



CLUTHA DISTRICT COUNCIL

Address all correspondence to:
The Chief Executive

Our Reference
RM3063
ID: 923641

TO: The Hearings Commissioner

FROM: Michaela Groenewegen, Planner

DATE: 14 February 2025

SUBJECT: **RESOURCE CONSENT APPLICATION RM3063 Peter Barnes
2 Akatore Road, Taieri Mouth**

| | |
|---------------------------|---|
| Application: | Application under Section 88 of the Resource Management Act 1991 (RMA) for a subdivision and residential activity within the Rural Resource Area of the Clutha District Plan. The subdivision will create six lots, four lots for residential activity within the Rural Resource Area, while the balance lot 1 will be retained by the applicant with an existing dwelling and lot 6 will be the Right of Way. |
| Legal Description: | Lot 1 DP 25928 and Lot 1 DP 308807 |
| Zoning: | Rural Resource Area |
| Activity Status: | Discretionary |

INTRODUCTION

1. This report has been prepared on the basis of information available on the 23rd April 2024 (Application) and the 8th August 2024 (Section 92 Further Information Request). On 30 January 2025 the Applicant submitted a landscape assessment prepared by Site Environmental Consultants (SEC) and also advised that an addendum to information provided by Fluent Consultants in relation to onsite wastewater management was also forthcoming.
2. The landscape assessment submitted after the close of the notification period and my understanding is that the persons served notice have not yet been provided with this information. The landscape assessment is attached as **Appendix 4** to this report.
3. The purpose of the report is to provide assistance for the Commissioner's consideration of the application and the Commissioner is not bound by any statements or recommendations made within the report.

4. My name is Michaela Abby Groenewegen-Bereicua, and I am the processing planner for this application. I am a Planner at the Clutha District Council. I hold the qualifications of Bachelor of Arts from the University of Otago and currently undertaking my Master of Resource and Environmental Planning post graduate studies at Massey University. I am a student member of the New Zealand Planning Institute.
5. I have worked at Clutha District Council for 3 years in the Planning Team processing RMA resource consents
6. I undertook a site visit to 2 Akatore Road, Taieri Mouth on the 22nd August 2024.
7. There are no potential conflicts of interest between the Processing Planner and the Applicant.
8. Mr Bevan Mullions, the Council's Land Development Engineer has provided advice, and this has been included as **Appendix 1**.

SUMMARY OF RECOMMENDATION

9. For the reasons set out in my assessment below, I consider that the relevant matters that relate to the adverse effects of the activity on natural character, landscape, visual amenity and rural character, wastewater, access way and the imposition of financial contributions would be avoided or mitigated, and the activity is consistent with the relevant objectives and policies of the Clutha District Plan. I recommend that subject to appropriate conditions of consent, the adverse effects on the environment of the activity are appropriate and that the consent be granted.

DESCRIPTION OF PROPOSAL

10. Subdivision and land use resource consents are sought to undertake a six Lot subdivision with residential activity, a right of way (ROW) access within the Rural Resource Area of the Clutha District Plan.
11. The subdivision will create four additional lots (proposed Lots 2-5) for residential activity comprising approximately 1600m²-1610m² each, while the balance Lot (proposed lot 1) will be 26.9ha and located within the Rural Resource Area. Proposed Lot 1 will retain an existing residential activity and contains part of an existing wetland. Access is gained to proposed Lots 2-5 from an existing accessway (proposed lot 6) and then a further ROW.
12. It is proposed that Lot 2-5 will be developed for residential activity (1 dwelling per site) and that each site will be self-sufficient in relation to the supply of potable water and disposal of wastewater and stormwater. Water tanks will be used for the supply of potable water and firefighting purposes. Stormwater and Wastewater from each residential lot will be disposed of within the site in accordance with the Fluent Solutions Report.

DESCRIPTION OF SITE AND LOCATION

13. The subject site where the subdivision is proposed is to be located south-east of the existing Taieri Mouth Settlement, which adjoins more recently developed properties along Moturata Road.
14. As shown in Figure 1, the subject site is within the rural resource area but is immediately adjacent to the urban and coastal resource areas of Taieri Mouth. On the eastern boundary of Lot 1, the site adjoins the Taieri Beach School (Designation D23).

Figure 1: Clutha District Council District Plan Map



15. The density of dwelling within the locality ranges from dense to more sporadic rural residential development. Council’s GIS shows the surrounding rural and coastal areas have been associated with historic subdivisions and existing residential developments.
16. Figure 2 below is an excerpt from Clutha District Council’s GIS which illustrates the site and its context to the Taieri Mouth settlement.

Figure 2: Subject site in relation to the Taieri Mouth Settlement



17. The property is currently vegetated in pastoral grasses and livestock are grazing the site. There is an existing dwelling south of the development and contains an existing Wetland 'The Coutts Gully Wetland' of which there are no proposed works as part of this development

REASONS FOR CONSENT

Clutha District Plan

18. The subject site is located within the Rural Resource Area of the Clutha District Plan. The following resource consents are required:

Subdivision

19. Under Rule SUB.1(e) the activity is required to be assessed as a Restricted Discretionary Activity subject to compliance with the performance standards identified in rule SUB.4. The applicant has advised the subdivision has been designed to comply with the subdivision performance standards set out within the rule SUB.4.
20. The Akatore Faultline geological hazard is identified on the Plan Maps over the site. Under Rule SUB.2 Discretionary Activities, Subdivision of land subject to or which is in Council's opinion potentially subject to, the effects of any natural hazards, is a Discretionary Activity.

Rural Resource Area

21. Rule RRA.3(2) requires a dwelling not to be closer than 200 metres to any existing or proposed dwelling or to an Urban, Transitional or Rural Settlement area. Rule RRA.3(iv) requires that any residential activity that does not conform with the relevant performance standards of RRA.3(i) to (iii) will be assessed as a Discretionary Activity. Any breach of 150 metres or less will be assessed as a Discretionary status as per rule RRA.3(iv)(iii).
22. Proposed lots 2-5 are within 150 metres of each other, and existing dwellings are located to the north and east, and Urban Resource Area. The proposed requires a discretionary activity resource consent.

Transportation

23. Under rule TRAN.1 Roads and Access Lots for the purpose of providing access and legal frontage to developments and subdivision are controlled activities provided:
- There is no adverse effect on; any heritage site listed in Table 13.1 to Table 13.8; and
 - The location is not or is not likely to be subject to material damage by erosion, subsidence, slippage or inundation (including the possibility of sea level rise) and the proposed development is not likely to accelerate any of these processes; and
 - Roads in Rural Areas are constructed in accordance with the "Guide to Geometric Standards for Rural Roads", National Roads Board, New Zealand, 1985 and roads in Urban Areas are constructed in accordance with NZS4404 1981 Urban Land Subdivision.
24. The activity can achieve standard 1-3 and is a controlled activity. The matters of control are listed in matters a-e of Rule TRAN.1.

Financial Contributions

25. Rule FIN.7 sets out the terms where the imposition of financial contributions associated with the subdivision. Rule FIN.7(b) states a financial contribution for the purpose of acquiring, improving and/or developing reserves and recreational facilities throughout the district, may be imposed in the following circumstances:

- As a condition of a resource consent for any subdivision or development for residential, commercial, or industrial purposes in the form of money except where the circumstances set out in (d) below apply, in which case land may be required. Such a charge shall be payable on –
 - Each allotment being created in the case of subdivision;
 - Each additional dwelling unit in the case of multi-unit development or for a cross lease or unit entitlement;
 - Each pan unit identified under Rule FIN.9(3) which is not covered by any of the circumstances above.

26. In review of FIN.7(b) a financial and reserve contribution is payable for this application for the creation of four lots for residential purposes created in the case of subdivision.

Resource Management (National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health) Regulations 2011 ('the NES')

The District Plan and Otago Regional Council Maps have been reviewed and do not identify any known activities which may have resulted in soil contamination.

It is noted that the site has been utilised as rural production land which may have resulted in agrichemicals associated with farming activity. For these reasons the NESCS is a relevant consideration.

Lot 1 will be retained as production land and pursuant to Regulation 5(8)(c) the NESCS does not apply to the subdivision of this lot.

Lots 2-6 will change to rural residential activity. The proposed boundaries will not result in the removal of buildings or expose sensitive receptors to areas of the farm which may contain contaminated soil.

The activity will create 4 new sites (Lots 2-5) for rural residential activity, and as discussed above, to achieve permitted activity status the following would need to be met as required by Regulation 8(4):

Subdividing or changing use

- (4) *Subdividing land or changing the use of the piece of land is a permitted activity while the following requirements are met:*
- (a) *a preliminary site investigation of the land or piece of land must exist:*
 - (b) *the report on the preliminary site investigation must state that it is highly unlikely that there will be a risk to human health if the activity is done to the piece of land:*
 - (c) *the report must be accompanied by a relevant site plan to which the report is referenced:*

(d) the consent authority must have the report and the plan.

In the absence of a preliminary site investigation the subdivision cannot be treated as a permitted activity under Regulation 8(4) of the NESCS. The activity is therefore, a discretionary activity pursuant to Regulation 11 of the NES.

Overall Activity Status

27. Overall, the application is being considered and processed as a Discretionary Activity.

NOTIFICATION AND SUBMISSIONS

28. The application has been processed on a limited notified basis, with notice of the application serve on the following persons:

- 190 Moturata Road – D Maynard
- 192 Moturata Road – E Ferguson
- 196 Moturata Road – A and G Patterson
- 200 Moturata Road – T and B Draper
- 202 - 208 Moturata Road – Ministry of Education
- 182 Moturata Road – S Darmody

29. The notification decision was made on the 23rd October 2024, and the submission period closed on 22nd November 2024. It is noted only those persons who were served notice of the application can make a submission, and that only those who made a submission and requested to be heard have formal speaking rights at a hearing.

30. For clarification, any hearing held is available to be attended by the public generally.

31. Two submissions were received, and these have been summarised in the following table, and the location of their properties is shown in Figure 3.

| Submitter | Date Submission Received | Address | Position | Wishes to be heard |
|----------------|---|---------------------------------|----------|--------------------|
| Rachel Darmody | 21 November 2024 | 182 Moturata Road, Taieri Beach | Oppose | Yes |
| Summary | Concerns with the impacts on privacy that may occur. As well as the visibility of the right of way from their property. | | | |
| Glen Patterson | 16 November 2024 | 196 Moturata Road, Taieri Beach | Oppose | No |
| Summary | Concerns regarding the reverse sensitivity. Which has raised concerns the proposed subdivision will hinder their ability to continue farming practices at existing levels of noise and breadth. | | | |

| | |
|--|--|
| | <p>Cumulative impact of additional buildings in the rural area will erode rural character, clutter the landscape and detract from the open-space amenity.</p> <p>Proximity of the proposed development, with regard to the impact of amenity values of the property. Including increased noise, potential nuisance, and visibility of four new dwellings and associated buildings.</p> <p>Concerns for potential loss of open-space character that defines the area and the small allotment size and density of proposed lots 2-5.</p> <p>Roading and access concerns, in particular the sight lines for the proposed vehicle crossing.</p> <p>Concerns with inadequacy of proposed mitigation measures such as screen planting.</p> |
|--|--|

Figure 3: Submitters properties in relation to the subject site



SECTION 104

32. Subject to Part 2 of the RMA, Section 104 sets out those matters to be considered by the consent authority when considering a resource consent application. Considerations of relevance to this application are:

- (a) any actual and potential effects on the environment of allowing the activity; and

- (ab) any measure proposed or agreed to by the applicant for the purpose of ensuring positive effects on the environment to offset or compensate for any adverse effects on the environment that will or may result from allowing the activity; and
- (b) any relevant provisions of—
 - (i) a national environmental standard:
 - (ii) other regulations:
 - (iii) a national policy statement:
 - (iv) a New Zealand coastal policy statement:
 - (v) a regional policy statement or proposed regional policy statement:
 - (vi) a plan or proposed plan; and
- (c) any other matter the consent authority considers relevant and reasonably necessary to determine the application.

EFFECTS ON THE ENVIRONMENT OF ALLOWING THE ACTIVITY SECTION 104(1)(a)

33. Section 104(1)(a) of the Act requires that Council have regard to any actual and potential effects on the environment of allowing the activity. 'Effect' is defined in Section 3 of the Act as including –

- a) Any positive or adverse effect; and*
- b) Any temporary or permanent effect; and*
- c) Any past, present, or future effect; and*
- d) Any cumulative effect which arises over time or in combination with other effects-*
Regardless of the scale, intensity, duration, or frequency of the effect, and also includes-
- e) Any potential effect of high probability; and*
- f) Any potential effect of low probability which has a high potential impact.*

Permitted Baseline and the Existing Environment

34. In considering the assessment of effects Council may apply the permitted baseline. The purpose of the permitted baseline is to identify the non-fanciful effects of permitted activities, and those effects authorised by resource consents in order to measure the effects of the proposal.

35. Under Section 104(2) of the Resource Management Act, Council may disregard an adverse effect of a proposed activity on the environment if a plan permits an activity with that effect. Such activities form part of the permitted baseline.

36. In relation to this application, I do not consider the permitted baseline to be applicable. This is because all subdivision within the Rural Resource Area requires a restricted

discretionary activity resource consent, and all dwellings on the proposed Lots 2-5 also require a discretionary activity resource consent because they are located closer than 150m from each other, or other dwellings located on other sites.

Assessment of Effects

37. The assessment of effects is guided by the assessment matters identified in the Plan but as a Discretionary Activity the assessment is not restricted. As a starting point the Plan provides assessment guidance for the proposed activity under the following headings:

- Landscape and rural character effects, and the design and density of the development
- Access
- Natural values
- Stormwater
- Wastewater
- Natural hazards
- Financial and reserve contributions
- NES-CS

Landscape and rural character effects, and the design and density of the development

Applicant's Assessment

38. The Application's assessment of effects on the environment (AEE) describes the proposed subdivision as in keeping with the density of dwellings in the immediate locale and the proposed development will be screened from view from Akatore Road.

39. The application volunteers' conditions of consent to mitigate any adverse effects arising from the residential activity on the character and amenity values of the rural environment. By way of summary, the proposed mitigation measures are as follows:

- All buildings shall be single story and a maximum of 6m height above existing ground level.
- All buildings are to be finished in either naturally weathered timber or locally appropriate stone, or in colours that have low levels of contrast with the colours of its rural landscape setting. Painted surfaces will have light reflectivity ratings of no more than 25%.
- All services are to be located below ground.
- Water tanks will be sited, and / or buried and / or screened (by planting), and coloured to match the building colours, to have minimal visual impact from beyond the property.

40. The assessment of landscape and visual effects undertaken by SEC concludes that the adverse effects of the activity will be as follows:

- On rural character and amenity:
 - Moderate/high (short term 1-7 years)
 - Low/moderate (long term 8-20 years); and
- In terms of the visual character effects:
 - high over the short term (1-7 years)
 - low over the long term (8-20 years)

41. The SEC assessment concludes that the activity is appropriate with the following mitigation measures identified. I also understand that because these measures have been identified and recommended they are volunteered as part of the activity. The mitigation measures are also identified on page 3 of the SEC Graphic Attachment.

- Building setbacks:
 - For Lot 2, a 7.5m setback from the eastern boundary is recommended. However, I note that sections 7.2 and 8.13 of the SEC report recommends a 10m setback from the eastern boundary. It is uncertain if this latter statement refers to Lot 2 or Lot 5.
- Mitigation planting that would add shelter, amenity and privacy (Lots 2-5 inclusive), detailed as follows¹:
 - Area A located along the eastern boundaries of Lots 2 and 5. Native tree and low shrub planting to provide privacy for residents on this boundary and screening and visual amenity for future residents. 5m wide x 74m long.
 - Area B located along the northern boundary of Lots 4 and 5 and comprising Deciduous shelter tree planting, trimmed to 5m, extending length of Lot 4 & 5 northern boundary. These plants are intended to be quick growing species for removal 3 years after the establishment of native planting on the boundary.
 - Area C located on the southern boundary of Lot 3, the western boundaries of Lots 3 and 4 and the northern boundaries of Lots 4 and 5. Native coastal shrubs to create mixed shelter and amenity planting to 3m with overplanting of medium coastal tree. Planting to be undertaken as a condition of individual Lot development.
 - Area D is identified as the southern boundary of the ROW and is described in the SEC Graphic Attachment as boundary hedge planting to

¹ SEC Landscape and Visual Amenity Assessment, Sections 7.3-7.8.

2m height to complement existing planting and mitigate night traffic light throw.

42. Appendix A of the SEC assessment includes a planting schedule, conditions and maintenance programme.
43. The SEC assessment also recommends All boundary fencing be post and wire and exclude stone or masonry ornamental gates.

Figure 4: Applicant's Landscape Proposal (SEC Landscape Assessment)



Submissions

44. The Patterson Submission raises concerns regarding their privacy from the additional subdivision.
45. The Darmody Submission raises concerns regarding the landscape and the effects on rural character. Further to this concerns are also raised regarding the proximity of the proposed development and size/density of proposed lots 2-5 to their property.

Assessment

46. The pattern of development surrounding the site is a relatively dense urban environment to the north and east. The land to the west and south is rural and contains a lower density of buildings. The land to the west contains wetlands which are protected under both the District Plan and the Otago Regional Plan: Water.

47. I note that lots 2-5 will be anticipated to each contain a residential unit, and while this represents an intense allotment size for the rural resource area, the proximity of the proposed lots to the urban resource area the visual effects as viewed from public places to the north, west and south will not be out of character to the receiving environment.
48. To ensure the open-space and character of the rural environment is maintained. I consider it appropriate to enforce a consent notice ensuring no further residential dwellings are permitted to be built on Lot 1.
49. The 6m building height limitation, use of visually recessive building materials/colours and other mitigation measures volunteered by the SEC will also provide effective visual mitigation of future buildings on all lots where residential activity is proposed.
50. In the absence of any specific conditions the bulk and location of buildings where the site in question adjoins a residential activity are required to comply with the District Plan's Urban Resource Area rules. Rule URB.4 requires a front yard of 3m and side and rear yards of 1.5m. I consider that in this context a greater setback of buildings from boundaries than that prescribed in District Plan Rule URB.4 is appropriate for this activity.
51. To manage the adverse effects associated with the density of dwellings and the breach of the 200m separation requirement which are mitigated by the presence of the adjoining Urban Resource Area and dwellings, I recommend there is a 5m setback of buildings from all side and rear yard boundaries. The SEC recommends a 7.5m no build setback (which may include a dispersal field) on Lots 2 and 5 from the eastern boundaries.
52. As no other building setbacks are proposed, I recommend the total ground floor footprint for buildings on Lots 2-5 shall not exceed a Building Coverage Area of 500m². The SEC report is based on assumption of limited coverage.
53. I agree with the Darmody Submission that until the SEC assessment and recommended mitigation were introduced to the proposal, there had been no provision for setbacks and boundary plantings to protect the amenity of adjacent properties. I consider the planting proposed in the SEC assessment to provide privacy for residents on this boundary and screening and visual amenity for future residents goes some way to alleviating the concerns identified in the Darmody submission.
54. I accept the SEC landscape assessment submitted after the close of the notification period. I accept the proposed planting mitigation strategy will contribute towards mitigating effects and help soften and integrate the development into the immediately adjacent urban environment.
55. I support the proposed recommendations from the landscape assessment should be adopted and imposed; these have been included as recommended conditions of consent.

56. Further to this, I generally agree with the proposed planting plan and recommended building setbacks. However, this could be extended to the following (also as outlined above):

- A 5m setback of buildings from all side and rear yard boundaries (except for the 7.5m building setback for the eastern boundaries of Lots 2 and 5 and recommend by SEC).
- The total ground floor footprint for buildings on Lots 2-5 shall not exceed a Building Coverage Area of 500m².
- Additional Planting along the southern boundary of Lot 2.

57. The rural resource area framework does not identify any building coverage rules; however, the imposition of the abovementioned boundary setbacks and building coverage size of 500m² will also limit the overall building coverage from a landscape effects perspective.

Access

Applicant's Assessment

58. The application states access shall be gained to lots 2-5 via a shared access (lot 6) from Moturata Road. Also stating the legal and formed width of the shared access will be sufficient for emergency services to access the site once built.

59. No sight distance measurements were supplied to determine the site stopping distance (SSD) for the proposed entrance (Lot 6). These were identified in an information request undertaken prior to the notification determination. In response to the Section 92 Request for further information the applicant provided confirmation the site stopping distances were measured onsite.

- The SSD from the access to Lot 6 looking south is 75.7m in a 50km/h speed limit. The SSD from the access to Lot 6 looking north is approximately 180m in a 50km/h speed limit.

Submissions

60. The Darmody Submission raises concerns regarding the site lines along Akatore Road and Moturata Road for the proposed accessway.

Assessment

61. The site distance measurements supplied by the applicant are considered satisfactory by Council's Roading Department. Council's Land Development Engineer has recommended the consent holder shall form a vehicular crossing to serve ROW A to a commercial standard 5m wide at the boundary and obtain a Vehicular Crossing permit before work

commences. The 5m width at the entrance is required because there are 4 Lots that have access.

62. Access to the site is gained via an existing accessway from Akatore Road. The proposed access width for Lots 2-5 is required to be a minimum of 6 metres, as required by the standards in Rule SUB.4.B.5. Right of Way A is proposed to be 6.5 metres in width, providing an adequate width for 4 residential properties. Row of Ways C and B provide access to Lots 3 and 4, and this has a width of 4.5m.
63. Mr Mullions has provided recommendations for the formation of the accessway to proposed Lots 2-5 in accordance with NZS 4404. I support Mr Mullions recommendations to upgrade and form the access to the required standards. It is considered from a use and functionality perspective the use of the access will have adverse effects on the environment that are not likely to be more than minor.

Natural Values

Applicant's Assessment

64. The application states the site of Lots 2-5 do not contain any registered historic places, archaeological sites or waahi tapu. Noting there are no natural, significant or outstanding features, significant trees, indigenous vegetation or habitats of fauna on these lots.
65. Identified on the western portion of proposed lot 1 is the Coutts Gully Wetland being a Regionally Significant Wetland.
66. With regard to the effects on natural values and in particular the wetlands values, the Applicant's AEE has determined that no consent is required pursuant to Regulation 45C of the National Environmental Standard for Freshwater (NES-F), which requires a non-complying activity resource consent for earthworks within 100m of a wetland which may result in the partial or complete drainage of the wetland. This is further supported by the Fluent Solutions Memorandum included in the Application at the time of the notification determination.

Submissions

67. The Darmody Submission raises concerns regarding the proximity of the development to the wetlands, the effects of discharge and human sewage on the land and the level of detail provided by Fluent Solutions Report.

Assessment

68. The Wetland located within the Site and Lot 1 is classified as a Significant Wetland (H135) under the Clutha District Plan and as noted above, identified in the Otago Regional Plan as a regionally significant wetland. The wetland is identified as being located 90-105 metres from the westernmost boundaries of proposed Lot 3 and Lot 4.

69. A greater understanding was necessary of whether the activity could adversely affect the wetland, including activities such as earthworks for accessways required to implement the subdivision works or other earthworks activities reasonable anticipated as part of future residential activity on the proposed lots. It is acknowledged that the National Environmental Standards for Freshwater are administered by the Otago Regional Council, however, as noted above a greater understanding of potential adverse effects on the wetland, which is identified in the District Plan as a significant wetland was sought from the Applicant. This related to more information sought on adverse effects associated with on-site wastewater discharges in proximity to the wetland.
70. In response to the Section 92 Request for further information, the applicant provided an assessment from Fluent Solutions who consider that the on-site wastewater treatment and discharge on Lots 2- 5 would be appropriate subject to adherence to a suite of recommendations which are outlined in the assessment on wastewater.
71. It is considered that the activity will not adversely affect the wetland as a result of this subdivision for the following reasons:
- There is no vegetation clearance proposed as part of the application;
 - There are no proposed earthworks occurring within 10 metres of the wetland, nor any earthworks within 100 metres of the wetland that would result in complete or partial drainage of the wetland. Further to this there is no proposed taking, use, damming or diversion of water within 100 metres of the wetland;
 - The applicant has supplied a memorandum that provides an assessment for onsite wastewater dispersal, prepared by Fluent Solutions which considers that in relation to discharges of treated effluent from onsite wastewater systems at Lots 2-5, the wetland is setback is a sufficient distance of over 100 metres and any effects of the dispersal from surface water will be less than minor; and
 - The applicant has provided an updated scheme plan showing the approximate siting of proposed Lots 3 and 4 in proximity to the wetland on proposed Lot 1 (Appendix 3 – Scheme Plans). Proposed Lot 1 shall continue to be utilised for pastoral grazing purposes and there is no change of use occurring.

It is considered that the adverse effects of the subdivision in relation to the wetland and natural values are not likely to be more than minor.

Stormwater

72. The application is supported by an onsite wastewater memorandum prepared by Fluent Solutions, which addressed questions from the Council's Land Development Engineer which focused on the soakage capacity that were identified in an information request undertaken prior to the notification determination.

73. The Memorandum² states predevelopment there are no known ponding areas and the soil absorbing capacity flows as sheet flow towards Coutts Gully Swap. A stormwater management plan for post-development recommends mitigation works for the site relating to collection, storage and disposal of stormwater. By way of summary the post-development stormwater management plan consists of the following:

- Reduction in site runoff by utilising rainwater storage tanks (required for water supply); and
- Excess discharge could be discharged to on-site soak pit / dispersal area or there is potential to create a small, vegetated swale to the north that drains clean water to Coutts Gully Swamp.

Submissions

74. The Submission from Ms Darmody raises concerns of the direction of the overland flow path and the increase of stormwater runoff onto their property and the Coutts Gully Wetlands from the addition of four new dwellings.

Assessment

75. Mr Mullions has accepted the recommended post-development stormwater management plan. The mitigation works for the site relate to the collection, storage and disposal of stormwater onsite. I agree with Mr Mullion's advice to accept the recommendations of the Fluent Solutions advice and that the stormwater plan is implemented by the future developers of Lots 2-5.

Wastewater

76. Fluent Solutions have undertaken a desktop assessment of the suitability of the site to accommodate onsite wastewater treatment and disposal, applying AS/NZ1547:2012. The Fluent Solutions report identifies that it is feasible for each lot to have onsite wastewater dispersal conditional to secondary treated effluent and mound dispersal. Noting that a site specific design guided by the recommendations will be required for each lot.

Submissions

77. The Submission from Ms Darmody states:

"I don't agree in principle that the effects of discharge of human sewage on land will have less than minor effects on the Significant Natural Wetland, figure one highlights the pooling on the surface already occurring within the proposed subdivision area. I have concerns that that there is potential for overflow of human waste to contaminate the wetland, which is regionally significant due to its freshwater qualities. A mitigation Council needs to consider is every dwelling having a septic tank within each lot to mitigate the effects on the wetland. 100m setback is permitted according to the NPS-FM, but the

² Memorandum Fluent Solutions – 2 Akatore Road, Onsite Wastewater Feasibility, Page 5 of 13.

concentration of the lots has the potential to create significant adverse effects on the environment, thus not giving effect to the Resource Management Act Section 6 (a), "preservation of natural character of the coastal environment, wetland ... From inappropriate subdivision, use and development".

Assessment

78. Mr Mullions does not identify any issues with wastewater. With regard to the submission from Ms Darmody, I note the permitted standards of the relevant Otago Regional Council, Water for Otago (RPW) rules in relation to onsite wastewater systems:

Rule 12.A.1.4

The discharge of human sewage through any on-site wastewater treatment system, installed after 28 February 1998, onto or into land is a permitted activity, providing:

- a) The discharge does not exceed 2000 litres per day (calculated as a weekly average); and*
- b) The discharge does not occur within the A zone of any Groundwater Protection Zone, as identified on the C-series maps, nor in the area of the Lake Hayes catchment, as identified on Map B6; and*
- c) The system's disposal field is sited more than 50 metres from any surface water body or mean high water springs; and*
- d) The system's disposal field is sited more than 50 metres from any bore which:

 - (i) Existed before the commencement of the discharge activity; and*
 - (ii) Is used to supply water for domestic needs or drinking water for livestock; and**
- e) There is no direct discharge of human sewage, or effluent derived from it to water in any drain or water race, or to groundwater; and*
- f) Effluent from the system does not run off to any other person's property; and*
- g) The discharge does not cause flooding of any other person's property, erosion, land instability, sedimentation or property damage*

79. Although the Fluent Solutions advice is a desktop study and no test pits have not been provided for, however Fluent Solutions are confident Onsite Wastewater Dispersal is achievable. I consider future residential activity and associated onsite wastewater systems on proposed lots 2-5 is feasible and based on the advice from Fluent Solutions and Mr Mullions' can be done in a way that will not result in adverse effects on the environment.

80. The Fluent Solutions report identifies that it is feasible for each lot to have onsite wastewater dispersal conditional to secondary treated effluent and mound dispersal, for each lot a specific design guided by the recommendations will be required.

81. I consider that each lot can dispose of wastewater appropriately and the adverse effects on the environment will be minor. I recommend conditions of consent which reflect the recommendations of Fluent Solutions.

Natural hazards

Applicant's Assessment

82. In relation to known Natural Hazards the applicant advises the Otago Regional Council Natural Hazards Portal shows that the only potential natural hazard pertaining to proposed Lots 2 – 6 is liquefaction. The liquefaction potential is Domain A which as a risk of low to none.

83. Also noting there are two other natural hazards in the vicinity of the site. These are: (a) storm surge; and (b) Akatore Fault. The proposed lots are considered to be situated a sufficient distance from these two natural hazards.

Submissions

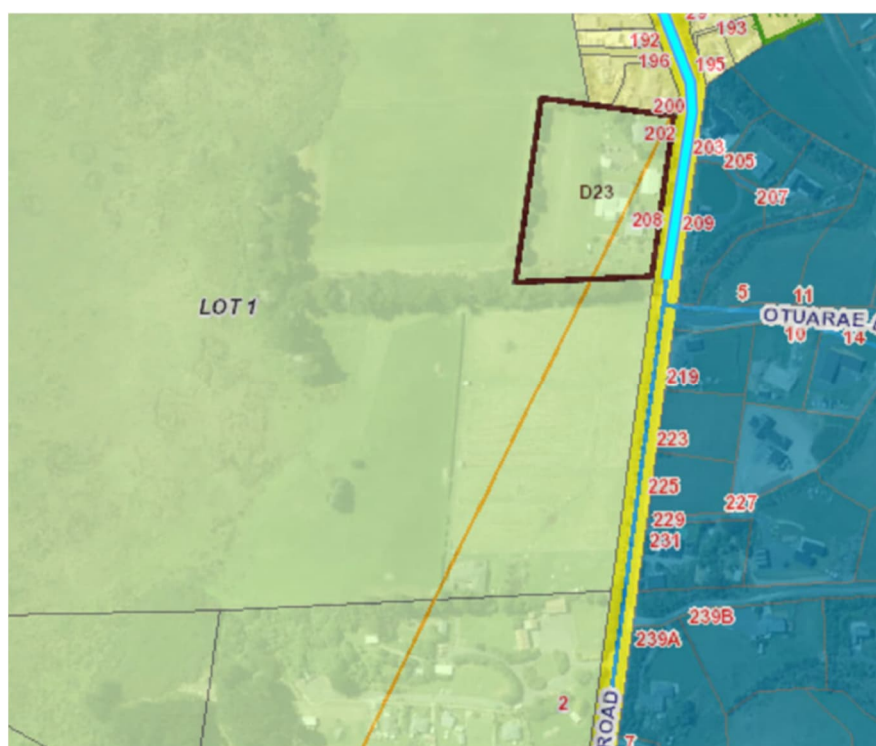
84. There have been no submissions raising any concerns with regard to natural hazards.

Assessment

85. Council's Development Engineers have reviewed the application and have not raised any concerns regarding the potential liquefaction or the storm surge area.

86. With regard to the identified Clutha District Council (CDC) geological fault which bisects proposed lot 1 (Figure 5).

Figure 5: CDC Natural Hazards GIS Maps



87. The Faultline is mapped within the Otago Regional Council (ORC) hazard database, although it is located in a different position to that on the District Plan Maps. The certainty of this Faultline as recorded by ORC is Definite.

Figure 6: ORC Natural Hazards GIS Maps



88. The Faultline depicted on both CDC and ORC natural hazard maps either bisect proposed Lot 1 or does not traverse the site at all. In considering this, either location mapped is not bisecting the lots proposed for residential activity. Council's Development Engineer has not required any assessments under Section 106 of the RMA relating to the Faultline, and therefore, has not recommended any conditions relating to this matter.

89. The applicant has not identified any other known Natural Hazards located on or near to the development site and the Planning Officer's check of Council's GIS and Otago Regional Council's Hazards Register does not show any other known hazards either. It is considered the effects of natural hazards are minor.

Financial and reserve contributions

90. There are no financial contributions to be made for this subdivision as there are no new connections being made to Council's Infrastructure.

91. The activity is creating four additional residential allotments, a reserve contribution shall be paid per lot created, and I have recommended conditions of consent to require this as part of the subdivision.

NES-CS

92. The Applicant has identified that the land uses on the site over Lots 2-5 have been limited to pastoral farming with no activities identified on the Government Hazardous Substances and Industries List (HAIL).
93. I have reviewed the Council's GIS, Property File and the Otago Regional Council's HAIL Register, and these do not show any known HAIL activity occurring on the subject site of Lots 2-5. I consider it highly unlikely that there will be a risk to human health from current or past activities occurring on the land where Lots 2-6 would be located.

Summary – Adverse Effects on the Environment

94. Having taken into consideration the proposed activity and assessments in the AEE, the Submissions, the SEC Recommendation, Fluent Solutions Memorandum, the volunteered conditions and the advice of Council's Land Development Engineer, I consider the proposed activity will have adverse effects on the environment that are no more than minor.
95. I consider that an additional four lots for proposed residential purposes is not out of character for the environment. The existing dwellings and associated school immediately adjacent to the subject site are associated with recent and historic subdivision and land usage.
96. In my opinion the establishment of four additional dwellings will introduce perceptible change to the existing adjacent dwellings and rural amenity, this will impart a more residential feel to the site. The residential land use in the receiving environment is already dominant. I consider the volunteered mitigation measures will help provide mitigation of any future buildings and use of Lots 2-5.

Section 104(1)(b) Assessment of Relevant Statutory Plans**Assessment of Objectives and Policies of the District Plan (Section 104(1)(b)(vi))**

97. In accordance with Section 104(1)(b) of the Resource Management Act 1991, the objectives and policies of the Clutha District Plan, Operative Otago Regional Policy Statement 2019, Proposed Otago Regional Policy Statement 2021 and any relevant National Policy Statements were considered in assessing the application. These documents are:

- District Plan
- Operative Regional Policy Statement for Otago
- National Policy Statement of Freshwater Management
- Regional Plan Water for Otago

Objectives and Policies Assessment

Clutha District Plan

98. The District Plan is considered to be the primary document relevant to this application. The following objectives and policies of the Clutha District Plan are considered to be relevant to this application:

Rural Resource Area

| | |
|--|--|
| <p>Objective RRA.1 To provide a management framework for the rural environment that promotes the sustainable management of the resources of the District.</p> | <p>The proposal is considered generally consistent with this objective to manage resources, and that the mitigation measures promote the sustainable management of the resources of the District.</p> |
| <p>Objective RRA.2 To maintain and where necessary, enhance the quality of the District's water and soil resource to enable it to meet the needs of present and future generations.</p> | <p>The proposal has been designed to maintain the water quality.</p> <p>The loss of soil resource is small and as identified below the soil is not identified as highly productive land in terms of the NPS-HPL.</p> <p>The property was already used for rural residential activity. The effects on the soil resource are minimal.</p> <p>It is considered the activity is consistent with this objective.</p> |
| <p>Objective RRA.4 To recognise the values of and where considered necessary provide protection for the District's outstanding natural features and landscapes, areas of significant indigenous vegetation and fauna, and valued non-indigenous wildlife habitats, within the management framework.</p> | <p>The site is not identified as being within an Outstanding Natural Feature or Outstanding Natural Landscape. The property does contain a Regionally Significant Wetland as defined in the District Plan, of which there shall be no activities undertaken on or near to the wetland.</p> <p>It is considered the activity is generally consistent with this objective.</p> |
| <p>Objective RRA.5 To maintain the amenity values of the rural environment.</p> | <p>The effects of the proposal on amenity and rural character have been identified and discussed above in the AEE. It is considered the activity will maintain the amenity values of the rural environment through volunteered conditions and the SEC recommendations.</p> <p>It is considered the application is generally consistent with this objective.</p> |
| <p>Policy RRA.1</p> | <p>The nature of the proposed subdivision is</p> |

| | |
|---|---|
| <p>To avoid a restrictive development framework within the rural environment except where this will not be effective in achieving the purpose of the Resource Management Act.</p> | <p>considered intensive for the rural resource area. The Clutha District Plan does not discourage development, but provides for a flexible and relatively enabling approach to development provided the effects on natural and physical resource are suitably managed.</p> <p>The proposal is considered consistent with this policy to manage resources, and that the mitigation measures are protecting the natural resources.</p> |
| <p>Policy RRA.6 To manage the effects of activities, building and structures to ensure that adverse effects on the natural character and values of the Districts coasts, wetlands, lakes, rivers, and their margins, are avoided, remedied, or mitigated.</p> | <p>The effects of the proposal on open-space and natural character amenity values have been identified and discussed above in the assessment of effects. I consider that the design of the subdivision helps to mitigate any effects generated, due to the specific location of the lots. As the proposed lots are immediately adjacent to existing urban properties, in my opinion they are of a similar size and as they are immediately adjacent they do not individually detract from the wider open space and amenity values of the site, which will be contained within Lot 1.</p> |
| <p>Policy RRA.7 To manage the effects of activities and buildings to ensure that any adverse effects on the open-space and natural character amenity values of the rural environment are avoided, remedied, or mitigated.</p> | |
| <p>Policy RRA.8 To ensure the adverse effects that buildings, structures, and vegetation can have on:</p> <ul style="list-style-type: none"> • Amenity values of adjoining properties; and • The safety and efficiency of the roading network; <p>Are avoided, remedied, or mitigated.</p> | <p>To ensure the open-space and character of the rural environment is maintained. I consider it appropriate to impose a consent notice condition on the record of title of Lot 1, ensuring no further residential dwellings are permitted to be built on Lot 1.</p> <p>It is considered the activity will maintain the amenity values of the rural environment through volunteered conditions and the SEC recommendations.</p> <p>This will appropriately manage any effects of the subdivision on open-space and the character of the rural environment.</p> <p>The activity is considered to maintain and appropriately manage the effects of the subdivision on open space, amenity values and the character of the rural environment, and is consistent with Policies RRA.6 and RRA.7.</p> |

| | |
|---|---|
| | <p>Policy RRA.8 is relevant where the submitters have identified concerns associated with the safe and efficiency of the roading network and the amenity values of adjoining properties.</p> <p>I consider the SEC recommendations and the Applicant’s volunteered conditions which manage bulk and location of buildings, planting and colour of buildings will be effective at managing the amenity values on adjoining properties.</p> <p>I consider the recommended conditions of consent will ensure the safe and efficiency of the roading network.</p> <p>It is considered the application is consistent with this Policy RRA.8</p> |
| <p>Policy RRA.11 To avoid, remedy, or mitigate the adverse effects of effluent disposal from residential and other activities.</p> | <p>The application is supported by a Wastewater Report prepared by Fluent Solutions a suitably qualified person. Confirming effluent disposal from residential activities are feasible for the proposed lots 2-5.</p> <p>It is considered the application is generally consistent with this policy.</p> |

Subdivision Section

| | |
|---|---|
| <p>Objective SUB.1 To provide a flexible approach to both urban and rural subdivision that allows, in the majority of circumstances, the market to dictate allotment size, while ensuring adverse effects are avoided, remedied, or mitigated.</p> | <p>Proposed Lots 2-5 are of an appropriate size and shape to accommodate residential activities within the property while ensuring adverse effects are remedied or mitigated. The Application states there is a strong market demand for properties in close proximity to Dunedin City.</p> <p>While Lots 2-5 are very small for a rural context, the lot sizes reflect the adjoining urban zone, and locating the these lots directly adjacent to an existing urban zone provides for subdivision while maintaining the open space over Lot 1 and the majority of the site.</p> <p>It is considered that the proposal is consistent with the objective.</p> |
| <p>Objective SUB.2</p> | <p>The District Plan provides for a flexible and</p> |

| | |
|--|---|
| <p>To ensure that subdivision and development promotes sustainable management of the districts natural and physical resources.</p> | <p>permissive approach to development provided that effects on natural and physical resources are suitably managed.</p> <p>It is considered that the proposal is consistent with the objective.</p> |
| <p>Objective SUB.3 To maintain and enhance public access to the natural physical resources of the District, in particular the District waterbodies, coastline and recreational resources by ensuring subdivision makes appropriate provision for such access.</p> | <p>The development will not restrict public access to the coast, lakes, rivers and other recreational, historical, or culturally important sites or resources.</p> <p>It is considered that the proposal is consistent with the objective.</p> |
| <p>Policy SUB.8 To ensure that allotments created for residential purpose can safely and adequately dispose of domestic effluent without contaminating any waterbodies.</p> | <p>The application is supported by a Wastewater Report prepared by Fluent Solutions a suitably qualified person. Confirming effluent disposal from residential activities are feasible for the proposed lots 2-5.</p> <p>It is considered the application is generally consistent with this policy.</p> |
| <p>Policy SUB.9 To ensure that allotments for residential purposes contain a hazard free building site.</p> | <p>Proposed Lots 2-5 for residential activities are not located in an area prone to any known natural hazards.</p> <p>The activity is considered to be consistent with this objective.</p> |
| <p>Policy SUB.10 To ensure that subdivision does not facilitate development that may adversely affect:</p> <ul style="list-style-type: none"> • The natural character of the coastal environment (including the coastal marine area), wetlands, lakes and rivers, and their margins. • Outstanding natural features and landscapes. • Areas of significant indigenous vegetation and significant habitats of indigenous fauna. | <p>The subdivision is not occurring within the coastal environment or the coastal marine area. The property does contain a Regionally Significant Wetland as defined in the District Plan, of which there shall be no activities undertaken on or near to the wetland.</p> <p>The site is not identified Outstanding Natural Landscape or Significant Natural Area.</p> <p>The activity is considered to be generally consistent with this policy.</p> |

Transportation Section

| | |
|---|---|
| <p>Policy TRAN.2 To mitigate adverse effects on the safe and efficient operation of the roading network by</p> | <p>It is considered that the proposal is consistent with the Transportation Section. Subject to conditions which require the upgrading of the</p> |
|---|---|

| | |
|---|---|
| <p>requiring owners and occupiers, where appropriate, to avoid off-road loading and manoeuvring facilities for the servicing of premises.</p> | <p>access (Lot 6) from Moturata Road, recommended in the conditions.</p> |
| <p>Policy TRAN.3</p> <p>To avoid, remedy or mitigate the adverse effects of land use activities on the safety and efficiency of the roading network by requiring the provision of adequate off-road parking having regard to the following factors:</p> <ul style="list-style-type: none"> a) The intensity and duration of the activity. b) The adequacy of parking in the location. c) The classification and use of the road, and the speed restrictions that apply. d) The nature of the site, in particular its capacity to accommodate parking. e) The characteristics of the previous activity that utilised the site. f) The prevalent amenity values in the location, in particular any residential amenity values. | <p>Overall, the roading can be developed to an appropriate standard and that the vehicle movements generated by the proposed development can be safely and efficiently accommodated within the roading network.</p> <p>It is considered through conditions of consent the upgrades would ensure the activity is consistent with Policy TRAN.2, Policy TRAN.3, Policy TRAN.5 and Policy TRAN.9.</p> |
| <p>Policy TRAN.5</p> <p>To promote safety at road bends, accesses, intersections and road and rail intersections by mitigation the effects buildings and the planting of vegetation can have in such situations.</p> | |
| <p>Policy TRAN.9</p> <p>To require that new roads and access points be constructed to a standard appropriate to their intended use, and that the adverse effects of maintenance, upgrading and construction be avoided, remedied, or mitigated.</p> | |

Natural Hazards Section

| | |
|--|--|
| <p>Objective NHZ.1 Avoidance or Mitigation of Hazards</p> <p>That the risks to people and their property, communities and infrastructure from the effects of natural hazards are understood as far as is practical and are avoided or reduced to enable</p> | <p>It is considered that potential hazards on the site are understood. Proposed Lots 2-5 are located approximately 400 metres from the Faultline identified on the ORC Natural Hazard Maps.</p> <p>It is considered the activity is consistent with</p> |
|--|--|

| | |
|---|---|
| <p>resilient communities.</p> | <p>Objective NHZ.1, Policy NHZ.3 and Policy NHZ.4.</p> |
| <p>Policy NHZ.3 Subdivision and the Erection of Buildings To control subdivision and erection of buildings in areas where there is a reasonable probability that a natural hazard may cause material damage.</p> | |
| <p>Policy NHZ.4 Intensification of Hazard Effects To ensure that the location, design and/or operation of subdivision and land use activities, including earthworks and infrastructure, does not:</p> <ul style="list-style-type: none"> • Increase the intensity and frequency of existing natural hazards; • Create new natural hazards; • Compromise the efficiency of significant drainage systems. | |
| <p>Policy NHZ.5 Protection of drainage systems All earthworks and land disturbance activities to be undertaken within existing drainage system, including overland flow paths, shall be designed, located and/or controlled to ensure that such systems are kept free of any significant obstruction, impediment or alteration that hinders or alters overland flow, to ensure the efficiency of the drainage system during heavy rainfall events is protected so that any existing flood hazard is not exacerbated and no new flood hazard is created by such works.</p> | <p>The stormwater assessment and recommended design from Fluent Solutions Report. Mr Mullions supports the proposed technique recommended by the report.</p> <p>It is considered the activity is consistent with the Policy.</p> |

Infrastructure Section

| | |
|---|---|
| <p>Policy INF.10 Undergrounding Infrastructure To encourage, where practicable, the location of infrastructure underground.</p> | <p>The applicant advises the telecommunication and electricity services will be provided underground to the boundaries of proposed lots 2-5.</p> <p>It is considered the activity is consistent with the policy.</p> |
|---|---|

Objectives and Policies Assessment – Summary and Conclusion

99. I consider the activity supports the objectives and policies of the Clutha District Plan, which provides flexibility for development provided adequate measures are taken to protect the environment. I do note development is discouraged outside of the existing settlement areas, and areas such as outstanding natural landscapes, significant indigenous habitats and culturally important sites.

100. I consider that as the site is being developed in a manner that reflects the existing development patterns. The proposed dwellings on Lots 2-5 shall have multiple conditions to reduce visual impact including single story dwelling, recessive colours for buildings and restricted to a building platform. As well as planting of indigenous vegetation which will provide visual mitigation to the surrounding existing properties.

101. The activity allows for the sustainable use of a finite resource by ensuring that the activities that are undertaken on the lots is appropriate and suitable for the environment that they are located in. The sites are able to be used for residential activity.

102. I believe this proposal has shown that the subdivision and future residential activity on Lots 2-5, are appropriate. Overall, the activity is consistent with the District Plan's policies and objectives.

Assessment of National Policy Statements (Section 104(1)(b)(iii))

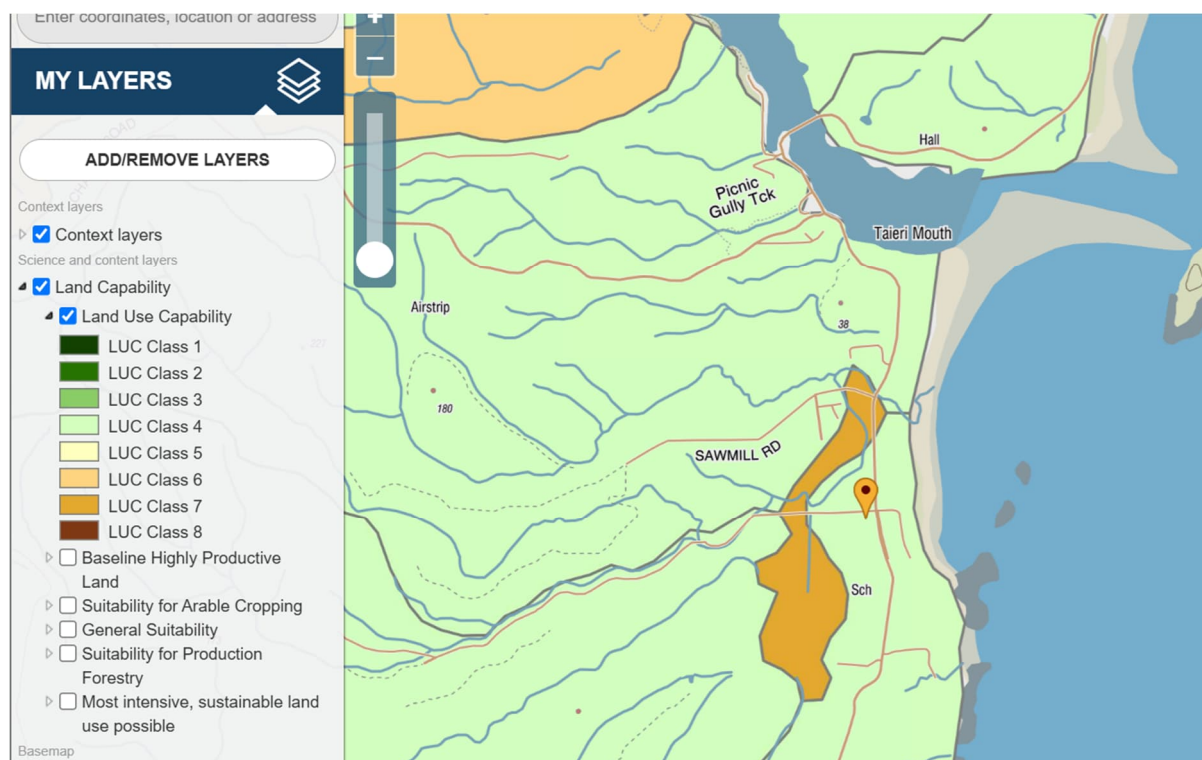
103. The relevant National Policy Statement is the Highly Productive Land 2022 (NPS-HPL).

Highly Productive Land (NPS-HPL)

104. The National Policy Statement for Highly Productive Land (NPS-HPL) took effect on 17th October 2022 and will give Council's more clarity on how to identify and map highly productive land and manage subdivision, use and development of highly productive land.

105. Land that is classified as Land Use Capability (LUC) 1, 2, or 3 is considered as highly productive land for the purpose of the NPS-HPL. The subject land is classified as LUC 4 as shown on Figure 7 below.

Figure 7: NPS-HPL Map of property (Source: Our Environment)



106. In this instance all land include in the development site is classified as LUC 4, hence the NPS-HPL does not apply to this application.

Assessment of Regional Policy Statements (Section 104(1)(b)v))

Section 104(1)(b)(v) of the Act requires that the Council consider any relevant regional policy statements. The Otago Regional Policy Statement 2021 (ORPS) was made fully operative on 4th March 2024. The following provisions of the ORPS are relevant.

Policy 3.2.16 Managing the values of wetlands

Protect the function and values of wetlands by all of the following:

- a) Maintaining the significant values of wetlands;*
- b) Avoiding, remedying or mitigating other adverse effects;*
- c) Controlling the adverse effects of pest species, preventing their introduction and reducing their spread; d) Encouraging enhancement that contributes to the values of the wetland; e) Encouraging the rehabilitation of degraded wetlands.*

Policy 5.3.1 Rural Activities

Manage activities in rural areas, to support the region's economy and communities, by:

- a) Enabling primary production and other rural activities that support that production;*
- b) Providing for mineral exploration, extraction and processing; Minimising the loss of significant soils;*

- c) *Restricting the establishment of incompatible activities in rural areas that are likely to lead to reverse sensitivity effects;*
- d) *Minimising the subdivision of productive rural land into smaller lots that may result in a loss of its productive capacity or productive efficiency;*
- e) *Providing for other activities that have a functional need to locate in rural areas.*

107. The application has identified methods to preserve the wetlands, and to protect natural features and landscape values, subsequently conditions and consent notices shall be imposed on the resource consent to enforce this.

108. The activity has not been identified as directly affecting the wetland and rural resources regarding the location of lots 2-5.

109. Recommending the development to proceed allows people to use the subdivision to provide for their social, economic, and cultural well-being. The development will be undertaken to be consistent with the rural values and not detract from the rural character.

110. The site is being subdivided in a manner that will not have adverse effects on the function, viabilities or amenity of the surrounding wetlands and rural activities. Overall, it is considered that the proposed activity is consistent with the relevant objectives and policies of the ORPS.

111. I also consider the activity to be consistent with the Proposed Otago Regional Policy statement 2021, noting that while decisions on submissions have been made, the policy statement remains subject to appeals which have not yet been resolved. For these reasons, I primarily refer to the OPRS and District Plan and the primary statutory document.

Assessment of whether the application should have been notified (Section 104(3)(d))

112. The consent authority must not grant a resource consent if the application should have been notified and was not. This application was not publicly notified but has been processed on a limited notified basis. There have not been, any submissions received by persons who were not served notice of the application, and no information has been provided which indicates that the application should have been notified. I do not consider the application should have been notified.

RMA PART 2 MATTERS

113. In accordance with Clause 2(1)(f) of Schedule 4, an assessment of the activity against the matters set out in Part 2 is required for all resource consent applications. The relevant matters of Part 2 have been reproduced and assessed below:

5. Purpose

- *The purpose of this Act is to promote the sustainable management of natural and physical resources.*

- *In this Act, sustainable management means managing the use, development, and protection of natural and physical resources in a way, or at a rate, which enables people and communities to provide for their social, economic, and cultural well-being and for their health and safety while –*
 - *sustaining the potential of natural and physical resources (excluding minerals) to meet the reasonably foreseeable needs of future generations; and*
 - *safeguarding the life-supporting capacity of air, water, soil, and ecosystems; and*
 - *avoiding, remedying, or mitigating any adverse effects of activities on the environment.*

114. The purpose of Section 5 is to promote sustainable management of natural and physical resources. The proposal has been designed to maintain water quality. A portion of the site is changing the use from pastoral farming to rural residential living.

115. Any adverse effects of the proposed subdivision in my opinion are able to be avoided, remedied or mitigated while sustaining the resources for future generations and protecting the life supporting capacity of ecosystems. I consider the proposal to be consistent with Section 5 of the RMA.

6. Matters of National Importance

In achieving the purpose of this Act, all persons exercising functions and powers under it, in relation 37 to managing the use, development, and protection of natural and physical resources, shall recognise and provide for the following matters of national importance:

- a) the preservation of the natural character of the coastal environment (including the coastal marine area), wetlands, and lakes and rivers and their margins, and the protection of them from inappropriate subdivision, use, and development:*
- b) the protection of outstanding natural features and landscapes from inappropriate subdivision, use, and development:*
- c) the protection of areas of significant indigenous vegetation and significant habitats of indigenous fauna:*
- d) the maintenance and enhancement of public access to and along the coastal marine area, lakes, and rivers:*
- e) the relationship of Māori and their culture and traditions with their ancestral lands, water, sites, waahi tapu, and other taonga:*
- f) the protection of historic heritage from inappropriate subdivision, use, and development:*
- g) the protection of protected customary rights:*
- h) the management of significant risks from natural hazards.*

116. Section 6 provides an outline for matters of National Importance and requires that these be recognised and provided for. Including natural character of the rural environment, natural landscape and heritage areas, significant vegetation and fauna, and the relationship of Māori with their culture and traditions.

117. It is considered that there are no matters of National Importance which should restrict granting of the application.

7. Other Matters

In achieving the purpose of this Act, all persons exercising functions and powers under it, in relation to managing the use, development, and protection of natural and physical resources, shall have particular regard to –

- a) Kaitiakitanga:*
- b) the efficient use and development of natural and physical resources:*
- c) the maintenance and enhancement of amenity values:*
- f) maintenance and enhancement of the quality of the environment:*
- h) the protection of the habitat of trout and salmon.*

118. Section 7 provides an outline of the matters that must be considered when managing the use, development, and protection of natural and physical resources, the amenity values and the quality of the environment.

119. It is considered that the proposal is appropriate in this location as it will maintain the amenity values within the immediate vicinity being a large area of rural/coastal residential sites. It is considered the proposal will maintain the quality of the environment with the proposed mitigation measures and considering the subject site.

8. Treaty of Waitangi

In achieving the purpose of this Act, all persons exercising functions and powers under it, in relation to managing the use, development, and protection of natural and physical resources, shall take into account the principles of the Treaty of Waitangi (Te Tiriti o Waitangi).

120. Section 8 requires Council to consider the principles of the Treaty of Waitangi. It is considered that there are no matters relating to the Treaty of Waitangi relevant to this application. The application does not engage any Section 8 matters.

RECOMMENDATION

121. Pursuant to Part 2 and sections 104 and 104B of the Resource Management Act 1991 and the provisions of the Clutha District Plan, my recommendation is that the Clutha District Council **grants** consent to the proposed activity.

REASONS FOR RECOMMENDATION

122. I consider that the relevant matters that relate to the activity on natural character, landscape visual amenity and rural character, access way and the imposition of financial contributions. I recommend that subject to appropriate conditions of consent, the adverse effects on the environment of the activity can be mitigated and recommend the consent be granted.

Prepared by:

Peer Reviewed:



.....
Michaela Groenewegen-Bereicua
Planner

.....
Craig Barr
Consultant Planner

Date: 12 February 2025

Date: 12 February 2025

Approved for issue:

Date: 14 February 2025



.....
Olivia Restieaux
Manager Planning,
Clutha District Council.

APPENDICIES

APPENDIX 1: Council Officer Advice

APPENDIX 2: Draft Condition Framework

APPENDIX 3: Scheme Plan

APPENDIX 4: Applicant's Landscape Assessment and Plan (Proposal)

APPENDIX 1: Council Officer Advice: Bevan Mullions**RM3063 Section 42A report from Council's Land Development Engineer.**

I am a Registered Engineering Associate registered under the EARB Act. I have over 50 years of Civil engineering experience covering all aspects of Municipal engineering Urban and Rural including design and construction, own subdivision developments, and Director of Green Mullions Ltd environmental engineers and planners for the last 16 years. I am employed part time by the Clutha District Council and have been continuously employed at CDC since 2019.

My evidence is based on NZS4404:2010 Land Development and Subdivision Engineering, the 1981 and 2004 versions and undated versions as referred to in the operative District Plan have been superseded by the current 2010 version.

I have reviewed the application and recommend engineering conditions as follows:

Vehicle crossing access to ROW. The standard for construction is set out in the District Plan Transportation Rule TRAN.4 Access Standards from a Public road and NZS4404-2010.

Condition 1. Vehicular Access to ROW: The consent holder shall construct a vehicular crossing to serve ROW A to a commercial standard 5m wide at the boundary and obtain a Vehicular Crossing permit before work commences. (the 5m width at the entrance is required because there are 4 Lots that have access) Note the pavement construction standard (sealed surfacing) will be stipulated on the Vehicular Crossing permit and must be in accordance with NZS4404-2010 Section 3.3.17.2 Rural.

Right of Ways A, B, C Engineering plans. Engineering plans are required to enable construction. In this case the standard for construction is the same for 1 Lot up to 6 Lots. Note NZS4404-2004 requires a 2 lane rural road, the 2010 version requires a 1 lane ROW. A one lane road is appropriate for this situation. The condition for a sealed single lane is appropriate considering the amount of traffic generated by 4 Lots and the proximity to existing houses and the need for dust suppression. A passing bay may be required. Constructing the correct gradients and stormwater sewer pipe falls in relatively flat ground will require a set of plans that have been designed by a Civil engineer.

Condition 2. ROW A, B, C Engineering Plans: An engineering plan complying with NZS4404-2010 Section 3.3.16 Private roads, private roads, and other private accesses shall be provided to Council showing

- a) the entrance configuration and how the adjacent entrance is to be separated,
- b) the ROW A formation formed to an E1 standard as shown in table 3.2 Road Design standards NZS4404-2010 and permanently surfaced (seal or concrete) 2.5 meters wide
- c) the stormwater drainage of the ROW's and any connection provided to a future dwelling on Lots 2 and 5.
- d) and any underground services.

Right of Way construction.

Condition 3. ROW Construction: The works shown on the approved plans in Condition 2 shall be constructed with NZS4404-2010 section 3.4. Construction.

Certification.

Condition 4. An NZS4404-2010 Schedule 1A Design Certificate-Land Development/Subdivision; a Schedule 1B Contractor's Certificate upon completion of Land Development; and a Schedule 1C Certification upon completion of Land Development/Subdivision shall be completed for each phase of development.

On Site Wastewater and Stormwater Disposal.

Consent Notice 1. On site Wastewater and stormwater disposal consent notice Lots 2, 3, 4 and 5:

- a) At the time of Building Consent, a design for on-site wastewater treatment systems with approved secondary treatment systems and dispersal fields designed by a suitably qualified person and having regard to the Fluent solutions Memo job no 842, dated 6 August 2024 and the Building Code shall be provided for waste water disposal.
- b) At the time of Building Consent, the design of the disposal of stormwater from impervious surfaces on each lot shall have regard to the Fluent solutions Memo job no 842, dated 6 August 2024 and the Building Code shall be provided for stormwater disposal.

Bevan Homer Mullions Registered Engineering Associate No 4325



20 December 2024

APPENDIX 2: Draft Condition Framework

General Conditions

1. The activity must be undertaken in general accordance with the approved plans attached to this consent, and the information provided with the resource consent application and further information received by the Council and entered into its file as RM3063, except where modified by the following conditions.
 - a) *Prepared by: Cookson Land Surveying, Titled: Lots 1-6 being a proposed subdivision of Lot 1 DP 25928 & Lot 1 DP 308807, Plan Reference: CLS468-2B, Sheet Number: Sheet 1 of 2, Drawn Date: 8 August 2024; and*
 - b) *Prepared by: Cookson Land Surveying, Titled: Lots 1-6 being a proposed subdivision of Lot 1 DP 25928 & Lot 1 DP 308807, Plan Reference: CLS468-2B, Sheet Number: Sheet 2 of 2, Drawn Date: 8 August 2024.*

Accidental Discovery

2. During any earthworks associated with this resource consent If any artefact and/or historical, cultural, or archaeological material of Māori origin or likely to have significance to Māori is found or uncovered during undertaking work authorised by this resource consent, the following must be complied with:
 - a) Work shall cease immediately; the area secured, and any uncovered material must remain untouched;
 - b) Advice of the discovery must be given within 24 hours of the discovery to the Manager Planning, Clutha District Council and Heritage New Zealand (Pouhere Taonga); and
 - c) No work shall recommence until:
 - i) Three working days have elapsed since the advice has been given or earlier if agreement has been reached with Iwi and Clutha District Council; and
 - ii) An Authority has been issued by Heritage New Zealand if the find involves an archaeological site

Section 223 Certification

The following conditions of consent must be complied with to Council's satisfaction before a certificate is issued under Section 223 of the Resource Management Act 1991.

3. The consent holder shall ensure all necessary Easements and Easements in Gross for Utility Services, Access and Private Drainage for this subdivision and easements to be cancelled shall be shown on the cadastral dataset and that the cadastral dataset shall include a Memorandum of Easements. The costs of the preparation and registration must be met by the consent holder.

Amalgamation

4. Pursuant to Section 223(3) of the Resource Management Act 1991, the following is to be carried out (CSN Request 1919330):
 - a) *That Lot 6 hereon (legal access) be held as to four undivided one-quarter shares by the owners of Lots 2-5 hereon as tenants in common in the said shares, and that individual records of title be issued in accordance therewith.*

Section 224(c) Certification

The following conditions of consent must be complied with to Council's satisfaction before a certificate is issued under Section 224(c) of the Resource Management Act 1991.

Access and Right of Ways

Vehicle crossing access to ROW

5. The consent holder shall construct a vehicular crossing to serve ROW A to a commercial standard 5m wide at the boundary and obtain a Vehicular Crossing permit before work commences. (the 5m width at the entrance is required because there are 4 Lots that have access) Note the pavement construction standard (sealed surfacing) will be stipulated on the Vehicular Crossing permit and must be in accordance with NZS4404-2010 Section 3.3.17.2 Rural.

Right of Ways A, B, C Engineering plans

6. ROW A, B, C Engineering Plans: An engineering plan complying with NZS4404-2010 Section 3.3.16 Private roads, private roads, and other private accesses shall be provided to Council showing:
 - a) the entrance configuration and how the adjacent entrance is to be separated,
 - b) the ROW A formation formed to an E1 standard as shown in table 3.2 Road Design standards NZS4404-2010 and permanently surfaced (seal or concrete) 2.5 meters wide
 - c) the stormwater drainage of the ROW's and any connection provided to a future dwelling on Lots 2 and 5.
 - d) and any underground services.

Right of Way construction

7. The works shown on the approved plans in Condition 6 shall be constructed with NZS4404-2010 section 3.4. Construction.

Certification.

8. An NZS4404-2010 Schedule 1A Design Certificate-Land Development/Subdivision; a Schedule 1B Contractor's Certificate upon completion of Land Development; and a Schedule 1C Certification upon completion of Land Development/Subdivision shall be completed for each phase of development.

Electricity

9. The consent holder shall provide confirmation of electricity supply to the boundaries of Lots 2, 3, 4 and 5.

Telecommunications/Internet

10. Where wired telephone communication and internet services will not be provided to Lots 2, 3, 4 and 5, the consent holder shall provide to the Manager Planning written confirmation from a Wireless Network Utility Provider confirming that wireless telecommunication and internet services are available over Lots 2, 3, 4, and 5 and that the signal strength is not less than 85%.

Consent Notice

11. Pursuant to Section 221 of the Resource Management Act 1991, the consent holder shall prepare a Consent Notice to be registered against the Record of Titles of Lots 2, 3, 4, and 5 for the following matters:

On Site Wastewater and Stormwater Disposal:

- a) At the time of any residential activity or otherwise at the time of a Building Consent, a design shall be provided for on-site wastewater treatment systems with approved secondary treatment systems and dispersal fields designed by a suitably qualified person and having regard to the Fluent solutions Memo job no 842, dated 6 August

2024 and the Building Code.

- b) At the time of any building development including at the time of a Building Consent, the design of the disposal of stormwater from impervious surfaces on each lot shall have regard to the Fluent solutions Memo job no 842, dated 6th August 2024 and the Building Code shall be provided for stormwater disposal.

Fire Fighting

- c) At the time of construction of the residential dwelling the firefighting requirements of the New Zealand Fire Service Firefighting Water Supplies Code of Practice SNZ PAS 4509:2008 (or subsequent amendments) including access to the tanks shall be complied with.
- d) Any alternative Fire Fighting requirements that are not in accordance with the Code of Practice SNZ PAS 4509:2008 (or subsequent amendments) shall be approved by the Fire and Emergency New Zealand, Fire Region Manager.

Site Development

- e) All buildings shall be located a minimum setback from boundaries:
 - a. 5m, except
 - b. the eastern boundary setback of Lot 2 and Lot 5 shall be 7.5m.
- f) All buildings shall be a maximum height of 6m above existing ground level.
- g) The total ground floor area of buildings shall not exceed a 500m² excluding the following elements”
 - a. pergolas;
 - b. that part of eaves and/or spouting and gutters, bay or box windows projecting 600mm or less horizontally from any exterior wall;
 - c. uncovered terraces or decks which are not more than 1m above ground level;
 - d. uncovered swimming pools no higher than 1m above ground level;
 - e. fences, walls and retaining walls.
- h) All buildings are to be finished in external cladding of either naturally weathered timber or locally appropriate stone, or in colours that have low levels of contrast with the colours of its rural setting. Painted surfaces will have light reflectivity ratings of no more than 25% whilst the roof colour shall have a reflectivity rating of no more than 10%. Material for roofing shall be restricted to steel corrugated iron or tray roofing, or slate (unpainted) or timber shingles (unpainted).
- i) The colour and materials of the dwelling, ancillary buildings and water tanks shall be submitted for Council’s approval prior to, or together with, the application for building consent.
- j) Any network electricity and telecommunications services are to be located below ground.

- k) Water tanks will be sited, and / or buried and / or screened (by planting), and coloured to match the building colours, to have minimal visual impact from beyond the property.
- l) No pre-existing dwellings shall be established on site. For the purpose of this requirement, pre-existing dwellings mean a previously used building intended for use as a dwelling to the site. This does not include new prefabricated dwellings erected off-site.
- m) Outdoor lighting shall be:
 - a. Shielded from above in a manner that the edge of the shield shall be below the whole of the light source.
 - b. Have a filter to filter out the blue or ultraviolet light, provided the light source would have more than 15% of the total emergent energy flux in the spectral region below 440nm. The filters used must transmit less than 10% of the light at any wavelength less than 40nm. This, therefore, includes, but is not limited to, fluorescent, mercury vapour and metal halide lamps.
 - c. All fixed exterior lighting shall be directed away from adjacent properties and the right of way.
- n) New fencing shall be constructed from post and wire or traditional drystone walls using local rocks only. Where boundary definition is required, planting rather than fencing is promoted.
- o) No monumental gates or lighting shall be associated with driveways or accessways.
- p) Woodlots and / or plantations of exotic trees shall not be established.

Landscape Mitigation and Planting Guidelines

12. The following guidelines are intended to help future owners achieve that target and receive the benefit of their input and resources. An experienced planting contractor will have their own methods, and which are equally acceptable, providing the rate of coverage and survival over a two year period is maintained.

Prior to Section 224(c)

- a) Check the site for rabbit populations and control 6 weeks before planting if a high population is present, as possible.
- b) Planting areas A and B, identified on Figure 3, 'Landscape Proposals', Attachment 1, are to be planted prior to issue of a 224c certificate for proposed Lot's 2-5.

Consent Notice Condition

- c) Planting is to maintain an 90% success rate, two years following implementation. Planting areas are shown on Figure 3, 'Landscape Proposals', Attachment 1
- d) All other boundary planting is the responsibility of individual Lot owners at consent.
- e) Shrubs are to be a minimum at PB3 and planted at a rate of 1.2m off-set centres and to be protected with paper or bamboo eco planting guards at planting;

- f) Tree species are to be a minimum of 600mm high at planting and planted at a rate of 1 per 5m² in Area A and B and as chosen by Lot owners in the remaining boundary areas.
- g) All areas planted in native species are to be watered thoroughly immediately after planting and mulched to a minimum of 75mm with a suitable material, excluding plastic sheeting.
- h) Planting may include species listed below, or other species drawn from the Otago Regional Council kahikatea-totara-matai planting guide (copy attached), or native species that are established in the vicinity and appropriate to the lower Otago coastline.
- i) Ornamental cultivars may be used for amenity planting in the individual Lots but are not to be planted in boundary areas
- j) New planting will require thorough weeding after 3 months, during spring, and then again in autumn.

Recommended Species

Area a

A maximum number of 3 species, planted in groups of 3 or 5 will provide effective filtered screening, variety, flowers and attract bird life

Trees:

- *Carpodetus serrates* - putaputawētā - marble leaf
- *Hoheria angustifolia* - houhere - lacebark
- *Plagianthus Regis* - mānatu - lowland ribbonwood
- *Sophora microphylla* – kōwhai
- Shrub underplanting:
 - *Hebe salicifolia* - koromiko – coastal hebe
 - *Hebe elliptica* - koromiko – hebe
 - *Polystichum neozeladicum* subspecies *zerophyllum* - shield fern

Area b

Deciduous boundary shelter planting utilizing available farm shelter planting from local nurseries, excluding eucalyptus species. Choose species that have rapid growth and thin, columnar form. Plant at 3m centres to achieve cover and maintain at 5m maximum height. The purpose of this planting is provide temporary screening along this boundary during establishment and may be removed after 3 years of native planting is established.

Area c

Native species indigenous to the area and intended to provide a consistent boundary character and some shelter the development and to significantly increase biodiversity and food sources for birds. The majority of this planting should include shrub species, planted in groups of several metres to gain impact. For example, mass planting of harakeke (flax) with overplanting of groups tī kouka (cabbage tree) has more physical and visual impact and is more effective at providing habitat than mixes of individual plants.

Shrubs

- *Austroderia fulvida* – toetoe
- *Coprosma propinqua* - mingimingi
- *Hebe elliptical*
- *Phormium tenax purpureum* - harakeke
- *Coprosma repens* – taupata – rehabilitation shrub, eventually forming small tree

Trees

- *Cordyline australis* - ti kouka - cabbage tree
- *Kunzea ericoides* - kānuka

- Myoporum laetum (Ngaio)
- Myrsine australis (Matipo)
- Pittosporum tenuifolium – kohuhu – black matipo

Consent Notice

13. Pursuant to Section 221 of the Resource Management Act 1991, the consent holder shall prepare a Consent Notice to be registered against the Record of Titles of Lot 1 for the following matters:

- a) No further residential dwellings are permitted on Lot 1.

Financial Contributions

14. Pursuant to rule FIN.7 of the Clutha District Plan, the consent holder shall pay a Reserves Contribution based on the creation of four new allotments available for residential development. The financial contributions are based on Council's 2024/2025 Fees and Charges which is \$560.00 (Five-Hundred and Sixty Dollars) per Lot created. The total Financial Contribution to be paid for Lots 2-5 of \$560.00 per lot is: \$2,240.00 (Two-Thousand Two-Hundred and Fourty Dollars).

Cost breakdown of the Reserve Contribution per Lot created for residential use based on Council's 2024/2025 Fees and Charges:

\$560.00 per residential lot created x 4 Residential Lots = \$2,240.00

Advice Notes

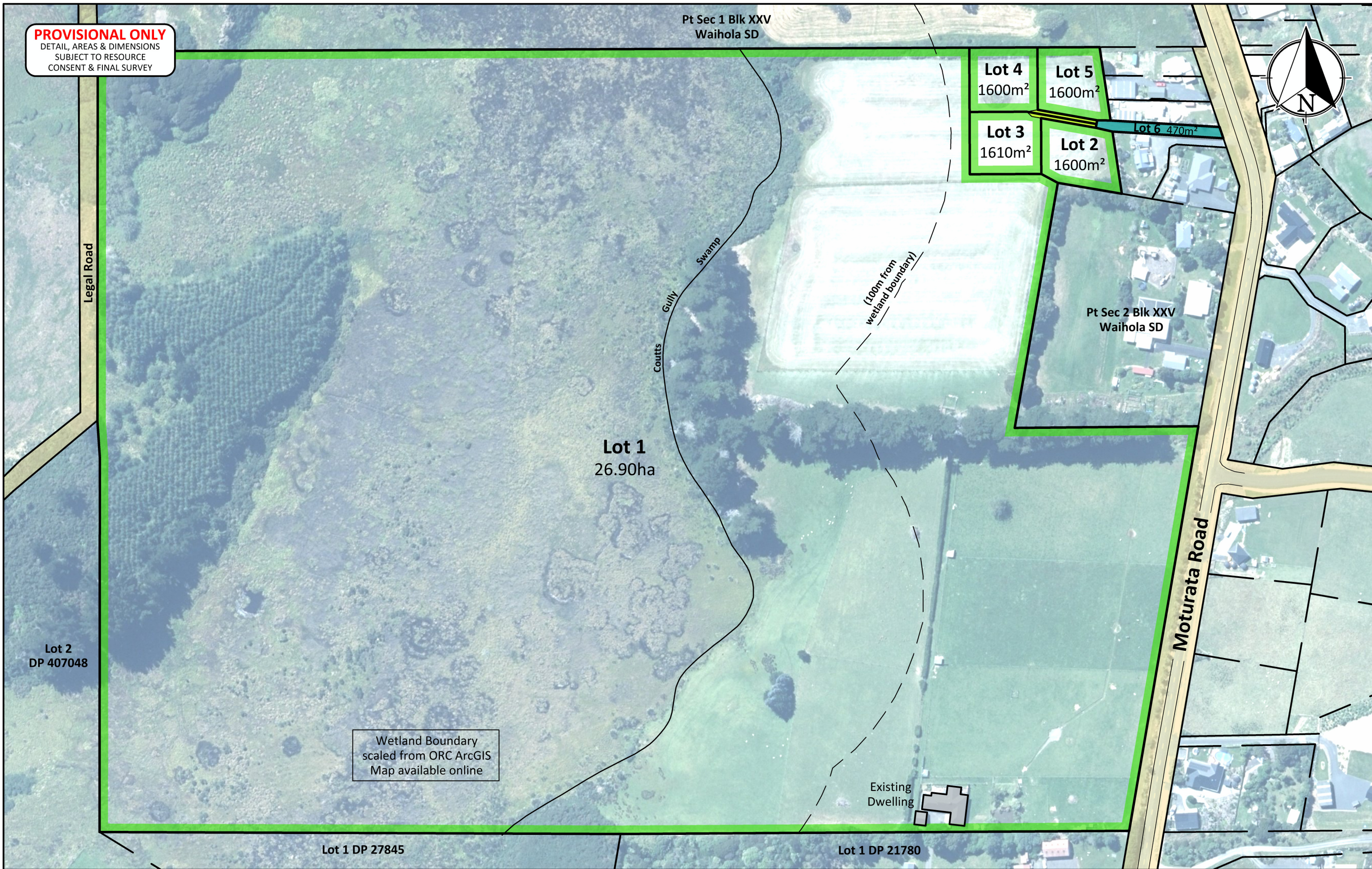
1. Unless otherwise specified 'Council' refers to the Regulatory Services Department of the Clutha District Council.
2. Pursuant to section 36 of the Resource Management Act 1991 and Clutha District Council's Fees and Charges Schedule, the consent holder shall be responsible for all costs associated with the monitoring of this consent in accordance with the schedule.
3. This resource consent does not authorise any building work. The consent holder may be required to apply for a Building Consent under the Building Act 2004 to authorise some of the works that are to be complied with under this resource consent. The consent holder shall seek professional advice on what works will require Building Consent.
4. At the time of Building Consent any breach to the District Plan will require further Resource Consent.
5. Prior to commencement of any work on Council's Roads a Traffic Management Plan (TMP) and/or Corridor Access Request (CAR) is to be submitted to Council for approval.
6. There are no Council reticulated services within the immediate vicinity, Lots 2-5 are required to be self-sufficient for Potable Water. With any rural/coastal subdivision, the consent holder and future landowners are encouraged to contact Council's Services Team regarding water requirements. Resource consent will be required from the Otago Regional Council if the wastewater system does not comply with all relevant performance standards in Regional Plan: Water for Otago, Rule 12.A.1.4 or any subsequent amendments.

7. Any written confirmation is to be provided to the Manager Planning by emailing it to planning@cluthadc.govt.nz using the resource consent number as the reference and quoting the condition it relates to.
8. For any questions regarding the NES-FM and Regional Plan Water it is advised the property owner contacts the Otago Regional Council.

APPENDIX 3: Scheme Plan

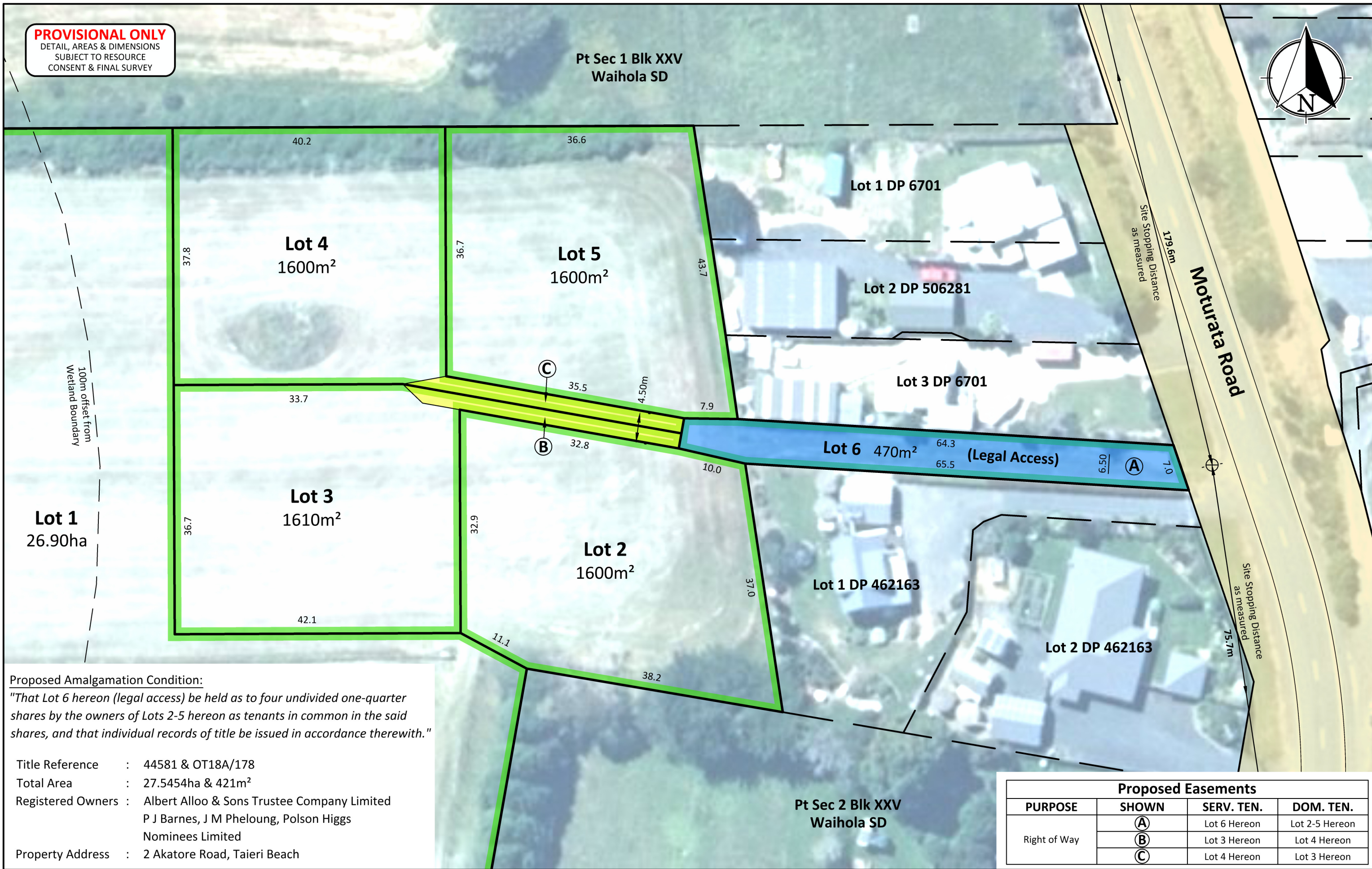
PROVISIONAL ONLY

DETAIL, AREAS & DIMENSIONS
SUBJECT TO RESOURCE
CONSENT & FINAL SURVEY



PROVISIONAL ONLY

DETAIL, AREAS & DIMENSIONS
SUBJECT TO RESOURCE
CONSENT & FINAL SURVEY



Proposed Amalgamation Condition:

"That Lot 6 hereon (legal access) be held as to four undivided one-quarter shares by the owners of Lots 2-5 hereon as tenants in common in the said shares, and that individual records of title be issued in accordance therewith."

Title Reference : 44581 & OT18A/178
 Total Area : 27.5454ha & 421m²
 Registered Owners : Albert Alloo & Sons Trustee Company Limited
 P J Barnes, J M Pheloung, Polson Higgs
 Nominees Limited
 Property Address : 2 Akatore Road, Taieri Beach

Pt Sec 2 Blk XXV
Waiholā SD

| Proposed Easements | | | |
|--------------------|-------|--------------|----------------|
| PURPOSE | SHOWN | SERV. TEN. | DOM. TEN. |
| Right of Way | (A) | Lot 6 Hereon | Lot 2-5 Hereon |
| | (B) | Lot 3 Hereon | Lot 4 Hereon |
| | (C) | Lot 4 Hereon | Lot 3 Hereon |



Lots 1-6 Being a Proposed Subdivision of Lot 1 DP 25928 & Lot 1 DP 308807

| | | |
|-----------------------------|------------------------|----------------|
| PROJECT REF. CLS468 | SHEET SIZE A3 | SCALE 1:500 |
| DRAWN DATE 8 AUGUST 2024 | PLAN REF. CLS468-2B | |
| SHEET NO. SHEET 2 OF 2 | | |

3BB7@6;J & 3bb[US` fie>S` VLSbVBeWe_ WfS` VB'S` /BdabaeS'fi



2 Akatore Road, Subdivision Proposal
Taieri Mouth

ASSESSMENT OF LANDSCAPE AND VISUAL EFFECTS

29 January 2025

1. Introduction

1.1 Purpose of this report

This report provides a landscape assessment for a 6-Lot rural subdivision application submitted by Sweep Consultancy Ltd on behalf of the applicant, Peter Barnes. The proposed subdivision is located in the northeast portion of a 26.9ha rural property which runs along the western boundary of Moturata Road.

1.2 The application has a discretionary activity status under the Clutha District Council District Plan due to the separation distances between proposed dwellings being less than the 200m required in the Rural Resource Area. Key assessment issues include potential effects on the visual amenity and existing rural character and amenity.

1.3 The assessment is supported by plans and site images, that are included in Attachment 1:

- Figures 1–3: *Context & Viewpoints, Site Visibility, Landscape Proposals*
- Figures 4–15: *Viewpoints 1 - 12*

1.3 The following documents, plans, reports and statutory authorities have been referenced:

1. Application

- *Assessment of Environmental Effects, 2 Akatore Road, Taieri Beach (22 April 2024), Emma Peters, Sweep Consultancy Limited (AEE)*
- *Survey Drawings, Cookson Land Surveying:*
 - Lots 1–6: A Proposed Subdivision of Lot 1 DP 25928 & Lot 1 DP 308807, Sheets 1 & 2, February 2024

2. Clutha District Council District Plan (Operative 30 June 1998):

- Section 3.5: Heritage (Table 13.5 Significant Wetlands)
- Section 3.7: Subdivision
- Section 4.1: Rural Resource Area
- Section 6: Schedules (Schedule 6.1 Reserves and Conservation Land)

3. Otago Regional Council (ORC)

- *Coastal Environment of Otago: Natural Character and Outstanding Natural Features and Landscapes Assessment – Clutha District Section Report (15 May 2015, Mike Moore, Landscape Architect)*
- *Clutha District Landscape Management Recommendations: Outstanding Natural Features and Landscapes (15 August 2015, Mike Moore, Landscape Architect)*
- *Otago Regional Council - Environment: Schedule 9 Regionally Significant Wetlands (No.87, Map F42) (website only)*
- *Otago Regional Council - Otago Native Planting Guide (website only)*

2. Methodology

- 2.1 This report follows the approach outlined by the landscape assessment guidelines handbook Te Tangi a te Manu¹. The first section includes a description of the proposal and its wider landscape context, a description of the site and potential development visibility, landscape values that may apply to it, and mitigation measures considered relevant to maintaining or compensating these and responding to objections that have been received (Sections 3–7).
- 2.2 The second section draws on these first sections as the basis for an assessment of potential landscape and visual effects and an assessment against the objectives and rules that apply to the rural resource zone in the Clutha District Council District Plan (CDP) that have a landscape context (Section 8 and 9).

Where effects are assessed a seven-point scale is applied which includes a comparative technical planning scale for reference.

| | | | | | | | |
|-----------------|-----------------|-------|-----------------|----------|----------|------|-------------|
| | | | | | | | SIGNIFICANT |
| Planning scale | LESS THAN MINOR | MINOR | MORE THAN MINOR | | | | |
| Landscape scale | VERY LOW | LOW | LOW-MOD | MODERATE | MOD-HIGH | HIGH | VERY HIGH |

3. Proposal

3.1 Overview

The application seeks to undertake a subdivision of part of 2 Akatore Road to create four new residential lots, an access lot from Moturata Road, and a balance lot (Lot 1) that will retain the remainder of the rural zoned land, dwelling, an area of wetland, and a block of plantation forest (Douglas Fir), which lies on the west boundary of the wetland.

- 3.2 The four residential Lots and ROW will include an area of 6,870m² that will extend west from the boundaries of 190, 192, and 196 Moturata Road. The northern boundary will be shared with rural zoned land associated with 182 Moturata Road and the southern boundary will partly adjoin Taieri Beach School².

- 3.2 Balance Lot 1 would be approx. 26.95ha in area and would include the existing dwelling, approx. 13.48ha of pasture, and a approx. 13.47ha of adjacent wetland³. The wetland is part of a wider 33ha extent of Coutts Valley Wetland that outfalls at the north end of Taieri Beach and is of regional significant due to values associated with vegetation diversity and habitat for waterfowl⁴.

3.3 Details

Access to the 4 Lots will be via an existing 6.5m wide ROW access located between 196, 200 and 192/190 Moturata Road. This is currently grassed but will be sealed for the first 5m and then formed with a crushed chip wearing surface for the remainder and within the

¹ 'Te Tangi a te Manu: Aotearoa New Zealand Landscape Assessment Guidelines', July 2022

² Lots 1–6: A Proposed Subdivision of Lot 1 DP 25928 & Lot 1 DP 308807, Sheets 1 & 2, February 2024

³ Viewpoint 1, Figure 4, Attachment 1, Site Environmental Consultants

⁴ Table 13.5: Significant Wetlands, Section 3.5 Heritage, Clutha District Plan. Otago Regional Council – Environment – Significant Wetlands – Coutts Gully Swamp: <https://www.orc.govt.nz/environment/water-care/wetlands-and-estuaries/natural-wetlands/regionally-significant-wetlands/clutha-district/coutts-gully-swamp/>

development. No public street access or throughway is provided for. Each proposed Lot will be 1,600m² in area and will access the ROW. All waste treatment and water collection will be undertaken by each Lot and no connection will be made to public services.

3.4 Setbacks, general floor areas (GFA), building platform location details are not provided in the application. Drawing on recent coastal residential development at 203 – 207 Moturata Road assumptions have been made on the elements that future development might include⁵:

- Dwelling sizes of between 160m² and 290m² GFA
- 2 – 3 free standing water tanks per house
- Hardstanding area (driveways/parking) – average 12% of site area
- Native shelter/restoration planting – average 35% of site area
- Boundary setbacks (side) - approx. 5m
- Post and wire fences

3.5 For comparison, the similar areas for the adjacent residents are estimated as:

- Dwelling sizes of between 95m² and 260m² GFA
- 2 – 3 free standing water tanks per house (including larger concrete models)
- Hardstanding area (driveways/parking) – average 20% of site area
- Native shelter/restoration planting – east boundary of 196 Moturata Road
- Boundary setbacks at rear - approx. 2.1 – 1.1m

3.6 The application includes the following development conditions:

- Residential buildings will have a maximum height of 6m above ground level, and ancillary buildings will be limited to 5m above ground level
- All residential buildings will be single-story
- Recessive external colours will apply (no light reflectivity value specified)

4. Landscape Context

4.1 The wide site landscape context for the proposal is the coastal landscape of Taieri Beach. This includes the wetland outfall and bridge at Ducks Bend Creek and the shoreline, coastal ridge, settlement areas to the east of the ridge, farmland and settlement to the west of the ridge, and the extent of Coutts Valley Wetland. This land area is identified as Taieri Mouth landscape unit (CL3) in the Otago Regional Council (ORC) coastal study⁶.

4.2 The landscape unit was assessed as having ‘high-medium’ landscape values, though not “Outstanding”. It also noted that the legibility of some natural landforms was being diluted through the coastal development, although remaining discernible. The schist rock shelves south of the main lowland beach are classified as an outstanding natural feature in the Clutha District Plan (CDP) (Table 13.3B).

⁵ Landscape Context & Viewpoints, Figure 1, Attachment 1, Site Environmental Consultants

⁶ Landscape character area Taieri Mouth (CL3), ORC website: <https://www.orc.govt.nz/media/2300/pxx-appendix-3-clutha-district-outstanding-natural-features-and-landscape-assessment-sheets.pdf>

- 4.3 Moturata Road is an infrastructure element, and landscape feature, as it both provides access to the rural areas to the south of Taieri Mouth settlement and Taieri Beach and has enabled coastal rural residential type development at Taieri Beach. It also provides views to Coutts Valley Wetland, as a gateway feature from the north, and ascending views of the ocean and surrounding landscape and batch-style⁷ and rural residential communities.
- 4.4 Most original beach residential development is located in the foreshore area on 800m² sites and includes a range of architectural styles and colours. Mature coastal tree species are scattered within the houses which have a relaxed and informal street frontage. The upper terrace settlement has been developed since 2009 and has a lower density and distinctive 'rural-residential' style. This includes single level dwellings with dark external colours, larger sites, open wire fences, and extensive areas of native coastal planting⁸.
- 4.5 The proposed site opens to Moturata Road adjacent to the coastal escarpment that separates the two main areas of coastal development. The road is level and almost fully formed to its 20m boundary and has a more urban character than the lower coastal section⁹. Recently formed Outuarae Road includes planted berms and street lights which add to the more formal and hard edged character. This contrasts with the more informal character of the school and development on the opposite side of the road, which includes the proposed site ROW¹⁰.
- 4.6 West of Moturata Road
- The western slopes of the coastal ridge fall from Moturata Road to meet Coutts Valley Wetland. The majority of the land is contained in the subject site and the rural land owned by adjacent neighbours at 182 Moturata Road. Limited residential development has occurred along the road boundary with the site including Taieri Mouth School and the 4 residential properties that would separate the proposed subdivision from the road¹¹.
- 4.7 The rural property at 182 Moturata Road extends north from the site boundary where small south facing slopes rise to the terrace that contains the majority of the pasture area on the east side of Coutts Valley Wetland. These slopes provide the visual back drop to the proposed site¹².
- 4.8 Pasture slopes within the site, contained in proposed Lot 1, extends south from these slopes and until the boundary adjacent to the existing dwelling¹³. Coutts Valley Wetland extends west and south/west from the lower boundary of the grazed area, approx. 100m+ from the proposed western subdivision boundary¹⁴.
- 4.9 Vegetation
- Onshore coastal winds along the Taieri coastline are strong and limit plant material to hardier species in exposed facing the coastline. Planting that takes this approach has been successful

⁷ Viewpoint 2, Figure 5, Attachment 1, Site Environmental Consultants

⁸ IBID, Viewpoint 6, Figure 9

⁹ IBID, Viewpoint 7, Figure 10

¹⁰ IBID, Viewpoint 5, Figure 8

¹¹ IBID, Viewpoint 12, Figure 15

¹² IBID, Viewpoint 10, Figure 13

¹³ IBID, Viewpoint 8, Figure 11

¹⁴ IBID, Viewpoint 9, Figure 12

around recent houses in the upper terrace and is a feature where it has been established in overland drainage paths and around the perimeter of houses and the access road of earlier development to the northern end of the terrace (239 Moturata Road).

- 4.10 The proposed site is sheltered to the north-east and a wider range of plant material will be to be established, though exposed to winds from the south/west. Otago Regional Council Native Planting Guidelines indicate the whole of the coastal areas falls within the Kahikatea, tōtara, matai forest ecological area and provides a list of potential tree and shrub species that would be appropriate. Many of the species identified can be seen in roadside, coastal and settlement areas. The full list, and some site recommendations, are included in Appendix A¹⁵.

5. Site Description and Potential Visibility

- 5.1 The proposed development is in the northeast corner of Lot 1 and square, generally flat in character, and fits within existing boundaries for proposed Lots 2 and 5. Gradual pasture slopes rise to the north, residential houses form the eastern boundary, and mature conifer and eucalyptus shelter planting marks a shared southern boundary with Taieri Beach School.
- 5.2 Lots 3 and 4 extend beyond the shelter planting and will be directly visible to the residents of 182 at times and to the existing dwelling on the site, which is located approx. 320m to the south. The land falls gradually from the east boundary towards the west and then begins descending more steeply to meet Coutts Valley Swamp, approx. 90 – 105m west of the proposed western boundary of Lots 3 and 4. The site is approx. 80m wide along the top eastern boundary and approx. 77m wide east-to-west along the northern boundary, shared with 182 Moturata Road.
- 5.3 Northern Boundary and Features ¹⁶
- Pasture slopes rise from the northern boundary and end at the edge of a small terrace that extends to Coult Valley Road. The dwelling at 182 Moturata Road is sited on the southern edge of this terrace, approx. 35m from the north/east site corner, and located within tree planting and shrubs to the rear. Farm structures, tanks, and a barn are located to the west of the house and more visible from the site. Several trees are scattered on the pasture and on the upper terrace, including eucalyptus sp. and some large conifers.
- 5.4 Eastern Boundary ¹⁷
- The residential properties at 190 and 192 Moturata Road share a common internal boundary, two dwellings, and several sheds and containers. Several of these are located on the eastern boundary. There are few gaps along this boundary and both dwellings face towards the seacoast and away from the proposed site.
- 5.5 Numbers 190/192 are separated from 196/200 Moturata Road by a flat grassed lane that is bounded by several kowhai (north) and a long low hedge (west). Tui was seen and heard

¹⁵ Otago Native Planting Guide, Otago Regional Council website: <https://storymaps.arcgis.com/stories/902888d6b5f84d1a9db1234e71379215>

¹⁶ Viewpoint 10, Figure 13 and Viewpoint 11, Figure 14, Attachment 1, Site Environmental Consultants

¹⁷ IBID, Viewpoint 12, Figure 15

playing in the kowhai during site visit. Number 196 has a rear garden lawn adjoining the rear of the lane, which is then bounded by a garage and then internal driveway. Number 192 has a shed located on the rear boundary, followed by a dwelling which is also sited near the ROW boundary.

5.6 Several trees are growing on the rear boundary of 196, including native ribbonwood, and a lawn separates the house from the boundary. There is a west-facing side upstairs window that will overlook proposed Lot 2 and a small living room window that looks over the garden to the boundary and fields beyond. The lower views are through the ribbonwood trees.

5.7 Southern Boundary

A mature conifer shelter belt follows the southern boundary and partially continues along the lower western boundary of the Taieri Beach School. The southern boundary of the site extends slightly beyond the shelter belt.

5.8 Public Views

The site is set back approx. 65m from Moturata Road, with public views restricted to the ROW entrance. Brief views will be available to pedestrians using the footpath opposite or passing drivers. There is no footpath on the western side of the road. There are no other available public views of the site area that could be located from site visit.

5.9 Assessment of Visibility for Neighbours¹⁸

- 196 Moturata Road: Views to the site are partially screened by trees and mostly limited to ground-floor windows on the west-facing side. Some tree planting exists on this boundary.
- 190 and 192 Moturata Road: Buildings and storage containers along the eastern boundary provide little opportunity for views into the site.
- 182 Moturata Road: This property faces north, with shelter planting and sheds blocking most views of the site from the house. However, direct views to the site area will be available from the upper ridge, west of the present dwelling and farm buildings.

6. Landscape Values

6.1 The following section assesses the landscape values that might be considered to apply to the proposed site. The assessment is based on a framework outlined in the NZILA guidelines and considers the biophysical, associative, and perceptual factors that have been determined relevant to the perception of landscape values by practitioner and Court input¹⁹. The guidelines emphasize that the factors are not a formula but an interplay that helps refine values.

¹⁸ Figure 2, Attachment 1, Site Environmental Consultants

¹⁹ Pg.83 & pg.84, Section 4, Te Tangi a te Manu: Aotearoa New Zealand Landscape Assessment Guidelines

6.2 Biophysical factors (geological and biological factors and land use patterns)

- Gentle underlying grade and western aspect
- Pasture cover with a small wet area with sedges and wetland grasses
- Physical boundaries to the north and east and partly open boundaries to the south
- Shelter from the north/east coastal winds and exposure to south/west

6.3 Perceptual factors (visual factors)

- A sense of enclosure in the eastern part of the proposed site
- Coutts Gully Swamp lies to the west
- Absence of mechanical activity or residential noise and light
- The underlying and surrounding topography is very legible due to pasture cover

6.4 Associative factors (activities and elements associated with an area)

- Open views to rural fields and distant hills
- Silage making
- Animal grazing
- Little mechanical or human activity on the site

6.5 Summary

The proposed site is a small and, in part, secluded part of a larger rural property that is bounded by a large natural feature to the west and residences and a busy road to the east. Currently used only for pastoral grazing and silage, the short pasture cover emphasises its rural purpose and the character of the underlying landform. A key value for surrounding neighbours is likely to be the absence of development or active use of the land, other than grazing.

7. Mitigation

7.1 The submissions to the application raise potential visibility of the development, loss of privacy (196 Moturata Road), and adverse effects on the amenity value and character of the wider environment. Site observations support the potential loss of privacy and, to a lesser extent, the potential adverse impact on visual amenity for surrounding neighbours. There was no potential adverse public impact identified.

7.2 In response, boundary setback and planting mitigation is proposed to maintain privacy, as far as reasonable, add shelter and amenity, and to partly reflect the shelter planting pattern that has characterised the wider site until recently²⁰. In addition, recommendations include a 10m 'no build' set back from the eastern boundary be established as a condition and the requirement that all boundary fencing be post and wire and exclude stone or masonry ornamental gates.

²⁰ Figure 3, Attachment 1, Site Environmental Consultants

7.3 Planting - Area A

A dense gorse hedge marked the northern boundary until recently. Shelter planting is proposed along this boundary with quick growing exotic and deciduous species that will provide short-term filtering of potential views from 182 Moturata Road. This is extended the full length of the boundary to reflect the previous planting.

7.4 The height of this shelter planting is to be maintained at a maximum height of 5m until native shelter planting can be established along the northern boundaries of Lots 4 and 5.

7.5 Area B

A 5m wide planting zone is proposed across the full eastern site boundary, excluding the ROW. The character of the planting is recommended a double off-set row of native tree species that are underplanted by 1 – 2 species of native ground cover or small shrubs. Otago Regional Council planting guide is the reference for appropriate species with an emphasis on flowering species, such as the lowland ribbonwood established on the boundary of 196 Moturata Road and kōwhai and ti kōuka (cabbage tree) (Appendix A).

7.6 Area C

A 1.5m wide planting berm is recommended for the northern road frontages of Lots 2 and 3. Planting is recommended to include a ground cover of native grasses and an over planting of native tree species, such as kōwhai or ngaio.

7.7 Area D

A 1m wide planting berm is recommended for the southern ROW boundary for the planting of native flowering shrubs to create a hedge along this side of the access to add to present amenity and to screen light throw of incoming night vehicles for 196 Moturata Road.

7.8 Other Measures

A 7.5m building off-set from the eastern boundary of Lot 2 is recommended. This would provide a minimum off-set of 17m from the western lower face of 196 Moturata Road. Planting of a 3m wide boundary of native shelter species is recommended for the southern and western boundaries of proposed Lot 3 and Lot 4.

8. Landscape and Visual Assessment

8.1 The NZILA guidelines include definitions of landscape and visual effect, and how these should be assessed²¹. A number of key principles are included and are applied in this assessment:

- A landscape effect is a consequence of physical changes that affect existing landscape values. Change is not an effect in itself - it is the implications of change on values that is relevant.
- Visual effects are a subset of landscape effects. A visual assessment is one way of measuring the immediate effects and extent of landscape change from one viewpoint, rather than describing the change itself.

²¹ pg. 135, Section 6 Landscape Effects, Sub section 6.1 – 6.09, Te Tangi a te Manu, NZILA landscape guidelines

- Visual and landscape effects should be assessed concurrently and not as separate elements.

8.2 Development Activity

The following actions and activities are likely to be included in establishing the proposal and subsequent housing. Only the subdivision is being applied for but is the key decision point that provided for these activities:

- Construction of 4 residential houses, potentially of 250 – 300m² GFA
- A garage or shed of up to 100m² for each lot
- Installation of 2 – 3 plastic water tanks (circa 30,000 litres)
- Hardstanding areas
- Boundary fencing
- Night light throw from houses and, potentially, outside lights
- Construction effects, intermittent (over several years)
- Vehicle movements
- Noise associated with domestic human activity, including weekend lawn mowing
- Planting of the eastern, northern, western, southern boundaries with native trees, ground cover, and shelter planting, with an emphasis on flowering species

8.3 Effects on Rural Amenity and Character

The proposal is located in the rural resource area which provides for ‘existing amenity values, which generally comprise a natural open environmental character’²². The parts of the site that are open to the wider site and adjoin the northern neighbour, as well as Lots 3 and 4, conform to this description.

8.4 The character of the whole of the proposed development site, (this is, Lots 2 – 6), will be changed to rural-residential but this part will be the most noticeable and its presence will affect the perception of this part of the site only. The application will also extend rural-residential development westward from the present boundary with the eastern side of Moturata Road.

8.5 Assessment - Effects on Rural Landscape Character

- **Short term** landscape effects – 1 – 7 years: **moderate/high**
- **Long term** landscape effects – 8 – 20 years **low/moderate**

8.6 Reasons

The landscape context of the proposal includes the rural environment on the west facing slopes of Lot 1 and the wider landscape that is visible over Coutts Valley Wetland. These longer views include a range of rural activity that includes many forestry areas, areas of pasture and some

²² 4.1.1. Overview, Section 4.1 Rural Resource Area, Clutha District Plan

areas of native forest. The context also includes the semi-urban boundary Lot 1 shares with a significant collector road that carries logging trucks as well as all other service traffic.

- 8.7 The pasture area of the site is a small area of approximately 13.4ha, when setting aside the wetland, and is disconnected from adjacent farmland and the wider countryside that can be viewed from the site and other properties. It contains no indigenous vegetation and has been steadily de-stocked since the death of the applicant's father.
- 8.8 The conditions offered by the application and the additional mitigation provisions advanced by this review will lead to a rural-residential character that will be similar to the development on the terrace area, east of Moturata Road. This will include native shrub planting on all boundaries and extended structure planting of long-term native trees on the eastern boundary and shelter belt planting along the northern boundary. The result will be a noticeable increase in bird life and a contained character to the development as it matures.
- 8.9 The density of the development will be well higher than the density sought by the 200m off-set rule that applies for housing in the rural resource area but much lower than adjacent residential development on the western side of Moturata Road. The proposed density is more efficient with respect to finite land resource than the recent rural-residential development on the terrace area on the eastern side of Moturata Road , exemplified by 203 – 231 Moturata Road.
- 8.10 In summary, the variation of features, land area, and lack of active management of the present pasture slopes of the site for rural activities reduce its status as being a significant part of the wider rural environment. Its main contribution to that value, in landscape terms, is in providing a backdrop to Coutts Valley Wetland, a role that could be significantly enhanced in the future via carefully planned development including native plantings.
- 8.11 Assessment - Effects on Visual Character
- **Short term** visual effects – 1 – 7 years: **high**
 - **Long term** visual effects – 8 – 20 years **low**
- 8.12 Reasons
- The visual effects associated with the development will closely relate to the potential visual catchment at the beginning of the development and how this changes as it progresses. The persons most potentially affected will be the residents of 196 Moturata Road who will be able to perceive construction vehicles on the ROW and from their rear windows.
- 8.13 The consent will require planting along the eastern boundary and will implement a setback of 10m from this legal boundary. Whether or not Lot 2 is developed initially or later the planting will establish and should screen all views to the site below 1.5m within 5 years when tree growth can be expected to be reaching 3m in height.
- 8.14 After 7 years the canopies of the trees will begin to fill out and the central leaders will begin to grow more rapidly. The assessment of visibility for this boundary was 'open views that include some boundary vegetation' and 'filtered views .. with a low probability due to obstacles or orientation'.
- 8.15 Views from the rear of 182 Moturata Road will see the full extent of the development but will retain the longer views to the wetland areas and the valley and hills beyond. As the planting

develops and landowners also plant their properties for amenity the structure of the area included in the outside boundaries will change to decrease the open space and emphasis the differences in planting and location and provide a visual amenity and interest that is not reflective of the wider rural environment but has a much higher level of biodiversity and lower density than existing urban zone housing.

- 8.16 As noted in the site assessment the proposed development area, excepting the ROW including entrance, is not visible from public locations. Planting provisions have been made to provide a vegetated back drop to views into the site. Boundary fences will be post and wire and prevent the creation of visual barriers within the site itself.

9. Statutory Assessment

- 9.1 The proposal is located within 4.1 Rural Resource Area (RRA) under the Clutha District Plan and subject to the objectives, policies and rules of 3.7 Subdivision within the Clutha District Plan (1998). This assessment considers the requirements of both section 3.7 and 4.1 in terms of the landscape and environmental issues that require assessment under these sections of the Plan. The site is not within the coastal environment and has not been assessed as being of higher natural or landscape character in regional assessment but has a discretionary activity status due to the site layout not meeting the 200m off-set for dwellings in the RRA (Rule RRA.3 (ii) (a).2).

- 9.2 Subdivision (CDP Section 3.7)

3.7.4 Rules

C. NATURAL VALUES

The effects the subdivision may have on the following areas;

- (i) the margins of wetlands, lakes and rivers or any area that may impact on wetlands, lakes and rivers,*
- (ii) areas considered to be outstanding natural features and/or landscapes (see Table 13.3A and B)*
- (iii) areas of significant indigenous vegetation and significant habitats of indigenous fauna.*
- (iv) areas of high visual amenity,*

In exercising its discretion in relation to this issue Council may impose conditions that;

- preserves the visual amenity created by the backdrop of indigenous vegetation*
- recognise the visual significance of any protected land in the locality*
- protects the open character of the rural environment*
- protects the natural character of the margins of rivers, lakes and wetlands*
- recognises the intrusion that structures can create in the landscape.*
- protects the intrinsic values of these areas*

(IV) DISCRETIONARY ACTIVITIES

(a) (b) Any residential activity which does not conform with the relevant performance standards, of (i) to (iii) above is a discretionary activity.

Assessment Criteria - Not part of this rule

In assessing any application under this rule Council in addition to those matters set out in

Section 104 of the Act will also consider the following:

- *density of dwellings in the locality*
- *the effect on soil and water quality*
- *the effect on indigenous flora and fauna*
- *the effect on the roading network*
- *the visual impact of the development*
- *the effect on public services*

9.3 Comment

The proposed site is outside the coastal environment and within a land area that has not been rated as having higher landscape values and will not require removal of indigenous vegetation, although its implementation will add approx. 1000m² of native vegetation and trees. The boundaries of the proposal are 100m+ distance from the eastern boundary of Coutts Valley Wetland and the on-site waste disposal will ensure no pollution of the wetland will occur²³.

9.4 The assessment undertaken in section 8.5 of this report concluded that long term adverse landscape effects were considered to be **low/moderate**. This assessment took into account present rural values of the wider site and the effect of the proposed subdivision on those values. Due to the physical and visual containment of 50% of the proposed development, and the extensive boundary planting that is specified in the mitigation provisions of this report, the effects on long term rural amenity is considered to be **low**.

9.5 Rural Resource Zone (CDP Section 4.1)

POLICY RRA.7

To manage the effects of activities and buildings to ensure that any adverse effects on the open-space and natural character amenity values of the rural environment are avoided, remedied or mitigated.

9.6 Section 8.6 to 8.10 of this report discusses the significance and potential value of the present pastoral area of the site and conclude that it is mostly disconnected from the wider rural environment but provides the setting for the regionally significant Coutts Valley Wetland. The proposal will not impact the majority of the balance pastoral area of the site and is considered consistent with existing rural amenity values as the proposal includes planting on all boundary with adjoining neighbours and a provision for further boundary planting at building consent stage.

²³ 2 Akatore Rd – Onsite Wastewater Feasibility, Fluent Solutions. 6 August 2024.

9.7 The limited scale of the proposed development and its containment within existing development, vegetation, and landform limits its potential adverse effect on the open space and natural character amenity values of the rural environment.

9.8 *POLICY RRA.8*

To ensure the adverse effects that buildings, structures and vegetation can have on

- i. amenity values of adjoining properties, and*
- ii. the safety and efficiency of the roading network are avoided, remedied or mitigated.*

9.9 Comment

Adjacent development includes Taieri Beach School, a community garden and four residential houses. Taieri School is unique in the surrounding road frontage through containing semi-mature native trees and shrubs and several large trees, that are not conifers. This planting adds to the shelter and amenity of the houses that bound the proposed development. Several tūi were playing in a kōwhai near the site (the boundary of 192 Moturata Road) which was notable as no other birds were observed during wider visit, except for the wetland.

9.10 The proposed development will build on this character and its primary effect is not considered to be one creating a new node of development within a wider, working rural landscape but rather to extend existing development in a logical and strategic manner. No significant vegetation is to be removed but significant additional native planting will be established adding to existing biodiversity, character and amenity.

10. Conclusion

10.1 The key landscape issues underlying this assessment include the potential effect on the landscape character and amenity value of the wider rural environment and the potential adverse effects on adjacent neighbours.

10.2 The assessment process reviewed the potential visibility of the development and concluded that the objections raised on grounds of visual effect and loss of privacy were merited to a degree, although not as adverse as may have been anticipated.

10.3 Mitigation measures have been added to the proposal as a basis of landscape support for the proposed development. These include:

- a 7.5m no-build setback along the proposed eastern boundary, shared with Number 190, 192, and 196 Moturata Road although a dispersal field may be located within the setback
- a 5m planted strip along the same boundary, excluding the ROW
- hedge planting along the ROW to decrease light flare effects at night and to increase amenity for all users
- horticultural planting along the northern boundary

- a requirement for all internal boundaries to use post and wire fencing, excluding high boarded boundary fences
- native shelter planting along the northern boundary, inside the horticultural shelter belt, and inside the western and parts of the southern boundary not screened by Taieri Beach School.

Hugh Forsyth

Registered Landscape Architect

28 January 2025

Appendix A

Planting



24

²⁴ Roadside vegetation showing the influence of coastal wind—adjacent to 190 Moturata Road

Appendix A Planting: Conditions and Guidelines

Planting Conditions

1. The following guidelines are intended to help future owners achieve that target and receive the benefit of their input and resources. An experienced planting contractor will have their own methods and which are equally acceptable, providing the rate of coverage and survival over a two year period is maintained.
2. Planting is to maintain an 90% success rate, two years following implementation. Planting areas are shown on Figure 3, 'Landscape Proposals', Attachment 1
3. Check the site for rabbit populations and control 6 weeks before planting if a high population is present, as possible
4. Planting areas A and B, identified on Figure 3, 'Landscape Proposals', Attachment 1, are to be planted prior to issue of a 224c certificate for proposed Lot's 1 - 4
5. All other boundary planting is the responsibility of individual Lot owners at consent
6. Shrubs are to be a minimum at PB3 and planted at a rate of 1.2m off-set centres and to be protected with paper or bamboo eco planting guards at planting;
7. Tree species are to be a minimum of 600mm high at planting and planted at a rate of 1 per 5m² in Area A and B and as chosen by Lot owners in the remaining boundary areas
8. All areas planted in native species are to be watered thoroughly immediately after planting and mulched to a minimum of 75mm with a suitable material, excluding plastic sheeting.
9. Planting may include species listed below, or other species drawn from the Otago Regional Council kahikatea-totara-matai planting guide (copy attached), or native species that are established in the vicinity and appropriate to the lower Otago coastline.
10. Ornamental cultivars may be used for amenity planting in the individual Lots but are not to be planted in boundary areas
11. New planting will require thorough weeding after 3 months, during spring, and then again in autumn

Recommended Species

Area a

A maximum number of 3 species, planted in groups of 3 or 5 will provide effective filtered screening, variety, flowers and attract bird life

Trees:

- *Carpodetus serrates* - putaputawētā - marble leaf
- *Hoheria angustifolia* - houhere - lacebark
- *Plagianthus Regis* - mānatu - lowland ribbonwood
- *Sophora microphylla* – kōwhai

Shrub underplanting:

- *Hebe salicifolia* - koromiko – coastal hebe
- *Hebe eliptica* - koromiko – hebe
- *Polystichum neozeladicum* subspecies *zerophyllum* - shield fern

Area b

Deciduous boundary shelter planting utilizing available farm shelter planting from local nurseries, excluding eucalyptus species. Choose species that have rapid growth and thin, columnar form. Plant at 3m centres to achieve cover and maintain at 5m maximum height. The purpose of this planting is provide temporary screening along this boundary during establishment and may be removed after 3 years of native planting is established.

Area c

Native species indigenous to the area and intended to provide a consistent boundary character and some shelter the development and to significantly increase biodiversity and food sources for birds. The majority of this planting should include shrub species, planted in groups of several metres to gain impact. For example, mass planting of harakeke (flax) with overplanting of groups *tī kōuka* (cabbage tree) has more physical and visual impact and is more effective at providing habitat than mixes of individual plants.

Shrubs

- *Austroderia fulvida* – toetoe
- *Coprosma propinqua* - mingimingi
- *Hebe elliptical*
- *Phormium tenax purpureum* - harakeke
- *Coprosma repens* – taupata – rehabilitation shrub, eventually forming small tree

Trees

- *Cordyline australis* - ti kouka - cabbage tree
- *Kunzea ericoides* - kānuka
- *Myoporum laetum* (Ngaio)
- *Myrsine australis* (Matipo)
- *Pittosporum tenuifolium* – kohuhu – black matipo

Ecosystem Name: Kahikatea, totara, matai, forest
Ecosystem Code: CLF4.2

Potential distribution in Otago: Lowland valleys, coastal hills, and downlands

Source: Wildland Consultants Ltd. 2022. Planting lists for selected forest, wetland, and coastal ecosystems in Otago. Contract Report No. 6408 prepared for Otago Regional Council.

| Species | Common Name | Plant form | Conservation Status | Max Height | Resource | Fauna | Growth Rate | Environmental Tolerances | Planting Notes |
|---------------------------------|--------------------------|------------|------------------------------------|------------|--------------------------------|-------------------|-------------|------------------------------|---|
| <i>Aristotelia serrata</i> | makomako, wineberry | Tree | Not Threatened | 10m | | | Fast | Moist, fertile sites | |
| <i>Carpodetus serratus</i> | piripiriwhata | Tree | Not Threatened | 10m | Fleshy fruit and nectar source | Forest birds | Moderate | Exposure tolerant | |
| <i>Coprosma linariifolia</i> | mikimiki, yellow wood | Tree | Not Threatened | 6m | Fleshy fruit | Forest birds | Moderate | Forest generalist | |
| <i>Cordyline australis</i> | tī kōuka, cabbage tree | Tree | Not Threatened | 12m | Nectar source | Forest birds | Fast | Exposure tolerant generalist | |
| <i>Dacrycarpus dacrydioides</i> | kahikatea | Tree | Not Threatened | 50m | Fleshy fruit | Forest birds | Moderate | Long-lived tree | |
| <i>Dacrydium cupressinum</i> | rimu | Tree | Not Threatened | 35m | Fleshy fruit | Forest birds | Slow | Long-lived tree | |
| <i>Fuchsia excorticata</i> | kōtukutuku, tree fuchsia | Tree | Not Threatened | 12m | Fleshy fruit and nectar source | Forest birds | Fast | Fast-growing, moist habitats | |
| <i>Griselinia littoralis</i> | kāpuka/broadleaf | Tree | Not Threatened | 10m | Fleshy fruit | Forest birds | Moderate | Exposure tolerant | Highly palatable to ungulate browsing animals |
| <i>Hoheria angustifolia</i> | houhere | Tree | Not Threatened | 18m | Nectar source | Forest birds | Moderate | Long-lived tree | |
| <i>Kunzea robusta</i> | kānuka | Tree | Threatened – Nationally Vulnerable | 20m | Nectar source | Birds and insects | Fast | Drought tolerance | A good pioneer species |

| | | | | | | | | | |
|--------------------------------------|-----------------------------------|------|---------------------|-----|--------------------------------|--------------------------|----------|--|---|
| <i>Meliclytus ramiflorus</i> | māhoe | Tree | Not Threatened | 10m | Fleshy fruit and nectar course | Birds | Fast | Requires shelter | Highly palatable to ungulate browsing animals |
| <i>Myoporum laetum</i> | ngaio | Tree | Not Threatened | 10m | | | Fast | Exposure tolerant | |
| <i>Myrsine australis</i> | red matipo | Tree | Not Threatened | 10m | Fleshy fruit | Forest birds | Moderate | Dry forest | |
| <i>Olearia fragrantissima</i> | fragrant tree daisy | Tree | At Risk – Declining | 8m | Nectar source, foliage | Forest birds and insects | Moderate | Exposure tolerant | |
| <i>Pennantia corymbosa</i> | kaikōmako | Tree | Not Threatened | 10m | | | Moderate | Exposure tolerant | |
| <i>Pittosporum eugenioides</i> | tarata, lemonwood | Tree | Not Threatened | 12m | Fleshy fruit and nectar source | Forest birds | Moderate | Long-lived tree | |
| <i>Pittosporum tenuifolium</i> | kōhūhū | Tree | Not Threatened | 8m | Fleshy fruit and nectar source | Forest birds | Fast | Exposure tolerant, warm, sheltered sites | Pioneer species |
| <i>Plagianthus regius</i> | mānatu, ribbonwood | Tree | Not Threatened | 20m | Nectar source | Forest birds | Fast | Productive sites, deep soils | |
| <i>Podocarpus laetus</i> | Hall's tōtara | Tree | Not Threatened | 20m | Fleshy fruit | Forest birds | Slow | Exposure tolerant, long lived tree | |
| <i>Podocarpus totara var. totara</i> | lowland totara | Tree | Not Threatened | 30m | Fleshy fruit | Forest birds | Moderate | Exposure tolerant, long lived tree | |
| <i>Prumnopitys taxifolia</i> | mataī | Tree | Not Threatened | 25m | Fleshy fruit | Forest birds | Slow | Deep soils, long lived tree | |
| <i>Pseudopanax arboreus</i> | five finger, whauwhaupaku | Tree | Not Threatened | 8m | | | Slow | Sunny aspects | |
| <i>Pseudopanax colensoi</i> | mountain fivefinger, three finger | Tree | Not Threatened | 8m | Fleshy fruit | Forest birds | Fast | Moist forest | |


| | | | | | | | | | | |
|---------------------------------|--------------------------------|-------|----------------------------------|-----|--------------------------------|--------------------------|----------|------------------------------|-------------------|--|
| <i>Pseudopanax crassifolius</i> | horoeaka, lancewood | Tree | Not Threatened | 15m | | | | | Exposure tolerant | |
| <i>Pseudopanax ferrox</i> | Fierce lancewood | Tree | At Risk – Naturally Uncommon | 5m | Fleshy fruit | Forest birds | Moderate | Dry sites | | |
| <i>Schefflera digitata</i> | patatē, patē, seven-finger | Tree | Not Threatened | 6m | Fleshy fruit and nectar source | Forest birds | Moderate | Sheltered, moist sites | | |
| <i>Sophora microphylla</i> | kōwhai | Tree | Not Threatened | 15m | Nectar source and foliage | Forest birds | Slow | Drought tolerant | | |
| <i>Streblus heterophyllus</i> | tūrepo, small-leaved milk tree | Tree | Not Threatened | 6m | | | Moderate | Alluvial forest | | |
| <i>Coprosma areolata</i> | thin-leaved coprosma | Shrub | Not Threatened | 3m | Fleshy fruit | Forest birds | Moderate | Dry forest | | |
| <i>Coprosma crassifolia</i> | | Shrub | Not Threatened | 2m | Habitat and fleshy fruit | Lizards and forest birds | Slow | Exposure tolerant, dry sites | | |
| <i>Coprosma dumosa</i> | leafy coprosma | Shrub | Not Threatened | 3m | Fleshy fruit | Forest birds | Moderate | Exposure tolerant generalist | | |
| <i>Coprosma propinqua</i> | mingimingi | Shrub | Not Threatened | 3m | Habitat and fleshy fruit | Lizards and forest birds | Moderate | Exposure tolerant generalist | | |
| <i>Coprosma rhamnoides</i> | | Shrub | Not Threatened | 1m | Fleshy fruit | Forest birds | Moderate | Lowland forest | | |
| <i>Coprosma rotundifolia</i> | | Shrub | Not Threatened | 3m | Fleshy fruit | Forest birds | Moderate | Moist sites | Browse tolerant | |
| <i>Lophomyrtus obcordata</i> | rōhutu | Shrub | Threatened – Nationally Critical | 5m | | | Slow | Dry forest | | |
| <i>Melicope simplex</i> | poataniwha | Shrub | Not Threatened | 2m | | | Slow | Dry forest | | |


| | | | | | | | | | |
|---|---|----------------|---------------------|------|--|--------------------------|----------|------------------------------|--|
| <i>Myrsine divaricata</i> | weeping matipo | Shrub | Not Threatened | 3m | | | Slow | Exposure tolerant generalist | |
| <i>Pseudowintera colorata</i> | horopito | Shrub | Not Threatened | 2m | | | Slow | Shade tolerant | Unpalatable to ungulate browsing animals |
| <i>Teucrium parvifolium</i> | teucriidium | Shrub | At Risk – Declining | 1.5m | | | Moderate | Exposure tolerant | |
| <i>Astelia fragrans</i> | kahaha, bush lily | Herb (Monocot) | Not Threatened | <1m | Fleshy fruit and nectar source and habitat | Forest birds and lizards | Fast | Moist, fertile sites | |
| <i>Acaena anserinifolia</i> | piripiri, bidibid | Herb (Dicot) | Not Threatened | <1m | | | Fast | Moist habitats | Mat herb for ground cover |
| <i>Acaena juvenca</i> | piripiri, bidibid | Herb (Dicot) | Not Threatened | <1m | | | Moderate | Dry forest and scrub | Mat herb for ground cover |
| <i>Asplenium bulbiferum</i> | pikopiko, hen and chicken fern | Fern | Not Threatened | <1m | | | Fast | Moist sites | |
| <i>Blechnum fluviatile</i> | kiwakiwi, kiwakiwa, creek fern | Fern | Not Threatened | <1m | | | Fast | Moist sites | |
| <i>Cyathea smithii</i> | kātote, Smith's tree fern, soft tree fern | Fern | Not Threatened | 5m | | | Slow | Moist forest | |
| <i>Dicksonia squarrosa</i> | whekī, rough tree fern | Fern | Not Threatened | 8m | | | Slow | Moist forest | |
| <i>Polystichum neozelandicum subsp. zerophyllum</i> | shield fern | Fern | Not Threatened | <1m | | | Fast | Dry sites | |
| <i>Polystichum vestitum</i> | shield fern | Fern | Not Threatened | <1m | | | Fast | Moist sites | |



Legend

 Site boundary:
2 Aketore Road

 Proposed 4 lot
subdivision

 Viewpoints 1 - 12
(Attachment 1)

Site features

- a. Coutts Gully Swamp
- b. Gorse boundary - now removed
- c. Macrocarpa belt - now removed
- d. Existing farm house
- e. Community garden
- f. Taieri Mouth School
- g. Lower shoreline settlement:
800m² av. lot size
- h. 203 - 209 Moturata Rd:
2250 - 3870m² lot size
- k. Outarae Rd subdivision:
2600 - 6837m² lot sizes
- m. Vegetated coastal escarpment
- n. Shoreline: low coastal vegetation,
stream, rough pasture and sheep
grazing
- o. Schist rock shelves



o  100m approx.





Legend



Proposed 4 lot subdivision



Viewpoints 4 (fig. 7)
Viewpoints 8 -12 (fig. 11-15)



Small semi-dry wetland area in field - periodic drain catchment

Visibility



Direct public views



Open views from adjacent rural land



Open views that include some boundary vegetation



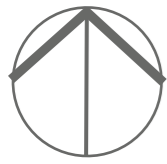
Filtered views from adjacent residences with low probability due to orientation or obstacles




Wetland views: No public views currently available from the wetland



0 100m approx.





Legend

 Proposed 4 lot subdivision

Planting Proposals

refer report appendix a for species.

 Potential for retaining wet area to surface drainage, with outflow to lower wetland. Plant with native water margin species.

 A 7.5m no build setback - may include dispersal field

a Native tree and low shrub planting to provide privacy for residents on this boundary and screening and visual amenity for future residents. 5m wide x 74m approx. (ex. ROW).

b Deciduous shelter tree planting, trimmed to 5m, extending length of Lot 4 & 5 northern boundary. Quick growing horticultural sp. for removal 3 years after establishment of native planting on this boundary.

c Native coastal shrubs to create mixed shelter and amenity planting to 3m with overplanting of medium coastal tree. Planting to be undertaken as a condition of individual Lot landuse consent

d Boundary hedge planting to 2m height to compliment existing planting and mitigate night traffic light throw.



0  50m approx.



View south/east to lower farm boundary with Coutts Valley Swamp from Coutts Valley Road



For SALE
0277262443

View north/east over lower coastal housing and bach-style dwellings from Moturata Road



View south/east across coastal escarpment from opposite 190 Moturata Road



View west into the proposed site from the accessway between 196 and 192 Moturata Road



View along eastern frontage of 200 - 190 Moturata Road from the road boundary of 203 Moturata Road



View north/east from Taieri Beach School boundary to 205 and 207 Moturata Road



View north along the west side of Moturata Road, adjacent to Otuarae Road entrance



View south across the wider farm to the farm house from mid western boundary of proposed Lots



View across Coutts Valley Swamp to plantation planting beyond from mid western boundary of proposed Lots



View north/west across the toe of the northern boundary escarpment to native forest (Coutts Creek), plantation planting and pasture beyond



View north/east to the rear of the farm building, dwelling and shelter planting and trees located on the upper terrace at 182 Moturata Road



View east from mid point of the western boundary of the proposed Lots to the rear boundary of 190, 192, and 196 Moturata Road (right of image)