

**BEFORE AN INDEPENDENT HEARINGS PANEL
OF THE WAIKATO DISTRICT COUNCIL**

IN THE MATTER of the Resource
Management Act 1991

AND

IN THE MATTER of the proposed Waikato
District Plan (Stage 1)
Hearing 25

**EVIDENCE OF RACHEL VIRGINIA DE LAMBERT ON BEHALF OF HYNDS PIPE
SYSTEMS LIMITED AND THE HYNDS FOUNDATION IN SUPPORT OF REZONING
REQUEST**

LANDSCAPE AND VISUAL

17 February 2021

 **Simpson Grierson**
Barristers & Solicitors

W S Loutit / S J Mitchell
Telephone: +64-9-358 2222
Facsimile: +64-9-307 0331
Email: sarah.mitchell@simpsongrierson.com
Private Bag 92518
Auckland

1. INTRODUCTION

- 1.1 My full name is Rachel Virginia de Lambert.
- 1.2 I am a Landscape Architect and Partner at Boffa Miskell Limited (**Boffa Miskell**), Landscape Architects, Planners, Ecologists and Urban Designers. I have a Bachelor of Horticultural Science and post graduate Diploma of Landscape Architecture (with Distinction) both from Lincoln College (as it then was). I have practised as a landscape architect for some 33 years.
- 1.3 I am a Fellow and Registered Member of the New Zealand Institute of Landscape Architects, Tuia Pito Ora (**NZILA**) and am a past member of the elected Executive of the NZILA. I was the Registrar for the NZILA in relation to the administration of the Institute's Registration programme from 2001 until 2010.
- 1.4 On graduating, I worked for the Department of Lands and Survey and then the Department of Conservation in Auckland, following which I joined Boffa Miskell, first in Christchurch and then in Auckland. In September 1999, I established the Tauranga office of Boffa Miskell. In December 2001, I returned to work in the Boffa Miskell Auckland office, working primarily in the Auckland, Bay of Plenty, Hawkes Bay and Waikato regions.
- 1.5 I was a member of Auckland City Council's Urban Design Panel until mid-2007, when I took up a position on the Manukau City Council Urban Design Panel, which I held until the amalgamation of the Auckland Councils in 2010. I am now, again, a member of the Auckland Urban Design Panel (**AUDP**) and am co-convenor of the AUDP. I am also a member of Panuku Development Auckland (**Panuku**)'s Design Technical Advisory Group that provides design review for the Wynyard Quarter, and all other 'Transform' projects under Panuku's lead.
- 1.6 I have provided evidence at Council and Environment Court hearings on a wide range of landscape and open space related projects including Plan Changes and projects for Resource Consent for greenfield and brownfield development, age care facilities, retail and mixed-use development, masterplanned communities, port related activities, roading, water treatment and other infrastructure projects.

1.7 I have provided input to the design and undertaken the assessment of landscape and visual effects for greenfield development including: the Drury South plan changes (to the then Papakura and Franklin District Plans) to enable light and heavy industrial development; the Franklin 2 plan change (to the then Franklin District Plan) to enable the urban development of the 306ha Wesley College landholding at Paerata; and the resource consent application for an approximate 1000 lot residential subdivision, Amberfield, in the Peacocke future urban area in the South of Hamilton.

1.8 I have read the Code of Conduct for Expert Witnesses (**Code**) outlined in the Environment Court's Consolidated Practice Note 2014 and confirm that I will comply with it in preparing my evidence. I confirm that the issues I will address are within my area of expertise, except where I state that I rely upon the evidence of other expert witnesses. I also confirm that I will not omit to consider material facts known to me that might alter or detract from my opinions.

2. SCOPE OF EVIDENCE

2.1 Boffa Miskell were engaged by Hynds in October 2020 to assist with the preparation of evidence for the Proposed Waikato District Plan (**Proposed Plan**) hearings. We have also been involved in the preparation of a Landscape Concept Design package for the rural land at 62 Bluff Road adjacent to the proposed industrial rezoning.

2.2 I have been asked to provide evidence on behalf of Hynds Pipe Systems Limited and the Hynds Foundation in relation to their submissions/further submissions on the Proposed Plan. Hynds Pipe Systems Limited and the Hynds Foundation are referred to collectively as **Hynds** in this evidence unless the distinction is made between the two organisations.

2.3 The Proposed Plan applied the Rural Zone to the land at 62 Bluff Road, adjoining the Hynds Factory Site in Pokeno. This land has recently been purchased by Hynds in part to extend the industrial site's secure buffer to the south. The focus of this evidence is Hynds' request that part of the lower portion of the 62 Bluff Road site contiguous with their established industrial operation be zoned Heavy Industrial whilst retaining the proposed Rural Zone on the southern and upper, western portion of the land. As noted this land is contiguous with and will directly extend the Hynds Factory Site in Pokeno. A map showing the Hynds Factory

Site and proposed area for inclusion in the Heavy Industrial zone is attached to this evidence as **Attachment 1**.

2.4 My evidence will cover the following matters:

- (a) Relevant background and context;
- (b) Summary of landscape and visual effects;
- (c) Comments on the Waikato District Council (**WDC**)'s Reporting Officer's s42A Framework Report; and
- (d) Conclusions

3. RELEVANT BACKGROUND AND CONTEXT

3.1 In this statement of evidence, I do not repeat the description of the Hynds' rezoning request, I rely on the summary of the proposal in the evidence of Adrian Hynds and the planning evidence of Sarah Nairn and Dharmesh Chhima of The Surveying Company (**TSC**) on behalf of Hynds. I also rely on the ecological evidence of Dr Mark Bellingham on behalf of Hynds, in respect of the subject land, that was presented at Hearing 21a (Significant Natural Areas).

Hynds' operations

3.2 Hynds is owned by the Hynds Group and operates a concrete products manufacturing and distribution site at 9 McDonald Road, Pokeno (**Hynds Factory Site**). Hynds is a significant heavy industry, utilising approximately 22ha of land operating 24 hours a day, seven days a week.

3.3 Hynds specialise in the manufacture and supply of construction materials and water systems in New Zealand and Australia. The Hynds Factory Site is zoned Industrial 2 under the Operative Waikato District: Franklin Section (**Operative Plan**) and Heavy Industrial under the Proposed Plan.

Summary of Proposal

- 3.4** Hynds' rezoning request relates to the proposed zoning of the land adjacent to the Heavy Industrial Zone land in Pokeno (which includes the Hynds site) (**Adjacent Land**). The Adjacent Land has been identified in the Proposed Plan to have its zoning changed from Aggregate Extraction and Processing (**AEP**) under the Operative Plan, to Rural under the Proposed Plan. The AEP zone related to the earlier and now abandoned Winstone Quarry and is now no longer an appropriate zone for the Adjacent Land.
- 3.5** Hynds owns a 27.4ha Lot (62 Bluff Road) to the south of the current Heavy Industry zoned factory site. It is seeking to rezone a 4.27ha portion of this land (**Expansion Land**) that is fully contiguous to its south-eastern boundary to Heavy Industry. In addition to the expansion of the Heavy Industrial zone, Hynds are proposing to revegetate the 23.53ha remaining (Rural zoned) portion of the Adjacent Land and rehabilitate the boulder stream. They are proposing to make this area into a publicly accessible parkland (owned and maintained by Hynds) with the character of a sculpture park within the restored and revegetated landscape. The land will provide a southern rural buffer to their industrial site.
- 3.6** There is an existing valid earthworks consent granted by Waikato Regional Council that allows for earthworks within some of the Expansion Land area.
- 3.7** Concept plans illustrating the 4.27ha Heavy Industrial zone expansion relative to the existing Hynds Factory Site and the proposed restored rural / natural parkland and sculpture park are attached to this evidence (**Attachment 2**). This 23.53ha open space will become an open space and recreational amenity for staff at the Hynds Factory Site, for residents of the urban settlement of Pokeno, (reinforcing the original aspiration of the settlement as an 'urban village in a rural setting'), and potentially for visitors to Pokeno including people passing by on State Highway 1 (**SH1**).
- 3.8** The Expansion Land adjoins SH1 to the east and will extend the established Hynds Factory Site / Heavy Industrial zone interface with SH1 by approximately 90m. The existing Hynds Factory Site with its tidy array of pipes of a range of lengths and sizes already forms part of the industrial node of land uses in the south of Pokeno as seen from the motorway. To the south and west the Expansion Land adjoins the rural area of 62 Bluff Road with the northern boundary adjoining the existing Hynds Factory Site. The landform to the south,

within 62 Bluff Road comprises a gully and heavily silted creek which has been impounded, resulting in modification and silt build up, by works associated with SH1. The ecological character and values of this waterway are addressed in the evidence of Dr Mark Bellingham on behalf of Hynds that was presented at Hearing 21a (Significant Natural Areas).

Operative Plan Framework and Establishment of the Industrial 2 Zone

- 3.9** The majority of the existing urban area of Pokeno is a result of extensive rezoning undertaken through the Pokeno Structure Plan, Plan Change 24 and Plan Change 21 processes. The vision for Pokeno, developed during the structure planning process, was to maximise the town's strategic location and establish a sustainable town with a balance of opportunities for 'live, work and play'. The overarching concept was, and remains, for Pokeno to be an urban village in a rural setting.
- 3.10** Plan Change 24 was initiated as a Private Plan Change by Pokeno Landowners Consortium (**PLC**) and adopted by the former Franklin District Council in December 2008. Pokeno was identified by Hynds as a suitable area to relocate its industrial operation to and to develop a purpose-built factory. The Pokeno Structure Plan process identified the locational suitability of Pokeno for industrial and business activities.
- 3.11** Plan Change 24 resulted in two industrial zones, the Light Industry and (heavy) Industrial 2 Zone. Significant consideration was given to the location of the Industrial 2 Zone and adjacent zoning. The land within the Operative Industrial 2 Zone was considered suitable for heavy industry due to the buffers provided by the adjoining light industrial and AEP zones, the latter which provides for aggregate quarrying and mineral extraction activities. The land within the Industrial 2 Zone was identified as a low-lying flat basin against a steep and much higher backdrop of ridges, generally separated from more sensitive, such as residential, uses. The combination of topography and adjoining landuses / zones allowed for relatively unconstrained provisions. The topographical nature of the land also meant that industrial development would have limited visual impact on surrounding residential and public land.
- 3.12** The proposed Expansion Land exhibits the same qualities as the existing land zoned Industrial 2 in that it is low lying with steeper land creating a backdrop of

rural hills to the west and south. These attributes will ensure that the relatively modest industrial expansion will have limited visual impact on the surrounding area of Pokeno.

4. SUMMARY OF LANDSCAPE AND VISUAL EFFECTS

4.1 This section provides a summary of the key landscape characteristics and features of Pokeno and the area immediately surrounding the site:

- (a) Pokeno sits within a natural 'bowl'; with an elevated rural, hill backdrop visible in most directions, giving it a natural visual connection to the surrounding countryside. The surrounding ridgelines to the south, west and north, are an important natural feature within the wider landscape.
- (b) The highest point in the wider vicinity is Mount William, northeast of Pokeno across SH1 and State Highway 27 at 373m above sea level.
- (c) Land to the immediately west of Pokeno is characterised by rolling to steep gullies, slopes and ridgelines. This elevated land forms the rural backdrop to the town.
- (d) As a result of a process of masterplanning, private plan changes and re-zoning, Pokeno has seen significant urban growth, with both residential and industrial development having occurred and planned to continue with urban zoned land as of yet undeveloped.
- (e) Major infrastructure, including the SH1 and the North Island Main Trunk Line railway are located to the north / northeast of the site.
- (f) Existing industrial uses and activities form part of the established character of Pokeno anchoring the southern end of the township. Some of the buildings associated with these industrial landuses, including the Yashili dairy factory and Hynds factory, form prominent built features within the landscape, backdropped by the rural hills and strongly connected to Pokeno township.
- (g) There are no outstanding natural landscapes (**ONL**), features (**ONF**) or areas of outstanding / high natural character (**ONC / HNC**) within the

site or the wider area. The closest ONF to the site is the Whangamarino Wetland (ONF and RAMSAR site) located 7.5km to the south-east across SH1.

- (h) Mangatawhiri Wetland and Mangatawhiri River - Identified significant feature (6) in the Operative Plan lies 500m to the east (across SH1). The Waikato River is approximately 2.2km to the west, at its closest point, separated by a range of hills.

4.2 Summary of key characteristics and features of the wider 62 Bluff Road landholding and the Expansion Land include:

- (a) The topography of the full, 27.4ha, 62 Bluff Road landholding features a steeply incised gully oriented west east, rising up to a highpoint in the south at Bluff Road. The topography gradually flattens out to the north of the site into a low-lying flat area.
- (b) There are two areas identified as Significant Natural Areas (**SNA**) under the Proposed Plan. Area 1, which is located in the lower part of this catchment and adjacent to the Synlait and Hynds industrial plants to the north and farmland to the south, and Area 2 which has a pond and stream in the upper part of the catchment.
 - (i) SNA 1 is a large area comprising of introduced species such as reed sweetgrass and exotic trees along with a small number of rushes and sedges around the wet area. The only native wetland birds are Pukeko and the only fish species are native short-finned eel *Anguilla australis* and introduced mosquito fish *Gambusia affinis*. The evidence presented at Hearing 21a by Hynds' consultant ecologist identified that SNA 1 had little ecological value. It is understood that the evidence on behalf of WDC recommended this SNA is removed.
 - (ii) SNA 2 (southern) covers a farm pond and the small wetland at the head of the pond and a boulder stream that feeds the pond. The pond drains into the lower SNA 1. The riparian area along the lower stream has been cleared of gorse and other weedy vegetation and replanted in native species.

- (c) The proposed 4.27ha Expansion Land is located immediately adjacent to the Hynds Factory Site and adjacent to SH1;
- (d) Vegetation on the site consists of predominately exotic reed sweetgrass of low ecological quality. There are also some stands of grey and crack willow as well as areas of native vegetation. Hynds have commenced the ecological enhancement / landscape restoration of the land including planting significant areas of native revegetation in the upper areas of the site; and
- (e) As is explained in the evidence of Campbell McGregor on behalf of Hynds, the culvert pipe under SH1 is elevated above the immediate ground level upstream of the motorway corridor, which has resulted in an area of ponding on 62 Bluff Road, including on some of the Expansion Land.

The Pokeno Structure Plan and Pokeno Structure Plan Landscape Assessment 2008

4.3 The Landscape and Visual Assessment report prepared by Harrison Grierson (**HG**) landscape architects in 2008 is a supporting document accompanying the Pokeno Structure Plan. The Structure Plan aims to provide a framework for the planned urban growth of Pokeno Village while maintaining strong visual and physical connections to its rural setting.

4.4 The policies of the Pokeno Structure Plan require that subdivision and development be designed to maintain identified elements of the existing amenity values and character of Pokeno and its surroundings. Key elements identified to be maintained and where appropriate enhanced are:

- (a) The varied topography comprising areas of flat, rolling and steeper land;
- (b) Significant trees and vegetation; and
- (c) Significant visual elements: views of the rural backdrops (in particular Mt William and the surrounding ridgelines) from the town centre and residential areas; two identified knolls; and stream corridors.

- 4.5** The Structure Plan also identifies the need to provide a vegetated buffer on the margins of the Tanitewhiora Stream, the importance of views to Mt William, and the significance of the ridgelines and descending slopes from the Bluff Road ridgeline for the visual and physical enclosure and rural backdrop they provide to the planned settlement of Pokeno. The Pokeno Structure Plan identifies that to ensure the rural setting of Pokeno is protected, “all land at a level above 100m should be excluded from potential development due to its visual sensitivity to the wider audience”. The conclusions and guiding principles of the Pokeno Structure Plan are still relevant today from a landscape and visual perspective.
- 4.6** The HG landscape assessment, which informed the Structure Plan, identified the higher and sloped land on the Bluff Road ridgeline as an accommodating factor in locating the Industrial 2 and Light Industrial land in the basin floor area, providing as it does a visual and physical backdrop to the likely larger scaled buildings and industrial scaled activities of the industrial zones. The landscape character of the basin was assessed as being able to 'visually absorb' industrial scaled development in this southern part of Pokeno.

Viewing Audiences

- 4.7** The 4.27ha Expansion Land site has a highly public frontage to SH1 which forms the northern boundary of the site, adjoining and extending the existing Hynds factory frontage to the motorway corridor. Views of future industrial activity on the Expansion Land will be open and available from the north and east in particular. From many other locations the foreground landform, vegetation and development will screen views of or towards the site. In summary, the key public and potential private viewing audiences of the 4.27ha rezoning are as follows:
- (i) People using SH1, east of the site;
 - (ii) Residents at (certain) properties within the Hitchen Road subdivision, north-west of the site; and
 - (iii) People within Bluff Road, south of the site.

- 4.8** Viewing distances range from approximately 150 meters to approximately 2.5km. There will be very limited visibility of the Expansion Land from beyond 2.5-3km due to the localised landform.

Summary of Potential Landscape Effects

- 4.9** The proposal is to extend the land currently zoned Heavy Industrial by a further 4.27ha contiguous with the Hynds Factory Site. Pokeno has approximately 88ha of Industrial zoned land and the established Hynds site is 22ha in area. The 4.27ha of contiguous expansion will make a proportionally small change to the established landscape character of this southern part of Pokeno.

- 4.10** In my opinion, development which could occur as a result of the rezoning will generate the following potential landscape effects:

- (a) **Low** adverse effects on landscape character. The Industrial zoned land in the south of Pokeno will remain strongly backdropped by the rural hills and the use of the land as an extension to the established Hynds factory will not introduce new forms of industrial activity, providing instead for a small expansion to the existing activity.
- (b) **Low** and largely benign in relation to any vegetation removal required. The existing vegetation to be removed as part of any earthworks associated with the industrial expansion is of low ecological quality;
- (c) **Very Low** in relation to Earthworks – noting that some earthworks on the Expansion Land has already been consented. This is addressed further in the evidence of Sarah Nairn and Dharmesh Chima of TSC on behalf of Hynds.
- (d) **High** beneficial / positive effects in respect of the proposed enhancement / vegetation of the remainder of 62 Bluff Road which will retain its proposed Rural Zone.
- (e) **Low** and largely benign effect on the wider character surrounding the site to the west and south.

4.11 In summary, taking these factors together, I consider the adverse landscape effects of the proposed rezoning will be **Low**. I consider the site appropriate for industrial rezoning.

Summary of Potential Visual Effects

4.12 In my opinion, development that could occur as a result of the rezoning, relative to the key viewing audiences identified above, would generate the following potential visual effects:

(a) People using SH1 will experience transient views of the proposed development when in close proximity to the site. When seen the proposed industrial area will be observed as a small scale, logical extension to the existing industrial area within Pokeno. The effects of this change upon visual amenity for this viewing audience is **low** and largely benign.

(b) People within the Hitchen Road Subdivision and from Bluff Road will likely have views towards the site and future industrial development. The effects of the changes, upon the views and visual amenity of these viewing audiences will be **low to very low** and largely benign. With any expansion of the industrial area creating only a small extension to the established character and the established nature of their outlook to this part of Pokeno.

4.13 In summary taking into account the above matters I consider that the adverse visual effects of the proposed rezoning will be **low to very low** and largely benign. The proposed industrial rezoning will appear as a small and logical extension to the existing, well established, industrial area of Pokeno.

5. COMMENTS ON THE COUNCIL SECTION 42A REPORT

5.1 The WDC's s42A Framework Report does not address any of the rezoning requests specifically but instead sets out the WDC's best practice guidance for rezoning. Of particular relevance at Appendix 3, paragraph 22 the report provides guidance in that any changes to zone boundaries should take into account features of the site ('for example, where it is, what the land is like, what it is used for and what is already built there').

5.2 In my opinion the proposed rezoning is aligned with the outcomes sought by WDC. The physical attributes of the site, including the flat topography surrounded by higher ridge backdrop, and the contiguous nature of the land with like zoned / character landuse, lends this small additional area of land to industrial development. The rezoning of the site and its use for industrial activities as a direct expansion to Hynds' established facility will result in no loss of areas with high biodiversity nor high quality soils. Furthermore, the distance to any existing residential development makes the site suitable, and clearly logical for industrial development.

6. CONCLUSION

6.1 In conclusion, it is my opinion that the rezoning of the proposed 4.27ha site at 62 Bluff Road is appropriate from a landscape and visual effects perspective.

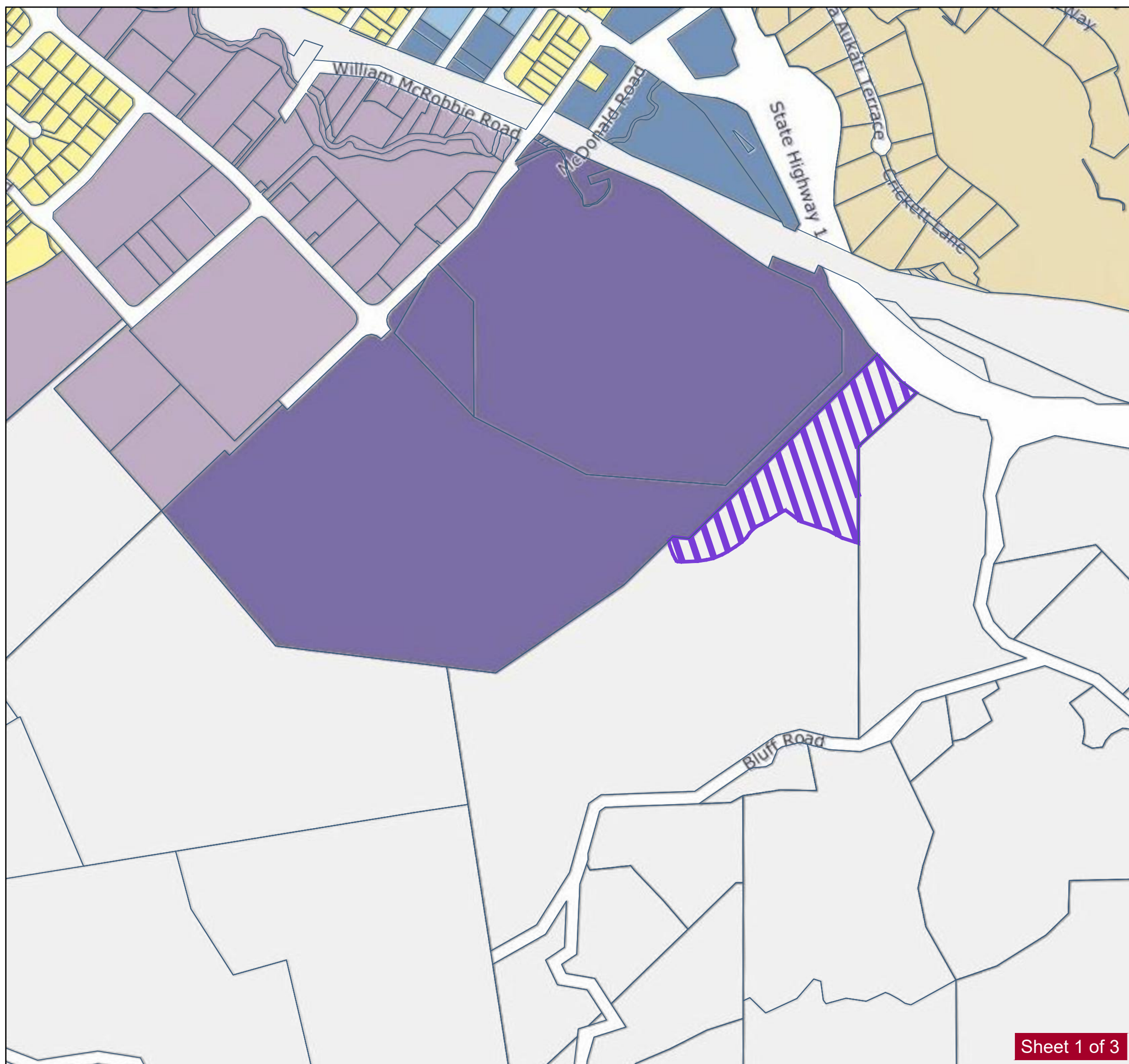
6.2 I consider the landscape and visual effects resulting from the rezoning will be **low to very low** / benign. Furthermore, significant **positive** landscape effects will result from Hynds' proposed management of the remaining portion of Rural zoned land with revegetation of a large portion of the residual 23.53ha, ecological rehabilitation of the boulder stream, and establishment of a sculpture park facility accessible to workers and the community.

6.3 The 4.27ha industrial Expansion Land will appear as a small scale, contiguous expansion to the existing industrial area and will make a proportionally small change to the established landscape character of this southern part of Pokeno.

Rachel Virginia de Lambert

17 February 2021

Attachment 1: map of the Hynds Site and proposed area for inclusion in the Heavy Industrial Zone



PROPOSED HEAVY INDUSTRIAL ZONE

- Residential
- Rangitahi Peninsula
- Village
- Country Living
- Rural
- Business
- Business Town Centre
- Business Tamahere
- Industrial
- Heavy Industrial
- Reserve

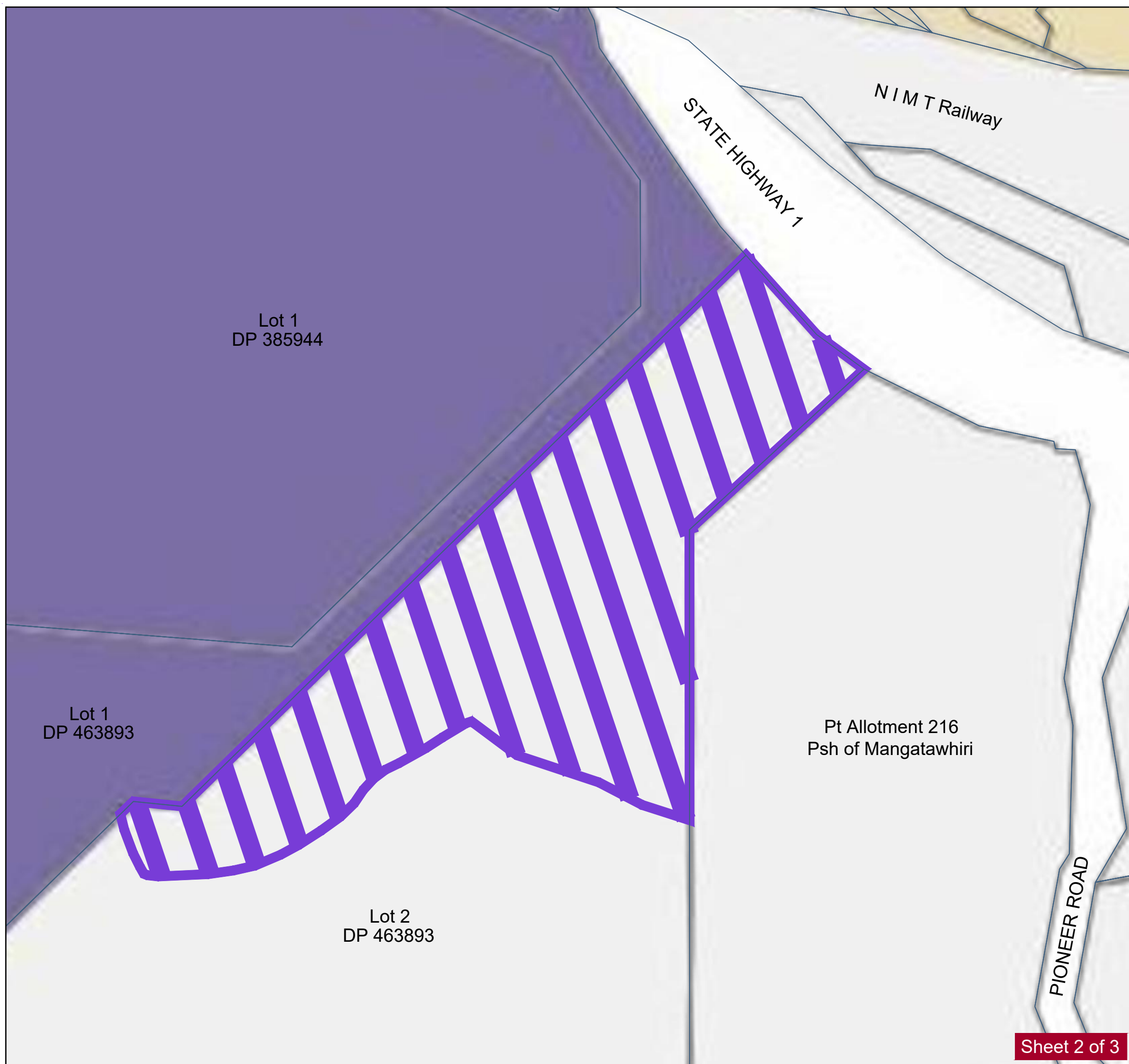
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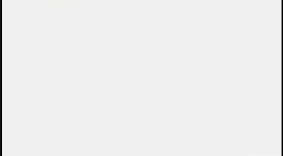
C			
B			
	Amendments	Name	Date
		Name	Date
Surveyed		Alex White	02/20
Designed			
Drawn		French	10/20
Checked			
Approved			

ZONE PLAN

Client
HYNDS GROUP

Project J549	Drawing J549-ZONE PLAN
Cad Ref. File J549-ZONE PLAN	Council Ref: S
Scale (A3 Original) 1:6000	Amendment C



	HEAVY INDUSTRIAL ZONE
	PROPOSED HEAVY INDUSTRIAL ZONE 4.27ha
	PROPOSED RURAL ZONE

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	Drawn	French	10/20
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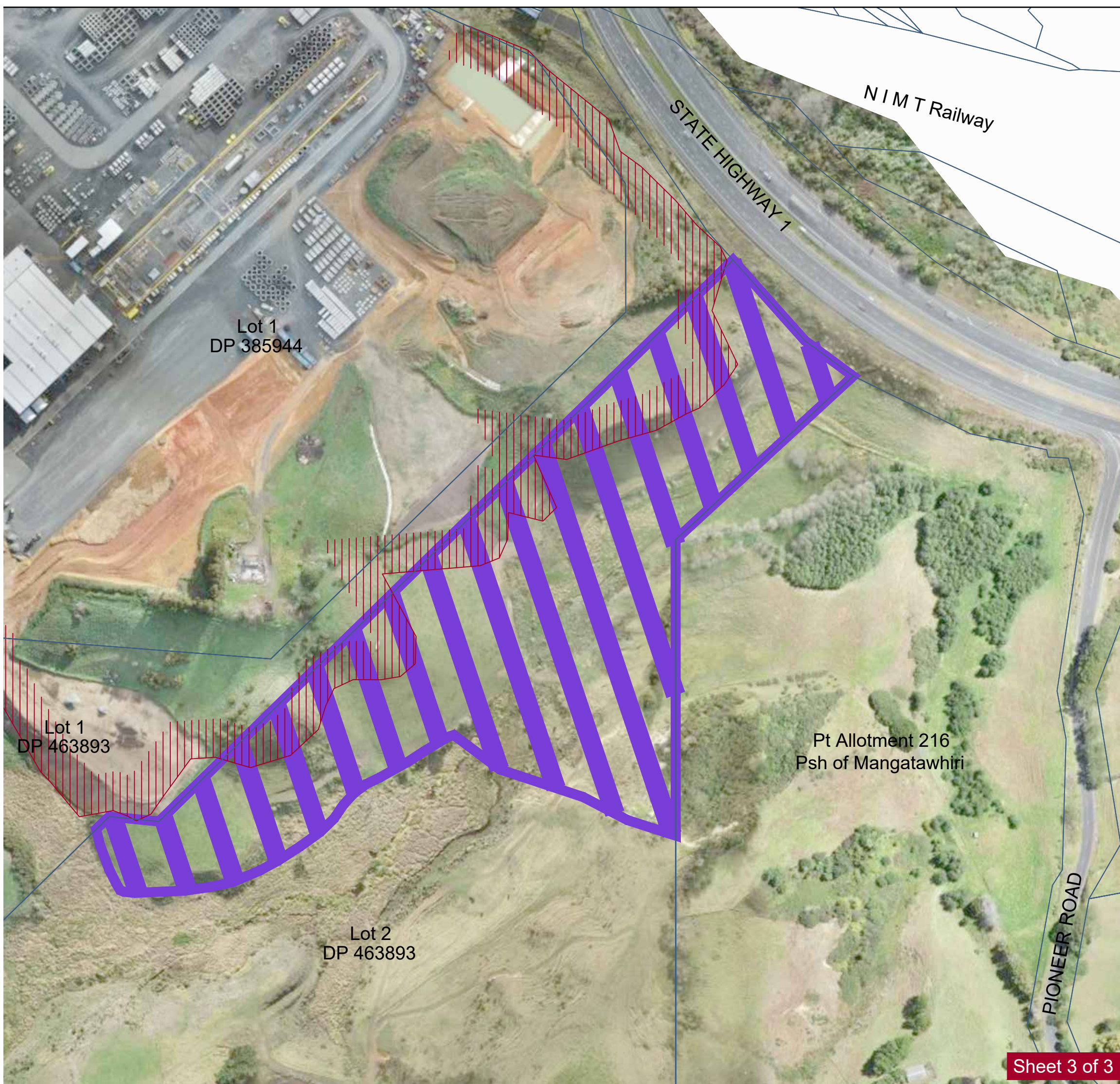
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ZONE PLAN

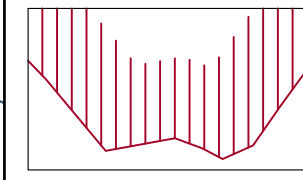
Client

HYNDS GROUP

Sheet 1 of 1	
Project J549	Drawing J549-ZONE PLAN
Cad Ref. File J549-ZONE PLAN	Council Ref: S
Scale (A3 Original) 1:2000	Amendment C



PROPOSED HEAVY INDUSTRIAL ZONE
4.27ha



CONSENTED EARTHWORKS AREA (WRC)

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C			
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	Amendments	Name	Date
		Name	Date
Surveyed		Alex White	02/20
Designed			
Drawn		French	10/20
Checked			
Approved			

ZONE PLAN WITH AERIAL OVERLAY

Client
HYNDS GROUP

Project	J549	Drawing	J549-ZONE PLAN
Cad Ref. File	J549-ZONE PLAN	Council Ref:	S
Scale (A3 Original)	1:2000	Amendment	C

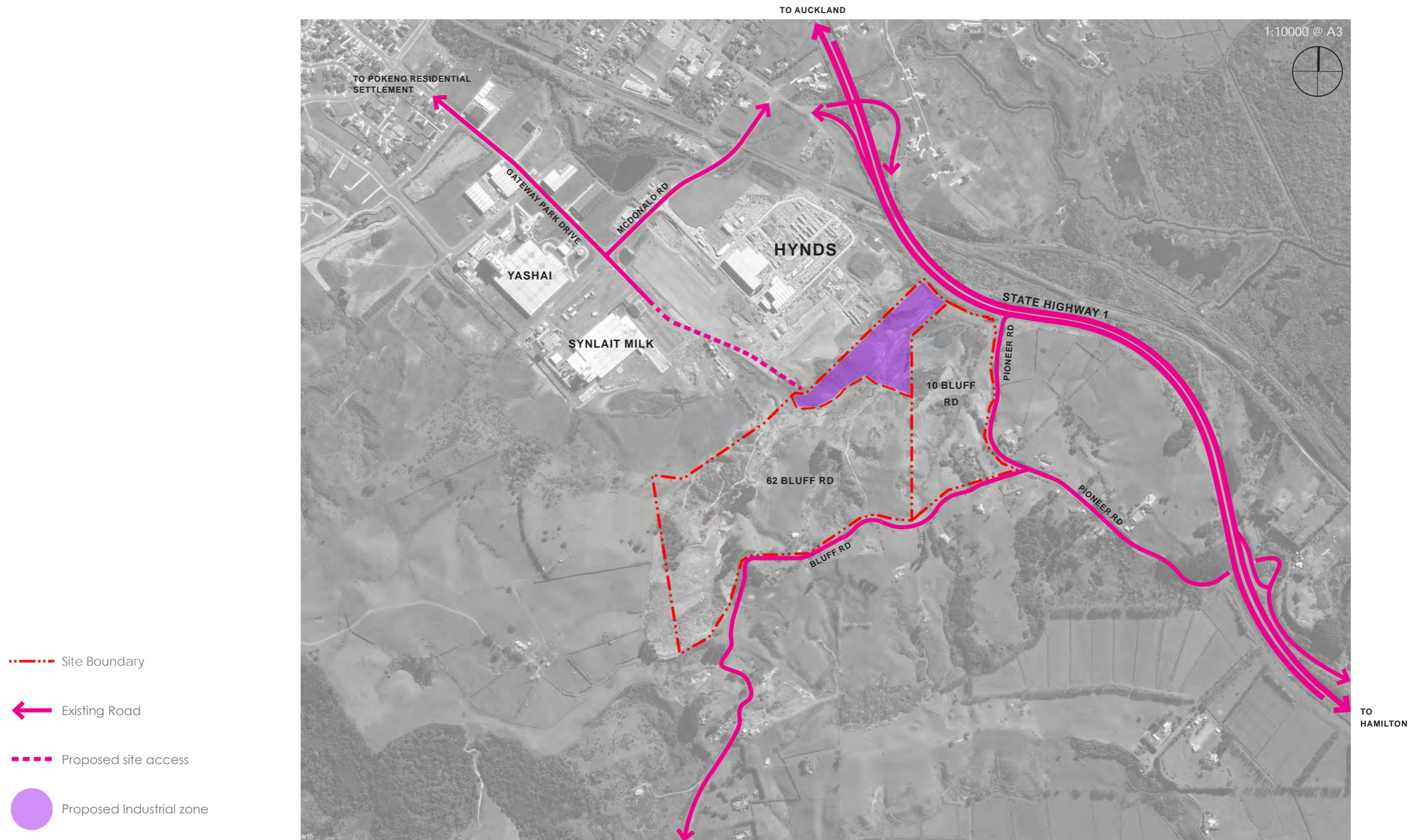
Attachment 2: Concept Plans

ATTACHMENT 2













TO THE EVIDENCE OF RACHEL DE LAMBERT 17.02.2021

**POKENO ECOLOGICAL RESERVE & SCULPTURE PARK
INDICATIVE DESIGN CONCEPT**

SITE CONTEXT



INDICATIVE DESIGN CONCEPT

-  Viewpoint locations
-  Site access
-  Possible sculpture location
-  Existing NZAA site
-  Footpath
-  Boardwalk
-  Native buffer planting
-  Native forest planting
-  Grass open space
-  Riparian/wetland planting
-  Pond
-  Proposed Industrial zone



VIEWPOINT A EXISTING



VIEWPOINT A PROPOSED



VIEWPOINT B EXISTING



VIEWPOINT B PROPOSED



VIEWPOINT C EXISTING



VIEWPOINT C PROPOSED



VIEWPOINT D EXISTING



VIEWPOINT D PROPOSED



About Boffa Miskell

Boffa Miskell is a leading New Zealand professional services consultancy with offices in Auckland, Hamilton, Tauranga, Wellington, Christchurch, Dunedin and Queenstown. We work with a wide range of local and international private and public sector clients in the areas of planning, urban design, landscape architecture, landscape planning, ecology, biosecurity, cultural heritage, graphics and mapping. Over the past four decades we have built a reputation for professionalism, innovation and excellence. During this time we have been associated with a significant number of projects that have shaped New Zealand's environment.

www.boffamiskell.co.nz

Auckland 09 358 2526 **Hamilton** 07 960 0006 **Tauranga** 07 571 5511 **Wellington** 04 385 9315 **Christchurch** 03 366 8891 **Queenstown** 03 441 1670 **Dunedin** 03 470 0460