

BEFORE AN INDEPENDENT HEARINGS PANEL

THE PROPOSED WAIKATO DISTRICT PLAN

IN THE MATTER OF the Resource Management Act 1991 (**RMA**)

IN THE MATTER OF hearing submissions and further submissions on
Variation 3 Enabling Housing Intensification to the
Proposed Waikato District Plan

**STATEMENT OF EVIDENCE OF BRIDGET MARY GILBERT
ON BEHALF OF HAVELOCK VILLAGE LIMITED [Submitter 105]
FOR SUBSTANTIVE HEARING**

LANDSCAPE

4 July 2023

BUDDLE FINDLAY

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1. EXECUTIVE SUMMARY

1.1 Relying on the reasoning set out in my evidence, it is my opinion that:

- (a) The proposed qualifying matter to restrict building heights to 5m within a 50m setback from hilltop parks is appropriate, as it will reinforce the legibility of the hilltop parks as local landmarks, reinforce the cultural associations of these areas and support the intended use and amenity (including visual amenity) of these areas as reserves/community destinations.
- (b) The proposed qualifying matter to restrict building heights to 5m within a 50m setback from the primary ridgeline is appropriate, as it will enhance the legibility of the primary ridgeline landform as a part of the more natural rural landscape setting framing Pokeno and reinforce the cultural associations of the ridgeline linking between the hilltop parks.
- (c) The proposed qualifying matter to restrict building heights to 5m within a 50m setback from the elevated section of the Pokeno Industry Buffer is appropriate, as it will reinforce the legibility of the escarpment as an important local landscape feature, that contributes positively to the identity of Pokeno.

1.2 No other qualifying matters are required in relation to the Site.

2. INTRODUCTION

2.1 My full name is Bridget Mary Gilbert. I am a Landscape Architect and Director of Bridget Gilbert Landscape Architecture Limited, Auckland.

2.2 I have been engaged by Havelock Village Limited (**HVL**) to provide landscape advice and evidence in relation to two qualifying matters for the Havelock Precinct provisions under Variation 3 (**V3**) to the Proposed Waikato District Plan (**PWDP**).

2.3 I hold the qualifications of Bachelor of Horticulture from Massey University and a postgraduate Diploma in Landscape Architecture from Lincoln College. I am an associate of the Landscape Institute (UK) and a registered member of the New Zealand Institute of Landscape Architects. I am currently

a panel member of the Auckland Urban Design Panel (chair endorsement) and an Independent Hearing Commissioner for Auckland Council.

- 2.4 I have practised as a Landscape Architect for almost thirty years in both New Zealand and England. On my return to New Zealand, I worked with Boffa Miskell Ltd in their Auckland office for seven years. I have been operating my own practice for the last 18 years based in Auckland.
- 2.5 During the course of my career I have been involved in a wide range of work in expert landscape evaluation, assessment and advice throughout New Zealand including:
- (a) Landscape assessment in relation to regional and district plan policy;
 - (b) Preparation of structure plans for urban, rural, and coastal plan changes and developments;
 - (c) Conceptual design and landscape assessment of infrastructure, rural, coastal, and urban development; and
 - (d) Detailed design and implementation supervision of infrastructure, rural, coastal, and urban projects.
- 2.6 Over the last 12 months, I have assisted HVL with landscape advice in relation to their District Plan appeal, TaTa Valley Resort accessway resource consent application, and V3. This has included several site visits to its land at 5 Yashili Drive 88 Bluff Road, 242 (in part) and 278 Bluff Road, Pokeno (the **Site**) and wider area. I have also met with representatives from Ngāti te Ata, Ngāti Tamaoho and the Pokeno Community Group throughout 2022 and 2023. In the case of iwi representatives, this has included walking the land and viewing the Site from the Town Centre, industrial area, and broader context of Pokeno (for example, from Helenslee Road near the State Highway 1 overbridge).
- 2.7 I have also had the benefit of working with HVL's engineers Civilplan Consultants on potential development scenarios which has given me a practical understanding of the typical character of urban development that could realistically occur on the Site under the Decisions Version of the Waikato District Plan (**DV PWDP**).

2.8 I attended expert conferencing in relation to V3 and the Havelock Precinct provisions on 17 May 2023, with planning and landscape architectural experts. The Joint Witness Statement resulting from the conferencing is referred to as the **Variation 3 Havelock JWS**.

Code of Conduct

2.9 Although this is a Council hearing, I confirm I have read the Code of Conduct for Expert Witnesses contained in the Environment Court Practice Note 2023 and that I agree to comply with it. I confirm that I have considered all the material facts that I am aware of that might alter or detract from the opinions that I express, and that this evidence is within my area of expertise, except where I state that I am relying on the evidence of another person.

Summary of relief sought relevant to this evidence

2.10 It is proposed to introduce the following qualifying matters as part of the Havelock Precinct provisions under V3:

- (a) A provision within the Havelock Precinct that limits building height to 5m within 50m of a hilltop park. This corresponds to the DV PWDP existing standard: PREC4-S1.
- (b) A 50m setback from the Pokeno Industry Buffer¹ and associated reduction in building height to 5m. This forms a new standard.

2.11 I note that the Section 42A Report² supports these qualifying matters on the basis that they form part of a suite of provisions that seek to manage development outcomes within the Site, including the protection of culturally significant landscapes, subject to provision of evidence for the new standard by HVL at the hearing.

2.12 The location and extent of the two setback controls are depicted in **Figure 1** below.

¹ Noting that all the planning experts agreed that the Pokeno Industry Buffer is a qualifying matter (in relation to reverse sensitivity and protecting the Heavy Industry area) at the Variation 3 Havelock Precinct expert conferencing. See Variation 3 Havelock JWS 3.2.2.1.

² Section 42A Report: Report on submissions and further submissions, Variation 3 to the Proposed Waikato District Plan, Enabling Housing Supply, Version 2, dated 15 June 2023 (uploaded on 19 June 2023).

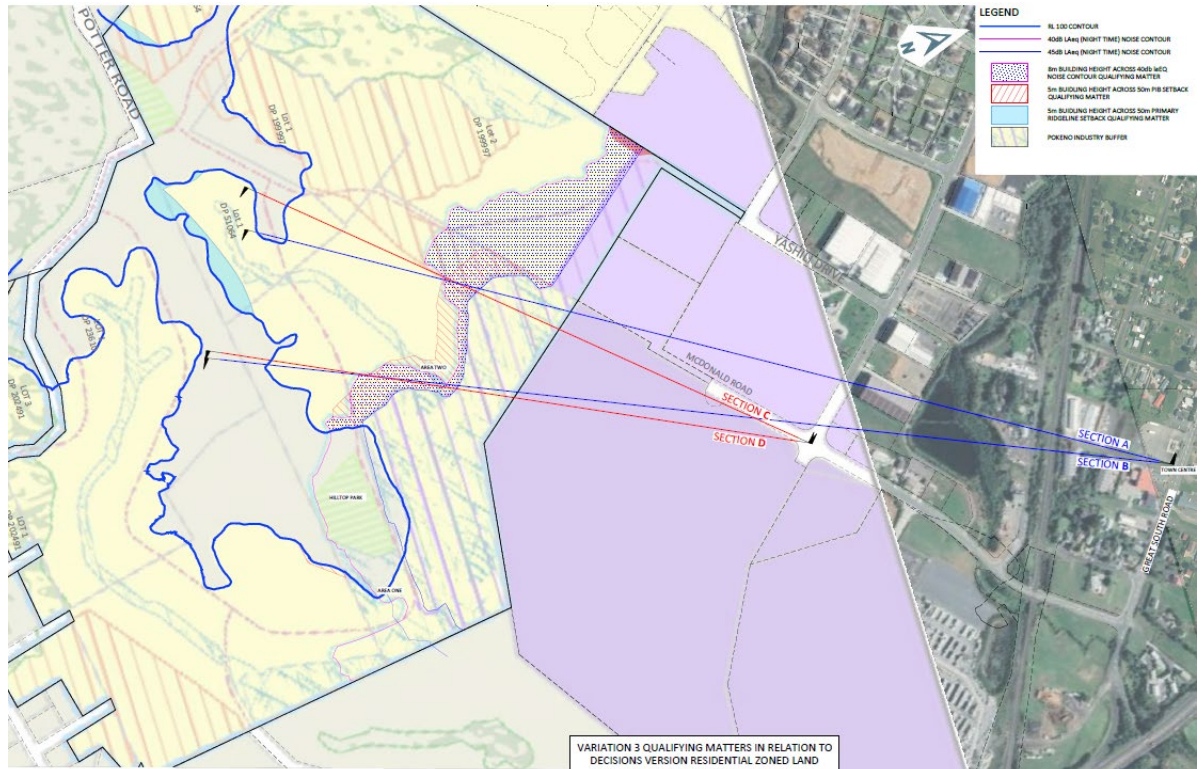


Figure 1: Variation 3 Qualifying Matters in relation to the DV PWDP Residential zoned land in the Site (Source: Civilplan Consultants). For an A3 scale version of this graphic, see **Appendix A Figure (i)**.

3. SCOPE OF EVIDENCE

3.1 My evidence addresses the following matters:

- (a) Why I support the DV PWDP existing standard PREC4-S1, which limits building height to 5m within 50m of a hilltop park.
- (b) Why I support the proposed new standard which limits building height to 5m within 50m of the Pokeno Industry Buffer and the primary ridgeline on the Site.

3.2 I attach the following appendices to my evidence:

- (a) **Appendix A:** Graphic Attachment to Evidence of B Gilbert.

3.3 The key documents I have used, or referred to, in forming my view while preparing my evidence are:

- (a) Landscape and planning evidence prepared for the Proposed Waikato District Plan Stage 1 Hearing in relation to rezoning at Pokeno.

- (b) Report and Decision of Independent Commissioners (on the Proposed Waikato District Plan), Decision Report 281: Zoning – Pokeno, dated 17 January 2022 (including Appendix 14 Havelock Precinct Plan).
- (c) Havelock Precinct – Draft Qualifying Matters and Controls document, dated 24 April 2023, Waikato District Council.
- (d) Section 42A Report: Report on submissions and further submissions, Variation 3 to the Proposed Waikato District Plan, Enabling Housing Supply, Version 2, dated 15 June 2023 (uploaded on 19 June 2023).
- (e) Planning evidence prepared by Mark Tollemache on behalf Havelock Village Limited for Variation 3.

3.4 In terms of **landscape assessment methodology**, I confirm that the methodology that underpins this evidence is consistent with *Te Tangi a te Manu* (Aotearoa New Zealand, Landscape Assessment Guidelines, Tuia Pita Ora New Zealand Institute of Landscape Architects, July 2022).

4. DV PDP EXISTING STANDARD PREC4-S1: 50M SETBACK FROM HILLTOP PARK WITH 5M BUILDING HEIGHT CONTROL

4.1 There are two hilltop parks within the Site: Transmission Hill and Potters Hill. Neither of these parks are identified as Outstanding Natural Features, Outstanding Natural Landscapes, or Amenity Landscapes (ie RMA sections 6(b) or 7(c) features/landscapes).

4.2 However, each of the hilltop parks correspond to visually prominent landscape features that are of cultural importance to mana whenua.³

4.3 In my opinion, their scale, proximity, connectivity via a legible primary ridgeline (discussed below), and generally undeveloped nature means that they form local landmarks and play an important role in terms of the identity of Pokeno as a rural town located within a more natural rural landscape setting. Refer **Photographs 1 and 2** below.

³ For example, see Waikato District Council Hearings of Submissions on the Proposed Waikato District Plan, Report and Decisions of Independent Commissioners, Decision Report 281: Zoning – Pokeno (dated 17 January 2022): [28] to [32] inclusive.



Photograph 1: Typical character of the outlook to the Site from Pokeno Town Centre



Photograph 2: Typical character of the outlook to the Site from Helenslee Road near the State Highway 1 overbridge

4.4 The restriction of buildings to single-storey height (ie 5m) within 50m of each of these parks will have the effect of reinforcing the primacy of these more natural landscape elements within the urban context that is contemplated by the Decisions Version zoning of the Site by:

- (a) Encouraging a character within each of the hilltop parks in which the more natural landscape of the park itself, rather than its urban context, forms the dominant impression.
- (b) Establishing a distinctive and contrasting urban pattern of single-storey dwellings, rather than two-storey (or potentially three-storey under MDRS) dwellings around each park in longer range views. In

my opinion, this will have the effect of drawing visual attention to the parks as a distinctive landscape element.

(c) Optimising the visibility of the hilltop parks in more proximate views.

4.5 For these reasons, I consider that the proposed qualifying matter to restrict building heights to 5m within a 50m setback from hilltop parks is appropriate, as it will reinforce the legibility of the hilltop parks as local landmarks, reinforce the cultural associations of these areas and support the intended use and amenity (including visual amenity) of these areas as reserves/community destinations.

5. PROPOSED NEW STANDARD: 50M SETBACK from the PRIMARY RIDGELINE with 5M BUILDING HEIGHT CONTROL

5.1 As described above, the two hilltop parks within the Site are connected by a Primary Ridgeline system. Like the parks, the primary ridgeline is not identified as an Outstanding Natural Feature, Outstanding Natural Landscape, or Amenity Landscape (ie Resource Management Act 1991, section 6(b) or section 7(c) feature/landscape). Refer **Figure 2** below.

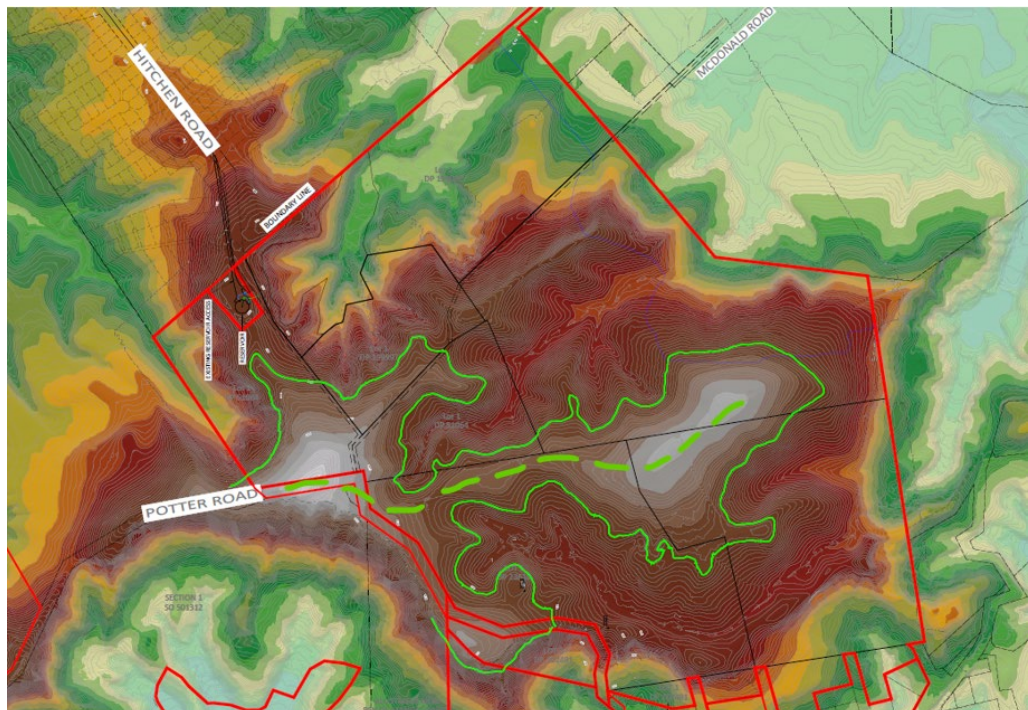


Figure 2: Elevation Plan of the Site. Green solid line: RL100m contour; Green dashed line: approximation of the primary ridgeline.

- 5.2 However, the primary ridgeline forms a visually prominent landscape feature that is of cultural importance to mana whenua.⁴
- 5.3 In a similar manner to the hilltop parks, the scale, continuity and generally undeveloped character of the primary ridgeline, typically seen bookended by Transmission Hill and Potters Hill, means that it plays an important role in terms of the identity of Pokeno as a rural town located within a more natural rural landscape setting. (Refer **Photographs 1 and 2** above).
- 5.4 The restriction of buildings to single-storey height (ie 5m) within 50m of the primary ridgeline will have the effect of maximising the visibility of the primary ridgeline in proximate and longer-range views. In my opinion this will enhance the legibility of the more natural landform as a cultural and 'place making' element within the urban context that is contemplated by the Decisions Version zoning of the Site.
- 5.5 For these reasons, I consider that the proposed qualifying matter to restrict building heights to 5m within a 50m setback from the primary ridgeline landform is appropriate, as it will enhance the legibility of the primary ridgeline as a part of the more natural rural landscape setting framing Pokeno and reinforce the cultural associations of the ridgeline linking between the hilltop parks.

6. PROPOSED NEW STANDARD: 50M SETBACK FROM THE POKENO INDUSTRY BUFFER WITH 5M BUILDING HEIGHT CONTROL

- 6.1 With respect to the proposed new standard which requires buildings to be a maximum of 5m high within a 50m setback from the elevated section of the Pokeno Industry Buffer, I note that the elevated section of the Pokeno Industry Buffer broadly corresponds to the steep escarpment adjacent the low-lying industrial land that frames the southwestern side of Pokeno. (Refer **Photograph 4** below).
- 6.2 Like the hilltop parks, the escarpment is not identified as an Outstanding Natural Feature, Outstanding Natural Landscape, or an Amenity Landscape.
- 6.3 However, it forms a prominent landscape element, particularly in views from the Pokeno Town Centre and the nearby industrial area. The character and

⁴ As above.

scale of the steep scarp face establishes it as a locally important, more natural landmark that contributes positively to the identity of Pokeno.



Photograph 3: Typical character of the elevated section of the Pokeno Industry where it corresponds to the steep escarpment in views from the Town Centre. Transmission Hill is seen to the left of view.



Photograph 4: Typical character of the Elevated section of the Pokeno Industry where it corresponds to the steep escarpment. The Site is to the left of view and the Heavy Industrial land is to the right of view (Source: Evidence of Rachel de Lambert, PWDP Council Hearing evidence.)

- 6.4 I note that the Decisions Version of the Havelock Precinct provisions anticipates that the escarpment will be retired and planted with locally appropriate eco-sourced indigenous species.⁵ I expect that this will enhance the identity of the escarpment as an important local landscape feature.
- 6.5 I understand that another qualifying matter relating to reverse sensitivity issues is proposed in the vicinity of the elevated section of the Pokeno Industry Buffer (and escarpment), and other parts of the Site. This relates to a proposed 8m building height control (two storeys) within the 40 dB LAeq noise contour area as shown on **Appendix A Figure (i)**. This qualifying

⁵ Refer 'environmental protection area' at Appendix 1 (Draft Havelock Village Precinct Plan) of Appendix 5 (Havelock Precinct Draft Qualifying Matters and Controls) of the Section 42A Report, and DV PWDP, GRZ-S23, GRZ-R25, SUB-R21 and SUB-R62.

matter corresponds to an existing provision in the DV PWDP⁶ and is agreed to by Karin Lepoutre in the Section 42A Report,⁷ and at a conceptual level, by all of the planning experts at the Variation 3 Havelock Precinct expert conferencing.⁸

- 6.6 I have explored the potential landscape-related effects of 8m high buildings adjacent the escarpment using a series of cross sections originating in the Pōkeno Town Centre and the nearby industrial area. Refer **Appendix A, Figures (i) and (ii)**.
- 6.7 I consider that this investigation amounts to a relatively cautious approach⁹ as the configuration of the 8m height control associated with the 40 dB LAeq noise contour area is variable, with the 'setback' from the Pokeno Industry Buffer being relatively narrow in places (refer **Figure 3** below). This means that under V3, MRDS 11m high (or three-storey) scale buildings could be contemplated in relatively close proximity to the elevated section of the Pokeno Industry Buffer (and escarpment).

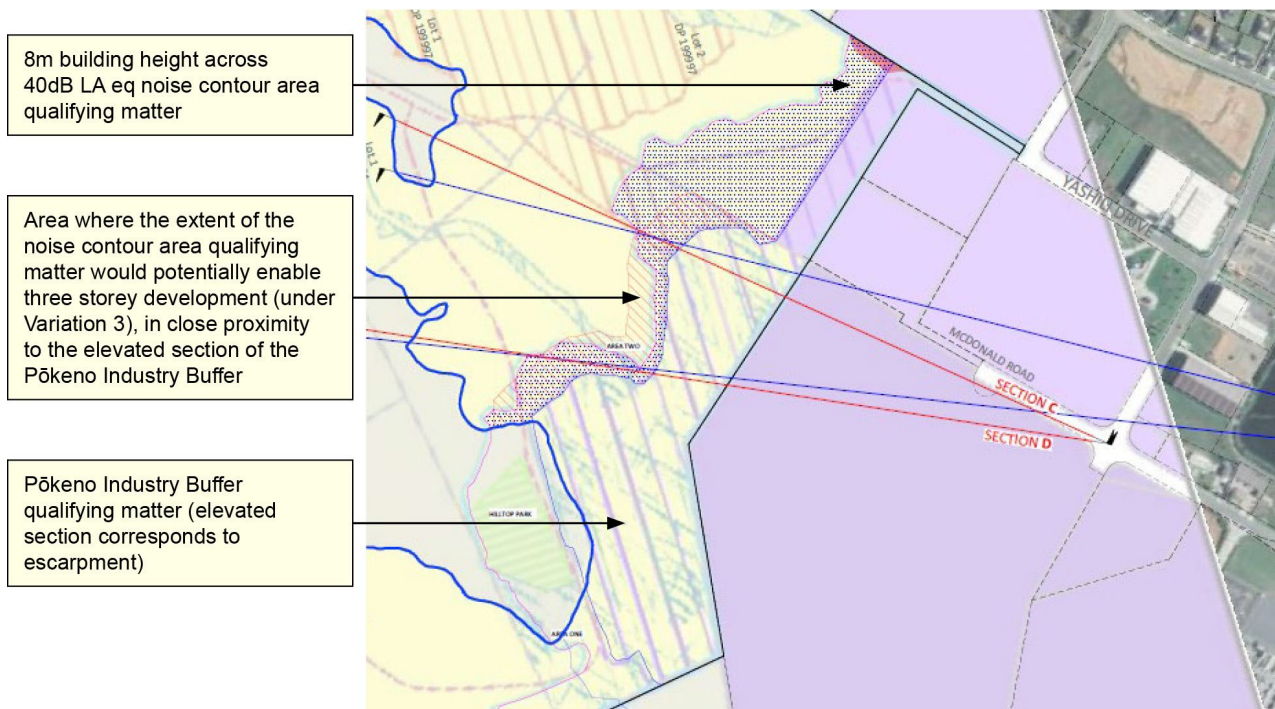


Figure 3: Havelock Precinct – Pōkeno Industry Buffer Qualifying Matter and Noise Contour Area Qualifying Matter.

⁶ DV PWDP, GRZ-S4 (1)(a).

⁷ See paragraph 611 of the Section 42A Report.

⁸ See Variation 3 Havelock JWS: 3.2.2.

⁹ In the sense that the Appendix A Figure (ii) Cross Sections show 8m high buildings rather than 11m high buildings as anticipated under MDRS.

- 6.8 In my opinion, two-storey (or, applying the MDRS, three-storey) buildings along the escarpment edge are likely to be prominent, thus reducing the landform's legibility and identity as a more natural landscape feature. I acknowledge that the escarpment restoration planting context that can be reasonably assumed to establish over time as part of the urban development of the Site may go some way to grounding and potentially 'filtering' views of two-storey (or three-storey) buildings. However, the sloping nature of the escarpment, along with the difficult growing conditions (i.e., elevated, and exposed nature of the area with poor soils), means that it will take an appreciable period of time for such an outcome to be realised (greater than 10 years).
- 6.9 I have also tested a 5m building height control throughout a 50m setback from the elevated section of the Pokeno Industry Buffer. In my opinion, this provides for a more appropriate built form outcome as it is of a scale that can be reasonably be expected to be 'softened' or 'filtered' in the medium term (5 to 7 years) by the escarpment restoration planting.
- 6.10 The reduced building scale, in combination with the filtering influence of the escarpment vegetation, will ensure built development along the escarpment edge remains subservient to the more natural landform feature.
- 6.11 For these reasons, I consider that the proposed qualifying matter to restrict building heights to 5m within a 50m setback from the elevated section of the Pokeno Industry Buffer is appropriate, as it will reinforce the legibility of the escarpment as an important local landscape feature, that contributes positively to the identity of Pokeno.
- 6.12 Relying on my understanding of the Site and local area (as part of the expert landscape advice that I have provided to HVL as part of their District Plan appeal, resource consent application and V3), I do not consider that any other qualifying matters are required to appropriately manage landscape related effects on the Site.



Bridget Gilbert

4 July 2023

Appendix A: Graphic Attachment to the Evidence of B Gilbert

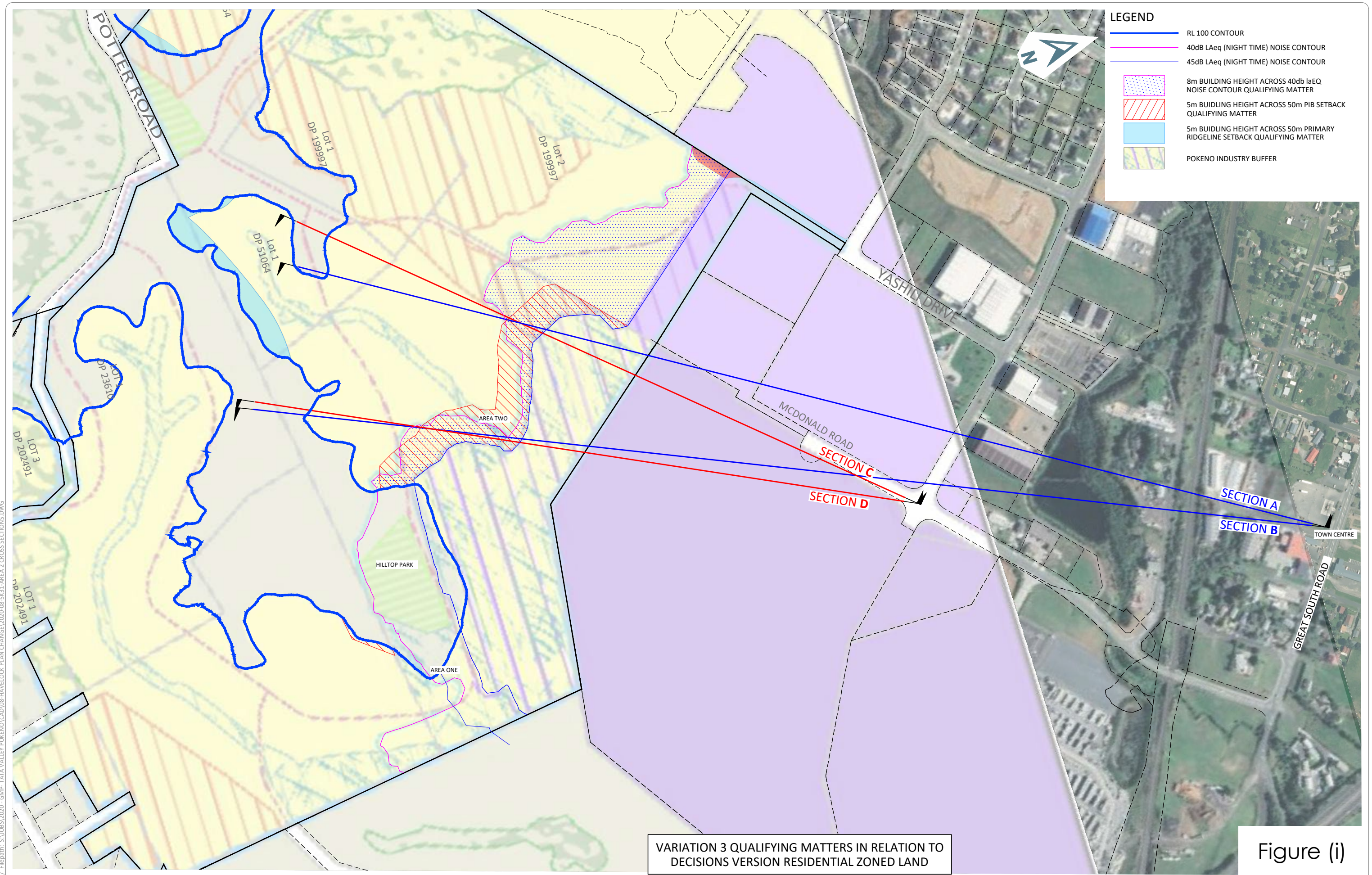


Figure (i)

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REV	REVISION DETAILS	BY	DATE

DRAWN: GDS	DATE: 05.2023
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PROJECT TITLE: **HAVELOCK VILLAGE POKENO**

SHEET TITLE: **AREA 2 SITE CROSS SECTIONS PLAN**

ISSUE STATUS: **DRAFT@27.06.23**

SCALE: (A1/A3) **1:2500 / 1:5000**

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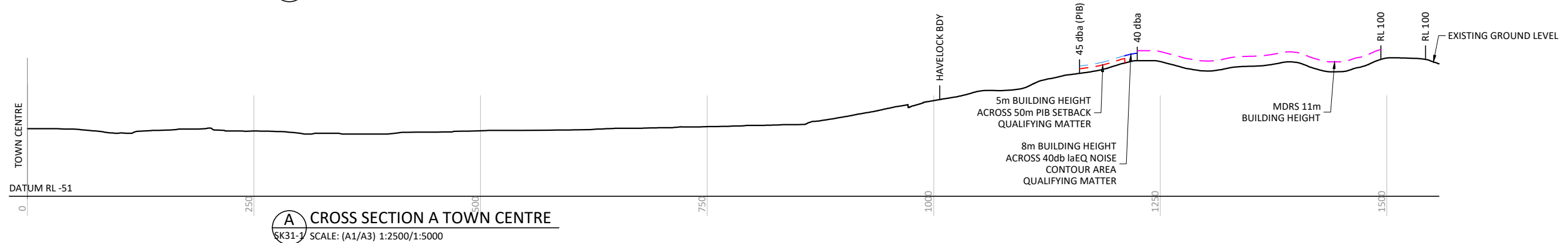
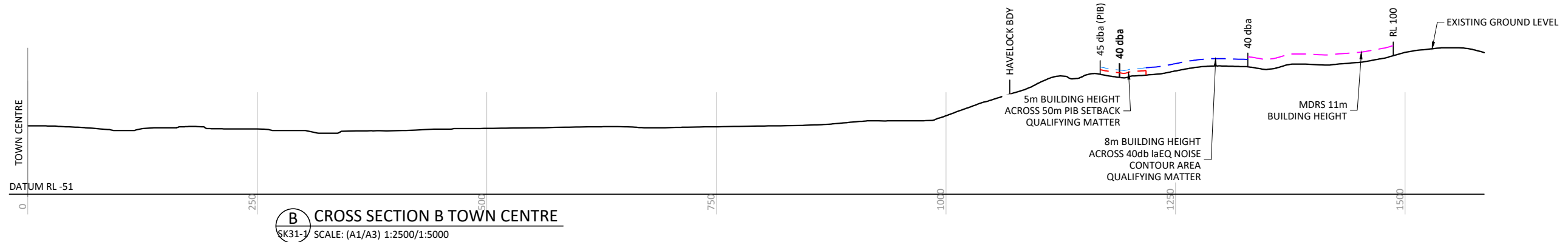
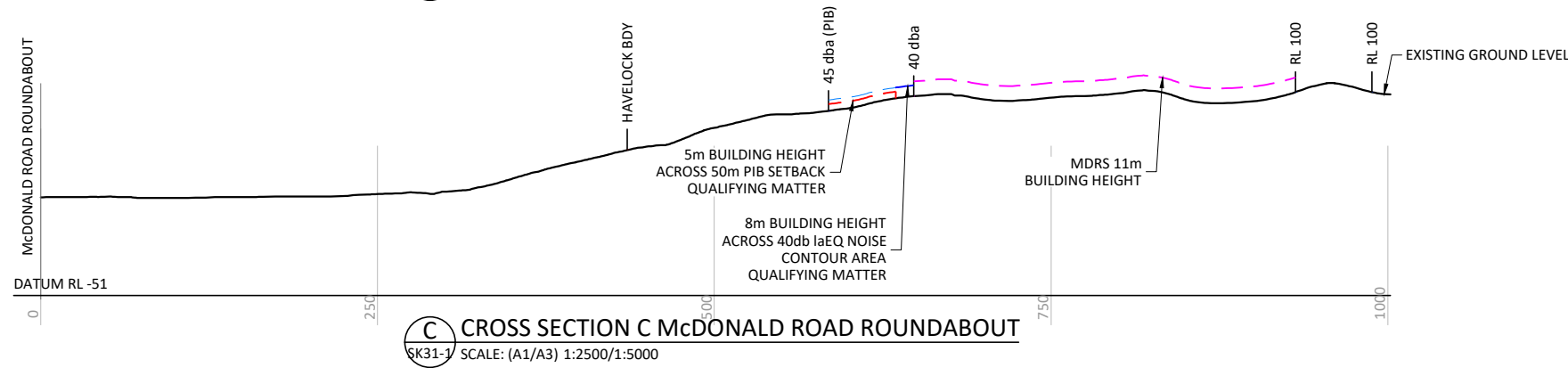
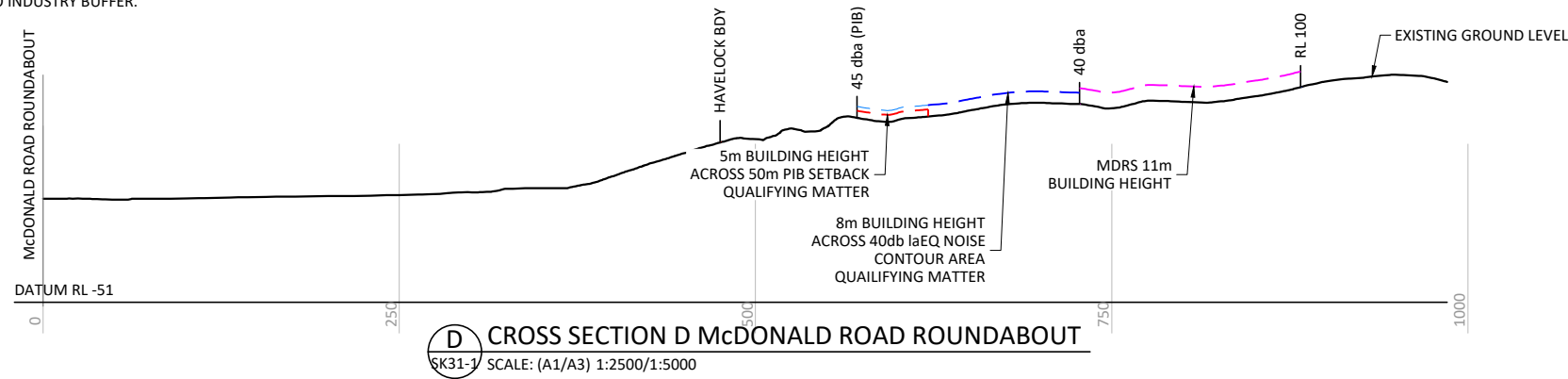
DRAWING NUMBER: **2020-08-SK31-1** REV: -

NOTES:

- REFER TO SHEET 2020-08-SK31-1 FOR SECTION LAYOUT.
- PIB: POKENO INDUSTRY BUFFER.

LEGEND

- 5m BUILDING HEIGHT ACROSS 50m PIB SET BACK
- 8m BUILDING HEIGHT ACROSS 40db laEQ NOISE CONTOUR AREA IN 50m SET BACK
- 8m BUILDING HEIGHT ACROSS 40db laEQ NOISE CONTOUR AREA AFTER 50m SET BACK
- MDRS 11m BUILDING HEIGHT



VARIATION 3 QUALIFYING MATTERS IN RELATION TO DECISIONS VERSION RESIDENTIAL ZONED LAND

Figure (ii)

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PROJECT TITLE: **HAVELOCK VILLAGE POKENO**

SHEET TITLE: **AREA 2 SITE CROSS SECTIONS (EXISTING GROUND LEVEL)**

ISSUE STATUS: **DRAFT@02.06.23**
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