

IN THE MATTER

of the Resource Management Act
1991

AND

IN THE MATTER

of a Hearing to consider Variation 1 –
Ruakura to the Hamilton City Council
Proposed District Plan

**Statement of Evidence of John Lewis Goodwin on
behalf of Tainui Group Holdings Ltd**

15 July 2016

1.0 QUALIFICATIONS AND EXPERTISE

- 1.1 My name is John Lewis Goodwin. I am a landscape architect and Director at Boffa Miskell Limited, a national firm of consulting planners, ecologists and landscape architects. I hold the qualifications of Bachelor of Social Science and a post-graduate diploma in Landscape Architecture. I am a fellow and registered member of the New Zealand Institute of Landscape Architects and have practiced as a landscape architect for over 30 years.
- 1.2 During this period I have undertaken a number of landscape and visual assessments, working throughout the upper North Island in rural, urban and coastal environments. These assessments have included a number of Landscape Assessments for Regional and District Councils, including assessments of the Coastal Environment. These resource based assessments have identified components of natural character and outstanding natural features and landscapes, as well as evaluating the existing visual quality of the landscape resource and visual sensitivity in relation to a range of potential activities.
- 1.3 Over this period I have also been involved in a range of development projects, including assisting with the preparation of natural character, landscape and visual assessments for Plan Changes, Notices of Requirements and Designations. Many of these have led to me being involved in Council, Environment Court and/or Board of Inquiry Hearings. In 1996 I was involved in developing the master plan and landscape framework for the Smales Farm Technology Office Park in Takapuna. Since that time I have continued to provide advice to the Smales Family on the landscape development of this high quality mixed use development. Also in the 1990's I provided landscape advice to the consortium of owners of the Waiouru Peninsula in Auckland in relation to the protection and management of the existing landscape features and the incorporation of these into a structure plan for the area which has now been developed into the Highbrook Business Park.

- 1.4 With respect to the proposed Ruakura development during the 5 or so years that Boffa Miskell have been involved in assisting Tainui Group Holdings Ltd and Chedworth Properties Ltd, I have provided landscape advice and input into the layout, site planning and design of the various activities for the Ruakura Structure Plan Area (also known as the R1 Area), which includes the variation area. I also provided landscape evidence at the Board of Inquiry in 2014. My involvement has included a number of site visits as well as a study tour to Sydney in March 2010 to visit examples of Inland Ports and Logistics Centres and to meet with representatives managing these facilities. I have also been involved in specific meetings with the Hamilton City Council and the University of Waikato in relation to the landscape and urban design aspects of the proposed development over this period.
- 1.5 In 2013 / 2014 I assisted TGH and Chedworth Properties in the Board of Inquiry process which culminated in the presentation of evidence and preparation of an agreed set of landscape and urban design conditions for the Ruakura Development Plan Change.

2.0 CODE OF CONDUCT

- 2.1 I have read the Code of Conduct for expert witnesses in the Environment Court Practice Note. I agree to comply with this Code. The evidence in my statement is within my area of expertise, except where I state that I am relying on the evidence of another person. I have not omitted to consider material facts known to me that might alter or detract from the opinions I express.

3.0 SCOPE OF EVIDENCE

- 3.1 My evidence specifically relates to those aspects of the Tainui Group Holdings Ltd (TGHL) submission on the Proposed Ruakura Variation 1 to the Hamilton Proposed District Plan. Specific mention of the provisions and recommended changes are outlined within the planning evidence of Peter Hall, however for the purposes of the structure of my evidence, I address the following:

- The Ruakura Context – a brief summary of the landscape context with a particular focus on the Percival-Ryburn Road area.
- Managing Effects on the Percival-Ryburn Road residential enclave with specific reference to:
 - Residential zone Objective 4.2.10 and policies 4.2.10d and 4.2.10e.
- The Percival-Ryburn Road Screen Planting (Specific Ruakura Logistics Zone and Ruakura Industrial Park Zone Development Standards) with reference to:
 - Rule 10.5.4 Landscape Screening in Ruakura Logistics zone
 - Rule 11.5.3 Landscape Screening in Ruakura Industrial Park Zone
 - Appendix 2 Figure 2-17
- General support for landscape provisions within the Variation.
- Conclusions.

3.2 As part of the preparation of my evidence, I have read the Ruakura Variation to Hamilton Proposed District Plan – Consolidated Report Landscape and Urban Design Topics dated 2 July 2016¹, prepared by Gavin Lister of Isthmus. I comment on this report throughout my evidence.

4.0 RUAKURA CONTEXT

4.1 The Ruakura Plan Change, which was approved through a Board of Inquiry in 2014, is a comprehensive land use change on the eastern limits of the existing urban area in Hamilton. Primary land uses include an inland port, industrial park, logistics area and residential

¹ Provided as Appendix D to the Evidence of Murray Kivell on Chapter 3.7 Structure Plans - Ruakura

suburb as well as open space, public reserve areas and access corridors for vehicles, cyclists and pedestrians. Adjacent to the Plan Change is a residential enclave boarded by the future Waikato Expressway to the east, Ryburn Road to the south and Percival Road to the west and north. Whilst this area fell outside the Plan Change area covered by the BOI, it is part of the wider Structure Plan Area which is the subject of this Variation.

Percival-Ryburn Road Residential Enclave

- 4.2 Within the Landscape and Visual Assessment (LVA) that accompanied the Plan Change application in 2013, the Percival-Ryburn residential enclave was identified as having its own landscape characteristics within the broader Structure Plan area. The LVA report stated:

'This character area is located within an enclave of Character Area B, off Percival Road, some 1-2 km to the east of the existing urban extents of Hamilton. It comprises a number of rural residential properties, where plantings and shelterbelts assist in demarcating land ownership. This nodal area of rural residential development will be further contained to the east by the establishment of the Waikato Expressway in the near future'.

- 4.3 The properties within this enclave comprise a mix of predominantly rural-residential-style houses and large lots coupled with the occasional working farmlet. Much of the open land is in grass or small arable or pastoral agricultural use. Boundaries tend to be vegetated, with a mix of mature evergreen and deciduous species. An avenue of mature London Plane trees extends along the western side of Percival Road on the boundary between the TGHL land and the road reserve, to the west of the enclave. Existing vegetation along the boundaries of lots within the Percival-Ryburn Road area assists in obscuring to varying degrees views from most of the houses to the wider landscape, as the dwellings are generally set back from the road.

- 4.4 Within Mr. Lister's evidence, a description of this residential enclave is also provided. I agree with the characteristics described within this report² and this is consistent with my previous analysis.
- 4.5 To the immediate south of Ryburn Road is the railway corridor, generally referred to the East Coast Main Trunk Railway line. On either side of the railway line the land (which is nominally 20 metres wide) is characterised by unmanaged grass and weed species which appear to be periodically controlled. The residential enclave and immediately surrounding land can be seen in the aerial photograph from Google Earth below:



Image 1: Aerial Photograph of the residential enclave of Percival-Ryburn Road [source: Google Earth]

- 4.6 The existing amenity that these residential properties enjoy currently will over time change as a result of the implementation of development within the Structure Plan area as well as the construction of the Waikato Expressway immediately to the east. Within the Structure Plan area open rural paddocks will be replaced by a Logistics area (to the south and west) and an Industrial park (to

² Isthmus (1 October 2015) Ruakura Variation to Hamilton Proposed District Plan, Percival Road Interface.

the north), both with maximum building heights of 20m, with container stacking maximum heights of 12m for the Logistics Zone and 6m for the Industrial Park Zone.

- 4.7 As a consequence of the proposed zoning (through the Plan Change), a landscape buffer or setback was proposed as part of Structure Plan for the area to the south of the East Coast Main Trunk Railway to assist in mitigating landscape and visual effects from the proposed changes as well as assist in maintaining a good level of visual amenity for residents.

5.0 MANAGING EFFECTS ON THE PERCIVAL-RYBURN ROAD RESIDENTIAL ENCLAVE

- 5.1 As outlined in the evidence of Mr Hall, the Variation includes a policy approach³ to managing adverse effects which seeks to 'protect' the amenity values of the Percival-Ryburn Road enclave. TGHL seek that the policies are changed to clarify the degree to which the amenity values of this area are to be managed given the changing context of this amenity due to the significant land use change in this area.
- 5.2 Mr Lister in his report states that the purpose of the buffer is to maintain amenity rather than simply 'screening the majority of large buildings'. I agree with Mr Lister that the issue is not just about screening the buildings per se, however it is important to acknowledge that the area will undergo considerable change over time due to the change in land-use provided by the zoning. As such it will not be possible to maintain the same level of landscape character, open space outlook and therefore visual amenity.
- 5.3 In my opinion 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. The character of the adjoining land will change from one of a rural outlook across Percival Road to one where there will be

³ Objective 4.2.10 and associated policies d and e

new landscape planting and potential glimpses through and over the vegetation towards the industrial buildings beyond.

- 5.4 In this regard I am supportive of the proposed amendment to Objective 4.2.10 outlined in the evidence of Mr Hall which emphasises the need to avoid, remedy or mitigate adverse effects on the amenity values of the Percival-Ryburn Road enclave, while providing for the urbanisation of the area within the Structure Plan.

6.0 PERCIVAL- RYBURN ROAD SCREEN PLANTING

- 6.1 Within their submission, TGHL also seek specific changes around reducing the width and associated specific standards required for the landscape buffer adjoining the Percival- Ryburn Large Lot Residential enclave. Specifically this relates to Rule 10.5.4.3 within the Ruakura Logistics Zone and Rule 11.5.3 within the Ruakura Industrial Park Zone which borders the western side of the northern section of Percival Road. In these areas, screening provisions are proposed to manage the interface with the Percival-Ryburn Road residential enclave. While a 20m planted strip plus 10m building setback (i.e. 30m in total) was proposed to mitigate the potential adverse effects of the logistics and industrial uses within the zone, agreement has now been reached with Council to reduce the planted strip (landscape buffer) from 20m to 10m (i.e. reduce total from 30m to 20m). I consider that with specific conditions around the design and implementation of these areas that these measures will adequately mitigate adverse effects on the visual amenity for residents in the Percival-Ryburn Road enclave.
- 6.2 Mr Lister in paragraph 3.14-318 of his report outlines the basis for his agreement to a reduced planting strip width of 10m. I agree with his reasons and consider 10m to be adequate to mitigate the effects of development on the following basis:
- i. The existing plane trees are retained and gaps within the row are infilled using the same species. In addition any trees that may die are to be replaced.

- ii. A hedge is planted on the boundary of the landscape buffer and the 10m yard which is to be able to grow and be maintained as a dense screen to a height of no less than 12m.
- iii. Understory planting is undertaken in the balance of the 10m planted strip (landscape buffer) to provide additional screening and amenity from low level views.
- iv. No access is provided from Percival Road to the Logistics or Industrial Park zone while the enclave is retained as a large lot rural-residential area.

6.3 On the basis I agree with Mr Le Heron where he states:

“With respect to halving the planted buffer to 10 metres in relation to the residential enclave this could be acceptable in the following circumstances – the plane trees are retained, there is sufficient area to establish the 12 metre high dense vegetation, gaps in the row of plane trees are filled along the northern leg of Percival Road and access is avoided between Percival Road and the adjacent land for as long as the enclave retains its Large Lot Residential zoning. On this basis the amenity outcomes sought by the variation can be achieved.”

7.0 CHANGE TO FIGURE 2-17 INLAND PORT LANDSCAPE AND SCREENING FROM THE BOI

7.1 TGHL seeks amendment to Figure 2-17 and Rule 10.5.4 and Rule 11.5.3. The amended Figure 2-17 (dated April 2016 Rev Q) is attached (as Appendix D) to Mr Le Heron’s evidence on Appendix 2 of the Plan. Mr Le Heron’s evidence⁴ states *“I would encourage TGH to provide clarity through evidence at hearings as to why the landscaping provisions have deviated from the BOI Decision and how the Variation could address this”*⁵.

⁴ Evidence on Chapter 10 Logistics, para 5.4 and Evidence on Appendix 2 Structure Plans, para 5.7

⁵ Evidence of Sam Le Heron on Appendix 2 Structure Plans, para 5.7, pg 6

- 7.2 Mr Lister's report⁶ expresses some concern with changing elements of the BOI decision with regard to these buffers and screening requirements.
- 7.3 As outlined in the evidence of Mr Hall the change to the layout of the mitigation planting in this area is required due to a different staging approach to the Inland Port and Logistics area south of the railway line. I note that the important planting strip along the boundary with the railway corridor is retained and interim planting strips provided adjacent to Percival Road to the south and along a new Stage 2 boundary to the east of Percival Road. I do however consider that to clarify the provisions and associated staging a clear landscape mitigation plan should be prepared for each of the 3 stages now proposed by TGHL.
- 7.4 Having reviewed the two plans and given the wider focus of the whole development now proposed around the Percival-Ryburn Road enclave I consider the changes proposed will still maintain an effective screen and provide mitigation in both the early and latter ongoing stages of development.

8.0 LANDSCAPE PROVISIONS IN THE VARIATION

- 8.1 As outlined above, I provided landscape and visual evidence at the BOI in 2014 along with my colleague Rachel de Lambert (who provided urban design advice) in support of the Ruakura Development Plan Change. Given the overlap in the matters we addressed, we worked closely particularly on landscape, visual amenity and urban design matters. Whilst some matters were covered in Ms. de Lambert's evidence, to avoid repetition, I continue to support the provisions, and for the purposes of this hearing, I outline the key conclusions from my evidence and the BOI decision.
- 8.2 I fully support the conclusions of the BOI decision regarding the appropriateness of the layout of the Structure Plan and Open Space network from a landscape and visual amenity perspective. These

⁶ Paragraphs 4.3 to 4.7

provide for the logical and desirable urbanisation of the area, enabling good urban forms and quality amenity outcomes.

- 8.3 The redevelopment of the area is within close proximity to areas of existing development on the eastern fringes of Hamilton, providing both significant housing and employment opportunities. The goal of providing for employment land in this location has been a long term strategic initiative for the city with the 'Future Proof Growth Strategy and Implementation Plan 2009' and the 'Waikato Regional Policy Statement'. These documents provide a clear vision for the future growth of the area, and the Ruakura Structure Plan is an important component of realising this.
- 8.4 As acknowledged in my 2014 BOI evidence, there will be significant change to the landscape character of Ruakura, however, as noted, the land is not highly sensitive to change. There are a number of existing urban and infrastructure elements within the context of the area, and no Significant Natural Areas or Outstanding Natural Landscapes. The only notable landscape elements are the 16 significant trees which have been identified within the Proposed Hamilton City District Plan (PDP) and the small hillocks along the location of the proposed Spine Road. The removal of eight of these significant trees will create an adverse landscape and visual effect, however in time, this will be adequately offset by a substantial number of new trees planted within Open Space Areas, buffer areas and planting strips. The retention of the majority of the hillocks will ensure that these notable features will continue to be associated with this landscape, albeit with different adjacent land uses.
- 8.5 My evidence in 2014 considered that the most significant effects will arise from changes to visual amenity. In summary, most residents would experience short to medium term moderate adverse effects which would decrease over time to a low level within 10 to 15 years. Residents to the north and east within the Percival- Ryburn Road area would experience high adverse visual effects from within parts of the road corridors (not within their homes or living areas) with these effects reducing to moderate and then low over the next 15 years.

- 8.6 Visual amenity effects will not be sudden and will occur gradually over a long time period. As stated, these changes are not unexpected given the context of the proposed Waikato Regional Policy Statement and the PDP which identify the area as one for urban expansion.
- 8.7 Ruakura is well connected at both the macro and neighbourhood scales to existing transport networks and the wider city area, with the development layout anticipating and providing for a well-connected pedestrian and cycle network. The associated open space areas, and planting will offer other beneficial effects, not only to the quality and amenity value of the landscape but also through additional recreational opportunities, ecological enhancement and integrated transport networks.
- 8.8 I consider that the mix of urban development and landscape opportunities proposed through this Structure Plan represents an appropriate response to the immediate location, the city-wide spatial context and will enable the policy and strategic direction to be realised.

9.0 CONCLUSION

- 9.1 Following the release of the s42A report, there are a number of landscape and visual matters relating to mitigation around the Percival and Ryburn Road enclave that have been amended through changes to the variation provisions.
- 9.2 As outlined in my evidence above while I consider that it is not possible to protect or maintain the existing amenity values of the predominantly rural area at the current level due to the significant land-use change proposed, I do consider that the adverse visual effects on those adjacent properties can be adequately mitigated from the surrounding proposed land use changes. In my view, this will create a new level of amenity for those properties which will be in keeping with the new land uses and any adverse effects will be able to be reduced to a minor level.

- 9.3 I maintain that the distances specified in my evidence (and now agreed with Council) for landscape buffer planting along the Percival and Ruakura boundary interface, coupled with the planting measures outlined, will be sufficient to ensure that the adverse visual effects are mitigated. Importantly with regard to the visual amenity effects these will not be sudden and will occur gradually over a long time period. As stated, these changes are not unexpected given the context of the proposed Waikato Regional Policy Statement and the PDP which identify the area as one for urban expansion for industrial use.

John Lewis Goodwin

Registered Landscape Architect