



Project: TINEX - APPLICATION RC13924 **Memo:** 2/R0 **Page:** 1 of 24

Topic: Assessment of Landscape & Visual Effects and Landscape Management Plan – Review

Date: 21 August 2023

Attention: Heather Perring – Western Bay of Plenty District Council

From: Dave Mansergh

INTRODUCTION

Tinex Group Ltd has applied for resource consent (Application RC13924) to authorise the continuation of current industrial activities within its site at 245 Te Puna Station Road - Lot 2 DP 22158 (RT SA22C/188). The applicant seeks resource consent to retrospectively allow four activities to continue to operate on the site until the Structure Plan requirements are completed and/or resource consent is granted for a waiver of the relevant Structure Plan requirements (Application RC12979).

The existing activities within the site for which retrospective consent is sought are:

- a. **A & J Demolition** - This activity encompasses storing and refurbishing relocatable houses, along with storing empty skip bins, portable fencing, and construction materials. The current space occupied by this activity is around 0.8 hectares.
- b. **Total Relocations** - The activity involves the storage and renovation of relocatable houses and occupies an area of approximately 0.21ha.
- c. **Compass Pools** - This activity comprises storing swimming pool shells across about 0.3 hectares. Typically, the site receives 15-20 pool shells biweekly and sends away 4-5 pool shells weekly.
- d. **Earthmover Tyre Services** - The activity involves the storage and large earthmoving machinery tyres in a yard area of approximately 0.26ha.

The existing activities are all located at the eastern end of the site.

This document has been prepared as part of an analysis of the content and adequacy of information relating to landscape and visual amenity effects identified within the resource consent application and assessment of environmental effects (AEE).

Mansergh Graham Landscape Architects Ltd has been engaged by Western Bay of Plenty District Council to review the landscape effects assessment and landscape management plan associated with the above application and to provide advice to Council around any required conditions of consent (should consent be granted).

PURPOSE

This document has been prepared as part of an analysis of the content and adequacy of information relating to landscape and visual amenity effects identified within the resource consent application and assessment of environmental effects (AEE).

The purpose of this review is to determine the following:

- a. If the level of detail provided in the application documentation corresponds with the scale and significance of the effects on the environment under Schedule 4 (2)(3)(c) of the RMA; and
- b. If enough information is contained within relevant parts of the application documentation to allow a potentially affected person and/or the decision-maker to gain a clear and concise understanding of the



- nature and extent of effects that the development is likely to have on the landscape and visual amenity.
- c. If the findings of the landscape and visual assessment are supportable.
 - d. The conditions of consent required (if consent was to be granted) to ensure that the landscape and visual effects identified in the application documentation are avoided, remedied or mitigated.

REVIEW APPROACH

The *Te Tangi a te Manu - Aotearoa New Zealand Landscape Assessment Guidelines* were adopted by the NZILA in May 2021, replacing the *NZILA Best Practice Note: Landscape Assessment and Sustainable Management 10.1 (NZILA BPN 10.1)*.

While not intended as a template for landscape, natural character and visual effect reports, the guidelines provide clear direction and guidance around the general structure and content requirements. A landscape, natural character and visual assessment report (LNCVA) that has been prepared within the recommended framework should be able to be reviewed and the findings verified, without the need for further independent assessment.

This review was carried out within the context of the requirements of the RMA, the findings, and recommendations of *Te Tangi a te Manu Aotearoa New Zealand Landscape Assessment Guidelines* and the Quality Planning website. The following factors have been considered:

- a. If the assessment methodology used is consistent with the current accepted (“best practice”) approach to landscape, natural character and visual assessment and has been applied consistently.
- e. If the values and attributes of the existing landscape have been described in enough detail to convey a clear understanding of the existing landscape, and amenity baseline against which the assessment is undertaken. This should include any differences that exist between the existing physical environment, the consented environment, and the permitted baseline (where applicable).
- f. If the proposal has been described in enough detail to convey how it will alter the existing landscape, natural character, and visual amenity.
- g. If the effects of the proposal on the landscape (including its visual amenity) have been described and rated consistently and any relevant issues are identified.
- h. The accuracy and usefulness of any attached plans, maps, graphics, and visualisations.
- i. If the relevant statutory matters and provisions have been identified and addressed in sufficient detail.
- j. The extent to which any proposed mitigation approach avoids, remedies and/or mitigates any unacceptable adverse effects on the landscape, natural character, and visual amenity values within an acceptable time frame.
- k. If the conclusions and recommendations are supported by the analysis within the assessment.

This review is limited to determining whether the currently accepted approach to landscape, visual and natural character assessment has been followed by determining if it is likely that another experienced landscape architect would reach the same or similar conclusions, by applying the same methodologies given the information presented within the report.

The *Te Tangi a te Manu - Aotearoa New Zealand Landscape Assessment Guidelines* state:

A peer review is a focused appraisal of the principal assessment, not a parallel assessment.

The structure and style of the assessment reports and plans are not assessed.

ENVIRONMENT COURT DECISIONS

The zoning of the application site was subject to an Environment Court appeal.



A review of the Environment Court decisions relating to the site and leading to a direction from the Court for the inclusion of the Te Puna Structure Plan (TPSP) in the District Plan suggests that the Court examined the issue of amenity closely and concluded that industrial development could occur within the structure plan area subject to the mitigation provided by the screen planting and wetland/overland flow path planting identified in the structure plan. The purpose of the structure plan is identified as protecting the amenity of the surrounding Rural Zone and seeks to achieve this by requiring screening around the perimeter of the zone and on either side of Te Puna Station Road (except where an open space/wetland corridor is to be retained down the valley).

It is noted that in the interim Environment Court decision, in discussing the proposed development plan, the Court appears to have recognised the concerns of the residents in neighbouring properties and that development within the site would not be completely screened from surrounding locations:

[15] Notwithstanding these amendments to the proposal during the course of the hearing, the residents were resolutely opposed to any rezoning of the site. Firstly, they were concerned that such a rezoning may preempt a structure plan envisaged as part of a smart growth plan for the Western Bay District. They were also concerned about potential effects on the elevated properties above the site if the rezoning was to become established. These concerns related not only to amenity and environmental quality issues but also to noise, lighting, and hours of operation.

[16] A number of properties at higher elevations overlook the site and it is accepted that no amount of amenity planting could screen this site completely from view.¹

Paragraph [16] of the decision suggests that the Court recognised the geophysical constraints to mitigation that would result from elevation differences between viewers and the site.

DOCUMENTS REVIEWED

The following documents have been reviewed:

- a. *Te Puna Station Road Landscape Effects Assessment*. 12 May 2023. Boffa Miskell Ltd.
- b. *Landscape Management Plan Te Puna Business Park | 245 Te Puna Station Road, Te Puna*. Revision B. 11 May 2023. Boffa Miskell Ltd.
- c. *Landscape Mitigation Planting Plan Extent of Planting Required for The Mitigation of Existing On-Site Activities*. 12 May 2023. Boffa Miskell Ltd.
- d. *Te Puna Station Road LMP Graphic Supplement*. 12 May 2023. Boffa Miskell Ltd.

Other documents read to provide background information and context:

- e. *Resource Consent for Industrial Activities within the Te Puna Business Park Structure Plan Area*. 8 February 2023. Stratum Consultants.
- f. *Response to WBOPDC S92 Request – TINEX Group Limited – 245 Te Puna Station Road, Te Puna (RC13924L)*. 12 May 2023. Stratum Consultants

The Boffa Miskell Landscape Effects Assessment Report (LEA) assesses the effects of the proposal as designed and includes consideration of the proposed mitigation planting outlined in the Landscape Report.

¹ Para 16. Decision A 016/2005



SITE INSPECTION

The application site was inspected on 30 May 2023. All (public) viewpoints identified in the Te Puna Station Road LMP Graphic Supplement (LGS) were visited.

During the site visit, it was observed that the following mitigation works had been undertaken. The following list is not necessarily a complete record of the works undertaken within the site to date. The planting appears to differ in places from that proposed in the LMP. As-built plans have been requested from the applicant but had not been provided at the date of this report:

- An earth bund has been constructed along the frontage of Te Puna Station Road and the eastern boundary of the site. Planting on the bund is generally well established (Figures 5 and 6).
- An earth bund along the southern boundary with newly established plants at a wide spacing (Figure 7).
- Deciduous specimen trees along some internal boundaries within the site (Figure 9).
- A mixture of low shrub and street tree planting along parts of the internal roadway at the eastern end of the site (Figure 8).
- An earth bund has been constructed at the western end of the southern boundary (the dog's leg). Planting is well established on the bund (Figure 1).

Sample photographs of the above areas are attached to this memorandum (Figures 5 to 10).

REVIEW OF THE LANDSCAPE MANAGEMENT PLAN (INCLUDING THE EXTENT OF PLANTING REQUIRED FOR THE MITIGATION OF EXISTING ON-SITE ACTIVITIES PLAN) (LMP)

The LMP is comprised of five landscape plans and supporting objective and outcome statements. While the LMP has been prepared for Application RC12979, it provides necessary context and background information for the interpretation of the *Landscape Mitigation Planting Plan Extent of Planting Required for The Mitigation of Existing On-Site Activities Plan* (MEOSAP).

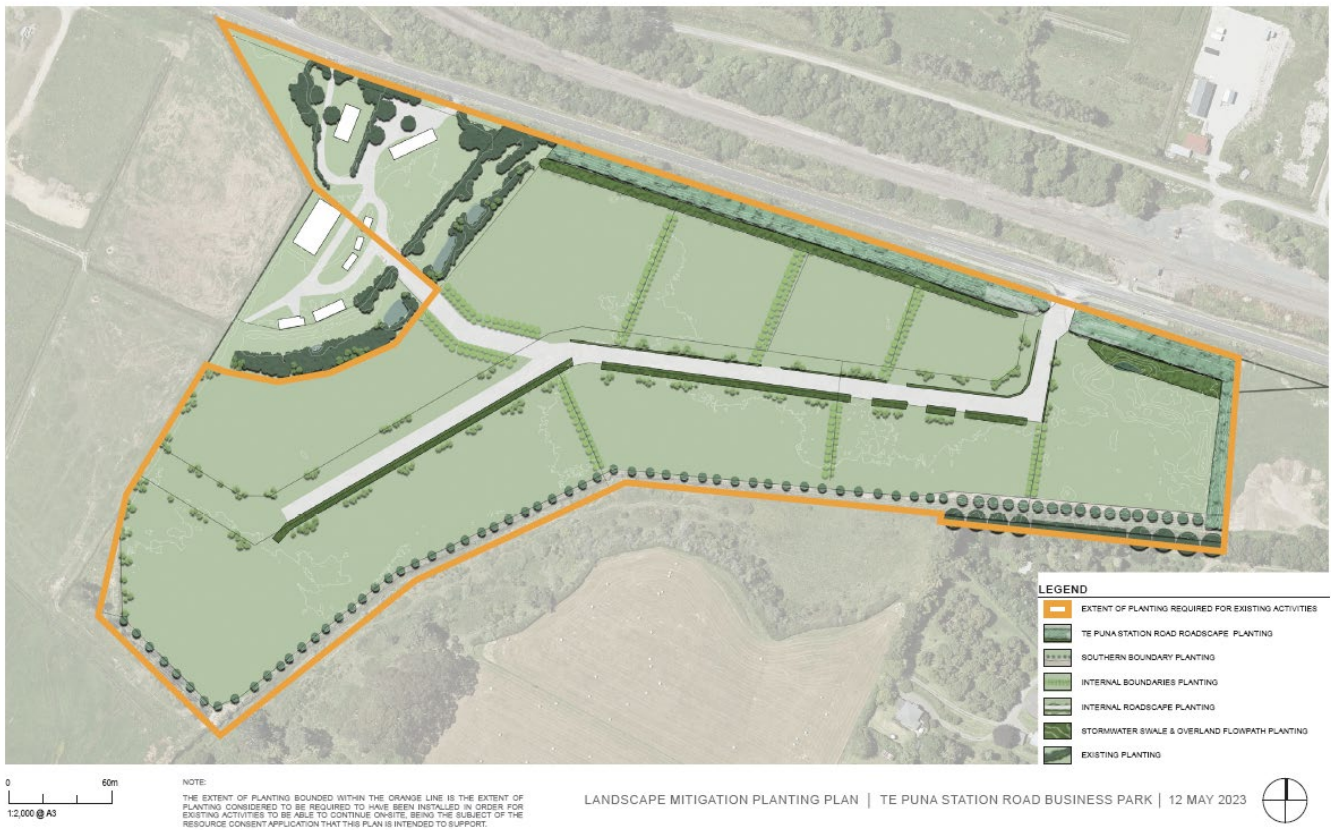
For this review, only those sections of the LMP relating to the current application (Application RC13924) are reviewed. It is noted that, except for a section of planting contained within the stormwater swale and overland flow path, the mitigation requirements to mitigate the effects of the existing activity within the site, and those required to mitigate the effects of future activities within the site (as per the Application RC12979) are the same.

The extent of the mitigation planting recommended by the applicant is shown in the following figure:



LANDSCAPE MITIGATION PLANTING PLAN

EXTENT OF PLANTING REQUIRED FOR THE MITIGATION OF EXISTING ON-SITE ACTIVITIES



BOFFA MISKELL | : | LANDSCAPE MITIGATION PLANTING PLAN

Figure 2: Extent of Mitigation Planting Required for the Mitigation of Existing On-Site Activities (Boffa Miskell)

Objectives and Outcomes of the LMP

The LMP identifies the objectives and outcomes and identifies the visual mitigation requirements for 5 distinct areas within the site. These are:

1. Te Puna Station Road Roadscape.
2. Business Park Southern Boundary.
3. Business Park Internal Boundaries.
4. Business Park Internal Roadscape.
5. Stormwater Swales & Overland Flowpaths.

The primary objective of the LMP is the integration of the Business Park into its surrounding environment. This involves appropriate design, implementation, and maintenance of mitigation planting and stormwater planting.

The expected outcomes are effective screening of on-site activities, with plant species selection respecting the advice from Pirirakau hapū. The LMP aims to achieve an optimal balance in landscape and visual mitigation through a mix of both existing and new plantings, underpinned by a 3-year maintenance plan.

For along Te Puna Station Road, the key objective of the LMP is to augment existing planting along the existing noise bund with supplementary mitigation planting to more closely meet the outcomes set out in the Environment Court Decision and the District Plan provisions. The LMP states:



The supplementary mitigation planting is primarily focused on infilling areas of the existing planting where plant losses have been experienced. Species observed as establishing most successfully from the initial planting have been selected as infill species.²

The outcome for this area focuses on the use of native plant species, selected per the Pirirakau hapū's recommendations, to ensure that yard storage activities within the site are suitably screened.

Along the southern boundary, the LMP seeks to introduce lineal mitigation planting as shown in the Te Puna Business Park Structure Plan (TPSP). Similarly, for the internal boundaries, the plan emphasizes using native plants in a linear arrangement, again to adhere more closely to the TPSP. It is noted from the site inspection, that some of this planting has already been established.

Along the internal roads, a mix of native and exotic specimen tree species is proposed. Plants are to be arranged in clusters, aligning with the internal road planting stipulations as outlined in the District Plan and should serve to visually soften and integrate activities within the site with the wider landscape. Some planting has been established in these areas already.

Finally, within the overland flow path, the objective is to support the visual mitigation planting in other parts of the site while retaining views along the valley to the west, with an emphasis on efficient stormwater management and the enhancement of native biodiversity to uplift the overall landscape values.

The southern part of the overland flow path mitigation planting identified in the LMP is identified as being outside the area required to mitigate the effects of existing activities within the application site (Refer to Figure 1 above).

Mitigation Species

The LMP identifies the following species that will be used in the mitigation planting:

Location	BOTANICAL NAME	COMMON NAME	% MIX	GRADE	HEIGHT*	SPACING
Internal Boundaries	<i>Alectryon excelsus</i>	Titoki	50	20L	1.2m	5m
Internal Boundaries	<i>Alnus glutinosa</i>	Black Alder	50	20L	1.2m	5m
Internal Roads	<i>Alectryon excelsus</i>	Titoki	25	20L	1.2m	15m
Internal Roads	<i>Alnus glutinosa</i>	Black Alder	25	20L	1.2m	15m
Internal Roads	<i>Carpinus betulus 'Fastigiata'</i>	Upright Hornbeam	25	20L	1.2m	15m
Internal Roads	<i>Metrosideros excelsa 'Maori Princess'</i>	Upright Pohutukawa	25	20L	1.2m	15m
Southern Boundary	<i>Pittosporum crassifolium</i>	Karo	50	1L	1.2m	2.5m
Southern Boundary	<i>Pittosporum eugenioides</i>	Lemonwood	50	1L	1.2m	2.5m
Swales & Flowpaths	<i>Apodasmia similis</i>	Oioi	20	RT	0.5m	2m
Swales & Flowpaths	<i>Carex secta</i>	Pukio	20	RT	0.3m	2m
Swales & Flowpaths	<i>Coprosma repens</i>	Taupata	10	1L	0.3m	2m
Swales & Flowpaths	<i>Cordyline australis</i>	NZ Cabbage Tree	5	1L	0.5m	2m
Swales & Flowpaths	<i>Dacrycarpus dacrydioides</i>	Kahikatea	3	20L	1.2m	5m
Swales & Flowpaths	<i>Juncus edgariae</i>	Wiwi	20	RT	0.5m	2m
Swales & Flowpaths	<i>Metrosideros excelsa</i>	Pohutukawa	5	20L	1.2m	5m

² Page 6. LMP



Swales & Flowpaths	<i>Phormium tenax</i>	Harakeke	10	1L	0.5m	2m
Swales & Flowpaths	<i>Plagianthus regius</i>	Lowland Ribbonwood	7	1L	1m	5m
Te Puna Station Rd	<i>Kunzea ericoides</i>	Kanuka	50	1L	0.5m	2m
Te Puna Station Rd	<i>Leptospermum scoparium</i>	Manuka	30	1L	0.5m	2m
Te Puna Station Rd	<i>Pittosporum eugenioides</i>	Lemonwood	20	1L	1m	2m

* HEIGHT = PLANTED HEIGHT

Implementation and Maintenance

The LMP contains an implementation specification that covers the following key requirements for the establishment of the proposed mitigation planting:

- a. Site Preparation.
- b. Planting; and
- c. Maintenance.

SUITABILITY OF THE LMP AND THE EXTENT TO WHICH IT IS CONSISTENT WITH THE TE PUNA STRUCTURE PLAN

Consistency with the Te Puna Structure Plan

Section 12.4.16.1 of the District Plan requires:

12.4.16.1 Structure Plan

Any subdivision or development of land within the Business Park shall be designed, approved and developed to incorporate and illustrate amenity screen landscaping, acoustics earth bunds/fences and a stormwater collection system generally in accordance with the Structure Plan and Appendix 7.

While the proposed landscape mitigation plan is generally consistent with the TPSP in terms of the general location of mitigation planting, differences exist in the configuration of the planting identified in the LMP and that shown in the TPSP.

The key difference, which is most likely to influence the effectiveness of the proposed mitigation (when compared to that required by the TPSP) is the configuration and depth of planting identified in the cross sections contained in *Section 7 – Structure Plans* of the ODP (Figure 2 below). The cross-section contained in the TPSP shows a planted depth of 10m is required around the perimeter boundary of the TPSP area. The LMP only shows planting to this depth along the northern (Te Puna Station Road) and eastern boundaries of the site. The depth of planting along the southern boundary is inconsistent with the requirements of the cross-section, where the LMP identifies a 50%/50% mix of *Pittosporum crassifolium* and *Pittosporum eugenioides* at 2.5m spacing along the boundary.

The TPSP requires a 10m wide band of planting comprising of 5 x rows of plants (1 x row of native evergreens such as *kahikatea*, rimu and/or *pukatea*; 2 x rows of exotic shelter such as poplar (*Populus* sp.), sheoak (*Casuarina* sp.), alder (*Alnus* sp.) and/or gum (*Eucalyptus* sp.); and 2 x rows of native shrubs such as manuka (*Leptospermum scoparium*), flax (*Phormium* sp.), hoherea (*Hoheria populnea*) and/or mapou (*Myrsine australis*).

Other differences, such as the use of alternative species, are less likely to impact the effectiveness of the proposed planting from an external mitigation perspective; if they are similar in size and form.

The LMP is not dimensioned and therefore does not meet the requirements of 4A.6.1.1.11.



4A.6 Information Required with Applications

4A.6.1 All Applications

ii. A site plan of the property (at a scale of not less than 1:200) showing:

- ...
- Existing trees and proposed landscaping. Dimensioned areas of the landscaping should be shown together with all existing and proposed sealed areas;
- ...

PERIMETER PLANTING



Figure 3: Section 7 Te Puna Business Park Structure Plan - Perimeter Planting Cross Section

Suitability of the Proposed Mitigation Species

A review of the above species and the proposed mitigation plans suggests that the proposed mitigation planting is consistent with the activity performance standards for screening found in 4C.5.3(b) of the District Plan and the screening requirements for the Te Puna Industrial Zone, found in 4C.5.3.2(f) of the District Plan which requires:

f. Te Puna Industrial Zone

- i. Any subdivision or development of land within the zone shall be designed, approved and developed to incorporate and illustrate amenity screen landscaping, acoustics earth bunds/fences and a stormwater collection system in accordance with the Te Puna Rural Business Park Structure Plan in Appendix 7;
- ii. The area of the planted land around the zone boundary, the area of land subject to the Te Puna Station Road roadscape planting, and the stormwater ponds and overland flow path/wetland as shown in the Te Puna Rural Business Park Structure Plan shall all be established and vested in Council prior to commencement of any industrial or business activity within the zone.

The plantings and the stormwater ponds and the overland flow path/wetland shall be maintained for a period of three years with maintenance secured by way of an appropriate legal mechanism to Council's satisfaction;

- iii. Secondary planting shall be provided on boundaries between land parcels in accordance with the Structure Plan.
- iv. Landscape plans for the zone boundary, Te Puna road roadscape, and stormwater ponds and overland flowpath/wetland shall be prepared by a qualified landscape designer and approved by Council. The plan for the overland flowpath/wetland shall be prepared in consultation with Pirirakau.
- v. Except to the extent already provided, additional amenity screen planting shall be provided to the satisfaction of Council for each new building over 100m². To that end, a landscape plan by a qualified



landscape designer shall be submitted with the application. The plan shall specifically identify the plant species. The plan shall also include a landscape maintenance programme for three years.

REVIEW OF THE LANDSCAPE EFFECTS ASSESSMENT (LEA)

Methodology

Te Tangi a te Manu states:

While landscape assessment methods vary, they are all based on landscape character and values. Character is an expression of the landscape’s collective attributes. Values are the reasons a landscape is valued. Values, though, are embodied in attributes. Effects are consequences for a landscape’s values resulting from changes to attributes. The landscape’s values are managed through managing such attributes.³

A combination of the review of background information to identify key landscape features and attributes; relevant planning documents; and site investigations/observations have been used to identify the existing landscape context and assess the effects of the proposed industrial activities on landscape, natural character and visual amenity.

In my opinion, the assessment approach followed is generally consistent with the recommendation contained within Te Tangi a te Manu.

Effects Ratings

The LEA uses the following seven-point scale for the rating of effects, consistent with the recommendations of the *Te Tangi a te Manu*. The “less than minor”, “minor, and “more than minor” thresholds used by the RMA, and the “significant” threshold used within the NZCPS are identified (the latter is not relevant to this application).



Figure 4: Effects Ratings from Appendix 1 of the LEA (Boffa Miskell)

This allows the consistent identification and comparison of effect levels.

Identification of the Existing Site and Surrounding Landscape Context

The LEA identifies the location of the site and describes the surrounding landscape context in terms of its topographical features, land cover and development patterns and assesses existing landscape character and values. This allows the characteristics and values associated with the physical and perceptual attributes of the site to be understood (in line with the suggested approach contained in Te Tangi a te Manu - Aotearoa New Zealand Landscape Assessment Guidelines). Associative values are not identified or discussed.

The LEA identifies that the site is not located within an outstanding natural feature or landscape, and does not contain any areas of significant indigenous vegetation or notable trees.

Proposed Development

The LEA identifies that the 10.6ha Te Puna Business Park site will be used for industrial purposes, following the requirements of the District Plan. The site will be activated gradually from east to west as required by the

³ Page 105. Te Tangi a te Manu - Aotearoa New Zealand Landscape Assessment Guidelines



Environment Court (EC) decision, allowing for boundary planting. The zoning permits various activities, but additional consent is needed due to the Flood Hazard overlay. The LEA identifies that, while the assessment considers existing industrial activities and a retrospective consent application covering house/building material storage, swimming pool shell storage, and a tyre storage yard in Stage 1 and Stage 2 areas, the Applicant is seeking a separate resource consent for industrial use on the rest of the site.

The LEA states:

The landowner is applying for a separate resource consent application to enable industrial activities on the balance of the site. This assessment has been undertaken with consideration of the existing industrial activities and the associated retrospective resource consent application. This retrospective resource consent application seeks to enable existing activities within four lots. These activities comprise:

- two house/building material storage operations
- a swimming pool shell storage yard
- a tyre storage yard.⁴

The LEA also notes:

It is important to note that the EC decision to rezone the land, anticipated that the full list of activities would be available within the site and therefore have the potential to be observable.⁵

Activities permitted under 21.3.1 of the District Plan are identified, setting the context within which the assessment has been undertaken.

Assessment of Effects

The LEA prefaces the assessment of effects with the following statement:

It is important to note that landscape effects are considered in the context of the underlying zoning and the expectation of industrial land use. The Environment Court (interim decision, Decision A 016/2005) makes some key acknowledgments regarding the character baseline which informed the decision to confirm the creation of the new subzone.

- Para [16] "A number of properties at higher elevations overlook the site and it is accepted that no amount of amenity planting could screen this site completely from view"
- Para [72] "From our observations of the general Te Puna area, there are significant examples of major industrial activities occupying rural sites, sometimes quite close to nearby residences"
- Para [73] "Compared to this, the visual effects of this development for residents overlooking the site are relatively minor. The closest properties would still have views extending several hundred meters to the nearest buildings and look beyond those buildings towards the harbour".

This indicates that it is accepted that anticipated industrial land use will be present within the landscape, visible and in some instances unable to be screened. This is an important aspect of the accepted baseline in which the proposal is considered.⁶

Landscape & Visual Effects

The LEA identifies that the landscape character is shaped by consistent elements in a specific area, including geology, landform, vegetation, and human features. Existing site activities won't require more earthworks or vegetation removal. While industrial activities alter the site's character, they align with its industrial zoning. Proposed integration planting, mainly native species, will blend industrial activities with surroundings, especially at boundaries. Native plants will enhance the landscape and wetland. Industrial use won't significantly change

⁴ Page 9. LEA

⁵ Page 10. LEA

⁶ Page 13 LEA

the landform or exceed height limits. Existing and future industrial effects will be contained on-site, fitting the industrial zone expectations. The proposed vegetation aligns with rezoning goals, offering buffers, integration, and wetland enhancement.

In summary, the LEA identifies that the landscape effects of the existing industrial use are confined to the site and surroundings, aligning with industrial zone expectations. No current vegetation removal is proposed. The Landscape Management Plan (LMP) planting, largely implemented, will form a landscape buffer around the site's perimeter, integrating it with the surroundings. Previous and current planting provide visual screening and integration, and as they mature, they'll enhance integration. Limited existing industrial effects align with the TPSP. Wetland planting is insufficient per TPSP standards, resulting in low adverse effects compared to TPSP objectives. Few visual observers exist, mainly viewing from ground level with vegetation screens. The elevated private viewpoint at 110 Te Puna Road will see integrated industrial activity, with future effects expected to be low adverse after planting matures. Other views range from neutral to very low adverse due to vegetation and landform. Completed LMP planting will align visual effects with TPSP expectations.

The LEA concludes:

Upon completion and establishment of the proposed LMP planting visual effects experienced by viewing audiences of the site when fully occupied by industrial activities are expected to be broadly in line with the level of effects expected by the provisions of the TPSP.

The effect Ratings Contained in the LEA are summarised in the following table:

TYPE	ATTRIBUTE/LOCATION	PUBLIC AUDIENCES	PRIVATE AUDIENCES	OVERALL RATING
Landscape				low adverse
Visual	From the north of the site	neutral to very low adverse	neutral to very low adverse	neutral to very low
	From the east of the site	neutral	very low adverse	
	From the south of the site	no effect	neutral to very low adverse	
	From the west of the site	no effect	neutral to very low adverse	

It should be noted that visual effects are perceptual attributes that contribute to an understanding of the effects on landscape character.

In my opinion, while the above effect ratings are supported by the analysis contained in the LEA, they appear to rely on the proposed mitigation being fully established within the site. There is no analysis of the temporary effects, which are likely to be of a magnitude higher until the existing and proposed screen planting reaches sufficient height to substantially screen the activities within the site from the more elevated view locations. The LEA and LMP do not identify how long it will take for this to occur. In my opinion, the screen planting will need to reach a height of around 6m and achieve closure before the above effect ratings will be achieved. Effects level will however reduce as the screen planting grows as identified in the LEA.

Relevant Planning Provisions

While the LEA does not provide a detailed assessment of the effects of the proposed development against all the relevant statutory planning provisions, it identifies that the proposed LMP) has been adapted over time to meet hapū expectations and is currently being planted with a three-year maintenance period for establishment. A bund measuring 2-2.5 meters along the southwestern, northern, and eastern boundaries forms an impermeable screen around the site, with existing planting on top providing a 3-meter wide, 2m high effective screen in line with 4C.5.3.2 (a) requirements. The LMP planting, when established, is considerate of the surrounding landscape character and aligns with zone and TPSP expectations.



While the LEA states that the light reflectance values (LRV) of site structures are being investigated to ensure compliance, it is understood that the swimming pools do not comply with 21.4 Activity Performance Standards, 21.4.1 General, 21.4.1.d. Visual amenity – reflectivity.

The LEA concludes:

The landscape and visual components of the proposal have been developed in a responsive manner to the statutory provisions and advice from hapū, following the undertaking of required engagement. The composition, form and qualities of the LMP have been designed to be in keeping with the expected outcomes of the zone and its objectives and policies.⁷

Recommendations

The LEA makes the following recommendations:

In order to minimise the landscape effects and meet the objectives of the TPSP via the LMP it is recommended that the following mitigation measures are included:

- 1. Ensure that any planting proposed in the LMP (dated May 2023) not yet implemented is undertaken in the next planting season.*
- 2. Management and Maintenance regime as described in the LMP should be upheld across the site for the recommended 3-year establishment period.*

No further measures are required to mitigate the existing industrial activities confined to the eastern portion of the site, with current landscape and visual effects being low adverse from the most affected viewing audiences. Planting proposed in the LMP (both implemented and any remaining to be implemented) is to establish over the 3-year period to a height and density anticipated by the TPSP. Industrial activities can be accommodated on site during this establishment period, with temporary landscape and visual effects reducing gradually over that time.⁸

Conclusions

The LVA reaches the following conclusion.

The existing industrial land use within the site, located in the eastern extents of the site are generally well contained from views from the majority of visual audiences. Where there are views of the existing industrial activities related landscape and visual effects are sufficiently accommodated by the existing mitigation measures. The current intensity and height (sic) of industrial use within the site is below the permitted 9m height allowed within the zone and located in a well contained portion of the site. Combined with the existing implemented mitigation planting, landscape effects are considered to be low adverse, while visual effects range from neutral to low adverse.

To further reduce the impacts of these existing activities and ensure that future development can take place an appropriate mitigation planting response has been developed. Successful implementation of the LMP will:

- meet the requirements of the underlying zoning*
- align with the intentions of the EC TPSP*
- follow guidance from hapū following the undertaking of required engagement.*

As a result the proposed mitigation planting will meet the statutory requirements and the direction communicated through the required consultation with hapū.

Provided that the proposed planting outlined within the LMP is implemented as instructed and developed through the three-year maintenance period the proposed mitigation planting will meet the requirements set out in the TPSP and allow for the accommodation of additional industrial activities to occupy the remaining lease areas. It is

⁷ Page 20 LEA

⁸ Page 20 LEA



considered that any adverse landscape character or visual effects will be reduced to be broadly in line with those expected after the implementation of the TPSP and these will not contravene the relevant statutory provisions.⁹

In my opinion, within the context of the current best practice approach to the identification and assessment of landscape effects; the Environment Court decisions relating to the application site; and the requirements of the District Plan, the above conclusions are adequately supported by the depth of analysis contained within the LVA report and correspond with the scale and significance of the effects on the environment under Schedule 4 (2)(3)(c) of the RMA.

Plans and Graphics

Maps and graphics contained in the LEA include:

- a. Site Location Plans (Maps 1 & 2): These plans identify the location of the site within the context of the surrounding landscape with elevation data.
- b. Viewpoint Location Plan (Map 3): This plan identifies the location of the public viewpoints assessed in the landscape assessment section of the report.
- c. ZTV (Map 4): This plan identifies the theoretical zone of visibility surrounding the application site. The ZTV analysis is colour coded to indicate the relative visibility of features within the area subject to the consent application.
- d. Context Photos and Viewpoint Photographs: Context photographs showing the characteristics of the site and surrounding landscape, and views toward the site from the various viewpoints identified in the visual assessment section of the LEA are included.
- e. Landscape Mitigation Planting Concept Plans (Contained in the LMP) and the Landscape Mitigation Planting Plan Extent of Planting Required for The Mitigation of Existing On-Site Activities: These plans provide a high-level overview of the general type and location of the proposed mitigation planting. It is noted that the spacings shown on the plans often differ significantly from the spacing indicated in the related plant schedule.

Landscape & Visual Effects Identified in the Submissions that are not addressed in the LEA.

The following issues relating to landscape character and visual amenities are not addressed in the LEA:

- a. Analysis of the aesthetic values associated with the appearance of the existing activities within the site (for which consent is being sought) and how these affect the surrounding landscape character and visual amenity values. This includes the comparative analysis of the uses and types of development considered by the Court and TPSP with the activities currently on site.
- b. The effects of non-compliance with the reflectivity requirements of the District Plan. This includes the colour of the swimming pools stored within the site.

In my opinion, these issues should be addressed at the Consent hearing.

REVIEW OF SUBMISSIONS RECEIVED

Of the 194 Submissions received, 156 are in opposition with the remaining 38 in support. Submissions relating to landscape, visual or amenity effects comprise 101 of the total submissions, indicating that it is a prominent issue.

The issues raised in the submissions can be summarised as follows:

⁹ Page 21 LEA



Submissions in Opposition:

- a. Deterioration of Te Puna's Aesthetic and Rural Feel: Repeated concerns over degradation of local amenity, rough and unfinished appearance, detracting from Te Puna's community and rural character. Specific mentions of an eyesore, unsightly, rough yard, not professionally developed, etc.
- b. Environmental and Landscape Impact: Destruction of the landscape, landslides, problems with onsite pools exceeding light reflectivity allowances, perceived incorrect use of land, loss of green spaces, and a need for landscape protection.
- c. Damage to Roadside and Berms: Oversized traffic causing muddy grass verges, unattractive road appearance, ruined berms, etc.
- d. Community Frustration and Lifestyle Impact: Frustration over the lack of applicant development, impacts on rural lifestyle, degradation of the local community, and objections to specific aspects such as the appearance of the yards.
- e. Regulatory and Compliance Issues: The landscape mitigation that has been implemented was not approved by WBOPDC, issues surrounding unkept premises, lack of approved planning, and the TPSP has not been implemented per the requirements of the District Plan.

Submissions in Support:

- a. Te Puna Industrial Park as an Asset: Emphasizing the park's importance for business, community, and industries. Praised for being affordable, safe, secure, and having less visual impact than other sites.
- b. Efforts Towards Community Engagement and Screening: Mention of planting and bunds for screening, pools painted pink to support breast cancer, visually less impactful compared to other industrial sites.
- c. General Support: Some submission points highlight the industrial park as a good and beneficial use of land, and that planting has been undertaken.

Overall, the submissions contain a mix of strong objections mainly related to aesthetics, environmental concerns, and community impact, contrasted with supportive comments emphasizing economic and logistical advantages and effectiveness of planted bund screening.

Several of the submissions appear to relate to a loss of rural character and associated visual amenity within the site and that the appearance of the site differs from the surrounding rural landscape. Other submissions relate to the general appearance of the site, in terms of general aesthetics.

The purpose of the TPSP is to ensure that development within the site is compatible with the amenity of the surrounding Rural Zone. The TPSP seeks to achieve this by requiring screening around the perimeter of the zone and on either side of Te Puna Station Road, except where an open space/wetland corridor is to be retained down the valley. As identified above, it was accepted by the Court that the site could not be screened from surrounding elevated locations, and the underlying zoning flags the intended land use within the site, meaning that a change in existing landscape character (from predominantly rural to predominantly industrial) should be expected within the site.

The key issue, in my opinion, appears to revolve around aesthetics and the appearance of the existing activities within the site, rather than what those activities are. From a landscape perspective, a messy industrial site is not as aesthetically acceptable as a tidy and ordered site because it can create a discordant visual experience that disrupts the harmony and appeal of the surrounding landscape. Disorderly appearance, unorganized layouts, and neglected maintenance often translate into a perception of carelessness and lack of professionalism, undermining the community's confidence in the site's operation. Conversely, a well-maintained and orderly site reflects a sense of responsibility, attention to detail, and respect for the community's visual standards. It not only enhances the appearance of the industrial area but also integrates more seamlessly with



the neighbouring environment, preserving the overall aesthetic integrity and potentially supporting a more favourable public perception. A tidy site, therefore, fosters a more positive image, potentially aiding in community acceptance and alignment with local planning and environmental values.

The structure and sense of order conveyed by the TPSP contribute to an expectation that the activities within each site should be of a similar structure and order.

This is reflected in submission 17 (Keller) which states:

The community understood that this site was going to be a professionally developed Business Park with a range of businesses. It was supposed to integrate functionally and aesthetically with the rural environment.

The following submitter properties were visited on 12 September 2023:

- a. 86B Te Puna Road
- b. 112 Te Puna Road
- c. 110 Te Puna Road
- d. 138 Te Puna Road
- e. 177 Te Puna Station Road
- f. 159 Clarke Road

A photograph looking towards the application site from each of the above properties is attached to this memorandum (Figures 11 to 16).

FINDINGS

Having reviewed the LMP and LEA and relevant parts of the AEE documentation I have reached the following conclusions:

- a. To gain a comprehensive understanding of the proposed activity's effects, its mitigation, and the effectiveness of that mitigation, it is essential to examine the LMP, MEOSAP, and LEA documents in conjunction.
- b. In general, the level of detail provided in the application documentation is commensurate with the scale and significance of the effects on the environment under Schedule 4 (2)(3)(c) of the RMA.
- c. The assessment approach followed is generally consistent with the recommendation contained within *Te Tangi a te Manu*. I consider that the assumptions and analyses that have been applied within the LMP and LEA are consistent with current professional thinking and that the effects identified, and conclusions reached are generally supported by the analysis contained within the report. While the assessment of effects is brief and does not include an assessment of temporary effects, the assessment does appear to have considered the wider visual catchment, including the effects on views from surrounding areas including elevated locations to the west of Te Puna Station Road, low lying locations to the east of the site and elevated locations to the south of the site, along Clarke Road. The issues raised in submissions that were not addressed in the LEA can be easily addressed at the hearing and can be potentially avoided, remedied or mitigated.
- d. From my observations on site, I noted that while the existing planting has been established in the general locations shown on the Structure Plan, planting depths and configuration are different to



that shown in the cross sections contained in the Structure Plan. I also note that a difference exists between species and configuration of the planting that has already been undertaken and that proposed in the LMP and that the inter-lot planting is not protection from damage (through methods such as staking, exclusion areas, etc), meaning that the risk of plant loss is increased. To meet the apparent intent of the TPSP and the direction of the Environment Court, the existing planting on-site needs to be further supplemented by the planting identified in the LMP, and with additional planting along the southern (external) boundary of the site. This issue can be addressed through a condition of consent.

- e. The landscape immediately surrounding the TPSP area is predominantly rural and, if the site is mitigated to the levels required by the Structure Plan, and if the sites were maintained in a tidier and more ordered manner, the proposed activity will not have a significant effect on the surrounding rural character and associated amenity. The structure plan does not appear to require the total screening of all activities within the site, and it is expected that the development for which consent is sought (and future development within the site) will still be able to be experienced from some surrounding locations. In my opinion, given the underlying zoning for the site, this is not unreasonable and appears to have been recognised by the Environment Court in Paragraph 16 of the interim decision.
- f. While the findings and effect ratings contained in the LEA are generally consistent with what I would expect for the site with the established mitigation recommended in the LMP (and some additional screen planting to bring the LMP in line with the requirements of the TPSP), planting establishment time is required before these ratings are realised. In the interim, the temporary effects are likely to be one rating level higher on the that identified in the LEA (i.e. *very low* would go to *low* when rated using the table in Figure 3). This is supported by my observations from the site visit and site visits.
- g. Overall, the submissions reveal a dichotomy of perspectives. On one hand, there are strong objections mainly concerning the aesthetics, environmental impact, and loss of rural character. The concerns emphasize the visual discord created by a messy and unorganized appearance, reflecting negatively on community perception. Submission in support highlights the effectiveness of the existing bund and screen planting.

In my opinion, when read in conjunction with the application for resource consent and the AEE documentation, the LEA and LMP Reports provides sufficient information to gain an understanding of the proposal and the changes that will occur.

In my opinion, subject to the inclusion of the conditions of consent recommended below, there is no reason from a landscape and visual effects perspective why consent cannot be granted.

RECOMMENDED CONDITIONS OF CONSENT

Because the effect ratings contained in the LEA are based on the implementation of the proposed landscape planting and mitigation planting contained in the LMP, and because the LEA does not provide any analysis of the temporary effects or the timeframe within which the proposed mitigation planting will become effective, it is recommended that, if consent is granted, the following condition of consent be included:

Landscape Mitigation Planting

- a. *Within six months of consent being granted that a detailed landscape implementation plan (LIP), following the recommendations contained within the Landscape Effects Assessment (LEA) and the*



Landscape Management Plan (LMP) prepared by Boffa Miskell Ltd (Dated 12 May 2023 be prepared for the site and submitted to Council for certification. The LIP shall include the following:

- i) Identification of all existing planting/areas of planting within the site.*
 - ii) The location of any new planting or enrichment planting required to achieve the level of mitigation identified in the LMP.*
 - iii) Planting along the southern boundary of the site shall be a minimum width of 10m in accordance with the requirements of the Te Puna Business Park Structure Plan - Perimeter Planting Cross Section*
 - iv) A schedule of species to be used including botanical name, common name, size at time of planting, spacing, height at maturity and quantity.*
 - v) The type location of plant protection (to prevent damage to the planting from activities within the site).*
- b. All planting shall be implemented within 6 months of the date of consent and maintained for the duration of the consented activities in accordance with the recommendations contained within the LMP.*
- c. Protection shall be provided to all mitigation planting to ensure accidental damage (including root damage and soil compaction) from activities within the site does not occur. Materials and/or products shall not be stockpiled, within 3m of any internal boundary planting and/or internal roadscape planting or beneath their driplines (whichever is the greater). Vehicles shall not be driven within 3m of internal boundary planting and/or internal roadscape planting or beneath its dripline (whichever is the greater)*
- Advice Note: Protection devices such as barriers and/or bollards should be placed in high-risk areas to prevent damage or loss of the mitigation planting, soil compaction or root damage. Internal boundary planting and internal roadscape planting include all planting identified in these areas by the LMP.*
- d. Either a 6m high black 70% block-out horticultural shade cloth fence be erected around the perimeter of the site occupied by Compass Pool until the mitigation planting around that site reaches a minimum height of 6m and canopy closure has occurred or the colour of the swimming pools stored within the site is changed to comply with the reflectivity values contained within the District Plan.*

Dave Mansergh

DipP&RM(Dist), BLA(Hons), MLA. Registered ANZILA
Director



Figure 5: Planted bund adjacent to the site entrance on Te Puna Station Road



Figure 6: Bund and planting along the western boundary



Figure 7: Bund and planting along the southern boundary (western end)



Figure 8: Internal road and swale planting



Figure 9: Internal lot boundary screen planting



Figure 10: Southern boundary bund and planting (western dog leg)



Figure 11 View toward the application site from 86B Te Puna Road



Figure 12 View towards the application site from 110 Te Puna Road



Figure 13 View towards the application site from 112 Te Puna Road



Figure 14 View towards the application site from 138 Te Puna Road



Figure 15 View towards the application site from 159 Clarke Road



Figure 16 View towards the application site from 177 Te Puna Station Road



Figure 17 View towards the application site from 177 Te Puna Station Road (Application site hidden from view)