

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

**AND**

**IN THE MATTER** of Plan Change 93 (Te Puna Springs) to the Western  
Bay of Plenty District Plan

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**STATEMENT OF EVIDENCE OF MORNÉ HUGO**

**ON BEHALF OF TE PUNA SPRINGS ESTATE LIMITED  
(SUBMITTER 04)**

**23 JUNE 2022**

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## **1.0 QUALIFICATIONS AND EXPERTISE**

- 1.1 My name is Morné Hugo, and I am a Partner / Landscape Architect & Urban Designer at Boffa Miskell Limited, a national firm of consulting planners, ecologists, urban designers and landscape architects. I hold the qualifications of Bachelor of Landscape Architecture with Honours in Urban Design. I am a Registered Member of the New Zealand Institute of Landscape Architects. I have been a landscape and urban design consultant based in Tauranga for over 15 years, providing consultancy services for a wide range of clients around New Zealand, including local authorities, land developers, and the public sector. I have worked in the fields of landscape architecture and urban design for a total of 27 years since graduating from the University of Pretoria in 1994.
- 1.2 My experience includes Structure Planning, Master Planning, Detail Design of a variety of project types and scales, as well as the management and coordination of project implementation under NZS3910.
- 1.3 I have significant experience in developing structure plans and master plans for residential, commercial, industrial and mixed-use land uses.

## **2.0 CODE OF CONDUCT**

- 2.1 I have read the Code of Conduct for Expert Witnesses issued as part of the Environment Court Practice Notes. I agree to comply with the code and am satisfied the matters I address in my evidence are within my expertise. I am not aware of any material facts that I have omitted that might alter or detract from the opinions I express in my evidence.

## **3.0 SCOPE OF EVIDENCE**

- 3.1 I was engaged by Te Puna Springs Estate Limited to provide urban design, landscape and master planning advice relating to the

development of a structure plan for the Te Puna Springs area (Plan Change 93).

- 3.2 The proposed Structure Plan identifies the future road access, landscape buffer area, height limits, stormwater areas, greenspace and existing and proposed utilities/services.

#### **4.0 COUNCIL'S PLANNER'S REPORT**

- 4.1 I have read the Council's Planner's Report, and concur with the recommendation that the Option 3 proposal relating to the revised Structure Plan maybe accepted, which includes all the recommendations from the Ecology report and following submissions and subsequent consultation, has been amended from that as notified.

- 4.2 The updated Structure Plan includes the following amendments:

- Move the village green area (previously thought to contain an underground spring/puna) to the actual location of the puna. This is in area 3 (to the south of the Hall site) on the revised structure plan.
- The identification of three branches of streams which are present on the site. The applicant is proposing to include buffer areas around these streams. These are shown in areas 3 and 4 on the revised Structure Plan.
- Removal of the through connection to State Highway 2 and the internal rationalisation of roading necessary to service the site. This will avoid interference with stream corridors.
- The establishment of further landscape strips and riparian restoration strips (areas 5,6, and 7 on the revised Structure Plan).
- The identification of the open channels/streams and stormwater management areas.

## **5.0 SITE AND EXISTING ENVIRONMENT**

- 5.1 The applicant's site is approximately 5.76 hectares of land located on the northern side of State Highway 2 (SH 2) at Te Puna, bound in part by SH 2, Te Puna Road and the existing BP Service Station. The site has a split zoning as shown on the planning maps. Four Square and offices located off the slip lane adjacent to SH 2. The immediate surroundings of the subject site are split up by each of the 'four corners' which are separated by the intersection of SH 2 and Te Puna Road / Minden Road.
- 5.2 The proposed rezoning is proposed to incorporate approximately 4.5ha of land into the commercial zone. Part of the site which is currently commercial zoned (with the exception of its northern edge) is owned by Council, and is used for the Te Puna Hall for public community purposes. The hall site is 4500m<sup>2</sup>. The rest of the site is owned by the Applicant and currently utilised by the SuperMac Group, that design and build prefabricated buildings. This part of the site is currently used for the storage of 'Modcom Portable Buildings'. As part of this plan change, all portable buildings will be removed from the site.
- 5.3 Access to the site is from the western side of Te Puna Road and an existing vehicle crossing from the new slip lane off the State Highway.
- 5.4 The site and directly surrounding area (on four sides of the Te Puna Road/SH2 intersection roundabout) currently consist of a combination of commercial, community, hospitality, roading and surrounding existing rural infrastructure land uses.
- 5.5 The site also has an existing spring/puna and a gully system that provides stormwater conveyance. As discussed in the Wildlands ecological report, this is currently in a rundown state, and is not able to be seen or enjoyed by the Public.
- 5.6 This site, despite being zoned Rural, it is in fact a peri-urban site with a large number of surrounding commercial and related activities, including the existing service station and Te Puna community hall. The site is well contained by the natural topography and has a clearly

different landscape character than the surrounding rural properties. In my view the existing stormwater gully system and proposed stormwater pond area, forms a very good buffer and transition point between proposed commercial zoning and the surrounding rural land.

## **6.0 THE PROPOSED ACTIVITY**

- 6.1 The purpose of the plan change is to rezone the subject site from the present Rural to Commercial Zone to allow a new “Te Puna Springs” Structure Plan site under the Commercial Zone. The rezoning will provide for further business activities to service the Te Puna community and to create local business opportunities.
- 6.2 The proposed Structure Plan proposes a new definition and new assessment criteria as well as rules and performance standards that relate to the site.
- 6.3 The Plan Change seeks to rezone the site from Rural to Commercial. Currently the majority of the site is zoned Rural, with two areas around the Hall site and the neighbouring commercial area zoned Commercial. The proposal seeks to remove the split zoning from the site, to make the full site Commercial Zone.
- 6.4 The proposed revised Structure Plan has been significantly amended to include input from various project specialists to address matters raised in submissions.
- 6.5 The proposed revised Structure Plan as per Figure 1 below and Attachment A to my evidence:



Figure 1 Proposed Revised Te Puna Springs Structure Plan

## 7.0 SUBMISSIONS

- 7.1 As discussed in the Council Planner's Report, five submission points were received. Six further submission points were received. The submission points on this topic are summarized as follows:
- 7.2 Submission 1.1 (Morris, Douglas Kaye) – Supported the expansion of the Commercial Zone on the site.
- 7.3 Submission 8.8 (Te Puna Heartlands) – Did not object to the Commercial Zone, however requested evidence that the area could be a 'bumping place' where people engaged in a variety of business and social activities.
- 7.4 Submission 7.1 and 7.2 (Cooney, Tim and Merry) – Request the zoning to remain as the status quo.
- 7.5 Submission 8.9 (Te Puna Heartlands) – Support the rezone to Commercial, however request further regard to the Te Puna Community Development Plan.

- 7.6 Further Submissions 16.15, 15.19, 16.18, 17.7 & 16.16 supported the zoning to remain as status quo, while 14.11 supported original submission 8.8 which supported the rezoning to Commercial with evidence the area could be a 'bumping place'.

## **8.0 ASSESSMENT OF EFFECTS AND RESPONSES TO SUBMISSIONS**

### **Rural Amenity and Reverse Sensitivity**

- 8.1 As discussed in the Council's Planner's Report, the proposed zone change from Rural Zone to Commercial Zone, changes the focus from purely rural production, to a more community focussed activity area, providing "a sense of identity and belonging to individuals and the community in general". It should be noted that the existing character of the site is peri-urban and does not have an existing rural production character.
- 8.2 It is therefore important to ensure there is an appropriate interface between the site and neighbouring rural properties to ensure rural amenity is retained. Further to this it is also of importance that the existing rural activities do not impact the proposed commercial activities and users negatively, resulting in potential reverse sensitivity issues.
- 8.3 I concur with the Council's Planner that Option 2, which provides for the additional level of screening and reverse sensitivity protection be accepted, which would include landscape buffers as shown on the updated Structure Plan.

### **Urban Design**

- 8.4 As discussed in the Council Planner's report, Council has a Built Environment Strategy to assist in achieving good urban design outcomes in line with the New Zealand Urban Design Protocol. Council also uses non-regulatory methods which seek to provide advice and guidance to applicants at the conceptual stage to assist

in development projects to achieve positive design outcomes for the community.

- 8.5 The proposed Structure Plan and further amendments have been carried out with both Urban Design and Landscape Architecture input from myself, however as discussed, the Structure Plan does not propose any specific urban design guidelines for the development of the site.
- 8.6 The existing commercial activities presently located in the Te Puna Village commercial node have been developed to a good overall urban design, landscape and architectural quality, without the need for any specific additional urban design guidance over and above that contained within the WBOP District Plan, Built Environment Strategy and further national best practice as guided by the New Zealand Urban Design Protocol.
- 8.7 I agree with the Council Planner, that the proposed Structure Plan area does not present unique or special characteristics (such as an identified landscape feature or heritage area) which may trigger specific urban design requirements.
- 8.8 Further to the above, I agree that significant landscaping is proposed throughout the site, as well as the inclusion of open green space and rehabilitation planting to the existing gully system and proposed stormwater management areas. This landscaping approach provides for a high level of amenity on the site and will enhance the overall character of the development.

### **Cultural Landscape**

- 8.9 I comment on Cultural matters from a Landscape and Urban Design perspective only, in relation to my role during the development of the proposed Structure Plan, in conjunction with Engineering and Ecological specialist input.
- 8.10 The overall extent of the stream features has been identified on-site and are excluded from the areas to be rezoned to Commercial Zone. Further to this and as indicated on the Revised Structure Plan



rehabilitation of the waterways will be undertaken to not only protect, but enhance the existing natural environment on the site.

8.11 Further to the above enhancement, the location of the puna on the site has been identified and will be protected and naturalised.

8.12 I also support the submitters proposals that cultural / historic information panels be incorporated into the design to acknowledge the importance of the site and in particular the puna.

### **Transportation**

8.13 As discussed in the Council's Planner's report, based on the recommendations from the Ecological Assessment the updated Structure Plan removes the through connection to SH 2 and has rationalised the internal roading necessary to service the site.

8.14 I agree that this change is an improved landscape and urban design outcome that will avoid interference by the roading network with stream corridors. The walking and cycling connection will remain through the site and the road width is sufficient to provide for pedestrian/cycle access, although it is noted this is a private road and not a Council vested road.

### **Stormwater**

8.15 I agree with the proposal to adopt the changes made to the Revised Structure Plan, which provides an overall improved stormwater and associated landscape outcome for the site, providing not only a suitable stormwater management approach, but also enhancing the overall quantum of planting and visual amenity to the site.

### **Freshwater and Ecology**

8.16 I defer any detailed comment regarding freshwater or ecology issue to the Ecology Consultant, however I reiterate my view made under item 8.16 above.

### **Performance Standards - Screening**

- 8.17 As discussed in the Council's Planner's report, the District Plan currently requires screen planting under Rule 4C.5.3.2 in Commercial Zones where an activity/ development has a common boundary with a Rural Zone. The applicant proposing to adopt the existing screening rule from the plan at the rural interfaces which is a 3m landscape buffer 2m high.
- 8.18 I agree that this approach is suitable to provide for the necessary level of visual buffer to protect the overall amenity of the area, without the need to have other parties involved in the overall landscape development of the site, as the proposed amended rules within the District Plan will ensure that a high level of amenity is achieved for the screening and the design will require approval by Council.
- 8.19 Further to the above, the amended rule in the District Plan will require the final landscape plans be prepared by a qualified landscape designer and approved by Council.

### **Activity Performance Standards - Height**

- 8.20 The plan change proposes a new maximum height for the Structure Plan area being 12m. This differs from the existing commercial zone maximum height of 9m.
- 8.21 In my view a 12m height limit is of a scale that is compatible with the rural edge character and location of the site, and will not detract from the surrounding commercial and rural land uses. In my view the increase from 9m to 12m will not be significantly discernible on the site or from surrounding views.
- 8.22 In comparison it should be noted that 12m is provided for in other main commercial centres in the district, such as Te Puke and Katikati which have residential adjoining them and in my opinion are more sensitivity than this particular location.
- 8.23 As noted in the Council's Planner's report, the existing DMS Pro-growers has a maximum height of 14m. I think it is unlikely that all

potential commercial activated on the site would utilise a 12m height limit, but providing this higher limit adds flexibility and efficient opportunities for future commercial uses. It will also enable a more varied development typology across the overall site and surrounding Te Puna commercial node.

- 8.24 There is also a substantial height difference between the proposed site and the neighbouring land located to the west of the site and a landscape buffer provided by the stormwater management area, which will enable the site to accommodate a 12m height limit from a landscape and visual amenity perspective.
- 8.25 From an urban design perspective, the increased 12m height limit, provides a better use and efficiency outcome for the site and will ensure a better diversity of development can occur on the site.
- 8.26 Therefore, I support the Option 1 proposal to for a new activity performance standard for a 12m height limit.

## **9.0 CONCLUSION**

- 9.1 In conclusion I support the overall plan change in accordance with the revised Structure plan and recommendations as made in the Council's Planners Report.
- 9.2 As discussed in items 8.21 to 8.25 above, due to the specific site characteristics and existing surrounding land-uses and roading infrastructure, in my opinion the site can readily accommodate an increased 12m height limit, without negatively impacting on the site and surrounding rural character and amenity.

### **Morné Hugo**

Partner / Landscape Architect & Urban Designer

Boffa Miskell Limited





22 June 2022

## APPENDIX 1 Revised Structure Plan

LEGEND

- ① Commercial area
- ② Hall
- ③ Spring/Puna
- ④ Stormwater management area
- ⑤ 4m wide landscape buffer strip
- ⑥ 2m wide landscape buffer strip
- ⑦ 10m wide riparian restoration strip

KEY

-  Specimen trees
-  Landscape buffer strip
-  30m Setback for sensitive activities
-  Open channels/streams

