

IN THE MATTER of the Resource Management Act 1991

AND

IN THE MATTER of a submission in respect of the **PROPOSED WAIKATO DISTRICT PLAN** by **AMBURY PROPERTIES LIMITED** pursuant to Clause 6 of Schedule 1 of the Act seeking the rezoning of land at Ohinewai

STATEMENT OF EVIDENCE OF MICHAEL GRAHAM

1. INTRODUCTION

1.1 My name is Michael Richard Graham and I hold the position of Director at Mansergh Graham Landscape Architects (MGLA). I have been in this position since 2002.

Qualifications and experience

1.2 I hold the qualifications of a Bachelor of Science in Philosophy from Canterbury University, Christchurch (1990) and a Bachelor of Landscape Architecture from Lincoln University, Canterbury (1992). I am a qualified Landscape Architect and Registered Member of the New Zealand Institute of Landscape Architects.

1.3 During my career I have been involved in the preparation of a large number of visual and landscape assessments, and the peer review of landscape assessments for a range of activities in the urban and rural landscape. These have included subdivision developments, large scale retail developments, retirement complexes, light industrial developments, telecommunications facilities within urban environments, bypass alignments, wind farms and power transmission lines.

1.4 I have prepared several district-wide landscape studies, and have provided advice to various councils on the preservation of landscape character, urban design and growth strategies for both rural and urban areas. I am a current member of the Hamilton City Urban Design Panel and have been a sitting member and occasional chair since its inception in 2012.

Involvement in the Ohinewai Project

- 1.5 MGLA was engaged by Ambury Properties Limited (“APL”) to assess the landscape and visual effects of the proposed mixed use development at 52-58 Lumsden Road, 88 Lumsden Road and 231 Tahuna Road, Ohinewai (“the site”).
- 1.6 I am the author of the Landscape and Visual Assessment dated December 2019 which was attached as Appendix K to the Assessment of Environmental Effects and Section 32AA assessment dated December 2019.
- 1.7 I have visited the site and surrounding area on several occasions since my engagement in May of 2019, as part of the validation process of the photographic collation which supports my assessment. I most recently visited the site on 01st March 2020 to confirm there have been no changes to the site or surrounding landscape that would affect my evidence.

Purpose and scope of evidence

- 1.8 The purpose of my evidence is to:
 - (a) Provide an outline of the landscape character of the site and its surrounding context;
 - (b) Address how, in my opinion, development will alter the existing character of the site;
 - (c) Address what effect this will have on the character and amenity of the surrounding landscape; and
 - (d) Set out my conclusions in terms of the appropriateness of the proposed rezoning and the proposed Ohinewai Structure Plan.
- 1.9 Specifically, my evidence will:
 - (a) Describe the site and surrounding landscape context (Section 3);
 - (b) Describe the project as it relates to visual and landscape matters (Section 4);
 - (c) Address the relevant policy context (Section 5);
 - (d) Describe the methodology used to identify the character of the site and to assess potential effects on landscape and visual amenity (Section 6);

- (e) Provide an overview of visual and amenity effects (Section 7);
- (f) Provide an overview of landscape effects (Section 8);
- (g) Comment on issues raised by further submitters relevant to my area of expertise (Section 9);
- (h) Comment on the Council Officer's Report (Section 10); and
- (i) Provide a brief conclusion (Section 11).

1.10 A summary of my evidence is contained in Section 2.

Expert Witness Code of Conduct

1.11 I have read the Code of Conduct for Expert Witnesses, contained in the Environment Court Consolidated Practice Note (2014) and I agree to comply with it. I can confirm that the issues addressed in this statement are within my area of expertise and that in preparing my evidence I have not omitted to consider material facts known to me that might alter or detract from the opinions expressed.

2. SUMMARY OF MY EVIDENCE

2.1 The site is located to the east of the settlement of Ohinewai, State Highway 1 and the New Zealand Main Trunk Line. The site is approximately 178 ha in size, comprising of open pastoral farmland. It has a Rural zoning under the operative Waikato District Plan and the Proposed Waikato District Plan.

2.2 In order to assess the appropriateness of the relief sought by APL I have assessed the landscape effects of a development undertaken in accordance with the Sleepyhead Masterplan on the basis that that represents the most likely development scenario, given that APL owns the large majority of the site and has prepared the rezoning proposal and Ohinewai Structure Plan to enable delivery of the Masterplan.

2.3 Adverse effects on visual amenity values as a result of the likely development of the site were found to be *high* from close proximity locations, diminishing to *negligible* once beyond 1km from the site.

2.4 Adverse effects on the existing amenity values derived from the wider rural landscape patterns were found to be acceptable, as development will not be out of place with wider landscape patterns, and will be seen as an extension of the Ohinewai settlement, and a coherent extension of the existing transport linkages.

- 2.5 No adverse effects were identified on nearby Outstanding Natural Features (“ONFs”) (Lake Waikare and the Waikato River). The Waikato River ONF is considered sufficiently distant from the site and screened by intervening undulating topography as not to be affected. A small portion of the site encroaches on peripheral planting of Lake Rotokawau (which forms part of the Lake Waikare ONF). The Ohinewai Structure Plan identifies this area as Open Space Network. It is anticipated that this part of the site will be enhanced with restoration planting.
- 2.6 The Masterplan anticipates an extensive mitigation and planting strategy, including planted setbacks between Lumsden and Tahuna Roads. The importance of landscape planting is reflected in:
- (a) Proposed rule 17.6.3 RD3 which requires all business activities fronting Lumsden and Tahuna Roads to provide a 3m wide landscaped strip;
 - (b) Proposed rule 20.6.2 P5 which requires all industrial activities fronting Lumsden Road to provide a 15m wide landscaped strip, reduced to 8m wide landscaped strip along Balemi Road; and
 - (c) Proposed rule 16.6.3 P1 which requires any building to be set back:
 - (i) at least 15m from the road boundary of Tahuna Road, and
 - (ii) 15m from the boundary of the rural zone .
- 2.7 A ‘Wetland Park’ is proposed for the eastern portion of the site (identified as Open Space Network in the Structure Plan and shown as planted parkland in the Masterplan), adjacent to Lake Rotokawau. This will assist in both reducing the visual presence of development on the adjacent rural land, and potential sensitivity and reverse sensitivity effects between rural, manufacturing, business and residential activities.
- 2.8 I consider that the proposed planning framework for the site is appropriate and is consistent with the intent of the relevant objectives, policies and rules of the Waikato Regional Policy Statement, the Future Proof Strategy and the requirements of sections 6(b) and 7(c) of the RMA. I consider that a development which is consistent with that framework, with established planting in place, would not have inappropriate landscape and visual effects.

3. **SITE DESCRIPTION AND CONTEXT**

- 3.1 In this section of my evidence, I describe the landscape character of the site and its surrounding context.

Landscape context

- 3.2 The site is located near the Ohinewai interchange approximately 9 km north of Huntly, 6 km south of Rangiriri and 10 km north of Te Kauwhata. The site is approximately 178 hectares and is set within the pastoral low-lying rolling land of the Lower Waikato Valley.
- 3.3 The site sits to the east of the transport corridor containing the existing State Highway 1 ("SH1") and the North Island Main Trunk Railway ("NIMT"). Clear views into the site are afforded from the transport corridor. The site is bounded to the north, south and west by local roads (Balemi Road, Tahuna Road and Lumsden Road respectively).
- 3.4 To the east of the site, lies the Lake Rotokawau Reserve, which is part of the Lake Waikare Outstanding Natural Feature notation within the PWDP, with Lake Waikare itself located some 1.5 kilometres further to the north east. A small portion of the surrounding vegetation of Lake Rotokawau (approximately 0.4 ha) extends into the north eastern corner of the site. Lake Waikare links with another Outstanding Natural Feature, the Whangamarino Wetland, further to the north.
- 3.5 Ohinewai is the closest settlement, with one of its outlying residential clusters located opposite the site. The character of the Ohinewai settlement is typical of many other small rural service towns. It is a modest settlement, with a population of approximately 186. It contains residential and mixed commercial activity, formed predominantly as ribbon development along Ohinewai Road with two minor outlying residential clusters being Lilley Lane and Lumsden Road. The settlement is bisected by SH1 and the NIMT.

Site context

- 3.6 Lumsden Road forms the western boundary of the site. The Lumsden Road residential cluster is located within relatively close proximity to the Ohinewai settlement, but they are spatially disconnected by the transport corridor and interchange. Residential and lifestyle developments are located adjacent to the site, along Lumsden Road. Lifestyle properties accessed off Lumsden and Tahuna Roads also exist within the block of land which contains the site.
- 3.7 Tahuna Road forms the southern boundary of the site and traverses a series of rolling hills, which encroach into the southern portion of the site, and

visually limit views from the south. South of Tahuna Road, adjacent to the south western corner of the site, is the Lake Ohinewai Reserve, an area of wetland vegetation on the edge of Lake Ohinewai set within a wider area of pastoral landscape.

- 3.8 The balance of the surrounding area is comprised of rural pastoral development with open pasture and scattered mature trees and shelter belts. Buildings in the wider landscape are generally widely dispersed and include farm houses and associated ancillary buildings. Typically, shelter and curtilage planting exists in and around the farm houses and larger complexes, such as intensive farming operations.

4. **THE PROPOSAL**

- 4.1 The proposed Ohinewai Structure Plan identifies four main areas: an Industrial Area; a Business Area and a Residential Area, contained within an indicative Open Space Network. The following more detailed development description is based on the Sleepyhead Masterplan on the basis that it represents the most likely outcome of the proposed zoning and structure plan.

Industrial area

- 4.2 The Industrial area would be set within a formal grid street network which runs parallel to SH1 and therefore would be slightly oblique to Lumsden Road. The road network, anticipated by the typical cross sections proposed to be included in Chapter 14.12.5. of the PDP, contain avenues of street trees. Within this area it is anticipated that large scale buildings will populate the lots, conforming to the gridded street pattern.
- 4.3 The buildings would be a range of warehouse and commercial type structures of various sizes but typically of the order 50m x 100m footprint and up to 10-12 metres high. The largest buildings are expected to be within The Comfort Group factory area located at the northern extent and may be of the order of 120 m wide by 200 long with a maximum height of 17.5 m. The buildings are generally set well back from Lumsden Road, beyond a 15 m setback area and a landscape area.
- 4.4 Along the Lumsden Road boundary, industrial buildings will be adjacent to existing residential properties on the other side of the road. It is therefore important that industrial buildings along this interface are sympathetic in scale. In this regard, proposed Rule 20.6.3 P1 provides that no building in the Ohinewai Structure Plan area shall exceed a maximum height of 17.5

metres. Proposed Rule 20.6.2 P5 requires buildings to be set back 15m from the road boundary on Lumsden Road. Proposed Rule 20.6.2 P5 requires the following:

"In the Ohinewai Structure Plan area, any activity on a lot that fronts Lumsden Road shall provide a 15m wide landscaped strip adjoining the road boundary, excluding accesses, and any activity that fronts Balemi Road shall provide an 8m wide landscaped strip adjoining the road boundary, excluding accesses. Planting shall include sufficient species capable of reaching a minimum height of 5m within 5 years, and be capable of substantially screening development."

- 4.5 The purpose of the 15m wide buffer along Lumsden Road is to enable the establishment of screen planting, thus reducing visual amenity effects of the larger structures when viewed from adjacent residential properties. The 15m width is required to ensure that the efficacy of the landscape planting is maintained and provides sufficient space to allow replacement plantings to occur overtime, without a loss of the screening function.
- 4.6 The purpose of the 8m wide buffer along Balemi Road is to enable the establishment of screen planting, reducing the effect of the larger structures on existing visual amenity values from the more distant transport corridor and adjacent properties. The 8m width is considered to be sufficient to provide the efficacy of the landscape planting and sufficient space to allow replacement plantings to occur over time without a loss of the screening function.

Business area

- 4.7 The Business area is located south of the Industrial area, adjacent to the Lumsden /Tahuna Road roundabout. The nature of development will shift to bulk retail/service centre character and associated car parking.
- 4.8 Within the eastern portion of the business area the road network is oriented parallel to Tahuna Road. While a 15 m wide buffer is considered appropriate for the industrial and residential zone, a reduced extent of buffer is considered appropriate for the business zone where it addresses Lumsden Road and Tahuna Road. I have recommended a height control plane at the boundary of the Business zone, along Lumsden and Tahuna Roads, to reduce adverse effects on visual amenity values from adjacent residential properties, maintaining a level of separation from the surrounding road network with an appropriate level of visibility for commercial retail activity.

4.9 In order to achieve that result, the following controls have, on the basis of my recommendations, been included in the proposed rules for the Ohinewai Structure Plan Area:

- (a) Within the Business zone, a minimum 3 metre wide band of amenity planting shall be established along the Lumsden and Tahuna Road frontages, excluding vehicle ingress and egress points (Rule 17.6.3 RD3);
- (b) Any building must not protrude through a height control plane rising at an angle of 37 degrees commencing at an elevation of 2.5 metres above ground level at ant boundary of the Business Zone along Lumsden and Tahuna Road boundaries (Rule 17.6.4.RD1); and
- (c) Within the Business zone, a 15m building set back is required along the Lumsden Road boundary (Rule 17.6.4 RD2).

Residential area

4.10 The Masterplan anticipates that the Residential area will be separated from the boundaries of the site by amenity planting. The area would contain a split grid street network, with the northern residential area oriented to the northern site boundary and the southern street network following the alignment of Tahuna Road. The two areas are separated by 'Central Park', an area of open space containing wetland and restoration planting.

4.11 The road network contains avenues of street trees. Residential buildings include both detached and attached housing typologies. The residential buildings would vary in height with a maximum of three storeys. The higher density buildings are typically positioned internally to the site, addressing areas of open space, while the detached housing is distributed throughout the area but with a greater concentration around the periphery of the site.

Open Space Network

4.12 The Masterplan anticipates that the eastern third of the site (excluding a band of residential housing along Tahuna Road) would contain an open space area which forms the "Wetland Park". The Wetland Park would include significant ecological and amenity enhancement through the introduction of wetland areas and ecological plantings. This area includes the 0.4 ha incursion of vegetation surrounding Lake Rotokawau as part of the Lake Waikare ONF, and will extend the planted edge of Lake Rotokawau, enhancing the existing landscape while reducing potential fringe

encroachment effects. Open space areas such as sport fields, market gardens and orchards would transition between the broader ecological plantings toward the central area of residential development.

- 4.13 "Central Park" links to the Wetland Park and forms a broad band of park land which extends west, bisecting the residential area and terminating at the industrial commercial/ residential interface. A portion of Central Park also extends north, between the residential and industrial manufacturing areas, and along the eastern boundary of the site adjacent to the Primary Industrial Tenant. As a result, Central Park will create spatial separation between the residential and industrial manufacturing areas of the site, while the larger Wetland Park component will spatially buffer the development from the Lake Rotokawau Reserve to the west.
- 4.14 In combination, the Wetland Park and Central Park open space areas will also provide an extensive shared pedestrian network that links the different areas of the site.
- 4.15 A landscape buffer is formed by an open space setback along Tahuna Road, open space/restoration planting areas along the eastern boundary of the Primary Industrial Tenant Lot, and as open space parkland along the northern boundary of the residential area. In conjunction with the broad swathe of the Wetland Park (containing wetland, restoration and productive plantings), these elements provide a spatial buffer, separating and softening the interface between the built components of the development and the surrounding rural land.
- 4.16 The extent and arrangement of the Central Park and Wetland Park as shown on the Masterplan has been incorporated into the Zoning and Structure Plan.

5. **RELEVANT POLICY CONTEXT**

- 5.1 The relevant policy context provides useful guidance as to the factors which should be considered in assessing the project's visual and landscape effects. This context is outlined in detail by Mr Olliver¹ and I adopt his description for the purposes of my evidence. However, I note that the following statutory documents are relevant to my landscape and visual effects assessment:

(a) The Waikato Regional Policy Statement (WRPS);

1 Statement of evidence of John Olliver, Sections 6-9.

- (b) Objectives and policies from the Proposed Waikato District Plan (PWDP);
- (c) The Waikato District Blueprint; and
- (d) The Waikato District Growth Strategy.

5.2 I will comment on each in turn.

Waikato Regional Policy Statement

5.3 Policy 6.1 of the WRPS is as follows:

"Policy 6.1 - Planned and co-ordinated subdivision, use and development.

6.1.2 Reverse sensitivity

...consideration should be given to discouraging new sensitive activities, locating near existing and planned land uses or activities that could be subject to effects including the discharge of substances, odour, smoke, noise, light spill, or dust which could affect the health of people and / or lower the amenity values of the surrounding area."

Comment

5.4 The building setbacks and establishment of the landscape planting required by Rules 17.6.3 RD3, 17.6.4 RD2 and 20.6.2 RD3 and RD4 will substantially reduce the effects of the proposal on existing visual amenity values from most surrounding locations. Detailed mitigation measures to address the interface between industrial development and existing residential properties would need to be considered as part of any future resource consent application.

Proposed Waikato District Plan

5.5 APL has sought the following changes to the PWDP to enable the development of the Sleepyhead Estate:

- (a) Amendments to the objectives and policies in section 4.1 (Strategic Direction) to provide for "planned" towns (as well as existing towns) and to specifically recognize Ohinewai as a growth area;

- (b) Amendments to the Residential zone provisions to provide specific rules for the Ohinewai structure plan area;
 - (c) Rezoning the site to enable residential, commercial and industrial development and inclusion of the Ohinewai structure plan.
- 5.6 Other provisions of the PWDP, while subject to change through the hearing process, would apply to the development of the site. These include (in particular) the following:

Sections 3.1-3.3 (Natural Environment);

Indigenous Vegetation and Habitats

3.1.1 Objective – Biodiversity and ecosystems

a) Indigenous biodiversity values and the life-supporting capacity of indigenous ecosystems are maintained or enhanced.

3.1.2 Policies

- a) Enable activities that maintain or enhance indigenous biodiversity including:

 - i. planting using indigenous species suitable to the habitat;**
- b) Consider the following when avoiding, remedying or mitigating adverse effects on indigenous biodiversity:

 - vii the Waikato river and its catchment;*
 - viii natural character and landscape values of the area;*
 - x. ecological corridors, natural processes and buffer areas;**

Comment

- 5.7 The restoration planting which is included as part of the Masterplan (and enabled by the proposed zoning and structure plan), would mitigate adverse effects on the natural character and landscape values of the vegetation associated with Lake Rotokawau, enhancing the natural character of this feature.

3.3 Outstanding Natural Features and Landscapes

3.3.1 Objective – Outstanding natural features and landscapes

- a) *Outstanding Natural Features and Outstanding Natural Landscapes and their attributes are recognised and protected from inappropriate subdivision, use and development.*

Comment

- 5.8 The site is not contained within any identified outstanding natural features or landscape, but does contain a small portion of the vegetation along the fringe of the Lake Waikare area (Lake Waikare, including Lake Rotokawau, is identified as an outstanding landscape feature), and is within broad proximity of the Waikato River (Outstanding Natural Features and Landscapes under the OWDP).
- 5.9 Likely development enabled by the proposed zoning and structure plan would not significantly intrude or obscure views of these features from surrounding public locations or have a negative effect on the amenity values of these features due to a combination of undulating topography and distance to the site. While the site is within reasonably close proximity to Lake Rotokawau and Waikare, I consider that the Wetland Park open space component provides sufficient spatial separation from the built component of the development while the extent of restoration planting would result in enhancement of the amenity of Lake Rotokawau surrounding vegetation (part of the Lake Waikare ONF).

Section 4.7 Urban subdivision and development

4.7.1 Objective – Subdivision and Land Use Integration

- a) *Subdivision layout and design facilitates the land use outcomes sought for the residential, business, industrial, reserve and specific purpose zones.*

Layout and Design

4.7.2 Policy – Subdivision location and design

- a) *Ensure subdivision, is located and designed to:*
 - i) *Be sympathetic to the natural and physical qualities and characteristics of the surrounding environment;*

- (ii) *Establish boundaries that avoid buildings and structures dominating adjoining land or public places, the coast, or fresh waterbodies;*
- (iii) *Arrange allotments to allow for view sharing, where possible;*
- (iv) *Retain existing access to public space;*
- (v) *Promote safe communities through quality urban design;*
- (vi) *Accommodate building platforms and vehicle accesses that are safe and stable; and*
- (vii) *Promote consistent grid layout.*

Comment

5.10 The proposal has been designed to be sympathetic to the natural and physical qualities and characteristics of the surrounding environment. The restoration planting as part of the Wetland Part shown on the Masterplan) and setback mitigation amenity planting (required under Rules 17.6.3 RD3 and 20.6.2 RD3 and RD4) would provide a buffer between the proposed development and adjoining Lake Rotokawau and Lumsden and Tahuna Roads, as well as enhance the existing planting and walkways around Lake Rotokawau.

4.7.3 Policy – Residential subdivision

- (a) *Development responds to the outcomes of Waikato District Council's Urban Design Guidelines Residential Subdivision ([Appendix 3.1](#)), section 4 (Connectivity and Movement Networks), section 5 (Neighbourhood Character), section 6 (Residential Block and Street Layout), section 7 (Open Space and Landscape Treatment), and section 8 (Low Impact Urban Design), in particular by:*
 - (i) *Designs that promote walkability and pedestrian safety;*
 - (ii) *Promoting accessibility and connectivity of public spaces, employment areas, services, facilities, and amenities, both within the subdivision and wider context;*

- (iii) *Integrating staging to ensure multi-modal connectivity;*
- (iv) *Limiting the number and length of cul-de-sacs;*
- (v) *Ensuring connection to existing and future public transport nodes;*
- (vi) *Promoting connectivity and permeability by ensuring new connections to existing and future development, including green linkages.*
- (vii) *Promoting the street layout to reflect the underlying topography;*
- (viii) *Ensuring pedestrian access is consistent with the Crime Prevention through Environmental Design (CPTED);*
- (ix) *Discouraging the creation of rear lots;*
- (x) *Promoting adequate lighting levels in publicly accessible spaces;*
- (xi) *Ensuring design promotes local characteristics;*
- (xii) *Ensuring lots are orientated in a way that:*
 - A. Maximizes solar access; and*
 - B. Addresses the street frontage and public places.*
- (xiii) *Creating lots that can accommodate a variety of density with a mix of usable lot types;*
- (xiv) *Efficient design which enables the future connection to services and facilities;*
- (xv) *Ensuring public open space is distributed, located and sized to reflect its context and provides for a range of different activities and users; and*
- (xvi) *Ensuring infrastructure is designed to manage stormwater in a sustainable manner by:*
 - A. Minimising environmental impacts and maintenance costs, and reducing stormwater discharging to existing reticulated networks; and*
 - B. Promoting and maintaining riparian margins.*

Comment

- 5.11 The Masterplan (a likely outcome of the proposed zoning and structure plans) responds to the Urban Design Guidelines for residential subdivision, connectivity and movement networks, neighbourhood character, residential block and street layout, open space and landscape treatment and low impact urban design. It promotes walkability, connectivity and accessibility in and around the development itself and connections to Ohinewai settlement and Lake Rotokawau. Street and lot layout as well as public open space have been well thought out to address street frontages and public spaces, accommodate a variety of building density, with a mix of usable lot types.

8.1 Reserve Provision

8.1.1 Objective

Public open space, natural reserves, parks and recreational facilities are provided to meet the needs of communities.

Comment

- 5.12 The Ohinewai Structure Plan includes an indicative open space network and the Masterplan includes several open space/ reserves and parks and enhances walkways and access to Lake Rotokawau. Policy 4.1.20 a) (vii) b. requires that Ohinewai is developed to ensure that residential development provides for a high level of connectivity and a well-connected green network.

Waikato District Blueprint

- 5.13 The Waikato District Blueprint document includes "Local Area Blueprints" for towns in the District, including Ohinewai. The top priorities relevant to landscape and visual amenity matters identified for Ohinewai include:
- (a) Building a strong identity for the town.
 - (b) Ensuring that possible expansion addresses its own impacts (such as traffic, noise, and visual), and ensuring it contributes positively to the local community.
- 5.14 The proposed development will contribute positively to the identity of the town, ensure that visual effects are mitigated and provide new walking and

cycling connections, restoration and amenity planting (as required under the additional policies and rules of the PDP).

Waikato District Growth and Economic Development Strategy (Waikato 2070)

5.15 The *Waikato 2070* document has been developed to *provide guidance on appropriate growth and economic development* for towns in the Waikato District, including Ohinewai. Section 04.0 (*"Identifying where and when growth can occur"*) states that:

"some areas of the district have a strong capacity to support future growth due to their location, environment and infrastructure."

5.16 This section includes a development plan (*04.7 Huntley & Ohinewai Development Plan*) which identifies areas for industrial and residential development around Ohinewai. The Ohinewai Structure Plan area is encompassed by and corresponds with the activity zones indicated on this plan.

5.17 As this document has been subject to public consultation, I consider that it provides broad general support for the Ohinewai Structure Plan, consistent with the conclusions of my assessment.

6. ASSESSMENT APPROACH

6.1 I have used a standardised assessment approach to identify the existing landscape character of the site and its surroundings, in order to assess how the proposed development affects surrounding rural character and visual amenity values.

6.2 In broad terms, the assessment consists of the following elements:

- (a) Identification of the existing landscape values and character;
- (b) Identification of the key elements or attributes of the proposed development;
- (c) Assessment of the effects of the proposed development on existing visual character and urban amenity; and
- (d) Assessment of the proposal within the context of the relevant statutory instruments.

- 6.3 A diagram depicting the assessment framework and the key factors considered in my assessment are set out in the flow chart attached as **Attachment A**.
- 6.4 Visual effects of the proposal have been assessed from a series of surrounding locations to determine the likely effect of the development on landscape character and visual amenity values. The locations of these viewpoints are shown in the View Location Map attached as **Attachment B**. Images of these views are shown the View Location Photos attached as **Attachment C**. In addition to the view location photos, a view shed analysis of the site (**Attachment D**) has been provided to demonstrate the screening effect of topography within the site and wider landscape context.
- 6.5 One of the main factors that will influence a development's visual effect is the visual absorption capability (VAC) of the surrounding landscape. This is the ability of the landscape to integrate a development, or feature into its existing visual character without significant change.
- 6.6 Factors that are considered in determining a VAC rating include:
- (a) The degree to which the development is visible;
 - (b) Visual and physical links with other similar elements or activities in the landscape;
 - (c) The level of modification to the surrounding landscape (short and long term);
 - (d) Appropriateness of scale;
 - (e) Distance;
 - (f) Backdrop; and
 - (g) Atmospheric conditions.
- 6.7 The site's VAC was rated using a 5 step scale ranging from *poor* to *very good*, based on the visible context. A visual absorption rating definition table is found in **Attachment E**.
- 6.8 In terms of Visual and Landscape Effects methodology, the representative views were analysed within the methodological framework and rated using the standardised rating system shown in **Attachment F**.

6.9 For the purpose of my assessment, I have assessed the Sleepyhead Masterplan on the basis that it represents the most likely outcome of the proposed zoning and structure plans. I consider that while the Sleepyhead master plan includes a greater level of detail in relation to the activities anticipated on the site, it anticipates the broader effects and sensitivities that compliant development would have within the site.

7. **ASSESSMENT OF VISUAL AND AMENITY EFFECTS**

7.1 This section of my evidence addresses the visual and amenity effects of the proposal in terms of visibility and integration.

Visual Catchment

7.2 The visual catchment of the site is constrained by surrounding low hills, vegetation and built development, which screens or partially screens views of the development from many surrounding locations. Views of the proposed rezoning area are largely limited to within 1.5km of the site from a north westerly orientation, from close proximity along SH1, NIMT and adjacent Lumsden Rd and northern sections of Tauhara Rd. (This is shown on the ZTV Map attached as **Attachment G.**)

Viewing Audience

7.3 Close proximity views of the site are generally obtained by road users on the perimeter roads surrounding the study area (being Lumsden, Tahuna and Balemi Roads), and the occupiers of the residential/lifestyle properties accessed off them.

7.4 Wider views of the site are obtained by motorists on SH1 and passengers using train services on the NIMT, within 1.5 kilometres north of the site.

7.5 A number of potential views were investigated during the preparation of the assessment report. 8 view locations were selected for review, on the basis of existing views, viewer frequency, viewer types, availability of the view from public property, viewer distance and the viewing time and framework available at the time of study.

Visual Absorption Capability (VAC)

7.6 One of the main factors that influence the visual effect of a development is the visual absorption capability (VAC) of the surrounding landscape. This is the ability of the contextual landscape to integrate a development, or feature, into its existing visual character without significant change.

- 7.7 The ability of the site to visually absorb the type of development anticipated as an outcome of the proposed zoning and structure plans was found to range from *good to poor*. *Good* ratings were attributed to views of the site where existing vegetation and landform will largely screen the site from view. *Poor* ratings were attributed where clear views of the site will be afforded from close proximity view locations and the development of the site will be seen in contrast to the neighbouring open pastoral landscape character.
- 7.8 Existing intervening vegetation and topography will restrict viewing opportunities of the site to a relatively constrained viewing catchment. From locations within approximately 1km of the site, the scale and extent of the development will be more evident. This change will have an effect on the surrounding rural character; however, the degree to which this occurs will be based on proximity, elevation and the efficacy of mitigation planting.
- 7.9 The proposed development will introduce a townscape with both industrial/commercial and urban character into the existing rural character. The development will be of a scale and intensity that is not present within the immediate locale but is consistent with other towns within the wider district and will be seen as an extension of the existing development around Ohinewai.
- 7.10 While some limited aspects of this type of manufacturing/industrial town character are present in Huntly, the similarities are functional rather than spatially determined. The proposed development presents a planned masterplan approach, with the proposed rezoning area generally contained within peripheral buffer planting, larger industrial elements of the development address the transport corridor and the rural land to the north, while the residential component is book ended by the open space network shown on the Structure Plan, which (as indicated in the Masterplan) is likely to include components such as a sports field, orchard and market garden and restoration planting areas of the reserve land, that address Lake Rotokawau.

Effects on visual amenity

- 7.11 This section provides a summary of my key conclusions regarding the visual effects of the proposed development.
- 7.12 The selected view locations represent the views attainable from adjacent locations on Lumsden, Tahuna and Balemi Roads as well as motorists on SH1 and passengers using train services on the NIMT.

Close proximity locations

- 7.13 View locations 1 - 4 represent close proximity locations along Balemi Road, Lumsden Road and Tahuna Roads. With the introduction of the proposed development, the character of the outlook from VLs 1- 4 is expected to alter significantly, shifting from rural character to an urban character with an industrial component.
- 7.14 VL 1 sits immediately to the north of the proposed bend introduced into Lumsden Road. From this location the large industrial buildings and associated containers and rolling stock anticipated by the Masterplan at the north western extent of the site will be visible through the foreground band of amenity planting along Lumsden Road. These buildings will obstruct views of other components of the development beyond it.
- 7.15 VL 2 is located on Lumsden Road approximately perpendicular to the south western corner of the anticipated large industrial buildings. This view captures the relationship between the proposed development and the existing residential and lifestyle properties. Commercial buildings of differing sizes will be partially visible but clearly discernible through layers of boundary and amenity planting. Between the gaps created by these buildings, portions of other commercial buildings and amenity and street trees will be visible. Glimpses of the Taupiri Ranges will also be obtained between and above the mid ground commercial building roof lines.
- 7.16 While the required planting, once established, would provide some screening from these properties, development would be visible and views obtained from the existing houses will be sensitive to the elevations of the large manufacturing/industrial/commercial buildings that address Lumsden Road with regard their relative height and extent. As set out in paragraphs 4.4 and 4.9, a 15 metre setback and a restrictive height control plane have been proposed along this boundary to control the location and height of buildings along this elevation to limit their visual presence relative to the residential properties.
- 7.17 VL 3 looks north east from Tahuna Road. It will capture the southern aspect of the industrial manufacturing area as well as glimpsed views of a small portion of the residential area. The buildings in the manufacturing area will be of medium scale, present some active frontage and typically be surrounded by extensive car parking areas punctuated by amenity planting. Views between these buildings will be limited due to the change in street grid orientation associated with Tahuna Road, effectively terminated by the buildings beyond.

- 7.18 VL 4 also looks north east. It captures the eastern most extent of the residential area presenting a narrow band of attached and detached housing set within tree lined street grid layout, back dropped by the Open Space Network shown on the Structure Plan. This portion of the park shown on the Masterplan contains a swathe of ecological and restoration planting which will appear as an extension of the existing wetland planting associated with Lake Rotokawau. The eastern most extent of the site as depicted on the Masterplan, contains the orchard development with processing shed partially visible within the trees. The proposed development will shift the existing rural character to an urban residential character from this view location.
- 7.19 From these close proximity views of the proposed development, the character of the view will shift, expressing a high level of intensification that is of industrial/manufacturing urban character. The proposed development is therefore anticipated to have a *high effect* on the characteristics of the receiving environment from view locations 1 - 4.

Views from the wider catchment

- 7.20 VLs 5-8 are located in excess of 1km from the site, on Tahuna Road, Waikare Road and Lumsden Road respectively. These views represent vistas from properties and road users within the wider catchment and are of a rural pastoral character (VL 5, 7 and 8) or scenic character (VL6).
- 7.21 These views identify the rapid increase of VAC over a comparatively short distance provided by the wider receiving environment as a result of the extent of screening by landform and surrounding vegetation. Consequently, none of these VLs provides visibility of the site, or the extent of site development that will be visible will form such a small component of the overall view that it is not considered to have a significant effect.
- 7.22 VL 5 is located 3.3 kilometres east of the site and looks north toward Lake Waikare. This VL captures the undulating pastoral character of the landscape which provides contained discrete vistas. It offers no view of the subject site due to the undulating topography blocking views. VL 6 is located some 5.6 kilometres east of the site and looks west toward the site across Lake Waikare, providing a scenic setting. In this instance, distance, topography and intervening vegetation along the shores of Lake Waikare and Lake Rotokawau obscure views of the site.
- 7.23 VL7 and VL8 are representative of views from along Lumsden Road and the associated rural setting of pasture, specimen trees, remnant shelter belts, hedge rows and farm buildings within the area. The two views differ mainly

in respect to distance from the site with VL 7 located some 2.25 kilometres north of the site and VL 8 some 1.75 kilometres from the site. In both instances topography and existing vegetation largely screen views of the site such that the proposed development would not be clearly visible from these locations.

- 7.24 From VLs 5-8, in excess of 1km from the site, the proposed development is anticipated to have a *very low – negligible* effect on the characteristics of the receiving environment.

Conclusion

- 7.25 Overall, the effect of the proposed development is anticipated to begin to occur approximately one kilometre from the site, and increase until reaching the *high* level of effect attained at VL 1-4. The proposed urban development will not only be visible but will exert an influence on the character of the land beyond the physical boundaries of a site in terms of traffic movement, activities and reverse sensitivities.
- 7.26 These ratings are based on the effect that the change in land use will have on the existing rural environment and therefore considered against the maintenance of rural environment characteristics such as a relative absence of buildings, and maintenance of open space.
- 7.27 The structure plan and proposed amendments to the PDP require landscape planting at the site boundaries which will substantially reduce the effects of the development on visual amenity from most surrounding locations. However, the effects on the adjacent residential properties may be higher. The proposed amendments to Rules 17.6.2 P7 and 20.6.2 P5 require detailed consideration of mitigation measures to address effects on these properties at the resource consent stage.

Visual Intrusion, Obstruction, and Amenity Values Effects

- 7.28 Visual intrusion occurs when a pre-existing view of the landscape is encroached upon adversely by a new element, which is of poorer visual quality, or gives rise to degraded visual amenity value. Conversely, visual obstruction results from such a development blocking and preventing visibility of any pre-existing view. These may affect existing landscape and visual amenity.
- 7.29 The topography around the Lake Waikare and the Waikato River ONFs is undulating and these features are low lying and somewhat entrenched within

the landscape. As a result, visual obstruction and intrusion effects on these features associated with the proposed development, even though it is of a significant scale, will be *negligible*. This is due to spatial separation, in conjunction with the topographical and vegetative screening between the site and the landscape feature, which does not allow for inter-visibility.

7.30 Although the location of Lake Rotokawau can be inferred by the visibility of some of its surrounding vegetation, the vegetation on its own is not a highly valued scenic aspect of the ONF itself. The views affected are not considered to be highly significant as they do not enable a full appreciation of the landscape feature, nor its formative processes, but rather obstruct a small visible component of an aspect of the wider feature.

7.31 The affected portion of low lying vegetation is considered to have greater ecological than visual amenity value, which will be enhanced by restoration planting shown on the Masterplan, within Wetland Park area as part of the Open Space Network shown on the Structure Plan. In addition the pathways proposed under the Structure Plan will link with and enhance opportunities to view Lake Rotokawau.

7.32 Beyond this area, the development is likely to intrude into broader vistas capturing the vegetated margins of Lake Rotokawau and Lake Waikare. It is estimated that this is likely to occur for approximately a kilometre beyond the development to the north and north-west. This will be a significant change as the existing landscape is of rural character with a modest degree of rural type buildings within the area. The development will introduce a localised concentration of buildings, resulting in a change in landscape character, from rural to urban.

8. **ASSESSMENT OF LANDSCAPE EFFECTS**

8.1 Following field investigation of the site and surrounding area, I consider that the key attributes of the existing landscape, which contribute to the landscape character and amenity of the site and its immediate surroundings include the following:

- (a) The rural pastoral landscape;
- (b) Established shelter rows and specimen tree planting;
- (c) Low levels of built development, often in the form of small clusters of rural buildings, set within a pastoral landscape;
- (d) Low lying undulating hills;

- (e) The settlement of Ohinewai;
- (f) Lakes and wetlands including Lake Rotokawau and Lake Waikare;
- (g) The Waikato River; and
- (h) The Taupiri Range.

8.2 Due to the relatively contained nature of the area contained within the structure plan, I consider that a development carried out to comply with the restrictions that will be placed in the PWDP will not detract significantly from the existing amenity derived from the wider rural landscape patterns or the outstanding natural landscape features. The development will introduce an increased intensity of development associated with the Ohinewai settlement in relatively close proximity to two outstanding natural landscape features: the Waikato River and Lake Waikare.

8.3 Due to the presence of existing land uses (the transport corridor and Ohinewai settlement), the spatial separation between the proposal and the ONFs, the functional and ecological buffer containing the development; as well as the Wetland Park, it is considered that the development will not have a negative effect on the amenity values of these features, but may include some minor enhancement. The development will be seen as an extension of the Ohinewai settlement and a coherent extension of the existing transport linkages.

8.4 While the site is well positioned within the landscape context, development in accordance with the Ohinewai Structure Plan will alter the existing landscape pattern, introducing earthworks, infrastructure development and buildings over a significant area and to a degree that are not present within the receiving environment; this will substantially alter the character of the site.

8.5 As a consequence, development will have effects on the attributes of the surrounding landscape character and associated rural amenity values. The level of effect is proximity-based as the landscape itself is relatively compartmentalised due to the undulating topography and the variety of land uses in the area (Wetland Reserve, Transport Corridor, Residential Development, commercial development and pastoral land). These effects will be more pronounced in the short term but will reduce over time once construction and earthworks have been completed and mitigation and restoration planting has become established.

8.6 I consider that the mitigation planting (required under Rules 17.6.2 RD3 and 20.6.2 RD3), open space network (shown on the Structure Plan and required under Policy 4.1.20 (a) (vii) b.), wetland and restoration planting areas (anticipated by the Masterplan), would generally mitigate the effects on landscape character and visual amenity to an acceptable level.

9. **ISSUES RAISED BY FURTHER SUBMITTERS**

9.1 Four further submissions were lodged on the APL submission which raise issues relating to landscape and visual amenity effects, as follows:

- (a) Mr B Holmes - 52 Lumsden Road;
- (b) Mr D Holmes and Mrs R Holmes - 56 Lumsden Road;
- (c) Mrs S Stowe – 81 Lumsden Road; and
- (d) Ohinewai Area Committee.

9.2 They generally express the same or similar concerns over the perceptions of the proposal in respect to:

- (a) Visual amenity/ glare;
- (b) Rural lifestyle/ rural outlook; and
- (c) Proposed density of the residential component.

9.3 I will address each issue in turn.

Visual amenity/glare

9.4 The proposed development includes a high level of intensification that is of industrial / manufacturing urban character. As identified earlier, the proposed development is anticipated to have a high degree of effect on the rural character and associated visual amenity values of the receiving environment from view locations 1 - 4.

9.5 While the establishment of the landscape planting within the landscape buffer will substantially reduce the effects of the proposal on visual amenity from most surrounding locations, the effects on the adjacent residential properties may be higher. The effects on these properties should be considered within the detailed mitigation design associated with any future consent application. Localised intensification of planting within specific

sightlines between the residential properties and more prominent aspects of proposed structures could be utilised to mitigate specific effects.

Rural lifestyle/rural outlook

- 9.6 The proposed development will alter the existing landscape pattern from rural to urban, which will substantially alter the character of the site. I consider that the close proximity of the Ohinewai settlement and SH1 and NIMT provide a level of context for the proposed rezoning and, in conjunction with appropriate mitigation and restoration planting, will assist to reduce the adverse effects associated with the proposal to an acceptable level.

Proposed density of the residential component

- 9.7 Within the structure plan, the proposed residential area is set back from the boundaries of the site and contains a split grid street network, with the northern residential area oriented to the northern site boundary, and the southern street network following the alignment of Tahuna Road. The two residential areas are anticipated to be separated by Central Park, an area of open space containing wetland and restoration planting.
- 9.8 The higher density buildings typologies are typically positioned internally to the site, addressing areas of open space, while the detached housing is distributed throughout the area but with a greater concentration around the periphery of the site. Residential buildings visible from along Lumsden and Tahuna Roads will therefore be of a scale and size which are congruent with the surrounding residential housing grain.

VISUAL MITIGATION FOR 52, 56 AND 58 LUMSDEN ROAD

- 9.9 My original assessment was prepared on the basis that the residential lifestyle properties at 52, 56 and 58 Lumsden Road may be purchased by APL and would be amalgamated into the larger development area.
- 9.10 In the event that those properties are not acquired, measures will be required to mitigate visual effects on these properties. I consider that a layered approach of planting, in the form of formal and informal hedging plus specimen trees, which once they reach maturity, will substantially screen future development. They would need to be located to minimize effects of potential overshadowing of the lifestyle properties. It is noted that while this approach will ameliorate the visual effects of surrounding development it will not alter the fundamental change of character that the residential occupants will experience.

9.11 The mitigation planting strategy could be developed in consultation with the property owners, during the subsequent resource consent process for a specific development proposal in order to respond to the residential property owners.

10. **COMMENTS ON THE COUNCIL OFFICER'S REPORT**

10.1 I have read relevant parts of the section 42A report, in particular section 5.3.8.

10.2 Ms Trenouth notes that there is matter of detail with respect to the findings of my report that Mr Matthew Jones, the peer reviewer for Waikato District Council disagrees with, as follows:

"Mr Jones disagrees with the view that the rural character of the area is unaffected by the APL proposal as seen from more distant viewpoints, as the proposal represents a fundamental change to the existing character."

(Emphasis mine.)

10.3 I consider that Mr Jones has misinterpreted my position. In my assessment, I state that from the more distant viewpoints identified within my assessment, the development is either not visible, or is not clearly visible due to intervening topography, existing vegetation and distance. I have rated the effect from these views points as *very low* or *negligible*.

10.4 In my opinion, from the distant viewpoints identified within my assessment where development would only be partially glimpsed from a distance, and form only a very small portion of the view, I do not consider that the effect is sufficient to alter the character of the view of the area captured from that view point.

10.5 As stated in my assessment:²

"From these more distant VLs, the rural character of the area remains unaffected as the site and proposed development do not impinge on the view. When transitioning closer to the site however, the development will become visible and introduce a distinctly different character to that of the surrounding environment."

2 Ambury Properties Development, Ohinewai. Landscape and Visual Assessment Report; Version R5 dated December 2019, page 18 last paragraph.

- 10.6 In respect to other matters, we are in general accordance and I concur with Ms Trenouth's summary as follows:³

"Mr Jones considers that, when urban design, landscape and visual assessment matters are reviewed concurrently that the change from rural to urban character is appropriate given the sites' location; that the proposed design and layout respects underlying landscape values and integrates with existing landscape patterns; and that the large scale of the proposal has allowed for an integrated design of the growth area."

11. CONCLUSIONS

- 11.1 Site inspection, in combination with ZTV analysis, identified that the Ohinewai site is contained within a limited (publicly accessible) viewing catchment as a result of the low hills and vegetation that populate the area. With the exception of the neighbouring residential properties and a portion of the transport corridor containing SH1 and the NIMT, views of the site from surrounding locations are either partially or fully obscured by topography and/or existing vegetation, including the reserve planting associated with Lake Waikare.
- 11.2 The site's ability to visually absorb the type of development expected ranges from good to poor. Good ratings were found to occur from locations further than 1km from the site (VL 5-8), where existing vegetation and landform will largely screen the site from view. Poor ratings were found to occur where clear views of the site will be afforded from close proximity view locations and the development will be seen in contrast to the neighbouring open pastoral landscape character.
- 11.3 Within the context of the underlying rural zone, against which effects on rural character and amenity derived from rural vistas are assessed, the proposed development is likely to result in a high effect on the rural character of the receiving environment from nearby locations (VLs 1- 4).
- 11.4 From more distant locations (VLs 5-8), the effects are likely to be very low to negligible. The level of effect is anticipated to diminish over a distance of approximately one kilometre from the site, associated with the reduction in the visibility and influence of the urban character of the development in terms of traffic movement, activities and reverse sensitivities. I consider that

³ Section 42A Report; Hearing 19: Ohinewai Rezoning and Development; Section 5.3.8, paragraph 186.

with the proposed landscape planting established, a complying development would result in an acceptable level of effect on landscape and visual amenity.

- 11.5 I consider that development that complies with the proposed restrictions and requirements for the rezoned area will not have a negative effect on the existing amenity values derived from the wider rural landscape patterns and ONFs *features (Lake Waikare and the Waikato River)*, and may include some minor enhancement, and will be seen as an extension of the Ohinewai settlement and a coherent extension of the existing transport linkages.
- 11.6 While I consider the proposed development is appropriately configured in terms of location of the various components shown in the proposed zone provisions and structure plans, from a landscape and urban design perspective, mitigation will be required at resource consent stage to reduce the potential adverse effects on landscape and visual amenity to acceptable levels. In that regard, provisions that pertain to building height and setback, recession planes, visual mitigation planting, and amenity planting have been incorporated into the proposed PWDP provisions sought by APL, in accordance with my recommendations.
- 11.7 While the establishment of the mitigation within the landscape buffer will substantially reduce the effects of the proposal on visual amenity from most surrounding locations, the effects on the adjacent residential properties may be higher. The effects on these properties should be considered within the detailed mitigation design associated with any future consent application.
- 11.8 I consider that the proposed rezoning is consistent with the requirements of section 6(a) and (b) of the RMA, as although the application site does include a minor portion of an identified outstanding natural feature, the development includes significant areas of restorative planting that will buffer the feature (Lake Waikare), while resulting in enhancement to its fringes. Also while future development would be in proximity to the Waikato River, I do not consider it will have any adverse effect on the amenity values of this feature as the combination of the undulating topography and the distance from the site means that it will not be affected.
- 11.9 With appropriate mitigation requirements, including the visual mitigation planting, landscape buffers, open space, wetland and restoration planting areas proposed, and forming part of the Overall Master Plan in support of the proposed rezoning, and including the proposed provisions built into the planning provisions of the Waikato District Plan, the effect on landscape character and visual amenity can be mitigated to an acceptable level.

11.10 In summary, I consider that as a result of:

- (a) The presence of existing land use patterns within the wider area, including; the ONFs, the transport corridor, interchange, and Ohinewai village;
- (b) The configuration of the proposed development in terms of location of the various components within the structure plan; and
- (c) The integration with the surrounding landscape through the functional and ecological vegetated buffers contained within the development itself;

The proposed development will be a coherent extension of the Ohinewai settlement, expressed as an increased intensity of development formed around the existing transport interchange.

11.11 I consider that the proposed rezoning is appropriate within the wider landscape context. While subsequent development of the proposed rezoning area will alter the existing landscape pattern; introducing earthworks, infrastructure development and buildings over an extent and to a degree that are not present within the receiving environment, when considered within the context of the proposed zone, it is anticipated that a complying development with appropriate mitigation would result in an acceptable level of effect on landscape amenity.

Michael Graham
9 July 2020