

**Before Kaipara District Council**

**In the Matter** of the Resource Management Act 1991 (**RMA**)

**And**

**In the Matter** of an application for Private Plan Change 82 (**PC82**) by **MOONLIGHT HEIGHTS LIMITED** to rezone 39.2 ha of land at Awakino Road, Dargaville from Rural Zone to Residential Zone

---

**Evidence of Frank Pierard on behalf of Moonlight Heights Limited in support of  
Right of Reply**

**Urban Design**

**Dated 15 September 2023**

---

Jeremy Brabant  
Barrister  
Foundry Chambers  
Level 4, Vulcan Buildings  
PO Box 1502, Shortland St  
Auckland City  
021 494 506  
Email: [jeremy@brabant.co.nz](mailto:jeremy@brabant.co.nz)

1. My name is Frank Pierard. I have qualifications and experience as set out in my Evidence in Chief (EiC) dated 21 July 2023. As per my EiC, I confirm that I have read the Code of Conduct for Expert Witnesses in the Environment Court Practice Note 2023 and I agree to comply with it.
2. The Applicant has prepared revised precinct provisions (**Reply Provisions**) following the hearing on 9 and 10 August. The Reply Provisions include amendments with respect to urban design matters. I have provided input into those urban design related amendments, taking account of:
  - a. Those matters addressed during the hearing;
  - b. Further consideration of the environment and discussion with Ms McGrath.
3. I have also read the post hearing memorandum dated 11 September 2023 from the reporting planner. I note there are no urban design matters identified in that memorandum.

### **Green Amenity Street ('GAS')**

4. In response to queries raised by the Panel, the applicant team have amended the previously proposed term 'Green Street' to 'Green Amenity Street ('GAS')'. This was due to the potential ecological connotations which the previously proposed term may have inferred which was not its primary intent. The updated term is intended to more accurately emphasise the visual and physical amenity outcomes the applicant seeks to achieve with any additional ecological benefits (e.g. increased canopy cover) becoming secondary in nature. The GAS has been incorporated within the PC area for the following reasons:
  - a. The GAS will deliver a visually distinct and higher amenity street connection. This will be achieved through a narrower carriageway and wider berm provisions along with specific requirements pertaining to the provision of larger street trees at the time of

formation (13.13A.4) and additional front yard landscaping associated with new dwellings that front this street (13.10.7a).

- b. The GAS will accommodate cycle and pedestrian infrastructure and have restricted vehicle access on one side. This will contribute to pedestrian amenity and encourage cycle and pedestrian movement between areas of open space.
- c. The orientation and location of the GAS will provide a strong visual connection between the existing 'wet areas'<sup>1</sup> located within the PC area to the north and south. Additional physical pedestrian connections to the 'wet areas' further north and south of this road were explored but considered unfeasible due to topographical and ecological constraints.

### **Rule 13.10.3A(2.b)**

- 5. The Panel raised concerns in relation to future dwellings which adjoin Awakino Road and the potential for them to turn their 'backs' to this existing connection. In my view, this would be an undesirable urban design outcome.
- 6. In response to these concerns, the applicant team subsequently incorporated an additional rule within '13.10.3a Dwellings', which states the following: *"Where any lot shares a boundary with Awakino Road primary pedestrian access shall be orientated toward Awakino Road"*. In my view, this rule will ensure the 'front door' or 'primary entrance' of all new dwellings will directly interface with Awakino Road which will in turn influence the spatial configuration of any subsequent dwelling constructed. This rule aligns with good urban design principles which encourage a clear

---

<sup>1</sup> Wet areas includes; existing ephemeral and intermittent streams or existing wetlands / wet seep areas / ponds.

“front” onto adjoining streets to assist with legibility, wayfinding and activation.

**Frank Pierard**

Dated 15 September 2023