

**BEFORE THE INDEPENDENT HEARINGS PANEL
OF HAMILTON CITY COUNCIL**

UNDER

the Resource Management Act 1991 ("RMA")

AND

IN THE MATTER

of Private Plan Change 17 to the Hamilton City
Operative District Plan ("PC17")

**STATEMENT OF EXPERT EVIDENCE OF PETER NOEL KENSINGTON
ON BEHALF OF FONterra LIMITED**

LANDSCAPE ARCHITECTURE

7 OCTOBER 2025

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1. EXECUTIVE SUMMARY

- 1.1 PC17 seeks to rezone the "**Plan Change Area**", being approximately 91ha surrounding the existing Te Rapa Dairy Manufacturing Site ("**Manufacturing Site**"), to become urban industrial zoned land.
- 1.2 Such an outcome would be contiguous with existing industrial land located to the south of the Plan Change Area. This change in landscape character is also consistent with expectations set out in the relevant planning documents, and aligns with requirements for such outcomes to respect and respond to the sensitivities of the Waikato River (as a significant natural and cultural feature of high landscape value and significance to tangata whenua).
- 1.3 My assessment concludes the majority of the Plan Change Area has a very low level of landscape or visual amenity value, such that it makes logical and understandable sense to rezone the land for industrial purposes, with the landscape impacts of the rezoning being relatively negligible within this context. I consider the proposed change in land use will be well contained both physically and visually by existing infrastructural elements in the local landscape, including road / rail corridors and existing urban land use activity.
- 1.4 PC17 includes bespoke additions to the Hamilton City Operative District Plan ("**ODP**") provisions to require building setbacks and height controls, as well as the establishment of buffer planting, to mitigate potential adverse visual effects when viewed from adjacent rural properties and to assist with the maintenance of landscape character for land that will remain rurally zoned.
- 1.5 Overall, my assessment concludes the proposal to rezone land within the Plan Change Area for industrial land use will result in a low level of adverse effects on landscape, natural character, and visual amenity values. The landscape will change from one that has a predominantly rural character, of mixed quality, to one that has an industrial character.
- 1.6 Such a change makes logical sense from a landscape perspective, given the adjoining existing industrial area and the enclosing nature of the surrounding infrastructural elements, while respecting the importance of the interface that this land has with the significant natural feature of the Waikato River. The proposed rezoning is anticipated with the land being zoned Deferred Industrial under the ODP, such that negligible landscape impacts will arise overall.

2. INTRODUCTION

Qualifications and Experience

2.1 My full name is Peter Noel Kensington. I am a director of KPLC Limited ("KPLC"), a consultancy firm that provides professional landscape architectural and planning services.

2.2 I hold the qualifications of Bachelor of Landscape Architecture (Honours) from Lincoln University (Canterbury) (1995) and Bachelor of Regional Planning (Honours) from Massey University (Palmerston North) (1993).

2.3 I have worked as a landscape architect and a planner for 28 years, providing professional landscape architectural and planning services and advice to applicants, regulatory authorities and submitters.

2.4 Prior to establishing KPLC in 2017, I worked for:

- (a) Auckland Council (2012 – 2017);
- (b) Boffa Miskell Limited (1999 – 2012);
- (c) Wellington City Council (1999); and
- (d) Christchurch City Council (1995 – 1997).

2.5 I am a registered member of Tuia Pito Ora, the New Zealand Institute of Landscape Architects ("NZILA") and a full member of Te Kokiringa Taumata, the New Zealand Planning Institute. I am a subscribing member of both the Urban Design Forum Aotearoa and Te Kahui Ture Taiao, the Resource Management Law Association of New Zealand.

2.6 Between 2011 and 2013 (inclusive) I was an elected member of the National Executive Committee of the NZILA, in the role of Treasurer. I was again appointed to the Executive Committee as a proxy member between 2016 and 2017. I have been a judge for the NZILA awards, and I am a representative for the Auckland Branch of the NZILA on the Auckland Urban Design Panel.

2.7 I hold a certificate (with chair endorsement) from the Ministry for the Environment's "*Making Good Decisions*" programme and I am an Independent Hearing Commissioner for various territorial authorities throughout Aotearoa New Zealand. Since 2022, I have been appointed by the Auckland Council as a Duty Commissioner with delegated authority to decide applications for resource consent and other matters under the RMA. I am a member of the Far

North District Council's independent hearing panel which is currently hearing and considering submissions on the Proposed Far North District Plan.

2.8 My landscape architectural work is focussed within the landscape planning specialty area of landscape architecture, where an assessment of effects on landscape, natural character and / or visual amenity values informs statutory or non-statutory processes, including when considering proposed plan changes.

2.9 I have appeared as an expert witness at hearings under the RMA on numerous occasions, most recently including for the following matters:

- (a) Proposed Plan Change 78 to the Auckland Unitary Plan (Operative in part) City Centre Zone provisions (various).
- (b) Proposed Plan Change 94 to the Auckland Unitary Plan (Operative in part) Wairaka Precinct provisions, Carrington Road, Mt Albert.
- (c) Notices of Requirement for new roading and public transport corridors / stations at Kumeū, Huapai, Redhills and Whenuapai and for new roading corridors at Warkworth.
- (d) Notice of Requirement (amend existing designations) for proposed roundabout, State Highways 1 and 29, Piarere, South Waikato.
- (e) Application for resource consents to expand the Eastland Port, Gisborne (Twin Berth Project).
- (f) Private plan change request to rezone land from rural to residential at Oākura, Taranaki (evidence for submitters in opposition).
- (g) Application for resource consents to establish a regional landfill facility, State Highway 1 Wayby Valley, Wellsford.
- (h) Application for resource consents for offshore seabed sand mining / extraction at Mangawhai / Pākiri.
- (i) Application for resource consents to establish the Ferry Basin downtown public open space, Quay Street, Auckland.
- (j) Application for resource consents for 10ha managed fill activity, Beaver Road East, Bombay.

2.10 I have also provided expert advice for decision makers on various applications and requests under the RMA where no hearing has been necessary.

Involve ment in PC17

2.11 I am the author of the Assessment of Landscape Effects prepared for Fonterra Limited ("Fonterra"), to inform and support PC17.

2.12 I am familiar with the Plan Change Area. To inform my assessment, I undertook two specific site visits of the entire Plan Change Area and the surrounding area on 15 April 2024 and 28 June 2024.

2.13 My assessment was informed by a number of KPLC generated figures (reproduced at **Annexure 1** to this evidence) including a Viewpoint Location Plan, photographs from representation viewpoints that I captured during my site visits, and maps illustrating the location for recommended measures to mitigate potential adverse landscape effects (building setbacks / planting).

2.14 In preparing my assessment, I reviewed a number of relevant drawings prepared by Harrison Grierson Limited ("Harrison Grierson"), which included:

- (a) A2212331.00 - Zoning Context;
- (b) A2212331.00-UD102 - Current Zoning Plan (7 October 2024);
- (c) A2212331.00-UD103 - Proposed Plan Change Extent;
- (d) A2212331.00-UD201 - Draft Structure Plan; and
- (e) A2212331.00-UD900 - Illustrative Master Plan (13 September 2024).

These drawings were attached as part of the wider Assessment of Environmental Effects supporting PC17 prepared by Harrison Grierson.

Code of Conduct

2.15 I confirm that I have read the Expert Witness Code of Conduct set out in the Environment Court's Practice Note 2023. I have complied with the Code of Conduct in preparing this evidence and I agree to comply with it while giving oral evidence before the Hearings Commissioners. Except where I state that I am relying on the evidence of another person, this written evidence is within my area of expertise. I have not omitted to consider material facts known to me that might alter or detract from the opinions expressed in this evidence.

3. SCOPE OF EVIDENCE

3.1 This statement of evidence will:

- (a) Summarise the PC17 framework from a landscape and visual amenity perspective;
- (b) Outline existing landscape character and values;
- (c) Summarise the key findings from the KPLC Assessment of Landscape Effects;
- (d) Respond to landscape matters raised in the Hamilton City Council ("Council") Officer's Section 42A Report ("Section 42A Report");
- (e) Respond to landscape matters raised in submissions; and
- (f) Provide an overall conclusion on Fonterra's application for PC17 from a landscape perspective.

4. PC17

4.1 Te Rapa North, and the Plan Change Area, is located in the northern-most extent of the Council's territory and is surrounded¹ by land administered by the Waikato District Council. The spatial extent of the Plan Change Area is set out in **Figure 1** below.

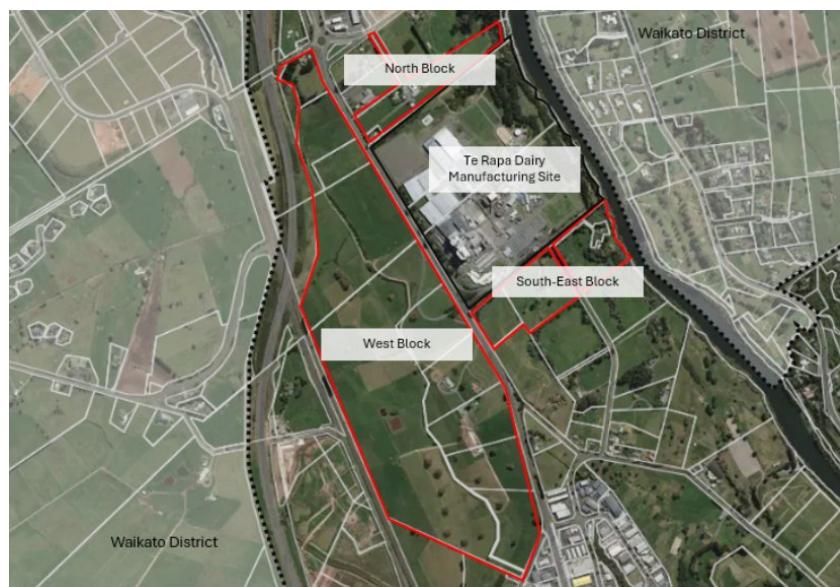


Figure 1: Plan Change Area Boundaries (Source: Harrison Grierson Limited)

¹ To the west (beyond SH1C), to the east (beyond the Waikato River) and to the north.

4.2 The Plan Change Area covers three distinct areas, as I have set out and described below:

(a) **The North Block**

Located to the immediate north of the existing Manufacturing Site and to the east of Te Rapa Road, comprising the properties at 1412 and 1408 Te Rapa Road, Horotiu. These properties are currently utilised for rural residential land use and activity and include an esplanade reserve to the Waikato River in the east, with formal access to Hutchinson Road to the north.

(b) **The South-East Block**

Located to the immediate south of the existing Manufacturing Site, either side of Meadow View Lane, comprising the properties at 1340, 1336 and 1330 Te Rapa Road and 65 and 80 Meadow View Lane, Pukete.

(c) **The West Block**

Located to the west of the existing Manufacturing Site, on the western side of Te Rapa Road, bounded by State Highway 1C (Waikato Expressway) ("SH1C"), Onion Road, Old Ruffell Road and Te Rapa Road. The majority of the West Block is commonly referred to as Te Rapa Farm, which is currently owned and managed by Fonterra. The West Block comprises the properties at 1431, 1443 and 1429 - 1271 Te Rapa Road, Horotiu.

4.3 The Plan Change Area is contiguous with the area of existing industrial land use activity which applies to land to the immediate south of Old Ruffell Road, and to both the west and east of Te Rapa Road. The Waikato River / Waikato Te Awa ("Waikato River") is located to the east of the existing Manufacturing Site. The river is a significant natural and cultural feature, with high existing landscape, natural character and visual amenity values.

4.4 PC17 seeks to rezone the Plan Change Area to become Te Rapa North Industrial Zone ("TRNIZ") by removing the Deferred Industrial Zone Overlay from the Plan Change Area. The ODP currently contains TRNIZ provisions. PC17 seeks to utilise these existing provisions and add additional provisions specific to the Plan Change Area.

4.5 Should PC17 become part of the ODP, I anticipate that the Plan Change Area would essentially transform, over time, from a currently rural land use to a future industrial land use. Industrial land use and buildings, within a new

roading / infrastructure framework, would be provided for, with the following rules and standards, from the ODP, relevant to future built form outcomes:

- (a) Buildings set back 8m from land zoned open space (standard 12.4.1.vi.), 30m from the bank of the Waikato River (standard 12.4.1.a.) and 6m from the banks of Te Rapa Stream (standard 12.4.1.b.), noting that PC17 seeks to change this setback to 10m;
- (b) Building setbacks from site boundaries (standards 12.4.1.i.-x.); and
- (c) Building heights up to 20m above existing ground level (standard 12.4.2.a.) with instances of greater heights for specific activities (for example, container stacking and tower structures), plus height in relation to boundary standards (3m + 45-degree from land zoned open space – standard 12.4.3), permeable surfaces (20% across the entire site – standard 12.4.5) and landscaping (standard 12.4.6).

4.6 The proposed structure plan and master plan component of PC17 will inform the design for future urban land use change within the Plan Change Area. This includes the likely location of future roading and associated infrastructure and the pattern of future built form, based on the indicative proposed spatial arrangement set out in these high-level documents.

4.7 As part of the anticipated future industrial development pattern, opportunities to maintain and enhance ecological values and provide new walking / cycling access and connections through the Plan Change Area would be realised.²

4.8 In addition, the proposed PC17 provisions include a requirement for buildings to be set back 30m from the banks of the Waikato River (as set out at paragraph 4.5(a) above); alongside restrictions in these areas because of existing significant natural area overlays and underlying topography. Development is also likely to be restricted in these areas due to future esplanade reserve requirements upon any future subdivision of land.

5. EXISTING ENVIRONMENT AND LANDSCAPE CHARACTER VALUES

5.1 The NZILA Te Tangi a te Manu guidelines³ for landscape assessment promote engagement with tangata whenua to assist with an understanding and the

² For example, see proposed provisions at: objective 3.9.2.7 (Blue-Green Corridor (Ecology and Stormwater Management)); objective 3.9.2.8 (Cultural); objective 3.9.2.9 (Landscape Values (Interface with Deferred Industrial Zone overlay)); and objective 3.9.2.5 (Movement Network) at (n)-(p); with associated rules and information requirements.

³ 'Te Tangi a te Manu: Aotearoa New Zealand Landscape Assessment Guidelines', July 2022.

consideration of Māori cultural landscape values from a Te Ao Māori and Mātauranga Māori perspective. In this instance, engagement with tangata whenua has been led by Fonterra, with this engagement being undertaken during preparation of the PC17 request, with continued engagement ongoing. All information relevant to my assessment as it relates to the Plan Change Area and PC17, has been provided by Fonterra as a result of this engagement, and used to inform my assessment of effects on Māori cultural landscape values.

5.2 I understand that Fonterra has engaged with the following Hapū and Iwi:

- (a) Ngaati Wairere;
- (b) Ngaati Maahanga;
- (c) Ngaati Tumainupoo;
- (d) Tuurangawaewae Trust Board; and
- (e) Waikato Tainui.

5.3 Collectively, inputs from tangata whenua in relation to PC17, resulting from this engagement, have been provided via a Tangata Whenua Working Group ("TWWG"). Informing my assessment is a Cultural Advice Report (October 2024) that has been prepared by the TWWG.

5.4 It is my understanding from the Cultural Advice Report, that maintenance and enhancement of the health of the Waikato River is of upmost importance to tangata whenua, with particular interest given as to how the proposed provisions will address stormwater management and planting at pond and stream margins. In addition, Mangaharakeke Paa is located adjacent to and within the Plan Change Area, representing identified sites of significant cultural importance.⁴

5.5 The Waikato River is a strong and significant natural and cultural landscape feature that defines the eastern extent of the localised landscape associated with the Plan Change Area. While it is possible to view the Plan Change Area from the eastern side of the river, this natural feature provides a clear physical separation as it has a relatively wide extent, which influences viewing distances from these viewpoint locations. The presence of existing vegetation along the river margins also limits visibility from east to west; including when

⁴ The portion of the Mangaharakeke Paa located within the Plan Change Area is a recorded as S14/17 on the New Zealand Archaeological Association's ArchSite.

viewed from the Horsham Downs golf course which is located to the immediate east of the existing Manufacturing Site on the eastern side of the river.

- 5.6 A popular existing riverside walking and cycling trail (Te Awa River Ride – The Great New Zealand River Ride), which forms part of Te Araroa (the long pathway from the top of the North Island to the bottom of the South Island) is located on the western side of the river and passes through the eastern edge of the existing Manufacturing Site, as part of the wider journey north-south of the Plan Change Area.
- 5.7 The existing Manufacturing Site, including existing buildings, vehicular access and associated activities (which are to remain unchanged and which do not form part of PC17) is a visually prominent grouping of rural industrial scale buildings, being a landmark activity in the Te Rapa / Horotiu landscape.
- 5.8 Other characterising activities in the wider landscape, which influence the existing environment proximate to the Plan Change Area, include approximately 90 hectares of land to the north of the Plan Change Area, straddling SH1C beyond Hutchinson Road, known as "**Te Awa Lakes**". It is my understanding that this land was previously used for sand quarrying; however, it is now zoned for a mix of residential, commercial and industrial and is to be developed in a staged manner. Other land to the north of the West Block, is also understood to be developed in the future into a mix of commercial, accommodation and recreational land use activities (i.e. urban).
- 5.9 An existing motorway service centre (petrol station, café and boat retail store) is located on the eastern side of Te Rapa Road to the north of Hutchinson Road and east of Bern Road. An existing dwelling is located on the rural residential property north of the Plan Change Area at 40 Hutchinson Road.
- 5.10 The New Zealand Sikh Society "Sikh Temple Hamilton" is located on the property at 1418 Te Rapa Road (which has signage stating the address as 6391 Te Rapa Road). This building is relatively distinctive in character and is set within landscaped grounds providing large areas of car parking / access.
- 5.11 It is my assessment that SH1C is a dominant lineal built infrastructural element in the landscape and provides a strong containment (physically and visually) to the west of the Plan Change Area. The North Island Main Trunk ("**NIMT**") railway line (located within the Plan Change Area, at the western extent) also provides a similarly strong lineal built infrastructural element adjacent to Onion Road; however, due to its elevation, width and level of activity, it is the

motorway corridor that clearly defines the extent of the existing rural-urban boundary to the west.

5.12 Land to the south of the South-East Block, on the eastern side of Te Rapa Road, is currently comprised of a number of individual properties that are either vacant and used for grazing purposes, or are of a rural-residential nature. The properties at 1397 and 1406 Pukete Road and 16B, 24, 37, 40 and 41 Meadow View Lane contain existing dwellings, generally located within areas of established vegetation. It is my assessment that the outlook from each of these dwellings appears to primarily be to the east or north and not focussed westward towards the Plan Change Area.

5.13 Land to the immediate south of the West Block (to the south of Old Ruffell Road and generally located either side of Te Rapa Road) is comprised of a mix of well-established light industrial land use buildings and activities, including some associated retail activities. Further to the east of this existing industrial area and to the west of the river, land centred around Pukete Road (beyond the immediate proximity of the South-East Block) is zoned for and contains a variety of open space activities.

5.14 The existing landscape character and amenity values of the Plan Change Area and the surrounding area, in my opinion, are heavily influenced by busy roads and traffic, particularly on Te Rapa Road. The landscape character and overall amenity values of the Plan Change Area and the surrounding area, while providing for rural land use, are somewhat blighted by a lack of active rural land use and associated activity taking place.

5.15 Te Rapa Farm, however, is clearly a well-managed and maintained rural property, which contributes positively, in my opinion, to existing landscape (rural) character and amenity values. The majority of existing rural residential properties to the south of the South-East Block also appear to be well-managed and maintained for rural-residential (lifestyle block) purposes.

5.16 The area as a whole, however, has a transitional character, being neither truly urban nor rural, in my opinion. It is the influence and proximity of the Waikato River, as an outstanding natural feature of significant cultural landscape value, that provides the most defining element of the localised landscape. It is this feature, in my opinion, that provides the greatest landscape constraint to industrial development, but also provides an opportunity for enhancement to occur at the interface between future industrial land use and the river margins.

5.17 In that regard, my assessment noted that the Manufacturing Site activity and buildings are set back some distance from the river margins, providing for areas of open space as an effective 'buffer' between the natural feature and the industrial land use. This buffer area, while being on private land, operates effectively as public open space (with Te Araroa trail passing through); as well as acknowledging that the buffer area contains an historic paa site, which adds to the cultural landscape value of this location.

6. EFFECTS ON LANDSCAPE AND NATURAL CHARACTER AND VISUAL AMENITY VALUES

6.1 The findings and overall adverse effects ratings in my assessment have been based on a seven-point scale, which is consistent with the NZILA guidelines.

Statutory provisions which provide context for assessment

6.2 My assessment has also been undertaken within the context of the relevant objectives and policies from the ODP, noting the overarching relevance of the RMA requirements. In addition, when undertaking my assessment, I have had an awareness of the relevant standards and rules under the ODP which has assisted with an understanding of how the Plan Change Area might be developed. The existing environment and planned outcomes sought under both the ODP and the Operative and Proposed Waikato District Plan for land outside the Plan Change Area have also informed my assessment, based on current zoning patterns.

6.3 I also understand PC17 is seeking to follow the intent of Te Tau Tītiki, the 2024 Future Proof Strategy, which guides urban growth management and implementation in a staged and managed way.

6.4 My summary of these key relevant planning provisions are:

(a) Land to the west of the Plan Change Area (beyond the NIMT and SH1C) within the Waikato District is zoned rural.

(b) Land to the north of the Plan Change Area (beyond Hutchinson Road) within both Hamilton City and the Waikato District is zoned for a combination of medium density residential, business neighbourhood centre and major recreation land use.

(c) Land to the east of the Plan Change Area (on the eastern side of the Waikato River) within the Waikato District is zoned for rural and

countryside living (north of Kay Road) and general residential (south of Kay Road).

(d) In addition to the existing industrial zoned land to the south of the Plan Change Area, which is clearly a highly urbanised landscape, large areas of open space zoned land are located either side of Pukete Road (west of the Waikato River). This includes a combination of: sports and recreation; natural; and neighbourhood open space zoning.

(e) A relatively narrow band of open space zoned land is located immediately east of the Plan Change Area on the western bank of the Waikato River.

(f) The ODP gives effect to Te Ture Whaimana o Te Awa o Waikato (the vision and strategy for the Waikato River, prepared by the Waikato River Authority and forming part of the RPS), which is the primary direction-setting document for the management of the river.

(g) The ODP (at objective 21.2.1) seeks to restore and protect the ecological, amenity, landscape and cultural values of the river corridor and gully systems, including through policies (21.2.1d and 21.2.1e) that anticipate the restoration and protection of the relationship between the river, Waikato-Tainui and the community. Public access along the river corridor is promoted, as a signal that future development in this location should respect the river context.

6.5 It is my understanding that the proposal to rezone the Plan Change Area as TRNIZ will provide for urbanisation of the Plan Change Area, similar to that which exists to the south of the area (i.e. light industrial activities). I note that the anticipated outcomes for such a zone are clearly signalled in the current objectives and policies of the ODP, which primarily seek to ensure that development of the Plan Change Area proceeds in an integrated manner for the efficient use of infrastructure. The plan provisions also include various rules for building setbacks, activity types and landscaping requirements.

Effects on landscape and natural character values

6.6 I have assessed that future development which would be enabled by the proposed rezoning of land to TRNIZ will result in a change in character from rural to urban, with the introduction of large buildings and associated industrial activities. Such a change is, however, anticipated and will be well contained both physically and visually within the frame of the existing infrastructural

elements in the landscape. It is also my assessment that future enabled development would be perceived as a continuation of the wider area's existing industrial development.

- 6.7 The more sensitive eastern portion of the Plan Change Area, being spatially located in close proximity to the Waikato River, is proposed to be zoned Open Space, which will assist with the maintenance and enhancement of landscape, natural character and visual amenity values adjacent the river. In addition to this zoning restriction, the further requirements for building setbacks and height controls within the area to be rezoned to TRNIZ will also assist to provide an appropriate degree of separation between development and the river.
- 6.8 In addition, to maintain and enhance landscape, natural character and visual amenity values, the proposed requirements under PC17 for building setbacks and height controls within the area to be rezoned to TRNIZ, alongside the extent of land to be zoned Open Space in the future, will in my opinion assist with maintaining a degree of openness (without industrial buildings) where this area directly interfaces with the Waikato River.

Effects on visual amenity values

- 6.9 It is my assessment that the Plan Change Area is relatively well-contained physically by infrastructural elements (SH1C for example) and these existing features within the landscape will also serve to ensure that future development within the Plan Change Area will also be relatively contained visually.
- 6.10 I have assessed that the primary viewing audiences that will experience the change in land use that would be enabled by PC17 are those people viewing from properties located within the immediate vicinity of the Plan Change Area, or those people viewing from local roads within the area.
- 6.11 Potential adverse visual effects on these viewing audiences may arise as a result of the establishment of industrial scale buildings and associated land use activities, when viewed from adjacent rural properties. In order to mitigate potential adverse visual effects on these viewing audiences, PC17 includes provisions that require the establishment of planted buffers. These require a shelterbelt or 5.0m wide planted buffer along these interfaces. Such planting is to include evergreen (exotic or deciduous) trees and other vegetation capable of growing to at least a height of 10m above ground level (excluding for the length of any property boundary that crosses riparian margins, where riparian planting would take precedent) within five years from the time of planting.

6.12 The purpose of this requirement is to provide a dense vegetated buffer between buildings and associated activities on the new industrial properties and the ongoing rural land use activities (and associated rural character and values) that currently exist on land immediately adjacent these properties.

6.13 My assessment recognised that it would take time to establish these buffers; however, a duration of five years for establishment is considered to be an acceptable duration for the temporary effect. The provisions also recognise that the planting would be temporary in purpose, until such time as these adjacent properties are also rezoned industrial via a future plan change process. I support these outcomes from a landscape perspective. In my opinion, once established, this mitigation planting will assist with the maintenance of landscape (rural) character, as well as the mitigation of potential adverse visual amenity effects for people within these properties.

Summary of landscape effects overall

6.14 It is my overall assessment that the proposal to rezone land within the Plan Change Area for industrial land use will result in a **low** level of adverse effects on landscape and natural character and visual amenity values. The landscape will change from one that has a predominantly rural character, of mixed quality, to one that has an industrial character. Such a change makes logical sense from a landscape perspective, given the enclosing nature of the surrounding infrastructural elements, while respecting the importance of the interface that this land has with the significant natural feature of the Waikato River. The proposed rezoning is anticipated with the land being zoned Deferred Industrial under the ODP, such that negligible landscape impacts will arise overall.

7. SECTION 42A REPORT

7.1 The Section 42A Report confirms (at para 6.49) that “*...any potential adverse landscape and visual amenity effects will be minimised and are able to be managed*”. However, the report also recommends (at para 6.18) that the PC17 provisions should include a requirement (at Rule 3.9.3.4) for a Landscape Concept Plan as part of the information required under clause 1.2.2.31 of Appendix 1. The Section 42A Report indicates that this suggestion has been modelled on similar provisions that exist for the Peacocke Structure Plan.

7.2 While I support the intent of requiring such information, I do not see this as being absolutely necessary. The suggested requirements are matters that a landscape architect involved with future subdivision and development of both public and private land should be considering as part of a landscape design

strategy and design process in any event, including keeping the Waikato River in focus as a key natural and cultural element that provides important context.

7.3 Having said the above, it is my understanding that Fonterra is prepared to accept the requirement for a Landscape Concept Plan to be provided, as has been suggested in the Section 42A Report.

7.4 If such provisions were to be included, I suggest that the currently proposed wording may need refinement to make the requirements clearer and more fit for purpose and better relate the requirements to each of the three distinct spatial areas of the 'North Block', 'South-East Block' and 'West Block'. For example, if a future land use or subdivision proposal was located in the 'North Block', there would be no need for a required Landscape Concept Plan to cover the 'South-East Block' or the 'West Block'. Consistency with the currently proposed illustrative master plan should perhaps also be referenced in the provisions, noting that an iterative approach should be anticipated and the master plan will likely evolve and update over time as the areas get developed.

7.5 I have included my suggested edits to these provisions at **Annexure 2**.

8. RESPONSE TO SUBMISSIONS

8.1 I have read the submissions received on PC17, noting that none of these appear to directly raise concerns relating to landscape matters. The submission from *Horotiu Farms Limited and Te Awa Lakes Unincorporated Joint Venture Limited* raises an issue regarding the interface between the northern spatial extent of PC17 with Te Awa Lakes property. As I understand it, the submission is requesting additional bulk and location controls within PC17 at this interface (being land that is also zoned as TRNIZ, but remaining under the deferred overlay). Specifically the suggestion by this submitter is to amend the building height standard (12.4.2) to provide for a stepped approach of a graduated building height from 20m to 12m within 50m of a zone boundary.

8.2 While I support the principle of this suggestion, which could assist with the management of potential adverse landscape and visual effects, including the potential for visual dominance from future buildings on adjacent land beyond the Plan Change Area, it is my opinion that the suggested metric of 12m is too restrictive in the context of industrial land use activities. Unless further detail is provided by the submitter to justify the suggestion, it is my opinion that the currently proposed provisions do not need to be amended in order to avoid, remedy or mitigate actual or potential adverse landscape and visual effects.

9. CONCLUSION

9.1 It is my opinion that rezoning the Plan Change Area to TRNIZ, is consistent with the future intent for this land, as signalled in the plan provisions and wider strategic directions for Waikato.

9.2 While the majority of the Plan Change Area exhibits an existing rural character of good quality in places, primarily because this land is currently being managed and maintained in this state by Fonterra; I have assessed that there are pockets of land within the Plan Change Area which exhibit a lesser quality of rural character. Without active management through rural land use activity, such properties, in my assessment, currently exhibit somewhat of a transitional character which is neither rural nor urban. It is also my assessment that the presence of the existing Manufacturing Site buildings and activities between Te Rapa Road and the Waikato River influences the existing landscape character of the surrounding area, with these being relatively large and visually prominent structures with an industrial appearance.

9.3 In addition, I have identified that significant infrastructure is present, including SH1C and the NIMT (forming a clear western edge to the Plan Change Area) and the busy Te Rapa Road highly trafficked environment, alongside the clearly urbanised existing industrial land to the immediate south of the Plan Change Area (being the existing Te Rapa industrial estate).

9.4 As such, it is my assessment that the majority of the Plan Change Area has a very low level of landscape or amenity value, such that it makes logical and understandable sense to rezone the land for industrial purposes.

9.5 Land to the east of Te Rapa Road, particularly that within the localised context of the Waikato River margins, has greater landscape, natural character and amenity value sensitivities. PC17 contains bespoke provisions that provide for these areas to be zoned Open Space, alongside requirements for future industrial building development to be set back appropriately to retain an open space character adjacent to the river margins.

9.6 In addition, immediately neighbouring properties to the Plan Change Area east of Te Rapa Road, will remain subject to the Deferred Industrial Zone ODP Map Area. To maintain the landscape and amenity values for people within these properties, PC17 contains provisions that will require establishment and maintenance of planting to mitigate adverse visual amenity effects.

Peter Kensington
7 October 2025

Annexure 1 – Copy of supporting KPLC Figures 1-29 from 4 December 2024 KPLC Assessment of Landscape Effects (view / print at A3-size in landscape orientation).



KPLC HG 3 Figures 1-29

Proposed Private Plan Change 17 to the Kirikiriroa / Hamilton City Operative District Plan by Fonterra Limited to rezone land at Te Rapa / Horotiu from 'Deferred Industrial Zone' to 'Te Rapa North Industrial Zone'

Assessment of Landscape Effects - supporting figures





Extent of single-frame (50mm) photo - refer Figure 3





Extent of single-frame (50mm) photo - refer Figure 5





Extent of single-frame (50mm) photo - refer Figure 7





Extent of single-frame (50mm) photo - refer Figure 9



Joins right side of image above





Extent of single-frame (50mm) photo - refer Figure 11





Extent of single-frame (50mm) photo - refer Figure 13





Extent of single-frame (50mm) photo - refer Figure 15





Extent of single-frame (50mm) photo - refer Figure 17





Extent of single-frame (50mm) photo - refer Figure 19





Extent of single-frame (50mm) photo - refer Figure 20







Extent of single-frame (50mm) photo - refer Figure 23







Extent of single-frame (50mm) photo - refer Figure 25





Extent of single-frame (50mm) photo - refer Figure 27







Annexure 2 – Peter Kensington suggested edits to the Section 42A Report proposed addition to Rule 3.9.3.4 requiring the provision of a Landscape Concept Plan, via the information requirements at Appendix 1 (clause 1.2.2.31)

Note: suggested additions shown as black underlined text (with blue underlined text being defined terms under the ODP) and deletions as black ~~strikethrough~~ text.

Te Rapa North Industrial Area Landscape Concept Plans

- a. The first application for land use or subdivision ~~resource~~ consent lodged for land within each of the 'North Block', the 'South-East Block' or the 'West Block' (as defined in [insert reference to plan showing the three Blocks]) of the Te Rapa North Industrial Area must be accompanied by a Landscape Concept Plan covering the spatial extent of the block within which the site is located ~~entire Te Rapa North Industrial Area~~.
- b. The objectives of the ~~any~~ required Landscape Concept Plan are to:
 - i. Protect or enhance the natural character and cultural, heritage, and amenity values of Te Rapa North Industrial Area;
 - ii. Recognise and provide for ~~mana tangata~~ whenua values and relationships with Te Rapa North Industrial Area, and their aspirations for the area; and
 - iii. Reflect the area's character and heritage.
- c. The required ~~Landscape~~ Concept Plan must include:
 - i. A landscape conceptual design for any areas of open space proposed within Te Rapa North Industrial Area, including details of landscape treatment for any neighbourhood reserves, esplanade reserves, special purpose reserves, streets, footpaths, cycleways, stormwater swales, wetlands, detention basins, streams, and riparian margins;
 - ii. A list of plant types, ~~and species~~ and sizes at the time of planting, to be used for ~~landscape~~ planting within Te Rapa North Industrial Area, including species that reflect the history of the area, and which can be sourced as naturally occurring within the Waikato Region ~~the plant sizes at time of planting~~;
 - iii. Requirements for sourcing for the ~~landscape~~ planting plants that are naturally occurring in the Waikato Region;
 - iv. Use of indigenous species and landscape design that reflect mana whenua cultural perspectives, including species that are valued as customary food or for traditional uses, and those that support indigenous biodiversity and provide habitat for mahinga kai, native birds and lizards;
 - v. Details of ongoing maintenance to ensure the planting achieves the best possible growth rates;
 - vi. Details of any proposed sites for water-related activities and proposed public access to them and to and alongside waterways and wetlands;

- vii.vi. Details of any sites of significance for mana whenua and how they will be protected, enhanced, or commemorated;_1
- viii.vii. Details of any interpretation materials communicating the history and significance of places and resources and any mana whenua inspired artwork or structures, including where they are to be installed or applied within Te Rapa North Industrial Area;_1
- ix.viii. A list of traditional names suggested by mana whenua for sites, developments, streets, neighbourhoods or sub-catchments in Te Rapa;_1
- ix. Evidence of consistency with the Illustrative Te Rapa North Industrial Area Master Plan [reference, including provide for any updated version that might be prepared];
- x. Evidence of consistency with the Ecological Management Plan [will need to specify exactly what this document is and any potential updates]; and
- xi. Evidence of engagement with mana whenua in preparation of the Landscape Concept Plan, including how the plan responds to the matters discussed in that engagement.