

BEFORE THE MATAMATA PIAKO DISTRICT COUNCIL

IN THE MATTER of the Resource Management Act 1991

AND

IN THE MATTER Proposed Private Plan Change 56 to the Matamata Piako District Plan by Lockerbie Estate Limited and Lockerbie Estate No.3 Limited to rezone approximately 78 hectares of land at 76 Taukoro Road, 182 Morrinsville-Tahuna Road and Lockerbie Street from a Rural Zone (with a Future Residential Policy Area Overlay) to a Residential and Medium Residential Zone with supporting Development Area Plan.

STATEMENT OF REBUTTAL EVIDENCE OF MORNÉ HUGO

URBAN DESIGNER

20 July 2022

QUALIFICATIONS AND EXPERTISE

1. My name is Morné Hugo, and I am a Partner / Landscape Architect and 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.
2. 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.
3. 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.
4. I have significant experience in developing structure plans and master plans for residential, commercial, industrial and mixed-use land uses.

CODE OF CONDUCT FOR EXPERT WITNESSES

5. I am familiar with the Code of Conduct for Expert Witnesses (Environment Court Consolidated Practice Note 2014) and although I note this is a Council hearing, I agree to comply with this code. The evidence I will present is within my area of expertise, except where I state that I am relying on information provided by another party. I have not knowingly omitted facts or information that might alter or detract from opinions I express.

SCOPE OF EVIDENCE

6. This statement of evidence responds to the Urban Design evidence of Wayne Bredemeijer, Senior Associate, Urbanismplus Ltd, which raised new matters that were not address in my primary evidence or requires further clarification.

EVIDENCE OF MR. WAYNE BREDEMEIJER

7. I note that during the development and refinement of the Lockerbie Private Plan Change (PPC) rules provisions and the Lockerbie Development Area Plan (LDAP), I was involved representing the applicant at several Council review sessions, where Mr. Bredemeijer's urban design review was discussed with him in detail and subsequent changes were made to both the rules and the LDAP.
8. Further to this very detailed review process, in which all urban design related issues were discussed and worked through in detail, including subsequent amendments to the PPC to address all concerns, Mr. Bredemeijer has suggested further changes in his evidence under Section 9.2 Recommendations.
9. The additional changes requested include the following:
 - *Several provisions relating to street activation should also apply to the Residential Zone (Lockerbie specific provisions).*
 - *Provisions for the maximum heights of fences and retaining walls should also be provided for the Residential Zone (Lockerbie specific provisions).*
10. In my opinion, the inclusion of these provisions within the Residential Zone (that relate specifically to the residential zone that sits within the LDAP) are an unnecessary level of design control, which whilst being applicable to the Medium Density Residential Zone and Lockerbie Precinct, are not in my opinion required in the Residential Zone where minimum lot sizes are specifically much larger (with a 600m² minimum lot size).

11. These additional rules are not included in the wider district’s Residential Zone (which have a 450m² minimum lot size), and as such I cannot see the necessity to include them in the Residential Zone (Lockerbie specific), which will have larger lots which are easily able to absorb individual design appearance and variations and have been successfully implemented elsewhere without the need for these overly prescriptive urban design requirements.
12. The table below sets out the relevant rules as identified by Mr. Bredemeijer in his evidence and further commentary on the reasons why they are not warranted, apart from the fencing and retaining wall provisions that have been accepted by Lockerbie.

Rule	Residential Zone (Lockerbie specific)	Medium Density Residential Zone	Lockerbie Precinct	Comment
Minimum proportion of clear-glazed windows facing the street	Nil	20% (except in the wall containing the garage door)		These standards are appropriate for medium density and terrace housing typologies, but not required for large traditional suburban residential dwellings on 600m ² minimum lots. It is also unlikely that Council will be able to review and enforce this rule across multiple housing zones and will add potential compliance costs which are unnecessary and overly onerous.
Primary entrance	Nil	Primary entrance on the ground floor shall face the street and pedestrian access shall be separated from the driveway		As above, this is not of key relevance to larger dwellings where design variation and more options are required by designers/property owners
At least one habitable room with a clear glazed window shall face the street (or streets / public open spaces in the case of corner sites)	Nil	At least one habitable room with a clear glazed window shall face the street (or streets / public open spaces in the case of corner sites)		These standards are appropriate for medium density and terrace housing typologies, but not required for large traditional suburban residential

Rule	Residential Zone (Lockerbie specific)	Medium Density Residential Zone	Lockerbie Precinct	Comment
				<p> dwellings on 600m² minimum lots. It is also unlikely that Council will be able to review and enforce this rule across multiple housing zones and will add potential compliance costs which are unnecessary.</p>
<p>Fences and retaining walls</p>	<p>Nil</p>	<p>Front and side boundary fences and/or retaining walls located forward of the front wall of the residential unit:</p> <ul style="list-style-type: none"> ➤ Maximum height of a fence is 1.2m and 50% visually permeable, except where the outdoor living area is adjacent to the fence the maximum fence height is 1.5m and 50% visually permeable ➤ Maximum height of a retaining wall is 0.6m ➤ No combination of fence and retaining wall shall exceed 1.5m <p>For boundaries of sites adjoining an Open Space Area that sits lower than the adjacent private lots:</p> <ul style="list-style-type: none"> ➤ Maximum height of a fence is 1.2m and 50% permeable ➤ Maximum height of a retaining wall is 1.5m, whereby retaining walls over 1.2m in height shall be stepped by at least 500mm ➤ No combination of fence and retaining wall shall exceed 2.5m. ➤ The fence shall be set back from the face of the retaining wall by at least 500mm <p>For boundaries of sites adjoining an Open Space Area that sits higher than the adjacent private lots:</p> <ul style="list-style-type: none"> ➤ Maximum height of a fence is 1.2m and 50% permeable ➤ Maximum height of a retaining wall is 0.6m ➤ No combination of fence and retaining wall shall exceed 1.8m ➤ The fence shall be set back from the face of the retaining wall by at least 500mm <p>All other boundary fences or walls:</p> <ul style="list-style-type: none"> ➤ Maximum height of a fence is 1.8m ➤ Maximum height of a retaining wall is 1.5m 		<p>These standards are appropriate for medium density and terrace housing typologies, and whilst I do not necessarily agree that they are required for large traditional suburban residential dwellings on 600m² minimum lots, Lockerbie has accepted their inclusion.</p>

Rule	Residential Zone (Lockerbie specific)	Medium Density Residential Zone	Lockerbie Precinct	Comment
				> No combination of fence and retaining wall shall exceed 3m

13. In conclusion, it is my opinion that the inclusion of further provisions within the Residential Zone (that relate specifically to the residential zone that sits within the LDAP) are an unnecessary level of design control, are overly restrictive and are not required for traditional density suburban residential lots.

MORNÉ HUGO

URBAN DESIGNER

Boffa Miskell Limited

25 July 2022