

BEFORE THE CLUTHA DISTRICT COUNCIL

UNDER the Resource Management Act 1991

IN THE MATTER of a proposed subdivision at Toko Mouth

BY **Toko Development Ltd**

STATEMENT OF EVIDENCE OF MIKE MOORE

Dated: 29 January 2024

Introduction

- [1] My name is Michael William Moore. I am a landscape architect based in Dunedin.
- [2] I have a Bachelor of Science degree (BSc) in Geography from University of Canterbury (1983), a Post Graduate Diploma in Landscape Architecture (DipLA) from Lincoln University (1985), and a Master of Regional Resource Planning (MRRP) from University of Otago. I am a registered member of the New Zealand Institute of Landscape Architects (NZILA).
- [3] My work involves both landscape design and planning and has had a particular emphasis on landscape assessment since I started my own practice. I have prepared numerous natural character and landscape assessments on plan changes and on projects of various scales and character around New Zealand, including dwellings, subdivisions, port expansions, industrial zones, wind farms, cycle trails, mines, riverbank and coastal protection structures, and hydro-electric developments. I have also been involved in natural character and landscape assessment work for Councils to assist with the development of District and Regional planning provisions, in particular, Dunedin, Clutha, Waitaki and Gore District Plans, as well as a coastal natural character and landscape assessment study for the Otago Regional Council.

Code of conduct for expert witnesses

- [4] I confirm I have read the Code of Conduct for expert witnesses contained in the Environment Court of New Zealand Practice Note 2023 and that I have complied with it when preparing my evidence. Other than when I state I am relying on the advice of another person, this evidence is within my area of expertise. I have not omitted to consider material facts known to me that might alter or detract from the opinions that I express.

Background

- [5] I visited the site and prepared a natural character and landscape effects assessment report in June 2021. This report was attached in support of the application. It was prepared following the concepts and principles outlined in (the then draft form of) Te Tangi a te

Manu, New Zealand Institute of Landscape Architects (NZILA) Landscape Assessment Guidelines.

- [6] My report, including the A3 colour graphic supplement that formed part of it, is attached to this evidence.

Scope of evidence

- [7] My evidence addresses the natural character and landscape effects of the proposed subdivision. I do not intend to repeat my report but will summarise the key findings of my assessment. I will also address issues arising from the Council Section 42A report and submissions. My evidence is structured as follows:

- Summary of my assessment of natural character and landscape effects
- Issues arising from the submissions and Council Section 42A report.
- Conclusion

Summary of my assessment of natural character and landscape effects

The site and area

- [8] The site is located on the Coombe Hay property adjacent to the settlement of Toko Mouth. This settlement occupies low lying land directly behind the beach between the Tokomairaro River and Rocky Valley Creek. Inland, the settlement is largely contained by a low scrub covered coastal escarpment approximately 10m high, although stage 1 of the subdivision has provided for the extension of the settlement above this escarpment and the subdivision site is on the coastal terrace behind the settlement. This area is currently largely open pasture-land but the first stage of the subdivision has resulted in provision for 8 residential lots along the perimeter of the southern part of the escarpment, and an access road linked to the settlement below.
- [9] Toko Mouth settlement modifies the natural character of the dune country and has its own distinctive 'crib settlement' character. Houses are generally single story and modest in scale, although variable in age, architectural style, materials and colour. The roads are

informal and rural in character, being metaled, narrow and with no footpaths. Whilst there are some fences, often boundaries between properties are open and undefined. The vegetation is a mix of hardy coastal natives and exotics.

[10] **Figures 2 - 8** illustrate the character of the site and area.

The proposed development

[11] The proposed development is the extension of a residential subdivision that was consented in 2017. The site is on the coastal terrace top to the west of the settlement. As shown in **Figure 1**, it is proposed to create 18 additional residential lots (between 1410m² and 1.1ha in area). A 15m wide public road will link with the road associated with Stage 1 and will provide access from Wangaloa – Toko Mouth Road.

[12] The development is mainly located on flat – gently rising terrace top landform. At its northern end (Lots 11 - 13.) the land rises, reflecting an older less distinct terrace face, and this area is the most visually prominent part of the site. To minimise adverse natural character and landscape effects the lot layout and associated proposed development controls avoid building sites on this area, lot 13 having a building platform on its lower northern slopes. This ensures that landform largely screens the development from Wangaloa – Toko Mouth Road, visually containing the settlement.

[13] As for Stage 1 of the development, to ensure that the ensuing residential development integrates acceptably with the character of the Toko Mouth settlement and to avoid or minimise any adverse effects on natural character and rural amenity, mitigation measures are recommended. These include controls over building height and colour, setbacks from the escarpment edge, controls on building siting on Lots 12 and 13, requirement for services to be located below ground, controls on roading and fencing to retain rural settlement character and requirements for planting for setting and screening.

Effects on coastal natural character

[14] In terms of the guidance provided in Policy 1 of the New Zealand Coastal Policy Statement 2010 it is my assessment that the top of the coastal escarpment provides appropriate definition of the inland extent of the coastal environment. The Toko Mouth settlement, being seaward of the escarpment, is within the coastal environment, but the site itself is on the boundary or just beyond.

- [15] It is my assessment that the Toko Mouth area has a moderate existing level of natural character due primarily, to modification to the sand dune landforms by the settlement and by the presence of marram, the mixed indigenous / exotic character of the vegetation.
- [16] The subdivision involves the extension of the settlement on the terrace surface above the scarp. The natural character of the area affected is already significantly modified by agricultural use and is largely under exotic pasture cover. The development will change the character from rural to 'settlement' and reduce naturalness by the introduction of roads and houses. On the positive side, there will be greater indigenous biodiversity due to the plantings required. The natural landform will remain largely unchanged at the larger scale except that the proposed access road from Wangaloa – Toko Mouth Road will require some earthworks, and existing drainage patterns may be modified as a result of this to a minor degree.
- [17] Overall, it is my assessment that the effects of the proposed development on natural character will be adverse in nature but low in degree. Whilst the settlement scale will expand, the existing natural character is already significantly modified by the existing settlement and the agricultural land use, and the proposed development controls will ensure the impact of additional built form is modest, especially when the proposed plantings mature. There will be no significant changes to any natural processes.

Effects on landscape values

- [18] As regards landscape values, there are no physical values of especially recognized significance in the immediate vicinity of the site. Whilst naturalness values are modified by the presence of the settlement, and in the wider setting by agricultural land use, the area has scenic qualities based on the traditional crib settlement character of the settlement and the way it nestles recessively into its coastal / rural setting. The settlement has a strong sense of place based on its coastal crib settlement character. Key elements supporting this are the modest scale and unpretentious character of the houses, the limited definition of boundaries by fencing, and the lack of urban infrastructure such as sealed roads, footpaths, kerb and channel and street lighting. The CDP does not identify any potentially outstanding natural landscapes or outstanding natural features in this specific area and my assessment supports this.
- [19] The proposed subdivision reflects modern wastewater and treatment disposal requirements and is less dense than much of the existing settlement, but it is sensitive to

the character of the existing settlement in that it includes controls to reflect the existing 'informal' streetscape character and to minimize the impact of individual buildings. It will result in a significant amount of locally appropriate indigenous vegetation, and does not significantly encroach on the containing landforms behind the terrace top.

- [20] The site is at the edge of the coastal environment and the development will have no impact on dynamic coastal or estuarine processes and associated values. It will have some localized effects on the natural landforms related to earthworks for the proposed road and for development on Lots 12 and 13 in particular, which are located on low hill forms behind the flat terrace top. It will extend the settlement footprint, changing the terrace top area from rural to settlement character but in so doing, indigenous biodiversity will be enhanced. Naturalness values will be reduced by the greater extent of the settlement, but this is not unduly significant given that the current rural land use already modifies naturalness values considerably.
- [21] The new development will necessarily have a lower density than much of the existing settlement (due to wastewater treatment and disposal requirements) and it is to be expected that the new dwellings proposed, built to modern standards, will have a different scale and character to many of the existing crib style dwellings in the settlement currently. This is a function of the natural development of settlements generally, with various development stages having distinctive character. The proposed mitigation measures however, will ensure that the new development integrates acceptably and does not have undue dominance, to the point that the character of the settlement generally is significantly altered.
- [22] Overall, it is my assessment that effects on the values of the Toko Mouth landscape will be adverse in nature but low in degree.

Assessment against the relevant statutory provisions

- [23] In terms of the Clutha District Plan and the New Zealand Coastal Policy Statement, it is my assessment that the proposed subdivision is generally consistent with those provisions relating to natural character and landscape matters. The site not within an area of outstanding natural character, nor does it impact any outstanding natural feature or landscape. I consider that the proposed development will not give rise to significant adverse effects on natural character, or on natural features or landscapes and avoids and mitigates other adverse effects.

Issues arising from the submissions and Council Section 42A report

- [24] The Section 42A report addresses the submissions of Tanya and Ian Wilson and Heather and Graeme Wallace and recommends some modifications to proposed mitigation conditions regarding setbacks from roads and the escarpment. I understand that an amended plan is being prepared to illustrate the recommended change to the building platform on Lot 13 (setback from escarpment). I note also that my recommended condition regarding metalled road surfaces is not accepted by Council's Development Engineer due to variance with a roading standard.
- [25] In response, I although I consider that the additional measures recommended by the Council Planner would strengthen the natural character / landscape mitigation, in evidence, the planner for the applicant has recommended reduced setbacks to provide more flexibility in building area.
- [26] As regards the road sealing, from a landscape effects perspective I retain my recommendation that a metalled road surface is more appropriate to the informal streetscape character of the settlement. Ultimately, if Council requires sealing for reasons of safety and efficiency of the transportation network, I am comfortable that any sealing will integrate acceptably provided that there is no concrete kerb and channel or streetlighting.
- [27] I concur with the Planner that a minimum build area of 75m² as promoted in the Wilson submission, is not relevant to the mitigation of effects on natural character or landscape values.

Conclusion

- [28] The application involves the continuation of recent subdivision that extends the Toko Mouth settlement onto the coastal terrace above the existing settlement. The site is within the Coastal Resource Area in the CDP and in my assessment, on the margin of the coastal environment as per the Policy 1 guidance in the NZCPS 2010. The development has been designed to avoid the most visually prominent, upper part of the site and includes design controls aimed at minimizing the prominence of built form and at integrating the development to the extent practicable with the character of the existing settlement.

[29] Natural character in this area is already significantly modified and taking this and the proposed mitigation measures into account, I have assessed the natural character effects of the proposed development as no more than adverse / low (minor). Likewise, I consider that effects on landscape values will be no more than adverse / low (minor). I consider that the proposed subdivision is generally consistent with the statutory provisions relating to natural character and landscape matters.

Mike Moore

29 January 2024