

**BEFORE INDEPENDENT HEARING COMMISSIONERS
APPOINTED BY THE HAMILTON CITY COUNCIL**

IN THE MATTER of the Resource Management Act 1991 (**Act**)

AND

IN THE MATTER of an application for subdivision and land use consent
for the Amberfield development pursuant to the Act.

APPLICANT Weston Lea Limited

CONSENT AUTHORITY Hamilton City Council

**EVIDENCE-IN-CHIEF OF RACHEL VIRGINIA DE LAMBERT
FOR WESTON LEA LIMITED**

Dated: 12 April 2019

Solicitors on Record

WYNN WILLIAMS LAWYERS
SOLICITOR — LUCY DE LATOUR

PO Box 4341, Christchurch 8140
P 03 379 7622 F 03 379 2467 E lucy.delatour@wynnwilliams.co.nz

Counsel

R A MAKGILL
BARRISTER

PO Box 77-037, Mt Albert, Auckland 1350
P 09 815 6750 E robert@robertmaggill.com

SUMMARY OF EVIDENCE

1. My name is Rachel Virginia de Lambert and I am a landscape architect. My evidence addresses open space provision, landscape design, and landscape and visual effects. I summarise my evidence, according to the key headings in this statement, as follows:

The Subject site and its landscape context

(Page 10)

- (a) The 105ha site is located adjoining the western bank of the Waikato River. It is currently pastoral in land use but lies within the PSPA which has long been identified for future urban development. Land adjacent to and surrounding the site includes further rural land of a hilly, more undulating contour also within the PSPA. Land across the river to the east comprises a mixture of established suburban residential, industrial and rural residential land uses. The site supports limited vegetation other than along the river bank (mainly within the proposed esplanade reserve) and within the southern gully which separates a portion of land termed 'The Island'. There is a well treed residential garden in the central north of the site in an area proposed to be retained as a neighbourhood reserve and a single row Poplar shelterbelt which connects east-west across most of the site between the river corridor and Peacockes Road. This feature is proposed to be retained due to its ecological service for long tailed bats.

Masterplan

(Page 11)

- (b) The proposed Masterplan for Amberfield has been developed collaboratively through a 'best practice' design process that investigates and responds to the site's landscape, ecological and cultural attributes alongside the urban design aspiration of creating a distinctive, quality place for future residents. The engineering design including the form of the land for development and the layout of infrastructure has also been designed with the input of the full design team to deliver on the aspiration of a development that fits well with the river terrace landscape and creates a quality urban residential environment.

Open Space Provision*(Page 13)*

- (c) A total of 31.6ha¹ of land within the 105ha site is proposed to be set aside as public open space vested in Council as reserve in stages tied to the staged development of the site. 6.76ha will comprise recreation, local purpose amenity and historic reserves whilst 24.84ha will comprise land adjoining the esplanade reserve and the southern gully area. Council's Planning and Policy (Community) Parks and Recreation personnel support the proposed reserve provision and consider it will achieve a high-quality outcome for the future community of the area.
- (d) Council also considers a 7.0ha sports park is required to service the local community within this part of the PSPA. The Masterplan has been designed (and appropriately tested) to accommodate such an additional reserve area, the provision of which is addressed separately in the evidence of Doug Fairgray, John Small, and David Sergeant.

Landscape Effects*(Page 16)*

- (e) The proposal is well designed in respect of its 'fit' with the natural landscape. The development will retain a form of terracing down toward the River with limited reliance on retaining walls. Key landform features within the site including the knoll landform (with its associated well-established park-like trees) and the southern gully will be retained.
- (f) Moderate to low initial adverse landscape effects will be generated as a result of the change from rural to urban land-use, however these will transition to low and eventually to positive effects as the urban area becomes established and the open space structure and amenity of the form of the Masterplan, its planting and its response to the features of the landscape is realised.
- (g) The landscape impact resulting from the physical construction works involved in urbanising the area will comprise a greater level of transient adverse landscape effects, assessed to be moderate adverse landscape effects. This is due to the extent and timeframe of the earthworks and

¹ Previously the total area of 32.81ha was used however this area included the legal paper road area that connects to the river edge and the utility reserve areas both of which have now been removed from this area calculation.

associated construction. These effects are, however, temporary in nature and are to be expected (cannot be avoided) as a result of development.

Visual Effects

(Page 17)

- (h) The site has a relatively small visual catchment. It comprises land to the immediate west, also within the PSPA, which has a more elevated contour and outlook over the site and land across the river to the east in Riverlea. Land-uses in the surrounding area comprise rural, suburban residential (Riverlea), industrial (Riverlea) and rural residential.
- (i) In terms of visual effects, I consider the most affected viewers will be those residents in elevated locations in the established residential area of Riverlea across the river to the east. In my opinion, moderate-low adverse effects will result for these residents.
- (j) In respect of visual effects for other viewing audiences, I consider adverse effects to be low. In time, I consider there will be positive visual effects in respect of the Amberfield development as a new high-quality residential neighbourhood is established, with a generous provision of public open space, including providing public access to the Waikato River.

Submissions

(Page 18)

- (k) The prime matter in respect of submissions in relation to landscape, visual effects and open space is, in my opinion, the difference in the rating of the scale of visual effects between myself and those submitters located across the river in Riverlea. I note this is a matter that Mr Mansergh, Council's landscape peer reviewer also addresses in his evidence (discussed below).
- (l) I appreciate that these residents prefer their current rural outlook. In assessing the scale of effects for these viewers, I have taken into account the generous separation distance across the river and the maintenance of a rural outlook to more elevated land in the backdrop of these views, the wide (and now further widened) and well vegetated esplanade reserve on the north-eastern terraces of the site across from Riverlea, and the long signalled urban future of this site and the wider PSPA. It remains my opinion that views across the river to Amberfield for residents of Riverlea will present an attractive outlook with a high proportion of retained and new vegetation, and open space.

- (m) A number of submitters also suggest that there is insufficient or inappropriately configured open space within Amberfield to meet the future needs of the community. I strongly disagree with these submitters.
- (n) I consider Amberfield to be well provided with quality open space to support walking and cycling as well as neighbourhood reserves and smaller local parks that are easy for residents to access and enjoy as part of the amenity of their immediate neighbourhood. Some 6.67ha of reserves for neighbourhood recreation purposes are included as an integral part of the urban form of Amberfield. These enable distinct landforms, and existing established trees to be retained, such as with the 'Knoll Reserve'. In total some 31.6ha (24.84ha riparian corridor and southern gully + 6.67ha other recreation reserves, not including any Sports Park) of open space will be provided within Amberfield. Within the 105ha site, I consider this to be generous and supportive of a future urban residential area that has a strong local identity and high quality of amenity.

Section 42A Report

(Page 21)

- (o) I have reviewed the relevant parts of the s42A report and the appended specialist reports related to my evidence including: Landscape, Dave Mansergh of Mansergh Graham; and Open Space, Sean Stirling Council's Planning and Policy (Community) representative.
- (p) Mr Mansergh and I are in agreement in relation to methodology and the range of effects generated by the proposal. A significant change in the landscape, signalled first in 1989 when the Peacocke area was brought into Hamilton City for the purposes of residential development, will be introduced as a result of the conversion of a rural pastoral landscape to one of urban residential development. Mr Mansergh considers my assessment underestimates the visual impact of the land-use change "*on properties / viewers along the river edge that have direct views onto the applications (sic) site*".² My assessment is that effects ranging between low and moderate-low will be generated whereas Mr Mansergh suggests moderate effects will result, he considers this to be in line with the submissions from residents in this location.

²

Evidence-in-chief of Dave Mansergh 08 March 2019 paragraphs 68 to 70.

- (q) However, the effects of this change are not such that approval of the resource consent application should be declined. In Mr Mansergh's words *".....from the perspective of effects on landscape and visual amenity (only), it is considered that the proposal meets the requirements of the District Plan."*³
- (r) I comment on conditions of consent recommended by Mr Stirling in my evidence below. I consider proposed condition 95, in the Council's draft conditions is not required.

Conclusion

(Page 23)

- (s) I consider the masterplanned layout of Amberfield will create a residential area that has a high-quality amenity particularly within the public realm of the development. The development will be responsive to the natural characteristics of the landscape and will provide easy access to the public amenity of the Waikato River corridor. The location and extent of open space will give residents and visitors to the future urban area extensive access to the natural amenities of the site including its natural landforms and the Waikato River. As an extension to Hamilton, it is my opinion that Amberfield will have a strong sense of place and a high quality of residential amenity.

INTRODUCTION

2. My name is Rachel Virginia de Lambert. I am a Landscape Architect and Director of 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 30 years.
3. I am a Fellow and Registered Member of the New Zealand Institute of Landscape Architects (**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.
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, Hawke's Bay and Waikato regions.
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's Design Technical Advisory Group (TAG) that provides design review for the Wynyard Quarter, and all other 'Transform' projects under Panuku's lead.
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, aged care facilities, retail and mixed-use development, masterplanned communities, port related activities, roading, water treatment and other infrastructure projects.
7. I provided evidence in respect of Urban Design matters, alongside my colleague John Goodwin, who gave the landscape and visual effects evidence to the Ruakura Plan Change hearing (Boffa Miskell also provided ecological and planning

evidence). Boffa Miskell is providing ongoing advice in respect of both Ruakura and the Green Hill residential development area in the east of Hamilton.

8. I have been retained by Weston Lea Limited to prepare a statement of evidence on its application for subdivision and land use consent for the Amberfield development. I address my professional view of the application, and the work I undertook during the preparation of the application, based on my areas of expertise including, open space provision, landscape design, and landscape and visual effects assessment.
9. I have managed and led a team of landscape architects who have worked collaboratively with the project Urban Designers, Engineers, Ecologists (also from Boffa Miskell) and Planners, however the evidence I am giving is my own.
10. I am familiar with the application site and surrounding environment. Boffa Miskell Urban Designers provided some input to the preparation of the Peacock Structure Plan for Hamilton City Council (**Council** or **HCC**) and I was aware of the locality and the proposed inclusion of this area within the City's wider growth areas at that time, although not intimately involved in that work. As noted above, I also provided landscape and visual / urban design effects assessment to the Boffa Miskell led plan change for the Ruakura area including residential and industrial zoned land, a town centre and inland port. This work has contributed to my understanding of Hamilton, as has a range of other projects involving proposed development in Hamilton, which I have worked on over the years whilst based in our Tauranga and Auckland offices.
11. Specifically, in respect of this project, I have visited the subject site, and walked and driven through it, on multiple occasions since our appointment to the project team in early 2017. I have also visited the surrounding area including land to the west within the Peacock Structure Plan Area (**PSPA**) as well as visiting locations across the Waikato River from the site in Hamilton City and Waipa District. These visits have included walking within Hammond Park along the opposing riverbank to the northern portion of the site.
12. I have met with HCC personnel during the process of developing the proposed development layout and walked the site with members of Council's review team. This has including discussion with Council's consultant landscape peer reviewer, David Mansergh of Mansergh Graham Landscape Architects, who is Hamilton based. I also met with representatives of Riverlea Environment Society Incorporated (**RESI**) prior to their submission on the notified application. I participated in a

meeting with a range of submitters in respect of ecological and (to a lesser extent) landscape matters including the Department of Conservation and RESI as well as HCC representatives and advisors.

CODE OF CONDUCT

13. I have read the Environment Court Code of Conduct for expert witnesses and agree to comply with it.
14. I confirm that the topics and opinions addressed in this statement are within my area of expertise except where I state that I have relied on the evidence of other persons. I have not omitted to consider materials or facts known to me that might alter or detract from the opinions I have expressed.

THE SUBJECT SITE AND ITS LANDSCAPE CONTEXT

15. This evidence is based on the project Landscape and Visual Effects Assessment report, which I authored and forms part of the application documentation available to the Commissioners. I do not intend to repeat the content of that report in evidence. Rather, I set out here a brief summary of the subject site and its landscape context.
16. The 105ha site lies within the PSPA, HCC's southern growth area. The PSPA has long been identified (like the areas of Rototuna, Rotokauri and Ruakura) as an area of future residential development. The first indication that the subject area would be developed for residential purposes in the future occurred in 1989 when the 720ha located at the south-western end of the city transferred from Waipa District into Hamilton City as the Peacocke Growth Cell, with the intention that it provide for housing development.
17. The site currently has a typical rural pastoral character and amenity associated with dairy farming. It is predominantly in pasture with some hedgerows and fencing. A key distinctive quality of the site is the presence of the well treed Waikato River corridor along its eastern boundary. The land in some locations shows the remnants of modification associated with former cultivation by Māori for food crop production.
18. The land has good attributes for urban development being broadly flat, terracing down toward the river in a series of steps, and being oriented well to the east and north. The localised topography within the site includes the feature of the southern gully which loops around from - and back to - the river corridor creating a separate elevated portion of land adjacent to the River in the south. This area is identified for the purposes of my evidence as 'The Island'. There is also a small knoll high point within the site which creates an opportunity for outlook and prospect over much of the site, and east toward and across the River. An existing farm house is sited on the northern edge of this knoll. The curtilage of this dwelling supports one of the few clusters of mature, predominantly exotic, trees within the generally open pastoral site. A single row rural shelter belt comprising poplar trees lies at the southern edge of the knoll. This extends east toward the river and west where, close to Peacockes Road, it terminates but connects to trees and other vegetation located in the garden of the separate rural residential property (land owned by HCC) that fronts Peacockes Road.

19. The land has a limited hydrological catchment with no substantial streams running through the site.
20. There is limited indigenous vegetation of significance on the site. Indigenous vegetation which is present is contained in the southern gully or along the river corridor primarily in the future Esplanade Reserve. Both of these areas have a significant cover of exotic weed species. Two small pockets of exotic woodland tree planting contribute to the amenity of the rural landholding along with a small number of standalone exotic specimen trees.

MASTERPLAN

21. The Masterplan is principally described in the application documents and in the evidence of Urban Designer, Kobus Mentz. However, for the purposes of my evidence, I draw attention to the following aspects of the Masterplan.
22. The proposed urban form of Amberfield is cognisant of, and responsive to, the direction set through the Peacocke Structure Plan and its intended land use, transport networks, open space and neighbourhoods. It also responds to the urban design strategy for the Peacocke Structure Plan Area 2007 incorporated into the District Plan. The masterplan is now also strongly informed by the retention of existing on-site vegetation and the provision of extensive areas of additional vegetation in order to avoid potential effects on long-tailed bats and provide mitigation through habitat creation.
23. The Masterplan, through the form and alignment of its street network and open space, leverages the presence and amenity of the adjacent Waikato River. The Masterplan draws this feature back into the site and seeks to maximise the public presence and access to the river corridor. At the same time the extensive planting proposed adjacent to the Esplanade Reserve, to avoid off site impacts on the long-tailed bat, will mean that the River edge will retain a strongly vegetated character as a natural feature of the landscape.
24. I consider the Masterplan to be highly responsive to the natural landscape characteristics of the site including the Waikato River, the site's natural topography and the small number of existing trees / vegetation of significance or stature within the site.

25. The Masterplan, in my opinion, reflects a best practice approach to green field development where the landscape features and ecology of the site, particularly in respect of the habitat of the long-tailed Bat, have been directive in establishing and refining the nature and form of the development. The layout of roading and open space, which is how the public experience a residential area, give emphasis to the site's natural characteristics and its established amenity such that the future development will, in my view, have a strong locally derived sense of place and a high-quality amenity as a residential extension to Hamilton.
26. The Masterplan has evolved through the process of engagement with Council's specialist advisors and submitters to provide further protection and enhancement of the aspects of the rural landholding that provide habitat for the long-tailed bat. This has led to the redesign of parts of the subdivision including adjacent to the north-eastern terrace, the Knoll Reserve, and the east-west shelterbelt as set out below.

Masterplan Amendments

27. Following receipt of submissions, work undertaken by Council's ecology peer review advisors (Tonkin and Taylor), a range of meetings and formalised caucusing between the ecology experts, as well as engineering refinement and modification to the approach to stormwater management, a number of changes to the Masterplan have been offered up by the applicant. These include:
 - (a) The accommodation of a number of stormwater ponds within areas of open space;
 - (b) The redesign of the north-eastern portion of the subdivision to provide a substantially wider and more diversely planted corridor along the eastern riverbank opposite Hammond Bush. As a result, the area of riverside open space on this north-eastern river terrace has increased by 22,103m² (2.21ha). This re-design of the subdivision layout has resulted in the removal of one proposed north/south oriented road and a change to the layout and number of residential lots, comprising an overall reduction of 27 lots in this part of the site;
 - (c) Consequent redesign of the south-eastern portion of the Knoll Reserve with the provision of a wider open space connection between the Knoll Reserve and the Riverside open space / esplanade to the east. This has resulted in the increase of the area of the Knoll reserve by 1,176m²; and

- (d) Retention of the east / west poplar shelterbelt adjoining the southern edge of the Knoll Reserve to retain the service of this row of established trees in providing connectivity across the site for long-tailed bats, comprising a reduction in 2 residential lots in this part of the site.

Masterplan Summary

- 28. In my opinion, the future urban area of Amberfield will have an attractive amenity that relates to and makes public the Waikato River corridor and its associated heritage, cultural, visual and vegetative amenity, whilst also recognising and protecting the habitat of the long-tailed bat.
- 29. The new residential community of Amberfield will enjoy proximity to the river and desirable recreational – cycle and pedestrian – connectivity to and along the river. The use of streets to define the interface with the River Esplanade Reserve along the majority of the river frontage – rather than having private residential lots adjoining the esplanade – will maximise physical as well as visual accessibility to the river corridor making the esplanade safer and securing the river as a public amenity for all. At the same time, the increased planting of this corridor will, as I understand,⁴ avoid off site effects on the important long-tailed bat habitat associated with the River Corridor and Hammond Bush.

OPEN SPACE PROVISION

- 30. The provision of open space throughout the proposed Amberfield subdivision will be generous leading to the creation of an attractive, high amenity residential community with good, proximate access to different types of open space amenity. The Amberfield project design team met with Council's Open Space 'Planning and Policy' personnel and Arborists, including on site meetings, during the process of developing the Masterplan. It is intended that all areas of open space provided within Amberfield will be implemented by the developer and vested as reserve on a staged basis to Council for their ongoing ownership and management / maintenance. The detailed design of each open space reserve area will be progressed to meet Council standards and will require engineering design approval.
- 31. A full description of the proposed open space network is set out in the Open Space Framework document prepared by Boffa Miskell (with my input and overview) which

⁴

From discussions with Georgia Cummings and Stuart Parsons.

forms part of the application documentation available to the Commissioners. This document has been updated following the changes made to the proposed development since lodgement. In total, some 31.6ha (24.84ha riparian corridor and southern gully + 6.67ha other recreation reserves, not including any Sports Park) of open space will be provided within Amberfield. Much of this open space will be contiguous with the Council Esplanade Reserve providing well connected, highly accessible and attractive open space amenity.

32. The open space layout has sought to respond to, respect and retain important features of the landscape including the river corridor, the main gully system and the small localised knoll highpoint with its associated east-west shelterbelt. The open space provision has been strongly aligned to the landscape characteristics and features of the site with the intent of retaining desirable features including mature groupings of trees and landform features – river terraces, gullies and the hillock knoll as well as archaeological features – to enhance the landscape character as well as the open space amenity of the subdivision and future community. These features also align with and support the ecological protection and enhancement outcomes of the proposed subdivision.
33. Greenfield subdivision can result in new communities with little connection to the former landform or vegetation attributes of the site. The Amberfield Masterplan, and in particular its open space layout, has consciously sought to retain and celebrate such features.
34. The development makes provision for neighbourhood reserves in a way envisaged by the Council's open space provisions. Two neighbourhood reserves comprising some 2.92ha are provided as well as substantial open space set aside along the river corridor and the main gully. The two neighbourhood reserves, the Knoll Reserve in the north (1.71ha) and the South West Gully Neighbourhood Park in the south (1.21ha) will provide informal kick-a-ball and play space for families each with an attractive outlook and interesting landform features.
35. In addition to the larger neighbourhood reserves, the Masterplan includes four smaller parks and 'pocket parks', being respectively 0.19ha, 0.19ha, 1.04ha and 0.84ha in area. These are located to:
 - (a) retain an area of established amenity (in the case of the northern 'Entry Space' park, which retains an area of established exotic trees adjacent to Peacockes Road);

- (b) locate open space in a prominent public location adjacent to the street at the northern entry into the subdivision (in the case of the northern Pocket Park); and
 - (c) give preference to public visual and physical access to the river corridor on 'The Island' (in the case of the two, northern and southern, 'Island Open Space' areas).
36. A further distinctive feature of the open space provision within Amberfield is the proposed Archaeological Reserve (a historic reserve) which is located adjoining the riverside esplanade reserve in an area which will enable the protection of a collection of borrow pit features.⁵ This 1.59ha reserve will provide informal recreational amenity in addition to its cultural and archaeological purpose.
 37. The Southern Gully Reserve (10.22ha), like many such landform features within the established residential areas of Hamilton, is land that is unable to be developed for housing, but which will provide a substantial recreational and open space amenity for residents. This area, which connects at both ends to the river corridor, will be re-vegetated and developed to provide a series of walkways and cycleways as well as small areas of open space, creating a further feature of Amberfield and additional open space amenity.
 38. As a result of Council's section 92 request, a number of stormwater management ponds are proposed to be accommodated within the open space areas of Amberfield. This is in line with Council's preference for lesser reliance on rainwater gardens for stormwater collection, conveyance, detention and treatment. The generous provision of open space and specific location of these proposed ponds means that their accommodation does not compromise the recreational amenity of the subdivision whilst their inclusion will enhance the biodiversity of the landscape.
 39. Walkways and cycleways will enable access to the areas of open space within Amberfield and link them in a way that supports walking and cycling by residents. The extension of walkways and cycleways beyond the site, as well as the future new bridge across the Waikato River, will give access to Amberfield's recreational amenities to a wider catchment of users. In this regard the project team has met with representatives of the Te Awa River Ride to discuss extending this increasingly popular recreational amenity to the west bank of the Waikato River within

⁵

A borrow pit is an area where material (usually soil, gravel or sand) has been dug out for use in another location.

Amberfield. The proposed route for Te Awa River Ride in this part of Hamilton is located on the east side of the river including alignment through Hammond Park. At the time of planning for the cycleway a west side alignment was not practicable due to the nature of land ownership. In the longer term an additional western alignment will become possible and the Amberfield cycleway infrastructure will be implemented such that it will be ready to connect into and expand this recreational cycle network.

40. The Amberfield Masterplan has been designed in such a way to be able to accommodate a 7.0ha sports park in the part of the site generally indicated within the PSPA to provide for such a recreational facility. The demand and planning considerations in respect of the provision of sports fields within Amberfield is addressed in the evidence of Doug Fairgray and David Sergeant.

LANDSCAPE EFFECTS

41. Amberfield is located within the PSPA which has been signalled as an urban growth area in Hamilton for some thirty years. Urbanisation by its very nature involves significant landscape change. The Amberfield Masterplan has been developed to reflect the natural topography and landscape characteristics of the site whilst enabling the expected urban residential change in land-use.
42. The lack of significant vegetation generally across the site, and the retention of key native and exotic vegetation within the site, including all the vegetation along the river corridor, the vegetation in the main gully system and the east / west shelterbelt (as well as groves of trees retained within the Knoll Reserve and entry Pocket Park) will avoid landscape effects due to the loss of significant vegetation.
43. Initially, the scale of change in the landscape is likely to generate moderate to low adverse landscape effects. However, this will reduce to low and transition to positive as the urban area becomes established and the open space structure and amenity of the form of the Masterplan, its planting, and its response to the features of the landscape is realised.
44. The landscape impact resulting from the physical construction works involved in urbanising the area will comprise a greater level of transient adverse landscape effects, assessed to be moderate adverse landscape effects, due to the extent and timeframe of the earthworks and associated construction. These effects are, however, temporary in nature and are to be expected (cannot be avoided) as a

result of development. The nature of the site, the approach to development (i.e. the intent to work with the natural landform whilst enabling urban residential development and access roads that meet Council's development standards), and the proposed relatively minor extent of earthworks (per lot) assist in reducing the duration of the earthworks and adverse landscape effects related to the construction phase of the development.

VISUAL EFFECTS

45. The extent of visual catchment for the Amberfield development is relatively contained as a result of the local topography and generally low-lying nature of the site with the land rising to the west and south beyond the site and forming a further visual backdrop in views over the site from viewing locations in the east, such as those from directly across the River in Riverlea.
46. The visual change that will result from the proposed greenfield development is not, or should not be, entirely unexpected given the presence of the Peacocke Structure Plan and the intended future urban development of the subject land (circa 105ha) and its wider area which has been zoned Future Urban since 1989. The change of the subject land from rural to urban will initiate this transition.
47. The proposal is for a high-quality residential development with significant open space, a generous public river corridor and a well-connected pattern of streets with associated street trees. Since the application was lodged, further modifications have been made to the subdivision design to increase the protection of the Waikato River corridor and Hammond Park as habitat for the long-tailed bat and to maintain features within the site that provide an ecological function for the long-tailed bat (i.e. the east / west shelterbelt). These modifications have led to an increased open space buffer in respect of views from Riverlea and increased vegetation that will provide visual screening. In terms of adverse visual effects, it is my opinion that these will range from moderate-low to low. Those most affected will be residents with static viewpoint locations across the River in Riverlea and further south within the rural residential area. Nevertheless, even for these residents I consider the adverse visual effects to be low to moderate-low and the changes introduced since lodgement will further reduce such effects.
48. As the subdivision matures, and the area becomes a familiar part of the landscape, it is expected to read as a quality urban residential addition to southern Hamilton. It

is my opinion that beneficial visual effects will result from the proposed development and the overall amenity, including the development's visual amenity, will be of a high quality with a strong sense of place.

SUBMISSIONS

Open Space framework

49. The submission of Frankie and Phil Letford (submission 9) suggests that the esplanade is too narrow for future users to enjoy and insufficiently future proofed for public access to the river, and that the other open spaces are not big enough for park users to properly utilise.
50. Addressing these points, I note that the land provided along the river is in addition to the esplanade reserve. This riverside open space (15.83ha within the Amberfield site) includes a continuous walk and cycleway, which in places is adjacent to the road corridor due to the topography of the land. Furthermore, the entire riverside edge comprises a roadway (with single sided residential development) giving unprecedented access to the River in Hamilton. The potential for future river access is preserved with the continued extension of the paper road to the river edge. This is located at a widened portion of the riverside reserve again providing future flexibility for riverside access.
51. Their submission also suggests that the open spaces 'show small un-useable green spaces'. This is not the case. The two neighbourhood reserves, being 1.71ha and 1.21ha respectively, are well scaled to meet Council's open space requirements and both comprise kick-a-ball open space and flat land for informal family recreation. Many of the areas set aside along the river corridor and at the northern end of the main / southern gully also comprise flat, grassed, open space which will have informal recreation function. Council's Planning and Policy (Community) reviewer, Sean Stirling, who has provided the Parks and Recreation comments for Council as part of the Section 42A report, supports the inclusion of all proposed areas of open space within the Amberfield Masterplan, noting that they will achieve a high-quality outcome for the future community of the area.
52. There is generous provision of additional open spaces throughout Amberfield that provide further amenity for residents including smaller pocket parks and attractive open spaces giving people 'front row' visual access to the river, such as the northern and southern 'Island Open Space' areas (1.04ha and 0.84ha respectively).

53. The submission of Brett Reginald Henderson (number 29) suggests that there is a lack of 'greenbelt / planting / parks and recreation – trees' in the development. There is 31.6ha of open space provided within the 105ha Amberfield site. In my experience, this is a generous amount of open space in relation to the size of the site and future size of its residential population. The distribution of open space will provide equitable access for all residents. I consider that Amberfield will establish as a very well treed residential area with an abundance of open space.
54. The submission of Sean McConnell (number 46) suggests that the 105ha should be developed at a lesser residential density with lot sizes greater than an acre. This submission also states that *'the developers could have chosen to include purposeful well-suited areas for recreation but have instead opted to piggyback the walking tracks on top of the existing areas of gully and riverbank; areas which would not have been suitable for development anyway, and which must be left in place both for stormwater management and environmental considerations. It is disingenuous of the developers to take credit in this manner for preserving "22.5ha of esplanade and gully areas" as these spaces account for the bulk of the 29ha of undeveloped land within the site'*.
55. Setting aside the difference in the numbers, I consider that the extensive nature of the riverside open space will provide a substantial amenity for residents of Amberfield and in the future the wider PSPA. The scale of Hammond Park across the river is significantly less than what is proposed, and clearly provides a well-loved and used amenity. Furthermore, Amberfield will provide a large number of varied public open spaces for the community including almost 7ha of recreation reserves in addition to the riverside gully reserves. I do not agree with this submitter that there is not a purposeful provision of well-suited areas for recreation within Amberfield.

Landscape and visual effects

56. I have read the twelve submissions⁶ on the notified application that raise issues in respect of landscape and visual amenity effects. Many of these submissions also seek to widen the vegetated edge to the Waikato River (particularly opposite Hammond Bush) and the northern part of the Amberfield development opposite where they live.

⁶

See submissions 6, 7, 23, 28, 32, 34, 38, 43, 44, 48, 64, 67.

57. As noted above, an additional 22,103m² of land on the north-eastern terrace opposite Hammond Park / Bush (resulting in a reduction of 27 residential lots) has now been set aside from development and included within the widened riverside reserve. Proposed planting within this area has been designed to increase the foraging habitat of the long-tailed bat as well as to diversify the general habitat for birds, insects and skinks. This planting will also provide additional screening of development from within Hammond Park / Bush and the adjacent residential properties in Riverlea.
58. A number of the submissions suggest that the impact on views from their property will be significantly greater than assessed in the Landscape and Visual Effects Assessment report with the change from a pastoral rural landscape to one containing urban development.
59. I can appreciate that these residents prefer their current rural view and consider themselves to be affected to a greater degree than I consider to be the case. This difference in the scale of effects arises from a number of considerations. Firstly, it should be recognised that the existing views enjoyed by residents across the river are not protected or required to be retained. The Peacocke area has for some time (in the order of 30 years) been zoned for future urban development consistent with that proposed. Hence such a change could and should be anticipated. My assessment considers the visual impact relative to the future urban intentions of the zone and the planning decision to change the land-use in this locality from rural to urban. That is to say, the prospect of a change in the landscape from rural to urban was established at the time the area was zoned for future urban development. The land is not inappropriate for urban development because people live in a residential area across the river. Whilst views will change for those residents, it is my opinion that the proposed outlook onto Amberfield will retain a high level of amenity including a generous well-planted area of riverside open space in the foreground of the view
60. I also consider that the close presence of the river and the maintenance of a rural backdrop (for the time being at least until further development occurs in the Peacocke Structure Plan Area) will ensure that whilst altered, attractive views will remain for these residents – as will be the case for residents of Amberfield looking back across the river to the residential portion of Riverlea. I therefore consider my original ratings of visual amenity effects in respect of residents across the River are accurate.

61. Six submissions (submissions 20, 21, 28, 34, 44, 76) raise the matter of potential adverse visual effects resulting from light ‘pollution’. This is a specialist area that is technically outside of my expertise. However, Amberfield has engaged ECubed (Mark Kessler) to provide advice in respect of lighting for streets and open space areas. This advice has confirmed that current LED technology, which will be adopted for street lights and where proposed park lighting, will avoid light spill. The transition from rural to urban will change the dark night characteristics of the presently rural site, however this is in line with the planned urbanisation of the PSPA.

SECTION 42A REPORT

62. I have read:
- (a) Appendix A, Statement of Evidence (Landscape Architecture) prepared by Dave Mansergh, Mansergh Graham Landscape Architects;
 - (b) Appendix H, Urban Design Memo, Colin Hattingh, Hamilton City Council; and
 - (c) Appendix I, Parks and Recreation Memo. Sean Stirling, Planning and Policy (Community) at Hamilton City Council.

As well as the relevant parts of the Section 42A report prepared by Principal Planner Gillian Cockerell on behalf of the Council.

63. Mr Mansergh, an experienced locally based landscape architect, concludes that from the perspective of landscape and visual amenity the proposed Amberfield development meets the requirements of the District Plan. He does not consider any specific conditions of consent are required related to landscape, other than being in general accordance with the proposed Masterplan and open space network plans.
64. Mr Mansergh considers the matter of community expectations around the maintenance of ‘rural character and views’ at paragraphs 87 to 94 of his evidence. He addresses the policy set out in the Plan and concludes:

“In my opinion, while the change from its current rural land use to an urban land use will result in a notable change in the landscape character of the application site, there is no requirement within the District Plan for the applicant to preserve existing rural character and associated visual amenity within the site.”

65. I concur with Mr Mansergh's above conclusion.
66. Mr Stirling supports the provision of all of the areas of open space included in the Amberfield Masterplan. These areas will be vested in Council in a staged manner following development as part of the staged subdivision of Amberfield.
67. Mr Stirling summarises his position as:

"Except for sports park provision, the overall open space provision proposed by the application achieves a high-quality outcome for the future community of the area and is anticipated to deliver on most open space components of the structure plan."

68. The matter of the provision of sports park provision is covered in the evidence of others however I concur with Mr Stirling's opinion that the open space proposed will provide a high-quality amenity for future residents.
69. Mr Stirling recommends the widening of lots 169, 170 and 182 to ensure the root protection zone (RPZ) for the trees in the east-west shelterbelt are completely within the boundaries of these lots. This recommendation is carried through into Council's draft conditions at condition 96

"96. The boundaries of proposed Lots 169, 170 and 182 shall be adjusted if necessary to ensure the root protection zone of the East-West shelterbelt trees are fully contained within the boundaries of the Lots 167 and 168."

70. In my opinion this adjustment is not required. I have attached the plan and cross section as **annexure "A"**. There are two trees that are located at 3m off the boundary to 169 / 170 with the main row being 5m to 6m from this southern boundary. I consider this distance to be sufficient to reasonably accommodate the root zones of this row of Poplar trees. This space will also allow future maintenance access. I also note, as illustrated by the cross section, that minimal earthworks are required on these lots and in fact at the bulk earthworks stage no earthworks are required to form these lots.
71. Mr Stirling also recommends the inclusion of a number of standard 'street landscaping' and 'reserve landscaping' conditions. These are standard Hamilton City conditions related to subdivision consent and I consider these to be acceptable.

CONCLUSION

72. In summary, I conclude that:

- (a) The proposed Amberfield development will result in the creation of a high-amenity residential area that has an urban form that is well connected to the adjacent amenity of the Waikato River.
- (b) Moderate to low initial adverse landscape effects will be generated as a result of the change from rural to urban land use. However, these will transition to low and eventually to positive effects as the urban area becomes established and the open space structure and amenity of the form of the Masterplan, its planting, and its response to the features of the landscape is realised.
- (c) The landscape impact resulting from the physical construction works involved in urbanising the area will comprise a greater level of transient adverse landscape effects, assessed to be moderate adverse landscape effects. This is due to the extent and timeframe of the earthworks and associated construction. These effects are, however, temporary in nature and are to be expected (cannot be avoided) as a result of development.
- (d) In terms of visual effects, I consider the most affected viewers will be those residents in elevated locations in the established residential area of Riverlea across the river to the east. In my opinion, moderate-low adverse effects will result for these residents.
- (e) In respect of visual effects for other viewing audiences, I consider effects to be low adverse. In time, it is my view that there will be positive visual effects in respect of the Amberfield development as a new high-quality residential neighbourhood, with a generous provision of public open space and access to the Waikato River will be established for Hamilton.

- (f) I consider the masterplanned layout of Amberfield will create a residential area that has a high-quality amenity within the public realm of the development. The location and extent of open space will give residents and visitors to the future urban area extensive access to the natural amenities of the site including its natural landforms and the Waikato River corridor. As an extension to Hamilton, it is my opinion that Amberfield will have a strong sense of place and a high quality of residential amenity.

Dated this 12th day of April 2019

A handwritten signature in black ink, reading "Rachel de Lambert". The signature is written in a cursive style with a long horizontal line extending from the end of the name.

Rachel de Lambert

ANNEXURE “A”

Plan and Cross Section





