

**BEFORE INDEPENDENT HEARING COMMISSIONERS APPOINTED BY THE TAUPŌ  
DISTRICT COUNCIL**

**IN THE MATTER** of the Resource Management Act 1991

**AND**

**IN THE MATTER** Proposed Plan Change 42 Rural Chapter - General Rural  
Environment and Rural Lifestyle Environment

**BETWEEN** **Steve Hawkins**  
**Submitter**

**AND** **TAUPŌ DISTRICT COUNCIL**  
**Planning Authority**

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**STATEMENT OF EVIDENCE OF DAVID GRAHAM MANSERGH**

**ON BEHALF OF THE SUBMITTER**

**(Landscape)**

**Dated: 9 AUGUST 2023**

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## **1. INTRODUCTION**

- 1.1 My full name is David Graham Mansergh. I am a qualified Landscape Architect and Recreation Planner. I am a Registered Member of the New Zealand Institute of Landscape Architects (“NZILA”). My qualifications include a Diploma in Parks and Recreation Management with Distinction (completed in 1988), Bachelor of Landscape Architecture with Honours (completed in 1990) and a Master of Landscape Architecture (completed in 1992), all from Lincoln University, Canterbury.
- 1.2 I have been a Director of Mansergh Graham Landscape Architects Ltd since 1996. Before this, I was employed by the company as a landscape architect (1992 - 1996). I have also worked for the Department of Conservation (1986 – 1988) and before that, the Department of Lands and Survey (1985).
- 1.3 During my career, I have been involved in the preparation of and/or the peer review of a significant number of visual and landscape assessments for a wide range of activities and developments.
- 1.4 I have provided advice to both councils (regional and district) and applicants/submitters on landscape planning matters and the implications of changes to various regional and district planning provisions.
- 1.5 I have extensive experience in spatial analysis, including the preparation of accurate digital elevation models and digital surface models, and visual catchment analysis using different techniques in GIS.
- 1.6 My relevant experience includes:
- a) The preparation of landscape and visual assessment reports for a wide range of application types, including proposed plan changes, industrial developments, land use changes, energy and infrastructure developments and subdivision and developments in both the urban and rural environments.
  - b) The preparation of landscape analysis and planning recommendations for several regional and district plan reviews over the last 30 years,

including one of the early landscape assessments for Taupō District Council, the review and identification of Outstanding Natural Features and Landscapes in Otorohanga District in response to appeals to the proposed district plan, the review and provision of advice to Hamilton City Council around landscape sensitivity and the effectiveness of the proposed landscape provisions contained in the Rotokauri North Private Plan Change and a review and provision of advice to Waikato District Council around landscape sensitivities associated with the implementation of the Intensification Planning Instrument (“IPI”) medium density growth provisions in and around Ngaruawahia.

- c) I regularly undertake peer review work on behalf of several Councils in the Waikato and Central north Island including Waikato District Council, Thames Coromandel District Council, Ruapehu District Council, Waitomo District Council and Taupo District Council.

1.7 I was involved in the NZILA Landscape Planning Initiative, tasked with developing the 'best practice' approach for landscape and visual assessment in New Zealand and provided feedback on the more recent update to the guidelines. I am currently part of the team reviewing and updating the best practice guidelines for the preparation of photomontages and digital models.

1.8 I have presented evidence at Resource Management hearings before Councils, the (then) Planning Tribunal and the Environment Court. I also acted as an Independent Commissioner at the Rangitikei District Plan hearings.

## **2. CODE OF CONDUCT**

2.1 I confirm that I have read the Expert Witness Code of Conduct set out in the Environment Court’s Practice Note 2023. I have complied with the Code of Conduct in preparing this evidence and agree to comply with it while giving evidence.

2.2 Except where I state that I am relying on the evidence of another person, this written evidence is within my area of expertise. I have not omitted to consider material facts known to me that might alter or detract from the opinions expressed in this evidence.

### 3. PURPOSE AND SCOPE OF EVIDENCE

3.1 I was engaged by Te Tuhi Estate Ltd to assist with the design and assessment of landscape and visual effects the Proposed Te Tuhi Estate Subdivision, located on the Whakaroa Peninsula.

3.2 I am part of the core design team, comprised of myself, Ms Lauren White and Mr Paul James, tasked with the development of a landscape positive and ecologically sustainable development within the Whakaroa Outstanding Natural Landscape (ONL 65).

3.3 I was responsible for the preparation of the following documents:

- a) Te Tuhi Estate Landscape and Visual Assessment Report included as **Annexure A;**
- b) Draft Te Tuhi Estate Site Restoration and Mitigation Plan included as **Annexure B;**

3.4 The purpose of my evidence is to provide the hearings panel with an overview of the approach taken in the design of the proposed development and identify that, through the application of a careful and iterative “landscape driven” design process, the proposed development will have a net positive effect on the landscape values and visual amenity values of the OLA and that the preferred relief sought by Mr Hawkins will not open the OLA up to unexpected types and levels of development.

3.5 In my evidence I will:

- (a) Identify the existing landscape context.
- (b) Briefly discuss the application site.
- (c) Overview of the design process.
- (d) Overview the landscape mitigation and restoration approach.
- (e) Briefly discuss the relieve sought by the Submitter from in terms of its effectiveness from a landscape architectural perspective.

#### **4. EXISTING LANDSCAPE CONTEXT**

- 4.1 The landscape surrounding the site is influenced by several key features, which influence existing landscape character and values.
- 4.2 These including the Whakaroa Peninsula topography with its volcanic domes, ridgelines, and plateaus extending southwards to Te Tuhi Point, Whakaroa Point, and Te Itarata Point, and merging with the volcanic topography of the Mapara and Whangamata catchments to the north. The juxtaposition between the site and Lake Taupo also plays a role, with distinct visual and transitional relationships between the variable land topography and the lake.
- 4.3 The existing land use and development patterns reveal a contrast between rural development and land use within the application site, surrounded by bush-covered reserve areas. Additionally, there's a mix of natural-looking spaces like reserves and farmlands, transitional zones with lifestyle blocks and peri-urban developments in the Mapara catchment, and urban areas like Kinloch.
- 4.4 These features provide the context for interpreting and assessing the application site and its surroundings. Furthermore, the site and its surroundings hold associative values, such as the heritage significance of Lake Taupo, cultural values linked to traditional Kaimoana gathering, the historical holiday destination significance of Kinloch with its bach and accommodation-style developments from the 1960s, and the overall holiday and tourism values associated with Lake Taupo.
- 4.5 These values contribute to the landscape's importance and identity and should be carefully considered during the resource consent application hearing. The inclusion of the preferred relief sought by Mr Hawkins will help direct the focus to the key landscape issues.

#### **5. THE APPLICATION SITE**

- 5.1 The application site is situated at the end of Whakaroa Road and comprises three parcels of pastoral land primarily used for dry stock grazing. The site's notable features include a prominent ridgeline that extends from the Whakaroa Peninsula to a higher point in the south, gradually descending to a gently

undulating plateau in the centre of the site. Further along, the main ridge rises again towards the northeast, reaching the highpoint within the site, and then steeply descends towards the site entrance in the northern extreme.

- 5.2 The site's vegetation cover consists of a small patch (approximately 8.8 hectares) of native bush, a pocket of pine trees, and scattered clusters of exotic specimen trees and shelter plantings. Additionally, about 7.6 hectares of gully of the site has been retired and planted.
- 5.3 Existing development within the site is minimal, limited to a central farm access track (metalled) running from the entrance to a mobile phone transmission tower at the southern end of the site. Near the centre of the site, the road branches off to a set of radio repeater towers and equipment buildings located near the high point of the ridge.
- 5.4 A shearing shed and yards, along with two tunnel sheds are in different parts of the property. However, there is no dwelling located on the site. Other features within the site include the 11kv power lines servicing Kinloch to the west, a water bore, and a GPS station.
- 5.5 Due to its visual prominence from Lake Taupo and the surrounding landscape, the landscape sensitivity of the site, which refers to how susceptible the landscape is to changes affecting its existing character or values, is *moderate to high*. This is due to the site's location within The Whakaroa Peninsula Outstanding Landscape Area (OLA 65), adjacent to the Whakaipo Bay Scenic Reserve bush, Whakaroa Point Recreation Reserve Significant Natural Area (SNA), and Whangamata Bay Headland SNA, as well as the surrounding Lake Taupo and Northwestern Bays OLAs.
- 5.6 Moreover, the site and its surrounding landscape hold high associative values. There is widespread public appreciation for the natural beauty of Lake Taupo, and the area also holds cultural and social significance as a popular destination point.
- 5.7 In my opinion, development within an OLA needs to be carefully managed to ensure that it does not adversely affect the various attributes and values that contribute to the OLA.

5.8 While the site is immediately adjacent to another part of the district that is subject to rezoning (an areas of the Mapara Valley to the east of Whakaroa Road which includes the rural and rural-residential landscape around Charnley Way, Grant Road, Katelyn Place, King Road and Ross Rise), in my opinion, the OLA status of the site means that development within these two areas need to be considered differently. The introduction of a precinct plan for the site will help ensure that this occurs.

## **6. LANDSCAPE APPROACH TO THE CONCEPT DEVELOPMENT**

6.1 Te Tuhi Estate Ltd is seeking to subdivide and develop the property at 387 Whakaroa Road in a way that enhances the landscape characteristics of the outstanding natural landscape within which it is contained. An application for resource consent is in the process of being lodged for the development of the site in the above manner, including the retirement of a significant part of the property from rural production, the reestablishment of indigenous forest cover and the development of a high-quality lodge, an equestrian centre, and a range of different living opportunities.

6.2 The following core design principles adopted for the project recognise and respond to the OLA status of the site and its surroundings:

- (a) That the application site forms part of a landscape that is experienced and valued by different people in different ways and that the site is of value to Tangata whenua.
- (b) Various relationships exist (physical, experiential, and associative) between the site and the surrounding landscape and lake.
- (c) That some parts of the site (such as the ridgelines and gullies) are more sensitive to change.
- (d) Opportunities exist for both development and the restoration of the natural character of the site.
- (e) That a carefully considered design solution is required for the site.

- 6.3 During the design process, the project team identified and assessed key physical and experiential factors to distinguish suitable locations for development and areas that were more susceptible to change. A comprehensive analysis of these features was conducted through opportunity and constraint mapping within the site, as well as by identifying significant features in the surrounding landscape.
- 6.4 To ensure a thorough evaluation, different assessment criteria and weightings were applied to each factor. This method allowed for an objective consideration of the potential of different parts of the site for development, considering opportunities, constraints and sensitivity to change. This ensured a well-informed decision-making process and the identification of the most appropriate locations for development, while preserving the integrity of the surrounding environment.
- 6.5 The relief sought would enable this approach to be considered through the proposed objectives.

## **7. LANDSCAPE MITIGATION AND RESTORATION APPROACH**

- 7.1 The proposed development aims to restore and enhance the landscape and natural character of the site by retiring large areas of farmland and revegetating them with native bush. While the development will change the site's existing characteristics and how it is experienced from the surrounding landscape, the net effect will be positive, with adverse effects mitigated through the implementation of various strategies.
- 7.2 The mitigation and site restoration approach includes substantial landscape restoration planting to enhance existing landscape and amenity values, restore ecological values and linkages between reserve areas, and enhance the natural character of the OLA. Additionally, the restoration efforts will substantially reduce the effect of farming on the volcanic soils within the site and nutrient runoff into Lake Taupo.
- 7.3 The key objectives of the mitigation and site restoration approach are to ensure that the subdivision and development do not result in unacceptable effects on existing landscape values and visual amenity and that the development results in a net gain in landscape quality and value.



- 7.4 To achieve these objectives, two strategies were developed: the *Subdivision and Development Mitigation Strategy* and the *Lodge Mitigation Strategy*. These strategies include measures like mitigation planting, integrating earthworks with natural landforms, managing lighting, and applying specific design guidelines for buildings.
- 7.5 The *Subdivision and Development Mitigation Strategy* categorizes building sites into visibility categories (red, orange, and green) and imposes specific mitigation requirements based on each category's visibility. Additionally, the mitigation and restoration planting will be done in phases, with specific guidelines for each stage.
- 7.6 Overall, the proposed development will implement significant indigenous vegetation planting across the site under the carbon credit scheme, contributing to landscape restoration and ecological diversity. The restoration works are expected to take around 4-6 years to complete and will be managed by the consent holder, should consent be granted.
- 7.7 In summary, the proposed development's mitigation and site restoration approach aims to minimize adverse effects, enhance landscape values, and restore ecological diversity, ensuring a positive outcome for the site's landscape and natural character.

## **8. AN OVERVIEW OF THE EFFECTS OF THE PROPOSED DEVELOPMENT ON EXISTING LANDSCAPE CHARACTER AND VISUAL AMENITY**

### **8.1 Effects on Landscape Character and Values**

- 8.2 The proposed development will introduce clusters of dwellings, a lodge, an equestrian centre, and related infrastructure to the existing rural landscape within the OLA. This change will initially affect the rural characteristics of the site, bringing a scale and density of development like that found in Mapara Valley and the fringes of Kinloch. However, with the implementation of mitigation and rehabilitation planting, the landscape character is expected to transition from a rural residential landscape to a natural one, more aligned with the balance of the OLA.

- 8.3 This transition is anticipated to occur over 6-8 years, during which the buildings within the site will become subservient to the native bush landscape. Only the equestrian areas and grazing associated with the lodge will reference the site's previous pastoral land use. The equestrian grazing will remain unseen while the lodge grazing is not expected to be prominent from outside the site.
- 8.4 The proposed development aims to maintain the existing topographical features and patterns within the site, enhancing the natural characteristics of the Whakaroa Peninsula and other nearby OLAs and SNAs. It is designed to avoid adverse effects on the existing rural amenity values and characteristics of the surrounding rural landscape.
- 8.5 While some buildings, such as the lodge and chapel facilities, and the equestrian facilities, will be more visible due to their location or contrasting land use, they will remain subservient to the overall site character.
- 8.6 The earthworks associated with the proposed development will be not of sufficient scale to affect the broader landscape and topographical patterns that contribute to the appearance of the site, or its landscape values. New roads and tracks will be in sympathy with the underlying terrain, with cut and fill minimised to preserve the existing natural topography within the site, such as knolls, ridgelines, gullies, and rills, within the site.
- 8.7 The development's density is designed to be consistent with other subdivisions within the wider surrounding rural environment ensuring that it will integrate into the wider landscape context without appearing out of place. The adoption of clustered lots and the retention of open pastoral land will allow the subdivision to blend with the natural elements of the adjacent native bush reserves and the development patterns in the wider surrounding rural and urban landscape.
- 8.8 The proposed development is not expected to adversely affect the key values and attributes of the Whakaroa Peninsula OLA and adjacent areas. Through the implementation of mitigation and restoration planting, the enhancement of existing biophysical, perceptual, and associative factors contributing to the OLA status will be achieved. This enhancement will contribute positively to the

overall visual appeal and reinforce the sense of place and community connection to the area.

8.9 Overall, the transformation of the site from its rural state to a bush-covered landscape will contribute to a significant positive change in character, resulting in a more consistent and harmonious appearance across the broader OLA, fostering a sense of continuity and cohesion throughout the area. The introduction of dense vegetation and natural elements not only enhances the visual amenity values of the wider landscape but also promotes ecological sustainability by providing habitat for diverse wildlife and contributing to the overall ecological balance.

8.10 **Effects on Visual Amenity**

8.11 Due to its location of the top of the ridge, the proposed development will mostly be concealed from direct view when observed from lower elevations due to the natural topography, vegetation, and a cresting effect created by elevation differences. Consequently, effects on visual amenity are expected to be greater for viewers at more distant and elevated locations, including specific areas like Oakdale Drive subdivision, Edge Hill, and western Whangamata Road, which provide broader views of the peninsula in relation to Lake Taupo and surrounding bays.

8.12 In the short term, during phase 1 of mitigation planting, there will be a no effect/very low to low-moderate adverse visual effects. However, over a span of 6-8 years, as mitigation and restoration planting mature, these effects will transform from adverse to positive, enhancing the area's natural character. In the medium to long long-term visual amenity associated with the site and OLA will transition to a very low to moderate-high positive visual outcome, for such as Mapara Valley, Kinloch, Whakaipo Bay, and Whangamata Bay.

8.13 **Overall Landscape (including Visual) Effect Rating**

8.14 With the mitigation and restoration strategy in place, the proposed development is likely to have a moderate-high positive effect on the existing natural character and landscape character values of the site and its surroundings. The positive effects associated with the restoration of native

vegetation across the site will offset any adverse effects associated with the development of the Lodge, Equestrian Centre and within private lots within the OLA. This is because the proposed mitigation and restoration planting will enhance the physical (abiotic and biotic) and perceptual and experiential natural character values within the site, extending the natural character values associated with the adjacent SNA reserves and enhancing (restoring) the overall natural landscape values associated with the OLA.

**8.15 Effects of Natural Character**

8.16 The proposed development will not result in any adverse effects on the existing abiotic or biotic attributes of Lake Taupo or its tributaries since the site is physically separated from Lake Taupo (approximately 300m from the edge of Lake Taupo (at its nearest point)).

8.17 The application site does not contain any permanent streams or wetlands that are subject to natural character assessment under Section 6a of the RMA. The site does however contain a small section of the *Mapara Riparian Area* and many overland flow paths, which feed into the various ephemeral and permanent streams located within the adjacent SNA (Whakaipo Bay Scenic Reserve, Whakaroa Point Recreation Reserve and Whangamata Bay Headland).

8.18 The proposed subdivision development will not require the removal of any significant areas of native vegetation within the site (other than some vegetation removal along the main access road).

8.19 Enhancements to the natural character values of the site will outweighing any potential adverse effects from the development. This stems from several factors: firstly, the development is sited in a modified section of the peninsula, which already possesses diminished natural character values. The site is sufficiently distanced from Lake Taupo, as not to affect the natural character values of it or its margins. This distance, combined with the elevation difference, ensures the development won't be directly perceived as being adjacent to the lake. Moreover, the extensive restoration planting that will transform the current pastoral landscape into native bush, enhancing natural character values associated with the OLA and adjacent SNAs.

8.20 With the mitigation and restoration strategy in place, the proposed development is likely to have a moderate-high positive effect on the existing natural character values of the site and its surroundings.

**9. RELIEF SOUGHT BY THE SUBMITTER FROM IN TERMS OF ITS EFFECTIVENESS FROM A LANDSCAPE ARCHITECTURAL PERSPECTIVE**

9.1 I have reviewed the preferred relief to Plan Change 42 to the Taupō District Plan sought by Mr Hawkins in relation to the Te Tuhi Estate property and the amended version of the proposed planning provisions that was agreed at caucusing by the Planning experts.

9.2 From a landscape perspective, I consider it appropriate that, due to the OLA status of the application site, that the preferred relief sought by Mr Hawkins places additional restrictions on the subdivision and development within the *Te Tuhi Precinct*. I therefore support reference to the location of the *Te Tuhi Precinct* within the OLA in *3b1 Introduction*.

9.3 I support the inclusion of Objective 3b.3.9 (below) which would require development within the site to be consistent with a detailed precinct plan, which identifies the general locations and amount of development shown in the integrated development and landscape restoration concept plans contained in the consent application documentation. In my opinion, this approach provides greater certainty around the landscape outcomes and effects than for other areas subject to the plan change where detailed design and assessment work has not been undertaken.

***Objective 3b.3.9 Subdivision and Development in the Te Tuhi Precinct***

*Subdivision and development in the Te Tuhi Precinct give effect to the Te Tuhi Precinct Plan in Appendix 1 to realise:*

- (a) A subdivision layout and built development that are integrated and compatible with the physical and environmental features of the site; and*
- (b) An expansive, indigenous forest landscape that encases and dominates a tourism lodge complex, an equestrian centre and occasional clusters of rural residential buildings.*

9.4 In my opinion, this objective clearly reflects the recommendations contained within *Te Tuhi Estate Landscape and Visual Assessment Report* included as **Annexure A** and the *Draft Te Tuhi Estate Site Restoration and Mitigation Plan* included as **Annexure B**

- 9.5 These reports also demonstrate that development within the site can meet the requirement of the various key provisions contained within the Rural Environment Chapter.
- 9.6 In my opinion the proposed precinct plan should include the level of detail contained in the table contained in *Appendix 1 Te Tuhi Precinct Plan* (Preferred relief).
- 9.7 I agree that earthworks within the Te Tuhi Precinct should be a carefully considered and support the proposed restricted discretionary activity status and the matters of discretion identified in *4b.3.10 Earthworks in the Te Tuhi Precinct*. The matters of discretion are consistent with the consideration given to the effects of earthworks during the design of the proposed Te Tuhi Estate development. In my opinion, this will help to ensure that the potential effects of earthworks are considered appropriately within the context of the values associated with the OLA.

## **10. CONCLUSIONS**

- 10.1 Overall, the proposed development, which includes 112 private lots, a lodge, a chapel, chalets, and an equestrian centre, will alter the existing landscape character. Despite these changes, much of the site remains obscured from any single viewpoint, limiting the extent of perceived alteration. Over time, as the site transitions from a rural character to rural residential and ultimately a more natural, bush-clad environment, the development will become more harmonious with its surroundings. The net result is anticipated to be a positive effect on the visual amenity values associated with the Whakaroa OLA.
- 10.2 The implementation of the mitigation and restoration strategy means that the development will likely have a *moderate-high* positive effect on the natural and landscape character values of the site and its vicinity. The restoration of native vegetation will not only offset potential adverse effects but will also enhance the site's overall natural character, aligning with adjacent natural reserves.
- 10.3 In my opinion, the adoption of the amendments proposed by Mr Hawkins to the Rural Environment Chapter, and the introduction of a detailed precinct plan,

based on the proposed Te Tuhi Estate development concept contained within the resource consent application documentation, will mean that development within the OLA is more likely to be consistent with the overarching attributes and values.

**ANNEXURE A**

**Te Tuhi Estate Ltd – Landscape and Visual Assessment Report**



## **ANNEXURE B**

### **Te Tuhi Estate Ltd – Landscape Mitigation and Restoration Strategy**