

**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 SUMMARY OF RACHEL VIRGINIA DE LAMBERT

VISUAL AND LANDSCAPE

12 May 2021

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1. INTRODUCTION

1.1 My full name is Rachel Virginia de Lambert. I am a Landscape Architect and Partner of Boffa Miskell Limited (**Boffa Miskell**).

1.2 I have prepared three statements of evidence on behalf Hynds Pipe Systems Limited and the Hynds Foundation (together, **Hynds**) and Pokeno Village Holdings Limited (**PVHL**) in relation to their submissions/further submissions on the Proposed Waikato District Plan (**Proposed Plan**):

(a) In my statement of evidence dated 17 February 2021 I assessed the landscape and visual effects of 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;

(b) In my statement of evidence dated 17 March 2021, which I prepared on behalf of Hynds and PVHL, I addressed the appropriateness of the expansion of Pokeno from a landscape and visual perspective, and considered the potential reverse sensitivity issues arising from the zoning of residential land on the hills that provide the rural backdrop to Pokeno; and

(c) In my rebuttal evidence dated 4 May 2021, again on behalf of Hynds and PVHL, I addressed the landscape and visual matters arising from the s42A report.

1.3 This statement provides a summary of this evidence, and also comments on the rebuttal evidence filed by Havelock Village Limited (**HVL**).

2. SUMMARY OF EVIDENCE

Evidence in support of Hynds' rezoning request

2.1 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.

2.2 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.

- 2.3** The 4.27ha industrial expansion 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.

Evidence regarding other submitters' rezoning requests

- 2.4** In my statement of evidence dated 17 March 2021 on behalf of Hynds and PVHL I set out how the growth of Pokeno has been informed by comprehensive structure planning that sought landscape protection as well as urban growth outcomes.

- 2.5** 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 complementary range of opportunities for 'live, work and play'¹. A key urban containment principle, informed by landscape analysis, cultural values, and reverse sensitivity considerations was the retention of the rural backdrop to the south and west of Pokeno, this included the identification of RL100 as the ultimate limit to urban activities in those locations where expansion of urban residential activities into the hill backdrop was deemed appropriate. The Pokeno Structure Plan clearly expressed this vision for Pokeno stating: "all land at a level above 100m should be excluded from potential development due to its visual sensitivity to the wider audience"².

- 2.6** That structure planning also strategically located a significant area of light and heavy industrial zoned land to the south of the village, physically separated from residential land and buffered to the west and south by rural / Aggregate Extraction and Processing (**AEP**) zoned land.

- 2.7** In my opinion, submissions on the Proposed Plan seeking additional greenfield residential land to be zoned that will undermine key concepts of the original structure planning for Pokeno and its resultant and highly desirable, rural village character and amenity. A number of submitters have proposed

¹ MFE 'Creating Great Places to Live Work and Play' June 2020, ME# 446.

² Structure Plan Document, October 2008, Section 7.3.2.

residential zoning that extends onto higher land that defines the rural backdrop and visual containment of Pokeno to the west / northwest. The retention of a rural backdrop and protection of the ridgelines and land above RL100 from urban development was a key tenant in the overall spatial structure planning for Pokeno. Mr Mead³ acknowledges the Pokeno Structure Planning process and the identification of a rural backdrop to Pokeno – the ridgelines and landform above RL100 – in his s42A report and states that he holds similar views in respect of the value of retaining a rural landscape setting.

2.8 In his rebuttal evidence dated 3 May 2021 Mr Munro for HVL does not consider the RL100 constraint to be relevant in resource management terms⁴ and advocates for wholesale development. I accept some land above RL100 is technically feasible for development and I appreciate that the NPS-UD seeks urban consolidation. However, I also consider urban growth should bring with it towns and places that retain distinctive character and amenity and avoid maximised development outcomes that have poor local character and low levels of distinctiveness. In this respect I consider many towns and cities with a quality amenity adopt a protected green-belt approach to defining development. In Pokeno's case the original urban intensification structure planning set an important growth principal – setting aside the land above RL100 for the retention of a locally responsive rural backdrop and respecting the cultural values of the landscape. I do not consider this is simply something that should be cast aside at the next phase of the town's growth because it is inconvenient to landowners. I do not consider such land needs to achieve the high bar of ONL / ONF status for its amenity and contribution to quality urban form and distinctiveness to be achieved.

2.9 Mr Munro suggests that future growth on the eastern side of SH1 is contrary to what is sought by the NPS-UD, RPS and PDP however, in time I consider this outcome is very likely and is in fact what is supported as an urban greenfield growth outcome in both of Auckland's core greenfield growth areas – in the south at Drury / Auranga / Paerata / Pukekohe and the north at Warkworth.

Pokeno West Limited

2.10 The Pokeno West development includes land above RL100. As I have noted above I consider that the RL100 limit to urban development should be retained for Pokeno to assist in retaining a rural backdrop thereby maintaining the

³ Zone Extents Pokeno s42A report para 241

⁴ Rebuttal Evidence of Ian Colin Munro, 3 May 2021, paragraph 4.3

distinctive local character and identity of the settlement and protecting the cultural values associated with the ridgeline landforms. In my opinion the land that would sit above the RL100 contour should be retained in a rural, not urban, zone.

CSL Trust and Top End Properties

- 2.11** This submitter sought Residential and Countryside Living zoning for its land in the north-west of Pokeno. Again, I do not support this submitters' proposal to rezone land for Residential above the RL100 line, as accepted in the s42A report, for the reasons I have outlined above.
- 2.12** I support the s42A report's recommendations to reject the component of this submission which seeks the rezoning of the steeper land above the 100m contour to Countryside Living zone. In my opinion any development above the RL100 line in this location would generate adverse landscape effects in respect of the landscape character and identity of Pokeno.

Havelock Village proposal

- 2.13** In my opinion the proposed Havelock Village development is likely to significantly impact on Pokeno's regionally significant industrial land resource. The existing strategic heavy industrial development and the considerable investment in those industrial activities require protection from reverse sensitivity effects arising from inappropriately located, more sensitive forms of land use, particularly suburban residential activities, adjacent to and directly overlooking the Pokeno industrial area.
- 2.14** In my opinion, given the nature of the landform the east and some north facing components of the proposed Havelock Village would have direct views over the industrial zoned land including the 22ha Hynds industrial site with no potential for Hynds to screen or otherwise buffer itself from such residential overlooking.
- 2.15** A new residential community such as that proposed within the Havelock Village development, specifically that component that has the potential to directly overlook the industrial zoned land will, in my opinion, become sensitive to the nature of their neighbouring activities. Complaints will undoubtedly result, and at any time future consents are sought or expansion proposed opposition from the residential neighbours will inevitably follow. Those reverse

sensitivity effects have, in my opinion, not been appropriately considered or addressed in the evidence provided.

2.16 My rebuttal evidence dated 4 May 2021 attached a plan showing a refined proposed boundary for a 'no-build' industrial buffer. It comprises a further small area on the eastern side of Transmission Hill (in the area identified in the s42A report for a possible buffer extension) and an area to the north-west of this in the basin that overlooks the Heavy Industrial zoned land. The exclusion of these two additional buffer areas from any form of residential development, cumulatively with the buffer identified by Havelock Village, would in my opinion adequately address the potential reverse sensitivity matters from a landscape / visual perspective.

3. RESPONSE TO REBUTTAL EVIDENCE OF IAN MUNRO

3.1 I consider Mr Munro⁵ fails to appreciate the very real distinction between heavy industrial activities and those of the more benign light industry or activities of a mixed use nature which I agree can, with good management and appropriate forms of mitigation, interface more directly without substantive adverse landscape or visual reverse sensitivity effects. I remain strongly of the opinion that the particular nature of parts of the HVL land – its elevation and direct aspect overlooking of directly adjoining heavy industrial land make urban residential development in that part of the HVL site entirely inappropriate. I encourage the commissioners to visit this land in person to experience this interface.

3.2 I disagree with Mr Munro that the elevated relationship of the HVL land to the heavy industry zoned area including Synlait and Hynds makes this land less susceptible to visual amenity related reverse sensitivity effects than those locations where the interface is on land with the same or a similar level topographically⁶. I acknowledge Mr Munro's extensive Urban Design experience but with respect I consider there is a difference of approach between our Urban Design and Landscape Architectural perspectives. Having undertaken numerous assessments of landscape and visual effects and been involved in the design of many such projects over the years it is my experience that the ability to mitigate potential effects and reduce or avoid adverse landscape and visual reverse sensitivity outcomes is much more difficult where there is an elevated overlooking condition such as exists in the south of

⁵ Rebuttal Evidence of Ian Colin Munro, 3 May 2021, paragraph 1.5

⁶ Rebuttal Evidence of Ian Colin Munro, 3 May 2021, paragraph 5.4 (c)

Pokeno. As noted in my evidence in chief this is not only because elevated views give a much greater ability to observe the nature and scale of the heavy industrial operation (as illustrated in the photographs attached to my rebuttal evidence) but also because legally consented aspects of heavy industry such as air discharges would be very much in the forefront of people's views and likely to exacerbate the perception of adverse effects. I consider it would be a very poor planning outcome to enable residential development with this condition of direct overlooking. Furthermore, I note the small reduction in dwelling numbers Mr Munro identifies in the additional buffer area identified by Mr Mead (no more than 5 dwellings⁷) and consider the impact on the overall HVL development of the proposed heavy industry buffer areas to be relatively small with significant benefit to the long term operation of Pokeno's well established heavy industry activities.

3.3 Mr Munro lists a number of situations where night time lighting exists in urban situations⁸, however in my experience most of those – such as supermarket car parks, floodlit stadiums and playing fields / hockey courts or schools and even LED billboards have reduced light requirements 'after hours'. This is not the case for Hynds who operate a 24 / 7 heavy industrial operation. I think it is very likely any future resident that has the potential to look down onto and / or over this legally consented operation will consider they are adversely affected. This is an outcome I consider good planning should **avoid** through appropriate zoning in the PWDP.

3.4 I agree with Mr Munro that in general urban environments and people can and should cope with more mixed-use urban environments and that spatial separation of activities through zoning, as has occurred in the past⁹, is not the way of the future. However, I consider heavy industry to be the one important exception to this generalisation. The incompatibility of heavy industry with urban residential activities is in my opinion well demonstrated by the migration of such activities from urban regeneration areas such as Onehunga. In this respect I consider that heavy industry activities should be enabled to sustain their legally established operations without the encroachment of urban activities and the conflicts that such interfaces will inevitably create.

3.5 Much of Mr Munro's analysis and conclusions as to effects¹⁰ seems to be based around the potential for future tall, industrial scaled buildings and an

⁷ Rebuttal Evidence of Ian Colin Munro, 3 May 2021, paragraph 5.4 (b)

⁸ Rebuttal Evidence of Ian Colin Munro, 3 May 2021, paragraph 5.4 (e) (i) to (iv)

⁹ Rebuttal Evidence of Ian Colin Munro, 3 May 2021, paragraph 5.4 (f)

¹⁰ Rebuttal Evidence of Ian Colin Munro, 3 May 2021, paragraphs 5.7 (a) – (h)

ability to visually screen to mitigate their potential effects. However, in landscape and visual terms I consider observation of activities and aspects such as air discharges to be of greater potential concern to future residents who may overlook the heavy industry. I also consider it unlikely that people will wish to fence off and plant out their northern outlook to screen views as Mr Munro suggests.

- 3.6** The evidence of Mr Pryor and that of Sir William Birch for Pokeno West, CSL and Top End Properties in respect of RL100 reinforces that of Mr Munro. However, it also, helpfully in my opinion, suggests the introduction of an EPA mechanism as an outcome for the future management of the more elevated rural backdrop to Pokeno. Sir William notes,¹¹ ‘the land has limited value for rural production because of its steep topography and important ecological features’. An approach to management that includes significant landscape enhancement, revegetation of the steeper land and the creation of ecological and visual connectivity between areas of remnant native vegetation could, in my opinion, lead to securing an evident rural back drop with very low levels of rural living and significantly enhanced ecological and landscape protection outcomes. However, the attachment to Sir William’s evidence – taking a single property extent and without aerial underlay makes it difficult to determine what benefits could accrue from the specific EPA areas identified. The plan put forward appears not to include significant areas of steeper lands within the EPA nor to establish a well-connected network of ecological corridors connecting and strengthening existing remnant features. I consider this approach has merit in landscape terms but requires a comprehensive analysis in both ecological and landscape terms to be appropriately applied.

Rachel Virginia de Lambert

12 May 2021

¹¹ Rebuttal Evidence of Sir William Birch dated 3 May paragraph 11