

IN THE MATTER OF

The Resource Management Act
1991

AND

IN THE MATTER OF

Variation 1 – Ruakura – to the
Proposed Hamilton City District Plan

REBUTTAL EVIDENCE OF GAVIN CRAIG LISTER
(LANDSCAPE AND URBAN DESIGN)

ON BEHALF OF
HAMILTON CITY COUNCIL

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1 INTRODUCTION

Qualifications and Experience

- 1.1 My full name is Gavin Craig Lister. I am a founding director of Isthmus; a practice specialising in landscape architecture, urban design and architecture. I have qualifications in landscape architecture and urban design. I am a Fellow of the New Zealand Institute of Landscape Architects and a member of the Urban Design Forum.
- 1.2 I have 28 years' experience throughout New Zealand in a range of project types including commercial developments, housing, infrastructure, industrial development, parks, streets and public places.
- 1.3 Further details of my qualifications and experience are set out in Appendix 1.

Background

- 1.4 I was commissioned by Hamilton City Council in 2014 to provide evidence to the Board of Inquiry into the Ruakura Private Plan Change. I was then engaged in 2015 to provide advice on appropriate landscape buffers with respect of the proposed Variation. (Ruakura Variation to Hamilton Proposed District Plan, Percival Road Interface, Isthmus, 1 October 2015). I was subsequently engaged in 2016 to provide advice on matters raised in submissions (Ruakura Variation to Hamilton Proposed District Plan, Consolidated Report, Isthmus, 6 July 2016).
- 1.5 I note that other colleagues in my practice have also provided design advice to the Chedworth Properties with respect of the Greenhills development, and to Tainui Group Holdings with respect of housing developments at Rotokauri.

Code of Conduct

- 1.6 I confirm that I have read the Code of Conduct for Expert Witnesses contained in the Environment Court Practice Note 2014. I have prepared my evidence in compliance with that Code in the same way as I would if giving evidence in the Environment Court. In particular, unless I state otherwise, this evidence is within my sphere of expertise and I have not omitted to consider material facts known to me that might alter or detract from the opinions I express.

2 SCOPE OF EVIDENCE

- 2.1 My evidence covers the following:
 - a) A brief summary of the content of my earlier 'consolidated report' which addresses matters raised in submissions with respect of landscape buffers, and development controls for medium density housing;
 - b) A response to Mr Goodwin's evidence with respect of the landscape buffer; and

- c) A response to Mr Hall's evidence with respect of development controls for medium density housing.

3 CONSOLIDATED REPORT SUMMARY

3.1 I confirm the contents of my report on recommended buffer between the Percival / Ryburn Road enclave and adjacent industrial zoned land,¹ and my consolidated report which provides advice on landscape and urban design topics raised in submissions.² In summary:

- a) The proposed buffer adjacent to Percival Road relies on a combination of elements – namely maintaining the existing plane trees and character of Percival Road itself, precluding access to the industrial area from Percival Road, a 12m high dense hedge behind the plane trees, and additional planting beneath the plane trees. In this circumstance there would be little benefit in increasing the width of planted area from 20m to 40m. However, reducing the buffer from 20m to 10m would be acceptable in conjunction with the combination of other elements.
- b) The Board of Inquiry considered at length the buffer between the enclave and the inland port. No further analysis or reasons were given to justify going beyond the provisions included in the decision. Similarly, I consider it would be unwise to deviate from the provisions set out in the Board's decision unless it was demonstrated there would be no increase in adverse visual effects. The proposed revisions to the planting would have potentially greater adverse effects.
- c) The buffer between the Industrial Park Zone and the existing Fairview Downs residential area is adequate to maintain the amenity of the latter. The buffer comprises a combination of separation distance (some 70m between the zones), an intervening Ruakura Open Space Zone, and the design control of the nearest buildings in the Industrial Park zone by way of the Interface Design Control.
- d) I consider a design review process is desirable to maintain amenity for medium density housing on lots less than 400m², as provided for in the Board of Inquiry decision which would achieve such review by way of restricted discretionary consents. However, I provided additional development controls to maintain amenity should Council be of a mind to provide for stand-alone houses on lots less than 400m² as a permitted activity.

4 RESPONSE TO MR GOODWIN'S EVIDENCE

Percival Road Buffer

4.1 Mr Goodwin says that, because the Percival Road / Ryburn Road enclave surroundings are to be developed for industrial activities, it *"will not be possible to maintain the same level of*

¹ Ruakura Variation to Hamilton Proposed District Plan, Percival Road Interface, Isthmus, 1 October 2015

² Ruakura Variation to Hamilton Proposed District Plan, Consolidated Report, Isthmus, 6 July 2016

landscape character, open space outlook and therefore visual amenity” (paragraph 5.2) and that “what is important is to mitigate the adverse effects of the proposed development to provide for a good level of continuing amenity taking into account the changing nature of the local landscape.” (paragraph 5.3)

- 4.2 I agree that it will not be possible to maintain exactly the same character as currently exists. I consider the sensible goal of the proposed buffer is to maintain an appropriate level of amenity in the context of the industrial activities for which the surrounding land is to be zoned and the rural residential nature of the enclave – until such time as the zoning of the enclave is changed.

Amended Figure 2-17

- 4.3 The Board of Inquiry decision included buffer provisions depicted on Figure 2-17 between the Percival Road / Ryburn Road enclave and the inland port. Tainui Group Holdings seek to amend Figure 2-17 to take account of revised staging intentions for the inland port. Mr Goodwin says he considers the changes proposed *“will still maintain an effective screen and provide mitigation in both the early and latter ongoing stages of development.”* (paragraph 7.4).
- 4.4 Mr Goodwin does not demonstrate that the changes would provide at least as effective a screen as provided for by the Board of Inquiry decision. Without such evidence I consider it would be unwise to deviate from the Board’s provisions for the reasons given in paragraph 4.6 of my consolidated report.

5 RESPONSE TO MR HALL’S EVIDENCE

Development standards

- 5.1 Mr Hall supports the proposed reduction in the threshold for permitted activity status for stand-alone houses from 400m² to 250m², but does not support some of the proposed additional development standards proposed in conjunction. He says there is no s32 analysis or reasons given for why different development standards are proposed. He says by way of example that no justification is given for why the proposed 8m maximum height standard should differ from the 10m height otherwise allowed in the zone.
- 5.2 The reasons for the development standards are set out in paragraph 6.9 of my consolidated report. Specifically, the 8m height is recommended in conjunction with the removal of height-in-relation-to-boundary (HIRTB) controls. Mr Hall appears to accept removal of the HIRTB control but not the associated height standard. This amounts to picking and choosing standards rather than considering them as a whole.
- 5.3 By way of background, I consider it preferable for medium density housing to be subject to design review as set out in paragraphs 6.4 to 6.7 of my report. The Board of Inquiry decision was that such design matters should be considered by way of restricted discretionary activity status for lots less than 400m². Notwithstanding my opinion, I provided development

standards that might be applied to stand-alone houses on sites less than 400m² as a means of achieving amenity in the absence of a design review process.

Duplex dwellings

- 5.4 Mr Hall proposes that duplexes should be permitted activities above a 300m² minimum lot size, rather than the proposed restricted discretionary status. By way of support he provides examples of duplex dwellings designed by Crosson Architects for the Greenhills subdivision.
- 5.5 I agree that duplex configurations can be successful, particularly where they are part of a mix of typologies. Those designed by Crosson Architects are very good examples and are part of a streetscape that has had the benefit of an internal design review process.
- 5.6 However, my advice is that Council is unable to give weight to internal design review processes unless it is part of an RMA process. Rather, Council is bound to contemplate developments that are less well designed and by parties other than the current submitters. Therefore I remain of the view that it is preferable to review design of duplexes, and other medium density typologies, for the reasons set out in paragraph 6.11 of my report.

Gavin Lister
22 July 2016



APPENDIX ONE: RELEVANT EXPERIENCE

- 1 Gavin Lister is a founder of Isthmus, a specialist urban design, architecture and landscape architecture practice that operates throughout New Zealand.
- 2 Gavin is qualified in urban design and landscape architecture. His qualifications include a Bachelor of Arts (Auckland University), Post-graduate Diploma in Landscape Architecture (Lincoln College), and Masters of Urban Design (Sydney University). He is a Fellow of the New Zealand Institute of Landscape Architects and a member of the Urban Design Forum.
- 3 Gavin has 28 years' professional experience throughout New Zealand in a range of project types including infrastructure and energy projects, housing and land development masterplanning, public places and streetscape design, and guidelines and policy work. He took part in the master-planning of Hobsonville Point development, prepared the urban design controls for the 'Vinegar Lane' proposed development in Ponsonby, and the design controls for the Airport North Zone (logistics) at Auckland International Airport. He is a member of Auckland Councils Urban Design Panel. Infrastructure projects include the North Island Grid Upgrade Project; Roads of National Significance including Transmission Gully, Puhoi to Warkworth, Otaki to Levin, and the Alternative Waitemata Harbour Crossing; energy projects including the Hauauru ma Raki, Waitahora and Waverley wind farms, Tauhara geothermal power station, and Huntly e3p plant; and the northern runway for Auckland International Airport.
- 4 Gavin is a specialist in resource management processes, including assessing the effects of projects on urban and rural environments. He has prepared guidelines for carrying out landscape, visual and urban design assessments. He regularly provides evidence to Council Hearings, Environment Court and Boards of Inquiry. He has also completed the Ministry of the Environment accreditation process for commissioners and is a member of Auckland Council's Panel of Independent Commissioners.
- 5 Gavin has worked for applicants and opponents of projects, provided peer reviews and advice to consenting authorities, and acted on design panels. He therefore maintains perspective on different roles in the development process.
- 6 With respect of the Ruakura Structure Plan area, Gavin provided urban design and landscape advice with respect to the Proposed Plan Change in 2014 and evidence on behalf of Hamilton City Council to the Board of Inquiry. In 2015 he prepared the report 'Ruakura Variation to the Hamilton Proposed District Plan, Percival Road Interface' which recommended interface provisions.