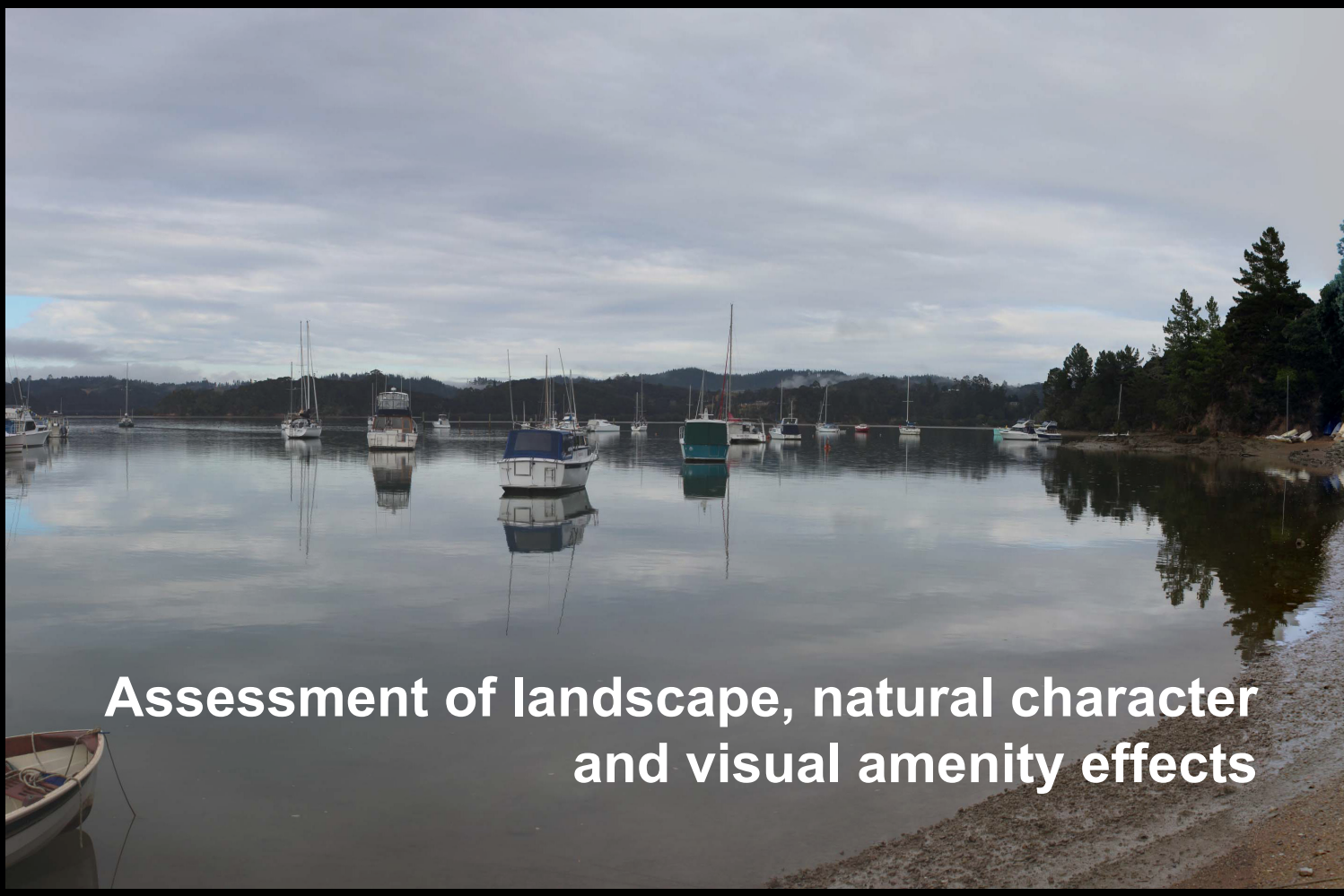
RESOURCE CONSENT APPLICATION

Marine Contractors / Farmers Reclamation

Opua, Bay of Islands



Assessment of landscape, natural character and visual amenity effects

16 September 2019

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Far North Holdings Limited

Simon Cocker Landscape Architecture

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1.0 INTRODUCTION

Simon Cocker Landscape Architecture has been engaged by Bay of Islands Planning Ltd. to undertake a landscape, natural character and visual assessment for an application to accommodate barging activities and a landing facility for marine farming operations, located in Opua (refer to Figures 1 and 2 in Appendix 2).

This document will focus upon a description of the site, the characteristics of the proposal and an analysis of the landscape, identification of any affected parties or individuals, an assessment of the landscape, natural character and visual amenity effects of the activity.

2.0 ASSESSMENT METHODOLOGY

The assessment has been prepared by a Registered Landscape Architect with reference to the Quality Planning Landscape Guidance Note 1 and its signposts to examples of best practice, which include:

- Best Practice Note 10.1, Landscape Assessment and Sustainable Management, New Zealand Institute of Landscape Architects (2010).
- Guidelines for Landscape and Visual Impact Assessment 3rd Edition, Landscape Institute (UK) and IEMA (2013).

In addition, this report has been prepared in accordance with the NZILA (New Zealand Institute of Landscape Architects) Code of Conduct[1].

Effects Ratings and Definitions

An outline of the effects ratings and definitions used in this assessment is provided in Appendix 1. In summary, the significance of effects identified in this assessment are based on a seven-point scale which includes negligible, very low; low; moderate-low; moderate, high, and very high. A rating of 'very low' and 'low' equates to less than minor, a rating of 'low to moderate' equates to minor, and a rating of 'moderate' or more equates to more than minor in terms of Resource Management Act (1991) terminology.

Desktop study and site visit

Prior to conducting the assessment, a desktop study was completed which included a review of the relevant information relating to the landscape and visual aspects of the project. This information included:

- The New Zealand Coastal Policy Statement (2011)
- The Northland Regional Policy Statement (2017);
- The Far North District Plan;
- Plans prepared by Haigh Workman (15119, sheets 1, 4, 5, 6 and 7)
- Aerial photography, Google Earth and Streetview;
- Survey data.
- *Engineering report for Opua Hard Stands, Opua Reclamation – Maritime Services for Far North Holdings Ltd.*, prepared by Haigh Workman, dated July 2019;
- *Assessment of Ecological Effects*, prepared by 4SIGHT Consulting, dated September 2019, and

1 Contained in Appendix 1 of: http://www.nzila.co.nz/media/50906/registered_membership_guide_final.pdf

- *Ecological Assessment of a Proposed Vehicle Turning Area at Opua Marina*, prepared by Northland Ecology, dated April 2019.

Following the desktop study, a site visit was undertaken on 14 June 2019. During the site visit I was not able to visit potentially affected residential properties. As such, the assessment of effects on these properties has been interpolated from proximate viewpoints.

3.0 THE PROPOSAL

The proposal is illustrated in the plans (Figures 3a, 3b, 3c, 3d and 3e, contained in Appendix 2 of this report). It involves a total earthworks volume of 9,750m^3. The total area of reclamation will be 2,400m^2, comprising 1,700m^2 for new docks, and 700m^2 for a new 20 metre wide boat ramp. The reclamation will be supported by a pile or rock wall, and an area of 1200m^2 will be dredged 'in front' of the three dock areas to provide sufficient depth for the barges. The depth of the dredged area will be -3.1m OTP datum requiring removal of spoil in the order of 600m^3 which will be placed within the reclamation. The remainder of the fill material for the reclamation will be sourced from other approved construction projects being undertaken by the applicant.

Road access will be gained from Baffin Street by means of a 4.5 metre wide single lane road, and a 2.0 metre wide cycle trail. The road will be aligned along the Boatyard boundary with the cycle trail being realigned on its landward side. The slope above was formed previously but a retaining wall 85 metres long with a typical height of 2.5 metres will be constructed at the toe of the slope.

At the southern end of the existing boatyard area the road will become a 6.0 metre wide two-way access leading to a turning loop to provide sufficient manoeuvring space for trucks. Parking spaces for the oyster farmers will be provided within the road loop.

The cycle trail will be aligned along the landward side of the road access and diverted around the inward side of the loop before connecting back to the existing alignment to pass in existing cut through a small headland.

At the southern end of the road loop, a timber jetty, gangway and pontoon (projecting a total of 57 metres from the coastal edge into the CMA) will be provided for use by mooring owners together with dinghy racks as replacement for the existing facilities at the end of the Boatyard. The pontoon at the end of this jetty will provide an 'out of service' mooring location for the Minerva steamship but no embarking or disembarking of passengers.

The jetty will be constructed from timber, supported on 22, 400mm diameter piles. It will be 42.0 metres long, and 3.0 metres wide. At its seaward end, a 12.0 metre long aluminium gangway will provide access to a 20.0 metre long x 4.0 metre wide concrete pontoon. The pontoon will be secured using 4, 600mm diameter piles, and will include 6 fender piles (400mm diameter).

Two or three swing moorings will need to be removed from the vicinity of the reclamation and the jetty to allow room for the structures and the maneuvering of vessels using the docking facilities.

Vehicle movements associated with the site are detailed in the Engineering report[2]. The numbers listed are as follows:

Oyster Farmers:

- 400 trucks pa. (6-8 wheelers) 80% between May and December, 20% January to April.

[2] Ibid. Section 7.4

- 2700 cars pa. (staff/owners)
- 240 working days pa
- Daily vehicle movements = 3100 x 2 / 240 days = 26 vehicle movements / day

Marine Contractors:

- Utility – 10 per week
- Courier van – 5 per week
- 4 wheel flat deck truck – 1 per week
- Semi truck and trailer – 1 per week
- 5 working days per week
- Daily vehicle movements = 17 x 2 / 5 days = 7 vehicle movements / day

Existing pohutukawa trees and other vegetation growing along the coastal margin to the south west of the proposed boat ramp will be retained and protected (identified as 'C' on Figure 3a). These trees will assist with fragmenting views of the proposed development. Similarly, vegetation on the coastal escarpment (to the west, north west and north of the proposed cycleway alignment) will also be retained.

Revegetation planting is proposed within areas of the site not subject to built development. This includes a triangular area to the south west, to the north of the turning area (identified as B on Figure 3a) and within the turning area island (identified as C on Figure 3a). The planting will comprise locally appropriate coastal species including kanuka (*Kunzea robusta*), manuka (*Leptospermum scoparium*), karo (*Pittosporum crassifolium*), houpara (*Pseudopanax lessonii*), karamu (*Coprosma robusta*), and pohutukawa (*Metrosideros excelsa*), planted at 1,400mm centres.

4.0 EXISTING ENVIRONMENT

4.1 General context of the site

As is illustrated in Figure 1, within the broad context, the site is located at the mouth of the Kawakawa River, to the south of the existing marina and associated waterfront marine activities, such as Ashby's boatyard.

To the east is the Waikare Inlet. Both the Waikare Inlet, and the Kawakawa River are characterized by indented shorelines, punctuated by a series of headlands and a predominance of native bush. These watercourses display a high level of natural character.

The sense of remoteness experienced within these bodies of water contrasts with the developed character of Opua which occupies the vegetated coastal slopes on the western side of the Veronica Channel and, on the eastern side of the channel, the Okiato settlement, clustered on Okiato and Tapu Points.

The Opua settlement has principally developed along the ridge crests, whilst the intervening steep and incised gullies have retained a mantle of native vegetation. As a result, the settlement displays a somewhat dispersed character. The focus of the settlement, historically, in terms of density of settlement and in terms of activity is to the west and east of Waimangara Point. At the tip of the point, the ferry terminal, wharf and cluster of buildings marks the northern end of a linear ribbon of marine based activities. These occupy a flat strip of primarily reclaimed land which extends from the northern tip of Waimangaroa Point, south for some 800 metres.

The land-based activities associated with the marina present a commercial and industrial character, with extensive car parking. At the southern end of the coastal strip the industrial character is prevalent, with large warehouse buildings and workshops serving Ashby's boatyard. This latter activity is located at the extreme southern end of the coastal strip of development and comprises in part an area which is given over to hard stands for boat repair (refer to photo 1).

The marina development – which includes a curving wave attenuator – imposes, and extends the man-made character out from the shoreline into the river. The cluster of moored boats within the attenuator, and surrounding boats on swing moorings within the Kawakawa River and Waikare Inlet further reduces the naturalness of the area. When travelling by boat northwards from the Kawakawa River into the Inlet, or travelling along the Inlet itself, the density of moored boats reinforces the impression of a maritime settlement (refer to photo 2).

Access to this area is afforded by Baffin Street, a 'no exit' road with (at its southern end) restricted public access. The eastern end of the Pou Herenga Tai/Twin Coast Cycle Trail terminates / commences at the southern end of the reclaimed area. The cycleway occupies a former rail line, and the ballast on which the rail line way constructed hugs the coastal edge, creating an unnatural linearity where it alternately forms the land / river interface, or cuts through two headland features before swinging to the south to cross the Whangae River on the Whangae Bridge.

As described previously, dwellings within Opua are nestled in bush and occupy the low dissected landform above the river. These dwellings are accessed by a network of narrow winding roads and offer a variety of views down to, and across the river to the Waikare inlet and Okiato. From many of these properties the views are restricted by landform or vegetation so that, rather than being panoramic, the views are restricted to limited view shafts or glimpses. From some properties – primarily those closest to the site – views include the existing marina and associated activities.

4.2 The site and its immediate context

Geology and Topography

The weathered soils are indicated to be underlain by solid geology comprising Waipapa (composite) Terrane strata of Jurassic to Permian age (c. 154 to 270 million years). The GNS rock map identifies the Waipapa (composite) Terrane at the site as part of the Waipapa Group and describes it as *massive to thin-bedded, lithic volcaniclastic sandstone and argillite.*

The engineering report notes that the area between the alignment of the railway – now functioning as the cycleway – and the original shoreline comprise "*artificial ground deposits……. in the form of marine dredging …… and hard fill/granular soils within the former railway embankment*"[3]

This area is visible in Figures 4 and 5 and can be seen in photo 3.

To the north and north west, the site is contained by elevated land associated with a ridge. Which, trending to the south east, diverges into two spurs as it approaches the coastal edge. The northern spur forms the prominent headland feature to the north east of the site, and at the entrance to the cycleway (refer to photo 2). The southern spur is traces by Kennedy Street, and terminates in the headland feature that contains the south western end of the site and is severed by the rail line / cycleway (refer to photo 3).

Vegetation .

At the northern end of the site – adjacent to the entrance to the cycle trail and opposite Ashbys Boatyard buildings), the lower parts of the cut rock scarp are unvegetated. Growing on the upper bank, where the slope has been unaffected by earthworks are a mix of native and exotic species including kanuka (*Kunzea robusta*), manuka (*Leptospermum*

[3] Haigh Workman Ltd. *Engineering report for Opua Hard Stands, Opua Reclamation – Maritime Services for Far North Holdings Ltd*. July 2019. Section 3.1.1.

scoparium), totara (*Podocarpus totara*), mapou (*Myrsine australis*), kawakawa (*Macropiper excelsum*), houpara (*Pseudopanax lessonii*), pukatea (*Laurelia novae-zealandiae*), and hangehange (*Geniostoma ligustrifolium*).

At the southern end of the existing boatyard the vegetation on the landward side of the cycle trail is more botanically diverse and contains ponga (*Cyathea sp*.), mahoe (*Melicytus ramiflorus*), flax (*Phormium tenax*) and ground ferns, in addition to the native species previously noted. Exotics and pest plants remain and additionally include wild ginger (*Hedychium gardnerianum*) and pampas (*Cortaderia sp*.).

At the southern end of the site, a small area of scrub contains pampas, woolly nightshade, brush wattle, gorse, pine, wild ginger along with the some native such as mapou, ponga, totara, manuka, pukatea, kawakawa, ground ferns and pohutukawa (*Metrosideros excelsa*).

Between the existing cycle trail, and the rock reinforced coastal edge, a narrow strip of predominantly native vegetation includes mapou, kanuka, manuka, small totara, pohutukawa, including a large pohutukawa up to eight metres, a cluster of flax and some small juvenile mangroves (*Avicennia marina subsp. australasica*) on the lower shore.

Landuse

The engineering report describes the historical use of the site from 1884, noting that the construction of the railway was completed by 1884, with trains transporting coal from Kawakawa to Opua. After 1884, coal mining ceased in Kawakawa. The line was linked to the Auckland line in 1910, and was used for passenger purposes[4].

The landward portion of the site is current vacant. The cycleway defines the coastal margin of the site, and links it with the boatyard to the north east. Whilst the majority of the land based industrial, recreational and commercial occupy an area of reclamation that is contained within a series of 'scallops' along the shoreline, at the southern end, a smaller area of reclamation 'projects' out from the foot of the headland into the river (refer to photo 1), Accommodating a number of large shed structures, and with the balance of the area serving as hardstand, this area of reclamation extends the modified and industrial character land based activities 'around the corner' of the headland and into a separate visual catchment.

The visibility of this area of reclamation and the presence of the marina breakwater structure, finger wharves and boats – both within the marina, and on moorings – strongly influences the character of the bay associated with the site.

In contrast, to the west of the southern headland, the character of the adjoining bay displays a much higher degree of naturalness. The south western headland provides a physical and visual separation from the areas of reclamation and activity to the north east, and this section of the river edge is less affected by the presence of moored vessels (refer to photos 4 and 5).

As described previously, Kennedy Street traces a spur to the south west , and this spur landform contains the subject site on its north western edge. Although the site is not visible from Lyon Street itself – views along the road corridor are focused toward the embayment to the south west of the site – dwellings located amongst the mix of native and exotic vegetation on the lower south eastern spur flank offer views across the site (refer to photos 6 and 7).

[4] Ibid. Section 3.2

4.3 Identified natural character values

The level of modification associated with the subject site and its immediate context has resulted in these areas not displaying elevated natural character values. The Northland Regional Policy Statement, and protected natural areas programme report[5] do identify some areas in the vicinity of the site as displaying elevated natural character values (refer to Figure 6).

Inland from the Baffin Street industrial area, and some 500 metres to the north of the site, an area of native forest occupies hill slopes within the Opua settlement. This High Natural Character Area is identified as 09/53 and is described in the RPS as "*Hill slopes with kanuka & mixed broadleaved forest with some wilding conifers; kanuka dominant shrubland with wilding conifers… Largely indigenous vegetation with relatively few pest plants. Minimal human-mediated hydrological or landform changes. Few obvious human structures*."

Some 1,000 metres to the south west, the Whangae River is identified I the RPS as an Outstanding Natural Character Area. The eastern edge of this area is defined by the Whangae Bridge. The area is identified as 09/45, and is described thus:

"*Whangae River Estuary. Tall mangrove forest grading to saltmarsh up river. Railway causeway & bridge across Whangae River entrance is not included. Causeway has been in place for nearly 150 years. Excludes small estuary arms cut off by road (SH10)…. Indigenous vegetation without pest plants, close to present potential cover for site conditions. Part of a continuum of marine to terrestrial ecosystems. Few obvious human structures*"

The Whangae River is also identified as part of the Eastern Bay of Islands Estuary (Q05/001) Level 1 site in the protected natural area survey programme report

On the eastern side of the Kawakawa River, the hill slopes of the Ranui Road peninsula are identified in the RPS as a High Natural Character Area. This area is identified as 09/12 and is described as comprising "*Hill slopes with kanuka dominant shrubland & forest with mixed broadleaved species. There is an area puriri -kahikatea forest. There are some kahikatea and rimu within the kanuka forest. The southern part of the unit includes a freshwater wetland dominated by raupo. This connects to unit 09/11. Several small patches of introduced grasses… Largely indigenous vegetation with relatively few pest plants. Includes mature forest elements. Part of a continuum of marine to terrestrial ecosystems. Minimal human-mediated hydrological or landform changes and few obvious human structures*."

The ecological report addresses the ecological significance of the landward portion of the application and determines that the "*….assessment area does not meet any of these criteria for ecological significance because it is dominated by introduced species of plants and provides poor quality habitat. The slopes adjacent to the north of the assessment area are vegetated in kanuka forest and might meet criterion (j) but an assessment of this area was beyond the scope of this report."*[6]

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[5] Booth, Andrea Marie. *Natural areas of Whangaruru Ecological District : reconnaissance survey report for the Protected Natural Areas Programme* / Andrea Booth. Whangarei, N.Z. : Dept. of Conservation, Northland Conservancy, 2005

[6] Ibid. Section 8.

It is understood that the slopes to the north of the subject site referred to above are not affected by the application. The ecology report concludes that the landward portion of the site is of low ecological value and provides poor habitat for native species[7].

4.4 Identified landscape values

The subject site is not identified as displaying elevated landscape values and is not subject to any statutory overlay. The Far North District Landscape Assessment[8] described the Opua Forest – to the west of, and inland from the subject site – as outstanding, assigning a ranking of (sensitivity) 6. It assigned the Veronica Channel unit (C6), a ranking of (sensitivity) 5, equating to high landscape value. Interpreting the assessment, Far North District Plan included the Opua Forest landscape unit as an Outstanding Natural Landscape (ONL), however this unit does not overlay the subject site.

The RPS also identifies the Opua Forest (described as 'Bush clad hills to west of Opua and Paihia, including Morewa flank') as an Outstanding Natural Landscape, characterising the unit as follows:

A block of moderately elevated terrain that stretches from estuarine coastal flanks to ridges and scarps running some distance inland. A coherent cover of predominantly indigenous vegetation, with some variation in species composition, is the unifying theme. In addition to its intrinsic role as an extensive area that is primarily natural in its character, this landscape unit has an important task as a backdrop to the inner Bay of Islands around Paihia and Te Haumi.

The ONL does not overlay the subject site.

4.5 Statutory context

This section provides a brief statutory assessment against the matters set out in section 104(1) of the Resource Management Act 1991 (RMA) and other relevant planning documents with regards to the proposed works, including:

- Part 2 of the RMA
- Regional Policy Statement for Auckland
- Auckland Unitary Plan – Operative in part

4.5.1 Resource Management Act 1991

Part 2 of the Act requires that the proposed activity must meet the purpose of the Act as outlined in Section 5 "to promote the sustainable management of natural and physical resources."

Section 6 of the Act identifies 8 matters of national importance to be had regard to in achieving the purposes of the Act. The following are of relevance to the proposal:

- 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

Section 7 of the Act identifies 11 other matters to be had regard to in achieving the purposes of the Act. The following are of relevance to the proposal:

- The maintenance and enhancement of amenity values; and

[7] Ibid. Section 9.

[8] LA4 Landscape Architects. *Far North District Landscape Assessment*. 1995. Far North District Council.

- intrinsic values of ecosystems; and
- the maintenance and enhancement of the quality of the environment.

Comment:

The subject site has not been identified as being an outstanding natural feature, nor is it situated within an outstanding natural landscape, or an outstanding or high natural character area.

The proposal will integrate well with existing land resources and adjoining coastal ecosystems and will result in the proposal having a low level of effect on coastal amenity values and coastal habitats when considered within the wider context of the site.

Based on the foregoing assessment, the proposal is considered consistent with both the purpose of the Act and those matters identified in Section 7.

4.5.2 New Zealand Coastal Policy Statement (2010)

Objective 2

To preserve the natural character of the coastal environment and protect natural features and landscape values through:

- *recognising the characteristics and qualities that contribute to natural character, natural features and landscape values and their location and distribution;*
- *identifying those areas where various forms of subdivision, use, and development would be inappropriate and protecting them from such activities; and*
- *encouraging restoration of the coastal environment*

Policy 13 Preservation of natural character

(1) To preserve the natural character of the coastal environment and to protect it from inappropriate subdivision, use, and development:
  (a) avoid adverse effects of activities on natural character in areas of the coastal environment with outstanding natural character; and
  (b) avoid significant adverse effects and avoid, remedy or mitigate other adverse effects of activities on natural character in all other areas of the coastal environment; including by:
  (c) assessing the natural character of the coastal environment of the region or district, by mapping or otherwise identifying at least areas of high natural character; and
  (d) ensuring that regional policy statements, and plans, identify areas where preserving natural character requires objectives, policies and rules, and include those provisions.

(2) Recognise that natural character is not the same as natural features and landscapes or amenity values and may include matters such as:
  (a) natural elements, processes and patterns;
  (b) biophysical, ecological, geological and geomorphological aspects;
  (c) natural landforms such as headlands, peninsulas, cliffs, dunes, wetlands, reefs, freshwater springs and surf breaks;
  (d) the natural movement of water and sediment;
  (e) the natural darkness of the night sky;
  (f) places or areas that are wild or scenic;
  (g) a range of natural character from pristine to modified; and

(h) experiential attributes, including the sounds and smell of the sea; and their context or setting.

Policy 14 Restoration of natural character

Promote restoration or rehabilitation of the natural character of the coastal environment, including by:

(a) identifying areas and opportunities for restoration or rehabilitation;
(b) providing policies, rules and other methods directed at restoration or rehabilitation in regional policy statements, and plans;
(c) where practicable, imposing or reviewing restoration or rehabilitation conditions on resource consents and designations, including for the continuation of activities; and recognising that where degraded areas of the coastal environment require restoration or rehabilitation, possible approaches include:
  i. restoring indigenous habitats and ecosystems, using local genetic stock where practicable; or
  ii. encouraging natural regeneration of indigenous species, recognising the need for effective weed and animal pest management; or
  iii. creating or enhancing habitat for indigenous species; or
  iv. rehabilitating dunes and other natural coastal features or processes, including saline wetlands and intertidal saltmarsh; or
  v. restoring and protecting riparian and intertidal margins; or
  vi. reducing or eliminating discharges of contaminants; or
  vii. removing redundant structures and materials that have been assessed to have minimal heritage or amenity values and when the removal is authorised by required permits, including an archaeological authority under the Historic Places Act 1993; or
  viii. restoring cultural landscape features; or
  ix. redesign of structures that interfere with ecosystem processes; or
  x. *decommissioning or restoring historic landfill and other contaminated sites which are, or have the potential to, leach material into the coastal marine area.*

Comment:

A detailed assessment of the effect of the proposal on natural character is included within Section 5.0 of this assessment. It notes that the site is contained within an area that displays a low to moderate level of natural character, and concludes that the proposal will result in a low level of potential adverse effect on the natural character of the coastal environment.

4.5.3 Northland Regional Policy Statement (2016)

The extent of Outstanding Natural Landscapes and areas of Outstanding and High Natural Character are illustrated on Figure 6. These overlays do not affect the site. Objectives and policies of relevance to landscape and visual considerations are as follows:

Identify and protect from inappropriate subdivision, use and development;

(a) The qualities and characteristics that make up the natural character of the coastal environment, and the natural character of freshwater bodies and their margins;
(b) The qualities and characterises that make up outstanding natural features and outstanding natural landscapes;
(c) The integrity of historic heritage

The RPS also introduces a number of policies which aim to bring the RPS in line with the NZCPS under Part 4 of the RPS. Section 4.6.1 outlines the policy relevant to managing effects on natural character, features / landscapes and heritage.

(1) In the coastal environment:

- *(a) Avoid adverse effects of subdivision use, and development on the characteristic and qualities which make up the outstanding natural features and outstanding natural landscapes.*
- *(b) Where (a) does not apply, avoid significant adverse effects and avoid, remedy or mitigate other adverse effects of subdivision, use and development on natural character, natural features and natural landscapes. Methods which may achieve this include:*
  - *(i) Ensuring the location, intensity, scape and form of subdivision and built development in appropriate having regard to natural elements, landforms and processes, including vegetation patterns, ridgelines, headlands, peninsulas, dune systems, reefs and freshwater bodies and their margins: and*
  - *(ii) In areas of high natural character, minimising to the extent practicable indigenous vegetation clearance and modification (including earthworks / disturbance, structures, discharges and extraction of water) to natural wetlands, the beds of lakes, rivers and the coastal marine area and their margins; and*
  - *(iii) Encouraging any new subdivision and built development to consolidate within and around existing settlements or where natural character and landscape has already been compromised.*

When considering whether there are any adverse effects on the characteristics and qualities of the natural character, natural features and landscape values in terms of (1)(a), whether there are any significant adverse effects and the scale of any adverse effects in terms of (1)(b) and (2), and in determining the character, intensity and scale of the adverse effects:

- *a) Recognise that a minor or transitory effect may not be an adverse effect;*
- *b) Recognise that many areas contain ongoing use and development that:*
  - *(i) Were present when the area was identified as high or outstanding or have subsequently been lawfully established*
  - *(ii) May be dynamic, diverse or seasonal;*
- *c) Recognise that there may be more than minor cumulative adverse effects from minor or transitory adverse effects; and*

Have regard to any restoration and enhancement on the characteristics and qualities of that area of natural character, natural features and/or natural landscape.

Comment:

The site is located within an area which displays a settled residential character – to the west and north west – and a maritime industrial character to the north. The proposal will result in a character of development which is consistent with the existing character, and will result in low potential adverse natural character and landscape effects. Overall, the effect on the natural character of the coastal environment and on landscape values will be low. The proposal is considered to be consistent with the objectives and policies of the Northland Regional Policy Statement.

4.5.4 Far North District Plan

The site is situated within the Industrial Zone as defined in the **Far North District Plan**. Objectives and policies of relevance are contained in section 7.7 of the District Plan. In this section, the Commercial zone is described thus:

The Industrial Zone includes the existing areas of industrial activity in the District and provides for the expansion of industry in these areas. By identifying a separate Industrial Zone, the Council is indicating that the effects of industrial activities are able to be managed most effectively if the activities that give rise to the effects are grouped together.

Thus, the Industrial Zone enables industrial and other activities to establish in areas where the effects of the activities are mutually compatible. These effects will be appropriate to the industrial character and amenity of the zone and differ from the standards that are appropriate in other urban zones.

Objectives and policies of relevance include 7.3.1, 7.3.3, 7.3.4, 7.4.1, 7.4.2, 7.4.5, 7.4.7, 7.8.3, 7.8.4.1, 7.8.4.2, and 7.8.4.3:

7.3.1 To ensure that urban activities do not cause adverse environmental effects on the natural and physical resources of the District

7.3.3 To avoid, remedy or mitigate the adverse effects of activities on the amenity values of existing urban environments.

7.3.4 To enable urban activities to establish in areas where their potential effects will not adversely affect the character and amenity of those areas

7.4.1 That amenity values of existing and newly developed areas be maintained or enhanced.

7.4.2 That the permissible level of effects created or received in residential areas reflects those appropriate for residential activities

7.4.5 That new urban development avoid:

- *(a) adversely affecting the natural character of the coastal environment, lakes, rivers, wetlands or their margins;*
- *(b) adversely affecting areas of significant indigenous vegetation or significant habitats of indigenous fauna;*
- *(c) adversely affecting outstanding natural features, landscapes and heritage resources;*
- *(d) …..;*
- *(e) …..;*
- *(f) …..;*
- *(g) …..;*
- *(h) ……*

7.4.7 That urban areas with distinctive characteristics be managed to maintain and enhance the level of amenity derived from those characteristics.

7.8.3 To avoid, remedy or mitigate adverse effects of new industrial activities on existing activities in the Industrial zone, and on activities on adjoining land, and on the natural and physical resources of the District

7.8.4.1 That the Industrial Zone be applied to those areas in which industry is a significant activity and where expansion or intensification of the industrial character can be accomplished without damage to the environment.

7.8.4.2 That the range of activities provided for in the Industrial zone be limited only by the acceptability of the effects generated by the particular activity in relation to other activities in the zone.

7.8.4.3 That standards be applied that protect visual and environmental amenity within the Industrial zone, and the amenity of adjacent zones

Under rule 7.8.5.1.2 Visual Amenity And Environmental Protection, and activity within the Industrial zone is permitted if:

(a) Along boundaries adjoining any zone other than the Commercial or Industrial Zone, outdoor areas providing for activities such as parking, loading, outdoor storage and other outdoor activities associated with non-residential activities on the site shall be screened from adjoining sites by landscaping, wall/s, close boarded fence/s or trellis/es or a combination thereof. They shall be of a height sufficient to wholly or substantially separate these areas from the view of neighbouring properties. Structures shall be at least 1.8m in height, but no higher than 2.0m, along the length of the outdoor area. Where such screening is by way of landscaping it shall be a strip of vegetation which has or will attain a minimum height of 1.8m for a minimum depth of 2m.

(b) At least 50% of that part of the site between the road boundary and a parallel line 3m therefrom, which is not occupied by buildings or driveways, shall be landscaped.

(c) *Any landscaping required by these rules shall remain on the site for the duration of the activity and be maintained, and, if such landscaping dies or becomes diseased or damaged, shall be replaced.*

Rule 7.8.5.3.2 Visual Amenity And Environmental Protection sets out the matters to which Council shall limit its discretion if an application is in breach of *Rule 7.8.5.1.2 Visual Amenity and Environmental Protection*:

(a) the visual effect on property in the vicinity of the proposed industrial development;

(b) the scale and nature of the landscape and the resources necessary for its maintenance

Comment

The industrial zoning of the site anticipates a character of development which is of a markedly lower level of amenity than the residential and coastal zonings in the Plan. It provides for development of a character which reflect the built development associated with the marina to the north, whilst under Rule 7.8.5.1.8, the maximum permitted height of buildings within the Opua Industrial Zone is 12.0 metres.

The proposal will result in a similar situation to that which exists to the north, where residential properties, located on the elevated and vegetated land to the west, offer views over the existing waterside commercial and industrial development to the River beyond.

Notwithstanding this, the objectives and policies for the Industrial Zone seek that development within the zone considers the amenity of adjoining zones, and avoids, remedies of mitigates adverse effects on natural character and landscape values. As detailed in section 5.0, the proposal will generate a low level of potential adverse effect on natural character and landscape values.

With respect to the amenity of occupants of properties within adjoining zones, the proposal occupies a relatedly contained visual catchment on its landward side, with the landform to the west, and the spur features to the north and south limiting its visibility. In addition, vegetation growing on the rising terrain to the west of the subject site tends to limit views from nearby dwellings, thereby mitigating potential adverse effects.

As is identified in section 5.0, occupants of three properties will be affected to a minor level (numbers 10, 12 and 14 Kennedy Street. Although these individuals will have the potential to gain views of elements of the proposal (to a greater or lesser extent), the views experienced will be of built development within an area zoned for such development (and therefore anticipated), and their views will not be reduced or blocked by the proposed development resulting from the application. In addition, the proposed development will not reduce their access to sunlight.

Mitigation planting is proposed within the landward portion of the site, and the elevated location of the neighbouring residential properties will enable them to gain views down into the site and to the reclamation. In this respect, the

appearance and resulting effect of the proposal will be akin to that experienced by occupants located on elevated land to the west of Baffin Street.

Given the zoning of the subject site, the elevated position of the neighbouring residential properties, and the limited numbers of affected individuals, it is the opinion of the author that the proposal is generally consistent with the objectives and policies of the District Plan (where they apply to landscape and visual matters).

Rule 7.8.5.1.2 requires landscaping and fencing of the boundary of the Industrial Zone. Since the subject site is separated from the neighbouring properties by the coastal escarpment, and vegetation growing on the escarpment, it is considered that these natural features will fulfill the intent of the proposed screen fencing and mitigation planting.

5.0 ASSESSMENT OF NATURAL CHARACTER, LANDSCAPE AND VISUAL AMENITY EFFECTS

5.1 Background

Preceding sections describe the characteristics of the property and site, its setting and the proposal (including mitigation). The purpose of this section is to define the effects of the application upon the site and setting, to consider how the proposal would impact upon the experience of people viewing the development from outside of the site, and to comment upon the level of landscape, natural character, and visual effects.

Landscape change can, but does not necessarily result in adverse visual effects. Natural and human induced change is a constant within the landscape. The key is to manage this in such a way that any adverse visual effects are avoided, remedied or mitigated.

5.2 Assessment of Effects

The effects covered in this assessment, include those that can occur in relation to physical features, viewing audiences and visual amenity and/or on the site's contribution to the existing landscape character and amenity values, as follows:

- Natural character effects are considered as they relate to a change in the baseline condition of the level of natural character.
- Landscape character and amenity effects derive from changes in the physical landscape, which may give rise to changes in its character and how this is experienced. This may in turn affect the perceived value ascribed to the landscape.
- Visual effects relate to the changes that arise in the composition of available views as a result of changes to the landscape, to people's responses to the changes, and to the overall effects with respect to visual amenity.

Landscape and visual impacts can result from change in the components, character or quality of the landscape. Usually these are the result of landform or vegetation modification or the introduction of new structures, facilities or activities. All these impacts are assessed to determine their effects on landscape character and quality, rural amenity and on public and private views. In this report, the assessment of potential effects is based on a combination of the landscape's sensitivity and visibility and the nature and scale of the development proposal.

The nature of landscape and visual effects generated by any particular proposal can, therefore, be:

- Positive (beneficial), contributing to the visual character and quality of the environment.

- Negative (adverse), detracting from existing character and quality of environment; or
- Neutral (benign), with essentially no effect on existing character or quality of environment.

Landscape, Natural Character and Amenity effects can be rated on a seven-point scale from Very High, through to Very Low.

The degree to which landscape and visual effects are generated by a development depends on several factors, these include:

- The degree to which the proposal contrasts, or is consistent, with the qualities of the surrounding landscape.
- The proportion of the proposal that is visible, determined by the observer's position relative to the objects viewed.
- The distance and foreground context within which the proposal is viewed.
- The area or extent of visual catchment from which the proposal is visible.
- The number of viewers, their location and situation (static or moving) in relation to the view.
- The backdrop and context within which the proposal is viewed
- The predictable and likely known future character of the locality
- The quality of the resultant landscape, its aesthetic values and contribution to the wider landscape character to the area.

Change in a landscape does not, of itself, necessarily constitute an adverse landscape or visual effect. Landscape is dynamic and is constantly changing over time in both subtle and more dramatic transformational ways, these changes are both natural and human induced. What is important in managing landscape change is that adverse effects are avoided or sufficiently mitigated to ameliorate the effects of the change in land use. The aim is to provide a high amenity environment through appropriate design outcomes, including planting that can provide an adequate substitution for the currently experienced amenity.

5.2.1 Natural Character Effects

Section 6(a) of the Resource Management Act (1991) states that the following matter of national importance shall be recognised and provided 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*."

Appendix 1 of the Northland Regional Policy Statement (refer to Appendix 1) provides some guidance with regard to assessment of natural character values. This lists a number of natural character attributes which are based on Policy 13(2) of the New Zealand Coastal Policy Statement 2010 (RPS), and are as follows:

a) Natural elements, processes and patterns;
b) Biophysical, ecological and geomorphological aspects;
c) Natural landforms such as headlands, peninsulas, cliffs, dunes, wetlands, reefs, freshwater springs and surf breaks;
d) The natural movement of water and sediment;
e) The natural darkness of the night sky;
f) Places or areas that are wild or scenic; and
g) Experiential attributes, including the sounds and smell of the sea; and their context or setting.

5.2.2 Biophysical – Abiotic attributes

The key abiotic attributes of the site include the geology, water catchments, formed predominantly by coastal process. These are manifest in landscape elements as listed in the NZCPS (headlands, peninsulas, cliffs, dunes, wetlands, reefs, freshwater springs and surf breaks).

The site reflects a moderate level of modification although the low coastal escarpment is still a legible feature. The headland landform immediately to the south of the site has been historically altered. Here, a cut has been created through the landform and to the north, the escarpment face has been excavated. Both of these changes to the landform were undertaken to facilitate passage for the rail line. In addition, the landward portion of the site is extant as a result of historical reclamation undertaken between the railway line and original coastal margin.

Immediately to the north, the landform has been significantly modified as a result of development activities. This includes reclamation of the CMA to accommodate Ashby's boat yard and associated hard standings, the Opua marina, car parking and other industrial and commercial activities (refer to photo 8).

These changes to the abiotic attributes (including the 'natural elements') of the site and its context have resulted in a desensitization of the landscape to change.

The principle changes affecting the abiotic attributes of the site include a total area of reclamation of some 2,400m^2. The reclamation will be supported by a pile or rock wall, and an adjoining dredged area of 1200m^2. As depicted in Figure 3a, this area of reclamation will adjoin the existing Ashby's reclamation approximately 80 metres to the south west and will project some 30 metres from the existing coastal edge.

A 20.0 metre wide boat ramp will abut the south western edge of the reclamation, thus making the total area of reclamation 2,400m^2.

Road access will be gained from Baffin Street by means of a road along the boatyard boundary. The slope on the landward side of these proposed works was formed previously, but a retaining wall 85.0 metres long with a typical height of 2.5 metres will be constructed at its toe.

The main area of change will be situated at the northern end of the site, where the proposed reclamation adjoins the Ashbys Boatyard reclamation to the north east, and the coastal escarpment on its north western side. Whilst this will represent a marked change, the proposal will result in the extension of the existing reclamation a distance of some xxx metres to the south west.

Within the balance of the site – being the southern half – the abiotic changes will be minimal. Construction of the proposed car parking area and truck turning area will require a relatively limited volume of earthworks, but the existing landform will be largely unaffected.

5.2.3 Biophysical – Biotic attributes

The biotic attributes of the site are the living organisms which shape an ecosystem. With respect to the biophysical impacts of the proposal on the ecological values of the site, this assessment relies on the 4site ecological report. This document notes that, within the areas of the proposed reclamation and dredging, all marine life will be removed. It qualifies this statement, stating that the benthic community within these areas are typical and well represented elsewhere, and the effect arising from these activities will be very low.

The report concludes that[9]:

1) *The main area of vegetation removal occurs at the southern end of the site and consists of low value scrub. The botanical effect of removal of this vegetation is negligible.*
2) *Removal of vegetation on the reclamation side of the existing cycle trail, will involve mainly native shrubs and trees, including a large pohutukawa. This is a small adverse effect that is unavoidable, but which could be offset by enhancement plantings elsewhere around the site as well as removal of pest weeds.*
3) *The loss of a few small/juvenile mangrove is not significant relative to the extensive mangrove habitat present in the Kawakawa River estuary.*
4) *There is no significant intertidal habitats within the site of the reclamation and construction works. No particular restrictions need to be imposed on machinery working on or accessing the shore.*
5) *The subtidal biota is typical of that documented elsewhere in the area and is dominated by common species of polychaetes and crustacea.*
6) *The ecological significance of the dredging and construction effects on subtidal biota is minimal. Effects should be remediated in a short period of time by natural recruitment and recolonisation of the new seabed which will be of a similar texture to that which presently exists.*
7) *Although maintenance dredging, if required will repeat the cycle or biological loss and recovery, the overall significance of the potential ecological effect is very low.*
8) *No significant intertidal bird feeding areas will be affected. Impacts on shorebirds will be negligible.*
9) *Sediments to be dredged have been shown not to be polluted in cadmium, chromium, copper, lead, nickel or zinc. There is no significant risk of pollutant releases of these metals as a consequence of the dredging.*
10) *Tributyltin (TBT) was found at elevated levels at sediment sites 1 and 4 compared to ANZECC DGV.*
11) *Although localised small-scale elevation in arsenic and TBT were recorded in sediments to be dredged, elutriate tests show there is no water quality risk from mobilised metals including TBT.*
12) *There is a very low potential for the reclamation construction to generate unacceptable levels of turbidity beyond the site or cause potentially smothering sedimentation.*
13) *Current water and sediment quality characteristics are likely to reflect, and to be maintained by the flushing that occurs in response to tidal patterns and riverine outflows.*
14) *Any sedimentation effects on habitats and biota beyond the reclamation and construction works area will be minor and localised and are not of ecological significance.*
15) *Turbidity generated during dredging will be localised, short term, intermittent and is not of water quality significance.*
16) *There will be no adverse effects on water quality arising from the stormwater discharges from the reclamation. Local water quality targets as expressed in the applicable CB water classification and the general performance standards under the regional coastal plan (and RMAct) will be maintained in relation to any discharges*.

Based on the above, it is considered that the potential effect on the biotic attributes of the site will be small.

5.2.4 Experiential attributes

Experiential attributes comprise the interpretation of human experience of the coastal environment. This includes visible changes in the character of the coastal margin – its naturalness as well as its sense of wildness and remoteness including effects on natural darkness of the night sky.

The character of the site is influenced to some degree by the presence of built development and activity associated with that development. In addition, at the northern end of the site, the Ashby's boatyard reclamation lends the area a

[9] *Assessment of Ecological Effects*, prepared by 4SIGHT Consulting, dated September 2019. Section 4.4

maritime industrial character, as can be seen from photo 8. The active maritime character is also accentuated by the numerous vessels moored on swing moorings within the embayment.

The presence of, and noise and activity generated by residential and maritime industrial development, and the 'habitation' resulting from the moored vessels tends to significantly diminish the sense of wildness and remoteness. These activities also have the potential to affect the natural darkness of the night sky. Nonetheless, receptors retain the ability to gain views into the embayment, and to the wider riverine landscape.

The visual amenity assessment, contained in section 5.3.2 of this document, identifies a number of potential receptor groups, these being residential (principally accessed from Kennedy Street), users of the cycle trail, visitors and workers within Ashbys boat yard, and occupants of vessels on the CMA.

The assessment of visual amenity effects below determines that, for the majority of potential receptors the potential adverse visual amenity effect of the proposal will be low. For occupants of numbers 10, 12 and 14 Kennedy Street, the level of potential adverse visual amenity effect will be low to moderate.

5.2.5 Summary of Natural Character Effects

The coastal margin and its backdrop associated with the subject site has been modified such that it retains a low to moderate level of natural character and its sensitivity to change has been diminished.

The character is influenced by the presence of buildings and structures within the industrial area to the north, and the presence of dwellings on the elevated land to the west and north west. As such, the overall impression is of an area that is settled, and with a very limited sense of wildness or remoteness.

The proposal will only resulted in very localised and/or limited effects on biotic and abiotic attributes, and this will be offset to a slight degree by the proposed weed control and enhancement planting. The experiential attributes would be affected at a local scale to a level that is minor.

Overall, it is the opinion of the author that the potential adverse effects on natural character values will be low when considered within the wider context of the subject site.

5.2.6 Landscape Effects

The subject site retains low to moderate levels of sensitivity; a consequence of the modified nature of the coastal margin and its backdrop.

The proposal will result in a limited scale of localized direct physical (biophysical biotic and abiotic attributes) effects, and will be 'read' as contributing to the existing settled character of the embayment. It will not form a prominent element within the landscape.

Turning to the cultural, spiritual and associative attributes of landscape, it is understood that historic modification of the site and its immediate context makes the presence of archaeological, cultural or spiritual sites unlikely.

Although the site occupies a coastal and estuarine location, the proximity of industrial development and settlement will have, in the opinion of the author, influenced associative meanings of the site such that any associative meanings will be more related to the industrial heritage of the site. The proposal will, in character, be akin to the existing development to the north, and it is the opinion of the author that it will not detract from these attributes.

It is the opinion of the author that the potential adverse landscape effect of the proposal will be low, and that the proposal is appropriate in this location.

5.3 Visual Amenity Effects

5.3.1 Visual catchment

The visual catchment to the north and west is contained by landform and restricts views from this direction to those dwelling located on the south eastern side of the ridge and associated spurs. This includes dwellings located within #2, 4, 7, 10, and 14 Kennedy Street.

Immediate land based views are possible from the cycle trail, which is aligned along the coastal edge of the landward portion of the site for a distance of some 160 metres.

To the north east, views are available from the south western end of the Ashby's boatyard reclamation (refer to photo 9), but buildings restrict views from further to the north east.

The visual catchment to the east, south east and south is more extensive, with views possible from the water for distances up to 500 metres to the east, and in excess of 1.0km to the south. Views from the north east tend to be obscured by the finger wharves and breakwater associated with the marina, and views to the east and south east are impeded by boats on swing moorings (refer to photos 10, 11 and 12).

5.3.2 Assessment

The primary viewer groups are as follows:

1. Occupants of dwellings located on Kennedy Street and other streets to the west, north west and north;
2. Users of the cycle trail;
3. Visitors to, and workers within the Ashby's boat yard
4. Users of boats on the CMA to the east, south east and south
5. Distant residential viewers on the eastern side of the Kawakawa River.

Within these geographical groups, there exist subgroups, including occupants of residential properties, occupants of vehicles and pedestrians, and visitors to, or occupants of commercial premises and offices. The sensitivity to change within the visual environment of these subgroups varies, with occupants of dwellings being most sensitive, whilst users of the road / occupants of vehicles being least sensitive.

5.3.2.1 Occupants of dwellings located on Kennedy Street to the west, north west and north

The locations of these properties are located on Figures 4 and 5, and where visible, they are identified on photos 6, 7 and 11. The viewer group comprises a small number of generally proximate residential viewers. The group is considered to have a high level of sensitivity

Set within a framework of vegetation, dwellings offering the potential for views to the river are located to the east of Kennedy Street, and for the majority of potential receptors, the vegetation tends to fragment or reduce views to glimpses.

The position of these dwellings in relation to the landform affords them an outlook that can be characterised as either one that is toward the south (numbers 12, 10, 4 and 2 Kennedy Street, and number 14 Scoresby Street), and / or to the south east and east (numbers 12, 14, and 10 Kennedy Street, and number 7 Marina Rise). The latter group, in obtaining

these easterly views, have the existing marina breakwater, finger wharves and the Ashbys Boatyard as a component of that view. Those dwellings that obtain an outlook principally to the south, experience the embayment, and vessels on swing moorings as a midground element, whilst their longer view comprises the expanse of water across to the Kawakawa River, and its vegetated context.

Occupants of numbers 10, 12 and 14 Kennedy Street will, as a result of the proposal, have the ability to gain views of the proposed jetty and pontoon, boat ramp and reclamation.

Occupants of number 12 will have the most immediate views. This single level dwelling is oriented to the east and south east, and its eastern façade is occupied by a long covered deck. Elevated approximately 15 metres above the landward portion of the site, this dwelling has a relatively direct relationship with the site. To the south east, occupants of this dwelling will gain views of the length of the jetty and pontoon at a distance of between 40 – 100 metres. To the east, the truck turning area and car parking will form a midground element (at a minimum distance of some 30 metres), and beyond (at a distance of between 80 - 150 metres) the view will be of the boat ramp, reclamation and existing marine industrial character development associated with Ashbys boatyard and the marina.

The dwellings at numbers 10 and 14 are located further from the site, and some 18 – 25 metres above MHWS. Due to intervening vegetation, both of these dwellings are buffered from the landward portion of the site, but have the ability to gain limited views to the CMA from a distance of some 15 – 25 metres from the coastal edge. Their principle view is therefore over the landward and CMA portions of the site, and east to longer views of the river.

Occupants of number 12 will experience a noticeable change in their primary outlook. Although the existing view from this property is influenced by the modified character of the coastal edge – views of the Ashbys boatyard, moored vessels, and the weed infested strip between the cycle way and coastal escarpment – this view does retain a level of naturalness that is likely to contribute to the amenity of the outlook.

The proposal will result in the north easterly and easterly view from number 12 assuming a more built and 'active' character within the north eastern portion of the outlook. The view includes this as a part of its existing character – this being the activity associated with Ashbys Boatyard, but whilst the existing industrial character is some 150 metres away, the proposal will result in the separation distance between the receptor and the industrial character decreasing to some 80 – 100 metres. These midground elements, whilst slightly reducing the area of water visible in the midground, will not obscure the longer water and river views from this property.

The existing vegetation on the escarpment between the number 12 dwelling and site will fragment the view – as it does at present – and the proposed mitigation planting will assist to fragment the scale of the truck turning area and car parking.

The view from this dwelling to the south east will include the public jetty and pontoon. This new element within the south easterly outlook will be perceived as a change, but it will not reduce the extent of the view, nor will it obscure the longer river views. The jetty and pontoon will display a strong marine character, and will thus be sympathetic to the existing marine character of the embayment.

Notwithstanding the change in the landscape character of the midground outlook from this property, it is noted that the area subject to change is zoned Industrial, and this zoning provides for built development of a character akin to the proposal. In addition, the zone provides for built development up to 12.0 metres in height, and such development would diminish the extend of views to the water from this property. Since – by virtue of the Industrial zoning – there is an expectation of a change in landscape character and a resultant potential diminishing in the character and extent of view , it is the opinion of the author that the potential adverse visual amenity effect that will be experienced by occupants of this dwelling will be low to moderate.

Occupants of numbers 10 and 14 will experience limited mid ground views of the reclamation and boat ramp, although these will be largely obscured by vegetation. These individuals will be able to obtain views of the jetty and pontoon.

Since these dwellings have a more limited relationship with the existing reclamation and coastal margin, their primary view appears to be focused on the more distant views, and the slight change that will occur within the midground of views will be of limited magnitude. As with the number 12, the outlook from these dwellings is onto an area that is zoned Industrial Zone and it is the opinion of the author that the potential adverse visual amenity effect that will be experienced by these individuals will be low to moderate.

Numbers 4 and 2 Kennedy Street, and number 14 Scoresby Street offer views to the south and landward portion of the site are screened by intervening vegetation. These dwellings do however, offer views of the CMA portion of the site at its south western end.

Views from these properties of the proposal would therefore, comprise the jetty and pontoon as midground elements, but numbers 2, and 4 Kennedy Street, and number 14 Scoresby Street would not offer views of the boat ramp and reclamation. Although the presence of the jetty and pontoon would represent a change in the outlook from these dwellings, the character of this structure will be in keeping with the existing active maritime character which includes vessels on swing moorings. The proposed structures will not impede or obscure views from these properties and it is the opinion of the author that the change is unlikely to be seen as something that detracts from the outlook. As such, it is the opinion of the author that the potential adverse visual amenity effect that will be experienced by occupants of these properties will be low.

5.3.2.2 Users of the cycle trail

This group comprises a moderate number of transitory individuals, whose sensitivity is considered to be low. Users of the cycle trail are either travelling to, or from an area that displays an industrial or maritime character similar to that anticipated for the subject site. If departing Opua, the receptors will view the development within the subject site as an extension of the maritime industrial activity within Opua, whilst the cutting through the headland to the south west of the site will mark the transition from the industrial area to the natural riverine environment.

Similarly, for those heading to Opua, the cutting will mark the 'gateway' / transition from the natural riverine to the maritime / industrial character environments, and the development within the site will be regarded as a part of the 'arrival' experience within the Opua settlement.

It is the opinion of the author that the potential adverse visual amenity effect that will be experienced by these individuals will be very low.

5.3.2.3 Visitors to, and workers within Ashby's boat yard

Visitors to, and workers within the boatyard comprise a small to moderate number of individuals, but with a low sensitivity. These individuals are located within, and accepting of the maritime industrial character of the boatyard. At present, views to the embayment which constitutes the site are possible from the south western end of the boatyard, but, with this space mostly occupied by buildings, opportunities to experience views toward the site are limited.

The proposal will result in the view of the existing embayment (refer to photos 9 and 10) assuming a more built character, and a character that is akin to the existing boatyard.

Although this change will be relatively marked, the numbers of individuals having the opportunity to experience the view will be low, and the sensitivity of those individuals will also be low. It is the opinion of the author that the potential adverse visual amenity effect that will be experienced by these individuals will be very low.

5.3.2.4 Users of boats on the CMA to the east, south east and south, and residents of properties on the eastern side of the river

Given the numbers of User boats located on swing moorings, and the proximity of the marina, it is anticipated that the numbers of boat users is moderate, whilst their sensitivity to change is also judged to be moderate. These individuals are transitory viewers, experiencing the riverine landscape as a sequence of changing views. When travelling south west along the river, boat users will have passed the marina and Ashbys Boatyard. Although the southern end of the boatyard represents a sudden change in the character of the landscape from built to more natural, the vessels located on their swing moorings tend to 'clutter' the riverine landscape and 'blur' the transition between built and natural. As a consequence, it isn't until the boat user has passed the site that the density of moored vessels begins to diminish and the river become open an 'uncluttered'.

For these south bound individuals travelling along the main channel, the proposal will be partially screened by moored vessels, and any views of the proposal will appear as a slight extension to the existing and adjoining maritime industrial character development (refer to photos 11 – 14).

Similarly, for boat users travelling north, the proposal will be partially screened by moored vessels, and where visible will also appear as a slight extension to the existing. For these individuals therefore t is the opinion of the author that the potential adverse visual amenity effect will be very low.

More proximate views from the river are possible when moving amongst the moored vessels within the embayment off shore from the site (refer to photo 11). Viewers within this proximate environment are aware of the nearby Ashbys Boatyard, the character of which exerts an influence on the character of the embayment, and reduces its sensitivity to change. Thus, although from these locations the proposal will be readily visible and recognisable, it will appear as an extension to the existing boatyard.

It is the opinion of the author that the potential adverse visual amenity effect that will be experienced by these more transitory proximate individuals will be low.

Residential properties located on the eastern side of the river (accessed from Ranui Road) are separated by a distance of some 800 – 1,000 metres. These residential viewers are small in number, and due to the separation distance, their sensitivity is judged to be moderate. From these distant locations, the site is seen within the immediate context of the maritime industrial development to the north east, including the marina and Ashbys Boatyard. In addition, it is partially screened by the vessels located on swing moorings.

The change resulting from the proposal will be evident, but not prominent, with the distance, and intervening vessels serving to moderate the visibility of the change.

As such, it is the opinion of the author that the potential adverse visual amenity effect that will be experienced by these individuals will be very low.

6.0 CONCLUSION

Far North Holdings Ltd propose the construction of a new Maritime Services Facility by way of a reclamation in the coastal marine area adjacent to Ashbys Boatyard. The facility will comprise a 1700 m^2 barge dock and a 700 m^2 boat ramp to provide for launching and berthing of marine contractors barges and handling of materials.

Access is provided via a 4.5 metre one-lane access way to a vehicle parking and manoeuvring area of 1,400 m^2. Public access will be maintained along the existing rail corridor with a reduced-width 2.0 m wide cycle trail. In order to provide

for the one-lane access way and cycle trail, excavation into the existing earth bank will be required together with construction of a retaining wall 2.5 metres high x 85 metres long.

At the southern end of the site, a public timber jetty and a pontoon will serve the TSS "The Minerva" (Kerikeri Steamship Trust). Dingy racks and a timber launching ramp will be provided adjacent to the public timber jetty.

The subject site is located immediately adjacent and to the south of the existing Marina and Ashbys Boatyard, and these facilities, in conjunction with the various associated shore based commercial and industrial activities lend the coastal edge of the Kawakawa River a built and 'maritime industrial' character. The developed area to the north of the site, and the subject site itself are both zoned as Industrial Zone in the Far North District Plan.

The landward portion of the subject site is defined by the rail line to the south east, and the original coastal escarpment to the north west. The area between these two features has been historically reclaimed, and is vegetated with a mix of native and exotic species. This modification has diminished the natural character of the site and its immediate context, although the wider context of the site – to the south and south west – displays elevated natural character values.

The proposal will generate low potential adverse natural character and landscape effects. For the majority of receptors, the visual amenity effect will be very low, or low. For occupants of 10, 12 and 14 Kennedy Street, the level of effect will be low to moderate.

The proposal is consistent with the statutory provisions where they are relevant to this assessment.

It is the opinion of the author that the proposal is appropriate from a landscape and visual perspective.

Simon Cocker

Registered Landscape Architect.

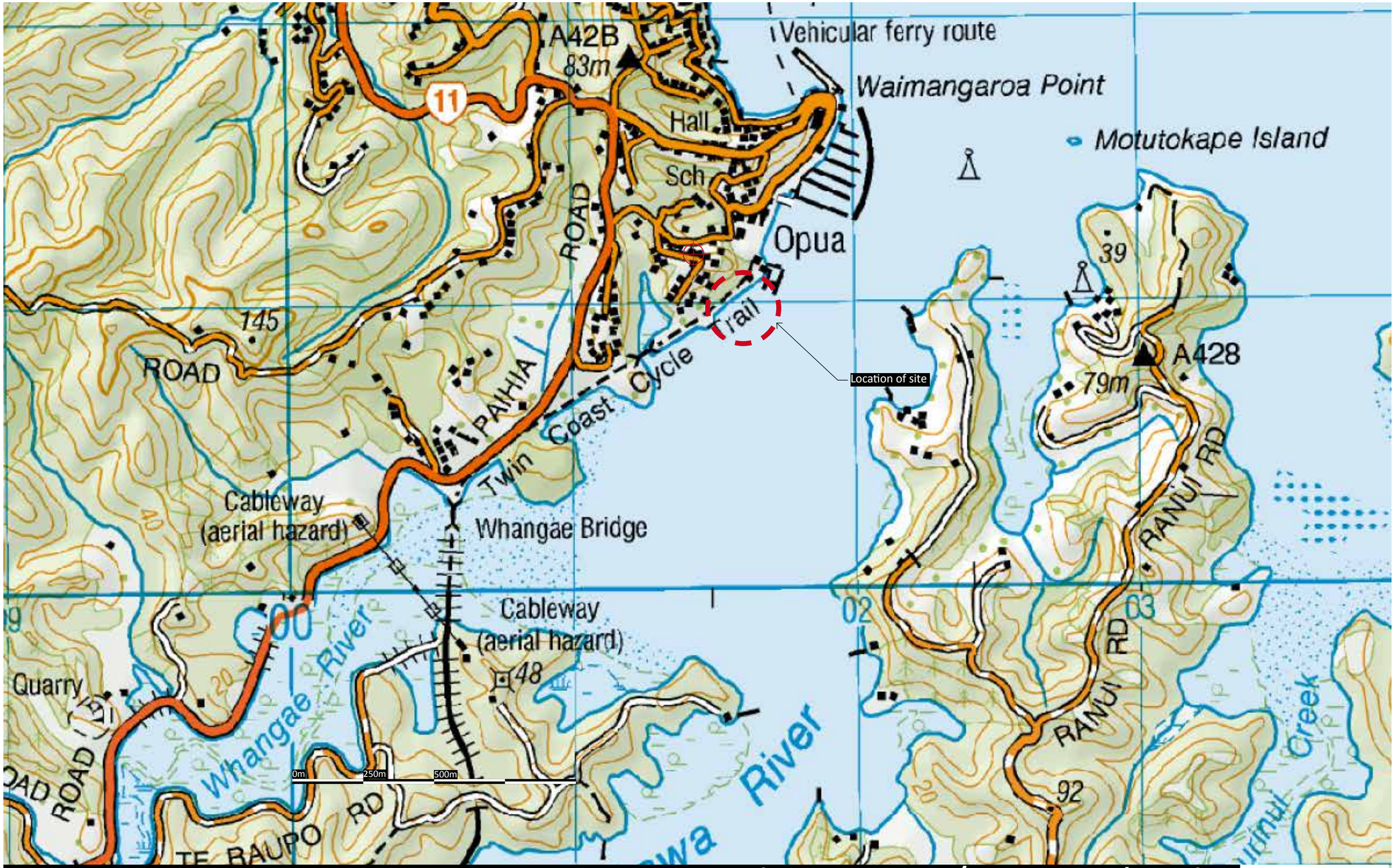
16 September 2019

Appendix 1: Effects ranking and descriptor

Report descriptor	RMA equivalent	Explanation
Negligible Effect	No effects.	*The proposal is barely discernible.* *And / or - The proposal will have a barely discernible effect on the character or key attributes of the receiving environment.* *And / or - The proposal will have a barely discernible effect on the perceived amenity derived from it.*
Very Low Effect	Less than minor effect under RMA.	*The proposal constitutes only a very minor component of, or change to the wider view. Awareness of the proposal would have a very limited effect on the overall quality of the scene.* *And / or - The proposal will have very low level of effect on the character or key attributes of the receiving environment.* *And / or - The proposal will have a very low level of effect on the perceived amenity derived from it.*
Low Effect	Less than minor effect under RMA.	*The proposal constitutes only a minor component of, or change to the wider view. Awareness of the proposal would not have a marked effect on the overall quality of the scene.* *And / or - The proposal will have low level of effect on the character or key attributes of the receiving environment.* *And / or - The proposal will have a low level of effect on the perceived amenity derived from it.*
Low – Moderate Effect	Minor effect under RMA	*The proposal may form a visible and recognisable change or new element within the overall scene which may be noticed by the viewer, but which does not detract from the overall quality of the scene.* *And / or - The proposal will have a low to moderate level of effect on the character or key attributes of the receiving environment.* *And / or - The proposal will have a low to moderate level of effect on the perceived amenity derived from it.*
Moderate Effect	Effects of some significance.	*The proposal may form a visible and recognisable change or new element within the overall scene and may be readily noticed by the viewer and which detracts from the overall quality of the scene.* *And / or - The proposal will have moderate level of effect on the character or key attributes of the receiving environment.*
High Effect	Significant effect.	*The proposal forms a significant and immediately apparent part of, or change to the scene that affects and changes its overall character.* *The proposal will have high level of effect on the character or key attributes of the receiving environment.* *And / or - The proposal will have a high level effect on the perceived amenity derived from it.*
Very High Effect	Very significant effects	*The proposal becomes the dominant feature of the scene to which other elements become subordinate and it significantly affects and changes its character.* *And / or - The proposal will significantly change the characteristics or key attributes of the receiving environment.* *And / or - The proposal will have a significant effect on the perceived amenity derived from it.*

Table 1

Appendix 2: Figures



Marine Contractors / Farmers Reclamation
Opua, Bay of Islands
FIGURE 1: Location of the site

Simon Cocker
Landscape Architecture

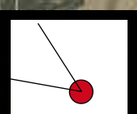


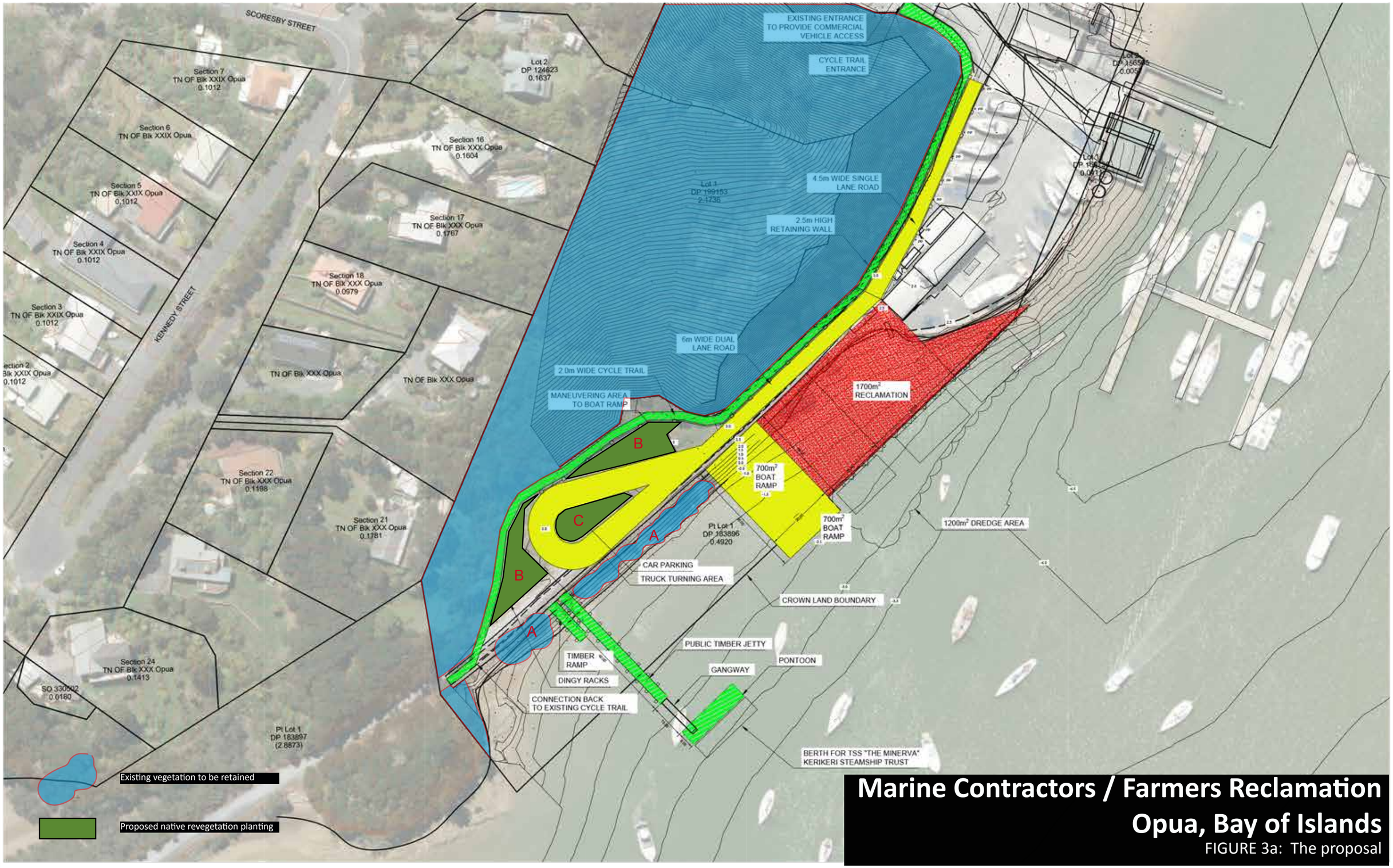
Photo locations

0m 150m 500m

Marine Contractors / Farmers Reclamation
Opua, Bay of Islands

FIGURE 2: The site in context

Simon Cocker
Landscape Architecture



Marine Contractors / Farmers Reclamation
Opua, Bay of Islands

FIGURE 3a: The proposal

Issue	Date	Revision
-	19/3/2019	WORK IN PROGRESS
1	28/5/2019	RESOURCE CONSENT

DWG Site Location Plan

Scale 1:1000 @A3 (10 5 0 10 20 30 m) Date 23/1/2018

Drawn JP Checked EC Approved

File

HAIGH WORKMAN LTD Civil & Structural Engineers

6 Fairway Drive Kerikeri, BOI. T: 09 407 8327 F: 09 407 8378 E: info@haighworkman.co.nz

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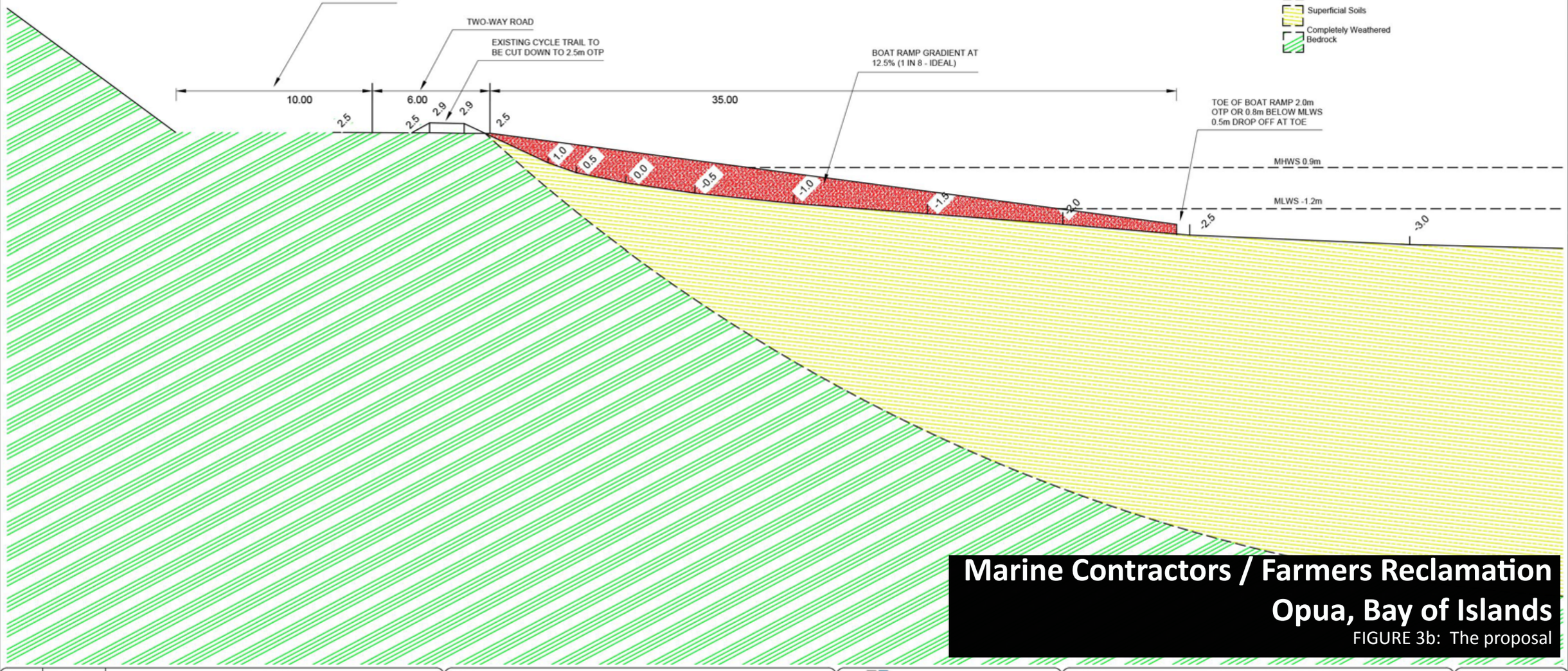
Ashby's Boat Yard, Opua

Client: Far North Holdings Ltd

Project No. 15 119 RC no.

DWG No. 01

Sheet No. 1 of 7



Marine Contractors / Farmers Reclamation
Opua, Bay of Islands

FIGURE 3b: The proposal

Issue	Date	Revision
-	19/3/2019	WORK IN PROGRESS
1	28/5/2019	RESOURCE CONSENT

DWG Proposed Boat Ramp - Typical Cross Section

Scale 1:200 @A3 | 2 1 0 2 4 6 m | Date 23/1/2018

Drawn JP | Checked EC | Approved

File

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DWG No. 06

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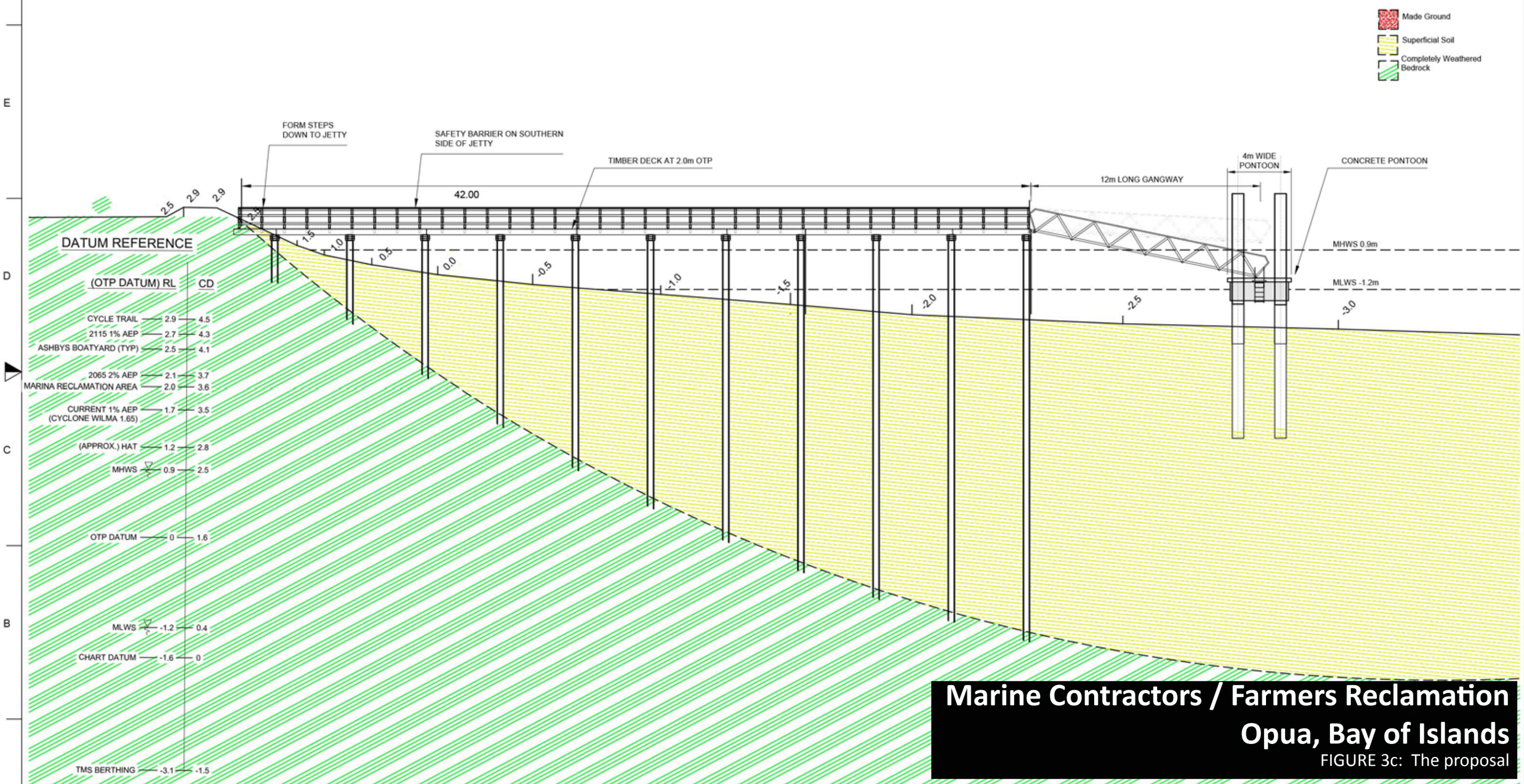

Marine Contractors / Farmers Reclamation
Opua, Bay of Islands

FIGURE 3c: The proposal

Issue	Date	Revision
-	19/3/2019	WORK IN PROGRESS
1	28/5/2019	RESOURCE CONSENT

DWG Proposed Jetty - Typical Cross Section

Scale 1:200 @A3 | Date 23/1/2018

Drawn JP | Checked EC | Approved

File

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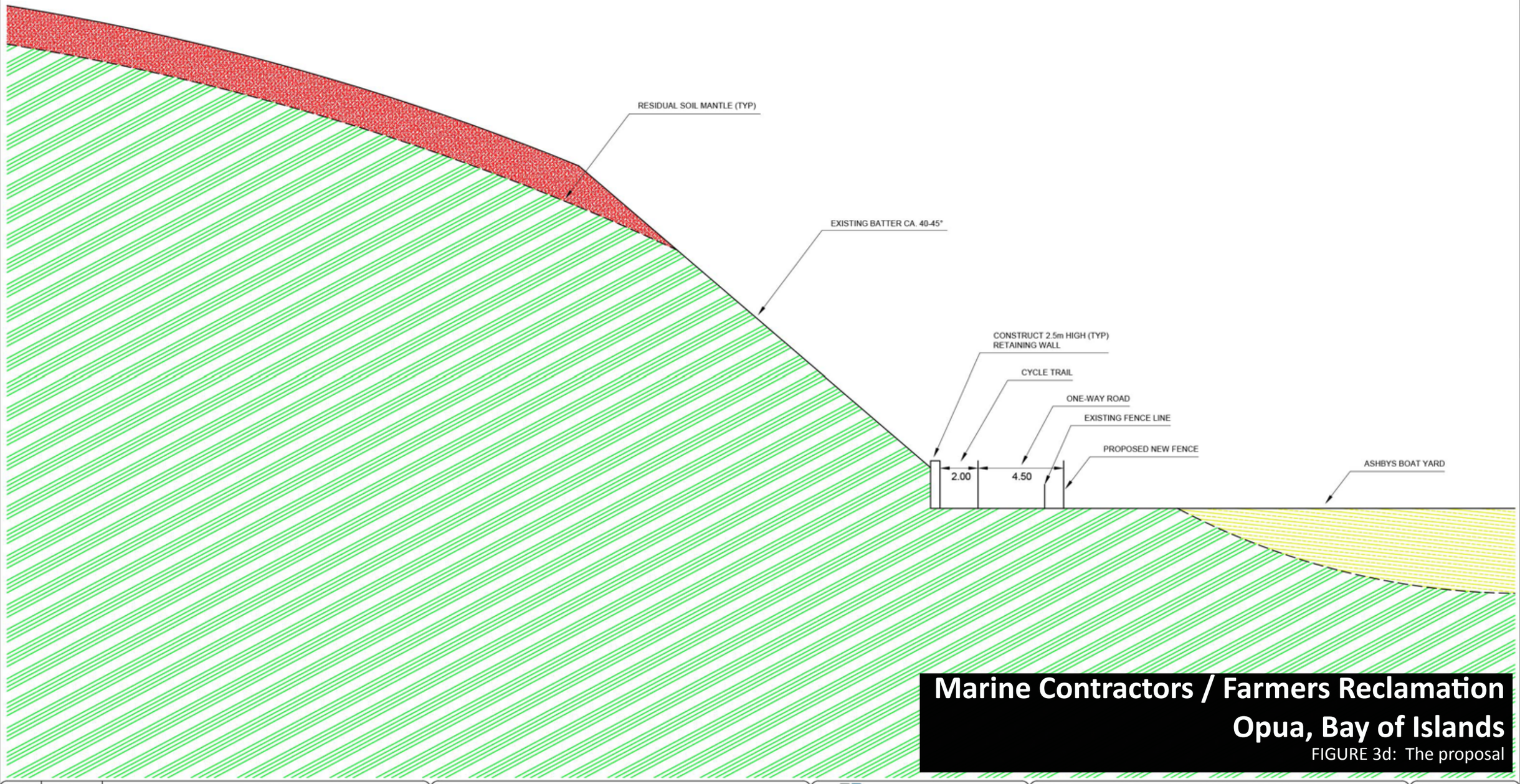
Client: Far North Holdings Ltd

Project No. 15 119 | RC no.

DWG No. 07

Sheet No. 7 of 7



Marine Contractors / Farmers Reclamation
Opua, Bay of Islands

FIGURE 3d: The proposal

Issue	Date	Revision
-	19/3/2019	WORK IN PROGRESS
1	28/5/2019	RESOURCE CONSENT

DWG Proposed Access - Typical Cross Section

Scale 1:200 @A3 (2 1 0 2 4 6 m) Date 23/1/2018

Drawn JP Checked EC Approved

File

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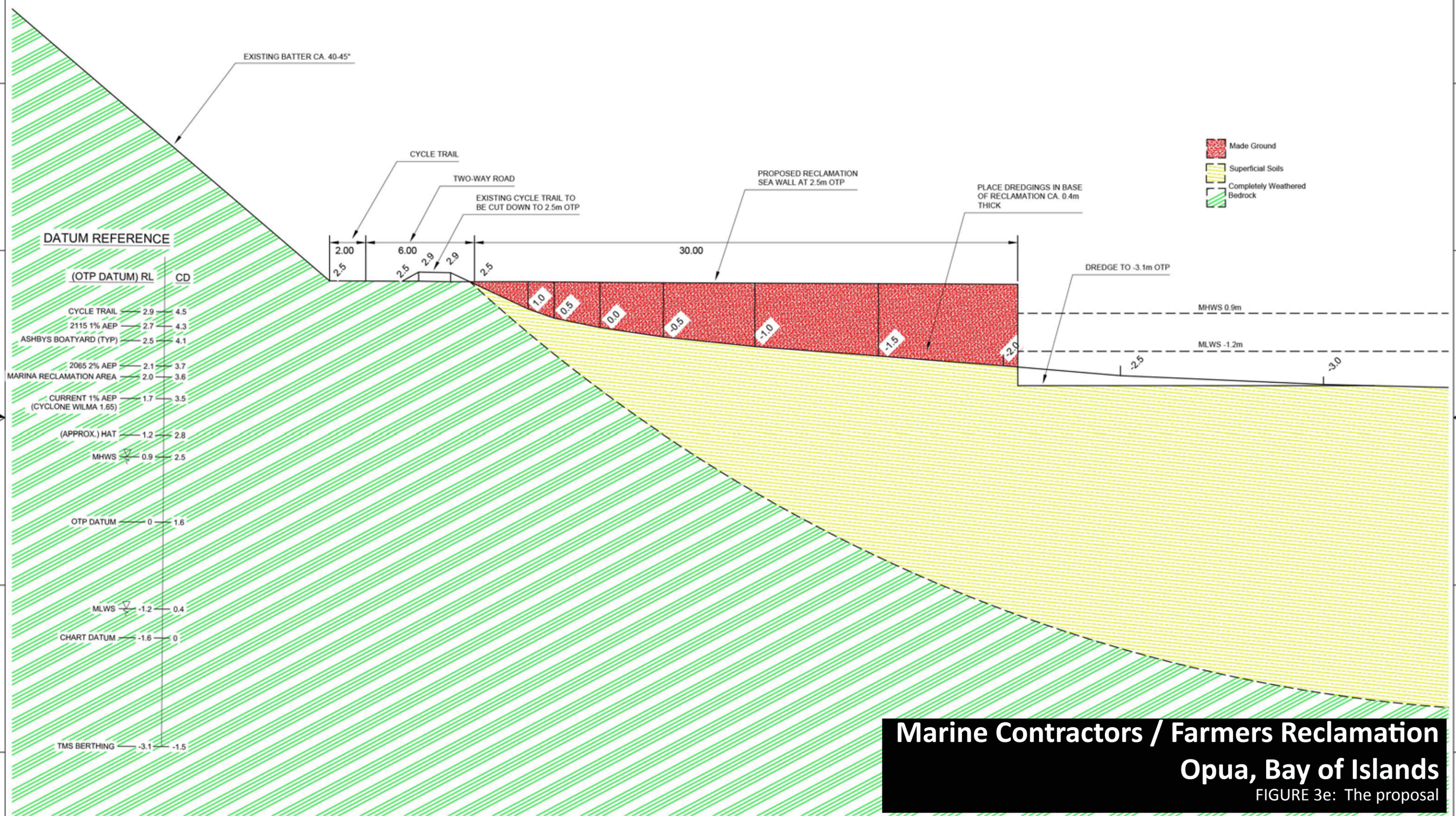
Ashby's Boat Yard, Opua

Client: Far North Holdings Ltd

Project No. 15 119 RC no.

DWG No. 04

Sheet No. 4 of 7



Marine Contractors / Farmers Reclamation
Opua, Bay of Islands

FIGURE 3e: The proposal

Issue	Date	Revision
-	19/3/2019	WORK IN PROGRESS
1	28/5/2019	RESOURCE CONSENT

DWG Proposed Reclamation - Typical Cross Section

Scale 1:200 @A3 — 2 1 0 2 4 6 m — Date 23/1/2018

Drawn JP — Checked EC — Approved

File

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Ashby's Boat Yard, Opua

Client: Far North Holdings Ltd

Project No. 15 119

RC no.

DWG No. 05

Sheet No. 5 of 7

0m 30m 60m

VP2 Photo locations

Marine Contractors / Farmers Reclamation
Opua, Bay of Islands

FIGURE 4: Immediate context of the site

Simon Cocker Landscape Architecture

0m 20m 40m

Marine Contractors / Farmers Reclamation
Opua, Bay of Islands

FIGURE 5: The site

Simon Cocker Landscape Architecture

High Natural Character Area

Outstanding Natural Landscape

Outstanding Natural Character Area

0m 2km 4km

Location of the site

Marine Contractors / Farmers Reclamation
Opua, Bay of Islands

FIGURE 6: Identified Landscape Values

Simon Cocker Landscape Architecture

Photo 1: View north east from headland to south west of site. Ashby's boatyard visible at right of frame

Photo taken 11.50AM, 14 June 2019. High tide at 04.33AM (0.90m)

Marine Contractors / Farmers Reclamation
Opua, Bay of Islands

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

Simon Cocker
Landscape Architecture

Photo 2: View to site from VP5 (35 19 25S 174 7 5E)

Photos taken 11.10AM, 24 January 2019. High tide at 04.33AM (0.90m)

Marine Contractors / Farmers Reclamation
Opua, Bay of Islands

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

Simon Cocker
Landscape Architecture

Photo 3: View to south west along cycle trail toward south western headland

Photos taken 11.40AM, 14 June 2019.

Marine Contractors / Farmers Reclamation
Opua, Bay of Islands

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

Simon Cocker
Landscape Architecture

Photo 4: View to south western headland and western part of site (35 19 13S 174 7 3E)

Photo 5: View to coastal edge to west of south western headland

Photo 4 taken 11.05AM, 14 June 2019. Photo 5 taken 11.40AM, 14 June 2019. High tide at 04.33AM (0.90m)

Marine Contractors / Farmers Reclamation
Opua, Bay of Islands

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

Simon Cocker
Landscape Architecture

Photo 6: View to site (35 19 7S 174 7 8E)

Photo taken 11.02AM, 14 June 2019. High tide at 04.33AM (0.90m)

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Opua, Bay of Islands

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

Simon Cocker
Landscape Architecture

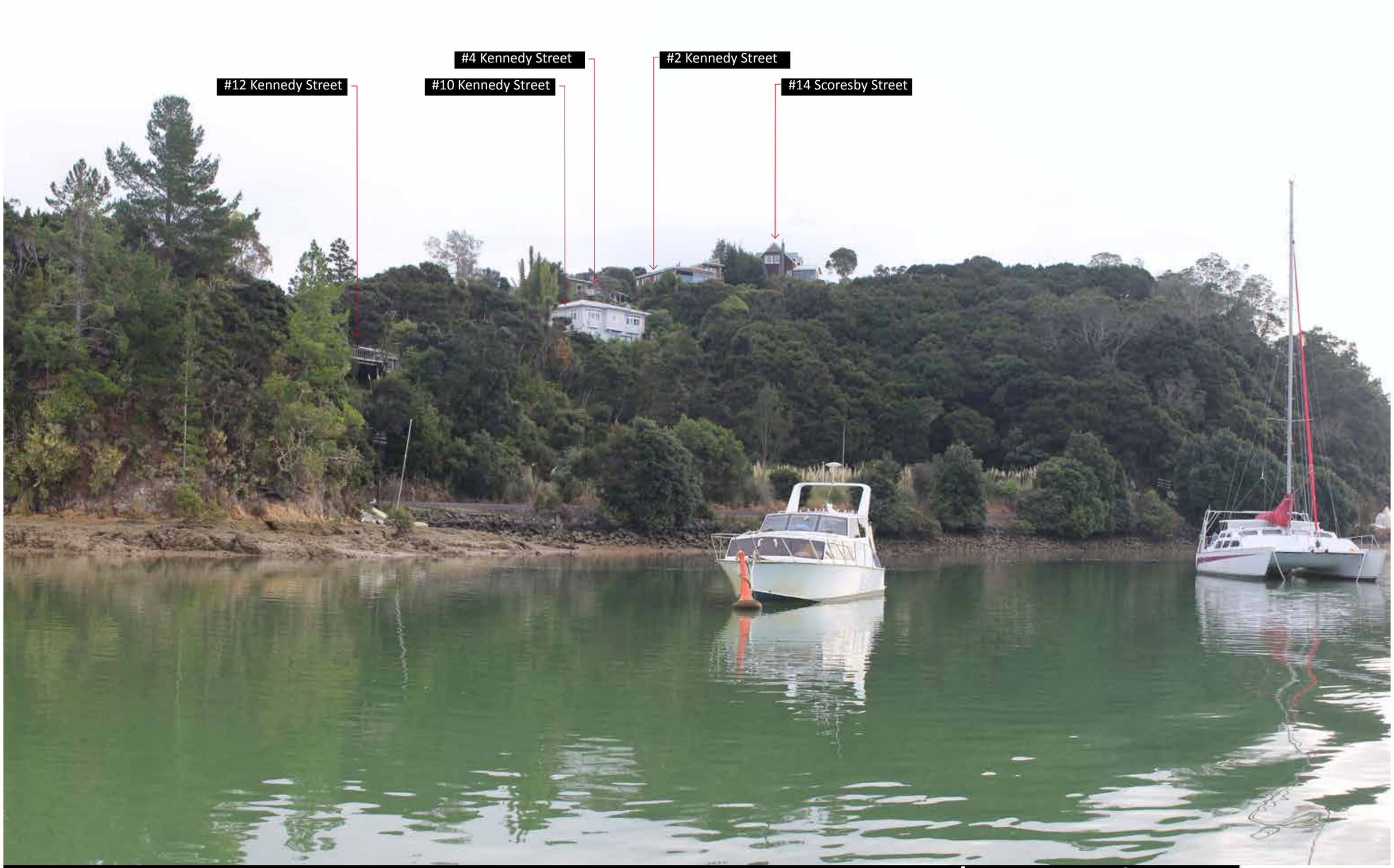

Photo 7: View to site from VP3 (35 19 13S 174 7 3E)

Photos taken 11.03AM, 14 June 2019. High tide at 04.33AM (0.90m)

Marine Contractors / Farmers Reclamation
Opua, Bay of Islands

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

Simon Cocker
Landscape Architecture

Photo 8:Ashbys boatyard, viewed from coastal edge immediately to south

Photos taken 11.40AM, 14 June 2019.

Marine Contractors / Farmers Reclamation
Opua, Bay of Islands

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

Simon Cocker
Landscape Architecture

Photo 9 (top): View south from Ashbys boatyard

Photo 10 (bott.): View east from the site

Photos taken 11.40AM - 11.50AM, 14 June 2019.

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

Simon Cocker
Landscape Architecture

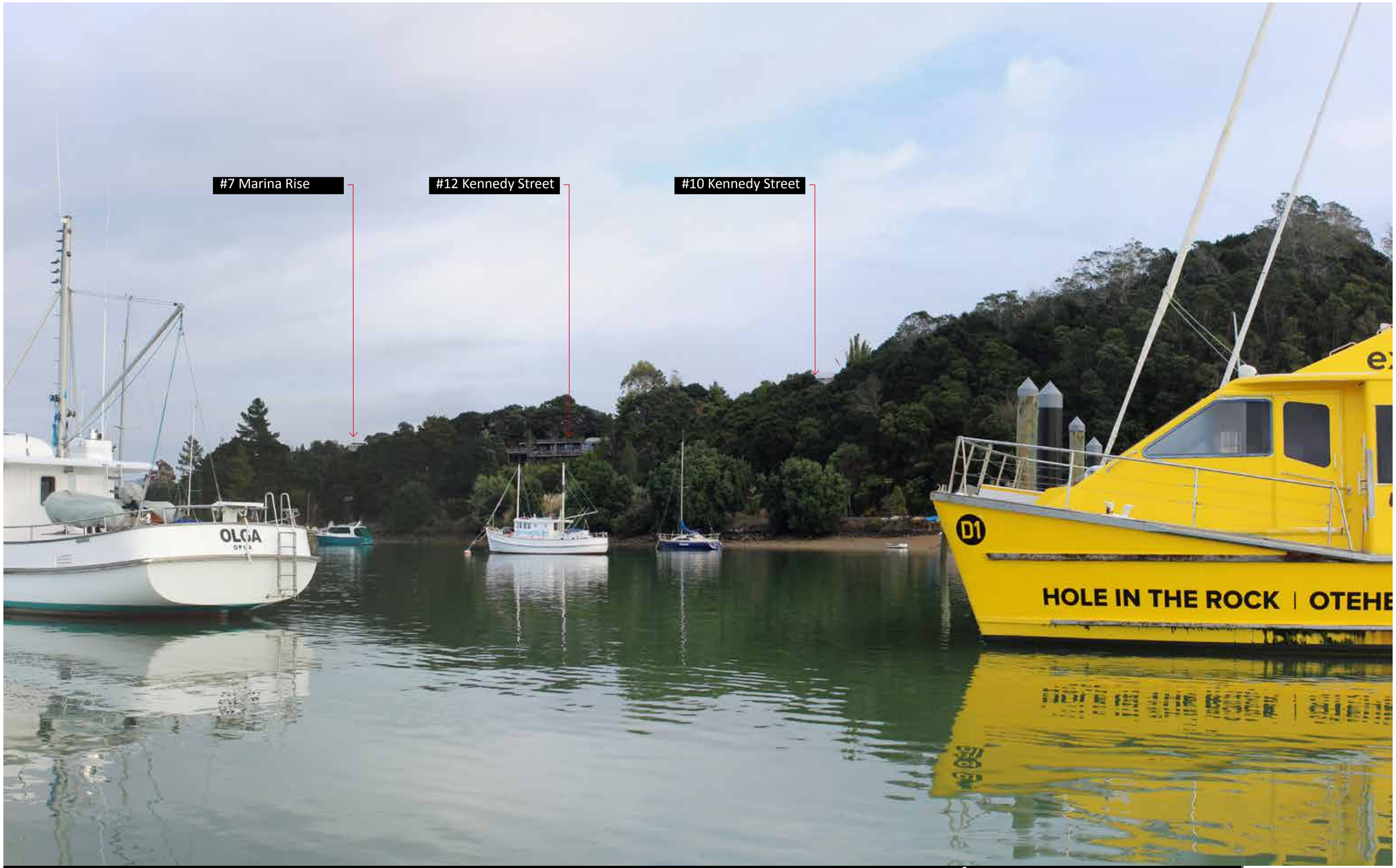

Photo 11: View to site (35 19 0S 174 7 8E)

Photos taken 11.00AM, 14 June 2019. High tide at 04.33AM (0.90m)

Marine Contractors / Farmers Reclamation
Opua, Bay of Islands

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

Simon Cocker
Landscape Architecture

Photo 12: View to site (35 19 5E 174 7 25S)

Photos taken 11.18AM, 14 June 2019. High tide at 04.33AM (0.90m)

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Opua, Bay of Islands

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

Simon Cocker
Landscape Architecture

Photo 13: View to site (35 19 21S 174 7 9E)

Photos taken 11.13AM, 14 June 2019. High tide at 04.33AM (0.90m)

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Opua, Bay of Islands

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

Simon Cocker
Landscape Architecture

Photo 14: View to site (35 19 15S 174 7 9E)

Photos taken 11.15AM, 14 June 2019. High tide at 04.33AM (0.90m)

Marine Contractors / Farmers Reclamation
Opua, Bay of Islands

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

Simon Cocker
Landscape Architecture