IN THE MATTER of the Resource Management Act

1991 ("RMA" or "the Act")

AND

IN THE MATTER of an application to HAMILTON

CITY COUNCIL for private plan change 7 to the operative Hamilton City District Plan by GREEN SEED CONSULTANTS

LIMITED

STATEMENT OF EVIDENCE OF ROBERT JAMES PRYOR

1. **INTRODUCTION**

1.1 My full name is Robert James Pryor. I am a registered landscape architect and a Director of LA4 Landscape Architects ("**LA4**"), a position I have held since 1996.

Qualifications and experience

- I hold a Bachelor of Science degree in Psychology from Otago University (1980) and a post-graduate Diploma of Landscape Architecture from Lincoln University (1984). I am a registered member of the New Zealand Institute of Landscape Architects, a member of the Resource Management Law Association and a member of The Urban Design Forum NZ.
- I have over 30 years' experience undertaking landscape assessments for clients in both the public and private sectors on a wide variety of major projects within a range of landscape settings. I specialise in the preparation of landscape assessments and have undertaken numerous assessments.
- I have been involved in an extensive range of local authority, public and private sector work. As Landscape Architect for the Wellington City Council, I was responsible for coordinating, designing, and overseeing the implementation of the city's landscape and urban development projects. Since becoming a Director of LA4, I have specialised in landscape assessment and landscape evaluation.
- Prior to becoming a director of LA4, I worked for the firm for three years as a Landscape Architect (1993-1996). Prior to that I was a Director of Bannatyne Pryor Associates in Wellington (1989-1993) and Landscape Architect for Wellington City Council (1984-1989).

Involvement in the Rotokauri North Plan Change Project

- I was engaged by Green Seed Consultants Limited ("GSCL") in February 2019 to undertake a landscape and visual effects assessment to inform and support the proposed Private Plan Change Request (now Plan Change 7 "PC7" or "PPC") for the company's site at Rotokauri North, Hamilton.
- 1.7 The PPC proposes to rezone approximately 140 hectares of land within Rotokauri North from Future Urban Zone ("FUZ") to Medium Density Residential Zone ("MDR") and Business 6 Zone ("B6"). The plan change also seeks to insert the proposed Rotokauri North Structure Plan ("RNSP") into the operative Hamilton City District Plan ("HCDP") and give it statutory weight, in place of the existing structure plan in respect of Rotokauri North ("RSP").
- 1.8 I have now been engaged to present evidence at the Council hearing. I am very familiar with the site having undertaken a number of visits since January 2019.

Purpose and scope of evidence

- 1.9 The purpose of my evidence is to outline the findings of the landscape and visual effects assessment. In that regard, my evidence will address the following matters:
 - (a) Description of the site and surrounding landscape context (Section 3);
 - (b) Landscape and visual assessment methodology (Section 4);
 - (c) Evaluation of the landscape and visual amenity effects of the development that will be authorised by PC7 (Section 5);
 - (d) Comments on submissions (Section 6);
 - (e) Comments on the section 42A report (Section 7);
 - (f) Comments on the proposed plan provisions (Section 8); and
 - (g) Conclusions (Section 9).
- 1.10 A summary of my evidence is set out in Section 2 below.

Expert Witness Code of Conduct

1.11 I have been provided with a copy of the Code of Conduct for Expert Witnesses contained in the Environment Court's 2014 Practice Note. I have read and agree to comply with that Code. This evidence is within my area of expertise, except where I state that I am relying upon the specified evidence of another person. I have not omitted to consider material facts known to me that might alter or detract from the opinions that I express.

2. **SUMMARY OF EVIDENCE**

The site and its surrounding landscape context

- 2.1 The proposed urbanisation of the PC7 site will significantly change its current open rural landscape character. The development will, however, be consistent with the FUZ zoning of the site, with urban expansion envisaged under the HCDP, Regional Policy Statement ("RPS") and Future Proof framework.
- 2.2 Although the subject site is largely in open pasture fragmented by shelterbelts, its rural character is lessened to a degree by the existing land uses, relatively degraded pasture, the proximity to the state highways (State Highway 39 ("SH39")) and the Waikato Expressway), and the developing industrial area to the east within Te Rapa Park.
- 2.3 While the subject site includes land used for farming and agricultural purposes, it is a significantly modified degraded site with relatively low landscape values (except for the existing protected Significant Natural Area SNA 11, Kereru Bush ("SNA")).

Assessment of landscape and visual amenity effects as a result of PC7

- 2.4 The proposed urbanisation of the land will inevitably result in the transformation of the site from a rural area to a mixed density urban residential area. This will have implications on the surrounding rural and rural-residential land, with the urban development impacting on the rural qualities of these areas. Nevertheless, this is an area identified for urban expansion in the RSP. Consequently, it is only the timing of that change from rural to urban which is different from the current timeframes outlined in Chapter 3 of the HCDP.
- 2.5 Due to the size and nature of the development and the anticipated eventual urbanisation of the area, it is not proposed to attempt to screen future development enabled by PC7 or create significant buffers to the adjacent rural areas; rather, the approach has been to accept that the change will happen and to develop the site in accordance with accepted urban design principles to create a quality development with a high level of amenity, albeit an urban amenity.
- 2.6 Additionally, a planted landscape buffer is proposed on the RNSP adjoining SH39. This is to separate development from the state highway, and to also establish a visual transition between the anticipated residential zone and adjoining rural environment north of the RNSP area.
- 2.7 The change from the existing rural character of this landscape to one dominated by the built form of a residential area will also introduce a range of beneficial effects, including:
 - (a) Enhancement to the watercourses and stream corridors;

- (b) Extensive framework of planting including riparian planting, vegetated swales and conveyance channels, as well as specimen trees in streets and open space areas, which will improve the character and amenity as well as enhance habitat values, and break up the contiguous urban expanse increasingly with time and contribute to the wider surrounding area;
- (c) Opportunities to eco-source seed stock from the Kahikatea stand within the Kereru Bush SNA to increase the biodiversity and extent of this forest remnant; and
- (d) Public access provided for along the streams through pedestrian and cycle paths and open space linkages that will create recreational opportunities.
- 2.8 While development enabled by PC7 will result in a significant visual change from the site's current open and undeveloped state to one with urban characteristics, particularly for some of the immediate neighbours, such visual change is anticipated and is in accordance with the key planning initiatives (including the existing RSP) for the area.
- 2.9 Despite the relatively low landscape values and limited visual catchment area, the development will initially generate landscape and visual effects of some significance. These are inevitable with urban development in a predominantly rural area at the start of a process of urbanisation. However, the visual effects of the development of the site apparent from the early stages will decrease over time as the proposed vegetation matures.

Conclusion - landscape and visual amenity effects

2.10 In conclusion, PC7 will fulfil the need for a greenfield housing area and provide an opportunity for an innovative and environmentally sustainable urban development in keeping with the vision and principles established within the masterplan prepared for GSCL and outlined by Mr Munro. The provisions of PC7 in relation to maintenance of amenities, and other landscape-related components of the proposed activity, are consistent with the zoning of the site enabling urban development and will result in a high quality urban development with a range of positive landscape and environmental outcomes.

3. SITE AND SURROUNDING LANDSCAPE CONTEXT

The site

3.1 The site is located at the north-western edge of Hamilton City. Te Kowhai Road (SH39), immediately north of the site, demarcates the boundary with Waikato District. The site is bounded by Te Kowhai Road to the north, grazed pastureland to the east (and beyond

- to the Waikato Expressway), farmland to the south and Exelby Road to the west. Burbush Road runs in a north-south direction in the eastern part of the site.
- 3.2 A detailed description of the site and surrounding environment was contained in my Landscape and Visual Effects Assessment, April 2019 (included as Attachment 17 to PC7). The site's current landscape character is shown in the photographs attached as Annexure A. In summary (and as can be seen from those photographs), the main landscape and visual attributes are:
 - (a) The site is a highly modified rural lifestyle environment with peripheral rural activities.
 - (b) The site lies in an area that consists of flat-lying plains and rolling hill terrain.

 The hilly terrain is located at the western and eastern edges of the site, rising up to approximately 18m above the plains.
 - (c) The hill areas merge to the south of the site, rising to approximately 55m ASL, forming a south to north draining basin in which the majority of the site lies. Numerous constructed open drains dissect the plains.
 - (d) An existing stream, being a tributary of the Ohute catchment, runs east-west through the western part of the site, and passes under Exelby Road via a small culvert. A second stream, being a tributary of Te Otamanui catchment, runs north across SH39.
 - (e) The majority of the land is in grazed pasture with cattle, with a dairy farm and associated buildings in the north east of the site. A number of rural-residential lifestyle dwellings are located on the site (approximately 17) along with hay barns, accessory sheds, garages and buildings.
 - (f) Vegetation on the site is mainly grazed pasture grasses and exotic tree species used for hedging and shelter belts with some native tree species. There is an existing significant stand of kahikatea in the north eastern corner of the site, which is identified by the HCDP as a SNA (SNA 11 Kereru Bush). Vegetation patterning also comprises exotic hedgerow and shelterbelt plantings along the paddock fence lines, road boundaries and the modified watercourses.

The wider landscape context

3.3 Land within the Hamilton City boundary to the south and east is zoned FUZ and is also currently used for a mix of rural lifestyle and small scale farming activities. Further to the east is the Waikato Expressway beyond which is the developing industrial area Te Rapa Park (rezoned as part of Rotokauri Stage 1). Further to the east are the extensive Te Awa and The Base shopping complexes.

- 3.4 The wider surrounding area is dominated by horticultural and agricultural land uses. There is a general patterning of smaller scale lifestyle type lots scattered along the roads surrounding the area. Further away from the site to the south, west and north, lot sizes tend to increase in size.
- 3.5 The RSP includes a series of low ridgelines that have been identified as the Rotokauri Ridgeline Character Area and as locally significant landscape features in the western hills of Rotokauri.

4. LANDSCAPE AND VISUAL ASSESSMENT - METHODOLOGY

- 4.1 The assessment of landscape effects take into consideration the changes to the physical landscape on the land resource. Assessments of landscape effects therefore investigate the likely nature and scale of change to landscape elements and characteristics. I note that:
 - (a) Landscape effects are primarily dependent on the landscape sensitivity of a site and its surrounds to accommodate change and development.
 - (b) Landscape sensitivity is influenced by landscape quality and vulnerability, or the extent to which landscape character, elements/features and values are at risk of being adversely affected by change.
 - (c) Landscape character results from a combination of physical elements together with aesthetic and perceptual aspects that combine to make an area distinct.
- 4.2 The assessment of visual effects analyses the perceptual (visual) response that any of the identified changes to the landscape may evoke, including effects relating to views and visual amenity. Visual sensitivity is influenced by a number of factors including the visibility of a proposal, the nature and extent of the viewing audience, the visual qualities of the proposal, and the ability to integrate any changes within the landscape setting, where applicable.
- 4.3 The nature and extent of visual effects are determined by a systematic analysis of the visual intrusion and qualitative change that a proposal may bring, specifically in relation to aesthetic considerations and visual character and amenity.
- 4.4 The methodology used for the assessment of visual effects is designed to assess whether or not development enabled by PC7 would have more than minor adverse visual effects on the nature and quality of the surrounding environment. The process of analysing such effects involves:
 - (a) Identification of the physical area or catchment from which development enabled by PC7 would be visible;

- (b) Identification of the different viewing audiences that would be affected by development enabled by PC7; and
- (c) Evaluation of the visual effects taking into account the preceding analysis.
- 4.5 For the purposes of my Landscape and Visual Effects Assessment for PC7, I have used the nine viewpoints as shown in the plan and photographs **attached** as **Annexure B**.

5. EVALUATION OF THE LANDSCAPE AND VISUAL AMENITY EFFECTS OF DEVELOPMENT ENABLED BY PC7

Assessment of landscape effects

- 5.1 Development enabled by PC7 will inevitably transform the local rural character to that of mixed urban, which will also have an influence on the surrounding area. It is important to note, however, that this type of development has been advanced by a number of planning strategies and the HCDP identifies the site within the RSP as an area to accommodate future urban growth requirements in the area.
- 5.2 It is also important to note that although the site and local area currently exhibit rural characteristics, neither display a high degree of 'ruralness' due to a combination of the size of landholdings, the patterns of rural-residential settlement, existing infrastructure, the surrounding roading network, proximity to the Waikato Expressway and the Te Rapa industrial area.
- 5.3 Based on the preceding description and analysis of the site and surrounds, it is clear that there are relatively low landscape values and sensitivity associated with the area. The PC7 site is a relatively degraded, modified rural environment lacking any significant landscape features, with low natural character values (primarily focused around the SNA), and generally relatively low visual amenity. Therefore the only negative outcomes in landscape terms will be the loss of the remaining rural character, which is anticipated by the relevant planning strategies for the area.
- 5.4 The key methods of mitigating this loss are to retain and enhance existing landscape features where possible and to create a quality urban development. Although the proposal will result in the loss of rural character, there are number of positive landscape outcomes associated with PC7.
- 5.5 The establishment and enhancement of the green network, including provision for associated open space with extensive planting, will have beneficial landscape effects including the enhancement of amenity and habitat values, and the establishment of ecological linkages.

- 5.6 An indicative masterplan has been designed in accordance with best practice and established urban design principles, which will ensure a high level of green open space that will be comprehensively planted to enhance its overall amenity and assist in its integration with the surrounding rural area over time. These are addressed in more detail in the urban design evidence of Mr. Munro.
- 5.7 Development enabled by PC7 will result in a change in landscape character, but will ensure a suitable level of amenity, albeit an urban character rather than a rural character, is achieved.

Assessment of visual effects

- 5.8 The proposal raises a number of visual issues, including the potential effects on visual amenity to the following key areas:
 - (a) Adjoining land holdings;
 - (b) Surrounding road network; and
 - (c) Wider area.

Adjoining land holdings

- 5.9 The properties adjoining the site will be most affected by future development enabled by PC7. This includes the residential properties to the [direction] of the site, and the rural and rural-residential properties to the south, west, east and north of the site.
- 5.10 Views towards the site from a number of these properties will be moderated, filtered or screened in entirety by the landform and existing vegetation patterns within the surrounding properties, particularly in relation to a number of established shelterbelt plantings.
- 5.11 For the remaining immediately adjoining properties to the east, west, south and north, the existing outlook will change significantly from an open rural pastoral scene into a comprehensive urban residential view. Although this will constitute a significant change to the existing rural character and loss of the existing spaciousness, it is not the type of change which is totally unexpected within the planning context of the area, as the land is signalled to undergo this change by its current FUZ zoning and inclusion in the RSP. Furthermore, the adjoining southern and eastern landholdings are also subject to the same FUZ zone and will undergo the same or a similar change after re-zoning in the future.
- 5.12 Once the site is developed, the existing views will be replaced with a mixture of urban development with extensively vegetated streetscapes, open spaces and the green network. Development enabled by PC7 will not be entirely out of context, and will be

gradual in nature due to the zoning of the site and surrounding area. The green network, riparian plantings in conjunction with the open space areas, and street tree plantings will maintain a sense of spaciousness and assist in visually integrating the future development into the surrounding landscape.

- 5.13 From the surrounding areas the full effects of the change brought about by PC7 will be gradual as the land is retired from productive use, modified and staged built development extends across the landform. It is anticipated that the full progression from rural to urban will take a number of years. This will reduce the impact of the change to some degree, due to the incremental nature of the change and a general conditioning of the audience over time as development progresses.
- 5.14 The green network extending up the stream corridors, planted streets and the planted conveyance channels in the streets will assist in breaking the development into more discrete units and filter views, so that although the view will have changed from a rural to essentially an urban one, the full extent of the development will not be apparent. The extensive green network will assist in breaking up the expansiveness of the development; however, the proposal will entirely change the visual amenity currently experienced by the surrounding properties.
- 5.15 The planted landscape buffer proposed in the RNSP adjoining SH39 will assist in mitigating the visual effects from the rural environment to the north and establish a visual transition between the two zones.
- 5.16 I consider that, overall, the adverse visual effects resulting from this change for the adjoining and adjacent rural and rural-residential properties will be moderate to high. However, the high quality nature of the future urban development will ensure that a suitable level of urban amenity is achieved within the context of the zoning of the site.

Surrounding road network

- 5.17 For road users on the surrounding road network, in particular those who live locally in rural situations, the development of the PC7 site is likely to result in visual effects of some significance, particularly for SH39 and Burbush Road users in the vicinity of the site. For general road users, the effects are likely to be of much less significance as the development will be seen as part of a pattern of land use changes expected to occur under the RSP.
- 5.18 Although a large audience, the road users are unlikely to be particularly sensitive to future development, as they will have fleeting views of parts of the site whilst moving through the landscape. The sensitivity and the effects of PC7 will be reduced further by the fact that the development will be gradual and staged over a number of years. The extensive street tree plantings and green corridor will assist in integrating the built

- development and infrastructure into the landscape and provide a vegetated framework of appropriate form and scale.
- 5.19 The planted landscape buffer proposed in the RNSP adjoining SH39 will assist in mitigating the visual effects from the highway and establish a visual transition between the anticipated residential zone and adjoining rural environment north of the RNSP area.
- 5.20 Overall the adverse visual effects on the surrounding road network will be low.

Wider area

- 5.21 Views will be gained towards parts of the PC7 site from landholdings within the wider area. Views from the landholdings further to the west will be largely screened by the ridge extending along Exelby Road. Similarly, views from the south will be screened by the ridge extending along Exelby Road to the south of the site and views to the east screened by the spur extending along Burbush Road. Views will not be gained from Lake Rotokauri and the Rotokauri residential lifestyle area to the south. Views will not be gained from the Te Kowhai settlement to the north west of the site.
- 5.22 Views towards parts of the PC7 site will be gained from peripheral areas within the Te Rapa Park industrial areas, albeit across the foreground of the Waikato Expressway. In addition, the industrial audience will be less sensitive to visual change enabled by PC7.
- 5.23 It is my opinion that, considered overall, any adverse visual effects on the wider area will be low to negligible.

Construction effects

- 5.24 Due to the nature and scale of the development, and the level of disturbance it will bring to the existing landscape, the visual effects will generally be high during, and immediately following, construction. The most significant changes and resultant effects on visual amenity will arise from the extensive earthworks associated with roading and associated infrastructure.
- 5.25 These visual effects will reduce on completion of construction works, with the establishment of the green network, open space and street tree plantings assisting in integrating the town centre and residential development into the surrounding landscape.

6. **COMMENTS ON MATTERS RAISED IN SUBMISSIONS**

6.1 I have read the submissions in relation to landscape character and visual amenity effects and make the following comments.

- 6.2 Only two submissions raise concerns about the loss of existing landscape and visual amenity in the environment with the urbanisation of a currently rural environment. I concur with Council's landscape expert, Mr Mansergh, that this indicates that there is either general acceptance that change is likely to occur within the PC7 area or that issues around landscape character (including the preservation of the topography characteristics of Rotokauri) are not of concern.¹
- 6.3 I also concur with the reporting planner who notes that the existing district plan provisions and proposed PC7 provisions will reasonably address the issues raised in submissions on landscape matters. The officer further notes that the urban design framework within PC7 will also be effective in this regard.

7. COMMENTS ON MATTERS RAISED IN THE SECTION 42A REPORT

- 7.1 The section 42A report relies on the evidence of the Council's landscape expert, Mr Mansergh, in relation to landscape character and visual amenity matters.
- 7.2 The officer concurs that the landscape and visual effects of PC7 can be managed with effects that are acceptable. The officer notes that landscape and visual effects have to be seen in the context that the plan change involves urbanising a currently rural environment, albeit one that has been identified as an urban growth cell for over a decade.² I agree with this statement.

8. **PROPOSED PLAN PROVISIONS**

- 8.1 PC7 adopts the existing objectives and policies for the MDR and B6 zones plus amended objectives and policies specific to the RNSP area. A number of amendments have been recommended to the district plan provisions to ensure strong landscape character, visual amenity and urban design outcomes are achieved. The existing and amended objectives and policies will ensure that any potential adverse landscape character and visual amenity effects associated with development enabled by PC7 are avoided, remedied or mitigated.
- 8.2 I consider that the PC7-specific, and the default provisions of the HCDP's MDR and B6 zones provisions, will ensure a high-quality landscape and visual outcome for the PC7 site.
- 8.3 For completeness, I note that I am aware that the proposed RNSP has been updated from the version included with PC7 as lodged and notified. I have reviewed the updated RNSP and used it as the basis for preparing this evidence.

¹ Section 42A Hearing Report, at [4.34].

² Section 42A Hearing Report, at [4.36].

9. **CONCLUSION**

- 9.1 The proposed urbanisation of the land enabled by PC7 will inevitably result in the transformation of the site from a rural area to a mixed density urban residential area. This will have implications on the surrounding rural and rural-residential land, with the urban development impacting on the rural qualities of these areas. Nevertheless, this is an area identified for urban expansion in the HCDP, via the RSP.
- 9.2 In conclusion, PC7 will fulfil the need for a greenfield housing area and provide an opportunity for an innovative and environmentally sustainable urban development in keeping with the vision and principles established within the masterplan. The provisions of PC7 in relation to maintenance of amenities, and other landscape-related components of the proposed activity are consistent with the zoning of the site enabling urban development and will result in a high quality urban development with a range of positive landscape and environmental outcomes.

Robert James Pryor 24 September 2021

Annexure 1













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FIGURE 4: SITE LANSCAPE	
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Annexure 2



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VIEWPOINT 6: TE KOWHAI ROAD	Project No. 19753	
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VIEWPOINT 7: 304 SH39	Project No. 19753	
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I AAI andanna Ankinsta		Design	RP	_
LA4 Landscape Architects 26 Kitchener Street, Auckland	ORIGINAL	Drafting	JC	
P.O. Box 5669, Wellesley Street, Auckland	1: @ A3	Drafting Checked	RP	
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ROTOKAURI NORTH PRIVATE PLAN CHANGE

	Project No.
VIEWPOINT 8: ERROL CLOSE	19753
/TE KOWHAI ROAD	Drawing No. VP08



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-	Prelimitary	JC .	RP	RP	27.02.19
No.	Revision	By	Chk	Appd	Date

1	LA4 Landscape Architects
Y	26 Kitchener Street, Auckland P.O. Box 5669, Wellesley Street, Auckland p: 09 358 0904 ft 09 358 0895
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	Design	RP	
ORIGINAL	Drafting	JC	
1:	Drafting Checked	RP	
@ A3	Approval	RP	
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Title:	Project No.		
VIEWPOINT 9: WAIKATO EXPRESSWAY		19753	
	Drawing No.	VP09	