodified portion of the CMA, rather than one where a new structure immediately replaces an existing one that has very similar characteristics.

20. My earlier summary of the context of the Site and its historical progression as a maritime hub is relevant in relation to this question. As that outline indicates (and the Assessment more fully explains), the area around Walls Bay and Opuia is an enduring home for moored watercraft and facilities for their care and maintenance.
21. In its current form, the entire DOBY assemblage is a highly “predictable” element in the coastal landscape, lying alongside a dense mooring area and directly associated with long-established shore-based facilities where boats have clearly been hauled and worked upon for many decades. The boatyard is something of a throw-back to the way that these activities were carried out in the days before marina travel-lifts, massive hardstands and marine industry enclaves. As a result, DOBY has a modest scale and low-tech character that fits with its intimate setting at the head of Walls Bay/Opuia Basin. Further inland, the roading and strings of houses set this part of the coast apart from other, nearby parts of the Northland coast where there is very little built development and, often, contiguous native forest cover (with correspondingly elevated levels of natural character and landscape value).
22. In a hypothetical scenario where the existing wharf facilities are not immediately replaced with the proposed marine structures – a “like for like exchange” - but instead inserted into an unmodified part of the CMA, the corresponding effects would inevitably be higher.
23. Taking account of the immediate context of the Site, informed by the historical sequence that has led to the contemporary character of the wider setting, it is my assessment that inserting the proposal activities into the CMA existing in an unmodified state, would result

in natural character effects that would be *moderate-low* (minor) and that landscape and visual amenity effects would be at the same level.

MATTERS RAISED BY THE SUBMITTERS

24. I have read the submissions received in relation to the application. There are relatively few matters relating to my area of expertise and many appear to follow a proforma content.
25. Having scrutinised the submissions, I have then considered Mr Hartstone's summary at item 4 of the s42a report.¹ In my opinion he has accurately summarised the matters raised in the submissions as they may relate to my area of involvement.
26. Two submissions make passing mention of impact upon character and natural character effects of the proposed wharf. It would appear that these may be interpreting that the proposed structure is more significantly different, or sited more considerably at odds with the existing structure, than I understand it to be from the drawings informing the application.
27. Other than that observation, the submissions do not provide adequate detail that I can respond further to. I therefore refer back to the findings of my Assessment and the methodology/rationale that underpins that study.

COUNCIL'S SECTION 42A REPORT

28. I have read Mr Hartstone's s42A report in detail, focussing particularly upon his item 7.5², where he addresses effects on natural character, landscape and visual amenity. There he outlines the primary matters arising from my Assessment, including my findings in terms of effects generally, and concurs with those conclusions.
29. I consider that the s42A report succinctly and accurately portrays the effects that fall within my area of expertise.

¹ Section 42A report, pp11-12

² Section 42A report, pp21-21

30. The proposed conditions are, in my opinion, suitably composed to ensure that the implementation of the proposal would align to the findings of my Assessment.

CONCLUSIONS

31. The proposal is a subset of a more comprehensive upgrading of DOBY that I have been involved in since early last year.
32. The context of the Site has been shaped by maritime and progressive land-based development over more than a century to arrive at the powerfully expressed recreational, nautical flavour that exists today. Opuā Wharf's containing presence, numerous moored vessels, the regular movements of the car ferry and other boats traversing the Veronica Channel all contribute. The long-established nature of the DOBY operation, and the relatedness of its scale to this northern part of Opuā Basin/Walls Bay, further contribute to this present character.
33. The locale has moderate natural character levels and similar levels of landscape value. The level of those values is informed by the current situation, which is expressed by the intermingling of built development and progressively recovering belts of native vegetation in the terrestrial realm. In the CMA area associated with the Site there are a range of existing coastal structures, seawalls, and wharfs (with the DOBY structure being of a modest scale and the public Opuā wharf at the opposing end of that size spectrum). These elements interplay with more intact portions of the coastal margin which the Opuā-Paihia walkway skirts.
34. In superseding existing structures with new elements of very similar scale and positioning, it is my opinion that the proposal represents a "like for like" scenario, as the proposed structures are closely aligned to the current wharf and its related elements.
35. In my analysis, the effects of the proposal upon landscape, natural character and visual amenity values are generally subdued and of no more than minor magnitude.

Mike Farrow

Registered landscape architect

20 July 2020