



Address all correspondence to:
The Chief Executive

CLUTHA DISTRICT COUNCIL

Our Reference
RM3063
ID: 947055

DECISION OF CLUTHA DISTRICT COUNCIL UNDER SECTION 104 OF THE RMA 1991

Applicant:	Peter Barnes
RM reference:	RM3063
Application:	Application under Section 88 of the Resource Management Act 1991 (RMA) for a 6 lot (4 residential lots, 1 access lot and 1 balance lot) subdivision and residential activity
Location:	2 Akatore Road, Taieri Mouth
Legal Description:	Lot 1 DP 25928 and Lot 1 DP 308807
Zoning:	Rural Resource Area
Activity Status:	Discretionary
Notification:	Limited Notified
Commissioner:	Louise Taylor
Decision Date:	22 May 2025
Decision:	Granted subject to conditions

1. Consent Conditions

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: 5 March 2025; 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: 5 March 2025.*
 - c) *Prepared by: Site Environmental Consultants, Titled: Landscape Proposal, Rev: B, Dated: 4 April, Figure 3.*

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 (including for firefighting water reserve), 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.*
5. The consent holder shall prepare a plan which identifies a 'No build area' within 100m of the Coutts Gully Wetland as identified on the approved subdivision scheme plan which will be attached to the consent notice for Lot 1 pursuant to consent condition 17. A minimum of two location ties shall be shown to demonstrate that the location and alignment of the no build area is in accordance with the approved subdivision scheme plan.

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.

Vehicle crossing access to ROW

6. 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.

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

7. 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:
 1. the entrance configuration and how the adjacent entrance is to be separated;
 2. 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;
 3. the stormwater drainage of the ROW's and any connection provided to a future dwelling on Lots 2 and 5;
 4. and any underground services.

Right of Way construction

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

Certification

9. 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

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

Telecommunications/Internet

11. 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%.

Installation of Firefighting Provision

12. The consent holder must install provision for onsite Communal Fire Fighting Supply in the location identified on the approved subdivision scheme plan 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: 5 March 2025:
 - a) Two, 25,000 Litre water tanks to be used as static reserve for firefighting purposes. The tanks must be filled with water as part of the installation process, and the water must be maintained in the tanks, so it is available for firefighting purposes. The tanks must be positioned above ground and must be coloured to blend with the surrounding rural landscape with a light reflectance value of 30% or less and must be screened by locally appropriate planting to ensure that they have minimum visual impact from beyond the site, provided that the screening accommodates the safe and efficient operation of access to the tanks for the purposes of firefighting and replenishing the water supply therein.
 - b) Access to the static firefighting reserve and a hard standing area that complies with requirements of the New Zealand Fire Service Firefighting Water Supplies Code of Practice SNZ PAS 4509:2008 (or subsequent amendments) and also be provided to Lots 2, 3, 4 and 5.
 - c) Access required must be secured by easement.

Mitigation Planting for Areas A, B and D

13. The consent holder shall:
 - a) Six weeks prior to the intended planting, the site must be checked for rabbit populations, and rabbit control undertaken, if required, to reduce the presence of rabbits.
 - b) Plant areas A and B of Lots 2 – 5 and Area D of the access lot as identified on Figure 3, 'Landscape Proposals', Rev b, 04 April 2025.
 - c) Ensure shrubs are a minimum at PB3 and planted at a rate of 1.2m off-set centres and are protected with paper or bamboo eco planting guards at planting;
 - d) Ensure tree species are a minimum of 600mm high at planting and planted at a rate of 1 per 5m² in Area A and B.
 - e) Ensure 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.
 - f) Ensure planting include species listed in Condition 13(i), or other species drawn from the Otago Regional Council kahikatea-totara-matai planting guide (copy attached at Appendix 6

to decision), or native species that are established in the vicinity and appropriate to the lower Otago coastline.

- g) Ensure ornamental cultivars are not planted in areas A and B.
- h) Weed planting areas as required to ensure they are kept weed free.
- i) Recommended Species:

Area A:

A maximum number of 3 tree species, planted in groups of 3 or 5, underplanted with shrub species.

Trees:

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

Shrubs:

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

Area B:

A maximum number of 3 tree species, planted in groups of 3 or 5, underplanted with shrub species

Trees:

- *Cordyline australis* - ti kouka - cabbage tree
- *Kunzea ericoides* - kānuka
- *Myoporum laetum* - ngaio
- *Myrsine australis* - matipo
- *Pittosporum tenuifolium* – kohuhu – black matipo
- *Plagianthus regius* – mānatu – lowland ribbonwood
- *Sophora tetrapetala* - kōwhai

Shrubs:

- *Austroderia fulvida* – toetoe
- *Coprosma propinqua* – mingimingi
- *Corokia cotoneaster* - korokio
- *Hebe elliptical* - koromuka
- *Leptosperum scoparium* - manuka
- *Phormium tenax purpureum* - harakeke
- *Coprosma repens* – taupata

Area D:

Hedging (1 species only) along the southern boundary of Lot 6 to the extent as shown on Figure 3, 'Landscape Proposals', Rev b, 04 April 2025:

- *Corokia cotoneaster* or
- *Hebe elliptica*

Section 221 Consent Notice

14. 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) The Communal Fire Firefighting tanks located in Lot 5, and water therein must be maintained by Lot owners so it is available for firefighting purposes at all times. The water in the firefighting tanks is to be used for firefighting purposes only.

Site Development

- d) 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
 - c. the northern boundary setback of Lot 4 and 5 shall be 7.5m
- e) All buildings shall be a maximum height of 5.5m above existing ground level and be single story.
- f) The total ground floor area of buildings shall not exceed 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.
- g) All buildings are to be finished in external cladding of either naturally weathered timber or locally appropriate stone, or in colours in the range of green, brown or grey. 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).

- h) The colour and materials of the dwelling, ancillary buildings and water tanks shall be submitted to the Manager Planning for Council's certification that they comply with relevant consent conditions prior to, or together with, the application for building consent.
- i) Any network electricity and telecommunications services are to be located below ground.
- j) Water tanks (other than the shared fire fighting water tanks located in Lot 5) 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.
- k) 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.
- l) 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.
- m) 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. Solid fencing such as timber paling or sheet metal is not allowed.
- n) No monumental gates or lighting shall be associated with driveways or accessways.
- o) Woodlots and / or plantations of exotic trees shall not be established.

Maintenance of Mitigation Planting Areas

- p) Lot owners are responsible for the maintenance of areas of planting being areas A, B, C, and D as shown on Figure 3, 'Landscape Proposals', Rev b, 04 April 2025, and planting on Lots 2 and 5 along the Right of Way frontages (except where access is required to each Lot or the Communal Fire Fighting Supply) as applicable to their particular lot. Planting is to maintain a 90% success rate, two years following implementation with dead or diseased plants being replaced.

- q) 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;
- r) Tree species are to be a minimum of 600mm high at planting and planted at a rate of 1 per 5m².
- s) 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.
- t) 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.
- u) Ornamental cultivars may be used for amenity planting in the individual Lots but are not to be planted in boundary areas
- v) New planting will require thorough weeding after 3 months, during spring, and then again in autumn for the first two full calendar years following planting. All areas must be kept weed free.

15. 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 3 and 4 for the following matter:

Planting of Area C

- a. Owners of Lots 3 and 4 must plant within Area C of their respective lot within twelve months of the date of grant of building consent for any building on their respective Lot.

Recommended Species for Area C

Native species indigenous to the area and to provide a consistent character and visual amenity, shelter for the development and an increase in biodiversity and food sources for birds.

Trees

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

Shrubs

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

Advice Note: The majority of planting within Area C 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.

16. 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 2 and 5 for the following matters:

Planting of Lots 2 and 5 Boundary with Right of Way

- a) Owners of Lots 2 and 5 must plant a 1.5m wide strip of land within their Lot along the boundary of their respective lot adjoining the frontage to the right of way, within twelve months of the date of grant of building consent for any building on their respective Lot. Gaps are permissible where access to Lots 2 or 5 or the Communal Fire Fighting Supply are required.
 - b) Planting shall consist of a 1.5m wide planted berm with native grass cover, and over-planting of small to medium native tree species, such as kōwhai or ngaio.
17. 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 Title of Lot 1 for the following matter:

No Build Area

- a) No buildings shall be located within the 'No-Build Area' identified on the attached plan prepared pursuant to consent condition 5.

Financial Contributions

18. 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 Forty 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.

2. Decision

The application for subdivision consent and land use consent at 2 Akatore Road, Taieri Mouth, was processed on a limited notified basis in accordance with section 95 of the Resource Management Act 1991. The Hearing was held on Tuesday 11 March 2025.

Having carefully considered the relevant reports and documentation supplied with the application, the expert evidence, the s42A Report, submissions, information provided at and following the hearing, I have **granted** consent to the application **with conditions**. The full text of this decision commences below, and conditions of consent are included in Section 1 of this report.

The Hearing and Appearances

The applicant was represented by:

Emma Peters (Consultant Planner), Scott Cookson (Land Surveyor), Hugh Forsyth (Landscape Architect), Peter Barnes (Applicant).

Council staff attending were:

Michaela Gronewegen-Berecuia (Planner, author of s42A Report), Craig Barr (Consultant Planner, support role), Bevan Mullions (Engineer, attended on-line), Olivia Restieaux (Planning Manager), Jessica Craik (Hearing Administrator).

Submitter attending:

Rachel Darmody (182 Moturata Road, Taieri Beach) (on-line via video link).

Procedural Issues

At the end of the public part of the hearing, I adjourned the Hearing and directed the exchange of further supplementary landscape evidence, and an updated set of draft conditions of consent (Minute 1). I subsequently determined (Minute 2) that the supplementary landscape evidence was not required based on advice received that agreement had been reached between Ms Peters and Ms Groenewegen-Bereicua on an amended draft condition 13 (now conditions 5 and 17) which would require the inclusion of a 'No Build Area' within 100m from the wetland (attached to the consent notice for Lot 1 pursuant to consent condition 13 (now 17)) in replace of a condition preventing future development on any part of Lot 1¹.

On receipt of the revised draft conditions, submitters were provided an opportunity to respond. Comments were received by submitter Ms Darmody.

The Applicant's Right of Reply was received on 29 April 2025.

I undertook a site visit on Thursday 1 May 2025 and observed the site from key vantage points, the location of submitter properties, and the wider urban and coastal areas of the Taieri Mouth settlement. The site visit enabled me to gain a better understanding of the existing environment, the nature and scale of the proposal, and the key issues in contention.

I closed the hearing on 2 May 2025 having concluded that I required no further information from any of the parties and that I had sufficient information to enable me to make a decision.

Principal Issues of Contention

The principal issues of contention are as follows:

- The impact of the proposal on the natural character and natural values of Coutts Gully Wetland (a Regionally Significant Wetland) within Lot 1 and given a 100m 'No Build Area' buffer is offered;
- The extent to which the proposal will generate adverse landscape and rural character effects within the Rural Resource Area and whether a consent notice to prevent future residential development on Lot 1 is necessary given a 100m 'No Build Area' is offered;
- The height limit imposed on any residential development on proposed Lots 2-5;
- The appropriateness of a communal and centrally located provision of water for firefighting purposes rather than the provision of water for firefighting on each individual lot (Lots 2-5); and
- The extent to which the proposal is consistent with the relevant Clutha District Plan Rural Resource Area and objectives and policies relating to the rural resource area, subdivision, transportation, natural hazards and infrastructure.

Statutory and Other Provisions

In accordance with section 104 of the Resource Management Act 1991, the Planner's Report² detailed in full the relevant statutory provisions and other provisions that I must have regard to when making my decision. Regard was given to the relevant provisions of the following sections of the Clutha District

¹ Recommended condition 13 in Ms Groenewegen-Bereicua s42A report dated 14 February 2025

² Report prepared by Ms Groenewegen-Bereicua in accordance with s42A of the RMA dated 14 February 2025

Plan: Section 3.3 – Transportation; Section 3.7 – Subdivision; Section 3.9 Natural Hazards; and Section 4.1 Rural Resource Area.

Main Findings on Principal Issues of Contention

I considered the evidence heard, the relevant statutory and plan provisions and the principal issues in contention. The main findings on the principal issues have been incorporated within the reasons discussed below.

Reasons for this Decision

Permitted Baseline

1. I accept Ms Groenewegen-Bereicua's assessment and agree that there is no useful permitted baseline of relevance to this application and note that I received no contrary evidence on this matter.

Landscape and Rural Character Effects

2. In her Planning Report, Ms Groenewegen-Bereicua's recommended a consent notice to prevent future residential development on Lot 1 to ensure the open space and character of the rural environment can be maintained. In her evidence, the applicant's planner Ms Peters assessed this consent notice as not necessary, in that the design and location of the proposed subdivision including proffered mitigation means that the resulting level of adverse effect does not warrant the imposition of such consent notice on Lot 1. In her comments on the draft conditions, submitter Ms Darmody expressed concern that if Lot 1 is intensively subdivided into small lots in the future, the adverse effects from the proposal would not be mitigated as per Mr Forsyth's evidence.
3. Following the hearing I was advised that the applicant and Ms Groenewegen-Bereicua now agreed that a consent notice preventing future development of Lot 1 was not necessary, and should be replaced by a consent notice preventing buildings within the 100m buffer from the identified wetland within Lot 1. I have considered this matter carefully, including Mr Forsyth's evidence and considering the relevant Subdivision and Rural Resource Area objectives and policies in particular. I note that any subdivision and residential development of Lot 1 would require resource consent. At that time, adverse effects on landscape and rural character would be considered. Any cumulative effects of a future proposal would be assessed, taking into account the level of development approved by this consent. I note one of the positive elements of this proposal is to consolidate residential activity around the existing residential activity to the north of the School. I also note that extensive mitigation planting is proposed, that the proposed dwellings will be unlikely to be visible from Moturata Road and that the 100m buffer prevents future buildings from around half of Lot 1 (in particular the buffer prevents buildings extend further to the west away from existing dwellings) in any case. On balance I accept the recommendation of the two expert planners that a consent notice preventing future development on any part of Lot 1 is not necessary.
4. In the draft conditions provided following the hearing, Ms Groenewegen-Bereicua recommended that the 100m no build buffer should be imposed as a covenant as opposed to a consent notice (which was preferred by Ms Peters). I have considered this difference in drafting and find there is no need to reference a covenant area within the condition. On this

basis, I accept Ms Peters' evidence where she states that the mechanism of a consent notice is sufficient to prohibit building in the no-build area.

5. In respect of the proposed height limitation, Ms Darmody sought a maximum building height of 4.5m based on her concerns that the proposal will negatively impact the landscape and rural character. In her view, 6m (as proposed by the applicant) did not represent a single-storey dwelling. Ms Groenewegen-Bereicua recommended a maximum height of 5m. At the hearing she explained to me that some other approved subdivisions in Taieri Mouth have a maximum height limit imposed of 4.5m (as pointed out by Ms Darmody). However these subdivisions are located on land that is in the coastal resource area on sensitive sites and where the New Zealand Coastal Policy Statement applies. Following the hearing, Ms Darmody agreed with Ms Groenewegen-Bereicua's recommendation to impose a 5m height limit. In her reply, Ms Peters explained that the draft condition should include the requirement for all buildings to be single storied (as well as a maximum height of 6m). She referred to Mr Forsyth's evidence which states (at paragraph 38) that "I would suggest 5.5m as a reasonable alternative if a compromise is required". During my site visit I observed that generally dwellings and other buildings in the area (both in the coastal environment and on the proposal side of Moturata Road) are single storey and are low in height. Given the location of the proposed four new dwellings being well back, and screened from Moturata Road, the evidence, the character of buildings in the surrounding area, and relevant Rural Resource Area objectives and policies I find that a maximum height of 5.5m is appropriate, along with limiting buildings to be single storied. I consider that a condition of consent requiring a 5.5m maximum height and single storey provides sufficient control to ensure dwellings will not be out of character for residential dwellings in the area.
6. In terms of the proposed landscape mitigation planting, the Applicant has generally been responsive to submitter concerns and is proposing substantial mitigation planting and setbacks from boundaries. At the Hearing, Ms Darmody explained her concerns about the Applicant's proposed landscape planting mitigation. In particular, she said that the proposed mitigation planting within area B is insufficient for screening purposes, and seeks that poplar trees, eucalypts and deciduous species be excluded from this area. In her Reply, Ms Peters confirmed that all the species listed in the conditions that can be planted in areas A, B, C and D are all indigenous, and on this basis, I find that Ms Darmody's concern about tree species is satisfactorily addressed. In terms of Ms Darmody's concern about the proposed mitigation planting within area B, I note that her view is not underpinned by any particular landscape expertise and because of this I prefer the evidence of Mr Forsyth as the only landscape expert who provided evidence on this matter. Further, on my site visit I observed that Lots 2-5 are well set back and screened from Moturata Road, and will be largely screened from neighbouring properties. On this basis, I am satisfied that the proposed landscape mitigations are robust and will successfully mitigate any adverse visual effects of future dwellings on Lots 2-5 so that views from neighbouring properties or Moturata Road are not compromised.
7. In her Reply, Ms Peters explained the proposed conditions that would manage the mitigation planting. She stated that the applicant proposed that mitigation planting in areas A, B and D would be undertaken as a 224(c) consent condition with area C being undertaken by the owners of Lots 3 and 4 via a consent notice requirement. A consent notice will require that the owners of each of Lots 2 – 5 maintain their respective plantings in areas A, B and C. Maintenance of the plantings in area D will form part of the maintenance agreement for the access way but a consent notice could also be included to require such maintenance. I agree that this represents a sensible approach and find the conditions to be appropriate.

8. Given the approach to conditions outlined above, Ms Peters disagreed with Ms Groenewegen-Bereicua's recommended consent condition which includes area C within the s224(c) consent condition requirement. She asserted that there is no evidential basis for this requirement and instead put forward condition 15 relating to the planting of area C pursuant to s221. I agree and find Ms Peters conditions to be acceptable.
9. I note that planting Area E was removed from the Landscape Plan after the hearing, but before Ms Peter's reply. It was provided to Council on 4 April as part of the applicant's response to my Minute 1. There was no explanation as to why Area E was removed from the plan, and I note Ms Groenewegen-Bereicua's recommended conditions provided after the hearing still included Area E. I assume the reason is partly due to access being required for all four lots to the communal fire fighting reserve tanks. As Mr Forsyth recommended Area E in his assessment, and there has been no evidence or reasons provided for its removal, I have required this planting (aside from where access is required to Lot 2, 5 or Communal Fire Fighting tanks) in conditions. To avoid access issues, I have required this planting be located within Lots 2 and 5, outside the buildable area, as opposed to the Right of Way. Of course, there is nothing to stop the developer or Lot owners from planting the berm as well.
10. The full mitigation planting package will assist the development to settle into the landscape and mitigate effects on adjoining neighbours in particular.
11. Overall, I note that the impact of the proposed activities on landscape and rural character need to be considered within the context of an enabling policy framework for subdivision in both the urban and rural areas of the District, in particular Objective SUB.1. which provides a flexible approach to rural subdivision that allows in the majority of cases the market to dictate allotment size. At the Hearing, Mr Barr confirmed for me that there is no control in the District Plan that relate to minimum lot sizes, or any directive 'avoid' provisions that need to be considered.
12. Overall, with the conditions I have imposed, I conclude that adverse effects on rural and landscape character will be minor or greater initially, and once mitigation planting is established, effects will be no more than minor.

Effects on Natural Values

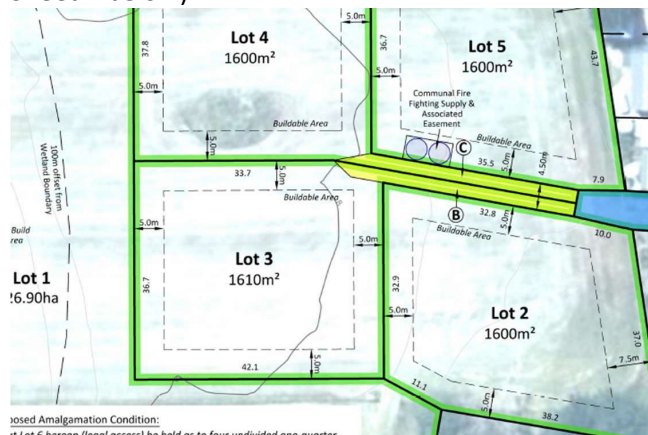
13. As discussed previously, following the Hearing, Ms Peters and Ms Groenewegen-Bereicua reached agreement on an amended draft condition 5 which would require the inclusion of a 'No Build Area' within 100m from the Coutts Gully Wetland, a Regionally Significant Wetland wetland (to be attached to the consent notice for Lot 1) to ensure the protection of the natural character values of the wetland from built development as well as protect the broader rural and landscape character values.
14. Having considered the evidence and the views of Ms Darmody, I find that the proposed 'No Build Area' 100m buffer in condition 5 will ensure the natural character and associated natural values of the wetland are suitably protected, noting that this requirement will be linked to the requirement for a consent notice on Lot 1 as required in condition 17.

Provision of Water Supply for Firefighting

15. A matter traversed at the Hearing included the provision and supply of water for firefighting. Mr Cookson explained the preference for a communal and centrally located firefighting water supply in the form of a static reserve contained in tanks at a volume of 45,000L, to be installed prior to titles for the lots being issued. Ms Peters commented that the Applicant is responsible for ensuring that the provision of water for firefighting purposes meets the relevant FENZ standards. I asked Council's engineer Mr Mullions his view on this matter and he advised that he was comfortable with a communal supply.

16. In her Reply, in response to Council concerns, Ms Peters helpfully confirmed that:

- i. the proposed location of the firefighting tanks is outside of the 'no-build' area on Lot 5 (as shown in the updated subdivision scheme plan dated 4 April 2025 – refer snip of Sheet 2 below):



- ii. the applicant has amended the 224(c) condition to clearly state that the tanks must be installed 'above ground';
- iii. the site of the firefighting water tanks is not within Lot 6 as joint access lots can only be used for access purposes and not for any other purpose.
- iv. as shown on the subdivision scheme plan (sheet 2), easements will be provided over Lot 5 for the benefit of Lots 2 – 4 for access to and use of the firefighting reserve [note that I have amended the condition to confirm this].
- v. the applicant accepts the inclusion of a consent notice on each of the titles for Lots 2 – 5 requiring that the owners are responsible for the ongoing maintenance including replenishment of the firefighting tanks.

17. Having considered the evidence on this matter, I am satisfied that the conditions put forward by the Applicant will ensure that the communal water supply as proposed can be appropriately accessed and used for firefighting purposes. I have amended Condition 14(c) to make it explicit on the consent notice registered against the Record of Titles of Lots 2-5 that future lot owners are responsible for maintaining water within the tanks at all times for firefighting purposes and that easements are provided over Lot 5 for the benefit of Lots 2 - 4 to access and use the firefighting water reserve.

Summary - Adverse Effects on the Environment

18. Overall, I am satisfied that the proposed activity, once mitigation planting is established will have adverse effects on the environment that are no more than minor, subject to conditions of consent. In reaching this view I note the general agreement between the s42A Reporting Officer and the Applicant's planner in this regard.

Objectives and Policies Assessment

19. I accept Ms Groenewegen-Bereicua's evidence where she concludes that the proposed activities are appropriate and overall consistent with the relevant objectives and policies of the District Plan. In reaching this view I note the agreement between the s42A Reporting Officer and the Applicant's planner in this regard.
20. I also accept and agree with Ms Groenewegen-Bereicua's evidence where she states that the proposal is consistent with the relevant objectives and policies of the Otago Regional Policy Statement (ORPS).

National Direction

21. I accept Ms Groenewegen-Bereicua's evidence and agree that there are no relevant National Policy Statements or National Environmental Standards that are engaged by this application.

Part 2 Matters

22. I accept Ms Groenewegen-Bereicua's evidence, and I am satisfied that sufficient evidence has been provided to conclude that the proposal is consistent with all elements of Part 2 of the RMA.

Decision made by:



Louise Taylor
Independent Hearing Commissioner
Date: 22 May 2025

3. ADMINISTRATIVE MATTERS

Administrative Matters

The costs of processing the application are currently being assessed and you will be advised under separate cover whether further costs have been incurred.

This resource consent is not a building consent granted under the Building Act 2004. A building consent must be obtained before construction can begin.

If you have any enquiries, please contact us at planning@cluthadc.govt.nz

4. MATTERS TO CONSIDER

Lapsing of Consent

Your attention is also drawn to Section 125 of the Resource Management Act 1991 which provides that a resource consent lapses on the date specified in the consent or, if no date is specified, five years after the date granted of the consent unless before the consent lapses the consent is given effect to or an application is made to the Council to extend the period after which the consent lapses, and the Council decides to grant an extension.

Right of Objection

Please note that pursuant to Section 357A of the Resource Management Act 1991, you may, within 15 working days of being notified of this decision, object by notice in writing to the Council in respect of any aspect of this decision. The Council is required by the Act to consider any objection and to decide whether to dismiss or uphold the objection wholly or partly. (There is a right of appeal, pursuant to Section 358 of the Resource Management Act 1991, to the Environment Court against Council's decision on any such objection).

Right of Appeal

As an alternative to your right of objection pursuant to Section 357 of the Resource Management Act 1991, please note that pursuant to Section 120 of the Resource Management Act 1991, you may, within 15 working days of receiving notification of this decision, appeal to the Environmental Court against the whole or any part of Council's decision, in accordance with Section 121 of the Act, by writing to:

The Registrar, Environment Court, PO Box 2069 Christchurch.

Cost of Processing Consent

Where the costs incurred in processing the application exceed the deposit paid, an invoice will be sent to the applicant within the next few weeks. If you would like to make alternative arrangements for paying the invoice, then please contact us.

5. APPENDICIES LIST

APPENDIX 1 – Scheme Plan and Landscape Plan

APPENDIX 2 – Applicant's AEE

APPENDIX 3 – Fluent Solutions Onsite Wastewater Feasibility

APPENDIX 4 – Agents Evidence

APPENDIX 5 – Landscape Architect Evidence and Report

APPENDIX 6 - Otago Regional Council kahikatea-totara-matai planting guide

APPENDIX 1

PROVISIONAL ONLY

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

Pt Sec 1 Blk XXV
Waihola SD

RM3063

Lot 4
1600m²

Lot 5
1600m²

Lot 3
1610m²

Lot 2
1600m²

Lot 6 470m²

23/5/25

Legal Road

Handwritten signature

Swamp
Gully
Coutts

No-Build
Area

(100m from
wetland boundary)

Pt Sec 2 Blk XXV
Waihola SD

Lot 1
26.90ha

No-Build
Area

Existing
Dwelling

Moturata Road

Lot 2
DP 407048

Lot 1 DP 27845

Lot 1 DP 21780

Wetland Boundary
scaled from ORC ArcGIS
Map available online

PROVISIONAL ONLY

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

APPENDIX 1

Pt Sec 1 Blk XXV
Waihola SD

Clutha District Council

Consent No. RM3063

Plans approved in accordance with the Resource Management Act
1991.

Dated 23/5/25

Signed

Lot 1 DP 6701

Independent Commissioner

Lot 2 DP 506281

Lot 3 DP 6701

Lot 6 470m² (Legal Access)

A

179.6m

Motureta Road

Site Stopping Distance
as measured

75.7m

Pt Sec 2 Blk XXV
Waihola SD

Proposed Easements

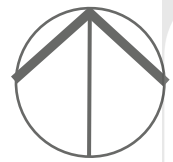
PURPOSE	SHOWN	SERV. TEN.	DOM. TEN.
Right of Way	A	Lot 6 Hereon	Lot 2-5 Hereon
	B	Lot 3 Hereon	Lot 4 Hereon
	C	Lot 4 Hereon	Lot 3 Hereon

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

APPENDIX 1



Legend



Proposed 4 lot subdivision



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 along northern and eastern boundaries - may include dispersal field in **area a**

Planting Proposals

Refer to Appendix 2: Draft Condition Framework for plant species.

- 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** Native coastal shrubs to create mixed shelter and amenity planting to 3m minimum with overplanting of medium sized coastal trees. Planting to be undertaken by applicant at consent.
- c** Same species and planting rates as **area b**.
- d** Boundary hedge planting to 2m height to compliment existing planting and mitigate night traffic light throw.

Clutha District Council
Consent No. RM3063
Plans approved in accordance with the Resource Management Act 1991.

Dated 23/5/25

Signed
[Signature]
Independent Commissioner



0 50m approx.



Clutha District Council

Date Lodged:

Date Paid:

Rct No:

VZ No:

Form 9

APPLICATION FOR RESOURCE CONSENT UNDER SECTION 88 OF THE RESOURCE MANAGEMENT ACT 1991

To the Chief Executive, Clutha District Council, PO Box 25, Balclutha 9240

1. Name: Peter Barnes
 Address: 40 - Sweep Consultancy Limited
 Email: C/o - emma@sweepconsultancy.co.nz
 Phone: _____ Mobile: 0274822714
 Contact Person: Emma Peters, Consultant, Sweep Consultancy Ltd
 (name and designation, if applicable)
 Address for service of applicant: P.O. Box 5724
Dunedin 9054

2. The location of the proposed activity is as follows:
 Street: 2 Akatore Road Town (Community): Taieri Mouth
 Legal Description: Lot 1 OP 308807 (RT 44581)
 Owner / Occupier (other than the applicant): _____

3. A description of the activity and why consent is needed:

Please see attached AEE.

4. Consent(s) applied for:

You may apply for 2 or more resource consents that are needed for the same activity on this form.

- ☒ Land use consent ☒ Subdivision consent
☐ Change/cancellation of consent or consent notice conditions
☐ Certificate of compliance ☐ Existing use certificate
☐ Extension of lapse period of existing consent (time extension)

5. Are additional resource consents needed for the proposed activity?

(a) Is consent required under a National Environmental Standard (NES)?

☐ Yes

☒ No

An applicant is required to address the NES in regard to past use of the land which could contaminate soil to a level that poses a risk to human health. Information about the NES is available at: www.mfe.govt.nz/laws/standards/contaminants-in-soil/

Please conduct search of Council Property records

- ☐ This application does not involve subdivision (excluding production land), change of land use or removal of (or part of) a fuel storage system. Any earthworks will meet section 8(3) of the NES (including volume of earthworks not exceeding 25m³ per 500m²).
- ☒ I have found no record suggesting an activity on the Hazardous Activities and Industries List (HAIL) has taken place on the piece of land which is subject to the application. The List can be found at: <http://www.mfe.govt.nz/land/risks-contaminated-land/my-land-contaminated/hazardous-activities-and-industries-list-hail>
- ☐ An activity listed on the HAIL is likely to have taken place on the land which is subject to the application and I have addressed the NES requirements in the Assessment of Effects.
- ☐ I have included a Preliminary (or Detailed) Site Investigation undertaken by a Suitably Qualified and Experienced Practitioner.

(b) Is consent required from the Otago Regional Council, such as a discharge consent?

☐ Yes ☐ No

6. Information required to be submitted (please attach to this form):

- ☒ Computer Freehold Register (Certificate of Title) for the property, including any consent notice and covenants listed on the title.
See: <https://apps.linz.govt.nz/survey-titles/order-copy/>
- ☒ A plan or map showing the locality of the site, relevant features & buildings.
Our website contains aerial images/maps: <http://103.14.216.134/SpliceMaps/map.html>
- ☒ A site plan at a convenient scale (e.g. 1:1000)
- ☐ Written approval of every person who may be adversely affected by your proposed activity in a minor or more than minor way.
- ☒ An Assessment of Effects (AEE)
An AEE explains the likely consequences on the environment of your proposal and helps to determine who may be adversely affected by it.
See the Assessment of Effects Guide to assist with this:
<http://www.cluthadc.govt.nz/Web%20Pages/Regulatory%20Services/Regulatory%20Services%20Publications/Resource%20Consent/AEE%20-%20General.pdf>

We can accept documents electronically – please ensure they are scanned at a minimum resolution of 300 dpi and in colour if relevant. Each document should be no greater than 10Mb in size.

7. Application deposit fee (note that an additional charge may also be payable).
Fees are set annually and can be found at:
<http://www.cluthadc.govt.nz/Web%20Pages/Plans%20and%20Publications/Annual%20Plans/AnnualPlan201415/FeesCharges1415.pdf>

8. I hereby apply for the resource consent(s) for the proposal described above and I certify that, to the best of my knowledge and belief, the information given in this application is complete and accurate.

Signed (by or person authorised to sign on behalf of applicant): 

Full name: Emma Peters, Consultant

Company: Sweep Consultancy Ltd Date: 22/4/24

Assessment of Environmental Effects



2 AKATORE ROAD, TAIERI BEACH

22 April 2024

Prepared by Emma Peters
Sweep Consultancy Limited
P.O. Box 5724 Dunedin 9054
Phone 0274822214
emma@sweepconsultancy.co.nz
www.sweepconsultancy.co.nz

Table of Contents

Content	Paragraph(s)
Site & Location	1 – 3
Zoning	4
NPS – HPL	5
Proposed Activity & Activity Status	6 – 9
National Environmental Standards	10 – 12
Notification	13 – 13
Permitted Baseline	14 – 15
Assessment of Effects	16 – 32
<i>Subdivision Activity</i>	16 – 26
<i>Effects of Subdivision Design</i>	17 – 18
<i>Effects of Natural Hazards</i>	19
<i>Natural Values</i>	20
<i>Provision of Network Utility Services</i>	21 – 23
<i>Financial & Reserve Requirements</i>	24
<i>Public Interest</i>	25
<i>Summary</i>	26
<i>Residential Activity</i>	27 – 32
<i>Density of Dwellings in the Locality & Visual Impact of the Development</i>	28
<i>Effect on Soil and Water Quality</i>	29
<i>Effect on Indigenous Flora and Fauna</i>	30
<i>Effect on Roading Network & on Public Services</i>	31 – 32
Assessment of Objectives & Policies	33 – 35
<i>District Plan</i>	33 – 34
<i>Subdivision Activity</i>	33
<i>Residential Activity</i>	34
<i>ORPS</i>	35
Conclusion	36 – 38
Appendices	1a: Copy of Record of Title 44581. 1b: Copy of Title Instrument 7187621.1.
Appendix 2:	Subdivision Scheme Plan (Sheets 1 and 2).
Appendix 3:	Analysis of Proposed Subdivision Activity against Performance Standards in Rule SUB.4.
Appendix 4:	Regional Plan Water for Otago: Rule 12.A.1.4.
Appendices 5a:	Analysis of Proposed Activity against District Plan Subdivision Policy Framework.
5b:	Analysis of Proposed Activity against District Plan Rural Resource Area Policy Framework.
5c:	Analysis of Proposed Activity against Regional Policy Statement.

Sweep Consultancy Limited
PO Box 5724
Dunedin 9054
Phone: 0274 822 214
Email: emma@sweepconsultancy.co.nz

22 April 2024

Edita Babos
Manager Planning and Regulatory
Clutha District Council
P.O. Box 25
Rosebank Terrace Balclutha 9240

Sent via email to: Edita.Babos@cluthadc.govt.nz
cc: planning@cluthadc.govt.nz

Hi,

SUBDIVISION CONSENT & LAND USE CONSENT – 2 AKATORE ROAD, TAIERI BEACH

SITE & LOCATION

1. Our client, Peter Barnes, is a trustee of a trust owning a property consisting of two records of title located at 2 Akatore Road, Taieri Beach, the location of which is shown below in Figure 1.

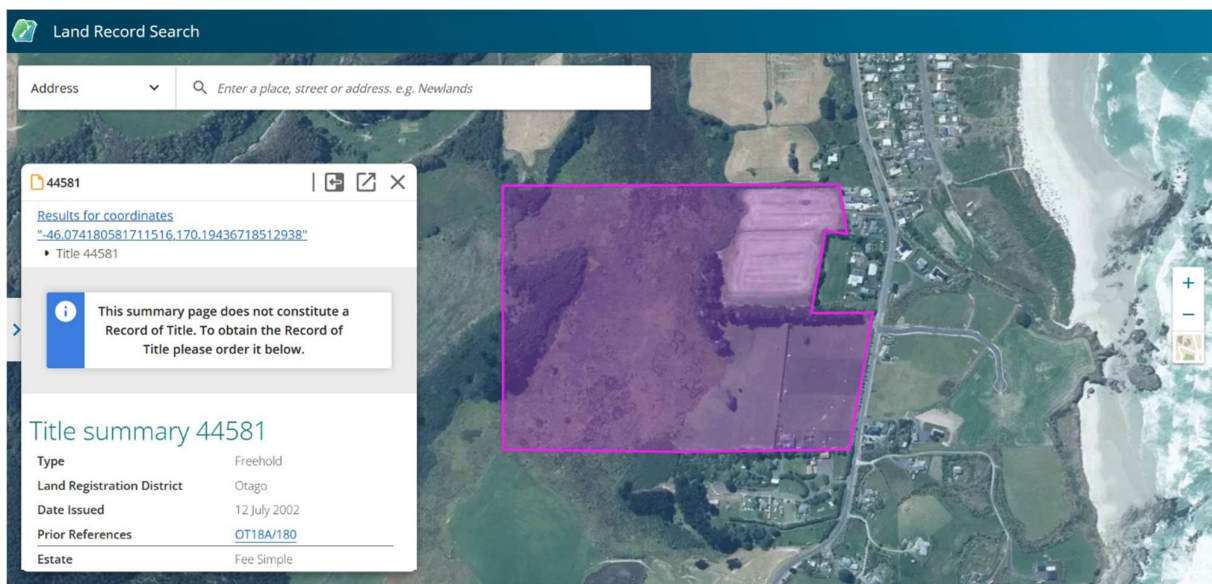


Figure 1: Location of 2 Akatore Road, Taieri Beach.

2. However, the record of title relevant to this application is 44581¹ containing approximately 27.5 hectares of land legally described as Lot 1 Deposited Plan 308807 (**site**). There is only one instrument on the title for the site. The instrument identifier is 7187621.1 and is a certificate pursuant to Section 75(2) of the Building Act 2004². As a condition of granting building consent, Clutha District Council (**Council**) registered instrument 7187621.1 on the title requiring that his instrument requires that Lot

¹Copy of the record of title is appended at Appendix 1a.

²Copy of the title instrument is appended at Appendix 1b.

1 DP 308807 (RT 44581) shall not be transferred or leased except in conjunction with Lot 1 DP 27180 HQ Otago Coast Lot 1 DP 27845 (RT 19B/607). Instrument 7187621.1 is required because the existing dwelling on the site is built across the boundary of the site and the adjoining title (19B/607) held in the same ownership.

3. The site also contains outbuildings associated with the existing dwelling, all of which are situated in the south-eastern corner of the site. The site borders Taieri Beach School and residences forming part of the Urban Resource Area of Taieri Mouth. Approximately two-thirds of the site comprises swamp land associated with the Akatore Creek.

ZONING

4. Pursuant to the *Clutha District Council District Plan 1998 (district plan)*, the site is zoned *Rural Resource Area* and has an active geologic fault, being the Akatore Fault, running through the site as shown by the straight black line bisecting part of the site in Figure 2 below. There are no other planning features pertaining to the site. Both Moturata Road and Akatore Road are listed as 'collector roads' in the roading hierarchy in Schedule 6.9 district plan.



Figure 2: Zoning of the Site Pursuant to the District Plan – Approximate Boundaries Shown in Blue.

NPS-HPL

5. The *National Policy Statement for Highly Productive Land* is not applicable to this site as, according to the *Manaaki Whenua Landcare Research Our Environment Mapping Database*³ the site contains LUC class 4 and 7 land as shown in Figure 3 below.

³See: https://ourenvironment.scinfo.org.nz/maps-and-tools/app/Land%20Capability/lri_luc_main

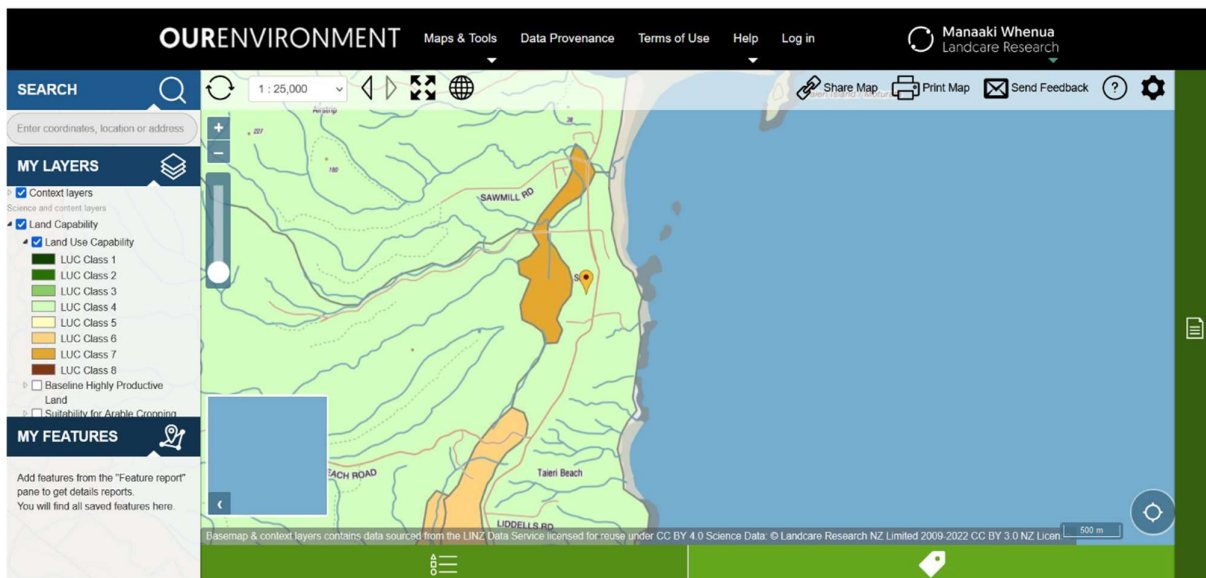


Figure 3: LUC Classification of Site.

PROPOSED ACTIVITY AND ACTIVITY STATUS

6. Peter makes application for:
 - Subdivision consent to create four residential sized allotments at the northern end of the site. A subdivision scheme plan is appended at Appendix 2. The proposed subdivision is a **restricted discretionary** activity pursuant to Rule SUB.1(e) as the subdivision activity meets all relevant subdivision performance standards⁴.
 - Land use consent as a **discretionary activity**⁵ due to the contravention of the performance standard requiring dwellings in the Rural Resource Area to be located 200m from any existing or proposed dwelling or to an Urban Resource Area⁶.
7. No application is made in relation to title instrument 7187621.1 because this will remain in effect for the balance of record of title 44581.
8. Dwellings on Lots 2 – 5 will be self-serviced with respect to potable water, stormwater and wastewater. Potable water supply will be achieved via collection of stormwater from roof surfaces to storage in tank(s); whilst wastewater treated to, at minimum, secondary level will be dispersed to a designed field. Stormwater will go to sump and/or swale as appropriate in the drainage requirements that must be met for building consent. On each of Lots 2 – 5, at the time of construction of the residential dwelling for each lot, a static firefighting reserve shall be installed that meets the requirements of the New Zealand Fire Service Firefighting Water Supplies Code of Practice SNZ PAS 4509:2008 (or

⁴See Appendix 3 for an analysis of relevant subdivision performance standards.

⁵See Rule RRA.3(IV)(a).

⁶See Rule RRA.3(I)(a)2.

subsequent amendments) including access to tanks.

9. As part of the land use consent for residential activity, Peter proffers the following as mitigation:
 - (a) All buildings shall be single story and a maximum of 6m height above existing ground level.
 - (b) 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%.
 - (c) All services are to be located below ground.
 - (d) 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.

NATIONAL ENVIRONMENTAL STANDARDS

10. *National Environmental Standards for Assessing and Managing Contaminants in Soil to Protect Human Health (NES-CS)* provides a nationally consistent set of planning controls and soil contaminant values to ensure that land affected by contaminants in soil is appropriately identified and assessed before it is developed – and, if necessary, the land is remediated, or the contaminants contained to make the land safe for human use. The application seeks a change in land use from rural to residential use and, therefore, the NES-CS applies to the site.
11. Peter's parents have owned the site since February 2002. Peter informs that to the best of his and his parents' knowledge no hazardous activities have been undertaken within that part of the site which will comprise Lots 2 – 5 once subdivision completes. The balance of the site will continue to be used as it currently is for pastoral grazing purposes excepting the swamp.
12. Peter requests that Council undertake a search of property records it holds for the site to ascertain whether it has record of any HAIL activities being undertaken on the site.

NOTIFICATION

13. The applicant requests limited notification of their application to the owners of the following properties: 190, 192, 196, 200 and 208 Moturata Road. The residential units on 190, 192, 196 and 200 are within 200m of the proposed lots. 208 contains the Taieri School.

PERMITTED BASELINE

14. An important consideration for the assessment of effects is the application of what is commonly referred to as the permitted baseline assessment. The purpose of the permitted baseline assessment is to identify the non-fanciful effects of permitted activities and those effects authorised by resource

consent to quantify the degree of effect of the proposed activity. Effects within the permitted baseline can be disregarded in the effects assessment of the activity.

15. There are no permitted subdivision activities relevant to this site. Additional residential activity is permitted on the site if it complies with the 200m requirement between such proposed residential activity and the existing residential activity and the Urban Resource Area.

ASSESSMENT OF EFFECTS

Subdivision Activity

16. Rule SUB.1(e) states: *“Subdivision in the...Rural Resource Areas...that complies with the standards set out in Rule SUB.4 are restricted discretionary activities. Council shall restrict the exercise of its discretion to those matters set out in subsection (f) below.”* Each of the matters set out in subsection (f) is dealt with in turn below⁷.

A. The Effects of Subdivision Design

17. *“1. The ability of the subdivisions design to: Facilitate convenient, safe and easy access by both people and vehicles, to a public road. Facilitate and provide for convenient and easy public access to the coast, any river, stream or lake, or any public reserve. Facilitate the provision and operation of essential services. Facilitate access to passive solar energy sources. Relate to adjoining development. Connect to appropriate network utility services particularly sewerage, water, stormwater, electricity and telephone reticulation. To facilitate any foreseeable subsequent re-subdivision or redevelopment having regard to: (i) the provision of road access; and (ii) the economic provision of network utility services securing an appropriate and coordinated ultimate pattern of development. Conditions may be imposed that require the design of the subdivision to address these issues.”*

Comment: The subdivision design provides for convenient, safe and easy access to Moturata Road by way of a shared access involving easements A (Lot 6 – access lot), B and C. There is no requirement for any public access for the proposed subdivision. The legal and formed width of the shared access will be sufficient for emergency services to access the subdivision site if required once built. Proposed Lots 2 – 5 on which residential activity will subsequently be established have good orientation to make use of solar gain in the design of future dwellings if so desired. Electricity and telecommunication services will be provided to the boundaries of Lots 2 – 5. These services are currently available within the road reserve of Moturata Road. Lots 2 – 5 will be self-serviced with respect to potable water supply, stormwater and wastewater. Currently, no re-subdivision is foreseeable.

Any adverse effects arising from subdivision design are **negligible**.

⁷Assessment matter G. *Electricity Transmission Line Corridor* is not relevant to the proposed subdivision activity.

18. *"2. The subdivisions effect on natural and significant features including: Registered historic places. Archaeological sites and waahi tapu. Significant trees and significant stands of indigenous vegetation. The habitats of indigenous fauna and valued non-indigenous fauna. Waterways, lakes, wetlands and their margins. Ridgelines and hills contributing to the character of the rural and urban areas. Areas of outstanding landscape character. Outstanding natural features. The efficient functioning of natural drainage systems. Conditions may be imposed that require the design of the subdivision to protect these features."*

Comment: District plan maps do not show proposed Lots 2 – 6 containing any registered historic places, archaeological sites or waahi tapu. There are no natural, significant or outstanding features, significant trees, indigenous vegetation or habitats of fauna in the area of proposed Lots 2 – 6. The western boundary of proposed Lots 3 and 4 are situated approximately 90 – 105m from the wetland further to the west. Proposed Lots 2 – 6 are situated on relatively gentle contour and adjacent / near the urban edge.

Any adverse effects arising from subdivision on effect on natural and significant features are assessed as being **in the range negligible to less than minor**.

B. The Effects of Natural Hazards

19. *"1. The effects of natural hazard on the site, and the subdivisions potential in causing natural hazard events to adjoining land. 2. The extent of earthworks necessary. 3. In exercising its discretion in relation to this issue Council may: (i) Require the submission of a report from a person experienced in soils engineering (and more particularly land slope and foundation stability) as to the suitability of the land for its intended purpose, in particular, where it is intended to accommodate buildings which are to be occupied by people. (ii) Impose conditions that require the provision of remedial or protective measures (including essential services, works and reserves) or that avoids or restricts development on those areas of land subject to constraints."*

Comment: The only potential natural hazard pertaining to proposed Lots 2 – 6 is liquefaction on the Otago Natural Hazards Portal. However, the liquefaction potential is Domain A which as a risk of low to none. The relatively gentle contour of the land means that no significant earthworks will be required for development.

Any adverse effects arising from subdivision with respect to natural hazards are assessed as being **in the range negligible to less than minor**.

C. Natural Values

20. *"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.”

Comment: The only applicable part of this assessment matter is (i) margins of wetlands. There is approximately 90 – 105m between the western boundary of Lots 3 and 4 and the wetland further to the west. The proposed subdivision will have **no effect** on the margins of the wetland as it will continue to be held in Lot 1.

D. Provision of Network Utility Services

21. *“...4 Roading: ...Where a subdivision of land within any part of the District results in additional allotments and the subdivision fronts an existing road then: Where the road is unformed or is only a road reserve, or is existing but is not of adequate standard then the road shall be constructed as part of the subdivision by the subdivider. Where road widening or a segregation strip is required as a consequence of the subdivision then such land shall vest as part of the subdivision.”*

Comment: Proposed Lots 2 – 5 will gain access from Moturata Road via a shared access. Other than formation of a complying vehicle crossing **no upgrades are required in relation to Moturata Road** because of the subdivision.

22. *“5 Telecommunications and Electricity: Telecommunications, electricity reticulation and street lighting shall be provided at the time of land subdivision and shall be in accordance with the requirements of the relevant supply authority and with the NZS 4404 1981 Urban Land Subdivision unless Council determines otherwise in any particular case. Electricity and Telecommunication reticulation shall generally be installed in a manner which minimises potential hazards, and shall be provided underground and within road berms.”*

Comment: Telecommunications and electricity services will be provided underground to the boundaries of proposed Lots 2 – 5. These services are currently available in the road reserve. **No adverse effects** will arise from the proposed subdivision in relation to this assessment matter.

23. *“6. Engineering Aspects: Where any subdivision or development involves any engineering aspect, certified design plans from a suitably qualified person shall be submitted with any application.”*

Comment: No certified design plans are required in relation to this subdivision at the time of application for resource consent.

E. Financial and Reserve Requirements

24. *“Council shall, where considered appropriate, impose conditions requiring financial and reserve contributions in accordance with the provisions of Section 3.8 Financial and Reserve Requirements.”*

Comment: The applicant accepts that Council can charge a financial and reserve contribution in accordance with district plan rules provided that the circumstances giving rise such a contribution apply in this case.

F. Public Interest

25. *“The effect the subdivision has on the general public particularly in respect of: Expenditure of ratepayers money, either as part of supplying services to the subdivision or as on-going maintenance of services supplied to the subdivision that has no benefit to the general ratepayer of the District. Any restriction of public access rights to and/or along the coast, lakes and rivers, and other recreational, historical, or culturally important sites or resources.”*

Comment: There are no public access rights pertaining to the site that will be restricted by the proposed subdivision. The proposed lots on which residential activity is to be established will be self-serviced with respect to potable water, stormwater and wastewater. The consent holder will pay for the extension of the reticulated electricity and telecommunications services to the proposed lots on which residential activity is to be established; likewise, the consent holder will pay for the formation of access to those lots. As such, there will be no expenditure of ratepayers' money in relation to the subdivision.

Any adverse effects arising from the subdivision with respect to public interest will be **negligible**.

Summary:

26. Any adverse effects arising from the subdivision are assessed as being in the **range negligible to less than minor**.

Land Use

27. Rule RRA.3(IV)(a) states: *“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.”* Each of these is dealt with in turn below.

Density of Dwellings in the Locality and the Visual Impact of the Development

28. Proposed Lots 2 – 5 sit adjacent / near the Urban Resource Area of Taieri Mouth. Many of the property sizes in Taieri Mouth are between 800m² and 1,600m².

Proposed Lots 2 – 5 cannot be seen when travelling south on Moturata Road due to rising landform to the west and intervening buildings and vegetation. There is a brief opportunity for views from Moturata Road down the 'access leg' – however, again views of any eventual residences will be very limited due to the intervening buildings and vegetation – see Figure 4a below.



Figure 4a: View from Moturata Road down Access Leg to Proposed Lots 2 – 5.⁸

When travelling north along Akatore Road, there are no views to proposed Lots 2 – 5 from just before the 70km speed limit sign due to intervening vegetation including large macrocarpas – see Figure 4b below.



Figure 4b: View from Akatore Road north to Proposed Lots 2 – 5.⁹

Vegetation and buildings continue to intervene in the view to proposed Lots 2 – 5 when travelling north on

⁸Source: Google Maps Street View.

⁹Source: Google Maps Street View.

Akatore Road and then Moturata Road – see Figures 4c and 4d below.



Figure 4c: View from Moturata Road north to Proposed Lots 2 – 5.¹⁰



Figure 4c: View from Moturata Road north to Proposed Lots 2 – 5.¹¹

There will be some limited views from the school grounds to Proposed Lots 2 – 5. However, these views will include boundary planting and school buildings dependent on where being viewed from within the school grounds. Figure 4d below shows the extent of planting around the school boundary.

The mitigation measures included for the dwellings (single story, height limit, exterior materials, colours, screening of tanks) will mean that the visual impact of dwellings on Proposed Lots 2 – 5 will be less than minor when seen from the school grounds.

¹⁰Source: Google Maps Street View.

¹¹Source: Google Maps Street View.



Figure 4d: Extent of Planting on School Boundary.¹²

Proposed Lots 2 – 5, at 1,600m² are in keeping with the density of dwellings in the immediate locale and, when seen from limited public viewpoints, will appear part of the Urban Resource Area.

Any adverse effects arising from the residential activity with respect to density of dwellings in the locality and the visual impact of the development will be **in the range negligible to less than minor**.

Effect on Soil and Water Quality

29. The site does not involve any highly productive land. There is sufficient separation distance from the proposed residential activity and the margin of the wetland further to the west. Wastewater will be treated to a, at minimum, secondary level with the location and design of the dispersal field being prepared by a suitably qualified person as part of the building consent process. There is sufficient space within each lot for stormwater overflow from tanks to be put to sump and/or swale as part of the drainage design for building consent.

Any adverse effects arising from the residential activity with respect to soil and water quality will be **in the range negligible to less than minor**.

Effect on Indigenous Flora and Fauna

30. Proposed Lots 2 – 6 do not contain any indigenous flora or habitat for indigenous fauna. As such,

¹²Source: Google Earth.

there will be **no adverse effect** with respect to this assessment matter.

Effect on the Rooding Network and on Public Services

31. Proposed Lots 2 – 5 are accessed from Moturata Road which is listed as a collector road in Schedule 6.9 of the district plan and as such is considered to have sufficient capacity for the daily traffic movements associated with residential activity on each of proposed Lots 2 – 5.
32. The dwellings on proposed Lots 2 – 5 will be self-serviced with respect to three waters. The subdivider will install electricity and telecommunication services to the boundaries of proposed Lots 2 – 5 as part of subdivisional works prior to title. As such, there will be **no adverse effects** with respect to this assessment matter.

ASSESSMENT OF OBJECTIVES & POLICIES

District Plan¹³

Subdivision Activity

33. An analysis of the subdivision policy framework relevant to the proposed activity is undertaken at Appendix 5a. That analysis shows that the proposed subdivision activity is **consistent** with the relevant policy framework.

Residential Activity

34. An analysis of the rural resource area policy framework relevant to the proposed activity is undertaken at Appendix 5b. That analysis shows that the proposed residential activity is **consistent** with the relevant policy framework.

Regional Policy Statement¹⁴

35. The Otago Regional Policy Statement 2019 (**ORPS**) became fully operative on 4 March 2024. An analysis of relevant objectives and policies is undertaken at Appendix 5c. That analysis shows that the proposed activity is **in the range inconsistent to consistent** with the relevant policy framework.

CONCLUSION

36. The applicant is applying to subdivide a site to provide four residential sized allotments as well as an access allotment. The bulk of the land within the site is to be retained in Lot 1 and will continue to be used for pastoral grazing activities. The applicant has requested limited notification to adjoining landowners as listed in paragraph 13.

¹³Section 104(1)(b)(vi) of the Resource Management Act 1991.

¹⁴Section 104(1)(b)(v) of the Resource Management Act 1991.

37. The application includes various mitigation measures as detailed in paragraph 9. The effects of both the subdivision and residential activity have been assessed as less than minor.
38. The proposed activity is consistent with the policy framework of the district plan. However, the district plan was prepared prior to ORPS and is not specifically focussed on rural productivity. It is acknowledged that proposed Lots 2 – 6 will be used for residential activity and will, therefore, be 'lost' to rural productivity which is inconsistent with some of the ORPS policy framework. However, the land being 'lost' is of low rural productive value (LUC class 4 land, isolated rural property) with the bulk of the pre-subdivision land being retained for its continued use for pastoral grazing activities. So, although there is some tension and inconsistency in relation to some relevant ORPS objectives and policies associated with rural productivity, it is not to the point where the proposed activity is directly opposed to the ORPS policy framework.

Please make contact if you wish to discuss this matter further or require any further information.

Yours sincerely,

A handwritten signature in dark ink, appearing to read 'Emma Peters', is positioned above the contact information.

Emma Peters Consultant Sweep Consultancy Limited P.O. Box 5724 Dunedin 9054 Phone 0274822214
www.sweepconsultancy.co.nz

Appendix 1a: Copy of Record of Title: 44581.



**RECORD OF TITLE
UNDER LAND TRANSFER ACT 2017
FREEHOLD
Limited as to Parcels
Search Copy**



Identifier 44581
Land Registration District Otago
Date Issued 12 July 2002
Prior References
OT18A/180

Estate Fee Simple
Area 27.5454 hectares more or less
Legal Description Lot 1 Deposited Plan 308807
Registered Owners
Peter James Barnes, Janine Maree Pheloung, Albert Alloo & Sons Trustee Company Limited and Polson Higgs Nominees Limited

Interests
7187621.1 CERTIFICATE PURSUANT TO SECTION 77 BUILDING ACT 2004 THAT THIS COMPUTER REGISTER
IS SUBJECT TO THE CONDITION IMPOSED UNDER SECTION 75(2) (ALSO AFFECTS OT19B/607) - 12.1.2007
at 9:00 am

Search Copy Dated 08/08/23 1:53 pm, Page 2 of 2
Register Only

Appendix 1b: Title Instrument 7187621.1.

District Land Registrar
Department of Justice
Private Bag
DUNEDIN



CERTIFICATE PURSUANT TO SECTION 75(2) BUILDING ACT 2004

The Clutha District Council hereby certifies pursuant to Section 75(2) of the Building Act 2004, that as a condition of the grant of a building consent to construct a building over allotments held by the owner in fee simple, the Council requires that the allotment set out in the First Schedule shall not be transferred or leased except in conjunction with the allotment specified in the Second Schedule.

FIRST SCHEDULE

Lot 1 DP 308807 (CT ⁴⁴⁵⁸¹~~44581~~)

SECOND SCHEDULE

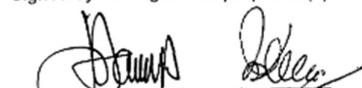
Lot 1 DP 27180 HQ Otago Coast Lot 1 DP 27845 (CT 19B/607)

Signed by the Clutha District Council

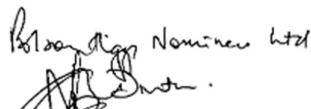


Charles Hakkaart
Chief Executive
Date:

Signed by the registered proprietor(s)



Ford F Barnes Trust


Boarding Nominee Ltd

Boarding Nominee Ltd

Landonline User ID

LOGGING FIRM: CLUTHA DISTRICT COUNCIL

Address: P O BOX 25

BALCLUTHA

Uplifting Box Number:

ASSOCIATED FIRM:

Client Code / Ref

HEREWITH

Survey Plan (#)

Title Plan (#)

Traverse Sheets (#)

Field Notes (#)

Cable Sheets (#)

Survey Report

Dealing / SUD Number
(LINZ Use only)

Priority/Standard Use Stamp
(LINZ use only)

Plan Number Pre-allocated or
to be Deposited

FOR DEPOSIT ONLY
22/12/2006 11:10
0000007178 0001
CHEQUE \$20.00

CERTIFICATE UNDER SECTION 75 BUILDING ACT 2004

Priority Order	CT Ref	Type of Instrument	Names of Parties	DOCUMENT OR SURVEY FEES	MULTITITLE FEES	NOTICES	ADVERTISING	NEW TITLES	OTHER	RE-SUBMISSION & PRIORITY FEE	FEES \$ (GST INCLUSIVE)
1	44581	C77	J F BARNES AND OTHERS	20.00							\$20.00
2	1084607	C77	J F BARNES AND OTHERS								
3											
4											
5											
6											
Subtotal (for this page)											\$20.00
Total for this dealing											\$20.00
Less Fees paid on Dealing #											
Cash/Cheque enclosed for											\$20.00

Original Signatures 

Annotations (LINZ Use Only)

Land Information New Zealand Lodgement Form

Fees Receipt and Tax Invoice

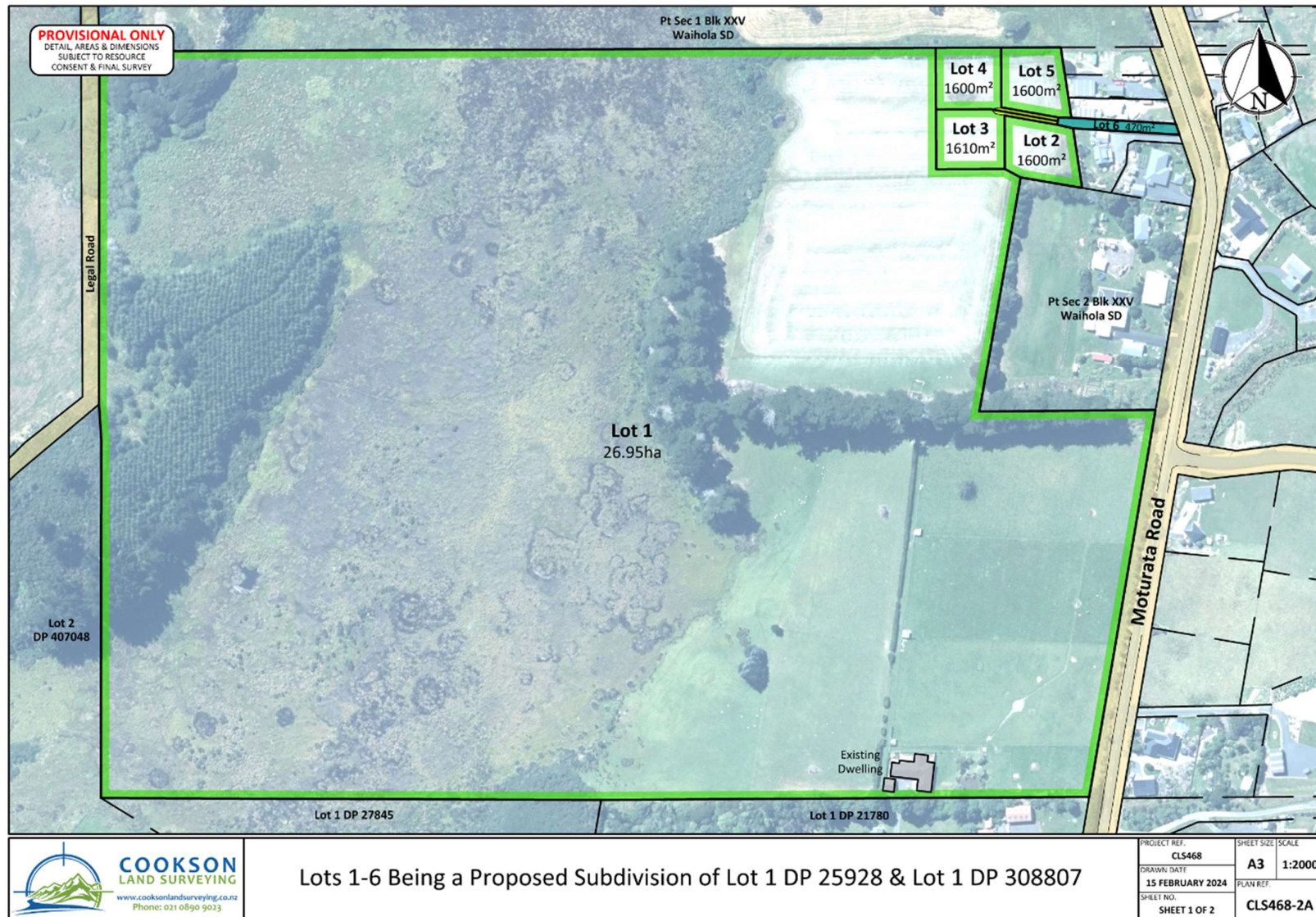
GST Registered Number 174223855

LINZ Form P005

LINZ Form P005 - PDF

Version 1.7 - 28 May 2004

Appendix 2: Subdivision Scheme Plan.



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



Pt Sec 1 Blk XXV
Waihola SD

Moturata Road

Lot 1 DP 6701

Lot 2 DP 506281

Lot 3 DP 6701

Lot 6 470m² (Legal Access)

Lot 1 DP 462163

Lot 2 DP 462163

Pt Sec 2 Blk XXV
Waihola SD

Lot 4
1600m²

Lot 5
1600m²

Lot 3
1610m²

Lot 2
1600m²

Lot 1
26.90ha

Proposed Amalgamation Condition:

"That Lot 6 hereon (legal access) be held as to four undivided one-quarter shares by the owners of Lots 2-4 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

Proposed Easements

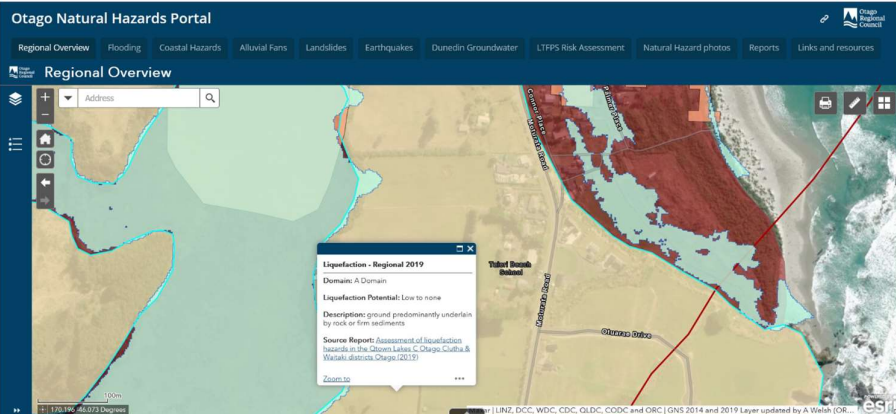
PURPOSE	SHOWN	SERV. TEN.	DOM. TEN.
Right of Way	(A)	Lot 6 Hereon	Lot 2-5 Hereon
	(B)	Lot 3 Hereon	Lot 4 Hereon
	(C)	Lot 4 Hereon	Lot 3 Hereon



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 15 FEBRUARY 2024	PLAN REF. CLS468-2A	
SHEET NO. SHEET 2 OF 2		

Appendix 3: Analysis of Proposed Subdivision Activity against Relevant Performance Standards in Rule SUB.4.

A. LAND SUITABILITY STANDARD	
Performance Standard	Analysis
1. Unless not relevant to its likely development or use, the land to be subdivided must provide a sufficient area of land capable of accommodating any foreseeable building and associated development which Is above the 50 year flood level (2% probability flood level) or any flood level identified on the District Planning Maps. Complies with Rule NHZ.3. Does not contain uncontrolled fill, peat soils or other unconsolidated material. Is not closer than 20m to any stream or river of 3 metres in width or greater, any wetland or lake identified in Table 13.5, any other wetland or lake 2 hectares or greater in area, any waterbody within those water supply catchments identified on the Planning Maps, any waterbody identified in Schedule 6.6. In any Urban, Transitional or Rural Settlement Resource Area or within 50 metres of the bank of any such defined water body in any Rural or Coastal Resource Area. Does not involve significant earthworks or where earthworks cannot be avoided, the characteristics of the site allows for the mitigation of any effects associated with those earthworks.	The subdivision complies with these performance standards. The Otago Regional Council Natural Hazards Portal shows that the only potential natural hazard applicable to proposed Lots 2 – 6 is liquefaction. However, the site falls within Domain A which has a liquefaction potential of low to none. Figure 5 below shows the results from the Otago Natural Hazards Portal for the site.  Figure 5: Results from Otago Natural Hazards Portal. There are two other natural hazards in the vicinity of the site. These are: (a) storm surge (see light blue shaded area in Figure 5 above); and (b) Akatore Fault (red line in Figure 4 above). The proposed lots are situated sufficient distance from these two natural hazards. The western boundaries of proposed Lots 3 and 4 are situated more than 50m from the wetland in the area shaded light blue in Figure 5 above. The proposed subdivision will not involve significant earthworks as the site is of relatively gentle contour. Proposed subdivision activity complies with this performance standard.
2. Where the subdivision involves the creation of allotments for separate parts of a building, or involves a building adjoining an allotment boundary, the structural integrity and fire safety of that building shall comply with the Building Act 1991.	Not applicable.

3. Drainage Systems: Where significant drainage systems are located within the land to be subdivided, or the site is located within the area provided for by the “Milton 2060 strategy: A Flood Risk Management Strategy for Milton and the Tokomairiro Plain”), a structure plan shall be prepared that sets out the measures to be put in place that ensure the efficiency of the drainage system and its associated overland flow paths are not compromised by the subdivision design and any subsequent development....	Not applicable. The part of the site containing the wetland will be retained with the balance of the site in Lot 1.
B. MINIMUM FRONTAGE AND PROVISION OF VEHICULAR ACCESS	
Performance Standard	Analysis
1. The minimum frontage for any allotment of any subdivision shall be 3.5 metres (except as provided by Section 321 of the Local Government Act 1974). This dimension may be encumbered or subject to right of way or registrable interest PROVIDED THAT for multiple access, physical access shall be provided for as shown in (5) below.	The access lot, Lot 6, has a frontage of 7m. Proposed subdivision activity complies with this performance standard.
2. Where any subdivision involves the division of any land and buildings into separate allotments for the individual occupancies to be held under freehold title, cross lease, company lease or unit titles then the size, shape and arrangement of such allotments shall make provision for access thereto in a manner that: Ensures the convenience of the occupants. Facilitates service deliveries. Avoids nuisances to neighbours. Maintains public amenities. Protects the environment. Ensures suitable access by the public in respect of any commercial premises. Avoids traffic conflict on roads and railways. Avoids hazards to neighbours and the surrounding area. Facilitates disabled access. Facilitates on-site manoeuvring.	Proposed Lots 2 – 6 are of a sufficient size and shape to ensure that access to and within the lots provides for each of the listed factors relevant to this site. Proposed subdivision activity complies with this performance standard.
3. All weather vehicular access shall be provided to any subdivision of land or to each allotment of any subdivision either directly from a street or over an individual or shared access to a standard adequate to: Accommodate a 90-percentile car in the case of land intended to be used for residential purposes... The requirements for these vehicles is set out in Figure 6.	Lot 6 provides a shared access servicing Lots 2 – 5. Lot 6 will have an all-weather surface and will be sealed from the road formation to, at minimum, 5m within the boundary of Lot 6. The shared access accommodates a 90-percentile car. Proposed subdivision activity complies with this performance standard.
4. The location and design of all points of access from a legal road within the District shall comply with the requirements set out under Section 3.3.5 Rule TRAN.4. Rule TRAN.4 (Access Standards from a Public Road) requires: (I) CONSTRUCTION AND MAINTENANCE: All vehicular access from a public road shall be designed, constructed and maintained to ensure that: they are able to be used in all weather conditions, they have no adverse impact upon road drainage systems,	Lot 6, being the access to the proposed residential Lots 2 – 5, once formed will comply with Rule TRAN.4. Proposed subdivision activity complies with this performance standard.

stormwater and detritus (including gravel and silt) do not migrate on to the road, intersect with the property boundary within 15 degrees of a right angle. (II) SIGHT DISTANCES: Clear visibility along the road in both directions from the vehicular access shall comply with the following Table: ... Local Road 50km/hr speed limit...required sight distance of 40m. ... (VI) ACCESS TO LOCAL ROADS: Access to local roads shall be in accordance with (I) and (II) above. ...	
5. The width of such access shall be as follows: 4-6 parcels: access width: 6.0m – a 5m wide carriageway and 0.9m footpath ... PROVIDED THAT The width of a vehicular access serving a single household unit may be reduced to 3m if the driveway has unrestricted visibility and the length does not exceed 30m. Where an access lot of less than 6.0m in width and serving more than one allotment has a length greater than 100m or unrestricted visibility is not available over its full length then an appropriately located passing bay shall be provided. A legal roadline shall have a width of no less than 12 metres.	The legal width of Lot 6 is 7m at the road boundary narrowing to 6.5m between the two adjoining properties. There is sufficient legal width in Lot 6 to provide for the required formed carriageway width. Lot 6 is less than 100m long. Proposed subdivision activity complies with this performance standard.
C. DESIGN FACTORS	
Performance Standard 1. The subdivision shall be planned, designed, constructed and maintained so as to: Protect and preserve the coast, or any river, stream, lake, wetland and their margins, or public drain. Provide a system by which water within the subdivision will be removed without causing damage or harm to the natural environment, or to property or persons within the development or subdivision or in other areas. Ensure that waters drained from the subdivision is substantially free of adverse contaminants including sedimentary materials, of any greater quantity than would occur in the absence of subdivision and improvement. Ensure that waters are drained from the subdivision in such a manner that they will not cause erosion or flooding outside the subdivision to any greater extent than would occur in the absence of the subdivision and improvements. Avoid flooding of land in the subdivision or in other areas by keeping impervious surfaces to a minimum and by limiting discharge from the land.	Analysis Stormwater associated with the access will be directed to swale. Stormwater from roof surfaces associated with subsequent residential activity will be conserved in the first instance for storage in tank(s) for potable water supply with overflow being diverted to sump or swale. Wastewater will be treated, at minimum, to secondary level with dispersal to a designed field – the secondary treatment system and dispersal to field to be designed by a suitably qualified person. Each of Lots 2 – 5 are of a sufficient size to allow for dispersal of treated wastewater to field. The dispersal of treated wastewater to ground will comply with the permitted activity conditions in Rule 12.A.1.4, Regional Plan Water for Otago – see Appendix 5 for copy of those permitted activity conditions. Proposed subdivision activity complies with this performance standard.

Ensure that there is no significant adverse effect on natural river or stream beds or aquatic ecosystems by the construction of bridges or culverts. Ensure that it is possible to dispose of sewage and wastewater effluent from any site in the subdivision, in a manner which does not decrease existing water quality of any receiving water.	
2. Where a site is intended to accommodate a building the site shall contain an adequate buildable area free of impediments such as drainage lines and the yard and open space requirements of the relevant Resource Area (see Section 4)...	Proposed subdivision activity complies with this performance standard.
3. Where a site is intended to be used for multi-unit residential development...	Not applicable.
4. Where the allotment is in a non-serviced area the minimum area shall be determined in each case by the method adopted to: Dispose of stormwater and sewage effluent in a manner that avoids contamination of water resources including any cumulative adverse effects on ground water. PROVIDED THAT with respect to the disposal of sewage effluent: Any site created less than 4000m² or where the activity on the site will generate quantities of effluent in excess of three household units or the equivalent thereof regardless of area it shall be certified by Council's Environmental Health Officer or by a person suitably qualified in effluent disposal that the site meets this criteria. Avoid, remedy or mitigate any disturbance to any river, lake and wetland ecosystems. Avoid, remedy or mitigate any disturbance to any area of indigenous vegetation.	Residential activity will, after subdivision, be established on proposed Lots 2 – 5 which will each be self-serviced with respect to wastewater. The dispersal of, at minimum, secondary treated wastewater to a designed field, will comply with all relevant permitted activity conditions pursuant to Rule 12.A.1.4, Regional Plan Water for Otago (see Appendix 5 for copy of the conditions). Proposed Lots 2 – 5 will contain at least 1,600m² in area. Rule SUB.1(d) provides for subdivision in Rural Settlement Resource Areas provided that the sites have a minimum of 1,600m² and met other performance standards listed in the rule. Many of the properties within the adjoining Urban Resource Area have site sizes of between 800m² and 1,500m² and are self-serviced with respect to wastewater. There is approximately 90 – 105m from the western boundaries of Lots 3 and 4 to the wetland further to the west. This separation distance means that there are unlikely to be any adverse effects with respect to dispersal of treated wastewater to field on the wetland. Proposed Lots 2 – 6 do not contain any indigenous vegetation. Proposed subdivision activity complies with this performance standard.
Performance Standard D. <i>Matters Specific to the Industrial Resource Area (Toko Plains)</i> is irrelevant to the proposed subdivision activity.	

Appendix 4: Regional Plan Water for Otago: Rule 12.A.1.4.

- 12.A.1.4 The discharge of human sewage through any on-site waste water 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.

Appendix 5a: Analysis of Proposed Subdivision Activity Against Relevant District Plan Policy Framework.

Objective / Policy	Analysis of Proposed Subdivision Activity
<u>Objective SUB.1</u> 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.	There is strong market demand for residential sections within Taieri Mouth which is in reasonably close proximity to Dunedin City. The suite of mitigation measures proffered mitigates any adverse effects arising from the proposed subdivision activity and subsequent residential activity.
<u>Policy SUB.2</u> To avoid, remedy or mitigate the adverse effects on the District's natural and physical resources that subdivision may have, including public access to these resources.	The proposed subdivision is consistent with this objective and these policies.
<u>Policy SUB.3</u> To provide for the majority of subdivisions as restricted discretionary activities.	
<u>Policy SUB.5</u> To ensure the adverse effects of servicing both existing and proposed subdivisions of land and buildings are avoided, remedied or mitigated by providing engineering, design and other site performance standards.	
<u>Objective SUB.2</u> To ensure that subdivision and development promotes sustainable management of the districts natural and physical resources.	Pastoral grazing activities will continue on Lot 1 which contains the bulk of the pre-subdivision land. The access from Moturata Road to proposed Lots 2 – 5 will be constructed in accordance with relevant standards. Moturata Road is a collector road in the roading hierarchy of the district plan and is well capable of absorbing the additional daily traffic movements associated with subsequent residential activity on proposed Lots 2 – 5. There are no public utility services which the proposed subdivision or subsequent residential activity will access. There is approximately 90 – 105m separation distance between the western boundaries of proposed Lots 3 and 4 and the wetland further to the west.
<u>Policy SUB.6</u> To ensure the adverse effects of providing roading and physical access to both existing and proposed subdivisions of land and buildings are avoided, remedied or mitigated.	
<u>Policy SUB.7</u> To avoid the adverse effects that subdivision can have on public utility services.	The proposed subdivision activity is consistent with this objective and these policies.
<u>Policy SUB.10</u> To ensure that subdivision does not facilitate development that may adversely affect: - the natural character of...wetlands, lakes...and their margins ... - areas of significant indigenous vegetation and significant habitats of indigenous fauna	

Objective / Policy	Analysis of Proposed Subdivision Activity
<u>Objective SUB.4</u> Subdivisions take into account the physical limitations of the land and are designed to ensure risk from any such limitations is appropriately avoided or mitigated.	There are no physical limitations relating to the land requiring specific subdivision design. The subdivision design provides for good solar alignment for subsequent dwellings on proposed Lots 2 – 5.
<u>Policy SUB.8</u> To ensure that allotments created for residential purpose can safely and adequately dispose of domestic effluent without contaminating any waterbodies.	There is sufficient area within proposed Lots 2 – 5 for the safe disposal of treated wastewater. It is anticipated that, at minimum, secondary treatment of wastewater will be undertaken before dispersal to a specifically located and designed field.
<u>Policy SUB.9</u> To ensure that allotments for residential purposes contain a hazard free building site.	The only hazard noted on the Otago Natural Hazards Portal is Domain A liquefaction which has a potential risk of low to none and does not require any specific design. The proposed activity is consistent with this objective and these policies.

Appendix 5b: Analysis of Residential Activity Against Relevant Rural Resource Area Objectives and Policies.

Objective or Policy	Analysis of Proposed Residential Activity
<u>Objective RRA.1</u> To provide a management framework for the rural environment that promotes the sustainable management of the resources of the District.	The proposed activity will provide for sought after residential sections whilst still providing for pastoral grazing activities to continue on the bulk of the pre-subdivision land which will be contained in Lot 1.
<u>Policy RRA.1</u> 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.	The proposed activity is consistent with this objective and this policy.
<u>Objective RRA.2</u> 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.	The wastewater from subsequent dwellings on Lots 2 – 5 will receive, at minimum, secondary treatment prior to dispersal to a specifically designed and located field.
<u>Policy RRA.2</u> To ensure that the adverse effects that activities can have on the soil resource including the adverse effects of • Erosion • Instability • Nutrient loss • Soil contamination • Soil compaction are avoided, remedied or mitigated.	Stormwater from roof surfaces will be conserved in the first instance, with excess going to sump. Stormwater from accesses and other hard surfaces will be directed to sump, swale and/or existing natural land drainage systems on the site. The proposed activity is consistent with these objectives and policies.
<u>Policy RRA.4</u> To ensure that the adverse effects land use activities can have on the water quality within the Districts waterbodies are avoided, remedied or mitigated by requiring the use of buffer zones or similar management methods.	
<u>Objection RRA.3</u> To ensure that water quality standards set by regional rules are not compromised by the effects of the use, development or protection of land.	
<u>Policy RRA.11</u> To avoid, remedy or mitigate the adverse effects of effluent disposal from residential and other activities.	

Objective or Policy	Analysis of Proposed Residential Activity
<u>Objective RRA.7</u> That the ongoing operation of existing farming, rural based or industrial activities located within the Rural Resource Area or in other adjoining resource areas is not compromised by the establishment, upgrade or extension of sensitive activities within the Rural Resource Area.	The district plan defines 'sensitive activity' as meaning: <i>"...any use of land and/or buildings which is likely to be susceptible to the effects emitted from nearby land uses in the course of their legitimate operation and functioning; and for the purposes of this plan this includes the following activities (or similar):...Residential building..."</i> The establishment of residential activity on proposed Lots 2 – 5 will have not create a reverse sensitivity effect with respect to: (a) the continued use of the balance land for pastoral grazing purposes; (b) the continued use of the school; or (c) the existing residential activity on adjoining properties. Akatore Road is a hard surfaced road. The proposed subdivision activity is consistent with this objective and policy.
<u>Policy RRA.13</u> To ensure that the establishment, upgrade or extension of sensitive activities are located and/or designed so that they will not be significantly affected by existing activities that generate noise, dust, traffic and odour effects so that reverse sensitivity effects will not occur.	A suite of controls are proffered to mitigate any adverse effects arising from the residential buildings on the character and amenity values of the rural environment in this locale. The effects of the proposed residential activity on the roading network have been assessed as being in the range negligible to less than minor as Akatore Road is a collector road. The proposed subdivision activity is consistent with these policies.
<u>Policy RRA.7</u> 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.	<u>Policy RRA.8</u> 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.

Appendix 5c: Otago Regional Policy Statement 2019.

Objective or Policy	Analysis of Proposed Residential Activity
<u>Objective 1.1</u> <i>Otago's resources are used sustainably to promote economic, social, and cultural wellbeing for its people and communities.</i> Polciy 1.1.1 Economic Wellbeing <i>Provide for the economic wellbeing of Otago's people and communities by enabling the resilient and sustainable use and development of natural and physical resources.</i> Policy 1.1.2 Social and Cultural Wellbeing and Health and Safety <i>Provide for the social and cultural wellbeing and health and safety of Otago's people and communities when undertaking the subdivision, use, development and protection of natural and physical resources by all of the following: a) Recognising and providing for Kāi Tahu values; b) Taking into account the values of other cultures; c) Taking into account the diverse needs of Otago's people and communities; d) Avoiding significant adverse effects of activities on human health; e) Promoting community resilience and the need to secure resources for the reasonable needs for human wellbeing; f) Promoting good quality and accessible infrastructure and public services.</i>	The proposed subdivision will provide for four sought after residential sized sections adjacent to the Taieri Mouth urban resource area and adjacent/near to the Taieri Beach School. The land on which residential activity is to be established is not subject to any natural hazard excepting a low to no potential liquefaction risk. The land consisting of proposed Lots 2 – 6 is of low rural productive value being only LUC class 4 and due to the proximity of the site to Taieri Beach School and the Urban Resource Area. The balance of the land will be contained in Lot 1 which will continue to be used for pastoral grazing activities. The proposed activity provides for the ongoing resilience of the local community The proposed residential activity will be self-serviced with respect to 3 waters and will, therefore, not put pressure on any public infrastructure. The wastewater will be treated to a minimum of secondary level and then dispersed to a specifically designed and located field. There is a distance of approximately 90 – 105m from the western boundaries of proposed Lots 3 and 4 to the wetland further to the west meaning there will be no adverse effects on the wetland. The proposed activity is consistent with these objectives and policies.
<u>Objective 1.2</u> <i>Recognise and provide for the integrated management of natural and physical resources to support the wellbeing of people and communities in Otago.</i> Policy 1.2.1 Integrated Resource Management <i>Achieve integrated management of Otago's natural and physical resources, by all of the following: a) Coordinating the management of interconnected natural and physical resources; b) Taking into account the impacts of management of one natural or physical resource on the values of another, or on the environment; c) Recognising that the value and function of a natural or physical resource may extend beyond the immediate, or directly adjacent, area of interest; d) Ensuring that resource management approaches across administrative boundaries are consistent and complementary; e) Ensuring that effects of activities on the whole of a natural or physical resource are considered when that resource is managed as subunits; f) Managing adverse effects of activities to give effect to the objectives and policies of the Regional Policy Statement; g) Promoting healthy ecosystems and ecosystem services; h) Promoting methods that reduce or negate the risk of exceeding sustainable resource limits.</i>	

<u>Objective 4.1</u> <i>Risks that natural hazards pose to Otago's communities are minimised.</i> <u>Objective 4.2</u> <i>Otago's communities are prepared for and able to adapt to the effects of climate change.</i> <u>Objective 4.3</u> <i>Infrastructure is managed and developed in a sustainable way.</i>	The only potential natural hazard pertaining to Proposed Lots 2 – 6 shown on the Otago Natural Hazards Portal is liquefaction. However, it is Domain A with a potential risk being low to none. Subsequent residential dwellings on Proposed Lots 2 – 5 are well above flood levels and any sea level rises. Subsequent residential dwellings will be self-serviced with respect to 3 waters with access obtained from Moturata Road. Moturata Road is a collector road in the district plan roading hierarchy and is well capable of absorbing the traffic movements associated with subsequent residential activity. The proposed activity is consistent with these objectives.
<u>Objective 4.5</u> <i>Urban growth and development is well designed, occurs in a strategic and coordinated way, and integrates effectively with adjoining urban and rural environments.</i> Policy 4.5.1 Providing for urban growth and development <i>Provide for urban growth and development in a strategic and co-ordinated way, including by: a) Ensuring future urban growth areas are in accordance with any future development strategy for that district; b) Monitoring supply and demand of residential, commercial and industrial zoned land; c) Ensuring that there is sufficient housing and business land development capacity available in Otago; d) Setting minimum targets for sufficient, feasible capacity for housing in high growth urban areas in Schedule 6; e) Coordinating the development and the extension of urban areas with infrastructure development programmes, to provide infrastructure in an efficient and effective way; f) Having particular regard to: i. Providing for rural production activities by minimising adverse effects on significant soils and activities which sustain food production; ii. Minimising competing demands for natural resources; iii. Maintaining high and outstanding natural character in the coastal environment; outstanding natural features, landscapes, and seascapes; and areas of significant indigenous vegetation and significant habitats of indigenous fauna; iv. Maintaining important cultural or historic heritage values; v. Avoiding land with significant risk from natural hazards; g) Ensuring efficient use of land; h) Restricting urban growth and development to areas that avoid reverse sensitivity effects unless those effects can be adequately managed; i) Requiring the use of low or no emission heating systems where ambient air quality is: i. Below standards for human health; or ii. Vulnerable to degradation given the local climatic and geographical context; j) Consolidating existing coastal settlements and coastal urban areas where this will contribute to avoiding or mitigating sprawling or sporadic patterns of settlement and urban growth.</i>	The proposed activity provides for what is essentially urban growth. The placement of the proposed lots on which residential activity will be established has been designed in order that the dwellings will be read as part of the urban Taieri Mouth community and so that the dwellings will be adjacent / near to Taieri Beach School. The dwellings will be self-serviced with respect to 3 waters meaning there is no pressure put on public infrastructure. Access to the dwellings will be obtained from Moturata Road which given its status as a collector road is more than capable of absorbing the associated traffic movements from four additional dwellings. It is the applicant's understanding that there is a shortage of residential sized sections within the urban zoning at Taieri Beach particularly within close proximity to the school. The applicant aims to meet that unmet demand. The site contains LUC class 4 land and, therefore, the NPS-HPL does not apply. The land is of low value with respect to rural productivity and, due to its location and surrounding topography, cannot be joined with any adjacent rural properties with a higher productive value. Lot 1 will contain the balance of the land which will continue to be used for pastoral grazing purposes. It is not anticipated that subsequent dwellings on proposed Lots 2 – 5 will create any reverse sensitivity effects because residential activity, school activity and pastoral grazing activities already occur within close proximity to each other in the immediate locale. The proposed activity is consistent with these objectives and policies.

Policy 4.5.3 Urban Design

Design new urban development with regard to: a) A resilient, safe and healthy community; b) A built form that relates well to its surrounding environment; c) Reducing risk from natural hazards; d) Good access and connectivity within and between communities; e) A sense of cohesion and recognition of community values; f) Recognition and celebration of physical and cultural identity, and the historic heritage values of a place; g) Areas where people can live, work and play; h) A diverse range of housing, commercial, industrial and service activities; i) A diverse range of social and cultural opportunities.

Policy 4.5.4 Low Impact Design

Encourage the use of low impact design techniques in subdivision and development to reduce demand on stormwater, water and wastewater infrastructure and reduce potential adverse environmental effects.

Objective 5.3

Sufficient land is managed and protected for economic production.

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

The site has no real rural productive value – it is LUC class 4 land and, due to location and surrounding topography, cannot be joined in any meaningful way with other rural properties which may have a higher rural productive value. The bulk of the land will be retained in Lot 1 and continue to be used for pastoral grazing activities.

The proposed activity is in the range **inconsistent to consistent** with this objective and policy.

MEMORANDUM

TO:	Owners - 2 Akatore Road	Job No.:	842
ATTENTION:	Peter Barnes	Date:	6 August 2024
FROM:	Emma Burford	Page	1 of 13
SUBJECT:	2 Akatore Rd - Onsite Wastewater Feasibility	Reference:	MM 24-08-01 EB 000842(RevA)

1.0 Introduction

Fluent Solutions have been engaged by Peter Barnes to provide a response for further information associated with RM3063 - 2 Akatore Road, Taieri Beach. This memorandum presents an assessment of the feasibility for onsite wastewater for Lots 2-5, 2 Akatore Road. The assessment is desktop-based and considers the site in terms of AS/NZ1547:2012 requirements for onsite wastewater. It includes a high level assessment of effects and gives some recommendations for the design and construction of onsite wastewater systems on Lots 2-5.

2.0 Site

The site is located off Akatore Road, north of Taieri Beach School. Coutts Gully Swap is located to the west and the coast of the Pacific Ocean to the east, presented in Figure 2.1 below.



Figure 2.1: Site location



Figure 2.2: Site Layout

2.1 Description

The site elevation ranges from around 8m to approximately 10m at the highest point. The site slopes down towards the wetland to the west and slopes gently to the north (as indicated above).

A long section through the swamp, the site (northern boundary) and to the ocean is presented in Figure 2.3 below. A short section elevation is presented in Figure 2.4.

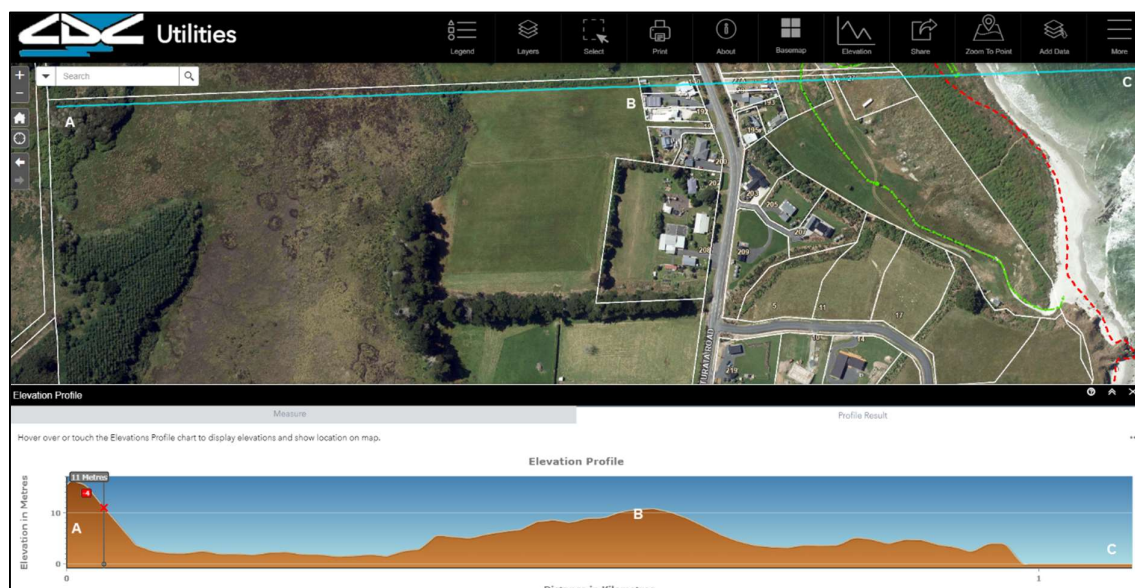


Figure 2.3: Long Section with Elevation Profile through the Site

MEMORANDUM

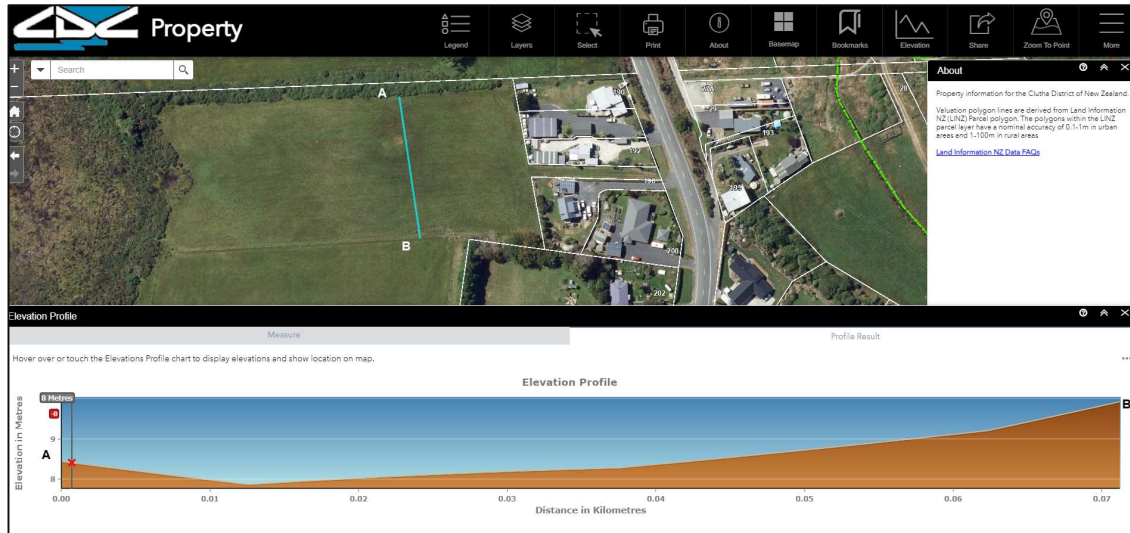


Figure 2.4: Cross Section with Elevation Profile through the Site

The site is currently free draining grass pasture.

2.2 Groundwater

Groundwater depth was estimated based on a high level assessment and local bore information as summarised below.

Groundwater flow direction will generally be east towards the coast, and is therefore likely to have a water elevation of the level of the swamp (2m) dropping to the sea level at the coast.

This is supported by the local bore in the vicinity of the site - I45/0004 presented in Figure 2.5 below. This domestic water supply bore is approximately 250m northeast of the site. The ground level at the bore is approximately 5m¹ and the depth to the ground level is noted as being 3.96m. This results in a calculated ground water level of RL 1.04m above MSL.

MEMORANDUM

¹ Clutha District Council Maps



Figure 2.5: Site Location and Bore Locations Extracted from ORC Website

Groundwater depths on site (assuming a ground elevation on site of 8m) and a ground water elevation of 2m (swamp level), is therefore anticipated to be around 6m. This may decrease in high rainfall, so for the purposes of this assessment we have assumed a depth to groundwater of 5m.

Table R1 of AS/NZ1547:2012 requires a setback from effluent dispersal to groundwater as being 0.6m - >1.5m. Key factors influencing an acceptable setback are the permeability of the soils, sensitivity of the groundwater and receiving environment, rainfall, proximity to drinking water bores, direction of groundwater flow and existing quality of receiving waters.

Meeting this setback requirement is feasible.

2.3 Surface Water

2.3.1 Coutts Gully Swamp

Coutts Gully Swamp is identified as a Regionally Significant Wetland area and is located to the around 133m to the west of the site as shown in Figure 2.6 below.

MEMORANDUM



Figure 2.6: Coutts Gully Swamp Distance

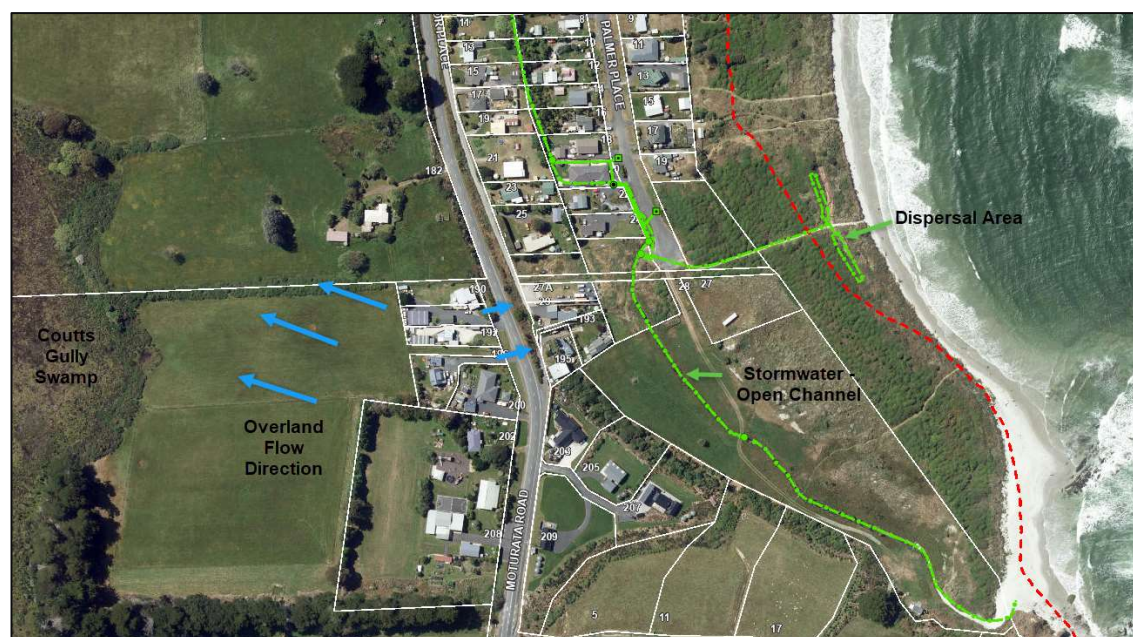
2.3.2 Pacific Ocean

The Pacific Ocean lies around 340m from the site.

2.3.3 Stormwater and Flooding

The site is located outside of Otago Regional Council flood hazard zones. The site is understood to free drain in its predevelopment state, with no known ponding areas. Stormwater overland flow paths are presented in Figure 2.7 below.

The existing stormwater management of the houses to the east is an open channel drainage system to a dispersal area.



2.7: Stormwater Overland Flow Paths

MEMORANDUM

2.4 Receiving Soils

Soils on the site are presented by Landcare Research as a combination of Timaru (60%) and Claremont soils (40%) as presented in Figures 2.8-2.9 below.

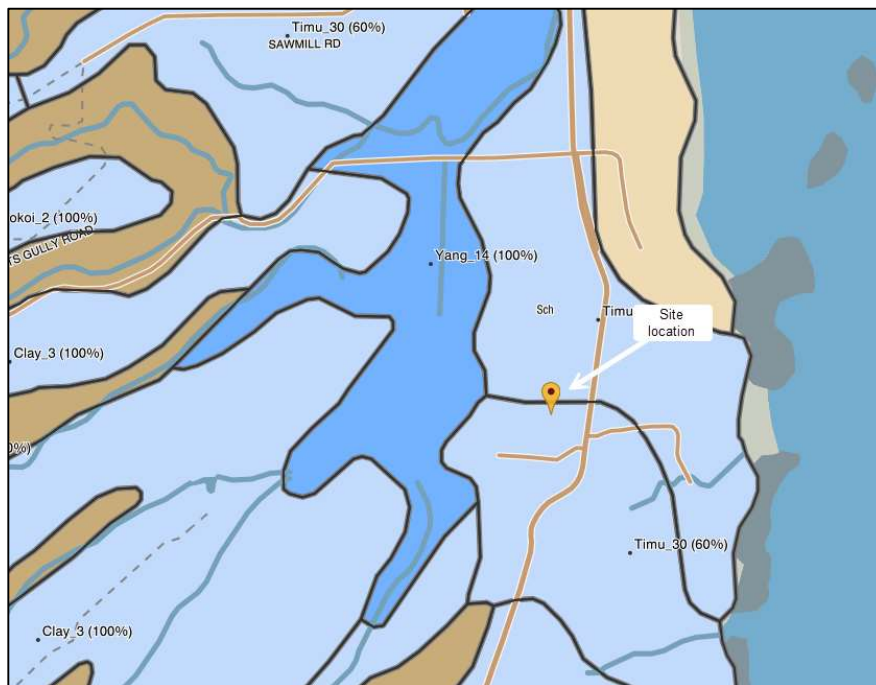


Figure 2.8: Site Location and Soil Map. Extracted from Smaps Online.

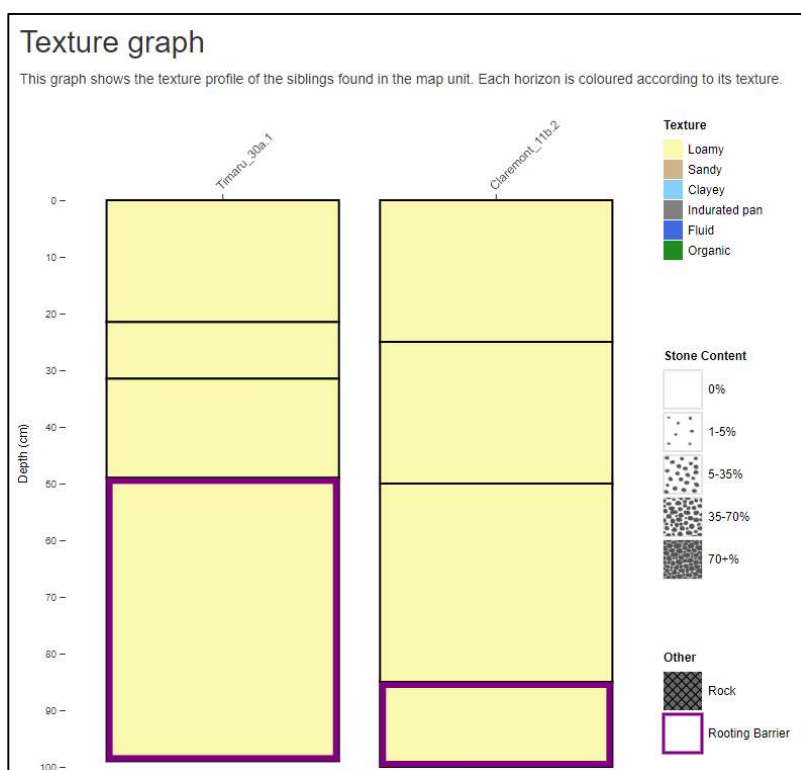


Figure 2.9: Soil Texture. Extracted from, Smaps Online.

MEMORANDUM

2 Akatore Rd - Onsite Wastewater Feasibility

Page 7 of 13

The indicative permeability of Claremont and Timaru soils are presented in Figure 2.10 below as being rapid to a depth of 200mm, moderate and moderately slow to depth of 500-850mm with a potential permeability barrier below this.

These permeability rates equate to the following m/day rates:

Permeability	mm/h	m/d
Rapid	>72	1.728
Medium	18 to 72	0.432 to 1.728
MS	4 to 18	0.096 to 0.432

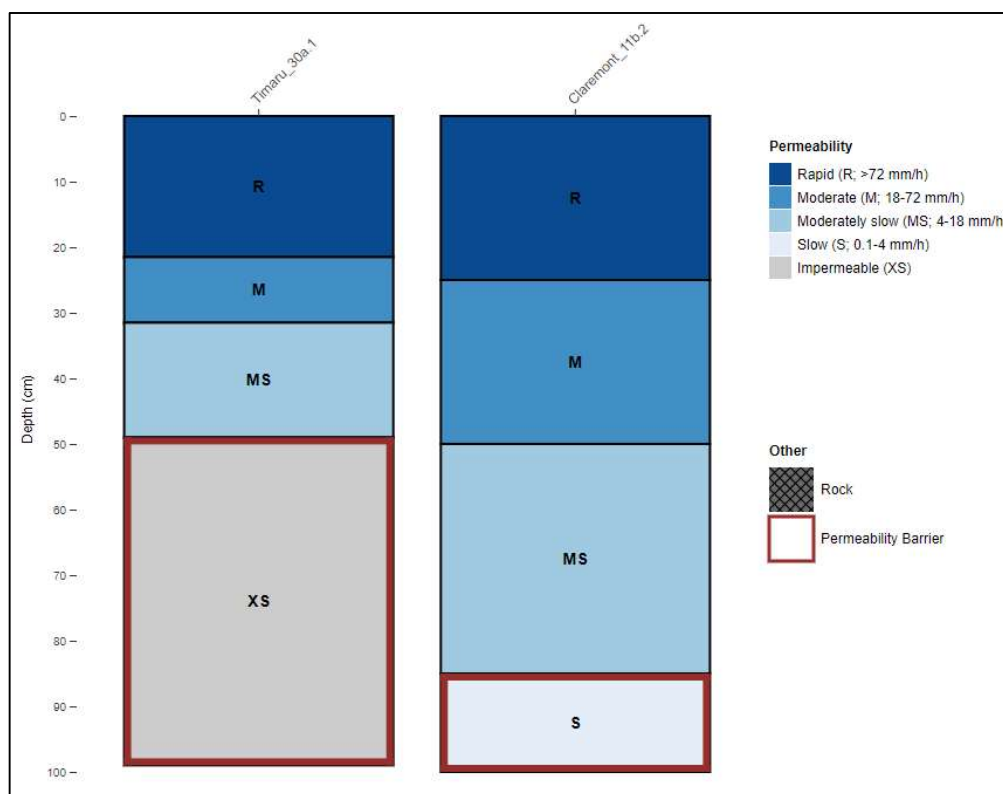


Figure 2.10: Soil Permeability. Extracted from Smaps Online.

Loam soils with these permeability rates are considered to be Category 3 in accordance with AS/NZ15247:2012. The shallow permeability barrier is a constraint to be considered in the design of a dispersal system.

A mound system is recommended in this scenario.

3.0 Onsite Wastewater Management

3.1 Wastewater Flows

Wastewater flows are calculated in accordance with Table H3 AS/NZ1547:2012, presented below. A maximum 180L/person/day is used for this exercise. It is noted that water reduction fixtures in new dwellings can reduce this design flow.

This feasibility assessment assumes a 3-bedroom dwelling on each Lot, accommodating 5 people giving design flows of 900L/day per Lot.

TABLE H3 TYPICAL DOMESTIC WASTEWATER DESIGN FLOW ALLOWANCES - DOMESTIC WASTEWATER FROM HOUSEHOLDS - NEW ZEALAND		
Source	Typical wastewater design flows (L/person/day) (see Note 1)	
	On-site roof water tank supply	Reticulated community or a bore-water supply
Households with standard fixtures (including automatic washing machine)	180	200
Households with standard water reduction fixtures (see Note 2)	145	165
Households with full water-reduction facilities (see Note 3)	120	145
Households (blackwater only) (see Notes 4 and 5)	60	
Households (greywater only) (see Notes 4 and 6)	90	120

Figure 3.1: Wastewater Design Flow Allowances, Table H3 AS/NZ1547:2012

3.2 Wastewater Treatment

Factors that influence the level of wastewater treatment include sensitivity of the receiving environment, proximity to surface water, the permeability of receiving soils, and depth to groundwater.

Secondary level treatment is recommended for Lots 2-5 at 2 Akatore Road. Onsite Wastewater in the Auckland Region GD2021/006 presents expected effluent quality for these levels of wastewater treatment, presented in Figure 3.2 below.

MEMORANDUM

Table 23: Typical wastewater treatment unit stages and associated effluent quality

Treatment unit stage	Primary treatment	Secondary treatment	Advanced secondary treatment	Advanced secondary treatment with nutrient reduction [Note 2]	Advanced secondary treatment with disinfection [Note 3]
BOD ₅ (g/m ³) [Note1]	100-140	≤20	≤10	≤10	≤10
TSS (g/m ³) [Note1]	30-70	≤30	≤10	≤10	≤10
Ammonia (g/m ³)	<30	<5	<5	<5	<5
Total nitrogen (g/m ³)	<100	<40	<40	<25	<40
Total phosphorus (g/m ³)	<20	<10	<10	<8	<10
<i>E. coli</i> (CFU/100 mL) [Note 4]	10 ⁶ - 10 ¹⁰	<10 ⁴	<10 ⁴	<10 ⁴	≤200

Notes:

- 1) 90th percentiles of the samples taken over three testing periods.
- 2) Enhanced and targeted nitrogen reduction is achieved by recycling nitrified wastewater through an anoxic zone and requires specific design and well-controlled operation.
- 3) Disinfection can be achieved by either UV or chlorination. The effectiveness of a disinfection system is affected by the wastewater characteristics. High quality of secondary treated effluent is required to ensure effective disinfection.
- 4) The alternative unit is MPN/100 mL.

Figure 3.2: Wastewater Treatment levels and Effluent Quality. Extracted from Onsite Wastewater in the Auckland Region GD2021/006.

An example of secondary treatment suitable for treating up to 2,000L/day is an Advantex AX 20 Unit, presented below. A smaller unit AX 15, is also available to design flows of up to 1,000L/day. Additional treatment (tertiary), such as UV disinfection, can be added if required.



Figure 3.3: Advantex AX 20 Unit

3.3 Dispersal Method

Mound dispersal systems are suitable for sites with shallow permeability barriers. They can incorporate some planting into the fields, to assist with evapotranspiration.

Figure 3.4 below presents design loading rates for. For Category 3 soils the recommended design loading rate for mound dispersal is 16mm/day.

TABLE 5.2

SOIL CATEGORIES AND RECOMMENDED DESIGN IRRIGATION/LOADING RATES (DIR/DLR) FOR LAND-APPLICATION SYSTEMS

Soil Category	Soil texture	Structure	Indicative permeability (K_{sat}) (m/d)	Design irrigation/loading rate (DIR/DLR) (mm/day)										
				Trenches and beds (see Table L1)			ETA/ETS beds and trenches (Table L1)	Drip and spray irrigation (Table M1)	LPED irrigation (Table M1)	Mounds (basal area) (Table N1)				
				Primary treated effluent		Secondary treated effluent								
				Conservative rate	Maximum rate									
1	Gravels and sands	Structureless (massive)	> 3.0	(see Note 1 of Table L1 for DLR values)			(see Note 4 of Table L1)	5 (see Note 2 of Table M1)	(see Note 3 of Table M1)	32				
2	Sandy loams	Weakly structured massive	> 3.0						4	24				
			1.4 – 3.0	15	25	50								
3	Loams	High/moderate structured	1.5 – 3.0	15	25	50		4 (see Note 1 of Table M1)	3.5	24				
		Weakly structured or massive	0.5 – 1.5	10	15	30				16				
4	Clay loams	High/moderate structured	0.5 – 1.5	10	15	30	12	3.5 (see Note 1 of Table M1)	3	16				
		Weakly structured	0.12 – 0.5	6	10	20	8			8				
		Massive	0.06 – 0.12	4	5	10	5			(see Note to Table N1)				
5	Light clays	Strongly structured	0.12 – 0.5	5	8	12	8	3 (see Note 1 of Table M1)	2.5 (see Note 4 of Table M1)	8				
		Moderately structured	0.06 – 0.12		5	10	5			(see Note to Table N1)				
		Weakly structured or massive	< 0.06			8								
6	Medium to heavy clays	Strongly structured	0.06 – 0.5	(see Notes 2 and 3 of Table L1)			(see Notes 2, 3, and 5 of Table L1)	2 (see Note 2 of Table M1)	(see Note 3 of Table M1)	(see Note to Table N1)				
		Moderately structured	< 0.06											
		Weakly structured or massive	< 0.06											

Figure 3.4: Soil Categories and Design Loading Rates, Table 5.2 AS/NZ1547:2012

3.4 Dispersal Field Size

Dispersal field footprint sizes for a mound system for a 3 bedroom dwelling is presented below.

- Design Flow: 900L/day
- Design Loading Rate: 16m/day
- **Mound Area Required: 56m²**

For Lot sizes of 1600m² and 1610m², dispersal fields of 56m² can be easily accommodated if included in early layout design. This footprint size is based on a permeability rate of 0.5-1.5m/day. This should be confirmed with a permeability test prior to detailed design. If permeability was less than this a slightly larger mound system could be feasibly constructed on the site.

4.0 Assessment of Effects of Onsite Wastewater

It is determined that onsite wastewater is feasible for Lots 2-5 presented above. This is conditional to secondary treated effluent and mound dispersal.

A high level assessment of potential effects on the receiving environment has been undertaken. This is the potential effects of onsite wastewater arrangements with conceptual design parameters described in Section 4 above.

4.1 Pathogens

Regarding pathogen attenuation, the main mechanisms that operate within the soil matrix to ensure pathogen removal, are identified as filtration, adsorption and natural physical wear / die-off.

A study by Bohrer and Converse (2000)² was conducted in Wisconsin which evaluated six drip irrigation systems for the treatment of wastewater by septic tanks and aerobic units in soils that ranged from coarse sand to clay loam. They found that beyond approximately 450mm of soil depth the faecal coliform count was below detection limits. At 150 to 300mm soil depth the faecal coliform count ranged from 2 to 24 MPN per gram of soil.

Rubin (2009) (an author of many USEPA publications) in wastewater workshops in NZ stated that they conservatively use one log reduction of bacteria per 150mm of travel through the soil and subsoils.³

A high degree of pathogen removal is achieved in just a short travel distance.

Complete attenuation of pathogens is expected through the underlying soils prior to reaching the groundwater.

The effects of pathogens are considered likely to be less than minor.

4.2 Groundwater

The groundwater level is considered to be > 5m depth. The effects of pathogens from secondary treated effluent dispersed via the mound are considered to be minor, as presented above.

As described in Section 2, the closest bore is approximately 250m to the northeast of the site. AS/NZ1547:2012 requires a setback of 15-50m from bores. Groundwater below the site is not expected to flow in this direction; and is therefore not at risk from contamination from the dispersal fields.

² R. M. Bohrer and J. C. Converse *SOIL TREATMENT PERFORMANCE AND COLD WEATHER OPERATIONS OF DRIP DISTRIBUTION SYSTEMS*.

³ Rubin, A. R. (2009). *Application of Reuse Technology in Onsite Decentralized Systems. Discussion Paper. USEPA Region VI Decentralized Forum*.

AS/NZ1547:2012 gives the required depth from the discharge to seasonal water table as being between 0.6m->1.5m. This can feasibly be met with a mound dispersal over ground water depth of 5m.

The level of treatment of the effluent, and the dispersal method over the receiving soils are such that the potential effects of highly treated effluent on groundwater are considered to be minor.

4.3 Surface Water

4.3.1 Stormwater

AS/NZ1547:2012 requires setback of 15-100m⁴ from surface water. Dispersal fields should ideally be located at least 50m from surface water in accordance with permitted activities under the Otago Regional Council Water Plan , including stormwater routes or areas prone to temporary ponding. This is considered feasible on these sites of 1600m² if positioning is considered at an early stage of lot layout design.

4.3.2 Coutts Gully Swamp

Coutts Gully Swamp is a Regionally Significant Wetland greater than 130m to the western boundary of Lots 3 and 4. This is considered a surface water requiring a setback of 15-100m under AS/NZ1547:2012. Constraint factors at 2 Akatore Road, such as Category 3 soils, high quality effluent treatment, a gently site slope and the proposed mound dispersal method mitigate the impacts on surface water and would reduce the set back requirements to less than 100m.

However, being a Regionally Significant Wetland the set back distance should be 100m in accordance with the National Environmental Standards – Freshwater Management. This set back distance of 100m can be met for the development.

The potential effects on Coutts Gully Swamp are considered to be less than minor.

4.3.3 Saline Water

The eastern boundary of Lots 2 and 5 is approximately 340m distance from the edge of the coast. At this distance the highly treated effluent would have nil impacts on the coastal waters.

4.4 Natural Hazards

Secondary treatment systems such as the Advantex example presented above provide storage capacity and an alarm system in order to mitigate against effects from minor earthquake damage to dispersal fields, flooding, or effects of wastewater on floodwater.

Dispersal fields should be positioned away from stormwater routes or areas prone to temporary ponding.

⁴ Table R1: AS/NZS1547:2012 On-site Domestic Wastewater Management

5.0 Stormwater Management

Currently, rainfall in excess of the soils absorbing capacity flows as sheet flow towards Coutts Gully swamp to the north-west. Overland flow paths are presented in Section 2.3 above.

Managing post-development stormwater would be as follows:

- Reduction in site runoff by utilising rainwater storage tanks (required for water supply)
- 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 (as occurs now).

Details would need to be assessed at the Building Consent stage.

6.0 Recommendations

This feasibility assessment is for conceptual secondary or advanced level treatment dispersed via mound irrigation and conservative loading rates.

It is considered that AS/NZ1547:2012 requirements can feasibly be met. The following recommendations are made for wastewater management for the development:

1. Test pits be excavated across each Lot to confirm detailed localised soil characteristics, permeability barriers and localised groundwater depth.
2. Detailed design of systems to be undertaken by a qualified experienced wastewater professional, at an early layout stage of lot development. Detailed design to include wastewater treatment and dispersal system including loading rates, dispersal field location and size, level of effluent treatment.
3. Wastewater management should include secondary level effluent treatment and mound dispersal.
4. Provision of water reduction fixtures in dwellings.
5. Assessment of pervious and impervious surface areas should be undertaken at detailed Lot layout. Stormwater management would be provided by rainfall tanks (for water supply) with any excess stormflows discharging to soak pits or a vegetated swale that drains to Coutts Gully Swamp (as occurs now). Any stormwater should be located away from wastewater treatment and dispersal systems.

MEMORANDUM

APPENDIX 4

Before a Panel Appointed by the Clutha District Council

In the Matter of the Resource Management Act 1991 (**RMA**)

And

In the Matter of RM3063 being a resource consent application to
subdivide a title within the Rural Resource Area of the
Clutha District Plan. The subdivision will create six lots:
4 lots are for residential activity (Lots 2 – 5), 1 lot is for
right of way access to Lots 2 – 5 (Lot 6) and a balance
lot with an existing dwelling (Lot 1) which will be
retained by the applicant.

**Evidence of Emma Rayner Peters
on behalf of Peter Barnes**

Dated 25th February 2025

Background

1. My name is Emma Rayner Peters. I hold a BA and LLB both from the University of Otago and a First Class Honours degree and MA with Distinction, both from the University of Canterbury. I have worked as a solicitor in the areas of commercial and environmental law. I have been the principal of Sweep Consultancy Limited since 2003 providing resource management advice predominantly in the Dunedin City, Clutha, Waitaki, Queenstown Lakes and Central Otago districts. I have produced evidence for hearings at councils and the Environment Court.
2. This evidence has been prepared based upon my investigations and knowledge of the site including several site visits, submissions, *s42A Resource Management Act 1991 (RMA)* report, the report and evidence (including supplementary graphics) of the landscape expert engaged by the applicant and my previous work in the Taieri Mouth area. The scope of this statement will cover the following matters:
 - Section 42A report recommendation.
 - Summary of the amendments made to the proposal since limited notification occurred.
 - Setbacks for Lots 2 – 5 and total ground floor footprint.
 - Landscape, rural character and natural character.
 - Draft conditions of consent.
3. I acknowledge we are not before the Environment Court. However, I have read the Code of Conduct for Expert Witnesses within the Environment Court Consolidated Practice Note 2014 and I agree to comply with that Code. This statement is within my area of expertise, except where I state that I am relying on the evidence of another person. To the best of my knowledge, I have not omitted to consider any material facts known to me that might alter or detract from the opinions expressed in this evidence.

Summary of Application & Amendments made since Limited Notification

4. The applicant has applied for resource consent to subdivide an existing title¹ at 2 Akatore Road, Taieri Beach. The subdivision will create six lots: Lots 2 – 5 for residential activity, Lot 6 for right of way access to Lots 2 – 5, whilst the balance lot,

¹ Legally described as Lot 1 Deposited Plan 308807 contained in record of title 44581.

Lot 1, will contain the existing dwelling and be retained by the applicant. Land use consent to establish residential activity within the confines of an identified building platform on Lots 2 – 5 is also sought. The dwellings on Lots 2 – 5 will be self-serviced with respect to 3 waters.

5. The applicant has proffered various mitigation measures in the assessment of environmental effects, response to further information request and expert report and evidence.
6. In response to the submissions received and s42A report:
 - Landscape assessment report including Figure 3 has been updated to ensure consistency with updated copies provided to Council for circulation to parties on 20 February 2025 with Council confirming circulation that same day.
 - The survey plan has been amended to show the building setbacks within each of Lots 2 – 5².

S42A Recommendation

7. The reporting planner recommends at paragraph [9] of the s42A report that:

“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.”

8. The reporting planner competently sets out the issues with respect to relevant matters including concerns raised by submitters, and provides the reporting planner’s assessment on each relevant matter.
9. By in large I concur with the reporting planner’s assessment but make comment on the following matters.

² Amended subdivision scheme plan appended at Appendix 1.

Setbacks & Total Ground Floor Footprint

10. The reporting planner states at paragraph [51] of the s42A report that:

“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.”
11. The applicant accepts these setbacks and the subdivision scheme plan has been amended to show the ‘buildable area’ within each of Lots 2 – 5 taking into account the stated setbacks. Mr Cookson, surveyor for the applicant, states: *“Each buildable area is between 800-850m² in size.”*
12. The reporting planner states at paragraph [52] that:

“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.”
13. The applicant agrees to the 500m² building coverage area including impermeable surfaces.

Landscape & Rural Character / Natural Character³

14. Dealing with natural character first, the report and evidence from the expert landscape witness, Mr Hugh Forsyth, is that the natural character values arise from that part of the site on which Coutts Gully Wetland is situated rather than the pastureland of the balance of the site⁴.
15. The proposed development is located in excess of the 100m setback required from the Coutts Gully Wetland by the National Environmental Standards for Freshwater Management.
16. The Fluent Solutions Memorandum states that onsite wastewater is feasible for Lots 2 – 5 using secondary treatment of effluent and mound dispersal and that the potential effects of treated effluent dispersal and stormwater from the

³ Both the s42A report and the evidence of Mr Forsyth assess the concerns of submitters in detail and I rely on those assessments.

⁴ See, for example, paragraphs 11 and 12 of Mr Forsyth’s evidence.

development on Coutts Gully Wetland are "...considered to be less than minor."⁵

17. In my opinion, any adverse effects on natural character values including Coutts Gully Wetland will be in the range less than minor to no more than minor. The reporting planner concludes that: *"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."*⁶ Or, in other words, presumably, no more than minor.
18. Turning to landscape and rural character, essentially in Mr Forsyth's expert opinion the proposed development, whilst bringing change, will not unduly affect the rural character or visual amenity due to:
 - The four residential sites being tucked into the northeast corner of the site immediately adjacent to existing urban development; and
 - The proposed mitigation measures including controls on built elements and planting.
19. At paragraph 26 of his evidence, Mr Forsyth states:

"I do not consider the proposed development of four residential sites in the north/east corner of this pasture area will detract from the site's wider visual value or diminish its prominence and value as a setting and physical continuation of Coutts Gully Wetland. For these reasons I do not consider the proposal will have more than minor adverse effect on existing rural character."
20. The reporting planner concludes at paragraph [96] that:

"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.

"The adverse effects on natural character and landscape can be avoided or mitigated to the extent that they are no more than minor."
21. I concur with the reporting planner's conclusion.

⁵ Fluent Solutions Memorandum dated 6 August 2024 MM 24-08-01 EB 000842(Rev A) page 11, 4.0 and page 12, 4.3.2.

⁶ See paragraph [71] of the s42A report.

Draft Conditions of Consent

22. The applicant generally accepts the conditions of consent as contained in Appendix 2 of the s42A report but wishes to reserve its right to make comment on the draft conditions in its written right of reply.
23. However, the applicant does take exception to the inclusion of consent condition 13 on the basis that it has not volunteered this condition and the design and location of the proposed subdivision including proffered mitigation means that the resulting level of adverse effect does not warrant the imposition of a consent notice on Lot 1.

Conclusion

24. The reporting planner recommends at paragraph [122] of the s42A report that:

"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."

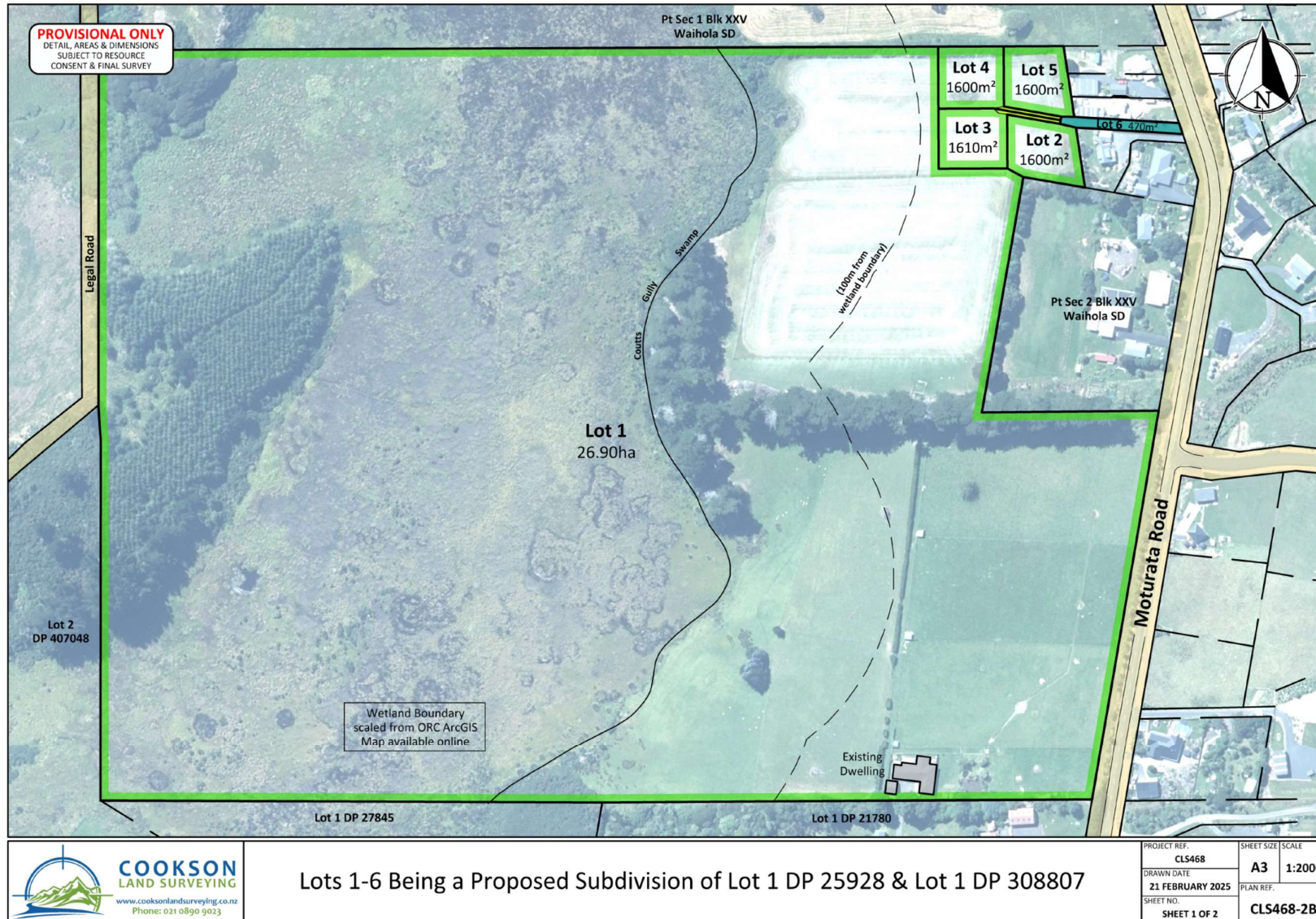
25. A revised set of draft conditions will be required.
26. I concur with the reporting planner that:
- Any adverse effects arising from the proposed activity are, at worst, **no more than minor** with some effects being in the range negligible to less than minor as set out in the assessment of environmental effects included with the application; and
 - The proposed activity is generally consistent with relevant policy framework.
27. It is, therefore, open to the Commissioner to grant consent to the proposed activity.

Dated this 25th day of February 2025



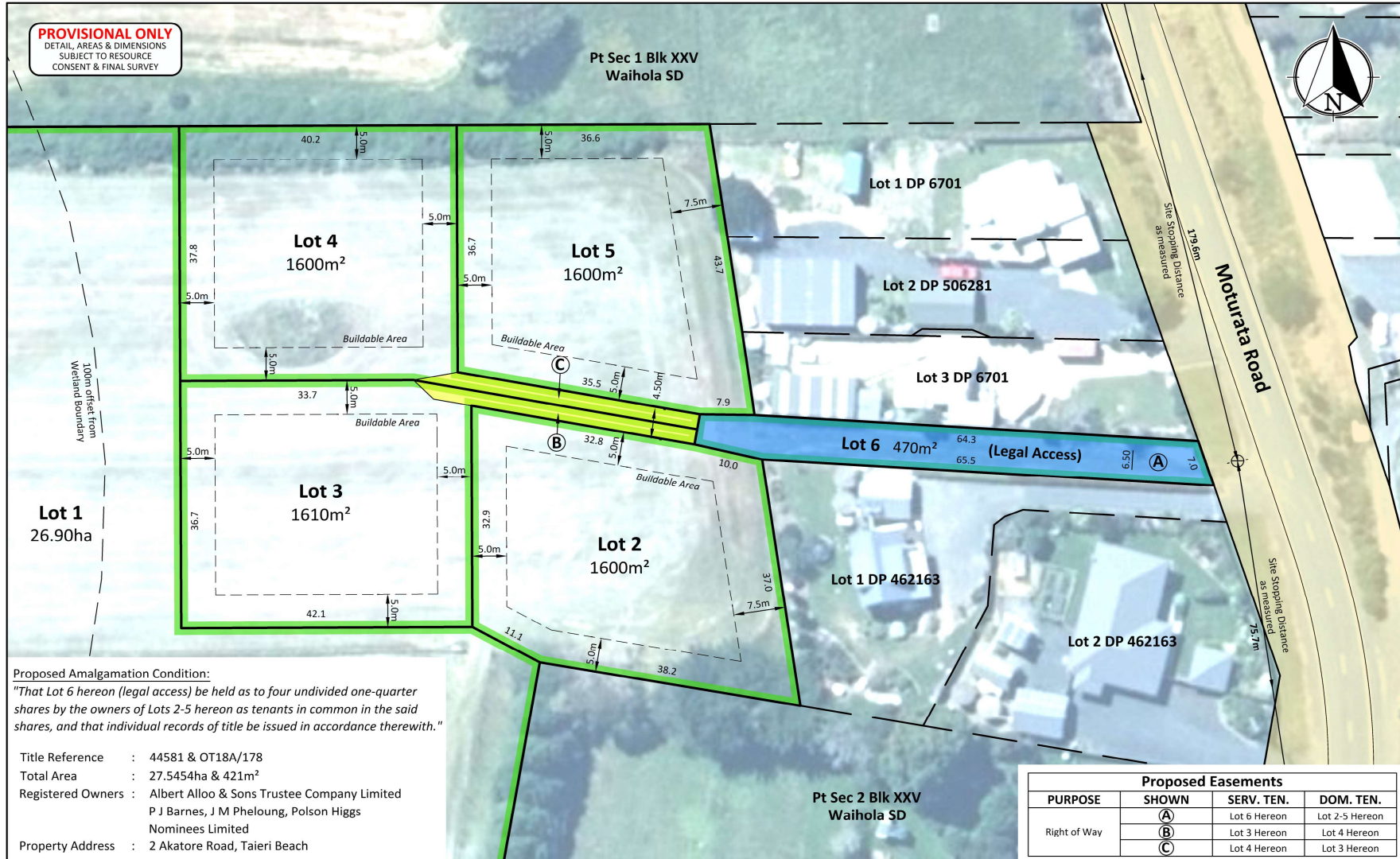
Emma Rayner Peters (BA (First Class Honours), MA (Distinction), LLB)

Appendix 1: Amended Subdivision Scheme Plan.



PROVISIONAL ONLY
DETAIL AREAS & DIMENSIONS
SUBJECT TO RESOURCE
CONSENT & FINAL SURVEY

Pt Sec 1 Blk XXV
Waihola SD



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
Waihola 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 21 FEBRUARY 2025	PLAN REF. CLS468-2B	
SHEET NO. SHEET 2 OF 2		

APPENDIX 5

**Before a Panel Appointed by the
Clutha District Council**

In the Matter of the Resource Management Act 1991 (RMA)

And

In the Matter of RM3063 being a resource consent application to
subdivide a title within the Rural Resource Area of
the Clutha District Plan. The subdivision will create
six lots, four lots for residential activity, one lot (Lot 6) for
access, whilst the balance lot (Lot 1) will be retained by the
applicants with an existing dwelling.

Evidence of Hugh Dudley Forsyth
on behalf of Peter Barnes

Dated 24th February 2025

Background:

1. My name is Hugh Dudley Forsyth. I hold a BA from University of Canterbury and a Diploma of Landscape Architecture from Lincoln University, and I am a registered member of New Zealand Institute of Landscape Architects Tuia Pito Ora (NZILA). I have been the principal of Site Environmental Consultants Limited since 2008 and have provided professional landscape consultancy services within the Auckland, Coromandel, Waikato, Manawatu and Otago districts in the areas of urban development and landscape planning. My work has been mainly located within Otago since 2015. I have produced evidence for Council hearings and for the Environment Court.
2. In preparing this evidence, I have reviewed my site visits, made on 13th and 16th January, assessed the landscape and visual effects of the proposal, and drawn upon my previous experience in the Taieri Mouth area. I have also read the s42a report provided by Clutha District Council, reviewed the submissions received, and updated my assessment and supporting figures accordingly.
3. I have prepared two additional figures that are attached to my evidence as figures 16 and 17. I have also corrected some errors that I found in Figure 3 of my original figure attachment and updated the assessment report to reflect these changes. Both amended figure 3 and assessment report were reissued to all parties as Revision A on 20th February 2025¹ and are attached to my evidence.
4. The scope of my evidence will include a review of supplementary visual evidence, potential landscape and visual effects and effects on rural character and amenity, and responses to the issues raised by submitters. I also identify positive effects that I consider will result from proposed mitigation. Where I use a scale of effect, I apply the NZILA scale which includes a comparative technical planning scale for reference²:

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

¹ Figure 3 Rev a, Landscape Proposal, 2 Akatore Road, Taieri Mouth, 20 February 2025;
'2 Akatore Road, Subdivision Proposal, Taieri Mouth, Assessment of Landscape And Visual Effects', Rev a, 20 February 2025
² Landscape Effects, Pg. 140, Chapter 6, Te Tangi a te Manu, Aotearoa, New Zealand Landscape Assessment Guidelines.
Tuia Pito Ora New Zealand Institute of Landscape Architects

Supplementary Visual Evidence

5. I attach the following additional figures to my evidence:
 - Figure 3, Landscape Proposal, Rev A, February 20, 2025
 - Figure 16, Taieri Mouth Coastal Landscape, February 22, 2025
 - Figure 17, Offset distances, February 22, 2025
6. Figure 3 was reissued to all parties on 20th February 2025. An amended copy of the accompanying landscape and visual assessment report was included, with amended sections highlighted in yellow. The amended paragraphs include:
 - 7.2 – 7.7: planting conditions clarified
 - 8.13: 7.5m setback clarified
 - 10.3. Shelter planting applies to western boundary

To help clarify, the figure number, titles, and issue dates of my visual evidence are attached to my evidence as Appendix 1.

7. Figure 3: Points to note include:
 - Low shrub and tree planting to a depth of 5m will be undertaken across the eastern boundary of proposed Lot 2 and Lot 5, apart from the ROW (right-of-way) entrance. This native planting will provide a food source for birds and insects and maintain some visual permeability. A 7.5m building set-back applies on this boundary.
 - Mitigation planting on the northern site boundary will provide short-term screening (1–5 years) across proposed Lots 4 and 5 using fast-growing shelter belt species with a narrow, columnar form. This planting is to be maintained at a height of 5 m by the applicant and removed after three years once the native shelter planting has become established, as a condition of land use consent for individual lot owners.
 - The native shelter shrub planting includes hardy coastal species that will thrive, provide good habitat and food sources for birds and insects, and applies along the full outer western and southern boundaries of Lots 3 and 2. A recommendation for larger tree species is included in assessment report (Appendix A).
 - A boundary planting of up to 2 m in height is recommended on the southern side of the proposed ROW access to complement the existing hedge at 196 Moturata Road and to help filter light from nighttime vehicle traffic.

8. Figure 16 provides an oblique aerial view of the Taieri Mouth coastal landscape, taken 19th July 2024. It is included to provide a wider context to comments made about development patterns and the wider landscape context made in my assessment³. Points to note:
- Large lot rural residential development occupies all the upper coastal terrace, in the foreground, to the left of the image. The lot sizes contrast with the tighter grain of previous settlement which can be seen adjacent to the proposed site and on the lower coastal shoreline, to the right of the image.
 - The previous forestry headquarters occupies a prominent land area, sharing the southern boundary of proposed Lot 1, west side of Akatore Road. This development separates Lot 1 and an existing house from the wider farmland that extends southwards.
 - Pasture extends along the boundary of Coutts Gully Wetland⁴ to the far west, hidden from view, and Akatore and Moturata Road between this development and the toe of the ridge, which ends at the wetland, approx. 955m north.
 - The farmland includes several ownerships and crosses Coutts Gully Road. Taieri Mouth School and scattered residential development form the western boundary, except for the southern part of proposed Lot 1 which follows Akatore Road for approx. 240m. The remains of a previous macrocarpa shelter belt extend across the farmland adjacent to Taieri Beach School.
 - Coutts Gully Wetland extends west from the pastureland. A dense, vegetated texture characterizes the area adjacent to the site; open water is visible below the embankment for Coutts Valley Road⁵. This part is more tidal and forms part of the entrance experience when entering the coastal settlement from the north.
 - Forestry, small pasture ridges and hills, and vegetated escarpments form the backdrop to the wetland and provide a visual boundary to the Taieri Mouth coastal landscape, as experienced from the ground.
 - The proposed site occupies a small portion of proposed Lot 1 and can be seen located behind the residential development adjacent to the school.

³ Section 4, 2 Akatore Road, Subdivision Proposal, Taieri Mouth, Assessment of Landscape And Visual Effects', Rev a, 20 February 2025

⁴ Officially known as 'Coutts Gully Swamp' but commonly identified as 'wetland'

⁵ Figure 4 and Figure 12, Attachment 1, 2 Akatore Road, Site Environmental Consultants, 29 January 2025

9. Figure 17, Offset distances, February 22

Figure 17 provides a screen shot from Clutha District Council's web-based maps that provides indicative off-set distances on the proposed site boundaries. Points to note include:

- 182 Moturata Road appears to be offset from the northern boundary of proposed Lot 5 by approx. 36.8m.
- 196 Moturata Road appears to be offset from the eastern boundary of proposed Lot 2 by approx. 10.6m.
- The internal offset boundaries for proposed Lot 5 and Lot 2 are shown as 5m and 7.5m, respectively.

Adverse Effects

10. The s42 report considered the potential for adverse effects on natural character, landscape character, visual amenity, and rural character. I now address my assessment of these potential effects.

11. Natural Character

The site and the remainder of proposed Lot 1 exhibit elements of 'naturalness' due to continuous pasture cover; however, they lack the diverse vegetation patterns and riparian features that typically contribute to a higher level of natural character.

12. Coutts Gully Wetland (wetland) does contain and express many of these elements and is recognised as having regional significance. These include:

- Natural processes – tidal influence, wildlife, insects, indigenous vegetation species.
- Long views to indigenous vegetation and open farmland above, in parts.
- A lack of man-made structures and infrastructure (except for Coutts Gully Road embankment).
- A sense of peacefulness and isolation near its shoreline.

13. The subdivision scheme plan shows that the western boundaries of Lots 3 and 4 are more than 100m from the edge of Coutts Gully Wetland⁶. This setback meets the National Environmental Standards for Freshwater Management.

14. Fluent Solutions Memorandum states that onsite wastewater is feasible for Lots 2-5 using secondary treatment of effluent and mound dispersal and that the potential effects of treated effluent dispersal and stormwater from the development on Coutts Gully Wetland are "...considered to be less than

⁶ Fluent Solutions Memorandum, 6 August 2024 MM 24-08-01 EB 000842(Rev A) page 11, 4.0 and page 12, 4.3.2

minor". For these reasons, I do not consider it necessary to further assess potential effects on natural character for this proposal.

15. Landscape Character and Visual Amenity

The introduction to the Rural Resource Section of the Clutha District Plan describes the rural environment as being 'distinct from the built-up Urban Resource Area of the District on the basis of its existing amenity values, which generally comprise a natural, open environmental character⁷.

16. The 200m offset rule between residences in the rural resource area is the method to protect these values⁸. The proposal has a discretionary activity status due to breach of this rule, requiring assessment for potential visual effects, dwellings density, and impacts on indigenous flora and fauna⁹.

17. Technical landscape assessment identifies existing values, considers the potential effect of proposed change on those values, and provides management provisions to mitigate or avoid potential effects when significant. The scale and extent of mitigation has a relationship to the values identified. This methodology was applied in my assessment of landscape and visual effect and I now bring out the main points and provide some more context.

18. Section 6 of my assessment report lists landscape factors and values that I considered would apply to the site. The biophysical factors have a relatively low value while the perceptual and associative factors are drawn from the perception of the adjacent wetland, an open pastoral landscape, and distant western views to the far side of the wetland:

Biophysical factors

- *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*

Perceptual factors

- *A sense of enclosure in the eastern part of the proposed site*
- *Coutts Gully Wetland 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*

⁷ Section 4.1.1 Overview, 4.1 Rural Resource Area, Clutha District Plan (1998)

⁸ Rule RRA.3(2), 3.7 Subdivision, Clutha District Plan (1998)

⁹ Rule RRA.3(iv)(a)

Associative factors

- *Open views to rural fields and distant hills*
 - *Silage making*
 - *Animal grazing*
 - *Little mechanical or human activity on the site*
19. The land is not recognized in the District Plan as having higher landscape value in an RMA context, and I agree with this assessment. The area of pastoral land provides a rural setting for the coastal ridge when viewed from parts of Coutts Gully Road. The proposed site area also provides visual amenity for adjacent neighbours.
20. However, in my opinion, the amenity of the site is derived from its context with the wider wetland and rural landscape rather than its intrinsic landscape values. This puts an emphasis on visual effects rather than landscape effects. Both are to be assessed together.
21. My assessment of potential adverse landscape effects was **moderate to high** in the short term and **low to moderate** in the long term, with visual effects assessed as **high** in the short term and **low** in the long term. Having reconsidered this basis, I would support revising the potential adverse landscape effects to **moderate** in the short term and **low** in the longer term.
22. As discussed in the assessment report, my assessment is based on the wider values of the pasture in proposed Lot 1, the adverse landscape effects of the adjacent collector road, and the minimal to nil level of adverse effect on the high landscape values of Coutts Gully Wetland that will result from the development.
23. I do not consider the potential loss of visual amenity for adjacent neighbours to be significant for the following reasons:

187 Moturata Road

- Views are likely to remain from the rear of the house due to its slight elevation above the proposed development.
- The farm area extends to the edge of the wetland and the higher values associated with this area will remain visible.
- The house is surrounded by shelter planting and a shed to the rear, substantially screening present views to the proposed site area.
- The main house orientation is to the north and away from the site.

196 Moturata Road:

- Views to the wider rural environment will remain for upper storey windows
 - Trees and some hedging are established along this boundary and will eventually filter these views, without further development.
 - The main house orientation is to the east and away from the site.
24. The proposed development is likely to significantly affect the sense of place and visual amenity that residents currently draw from the open pasture, but I consider that the planting measures proposed are also significant. In the longer term I anticipate an increase in other amenity values from maturing trees, bird life, changing foliage and flowers, and an increase in shelter.
25. Rural Character
- Farming activity has been limited on the wider pasture area, after the passing of Peter's father who had a range of exotic animals and birds for personal pleasure and occasional public display. The land now has a low stock rate of sheep and is also being used for silage making. It retains a rural character due to the pasture that extends along a shared boundary with Moturata Road and with Coutts Gully Wetland.
26. I do not consider the proposed development of four residential sites in the north/east corner of this pasture area will detract from the site's wider visual value or diminish its prominence and value as a setting and physical continuation of Coutts Gully Wetland. For these reasons I do not consider the proposal will have more than minor adverse effect on existing rural character.

Submissions

27. Two submitters have responded to the notification of the proposal and include Rachel Damody, 182 Moturata Road and Greg Patterson, 196 Moturata Road.

Ms. Damody's concerns include:

- **Landscape and Rural Character Effects** (Section 1)
 - Reverse sensitivity will restrict farming practices (noise and scope)
 - Proposed buildings will have cumulative impact that will erode rural character and clutter the landscape
 - Residential development and a school adjoin the southern boundary of the affected site and Akatore Road and further development should be declined
 - Character of the area has been farmland and development will dilute and adversely affect this character

- **Proximity** (Section 2 of submission)
 - Development will contravene RRA.3(2) which requires an offset of 200m while current residence will be only 27m from the proposed development, resulting in increased noise, potential nuisance, and visual impact of four dwellings and associated buildings
 - Development will have substantial adverse effect on southern boundary (Policy RAA.8)
 - **Size and Density** (Section 3 of submission)
 - Lot sizes are insufficient to manage setbacks and building coverage
 - **Inadequacy of Mitigation** (Section 7 of submission)
 - Lack of screening on adjoining boundary
 - Height of buildings is proposed at 6m whereas recent development in the area is set at 4.5m
28. Mr Patterson's concerns include the loss of views from the upstairs windows of the western face of his house, loss of privacy in his rear yard, and the impact of traffic on the proposed accessway, which does not include screening.
 29. I have addressed potential effects on existing landscape and rural character and do not conclude that these effects will be high long term. I acknowledge that the perceived changes in a small part of the site could have a high short-term impact on adjacent neighbours by altering the current visual amenity.
 30. Figure 17 provides an overview of the proposed site building setbacks as well as the offset distances between the existing dwellings of both submitters. These distances will have a combined effect.
 31. For example, the additional 5m set back recommended for the boundary of Lot 5 will increase the distance between the existing rear shed and a potential dwelling to approx. 42.8m. The offset distance will be greater to the rear wall of the dwelling. Some shrub planting is already established along this wall.
 32. The relationship between the rear and western elevation of 196 Moturata Road will have a similar combined effect. The additional 7.5m set back proposed on this boundary will increase the potential separation between existing and proposed dwellings to approx. 18m. A 5m width of additional planting is specified on this boundary.
 33. The site areas of adjacent residential neighbours are as follows:
 - 190 Moturata Road – 839m²
 - 190a Moturata Road – 848m²
 - 192 Moturata Road – 851m²
 - 200 Moturata Road – 1504m²
 - 196 Moturata Road – 1233m²

34. The proposed lots are all approx. 1600m² in area and are equal to or larger than these adjacent sites. The consenting planner has proposed a maximum site coverage of 500m². I assume this area includes all hard standing and impermeable area, which I consider appropriate.
35. On this basis, the built development will reach approximately 31% site coverage and will be comparable to that of similar rural residential properties, as referenced in Section 8.2 of my assessment report.
36. I agree the lack of mitigation planting undermined this application. I have considered the existing amenity of the site and surrounding residents and the amenity of the future residents in developing the planting proposals.
37. My objective is to provide a strong boundary planting structure that has the built-in capacity to further develop and include tree cover, variety and visual interest for residents, as well as shelter and biodiversity. Similarly, the planting along the eastern boundary is intended to provide amenity for adjacent neighbours and not to produce a 'visual wall'.
38. The building height of 4.5 m, as suggested by Ms. Damody, was applied to a recent development consented in a coastal environment at a sensitive site. This height limit is unusual; I would suggest 5.5 m as a reasonable alternative if a compromise is required.

Conclusion

39. I have assessed the proposed six-lot subdivision at 2 Akatore Road and consider that the overall landscape and visual effects will be **low to moderate** over the longer term (8–20 years). I support the consent of this application, subject to the mitigation measures I have proposed.

Hugh Forsyth



Registered Landscape Architect

24 February 2025

Appendix A

Schedule of figures: 2 Akatore Road, Site Environmental Consultants

No.	Issue	Title
Figure 1	January 2024	Context & Viewpoints
Figure 2	January 2024	Site Visibility
Figure 3 rev a	20 February 2024	Landscape Proposal
Figure 4	January 2024	Viewpoint 1
Figure 5	January 2024	Viewpoint 2
Figure 6	January 2024	Viewpoint 3
Figure 7	January 2024	Viewpoint 4
Figure 8	January 2024	Viewpoint 5
Figure 9	January 2024	Viewpoint 6
Figure 10	January 2024	Viewpoint 7
Figure 11	January 2024	Viewpoint 8
Figure 12	January 2024	Viewpoint 9
Figure 13	January 2024	Viewpoint 10
Figure 14	January 2024	Viewpoint 11
Figure 15	January 2024	Viewpoint 12
Figure 16	24 February 2024	Taieri Mouth Coastal Landscape
Figure 17	24 February 2024	Offset distances

Legend

- a. rural-residential lots
- b. ex-forestry development
- c. 2 Akatore pasture land
- d. Coutts Gully Road
- e. Coutts Gully Wetland
- f. Taieri Beach School
- g. Proposed Site Area



View north-west over Taieri Mouth coastline and surrounding landscape - July 2024 - used with permission of Clark Campbell

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 study ⁶.

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 Coutt 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 7.5m 'no build' set back from the full eastern boundary, including Lot 2 and Lot 5, 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 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).

7.4 Area B

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. 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 C

Native coastal shrubs are recommended along the northern boundaries of Lots 4 and 5 at a depth of 3m to provide mixed shelter and amenity planting. Overplanting of medium coastal trees to undertaken in groups of 3 or 5 trees with a minimum gap of 7m between groups.

7.6 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.

7.7 Area E

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 small to medium native tree species, such as kōwhai or ngaio.

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.

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

- 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.
- 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 |

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

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 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 **7.5m** 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

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

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.

- 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 boundary 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

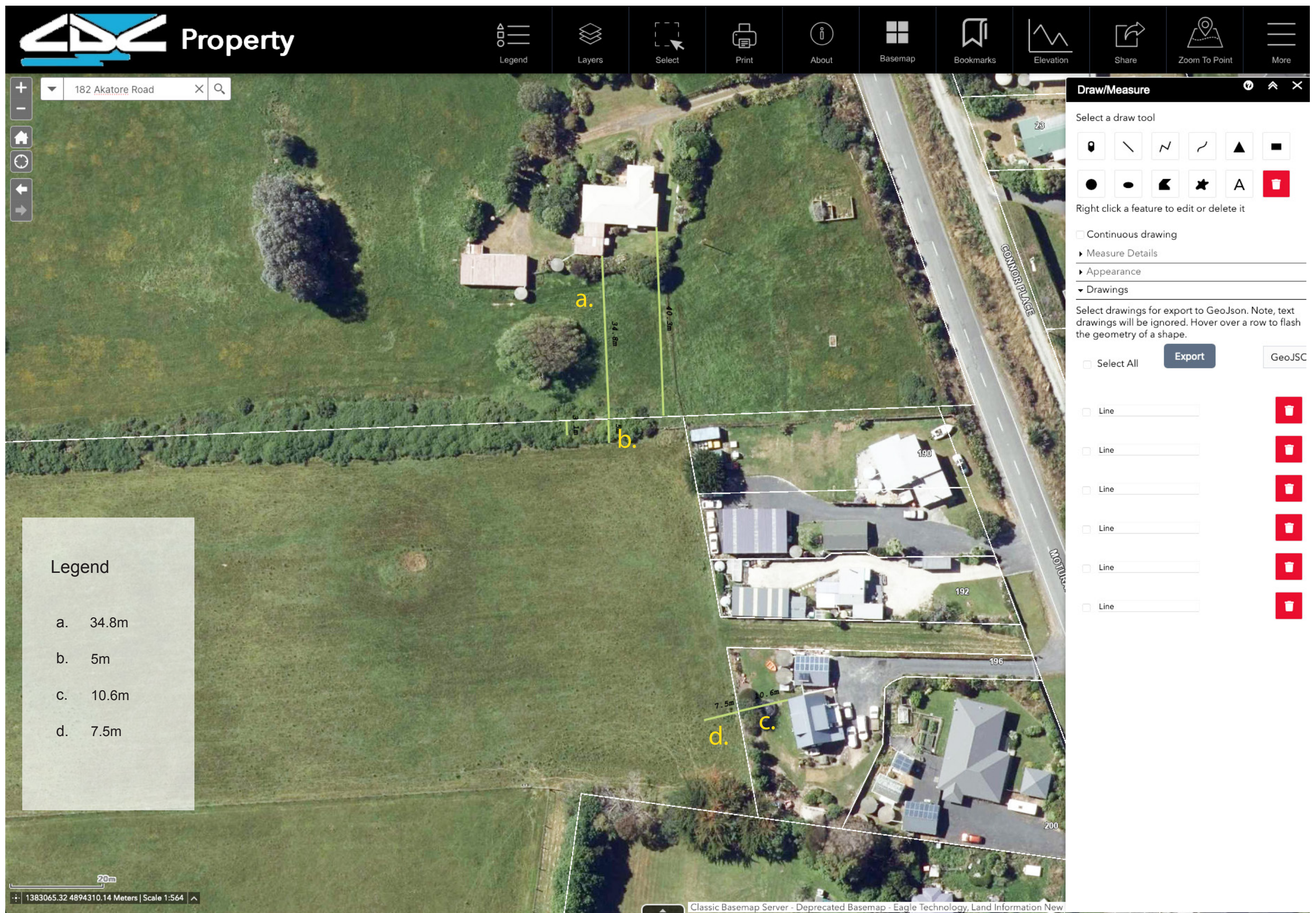
Native species indigenous to the area and intended to provide a consistent boundary character and some shelter the development and to significantly increase biodiversity and food sources for birds. The majority of this planting should include shrub species, planted in groups of several metres to gain 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



APPENDIX 6

Ecosystem Name: Kahikatea, totara, mataī, 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>Melicytus 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</i> var. <i>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>	horoeka, lancewood	Tree	Not Threatened	15m			Fast	Exposure tolerant	
<i>Pseudopanax ferox</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>	teucrium	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>	kiwikiwi, 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</i> subsp. <i>zerophyllum</i>	shield fern	Fern	Not Threatened	<1m			Fast	Dry sites	
<i>Polystichum vestitum</i>	shield fern	Fern	Not Threatened	<1m			Fast	Moist sites	