

MLP.

Far North District Proposed District Plan. The Landing Development Area.

April 2025



Client: Mountain Landing Properties (MLP)
Project: Far North District Proposed District Plan –
The Landing Development Area

Status: FINAL

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1 EXECUTIVE SUMMARY

- 1.1 Mountain Landing Properties LLC (MLP) have consent to develop *The Landing* (formerly '*Mountain Landing*') at Purerua Peninsula, Bay of Islands. The consent provides for a subdivision of 46 residential lots, each with an approved dwelling site, and for the balance of the property (85%) to be held under common title to provide a framework of open space and natural areas.
- 1.2 Dwellings on each approved building location are subject to controlled activity consent with matters of control limited to design and appearance and landscaping, having regard to The Landing Development Area Architectural and Landscape Design Guidelines which are attached to my evidence. Where dwellings are proposed to be located outside the approved building location, a restricted discretionary activity resource consent is required. Matters to be considered for such applications include building location, scale, design and appearance, landscaping and effects on the natural characters of the landscape and coastal environment. In addition, outside of the District Plan provisions, an additional internal design review process, also covering design and landscaping matters, is required to be gone through. This is a private process designed to ensure the high quality outcomes expected by the land owner are achieved.
- 1.3 I have reviewed the proposed Development Area provisions for The Landing and am in support of them, particularly the 9m dwelling height standard and the 800m sqm maximum building footprint proposed. In my view, these standards, in combination with the proposed activity rules and matters of control/discretion, are appropriate for The Landing and will continue to ensure high quality design outcomes for the land holding.
- 1.4 Houses constructed on the land to date exhibit a high level of care for the occupation and restoration of the land and demonstrate the successful implementation of the design guidelines.
- 1.5 A vineyard and winery has been established and ancillary farm service buildings erected, each of which are evidence of the careful placement of buildings within the landscape and their sensitive form, materials and colouring.
- 1.6 I therefore have confidence in the approval regime implemented and support the proposed *The Landing* Development Area.

2 INTRODUCTION

Qualifications and experience

- 2.1 My name is Philip Max Cheshire.
- 2.2 My qualifications include a Bachelor of Architecture from the University of Auckland. I am recipient of the New Zealand Institute of Architects Gold Medal for Architecture, and The Royal Canadian Institute of Architects' Gold Medal for Architecture. I am a Companion of the New Zealand Order of Merit for services to architecture and a Distinguished Alumni of The University of Auckland. I have won many awards for architecture, including the New Zealand Institute of Architects National Award for Architecture, that Institute's highest award for a building.
- 2.3 I have 50 years' experience in architecture and urban design projects, including master planning, housing and land development. I am a founder and principal of Cheshire Architects, a practice of some forty architects and designers that I established twenty five years ago. Prior to that I was managing director of Jasmax Architects, a practice of some 140 architects and designers.
- 2.4 I provided input to The Landing (previously Mountain Landing) in the early 2000s, including helping locate building sites and developing guidelines for buildings and landscape design within proposed sites. This was carried out in conjunction with Peter Jones (Cooper and Company) and Gavin Lister (Isthmus Group) landscape architect. I provided evidence to the Far North District Council hearing in December 2004.

Code of conduct

- 2.5 I have read the Code of Conduct for Expert Witnesses in the Environment Court Practice Note 2023. I agree to comply with the Code.

Outline of evidence

- 2.6 My evidence describes The Landing and implementation of the consent to date as well as an assessment of the provisions relating to my field of expertise that are proposed to apply to The Landing (e.g. Architectural and Landscape Design Guidelines and the proposed development standards).

3 SUBMISSION

Existing consent

- 3.1 I provided architectural and design advice for the existing resource consent. This advice focused on the effects of developing dwellings or other structures on the lots that were proposed at The Landing. I also prepared the Architecture and Landscape Design Guidelines that each development at The Landing are assessed against by The Landing Design Panel via a private process outside the District Plan. That process continues to this day and will apply to all new buildings proposed for The Landing.

- 3.2 Buildings on each approved location are subject to restricted discretionary consent with discretion limited to certain visual amenity matters (i.e. location, design and landscaping).
- 3.3 The key architectural and landscape design matters that apply to The Landing are:
- (a) The Landing is a balance of productive and recreational land with a rich series of valleys and hillslopes offering a range of building sites that take advantage of sea views without dominating the landscape. They achieve this by working with the natural folds in the land to settle houses within the land, rather than on higher points of the land, and making use of the extensive regenerating native planting.

Development Area request

- 3.4 MLP seeks that the Proposed District Plan includes a Development Area overlay that reflects the development enabled by existing consent. I understand that a Development Area has been indicated as the appropriate mechanism, rather than a Precinct or Special Development Zone. The proposed provisions for the Development Area are set out in Mr Vijay Lala's evidence.

4 CHANGING CONTEXT

Landscape content

- 4.1 The landscape context of The Landing is described in my 2004 assessment and evidence. In summary, that evidence described extensive research that supported the identification of building sites in which each was viewed from likely viewpoints and adjusted to minimise impact on the wider landscape. The evidence also included reference to substantially open hillside slopes and bush-clad valleys at that time, and the importance of making use of existing planting to set buildings into the landscape and to ensure buildings are seen against a backslope of planting wherever possible.
- 4.2 The intervening years have seen a significant increase in planting, resulting in a carefully considered landscape in which great care has been taken to ensure the impact of buildings on the landscape is minimised. This has been achieved by locating the buildings to take advantage of the topography, avoiding locating buildings on prominent landforms, and making use of new planting and existing trees to set buildings within the landforms rather than on them.
- 4.3 The houses built to date have established a 'Landing way of building', predominantly using a palette of self-coloured materials such as stone, unpainted timber, weathered concrete, and recessive colouring for metallic roofing and window joinery. Building forms are typically broken down into smaller collections of elements rather large singular masses and roofs are either flat or mimic the slope of adjacent hillslopes.
- 4.4 Site infrastructure has been concealed with underground water storage tanks, septic systems and power distribution. Wherever possible, roads and driveways follow natural contours or have cut banks carefully planted where this is not possible.
- 4.5 Design management for dwellings is controlled through a restricted discretionary resource consent process in which discretion is restricted to visual amenity matters set out in Section b10.7.5.3.1 *Visual Amenity* of the Operative District Plan:

Development approved by existing consent:

- (i) *the location of the building;*
- (ii) *the size, bulk, and height of the building in relation to ridgelines and natural features;*
- (iii) *the colour and reflectivity of the building;*
- (iv) *the extent to which planting can mitigate visual effects;*
- (v) *any earthworks and/or vegetation clearance associated with the building;*
- (vi) *the location and design of associated vehicle access, manoeuvring and parking areas;*
- (vii) *the extent to which the building and any associated overhead utility lines will be visually obtrusive;*
- (viii) *the cumulative visual effects of all the buildings on the site;*
- (ix) *the degree to which the landscape will retain the qualities that give it its naturalness, visual and amenity values;*
- (x) *the extent to which the siting, setback and design of building(s) avoid visual dominance on landscapes, adjacent sites and the surrounding environment;*
- (xi) *the extent to which non-compliance affects the privacy, outlook and enjoyment of private open spaces on adjacent sites.*

- 4.6 MLP exercises an additional staged internal design review process which is implemented by covenants MLP places on titles through the sale and purchase agreements. Designs are assessed against Architectural and Landscape Guidelines which contain overall principles, plus guidelines tailored to each lot. The Guidelines were certified by Council, and the design review is given effect to by a condition of consent.

5 PROPOSED PROVISIONS

- 5.1 As noted, MLP requests that the Proposed District Plan includes a Development Area overlay that reflects the existing consent. I understand a Development Area is the appropriate mechanism, rather than a Precinct or Special Development Zone.
- 5.2 I have reviewed the proposed Development Area provisions set out in Mr Lala's evidence. I understand them to be consistent with the intent of the existing consent and the mechanisms to manage effects, in particular, the objective and policies proposed by Mr Lala are consistent with the intent of *The Landing* masterplan in my view.
- 5.3 The proposed architectural and landscape design guidelines that I have prepared address the following matters:
- (a) Locating buildings in relation to existing landform and planting, and determining building height, form and materials from which they are constructed.
 - (b) The guidelines also require the concealment of site infrastructure and reduction in land disturbance associated with construction and site access.
- 5.4 These guidelines will ensure high quality building and landscape outcomes for The Landing and will ensure complementarity to the natural landscape and coastal environment.

- 5.5 The proposed 9m building height and 800m² maximum building footprint are also appropriate in my view for the following reasons:
- (a) The guidelines have proven themselves as practical tools for guiding the development of substantial buildings within The Landing. This has been achieved by identifying critical design criteria covering building height and form and its relationship with existing landform and planting. These criteria are applied to all sites with additional site specific criteria identified for each site.
 - (b) Since the subdivision resource consent was gained in 2004, three substantial dwellings have been constructed, and in each the design guidelines have provided sufficient direction for the designers and design review panel to understand and respond to the specific conditions of the subject sites. This has resulted in buildings located sensitively in the land, making use of the folds of the land, and new and existing planting to ensure buildings do not dominate the landscape.
- 5.6 The changes from the consent sought as part of the Development Area will have little, if any, effect on the landscape and natural character values and are consistent with the goals and guidelines presented in evidence in 2004.

6 CONCLUSION

- 6.1 I confirm that the analysis and findings of my 2004 assessment and evidence in support of the existing consent for development of *The Landing* are consistent with the proposed Development Area.
- 6.2 The stages implemented to date indicate the commitment of MLP to the vision described in the original application. The dwellings built to date are sensitively located and designed so as to diminish their impact on the landscape, employing naturally weathering materials, careful mitigation through landscape planting and visually recessive colours as intended.
- 6.3 I consider the approved residential development within the natural and open space framework remains appropriate, preserves the natural character of The Landing and protects the identified landscape values of the ONL.
- 6.4 The Development Area provisions proposed by Mr Lala reflect the intent and outcomes of the existing consent with respect to buildings at The Landing.

6.5 I have reviewed the proposed Development Area provisions set out in Mr Lala's evidence. I understand them to be consistent with the intent of the existing consent and the mechanisms to manage effects, in particular:

- The same approved building locations.
- The controlled or restricted discretionary activity resource consent required for each dwelling, combined with assessment against design and landscaping criteria will result in a high quality design outcome in my view.
- The architectural and landscape guidelines that I have prepared and appended to my evidence will support the proposed provisions.
- The same approved open space and natural framework indicated on the masterplan matrix on the balance property.

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