

Application

Laura Mulder



From: Paula Myers
Sent: Tuesday, 15 August 2017 10:07 a.m.
To: City Planning Administration
Subject: FW: 34 Gorman Street 1 of 2
Attachments: Resoucre Consent application 34 Gorman Street.pdf; Sch2.pdf; OTOT271-67.pdf; It_170329_34 Gorman St.pdf

From: Allan Cubitt [<mailto:allan@cubittconsulting.co.nz>]
Sent: Tuesday, 15 August 2017 9:25 a.m.
To: Planning
Subject: 34 Gorman Street 1 of 2

Please find attached a resource consent appliaiton for the above property. Can you please provide the appropriate details so that the notified application fee can be paid electronically.

Thank you.

Allan Cubitt

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**APPLICATION FOR
SUBDIVISION AND LAND USE CONSENT**

Alistair and Samantha Montgomerie

**34 GORMAN STREET
DUNEDIN**

Prepared By

Cubitt Consulting Ltd

July 2017

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1	Scheme Plan
2	A Statutory and District Plan Assessment is incorporated in the AEE.
3	Landscape Report from Hugh Forsyth
4	Geotechnical report from GeoSolve.

FORM 9
APPLICATION FOR A RESOURCE CONSENT
UNDER SECTION 88 OF THE RESOURCE MANAGEMENT ACT,
1991

To: Manager - Resource Consents
Dunedin City Council
PO Box 5045
Dunedin 9058

Alistair and Samantha Montgomerie hereby apply for the resource consents described below:

1. **The current owner of the site is:**
Alistair Wallace Montgomerie and Samantha Jacqueline Montgomerie, the applicants.
2. **The location to which this application relates is:**
The site is located at 34 Gorman Street, Dunedin. The site is legally described as Part Section 69 BLK II Otago Peninsula SD and is held in computer register OT 271/67 (18.5 hectares).
3. **The type of resource consent sought is:**
Land use and subdivision consent.
4. **A description of the activity to which the application relates:**
Resource consent is sought to subdivide the 18.5-hectare parent title into three allotments as follows:

Lot 1 – 2ha
Lot 2 – 2ha
Lot 3 – 14.5ha

Lot 1 will contain the property's existing dwelling, while building platforms have been shown on Lots 2 and 3 as illustrated on the attached scheme plan. Land use consent is sought for dwellings on these platforms while the existing dwelling on Lot 1 will need to be reauthorized on the smaller site.

The activity is fully described in the attached application at section 1.2.
5. **The following additional resource consents are required in relation to this proposal and have been applied for:**

Not applicable.
6. **We attach an assessment of effects that the proposed activity may have on the environment in accordance with Section 88 and the Fourth Schedule of the Act.**

7. We attach other information required to be included in the application by the District Plan or Regional Plan or Regulations

- (a) Scheme plan
- (b) Landscape Report, Hugh Forsyth
- (c) Geotechnical report from GeoSolve
- (d) A Statutory and District Plan Assessment is incorporated in the AEE.
- (e) The deposit for a notified application (to be forwarded by applicant).

Dated at Dunedin on 25 July 2017



Signed

Allan Cubitt, Director of Cubitt Consulting Ltd
As Agent for **A&S Montgomerie**

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1. Description of Proposal

1.1 Description of Site

The property is described in Council's rates book data as being 34 Gorman Street, Macandrew Bay, Valuation Number 27600-10700. The site is legally described as Part Section 69 BLK II Otago Peninsula SD (Computer Register OT 271/67) and has a site area of 18.49 hectares. Legal and formed access is available to both Gorman and Porterfield Streets, while legal access via a right of way is also available from Wharfdale Street over 37 Wharfdale Street.

The site is located on the slopes directly behind Macandrew Bay, sitting between an altitude of 94m above sea level ('asl') and 154m asl. The topography is defined by two ridge systems with vegetation being mainly rough pasture broken up by a number of pine shelterbelts. The best pasture area is located in the upper slopes and above the gully, which contains an area of exotic and native vegetation.

The property's existing dwelling, along with ancillary buildings (two sheds) are located in the lower north/west corner of the site and are accessed off Gorman Street. A large area of native planting (approximately 7000m² of shrubs and juvenile trees) has been established around the house by the owners.

A group of disused farm sheds are located adjacent to the lower south/west boundary, near the right of way access. An unsealed benched track runs south from Porterfield Street to the sheds. Farm tracks provide access throughout the property.

To the west of the site is the residential area of Macandrew Bay. The land on the other boundaries is generally rural pasture land. The property to the south, 26 Dickson Street, is an undersized rural site of 13.8ha. There are also a number of undersized rural sites to the north, which run up Castlewood Road. The property at 94 Castlewood Road is 6.5ha while 144 Castlewood Road is 8.8ha and 163 Castlewood Road is 4ha. Located within the boundaries of 172 Castlewood Road, is 96 Castlewood Road (0.5ha) which contains a cemetery.

1.2 Proposed Activity

The applicant is seeking land use and subdivision consent to create two additional building platforms on their property. The 18.5-hectare parent title will be subdivided into three allotments as follows:

- Lot 1 – 2ha
- Lot 2 – 2ha
- Lot 3 – 14.5ha

Lot 1 will contain the property's existing dwelling, while a building platform has been shown on Lots 2 and 3 as illustrated on the attached scheme plan. Land use consent is sought for dwellings and ancillary buildings (including large storage tanks) on these platforms while the existing dwelling on Lot 1 will need to be reauthorized on the smaller site.

The dwelling within Lot 2 is to be located on an existing, relatively flat, benched area of ground at an elevation of approximately 78m asl. As a consequence, significant earth works will not be required to establish this site, although retaining walls will be required uphill from the platform. The building platform has an area of

20m x 35m and is illustrated on the scheme plan. The building platform will be accessed from Porterfield Street.

Several pine trees immediately west of this platform will be removed, while canopy thinning of up to 15% of the remainder will be undertaken between the platform and the lower access track. An area of native shrub species and trees planting is proposed for the area where the pine trees have been removed.

A range of conditions are proposed as mitigation. The following matters are proposed as the base of the conditions for Lot 2:

- Maximum elevation of 7m above existing non-excavated ground level, including roof structure
- A stepped design for two-level structure that extends eastward
- Maximum retaining wall height of 3m across the eastern side of the curtilage and to extend no further than 2m to the north of the residential structure
- Maximum reflectivity value (RV) of 40% for roofs and 50% for external house/retaining walls
- Low reflective glass to be used for windows
- Bare concrete block construction and tiled roofs excluded
- Concrete access ways to be tinted to 50% reflectivity value
- External lights are to be limited to ground based garden lights, wall lights and back door security lights. Driveway 'street lights' are not acceptable
- Boundary fences are to have an open character and not to exceed 1.2m high, with further visual barriers to the east, north or west to be provided by native shrub planting
- Planting of native shrub cover to undertaken in the areas shown within the first planting season following construction
- Planting to be at one plant per 1.5m at PB3 size with liquid rain and a fertilizer pellet per plant. Success rate of 80% at 5 years from consent.

The building platform (20m x 35m) on Lot 3 is located on a slope with a north/west aspect at approx. 58m asl. Again, this site encompasses an excavated platform that accommodates several currently disused farm sheds and is also accessed by an existing benched farm track. This platform runs north/east to south/west across this slope. As a consequence, the existing platform area is expected to provide the majority of the building platform for a new house, reducing the need for earthworks.

Three pine trees are to be removed adjacent to the platform and a further tree is to be removed adjacent to the boundary on the northern side of the gully. Three smaller pine trees are to be removed adjacent to Lot 2.

A similar range of matters are to be addressed in conditions for Lot 3 as follows:

- A maximum elevation of 7m and including roof structure
- A maximum height for a retaining wall across the rear of the curtilage of 3m
- A maximum height of 1m for retaining associated with the access way
- Maximum RV of 40% for roofs and 50% for external house/retaining walls
- Bare concrete block construction and tiled roofs excluded
- Concrete access ways to be tinted to 50% RV

- All retaining walls are to be stained or tinted to maximum of 50% reflectivity value or to be planted with climbers to a specification agreed by Council
- Planting of native shrub cover to undertaken in the areas shown within the first planting season following construction (Fig.2)
- Planting to be at one plant per 1.5m at PB3 size with liquid rain and a fertilizer pellet per plant. Success rate of 80% at 5 years from consent.

Effluent and stormwater from the site will be disposed of on-site using an approved system that is designed to take into account the topography of the site, the extent of vegetation and the proximity to watercourses. Rainwater collection from roof surfaces will serve as the primary source of water for domestic consumption. Power and telephone services are available nearby and will be installed underground.

1.3 *Status of Activity*

The property is zoned **Rural** in the Dunedin City District Plan. A small area in the south-east corner of the property is identified as comprising high class soils. Gorman and Porterfield Streets are **Local Road** in the District Plan's Roding Hierarchy. The site is also within the North-West Peninsula Landscape Conservation Area (LCA).

Subdivision in the Rural Zone is a restricted discretionary activity provided that each resulting site has an area of at least 15ha [Rule 18.5.1(i)]. Because the proposed lots do not comply with this, the proposed subdivision is a **non-complying** activity in accordance with Rule 18.5.2. Likewise, Residential activity is only permitted in the Rural zone if the site has an area of at least 15 hectares [Rule 6.5.2(iii)] and complies with the bulk and location requirements. Again, the proposed residential use of the sites is therefore a **non-complying** activity in accordance with Rule 6.5.7(i).

The property is zoned **Rural Hill Slopes** in the proposed Dunedin City District Plan and is also mostly located within North-West Peninsula SNL. Parts of the site have a Hazard 1 and 2 (land instability) overlay. Residential activity is only permitted in this zone if the site has an area of at least 15 hectares while subdivision requires a minimum site size of 25ha. Non-compliance with this rule appears to be a non-complying activity.

Overall, the proposal is a **non-complying activity**.

2. **Assessment of Environmental Effects**

2.1 *Introduction*

Section 6.7 of the Rural zone and Section 18.6.1 of the Subdivision section of the District Plan contain a range of criteria in respect to the assessment of activities in the zone. Section 14.7 contains a range of assessment criteria in relation to assessing the impacts of proposal in relation to landscapes. The Transportation section's assessment matters (section 20.6) are also pertinent with respect to the proposed vehicle access arrangements and the Environmental Issues section (section 21.6) includes specific assessment matters relating to self-servicing of rural sites. All of these have provided the foundation of our assessment of effects. Having regard to those matters and our visits to the site, and after considering all potential effects of the activity, we believe the following are the main issues that need to be addressed and assessed:

- Amenity values
- Landscape character
- Productive potential of rural land
- Reverse sensitivity and conflict
- High class oil
- Hazards
- Transportation
- Provision for water supply and disposal of stormwater and sewage
- Easements
- Cumulative effects.

These issues will be addressed in turn below.

2.2 *The Effects on Amenity*

The District Plan states that Dunedin's rural area *"has a generally low incidence of residential and other activities and is characterised by a low density of development, the size of buildings small and local roads having low traffic numbers. The character of the rural area is greatly influenced by the predominance of natural features and the productive use of the land."* The plan goes on to identify amenity values associated with rural character being:

- *Predominance of natural over human features*
- *High ratio of open space compared to built development*
- *Significant areas of vegetation, including pasture, crops, forestry and indigenous vegetation*
- *Presence of large numbers of farmed animals*
- *Noises, smells and effects of pastoral animal production*
- *Low population densities relative to urban land*
- *Generally narrow unsealed roads*
- *Absence of urban infrastructure*

The location and nature of this site, being effectively a large lifestyle block situated on the boundary of the Dunedin urban area, is such that many of those values do not exist in this locality. The purpose of this proposal is to recognise that fact and to provide for rural lifestyle living while maintaining the amenity values that do exist within the site. Hence the proposal has been designed to maintain the open, undeveloped upper slopes of the property by restricting built development to the lower slopes, at an elevation similar to or less than the current dwelling on the site and those in the surrounding environment.

As a consequence, the proposed dwellings will be viewed in the context of the existing built development on the site and the adjoining residential zone. Accordingly, the proposal integrates well with the existing environment and does not extend domestication further up the slopes than currently occurs along the Peninsula. Both new dwellings will be located on areas where the landform has already been modified, with the dwelling proposed for Lot 3 replacing a collection of currently disused farm buildings. The increase in built development on the site will therefore not be significant.

The small increase in built development and domestication on the site will, however, be offset by the native plantings proposed for both Lots 2 and 3 as illustrated on Mr

Forsyth's Figure 2. In the medium to long term, these plantings will provide significant positive effects on the rural character and amenity of the site.

While the two new dwellings proposed will integrate with the existing residential development in the area, their elevation and setback from the residential zone will ensure there are no amenity related effects of significance on the adjoining residential properties. Lot 2 is around 60 metres from the residential zone boundary and sits higher than the houses within Porterfield Street. This separation, along with native plantings and controls on night lighting will ensure amenity related effects are minimal.

While the platform on Lot 3 is less than the normal rural set back, being around 10m, the focus and view from the adjoining properties here is likely to be more north west – west, across the harbour and away from the property behind them. The platform currently contains farm buildings that are not used at present. However, that does not mean that the buildings will remain unused if the property remains as it is. The sheds can be used for a range of activities that one may expect to find on a farm property. Use of farm sheds can generate a range of amenity effects including noise, glare and odour. Effects from the site under domestic residential use are likely to be less offensive than farm related amenity effects.

Mr Forsyth has also noted two other amenity related effects in relation to this platform, being construction effects in a presently disused rural land area and the removal of the pine trees. While construction effects may extend to 9 months, these are considered temporary and therefore minor in the overall sense. With respect to the removal of the pine trees, Mr Forsyth expects these effects to eventually be positive for adjacent neighbours. This is on the basis that *"the level of sunlight and air circulation will increase significantly and the level of dampness and frost is expected to drop"* in this particular area. These factors, along with the native planting proposed and the replacement of the currently disused farm buildings with new buildings, will ensure amenity effects will eventually become positive in this area.

Amenity effects can also be generated by excessive vehicles trips in a location. While the proposal will not generate excessive vehicle movements, all vehicle access is to be from the sealed and full width Porterfield Street. Any increase of vehicles on the street as the result of this proposal is unlikely to be noticed over and above the existing traffic. Access to Lot 3 will also be across an existing track that will come down to the platform from the north, well away from the residential boundary. Hence amenity related effects arising vehicle access will be kept to a minimum at this site.

In conclusion, we are of the view that adverse effects on amenity values of the area will be less than minor.

2.3 Landscape Effects

The majority of the site is located within a "landscape conservation area", not an "outstanding landscape" in terms of section 6(b) of the Act. The District Plan describes such areas as *"... areas which have particular impact on landscape quality due to high levels of visibility from major public viewing locations and/or the presence of particular landscape character and values. The areas are generally the higher land visually containing the most densely settled urban and rural areas of Dunedin."*

These landscapes are generally called "amenity landscapes" and are not afforded any particular status under the Act. Section 7(f) requires local authorities "to have particular regard" to the "maintenance and enhancement of amenity values". This imposes a duty to be "on enquiry" but does not require applicants "to recognise and provide for" such values as Section 6 requires. In the context of the LCA's identified in Dunedin, this is important as given their location (*the higher land visually containing the most densely settled urban and rural areas of Dunedin*) there are many other competing issues and it is not appropriate to retain the status quo purely for landscape reasons.

In this case, the two new dwellings proposed for the site will be located within the lower part of the site, close to adjacent residential development. This area is already modified and is not used for active pastoral grazing. The proposed dwellings will be at a lower level than the existing residence and in respect to the platform on Lot 3, the majority of it is actually outside the LCA boundary. This platform also already contains buildings. In this context, the proposal is considered to integrate well with the existing environment and does not offend the landscape values of the wider area.

Mr Forsyth has identified the visual catchment within which the property sits. He advises that local views to the site are from viewpoints on the southern approach of Macandrew Bay Rd, the boatshed reserve and jetty area, and from the residential streets and houses that rise to the south of the Bay. All distant views are from the western side of the Harbour Channel, mostly from the Dunedin-Port Chalmers Road. This is due to the narrow shoreline within Macandrew Bay and the curves of the coastline and headlands.

Mr Forsyth assesses visibility from these two different visual catchments from five different locations, comprising two local views and three distant views. He concludes that *"views from the north/west side of the Harbour Channel include the majority of the site. Views from within Macandrew Bay and the surrounding slopes provide detail of upper parts of the site and the lower boundary little of the inner site area. Due to distance, these views provide a perspective of patterns of vegetation, landform and development, and not the detail of individual elements."*

Mr Forsyth advises that *"combined with design conditions and planting mitigation and a low settlement density the development of lots 2 and 3 are expected to have little or no effect on present character values and a low to minimal level of off-site visibility."* He concludes that *"the longer-term landscape and visual effects of the proposed 2 additional lots are assessed as being low in the 5year + time frame and not significant in the context of the rural character and visual values that are exhibited in the wider area."* He goes on to state that *"the proposed development will not detract from existing rural or landscape values and will add to the environmental quality of neighbouring properties. Potential landscape and visual effects is assessed as being 'low' on a scale of 'low, low-medium, medium, medium-high' and 'less than minor' on a planning scale of 'less-than-minor, minor, more-than-minor'."*

As can be seen from this, Mr Forsyth considers any adverse landscape effects will be less than minor and that the proposal will in fact add to the environmental quality of neighbouring properties. Based on Mr Forsyth's assessment, we consider the proposal will maintain and enhance the values of the LCA and will have a positive effect overall.

2.4 *Transportation (Assessment matters 6.7.24, 20.6.1, 20.6.5, 20.6.7 and 20.6.10)*

The site has three access points, two from full width, sealed streets (Gorman and Porterfield Streets) and one via a right of way from a sealed street (Wharfdale Street). Access to Lot 1 (Gorman Street), which contains the existing dwelling, will not change as a result of this proposal. Access to Lots 2 and 3 will be from the existing entrance off Porterfield Street. We expect Council will require the hard surface of Porterfield Street to be extended into the subject property. Lot 3 will retain a right of way over Lot 2 at this access point but the driveway will then follow a formed track within Lot 3 to the building platform.

Porterfield Street is a Local Road in the District Plan's Roading Hierarchy. The primary function of a Local Road is to provide access to properties, rather than to act as through-routes. The road is fully constructed and ends directly on the boundary of the property. There is no potential for conflict with any other access to the street. As we noted above, any increase of vehicles on this street (in the order of 16 to 20 movements per day) as the result of this proposal is unlikely to be noticed over and above the existing traffic.

Consequently, it is considered that effects on the operation of the transportation network will be less than minor.

2.5 *Provision of water supply and disposal of stormwater and sewage (Assessment matters 6.7.10 and 21.6.5)*

On-site servicing is proposed for domestic water supply and the disposal of stormwater and sewage. The primary source of potable water will be rainwater collection from roof surfaces. This will be stored on the site. Provision for firefighting in accordance with the requirements of the NZ Fire Service will also be made on site.

While no formal investigation of the site has been undertaken for on-site effluent disposal purposes, there is ample area for the construction of an effluent disposal system designed to meet the specific conditions of the site. The applicant is also aware of the need to comply with on-site disposal standards set by the Otago Regional Council. These standards should be easily met on this site.

The proposal will not generate adverse environmental effects as a result of servicing the proposed dwelling.

2.6 *Land disturbance and Hazards (Assessment matters 6.7.11 and 6.7.23)*

The proposed District Plan has identified the site as being potentially unstable. The applicants have not noticed any issues of concern in this regard, including during the large rainfall event that occurred in July 2017. They have identified relatively flat building platforms, that have previously been created, which will greatly reduce the need for earthworks.

However, because of the hazard notation, GeoSolve have been asked to assess the site from a stability point of view. They note that the property is within the mapped Dickson Street landslide area, which is monitored by the DCC. GeoSolve advise that the extent of the landslide area may be reduced in this location if recommendations to the 2GP hearing are adopted.

GeoSolve's report is attached and outlines the investigation undertaken to date. Lot 1, which contains the existing dwelling, has not been investigated further. With respect to Lot 2, they advise that weathered volcanic rock was found at a depth of 1m which illustrates that thick debris is not present at this site. They consider the development of a dwelling here to be quite straightforward.

With respect to Lot 3, they note that development is likely to be feasible but recommend drilling in order to define the thickness of the debris in this location (no rock has been found in the test pits to date) and to check groundwater conditions. This will enable detailed advice to be provided on any specific engineering solution that may be necessary. This work is due to be carried out soon and Council will be informed of the result as soon as it is received.

Subject to confirmation in respect to Lot 3, geotechnical conditions need not prevent the development.

The applicant is not aware of the site having ever been used for any use listed in the Hazardous Activities and Industries List. Physical inspection of the site does not identify any evidence of any HAIL activities ever having existed on the site (such as old sheep dips). However, a HAIL search will be requested from Council if required.

2.7 Productive potential of rural land (Assessment matter 6.7.15)

While the property is not a productively farmed site, the subdivision has been designed so that built development occurs at the lower, less intensively used part of the property. Lot 1 follows the boundary of the existing dwelling and its curtilage, which equates to 2ha. This part of the property isn't grazed, so no traditional rural productivity is lost, but the site does contain a large area of native plantings which will continue to be maintained and enhanced.

Lot 2 adjoins this site and again, limited grazing occurs within this site. A small gully runs along the southern border of this property and contains extensive areas of hawthorn shrubs and a seasonal stream in its lower reach. Native plantings will be established at the western edge of this site, linking into the gully vegetation.

Lot 3 is essentially a complying rural allotment and the dwelling proposed here will merely replace a group of disused farm buildings on the western edge of the site. All the better grazing land (the upper slopes) will be retained in this allotment, including a small area of supposedly high-class soils area in the south-east corner of the allotment. This soil will not be compromised by the subdivision proposal. Native vegetation planting is also proposed on this allotment, to the north west of the building platform, again linking into the gully vegetation.

Hence, the proposed design will not compromise the bulk of existing productive rural farm land and will have the positive effect of increasing the area of native vegetation within the site.

2.8 Conflict and Reverse Sensitivity (Assessment Matters 6.7.15(ii), 6.7.26)

Consideration is required of the extent to which the proposal will conflict with existing rural activities or affect their ability to continue to operate. The proposal will have no effect in this regard as the new dwellings adjoin the existing residential zone and will in fact provide a better buffer between the residential zone and the rural land further up the slope. As a consequence, we do not anticipate any conflict with adjoining activities.

2.9 Cumulative effects (Assessment matters 6.7.4 and 6.7.15)

As we have noted above, the two new dwellings proposed for the site will be located within the lower part of the site, close to adjacent residential development, and do not extend above the existing dwelling on the site. Furthermore, the platform for Lot 3 already contains buildings. Mr Forsyth has confirmed that visibility is low and any adverse effects on landscape and amenity values will be less than minor. In this context, we consider cumulative effects will be less than minor.

2.10 Summary of effects on the environment

The above assessment leads us to conclude that the overall effects of the activity will be less than minor. Most importantly, the landscape and amenity effects of the proposal are considered less than minor by Mr Forsyth. Some positive effects will arise, with native vegetation being planted and amenity being enhanced by the removal of some nuisance trees. We have assessed transportation effects to be less than minor, while the proposed building sites are likely to be suitable from a stability standpoint despite the instability overlay of the 2GP.

3. District Plan Policy Framework

The key sections of the District Plan are Sustainability, Rural zone, Subdivision and Landscape. Each of these sections is considered below.

3.1 Sustainability

The proposal is not considered inconsistent with the policy framework of the Sustainability section of the plan. These provisions seek to ensure that infrastructure is sufficient to cater for the activity without compromising the demands of future generations. They also encourage the protection of the natural and physical resources and the maintenance or enhancement of amenity values. Policy 4.3.8 seeks to avoid the mixing of incompatible activities.

The proposal is considered a sustainable use of the land. While the site cannot be considered an economic farm unit (even at 18 hectares in this location), the subdivision has been designed to ensure the bulk of the productive land is contained in the rural lot and to protect landscape values in the area. The proposed native plantings on the site will make a positive contribution to the environment in respect to landscape and ecological values.

The activity will be self-sustaining in terms of water supply and effluent and stormwater disposal. Rainwater collection will be the primary source of domestic water. Effluent and stormwater from the site will be disposed of on-site using an approved system that is designed to take into account the topography of the site, the extent of vegetation and the proximity to watercourses.

Overall, the proposal is not only sustainable in its own right, but will ensure on-going improvement in the environment in a number of respects.

3.2 Rural zones

Policies 6.3.3 and 6.3.12 seek to discourage land fragmentation and the establishment of non-productive uses of rural land. While the proposal does involve a subdivision, it has been designed to protect the productive parts of the property. The sites to be created will likely enhance the productive potential of the

natural systems on the land through increasing the areas of native vegetation within the property. While the proposal is not consistent with these provisions, it is not contrary to them.

Policy 6.3.4 deals specifically with rural residential development but is more of a process policy setting out where such zones should be created. Such areas should be able to accommodate such development without significantly altering the character or amenity of the rural area. Natural hazard areas should be avoided as should high class soils. The unsustainable development of infrastructure should also be avoided. Subject to the final confirmation in relation to ground conditions on the Lot 3 platform, this proposal is consistent with that philosophy.

Objective 6.2.2 and policy 6.3.5 seek to maintain or enhance the character and amenity of the rural area, while policy 6.3.6 seeks to minimise effects on the amenity of adjoining properties. Effects on landscape and amenity values have been assessed as less than minor by Landscape Architect, Mr Hugh Forsyth.

In summary, the proposal is not considered contrary with the relevant objectives and policies of the Rural Zones.

3.3 *Subdivision*

The objectives and policies of the Subdivision section seek to ensure that subdivision is coordinated and sustainable, with physical limitations and potential land uses taken into account to ensure that adverse effects are avoided, remedied or mitigated. All necessary infrastructure should be provided by the developer to avoid the need for unsustainable upgrades of public services [Objective 18.2.7 and Policy 18.3.7].

The application seeks consent for the subdivision and the future land use activity on all allotments and is therefore coordinated and holistic. No physical limitations that will affect the future use of the new allotments have been identified through the assessment of effects. While some geotechnical constraints have been identified for Lot 3, these will be investigated further and appropriately mitigated. The development proposed has been determined appropriate given the surrounding activities. The residential activity will be self-serviced and will not give rise to adverse effects on the roading infrastructure.

The proposal is consistent with the objectives and policies of the Subdivision section.

3.4 *Landscape*

Mr Forsyth has undertaken a review of the proposal against the relevant landscape provisions, which he considers to be Objective 6.2.2 and Section 14.5.3 (b). These provisions provide the criteria by which to assess potential positive and adverse effects on the rural environment and the 'North-West Peninsula Landscape Conservation Area. His assessment, at Table 1 of his report, did not find any inconsistency with these provisions and in fact he found the proposal to be generally consistent with the values that are to be protected. Mr Forsyth concluded that:

Apart from not meeting the 15ha lot requirement for residential development in rural land under the OP this assessment has found that there are no discernable

adverse effects on the landscape and visual values of the present site that are likely to result from the proposed additional two house lots.

Gains in landscape and visual amenity are anticipated from the removal of pine trees proposed and the planting of additional native shrubs and trees. The removal of pine trees is expected to significantly increase light and air circulation to existing residences on the lower western boundary. The planting undertaken around the present residence reflects the benefits anticipated from additional native planting.

Off-site views indicate that the residential areas below the site extend up and down small coastal headlands and ridges and contain extensive vegetation. The proposed two lots are not assessed as likely to alter this pattern or detract from the wider and more open character of the slopes above.

In summary, we consider the proposal supports all relevant landscape objectives and policies of the District Plan.

3.5 Conclusion – Objectives and Policies

Having considered the relevant objectives and policies of the District Plan, it is concluded that the proposal is not inconsistent with the policy framework.

4. Proposed District Plan

The proposed District Plan was notified on the 26th September 2015 and submissions closed until the 24th of November 2015. Hearings are currently being held. There are numerous submissions on the rural provisions of the proposed District Plan. Hence very little weight can be given to the provisions of that plan. However, some regard must be given to the policy framework of the proposed plan.

The proposed District Plan zones the site 'Rural Hill Slopes Zone and also within the North-West Peninsula SNL overlay. The Rural zones contains a number of objectives and policies relevant to the proposal. However perhaps the key objective in the Plan in relation to Residential activity in rural zones, is that this should be limited to the extent that it directly supports farming or which is associated with papakāika. This particular site is not a productive farm unit but what productivity it does have will be retained by the subdivision design. Natural values will be enhanced by an increase in native vegetation on the site, a use which is enabled by the zone policies. Policy 16.2.1.7 is to "Avoid residential activity in the rural zones on a site that does not comply with the density standards for the zone, unless it is the result of a surplus dwelling subdivision." The site doesn't comply with the density standard of the zone so is not consistent with this policy outcome. Policy 16.2.3.2 is to "Require residential activity to be at a density that maintains the rural character values and visual amenity of the rural zones" and as we have concluded above, the proposal achieves this for this particular rural area.

The Natural Environment section also contains a number of relevant objectives and policies. In relation to landscapes, Objective 10.2.5 seeks the protection of significant Natural Landscapes (SNL's) from inappropriate development and their values are maintained or enhanced while Policy 10.2.5.8 requires new buildings and structures in these overlay zones to have exterior colours and materials that avoid or, if avoidance is not possible, minimize adverse visual effects caused by reflectivity. The proposal achieves those outcomes.

With respect to the indigenous vegetation on the property, Objective 10.2.1 seeks that these areas are maintained and enhanced while Policy 10.2.1.1 encourages conservation activity in all zones. This proposal also achieves those outcomes.

Overall, we do not find the proposal contrary to the proposed District Plan.

5. Section 104D of the Act and the 'True Exception' Test

Section 104D of the Act sets out a test that non-complying activities must pass before they can be considered for consent. The test has two limbs, being that the activity must have no more than a minor adverse effect on the environment or that it must not be contrary to the policy framework of the District Plan. The conclusion reached above is that the proposal passes both these tests. Consequently, Council can consider the proposal for consent.

Given that the activity passes both limbs of the section 104D test, the only other issue that needs to be considered is the question of plan integrity and precedent. The 2009 Environment Court Decision *Protect Piha Heritage Soc Inc v Auckland RC A015/09* noted that the RMA makes no reference to the integrity of planning instruments, precedent or to the coherence of and public confidence in the District Plan. While these are useful concepts that may be applied in appropriate cases, the Court stated that the need to apply them is less necessary where the plan provisions are effects based and the proposal does not generate adverse effects which are more than minor.

The Environment Court in *Berry v Gisborne DC W20/07* made it quite clear from that there will be very few cases where "Plan integrity will be imperilled to the point of dictating that the instant application should be declined".

In our view, this proposal does not offend the effects-based policies of the District Plan and adverse effects are less than minor. In fact, we have concluded that overall the effects are likely to be positive because of the amenity and ecological benefits that will be gained.

In terms of the 'true exception' test often applied by the DCC, we note that smaller sites are not unusual in this location and that the smaller sites proposed here act as a buffer to the more productive rural land further up the slopes, rather than being dispersed throughout the rural environment as is the case along Castlewood Road on the higher slopes of this location. This proposal not only maintains the productive capacity of the site but it also enables rural residential living and the enhancement of natural values.

As a consequence of this, any precedent set by granting consent to this proposal would not be undesirable and would not create difficulties for Council in administering the District Plan consistently.

6. Affected Persons and Notification

The applicant has not consulted with neighbouring property owners on the basis that we anticipate that Council will notify the application. On that basis, we request that Council notify the application as soon as possible.

7. Conclusion

Both limbs of the Section 104D tests for non-complying activities are satisfied and Council can therefore consider the proposal for consent. Any adverse effects arising from this proposal will be less minor. In fact, a number of positive effects are likely to

result. The proposal neither compromises the integrity of the District Plan nor creates an undesirable precedent. Consequently, the proposal promotes the purpose of the Act, being the sustainable management of the natural and physical resources and we ask that consent be granted accordingly.



**COMPUTER FREEHOLD REGISTER
UNDER LAND TRANSFER ACT 1952**
Limited as to Parcels

Search Copy



Identifier OT271/67
Land Registration District Otago
Date Issued 24 August 1935

Prior References
DI T206

Estate	Fee Simple
Area	18.4916 hectares more or less
Legal Description	Part Section 69 Block II Otago Peninsula Survey District

Proprietors
Alistair Wallace Montgomerie and Samantha Jacqueline Montgomerie

Interests

500723 Transfer creating the following easements - 31.7.1978 at 11.43 am

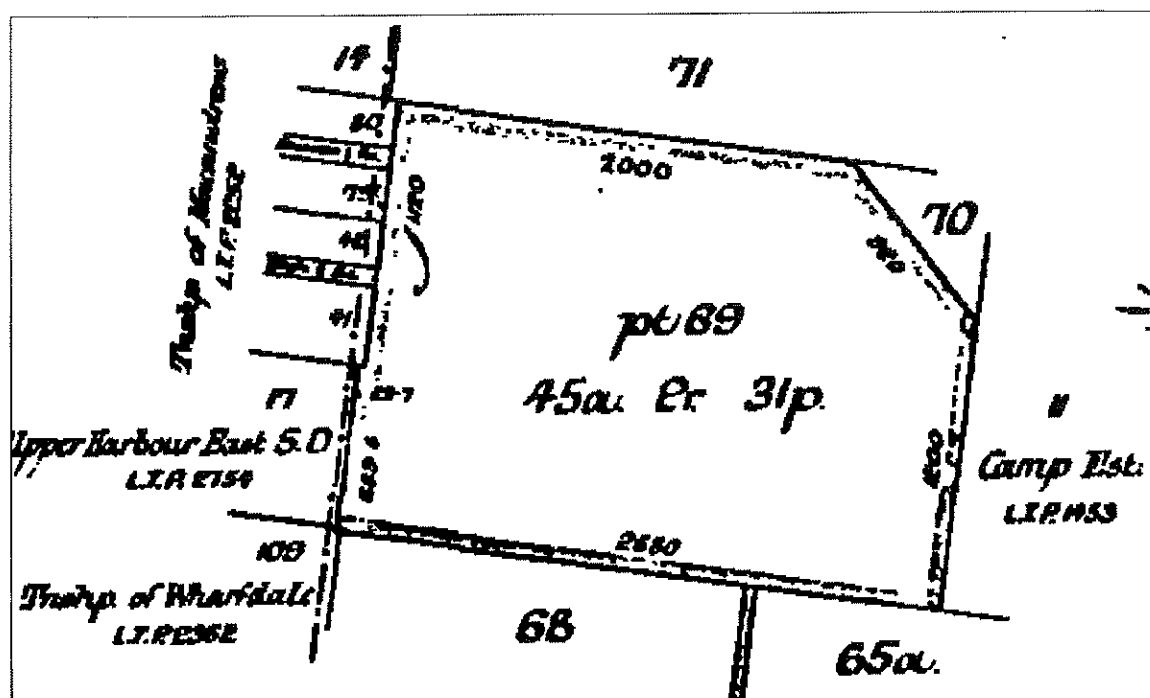
Type	Servient Tenement	Easement Area	Dominant Tenement	Statutory Restriction
Right of way	Lot 18 Deposited Plan 4332 - CT OT342/189	Yellow marked Right of Way Transfer 500723	Part Section 69 Block II Otago Peninsula Survey District - herein	

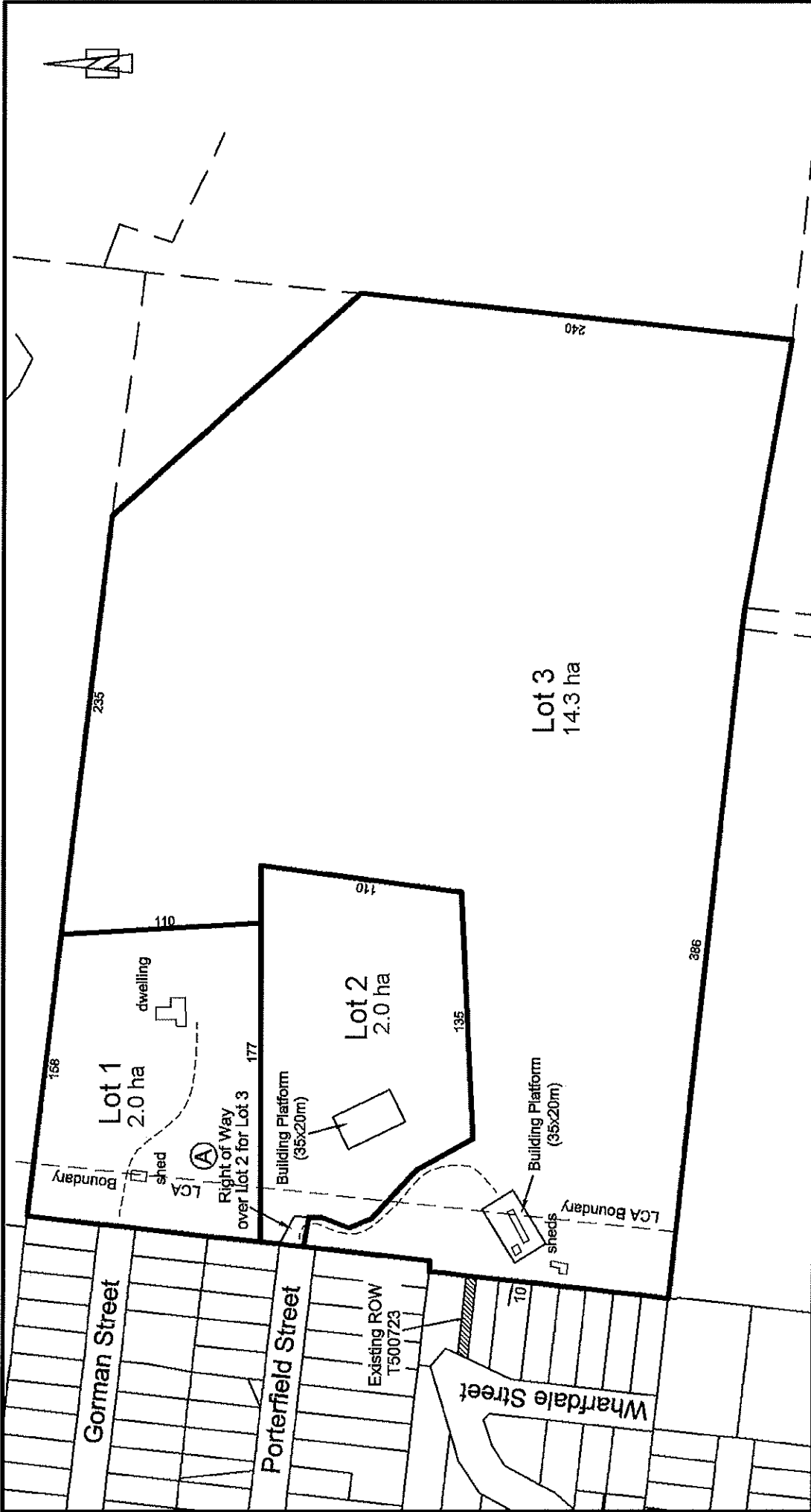
The right of way created by Transfer 500723 is subject to the Council's conditions of consent endorsed on the said Transfer

9337421.2 Mortgage to Westpac New Zealand Limited - 15.3.2013 at 3:46 pm

Identifizier

OT271/67





Applicant: AW & SJ Montgomerie
Comprised in: OT271/67
Local Authority: Dunedin City
Date: 27 July 2017

Notes
1. Changes may occur to the layout of the proposal shown as a result of Resource Consent conditions.
2. Areas and dimensions on this plan may be subject to change following field survey

CRAIG HORNE Registered Surveyor 5 MAIN SOUTH ROAD EAST TAIERI P.O. BOX 56 MOSGIEL	Proposed Subdivision of Part Sec 69 Blk II Otago Peninsula SD 34 Gorman Street, Macandrew Bay		For: Montgomery Q21	SHEET 1 OF 1
			Drawn CH	A4 SCALE
			Checked	1:3000



Applicant: AW & SJ Montgomerie
 Comprised in: OT271/67
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CRAIG HORNE
 Registered Surveyor

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PH (03) 4947008
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**Proposed Subdivision of
 Part Sec 69 Blk II Otago Peninsula SD**
 34 Gorman Street, Macandrew Bay

For: Montgomery Q21

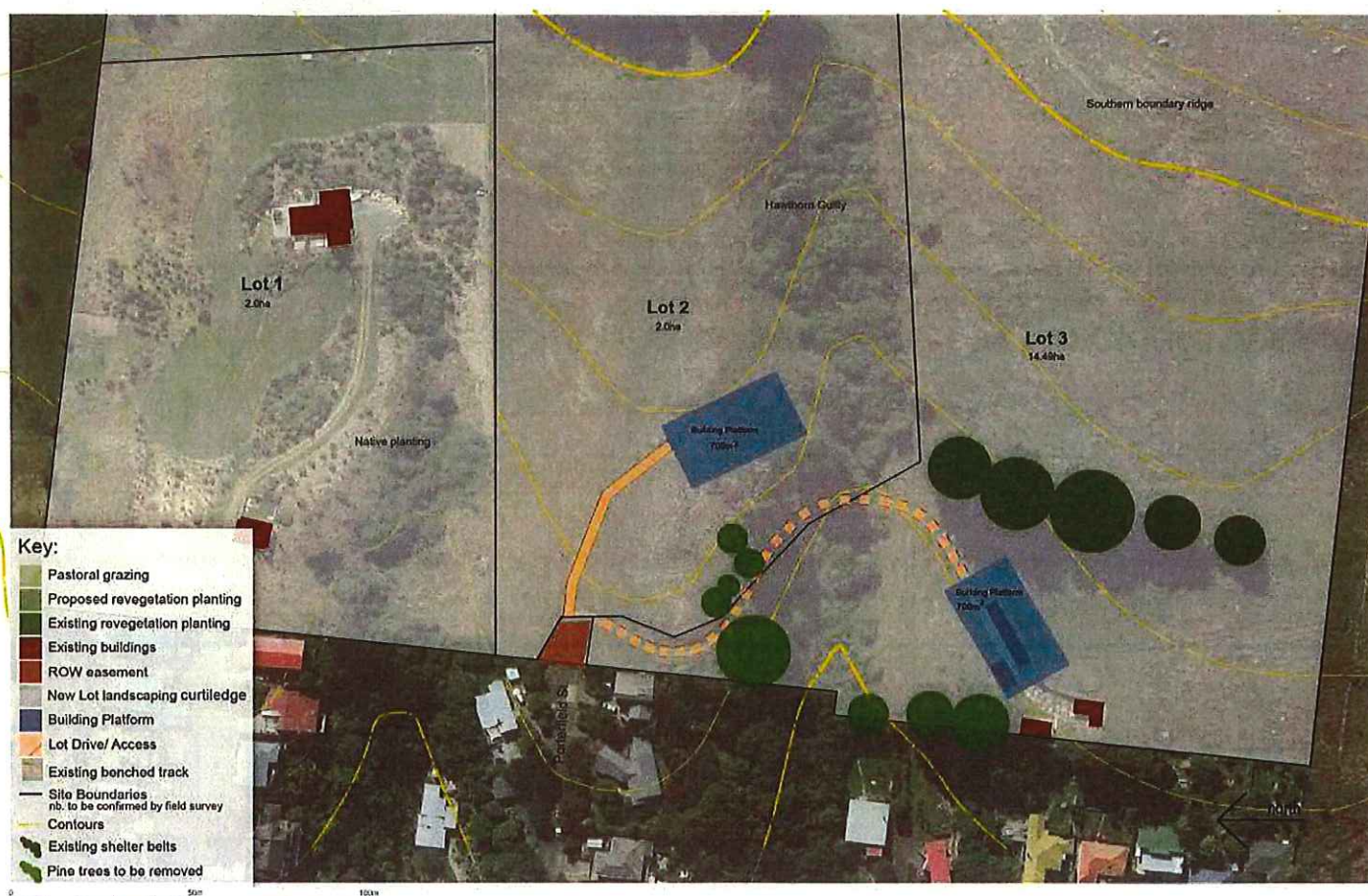
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 OF 1

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34 GORMAN STREET
PROPOSED 3 LOT SUBDIVISION
MACANDREW BAY
LANDSCAPE REPORT

July 2017

1.0 Introduction

- 1.1 This landscape report has been completed by Site Environmental Consultants on behalf of Alistair and Samantha Montgomerie in support of a proposed 3-lot subdivision of their property at 34 Gorman Street (Fig.1). It outlines the proposal and then considers the existing environment, the basis of the proposed lots, and provides an assessment of effects.
- 1.2 Plans and photographs are included that describe the proposal and its context (Attachment 1). Those photographs that are marked 'full frame' will provide an approximate human eye view from the location of the photograph, if printed at A3 and held at arms-length.
- 1.3 The scale of effect used in assessment sections is 'low, low-medium, medium, medium-high' and 'high'. This scale is not the same as a planners technical assessment of effects, i.e. 'less-than-minor, minor, more-than-minor'. An overall assessment of effects using this scale is also provided in the assessment of proposed lot 2 and lot 3.

2.0 Proposal

- 2.1 It is proposed to create 2 additional residential lots at 34 Gorman Street. This will bring the total of residential lots to 3. Lot 1 and 2 will each be 2ha in area and located in the lower north/west corner of the site (Fig. 2). Lot 1 will include the existing residence (Fig.3). Lot 2 is proposed for an existing benched area close to the top of Porterfield Street. Lot 3 is proposed for the lower south/west boundary (Fig.4). This lot will include the balance of land, approx. 14.3ha or 72% of the full site (18.49ha) (Fig.5).
- 2.2 Site access will be by the existing access from Gorman Street and from the top of Porterfield Street. Lot 3 will be accessed by an existing benched farm track that presently runs due south from Porterfield Street.

3.0 Site Description

- 3.1 The site is located on the open slopes to the rear of Macandrew Bay (Fig.1). Its lower boundary begins at approx. 94m elevation above sea level ('asl') and approx. 330m back from the shoreline, where residential housing ends. The site then rises eastward to approx. 154m asl and 880m from the shoreline. It generally regular in form until the upper north/east corner area where a short diagonal forms the corner (Fig.6).
- 3.2 A broad ridge underlies the southern boundary and rises steeply from the lower south/west shelterbelt. These slopes contain rough grass and scattered stones but flatten out near the western boundary before descending to the shore, south of Porterfield Street. The coastal slopes contain housing and shrubs and trees.
- 3.3 A smaller ridge system runs south/east to north/west through the upper northern part of the site and includes a sub ridge that extends downward to Porterfield Street. The slopes are less steep than the southern side of the site and are separated by a

small gully. This divides the site until near the top boundary and contains extensive areas of hawthorn shrubs and a seasonal stream in its lower reach.

- 3.4 The most developed pasture area is located in the upper slopes and above the gully. This area is currently leased for horse grazing on a casual basis.
- 3.5 Gorman Street and Porterfield Street meet the site boundaries and legal access is available over 37 Wharfdale Street, via ROW. Access to the upper farm area is mostly via an unformed track that runs directly up the spur above Porterfield Street and through the first pine belt.
- 3.6 The existing residence and two sheds are located in the lower north/west corner of the site and a group of disused farm sheds are located adjacent to the lower south/west boundary. Unformed farm tracks provide access to the upper site areas from Porterfield Street and an unsealed benched track runs south from Porterfield Street to the sheds.
- 3.7 Site vegetation includes several pine shelterbelts and an area of native shrub planting. The shelterbelts run north/south across the lower western boundary and the northern slopes. These trees are very visible from off-site and also serve to filter views to and from Macandrew Bay.
- 3.8 Native planting has been undertaken by the owners since 2002 and now includes approx. 7000m² of shrubs and juvenile trees around their house. The canopy reaches 3 -4m+ in many parts and birdlife was evident during site visit (Fig.3).

4.0 Visual Catchments and Visibility

The visual catchment includes local views from within the shoreline of Macandrew Bay and from the slopes to the south. Local views to the site are from viewpoints on the southern approach of Macandrew Bay Rd, the boatshed reserve and jetty area, and from the residential streets and houses that rise to the south of the Bay. Due to the narrow shoreline within Macandrew Bay and the curves of the coastline and headlands all distant views are from the western side of the Harbour Channel. Most of these are from the Dunedin-Port Chalmers Road.

- 4.1 Viewpoint 1 – Macandrew Road walkway – 730m distance to site boundary (Fig.7)
- 4.2 This viewpoint is taken from the footpath adjacent to the coastal road as it passes from the headland to the Bay. It provides the most strategic shore based view of the coastal slopes to the rear of Macandrew Bay, the lower south/west site boundary and the slopes of the southern ridge that rise behind.
- 4.3 Several pine trees are growing on the lower south/west site boundary and other large trees are growing within houses adjacent to the boundary. The lower pine shelterbelt sits inland and behind these trees. The pasture slopes of the southern ridge rise behind the trees. A glimpse of the present residence roofline can be seen to the north/east.

4.4 Viewpoint 2 – 5 Featherston Street – 790m distance to site boundary (Fig.8)

This viewpoint was taken from an upstairs window of No.5 Featherston Street and an elevation of approx. 72m asl, or 10m above the lower south/west site corner.

Site visit indicated that there are limited views to the site from public roads on these slopes due to narrowness, tight corners and adjacent walls, roadside shrubs and trees, and orientation.

4.5 This view looks directly toward the existing residence, which is hidden behind the pine trees mid view (behind Lot 2). The southern ridge rises to the right of the image and the central gully and northern slopes can be seen beyond. The dividing effect of the northern pine shelterbelts is evident. Views to the lower site areas are either prevented or extensively filtered by the lower south/west boundary shelterbelt and other wilding pines. Large trees follow the southern side of the Porterfield Street ridge and are a further focus point in this view, in addition to the housing and shoreline below.

4.6 Summary of local views

Wide and strategic views into the site are only available from southern slopes above Macandrew Bay. Several houses abut the lower site boundary, to the north and south of the mid gully area, but all orientated toward the harbour and the westward. Views are available from the shoreline road approach to the south but these mostly end at the western boundary or at the pine trees that are offset to the east. Neither of the proposed sites area visible from these viewpoints. Views from northern road approach are prevented by topography, houses and planting.

4.7 Views from the north/west side of the Harbour are gained from the Dunedin-Port Chalmers Road, from several small settlements on headlands above St Leonards, and from the coastal cycle path and walkway. Views from the coastal road are intermittent and often obscured by shrubs and utility poles. The most strategic views are those that are stationary.

4.8 Viewpoint 3 – Ravensbourne shoreline - 2.7km to site boundary (Fig.9)

This view was taken on the harbour side of the coastal road at the northern end of Ravensbourne and looks directly onto the site. The break between the northern and southern sides is very clear with the southern ridge slopes rising away from the gully area and the pasture continuing upwards and beyond the site boundary. This is in contrast to the more gradual and less distinct forms of the northern side of the site and the prominent pine blocks in the mid slope area.

4.9 The lower south/west pine belt is visible in association with the belt of trees that descends on the south side of Porterfield Street. The existing house is tucked into the top of shrub planting that appears to extend from the top of Gorman Street.

4.10 Viewpoint 4 - St. Leonards Point walkway - 2.4km to site boundary (Fig.10)

This viewpoint is taken from the coastal cycle way below Kiwi Street, St. Leonards. The south/east angle provides a strategic view of the open side of the site and across the spur above Porterfield Street and directly onto the southern ridge. The

pine shelterbelts are highly visible from this viewpoint and appear out of scale with the surrounding landforms and smooth pasture cover. The upper pasture area is visible.

- 4.11 The lower boundary shelter belt and wilding pines top the boundary and add a dark band across the middle of the site while the existing residence sits at the top of band of vegetation that connects it to upper Gorman Street. Housing and an extensive tree and shrub cover highlight the form of the small headlands below the site and spread across the slopes to the north of the main Macandrew Bay shoreline.

- 4.12 Viewpoint 5 – 21 Eagles Street, St. Leonards - 2.56km to site boundary (Fig.11)

This viewpoint looks directly at the site from a domestic street and approx. 35m asl. The view is slightly elevated but also looks upward at a slight angle to the site. This aspect emphasizes the steepness of the pasture slopes to the south, the distinction between the southern and northern parts of the site, the legibility of the pine on the northern part of the site.

- 4.13 The linear uphill direction of Gorman and Porterfield Streets is visible and the pattern of gully planting that follows them. The native shrub planting on 34 Gorman Street appears as a continuation. The existing residence would be difficult to detect if the roof colour were darker.

- 4.14 Summary of Distant Views

The views from the north/west side of the Harbour Channel indicate that the northern and mid to upper slopes are widely visible from different viewpoints along the coastline. All of these views indicate the overall form of the site and the surrounding coastal landscape and the pattern of vegetation cover and settlement. None of the views provide detail and which is expected at a distance of more than 2km and unassisted eyesight.

- 4.15 Most views are from the road and intermittent and unlikely to pick up change in the views unless different from the surrounding backdrop and significant in size. The existing residence is visible in all of these views but mainly due to the relatively light colour of its roof. Otherwise the pattern of shrub planting provides a successful context for this house and links it to upper Gorman Street. None of the views provides access to the lower south/west boundary area but this would change with tree removal.

- 4.16 Summary of Visual Catchment

On the basis of site review and off-site visits the site appears to have two different visual catchments. Views from the north/west side of the Harbour Channel include the majority of the site. Views from within Macandrew Bay and the surrounding slopes provide detail of upper parts of the site and the lower boundary little of the inner site area. Due to distance these views provide a perspective of patterns of vegetation, landform and development, and not the detail of individual elements.

5.0 Policy Context - Landscape

- 5.1 The site is zoned Rural under the Operative Dunedin City District Plan ('OP'). Further development of the site is non-complying, as 15ha is the minimum size for a residence under the rules in Section 6.5.
- 5.2 The site is within the coastal environment but is not identified as being part of an area of Outstanding Natural Landscape. The pattern of land use and vegetation between the site and the coastal marine area is broken and modified by residential and street development and the main coastal influence is climatic and visual.
- 5.3 Section 6 Rural, 'Introduction' (OP) describes the rural environment as being dominated by pastoral farming, having a low level of development that includes small structures, and maintains a sense of 'openness'. Rural residential development is identified as a potential pressure, particularly in close proximity to urban areas. Rural residential development is considered appropriate where the receiving environment is able to absorb off-site effects.
- 5.4 Issue 6.1.2 considers the potential fragmentation of rural land and loss of natural and physical resources. Issue 6.1.4 identifies the potential for rural residential development to reduce the amenity of those already living in the rural environment.
- 5.5 Objective 6.2.2 sets out the elements that are associated with rural character. These include:
- Predominance of natural over human features
 - High ratio of open space compared to 'built' development
 - Significant areas of vegetation, including pasture, crops, forestry and indigenous vegetation
 - Presence of large numbers of farmed animals
 - Noises, smells and effects of pastoral animal production
 - Low population densities relative to urban land
 - Generally narrow unsealed roads
 - Absence of urban infrastructure
- 5.6 The OP provides a landscape management structure based on a hierarchy of 'Outstanding Landscape Areas', Coastal Landscape Preservation Areas' and 'Landscape Conservation Areas' that are described in Section 14. These categories are the basis of development guidelines that follow. A further layer of 'visually prominent' and 'visually recessive' land is added that is independent of the assessed value of the land itself.
- 5.7 The site is within the 'North-West Peninsula Landscape Conservation Area' (Section 14.5.3 (b)). OP Map 40 indicates that the lower part of the site and the southern ridge fall within an area of visually recessive landscape with the line between 'recessive' and 'prominent' crossing the mid-point of the present residence (Fig.6).

5.8 The landscape values to be maintained include the following:

- Protection and predominance of natural landform and features
- The extent and quality of viewpoints from public roads
- Maintain contrast between rural land and harbour edge settlements
- Maintain balance of settlement to avoid dominance of rural landscape
- Maintain extent and quality of regenerating native bush

6.0 Assessment of Landscape and Visual Effects

6.1 The following assessment of landscape effects considers the change that can be anticipated as a result from the development proposal proceeding against the present site character and associated values. These values are drawn from the OP and from site observation.

6.2 The assessment of visual effects is based on changes to the present pattern of land cover, structures and open space that presently characterize the visual appearance and amenity of the site. The lots are assessed in sequence and followed by a summary assessment against the provisions of the OP. Draft consent conditions and mitigation measures are included for each lot.

6.3 The following elements and actions are considered to be potential effects:

- Earth works and retaining walls
- Forming an access way
- The number and size of future structures
- External colour and materials used for roofs and walls
- Plant removal and mitigation planting
- Night light-throw
- Traffic movement

6.4 Lot 2

Lot 2 is located on an existing benched area and on relatively level ground at an elevation of approx. 78m asl (Fig.2 & 3). The proposed curtilage area is 20m x 35m in dimension. Wilding pine trees are growing on the bank below this lot to the south/west and provide shelter from south/west winds and also screen views from housing on the southern slopes above Macandrew Bay. The site is open to the north/east, north and north/west.

6.5 A formed access road will extend between Lot 2 and Porterfield Street and a house and, potentially, garage will be established on the lot. Due to lack of potable water and fire supply several large storage tanks will be required to be located to the south of the building. It is not expected that significant earth works will be required to establish this site, although retaining walls will be required uphill from the lot.

6.6 It is proposed to remove several pine trees to the immediately west of this lot and undertake canopy thinning of up to 15% of the remainder between the lot and the lower access track. Planting of native shrub species and trees is recommended for

the area where the pine trees have been removed. The intention of the removal is remove a potential health and safety issue, as the trees grow, open view to the harbour to the west, and to significantly increase the amount of morning sunlight in the lower gully area on the south/west boundary (Fig.2).

- 6.7 Off-site views indicate that the site will be seen in association with the existing pine trees and just above the residential housing either side of Porterfield Street. The site is not visible from the southern Macandrew Bay slopes or from the Bay shoreline. Removal of the pine trees identified will not significantly increase visibility from Macandrew Bay but will open the future house to views from the opposite side of the harbour channel.
- 6.8 Recommended consent conditions proposed for Lot 2 include:
- Maximum elevation of 7m above existing non-excavated ground level, including roof structure
 - A stepped design for two-level structure that extends eastward
 - Maximum retaining wall height of 3m across the eastern side of the curtilage and to extend no further than 2m to the north of the residential structure
 - Maximum reflectivity value (RV) of 40% for roofs and 50% for external house/retaining walls
 - Low reflective glass to be used for windows
 - Bare concrete block construction and tiled roofs excluded
 - Concrete access ways to be tinted to 50% reflectivity value
 - External lights are to be limited to ground based garden lights, wall lights and back door security lights. Driveway 'street lights' are not acceptable
 - Boundary fences are to have an open character and not to exceed 1.2m high, with further visual barriers to the east, north or west to be provided by native shrub planting
 - Planting of native shrub cover to undertaken in the areas shown within the first planting season following construction
 - Planting to be at one plant per 1.5m at PB3 size with liquid rain and a fertilizer pellet per plant. Success rate of 80% at 5 years from consent.
- 6.9 The assessment of potential landscape effects associated with lot 2 in the short term is considered to be 'low-medium' in the immediate term and 'low' in the 5year+ term. The difference in overall landscape structure and character will be minimal in as the site is not part of the wider pastoral area and is located on an existing benched area. The addition of a further structure and access way is not considered significant in the context of land use and the wider rural character of the site.
- 6.10 The assessment of potential visual effects is considered to be 'low'. The future house will also be built adjacent a large group of pine trees. Some of these will be removed but the remainder will provide scale and context and a visual focus for views from the far side of the harbour. Recommended conditions will also lower the potential

visibility of the structure. The lack of streetlights will lower the potential for night effects.

- 6.11 The maximum roof height of 7m takes the roofline of the present residence into account and will be lower or similar and will be visible to filtered views to a limited number of houses on the southern slopes above Macandrew Bay. The harbour forms the main focus for these houses and the proposed structure is not anticipated to have a noticeable impact.
- 6.12 The combined assessment of potential effects is 'low' on a 5year+ time frame. In respect to a planning scale this equates an assessment of 'less-than-minor' effects.
- 6.13 Lot 3
- 6.14 Lot 3 is located on a slope with a north/west aspect at approx. 58m asl. Several disused farm sheds are located on excavated platform that runs north/east to south/west across this slope and is accessed by an existing benched farm track. The platform area is expected to provide the majority of the building platform for a new house. A low-to-medium level of earthworks is anticipated to establish a house on this site.
- 6.15 The proposed lot is directly above and to the east of No.37 Wharfdale Street. The proposed curtilage area is 700m² and 20m deep by 35m long (Fig.2 & 3). The underlying grade is approx. 33% or 1 in 3. From the north/west boundary of the proposed lot the slopes fall a further 10m over the approx. 39m between the lot and the outfall of the stream gully outlet to Wharfdale Street below. A formed track crosses the gully and periodic stream and will be developed to provide all weather access.
- 6.16 Three pine trees are identified for removal adjacent to the lot and a further tree is to be removed adjacent to the boundary on the northern side of the gully. Three smaller pine trees are to be removed adjacent to Lot 2.
- 6.17 The conditions proposed for Lot 3 are:
- A maximum elevation of 7m and including roof structure
 - A maximum height for a retaining wall across the rear of the curtilage of 3m
 - A maximum height of 1m for retaining associated with the access way
 - Maximum RV of 40% for roofs and 50% for external house/retaining walls
 - Bare concrete block construction and tiled roofs excluded
 - Concrete access ways to be tinted to 50% RV
 - All retaining walls are to be stained or tinted to maximum of 50% reflectivity value or to be planted with climbers to a specification agreed by Council
 - Planting of native shrub cover to undertaken in the areas shown within the first planting season following construction (Fig.2)
 - Planting to be at one plant per 1.5m at PB3 size with liquid rain and a fertilizer pellet per plant. Success rate of 80% at 5 years from consent.

6.18 The assessment of potential landscape effects associated with lot 3 in the short term is considered to be 'medium' in the first 1 – 5year time period and 'low' in the 5year + time period. In respect to a planning scale this equates to 'less-than-minor'. The most immediate change will be construction effects in a presently disused rural land area and the removal of pine trees.

6.19 Construction effects may extend to 9months. After this initial time period the environmental effects of the development are considered to be positive for adjacent neighbours. The level of sunlight and air circulation will increase significantly and the level of dampness and frost is expected to drop. Traffic and background noise are not considered likely to exceed potential noise from existing neighbours.

6.20 The assessment of potential visual effect is considered to be 'low-medium' in the short term and 'low' in the 5-10year timeframe. Those most affected will be the neighbours at No's 37 and 39 Wharfdale Street and during the construction period but there are not considered to be any significant effects following the end of construction and the planting of the slope areas below the house curtilage.

6.21 At present the site is hidden from both the north/west harbour views and views from within Macandrew Bay and surrounding slopes. The removal of the pine trees adjacent to the building platform will expose the site to the north/west but it will remain hidden to the south due to a Eucalyptus tree at 43 Wharfdale Street.

6.22 Increased visibility will occur for viewers from the north/west side of the harbour but the pine belt will remain behind the proposed house site and provide a dark context for the new structure. A low reflectivity value for roof and walls will diminish potential effects, as will the absence of a dark mono form tile roof.

6.23 Summary of Landscape and Visual Effects

The longer-term landscape and visual effects of the proposed 2 additional lots are assessed as being low in the 5year + time frame and not significant in the context of the rural character and visual values that are exhibited in the wider area.

6.24 The proposed development is will be in the lower part of the site and which is already modified and not used for active pastoral grazing. All structures will be at a lower level than the existing residence and in the context of existing vegetation and close to adjacent residential development. Access will be retained to the wider pasture and will not diminish the visual amenity of this land or its rural function.

6.25 Combined with design conditions and planting mitigation and a low settlement density the development of lots 2 and 3 are expected to have little or no effect on present character values and a low to minimal level of off-site visibility.

7.0 Policy Assessment

7.1 OP Section 6, Rural, Introduction provides an overview of the rural characteristics of the landscape, land use practices and present amenity values that are to be maintained by the Plan. Residential development is discussed both as a threat and appropriate, in some places. An appropriate outcome is considered achieved when

the development and receiving environment has the 'characteristics and capacity to absorb the effects on rural character and amenity values' (OP, Section 6 Rural, Rural Residential Zone, pg.6.3).

- 7.2 Objective 6.2.2 and Section 14.5.3 (b) provide criteria by which assess potential positive and adverse effects on the rural environment and the 'North-West Peninsula Landscape Conservation Area'. These objectives and factors are restated in Table One and the elements of the proposal assessed against the provisions.

Table One

Objective 6.2.2	Proposal
▪ Predominance of natural over human features ▪ High ratio of open space compared to built-development ▪ Significant pasture, crops, forestry and indigenous vegetation ▪ Presence of large numbers of farmed animals ▪ Noises, smells and effects of pastoral animal production ▪ Low population densities relative to urban land ▪ Generally narrow unsealed roads ▪ Absence of urban infrastructure	Majority of site will remain in rural use The proposed lots have a low density and low visibility. Mitigation planting will provide maintain context with surrounding vegetation and lower the potential for an urban character The existing site includes pasture, pine trees. and native shrubs. This will continue, with an increase in indigenous plant numbers The upper pasture is leased for horses. This activity will not be affected Animals are present in the mid and top field area on an occasional basis and will continue to be so. They are not present in lower areas. There will be an extension of the residential use of the site but at low density comparative to urban areas. Development is structured to minimise adverse effects for neighbours and amplify positive effects, e.g. planting, sunlight and air circulation Lot 2 and 3 driveways may require concrete seal. Low reflectivity values have been included in draft consent conditions The existing residence is connected to water and waste. Street lighting is excluded as design condition
Section 14.5.3 (b)	
▪ Protection and predominance of natural landform and features ▪ The extent and quality of viewpoints from public roads ▪ Maintain contrast between rural land and harbour edge settlements	A low level of land modification will be required and will retain the existing contours An assessment of visual effects from distant and adjacent areas confirmed that there will be a low level of adverse effect The boundary of the urban fringe will be maintained as only one house will be partly visible from off site at a distance of 2km+.

	The rural land above lot 1 and proposed lot 2 will contain no development and will maintain the characteristics of open space and rural land use.
▪ Maintain balance of settlement to avoid dominance of rural landscape	The proposed development is not considered to lead to a dominance of built development over rural character as it is located at the bottom of the site and which has a low level of off-site visibility
▪ Maintain extent and quality of regenerating native bush	There is no indigenous vegetation on site other than what the applicants have established. This will be increased with mitigation planting.

7.3 Apart from not meeting the 15ha lot requirement for residential development in rural land under the OP this assessment has found that there are no discernable adverse effects on the landscape and visual values of the present site that are likely to result from the proposed additional two house lots.

7.4 Gains in landscape and visual amenity are anticipated from the removal of pine trees proposed and the planting of additional native shrubs and trees. The removal of pine trees is expected to significantly increase light and air circulation to existing residences on the lower western boundary. The planting undertaken around the present residence reflects the benefits anticipated from additional native planting.

7.5 Off-site views indicate that the residential areas below the site extend up and down small coastal headlands and ridges and contain extensive vegetation. The proposed two lots are not assessed as likely to alter this pattern or detract from the wider and more open character of the slopes above.

8.0 Conclusion

8.1 It is the conclusion of this review that the proposed development will not detract from existing rural or landscape values and will add to the environmental quality of neighbouring properties.

8.2 Potential landscape and visual effects is assessed as being 'low' on a scale of 'low, low-medium, medium, medium-high' and 'less than minor' on a planning scale of 'less-than-minor, minor, more-than-minor'.

8.3 It is recommended that consent be granted for the proposed 3-lot subdivision on the basis of the consent conditions set out in section 6 of this review.

Hugh Forsyth
Registered Landscape Architect

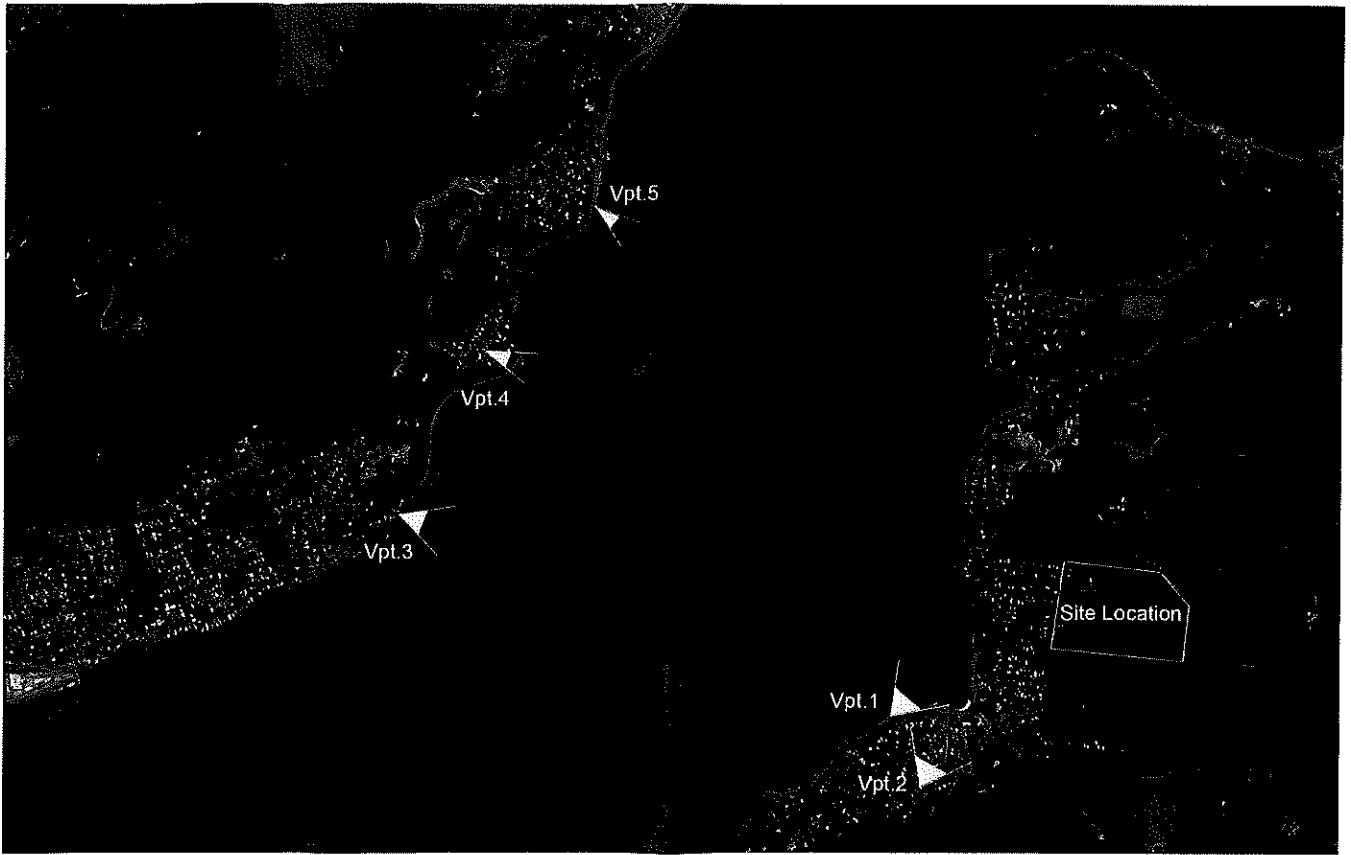
26 July 2017

ATTACHMENT 1:

34 GORMAN ST, MACANDREW BAY
PROPOSED 3 LOT SUBDIVISION



JULY 2017



Data from Dunedin City Council GIS site

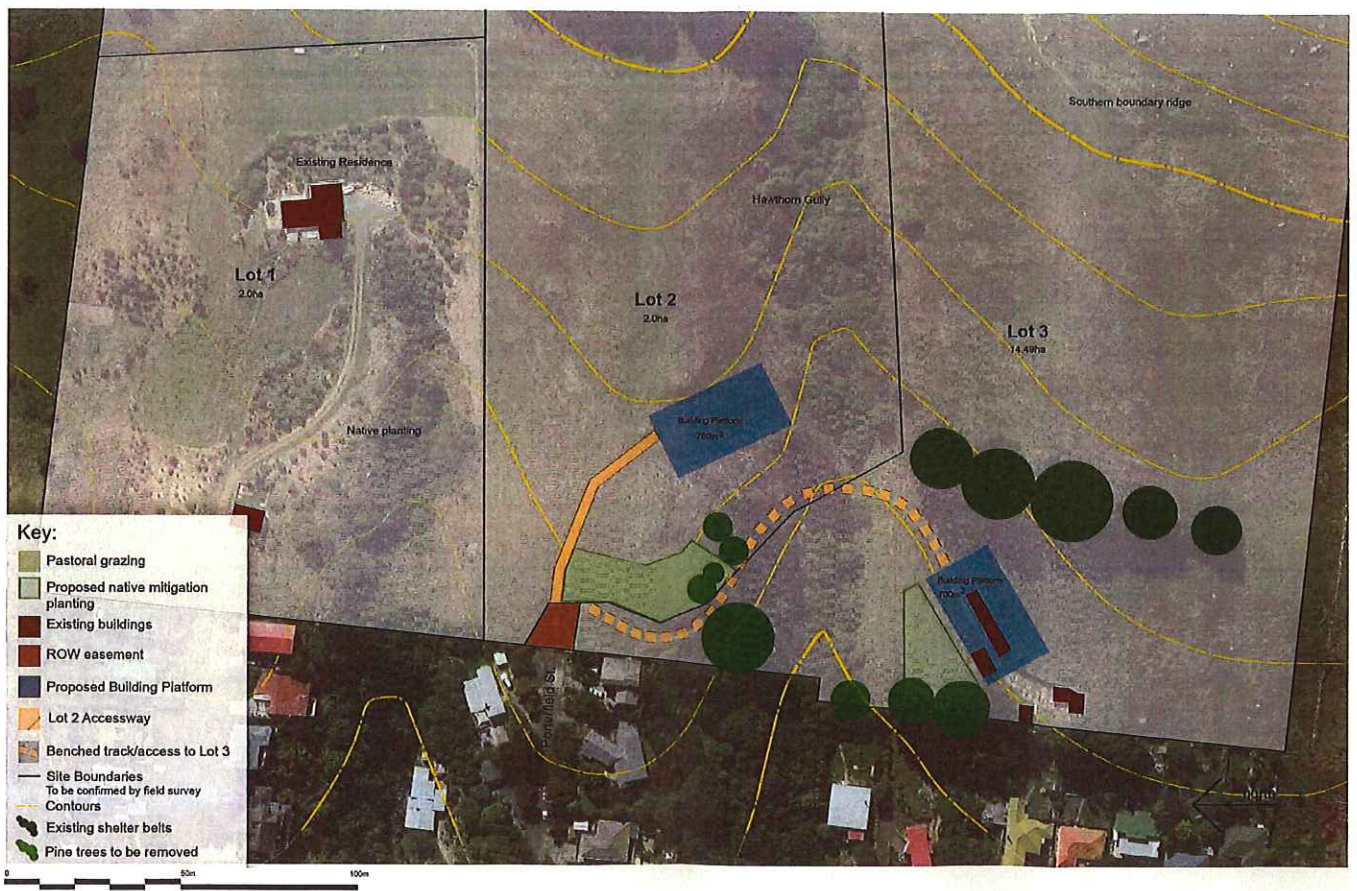


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34 Gorman Street, Macandrew Bay - Context and View Point Plan

July 2017

1





Residence @ 34 Gorman Street - 2002



Residence @ 34 Gorman Street - 2017

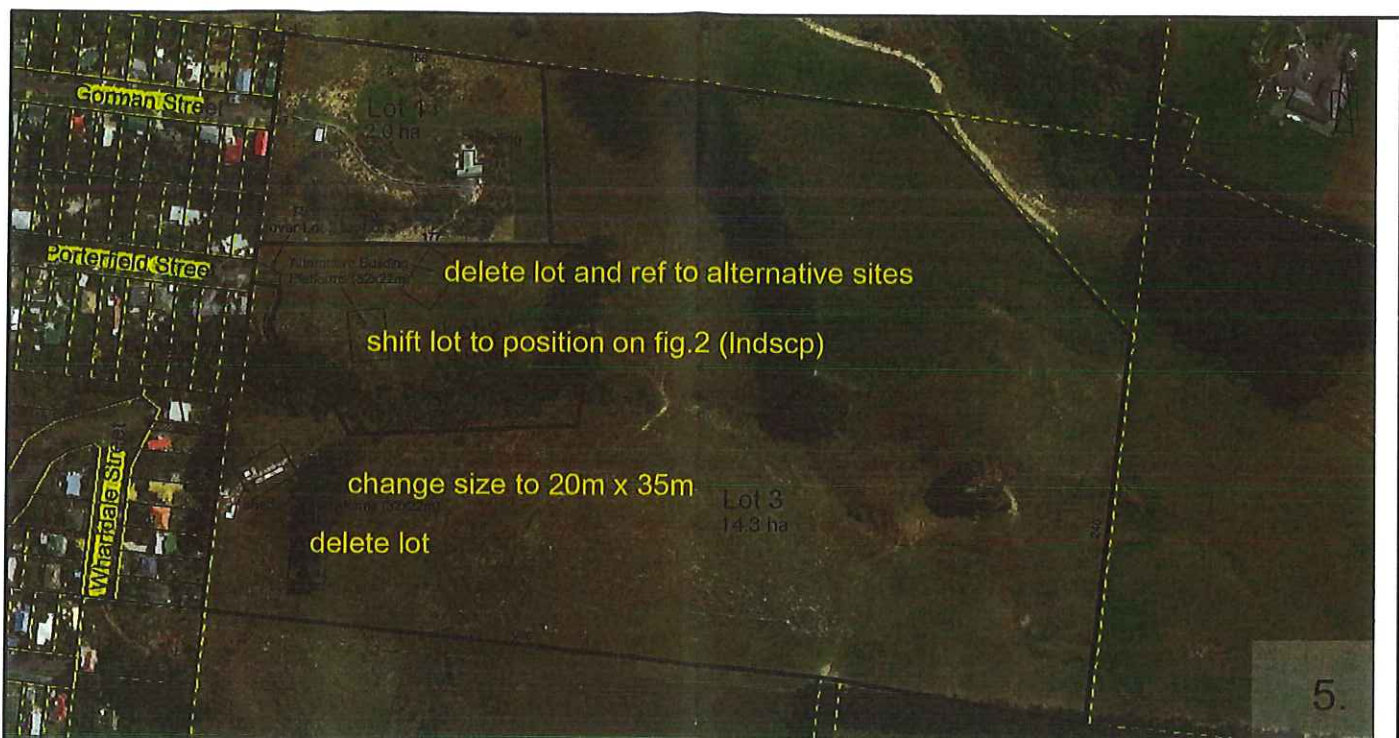


Proposed Lot 2 - Existing benched area



Proposed Lot 3 - Southwest boundary

Images reduced



Applicant: AW & SJ Montgomerie
 Comprised in: OT271/67
 Local Authority: Dunedin City
 Date: 23 June 2017

Notes
 1. Changes may occur to the layout of the proposal shown as a result of Resource Consent conditions.
 2. Areas and dimensions on this plan may be subject to change following field survey

CRAIG HORNE
 Registered Surveyor

5 MAIN SOUTH ROAD EAST TAIERI
 P.O. BOX 56 MOSGIEL

PH (03) 4847008
 FAX (03) 4847009

**Proposed Subdivision of
 Part Sec 69 Blk II Otago Peninsula SD**
 34 Gorman Street, Macandrew Bay

For: Montgomery Q21

SHEET
1
 OF 1

Drawn CH	Checked	A4 SCALE
Traced		1:3000





50mm lens on full frame digital camera

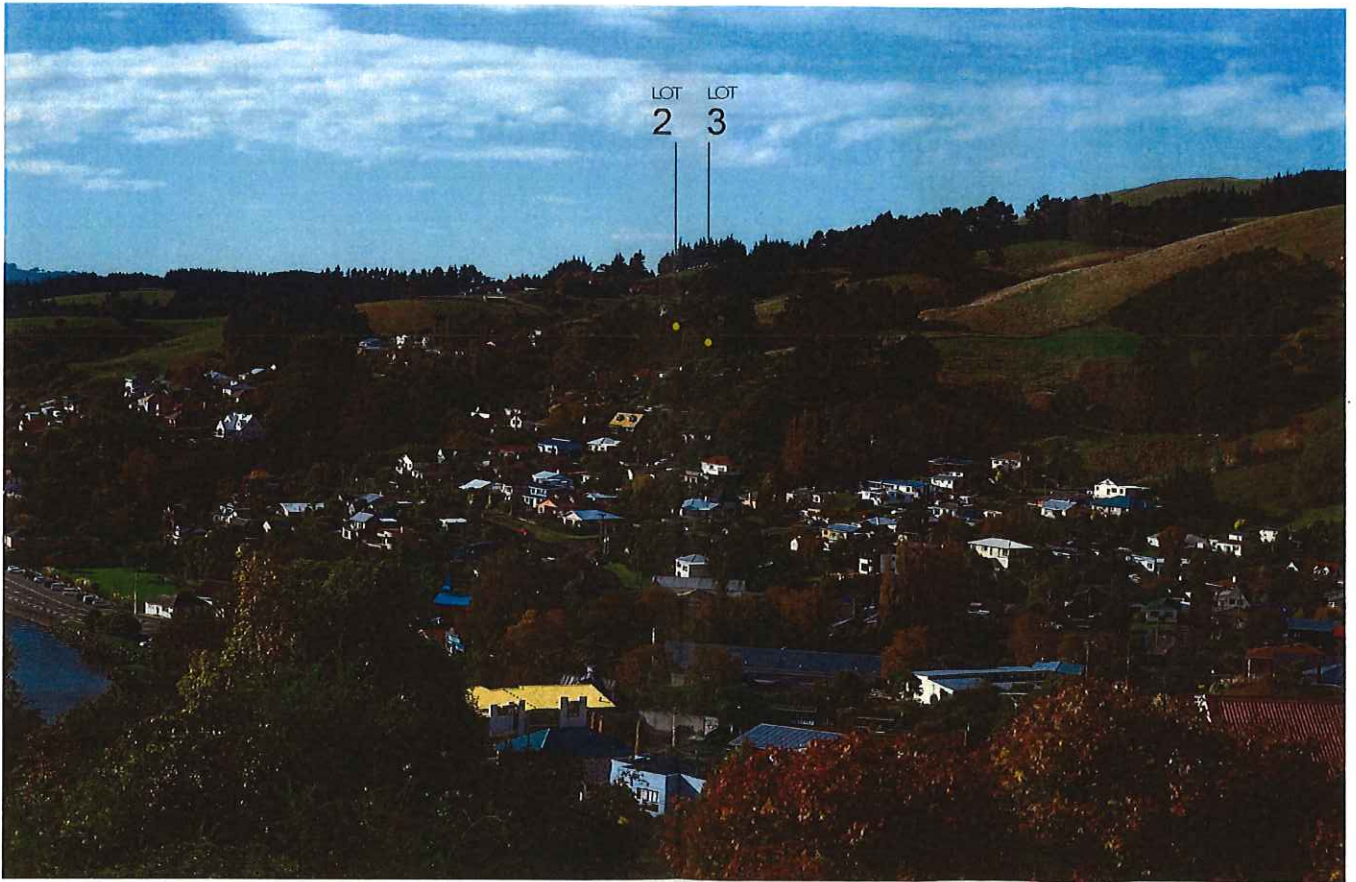


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34 Gorman Street, Macandrew Bay - Viewpoint 1

July 2017

7



50mm lens on full frame digital camera



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34 Gorman Street, Macandrew Bay - Viewpoint 2

July 2017

8



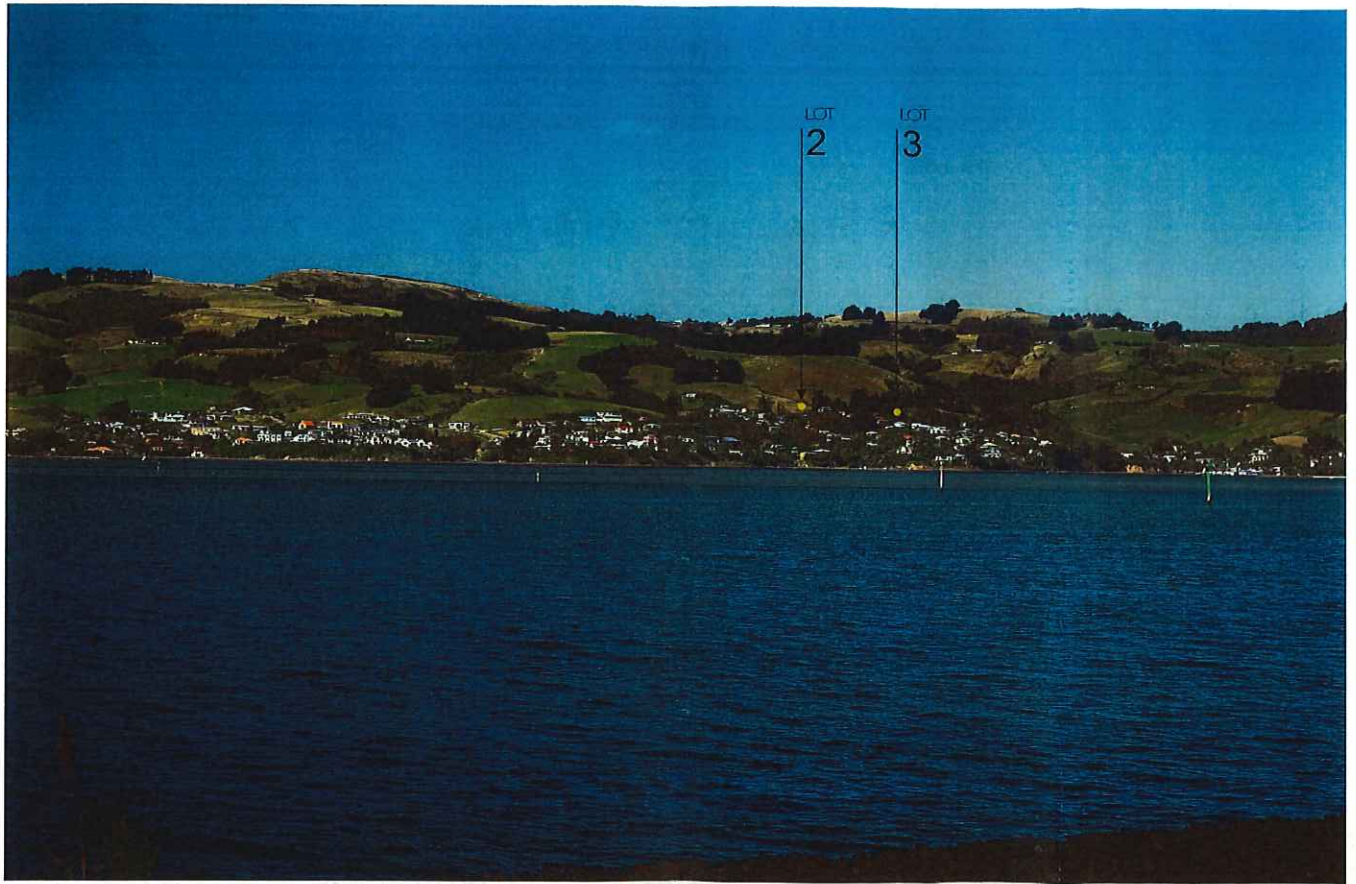
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34 Gorman Street, Macandrew Bay - Viewpoint 3

July 2017 | 9



60mm lens on full frame digital camera



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34 Gorman Street, Macandrew Bay - Viewpoint 4

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50mm lens on full frame digital camera



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34 Gorman Street, Macandrew Bay - Viewpoint 5

July 2017

11

Further information

30 August 2017

A W and S J Montgomerie
C/O Cubitt Consulting Limited
11 Bedford Street
Dunedin 9012

Dear Sir,

SUB-2017 -74 and LUC-2017-407- 34 GORMAN STREET, DUNEDIN - Request for further information

Thank you for your application for a land use/subdivision consent to for a 3 lot rural subdivision at 34 Gorman Street, Dunedin. After initial assessment of your application, the Dunedin City Council has determined that further information is required pursuant to section 92 of the Resource Management Act 1991.

Requested information:

The further information required is detailed below. It will help the Council to better understand your proposed activity, its effect on the environment and the ways any adverse effects on the environment might be mitigated.

1. Geotechnical report

The site is subject to the following hazards: Land stability, land slide, land movement, seismic liquefaction. Peninsula Landslide, Dickinson Street Landslide, Wharfdale Landslide.

The application refers to a report undertaken by GEOSOLVE. This report has not been included with the application. Can you provide a geotechnical report that identifies any land stability hazards and mitigation measures required for the establishment of two residential units and associated effluent disposal and drainage. The plans provided with the application indicate the removal of some large trees. Will the tree removal have any impact on the stability of the site and building platform locations?

2. HAIL/ National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health

The application states that the applicant is not aware of the site having being used for any activities on the Hazardous Activities and Industries List. Can you undertake a HAIL search of Dunedin City Councils records and also check with the Otago Regional Council to determine if the site has had or likely to have had HAIL activities undertaken on it.

If the National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health is relevant to this application please provide details and include with the application for assessment.

3. Earthworks

The application refers to maximum retaining heights of 3m for both proposed building platforms and that these should be considered as conditions of consent to help mitigate the proposal. There is no supporting information that relates to these

retaining walls. A breach in the earthworks rules requires the following information in order to adequately assess:

- Details of change in ground level
- Details of proposed retaining structures and or cut and fill batters
- Details of volumes of cut and fill
- Details of areas of cut and fill
- Details of location of earthworks in relation to property boundary, top or toe of any cliff or building foundation.
- Details on how earthworks/retaining structures do not exacerbate any known or potential hazard, including land stability and surface water.

4. Planting: Stage 3 planting requirement RMA-2004-0260

Land use consent RMA-2004-0260 allowed the establishment of the existing dwelling subject to conditions. A landscape planting plan was provided to the council as mitigation for the now existing dwelling. There is still planting to be carried out as required by this consent. The last stage of planting (Stage 3) will be contained within proposed Lots 2 and 3 and will no longer be on a site associated with the dwelling on which they are proposed to mitigate. Please provide further information on how you wish to proceed with this planting and existing consent. I have enclosed a copy of the decision and plan with this letter.

5. Objectives and Policies Assessment i

Need to include assessment that relates to existing land stability hazards on the site.

6. Access

Provide details of vehicle access e.g. width, hard surfacing, gradient, drainage.

Items that I would like you to clarify from your application prior to notification:

- *What does a stepped design for a two level structure mean?*
- *What do you mean by low reflective glass?*
- *An example of colours would be permitted for 40% RV and 50% RV for roof, house and walls.*
- *What do you mean about bare concrete block and tiled roof excluded, would you be able to use these materials or not?*
- *Clarify the appearance of an open character boundary fence?*
- *What do they mean about visual barriers? For who the people in the house or views to the house?*
- *Is additional planting proposed to the north, east, and south? This is not shown on the planting plan.*
- *What is the intent of planting native shrub cover? Is it to mitigate the effects of the proposed dwellings? Is it for stability reasons? What would be the ongoing requirements for maintenance?*
- *Are there likely to be any effects from the removal of the pine trees on land stability.*
- *Also what are the likely visual effects of the proposal with the trees removed? Has this been taken into account.*
- *Where are the effluent and stormwater disposal fields proposed. Can they comply with proximity to watercourses.*
- *Do the yellow dots on the viewpoints provided by the Site environmental consultants and Design and Garden Landscape refer to the location of the lots*

A stylized, handwritten signature in black ink, appearing to read 'AY' followed by a long, sweeping horizontal stroke.

Amy Young
Planner

Amy Young

From: Allan Cubitt <allan@cubittconsulting.co.nz>
Sent: Monday, 16 October 2017 09:20 a.m.
To: Campbell Thomson
Subject: FW: s92 34 Gorman 1 of 3
Attachments: s92 34 Gorman Street letter.pdf; lt_170329_34 Gorman St_RFI response Sept 2017.pdf

From: Allan Cubitt [<mailto:allan@cubittconsulting.co.nz>]
Sent: Wednesday, October 4, 2017 11:47 AM
To: Amy Young <Amy.Young@dcc.govt.nz>
Subject: s92 34 Gorman 1 of 3

Hi Amy,
Response to your s92 attached.
Two more emails will follow.
Thanks.

Allan Cubitt

Cubitt Consulting Limited
11 Bedford Street
St Clair
Dunedin
New Zealand 9012

+64 (3) 455 7276
027 2083181

CAUTION: This e-mail and any attachment(s) contains information that is both confidential and possibly legally privileged. No reader may make any use of its content unless that use is approved by Cubitt Consulting Limited separately in writing. Any opinion, advice or information contained in this e-mail and any attachment(s) is to be treated as interim and provisional only and for the strictly limited purpose of the recipient as communicated to us. Neither the recipient nor any other person should act upon it without our separate written authorisation of reliance.



27 September 2017

Cubbit Consulting Ltd
11 Bedford Street
St Leonards

Attention:
Allan Cubitt

Dear Allan

Re: 34 Gorman Street – s92 responses - Landscape

I have read through the list of queries submitted by Dunedin City Council Planning and respond by item number in the Council query sheet. The queries led me to consult with Alistair Gilmore, the applicant, and to undertake a further site visit to confirm earlier responses or answer the new queries.

As a consequence, a limited number of sections of the original landscape report and figure numbers have been amended. Three new figures have been added also. I have reissued the landscape report with the date 27 September 2017 and as revision a.

To avoid confusion all text changes are highlighted in yellow. These relate to s92 responses, the removal of a survey drawing, and addition of three figures that illustrate the response to the potential visual change associated with tree removal and the meaning of low reflectivity colours that were requested by Council's consenting planner (Fig.11, 12 + 13).

The most significant text additions are within report sections 6.26 – 6.29 and which respond to the queries that are also addressed in the formal s92 responses attached to this letter.

Regards

Hugh Forsyth
Site Environmental Consultants Ltd

32 Gorman Street, Macandrew Bay - Sg2 Queries - Landscape

4. Planting: Stage 3 requirement – RMA-2004-0260

- *Please provide further information on how you wish to proceed with this planting and existing consent?*

I have viewed the area proposed for extended planting in the upper mid gully under the 2014 consent that has not been undertaken. This area is above the tip of the present hawthorn gully planting and to the south of the pine shelterbelt that occupies the lower mid slope of the northern half of the site. The gully area is exposed and appears to collect little runoff from surrounding slopes, although a seasonal stream begins below this point and flows through the hawthorn area.

Pumped water would be required to supply weekly watering of all planting throughout the first, and possibly second, summer season and was beyond resources for the applicant as they established their house. Mitigation planting has been established around the residence and is still being added to and maintained (Fig.4).

The planting proposed for lot 2 and lot 3 includes approximately 650m² and 400m² respectively and will extend the native shrub planting from lot 1 across the lower boundary (Fig.2). I consider that this planting will add to the value of the existing planting and have habitat value for insect and bird life that will take many years to establish in the upper gully area, where there is already a significant habitat value in the hawthorn shrubs.

6. Access

- *Provide details of vehicle access, width, hard surfacing, gradient, and drainage*

Two access vehicle access ways are proposed, which will connect proposed lot 2 and lot 3 to Porterfield Street. Both will begin at a ROW head area on the street boundary and then follow the route of an informal grass track to lot 2, and an existing benched track to lot 3 (Fig.2).

The access way to lot 2 will be 3m wide and formed from concrete to Dunedin City Code of Subdivision 2010 standards and specification (Table 3.1.R). Recommended consent conditions require a reflectivity value of 50% or lower – to be achieved by tinting the concrete mix.

A crushed metal surface on an excavated and compacted sub base, to Code of Subdivision conditions, is proposed for access way to lot 3. Drainage will follow the inside of the track and through a new culvert and sump trap to the stream that discharges to Wharfdale Street at lower west mid site boundary.

Final details will be submitted as part of the building consent.

7. (Landscape)

- *What does a stepped design for a two-level structure mean?*

A stepped design seeks to locate the proposed structure within the slope of the underlying grade, and to minimise the potential impact of vertical elements on adjacent houses or landscape areas. This condition applies to proposed lot 3, which

is likely to be part located on the existing terrace, approximately 8m wide to rear of existing farm sheds. Lot 3 building platform runs north/east to south/west across the slope. The house is expected to have a north/western aspect.

Section 6.17 of the landscape report has been amended to require a minimum 3m set back from the outer face of the lower north/west boundary wall if a two-level house is developed on this site. This condition does not apply to lot 2.

- *What do you mean by low reflective glass?*

Low reflective glass has a laminated surface that allows a higher level of light to enter into the building than normal and, by doing so, decreases the potential reflection values of the glass towards the external environment.

Following a further site visit on Friday 1st September 17 I concluded this requirement isn't necessary for either proposed lot, and have withdrawn it from the conditions.

- *An example of colours (that) would be permitted for 40% RV and 50% RV for roof, house and walls?*

BS5252 provides a public reference for colour based on hue, greyness, and weight. Reflectivity is included within this chart. Values below 50% reflectivity lower the potential for external surfaces and roofs to reflect light and create a visual highlight. Existing houses on the southern side of Porterfield Street exhibit this characteristic when viewed from the western side of the Harbour (Fig. 8, 9 and 10). The colours that fall within the range 40 – 50% are drawn from the Resene BS5252 chart (Fig. 13).

- *Are bare concrete block and tiled roofs excluded?*

Following consultation with the applicant condition for lot 2 has been amended as follows (Report section 6.8):

"Approved wall finishes for lot 2 and 3 include wood, smooth faced concrete, stone, or a combination of these materials. Bare concrete block, plastered walls and tiled roofs are excluded. Approved roof materials include long-run colour steel sheets".

- *What are the characteristics of an open character boundary fence?*

This condition has been amended to the following:

"Legal boundary fences are to be treated wooden post and wire, or warratah and wire, or electric fencing, or combination as appropriate for any stock present. Solid or domestic fences are to be located around the building platform or within its boundaries and may be constructed on any material, so long as the external colour is no higher than 40 -50% reflectivity values".

- *What does the term 'visual barriers' refer to? Does it refer to views from the house or to the house?*

The phrase 'visual barriers' refers to views between adjacent neighbours and considers the proximity between the existing residence and the new dwelling.

- *Is additional planting proposed to the north, east and south?*

No additional planting is proposed to the north, east and south. Pine trees and other vegetation will remain to the south of lot 2 and lot 3. Other controls on height, material, external colour and the location and siting of both lots are also considered to mitigate potential impact.

- *What is the intent of the native planting shrub cover – mitigation of dwelling effects or stability? What will be the maintenance requirements?*

The native planting below lot 2 is intended to:

- To provide an extension of the existing planting pattern on the southern side of Porterfield Street,
- To provide a separation between the access-way to lot 3 and the site of lot 2 above.
- An increase in bird habitat
- Softening of views across the lower spur area from the upper south slopes of Macandrew Bay.

All planting will require maintenance during summer and winter with regular watering over the first summer at a weekly interval. The liquid crystals will help in this respect. Removal of weeds and replanting of dead plants will be required two times a year for the first two years, and preceded by a pest control programme, 6 weeks prior to planting.

Detailed conditions will apply to building resource consents and the anticipated requirement to provide a planting schedule and maintenance plan at this point.

- *Are effects on land stability likely to result from the removal of the pine trees?*

This is the subject of geotechnical assessment.

- *Do the yellow dots on the viewpoints provided refer to the locations of the lots or the building platforms?*

The yellow dots represent building platforms that are located within the lots.

- *Show the effects of removing the large pine trees and effects of the proposed planting? Have the visual effects been taken into account?*

The effect of removing the pine trees was assessed during concept development. The objective of removing them is to increase sun and wind flow within the gully area at the top of Wharfdale Street and also to avoid the trees reaching the size of the tree adjacent to 40 Porterfield Street.

The visual effect of removal will be to open new views from parts of the upper southern slope residential areas of Macandrew Bay towards the existing residence. The pine trees are seen at a distance of 1 – 1.3km and the present house is viewed across a lower spur. At this distance, the present residence will only be partially visible.

The removal of the lower western boundary trees will result in visual change for those driving up Wharfdale Street. This change will be experienced over approximately 40m street distance and approximately 5 seconds, travelling at 40kph.

My assessment is that there will be no overall adverse effects on the surrounding viewing population and considerable benefit to adjacent neighbours through increased sunlight, higher winter temperatures and reduction in frost.

My summary of potential effects that may result from the removal of all trees is 'minor' in terms of visual change and 'less than minor' in terms of landscape effects (land use pattern, vegetation cover, topography, and aspect) and 'minor' in terms of visual effects on the five-point landscape scale (landscape report, section 1.3).

- *Show the vehicle access, earthworks and bulk of proposed buildings*

The access ways are set out on figure 13. The bulk of the proposed buildings cannot be assumed apart from a maximum height limit of 7m, including roof until building consent. This height is 3m lower than standard rural residential rules and, due to the generally screened location of the proposed lots and the distance of most potential viewers, is considered to adequate provision for assessment of potential effects at outline subdivision consent stage.

Lot 2 will require earth works to excavation to base for the concrete drive to lot 2 and similar excavation to establish a concrete house base within the defined platform. This has been excavated in a previous ownership period and is essentially flat. No significant excavation is expected on this site to establish a house but a two-metre high retaining wall may be required to the base of the slope of this site, to ensure no slippage as a consequence of previous excavation.

Lot 3 is likely to require the excavation of lower building platform to extend the existing excavated platform area. The present platform is approximately 9m wide and 20m long and may be sufficient if the structure is single level at the lower floor and then rises to a second level that is set back from the lower platform, as set out in the conditions that apply to this lot. If the future owners decide to excavate a further 2m south from the present platform this will require removal of approximately 100m³ of soil and will reach a retained height of approximately 3m overall.

Bulk and location models have not been provided as the future houses will be of a similar, or lower, bulk and height as the present residence at 34 Gorman Street. The visual impact of this structure is considered to be less than minor on a planning scale in the context of the distant views that are included in report figures.

Hugh Forsyth

27 September 2017



34 GORMAN STREET
PROPOSED 3 LOT SUBDIVISION
MACANDREW BAY
LANDSCAPE REPORT

September 2017 rev a

1.0 Introduction

- 1.1 This landscape report has been completed by Site Environmental Consultants on behalf of Alistair and Samantha Montgomerie in support of a proposed 3-lot subdivision of their property at 34 Gorman Street, Macandrew Bay. It outlines the proposal and then considers the existing environment, the basis of the proposed lots, and provides an assessment of effects.
- 1.2 Plans and photographs are included that describe the proposal and its context (Attachment 1). Those photographs that are marked 'full frame' will provide an approximate human eye view from the location of the photograph, if printed at A3 and held at arms-length.
- 1.3 The landscape scale of effect used is 'low, low-medium, medium, medium-high' and 'high'. This scale is not the same as a planners technical assessment of effects, i.e. 'less-than-minor, minor, more-than-minor'. An overall assessment of effects using this second scale is also provided in the assessment of proposed lot 2 and lot 3 – report sections 6.12 and 6.18.

2.0 Proposal

- 2.1 It is proposed to create 2 additional residential lots at 34 Gorman Street. This will bring the total of residential lots to 3. Lot 1 and 2 will each be 2ha in area and located in the lower north/west corner of the site (Fig.1 + 2). Lot 2 is proposed for an existing benched area close to the top of Porterfield Street. Lot 3 is proposed for the lower south/west boundary (Fig.3). This lot will include the balance of land, approx. 14.3ha or 72% of the full site (18.49ha). Lot 1 will include the existing residence.
- 2.2 Site access to the new lots will be from the top of Porterfield Street. A new access way will rise directly to Lot 2 while Lot 3 will be accessed via an existing farm track that runs due south from Porterfield Street (Fig.2).

3.0 Site Description

- 3.1 The site is located on the lower slopes of the farmland that rises to the rear of Macandrew Bay. Its lower boundary begins at approximately ('approx') 94m above sea level ('asl') and 330m back from the shoreline. The site then rises eastward to an elevation of approx. 154m asl and 880m eastwards from the shoreline. The legal boundaries are rectangular in form, until the upper north/east corner area where a short diagonal forms the corner (Fig.4).
- 3.2 A broad ridge underlies the southern boundary and rises steeply from the lower south/west shelterbelt. These slopes contain rough grass and scattered stones but flatten out near the western boundary before descending to the shore, south of Porterfield Street. The coastal slopes contain housing and shrubs and trees.
- 3.3 A smaller ridge system runs south/east to north/west through the upper northern part of the site and includes a sub ridge that extends downward to Porterfield Street. The slopes are less steep than the southern side of the site and are separated by a small gully. This divides the site until near the top boundary and contains extensive areas of hawthorn shrubs and a seasonal stream in its lower reach.

- 3.4 The most developed pasture area is located in the upper slopes and above the gully. This area is currently leased for horse grazing on a casual basis.
- 3.5 Gorman Street and Porterfield Street meet the site boundaries and legal access is available over 37 Wharfdale Street, via ROW. Access to the upper farm area is mostly via an unformed track that runs directly up the spur above Porterfield Street and through the first pine belt.
- 3.6 The existing residence and two sheds are located in the lower north/west corner of the site and a group of disused farm sheds are located adjacent to the lower south/west boundary, the site of proposed lot 3 (Fig.3 + 5). Unformed farm tracks provide access to the upper site areas from Porterfield Street and an unsealed benched track runs south from Porterfield Street to the sheds.
- 3.7 Site vegetation includes several pine shelterbelts and an area of native shrub planting. The shelterbelts run north/south across the lower western boundary and the northern slopes. These trees are very visible from off-site and also serve to filter views to and from Macandrew Bay.
- 3.8 Native planting has been undertaken by the owners since 2002 and now includes approx. 7000m² of shrubs and juvenile trees around their house. The canopy reaches 3 -4m+ in many parts and birdlife was evident during site visit (Fig.5).

4.0 Visual Catchments and Visibility

The visual catchment includes local views from within the shoreline of Macandrew Bay and from the slopes to the south. Local views to the site are from viewpoints on the southern approach of Macandrew Bay Rd, the boatshed reserve and jetty area, and from the residential streets and houses that rise to the south of the Bay. Due to the narrow shoreline within Macandrew Bay and the curves of the coastline and headlands all distant views are from the western side of the Harbour Channel. Most of these are from the Dunedin-Port Chalmers Road.

- 4.1 Viewpoint 1 – Macandrew Road walkway – 730m distance to site boundary (Fig.6)
- 4.2 This viewpoint is taken from the footpath adjacent to the coastal road as it passes from the headland to the Bay. It provides the most strategic shore based view of the coastal slopes to the rear of Macandrew Bay, the lower south/west site boundary and the slopes of the southern ridge that rise behind.
- 4.3 Several large individual pine trees are growing on the lower boundary that meets adjacent housing and other large trees are growing within the houses lots. The lower pine shelterbelt sits inland from the boundary with the pasture slopes of the southern ridge rising behind. A glimpse of the present residence roofline can be seen to the north/east but most of the inner site area is screened from the shoreline below.

4.4 Viewpoint 2 – 5 Featherston Street – 790m distance to site boundary (Fig.7)

This viewpoint was taken from an upstairs window of No.5 Featherston Street and an elevation of approx. 72m asl, or 10m above the lower south/west site corner.

Site visit indicated that there are limited views to the site from public roads on these slopes due to narrowness, tight corners and adjacent walls, roadside shrubs and trees, and orientation.

4.5 This view looks directly toward the existing residence, which is hidden behind the pine trees mid view (behind Lot 2). The southern ridge rises to the right of the image and the central gully and northern slopes can be seen beyond. The dividing effect of the northern pine shelterbelts is evident. Views to the lower site areas are either prevented or extensively filtered by the lower south/west boundary shelterbelt and other wilding pines. Large trees follow the southern side of the Porterfield Street ridge and are a further focus point in this view, in addition to the housing and shoreline below.

4.6 Summary of local views

Strategic views into the site are only available from southern slopes above Macandrew Bay. Several houses about the lower western site boundary but are all orientated westward and towards the harbour. Views are available from the shoreline road when approaching from the south but these mostly end at the lower western boundary due to existing vegetation. Neither of the proposed site areas is visible from these shoreline viewpoints. There are no views from northern road approach.

4.7 Views from the north/west side of the Harbour are gained from the Dunedin-Port Chalmers Road, from several small settlements on headlands above St Leonards, and from the coastal cycle path and walkway. Views from the coastal road are intermittent and often obscured by shrubs and utility poles. The most strategic views are those that are stationary.

4.8 Viewpoint 3 – Ravensbourne shoreline - 2.7km to site boundary (Fig.8)

This view was taken on the harbour side of the coastal road at the northern end of Ravensbourne and looks directly onto the site. The break between the northern and southern sides is very clear with the southern ridge slopes rising away from the gully area and the pasture continuing upwards and beyond the site boundary. This is in contrast to the more gradual and less distinct forms of the northern side of the site and the prominent pine blocks in the mid slope area.

4.9 The lower south/west pine belt is visible in association with the belt of trees that descends on the south side of Porterfield Street. The existing house is tucked into the top of shrub planting that appears to extend from the top of Gorman Street.

4.10 Viewpoint 4 - St. Leonards Point walkway - 2.4km to site boundary (Fig.9)

This viewpoint is taken from the coastal cycle way below Kiwi Street, St. Leonards. The south/east angle provides a strategic view of the open side of the site and across the spur above Porterfield Street and directly onto the southern ridge. The

pine shelterbelts are highly visible from this viewpoint and appear out of scale with the surrounding landforms and smooth pasture cover. The upper pasture area is visible.

- 4.11 The lower boundary shelter belt and wilding pines top the boundary and add a dark band across the middle of the site while the existing residence sits at the top of band of vegetation that connects it to upper Gorman Street. Housing and an extensive tree and shrub cover highlight the form of the small headlands below the site and spread across the slopes to the north of the main Macandrew Bay shoreline.

- 4.12 Viewpoint 5 – 21 Eagles Street, St. Leonards - 2.56km to site boundary (Fig.10)

This viewpoint looks directly at the site from a domestic street and approx. 35m asl. The view is slightly elevated but also looks upward at a slight angle to the site. This aspect emphasizes the steepness of the pasture slopes to the south, the distinction between the southern and northern parts of the site, the legibility of the pine on the northern part of the site.

- 4.13 The linear uphill direction of Gorman and Porterfield Streets is visible and the pattern of gully planting that follows them. The native shrub planting on 34 Gorman Street appears as a continuation. The existing residence would be difficult to detect if the roof colour were darker.

- 4.14 Summary of Distant Views

The northern and mid to upper slopes are widely visible from different viewpoints from the north/west side of the Harbour Channel indicate. All of these views indicate the overall form of the site and the surrounding coastal landscape and the pattern of vegetation cover and settlement. None of the views provide detail and which is expected at a distance of more than 2km and unassisted eyesight.

- 4.15 Most views are from the road, intermittent, and unlikely to pick up change in the views unless different from the surrounding backdrop and significant in size. The existing residence is visible in all of these views but mainly due to the relatively light colour of its roof. Otherwise the pattern of shrub planting provides a successful context for this house and links it to upper Gorman Street. None of the views provides access to the lower south/west boundary area but this would change with tree removal.

- 4.16 Summary of Visual Catchment

On the basis of site review and off-site visits the site has two main visual catchments. Views from the north/west side of the Harbour Channel include the majority of the site. These views provide a perspective of patterns of vegetation, landform and development, and no detail of individual elements, due to distance. Views from within Macandrew Bay and the surrounding slopes provide detail of upper parts of the site and the lower boundary but little of the inner site area (Fig 11).

5.0 Policy Context - Landscape

- 5.1 The site is zoned Rural under the Operative Dunedin City District Plan ('OP'). Further development of the site is non-complying, as 15ha is the minimum size for a residence under the rules in Section 6.5.
- 5.2 The site is within the coastal environment but is not identified as being part of an area of Outstanding Natural Landscape. The pattern of land use and vegetation between the site and the coastal marine area is broken and modified by residential and street development and the main coastal influence is climatic and visual.
- 5.3 Section 6 Rural, 'Introduction' (OP) describes the rural environment as being dominated by pastoral farming, having a low level of development that includes small structures, and maintains a sense of 'openness'. Rural residential development is identified as a potential pressure, particularly in close proximity to urban areas. Rural residential development is considered appropriate where the receiving environment is able to absorb off-site effects.
- 5.4 Issue 6.1.2 considers the potential fragmentation of rural land and loss of natural and physical resources. Issue 6.1.4 identifies the potential for rural residential development to reduce the amenity of those already living in the rural environment.
- 5.5 Objective 6.2.2 sets out the elements that are associated with rural character. These include:
- Predominance of natural over human features
 - High ratio of open space compared to 'built' development
 - Significant areas of vegetation, including pasture, crops, forestry and indigenous vegetation
 - Presence of large numbers of farmed animals
 - Noises, smells and effects of pastoral animal production
 - Low population densities relative to urban land
 - Generally narrow unsealed roads
 - Absence of urban infrastructure
- 5.6 The OP provides a landscape management structure based on a hierarchy of 'Outstanding Landscape Areas', Coastal Landscape Preservation Areas' and 'Landscape Conservation Areas' that are described in Section 14. These categories are the basis of development guidelines that follow. A further layer of 'visually prominent' and 'visually recessive' land is added that is independent of the assessed value of the land itself.
- 5.7 The site is within the 'North-West Peninsula Landscape Conservation Area' (Section 14.5.3 (b)). OP Map 40 indicates that the lower part of the site and the southern ridge fall within an area of visually recessive landscape with the line between 'recessive' and 'prominent' crossing the mid-point of the present residence (Fig.6).

5.8 The landscape values to be maintained include the following:

- Protection and predominance of natural landform and features
- The extent and quality of viewpoints from public roads
- Maintain contrast between rural land and harbour edge settlements
- Maintain balance of settlement to avoid dominance of rural landscape
- Maintain extent and quality of regenerating native bush

6.0 Assessment of Landscape and Visual Effects

6.1 The following assessment of landscape effects considers the change that can be anticipated as a result from the development proposal proceeding against the present site character and associated values. These values are drawn from the OP and from site observation.

6.2 The assessment of visual effects is based on changes to the present pattern of land cover, structures and open space that presently characterize the visual appearance and amenity of the site. The lots are assessed in sequence and followed by a summary assessment against the provisions of the OP. Draft consent conditions and mitigation measures are included for each lot.

6.3 The following elements and actions are considered to be potential effects:

- Earth works and retaining walls
- Forming an access way
- The number and size of future structures
- External colour and materials used for roofs and walls
- Plant removal and mitigation planting
- Night light-throw
- Traffic movement

6.4 Lot 2

Lot 2 is located on an existing benched area and on relatively level ground at an elevation of approx. 78m asl (Fig.2 & 3). The proposed curtilage area is 20m x 35m in dimension. Wilding pine trees are growing on the bank below this lot to the south/west and provide shelter from south/west winds and also screen views from housing on the southern slopes above Macandrew Bay. The site is open to the north/east, north and north/west.

6.5 A formed access road will extend between Lot 2 and Porterfield Street and a house and, potentially, garage will be established on the lot. Due to lack of potable water and fire supply several large storage tanks will be required to be located to the south of the building. It is not expected that significant earth works will be required to establish this site, although retaining walls will be required uphill from the lot.

6.6 It is proposed to remove several pine trees to the immediately west of this lot and undertake canopy thinning of up to 15% of the remainder between the lot and the lower access track. Planting of native shrub species and trees is recommended for

the area where the pine trees have been removed. The intention of the removal is remove a potential health and safety issue, as the trees grow, open view to the harbour to the west, and to significantly increase the amount of morning sunlight in the lower gully area on the south/west boundary (Fig.2, 11 + 12).

- 6.7 Off-site views indicate that the site will be seen in association with the existing pine trees and just above the residential housing either side of Porterfield Street. The site is not visible from the southern Macandrew Bay slopes or from the Bay shoreline. Removal of the pine trees identified will not significantly increase visibility from Macandrew Bay but will open the future house to views from the opposite side of the harbour channel.
- 6.8 Recommended consent conditions proposed for Lot 2 include:
- Maximum elevation of 7m above existing non-excavated ground level, including roof structure
 - A stepped design for two-level structure that extends eastward
 - Maximum retaining wall height of 3m across the eastern side of the curtilage and to extend no further than 2m to the north of the residential structure
 - Maximum reflectivity value (RV) of 40% for roofs and 50% for external house/retaining walls
 - Approved wall finishes include wood products, smooth faced concrete, stone, or a combination of these materials. Bare concrete block, plastered walls and tiled roofs are excluded. Roof materials are to include long-run colour steel sheet or similar.
 - Concrete access ways to be tinted to 50% reflectivity value (Fig.13)
 - External lights are to be limited to ground based garden lights, wall lights and back door security lights. Driveway 'street lights' are not acceptable
 - Legal boundary fences are to be treated wooden post and wire, or warratah and wire, or electric fencing, or combination as appropriate for any stock present. Solid or domestic fences are to be located around the building platform or within its boundaries and may be constructed on any material, so long as the external colour is no higher than 40 -50% reflectivity value.
 - Planting of native shrub cover to undertaken in the areas shown within the first planting season following construction
 - Planting to be at one plant per 1.5m at PB3 size with liquid rain and a fertilizer pellet per plant. Success rate of 80% at 5 years from consent.
- 6.9 The assessment of potential landscape effects associated with lot 2 in the short term is considered to be 'low-medium' in the immediate term and 'low' in the 5year+ term. The difference in overall landscape structure and character will be minimal in as the site is not part of the wider pastoral area and is located on an existing benched area. The addition of a further structure and access way is not considered significant in the context of land use and the wider rural character of the site.

- 6.10 The assessment of potential visual effects is considered to be 'low'. The future house will also be built adjacent a large group of pine trees. Some of these will be removed but the remainder will provide scale and context and a visual focus for views from the far side of the harbour. Recommended conditions will also lower the potential visibility of the structure. The lack of streetlights will lower the potential for night effects.
- 6.11 The maximum roof height of 7m takes the roofline of the present residence into account and will be lower or similar and will be visible to filtered views to a limited number of houses on the southern slopes above Macandrew Bay. The harbour forms the main focus for these houses and the proposed structure is not anticipated to have a noticeable impact.
- 6.12 The combined assessment of potential effects is 'low' on a 5year+ time frame. In respect to a planning scale this equates an assessment of 'less-than-minor' effects.
- 6.13 Lot 3
- 6.14 Lot 3 is located on a slope with a north/west aspect at approx. 58m asl. Several disused farm sheds are located on excavated platform that runs north/east to south/west across this slope and is accessed by an existing benched farm track. The platform area is expected to provide the majority of the building platform for a new house. A low-to-medium level of earthworks is anticipated to establish a house on this site.
- 6.15 The proposed lot is directly above and to the east of No.37 Wharfdale Street. The proposed curtilage area is 700m² and 20m deep by 35m long (Fig.2 & 12). The underlying grade is approx. 33% or 1 in 3. From the north/west boundary of the proposed lot the slopes fall a further 10m over the approx. 39m between the lot and the outfall of the stream gully outlet to Wharfdale Street below. A formed track crosses the gully and periodic stream and will be developed to provide all weather access.
- 6.16 Three pine trees are identified for removal adjacent to the lot and a further tree is to be removed adjacent to the boundary on the northern side of the gully. Three smaller pine trees are to be removed adjacent to Lot 2.
- 6.17 The conditions proposed for Lot 3 are:
- A maximum elevation of 7m and including roof structure
 - A maximum height for a retaining wall across the rear of the curtilage of 3m
 - A maximum height of 1m for retaining associated with the access way
 - Maximum RV of 40% for roofs and 50% for external house/retaining walls
 - Approved wall finishes include wood products, smooth faced concrete, stone, or a combination of these materials. Bare concrete block, plastered walls and tiled roofs are excluded. Roof materials are to include long-run colour steel sheet or similar.
 - Concrete access ways to be tinted to 50% RV

- All retaining walls are to be stained or tinted to maximum of 50% reflectivity value or to be planted with climbers to a specification agreed by Council (Fig.13)
 - Planting of native shrub cover to undertaken in the areas shown within the first planting season following construction (Fig.2)
 - Planting to be at one plant per 1.5m at PB3 size with liquid rain and a fertilizer pellet per plant. Success rate of 80% at 5 years from consent.
- 6.18 The assessment of potential landscape effects associated with lot 3 in the short term is considered to be 'medium' in the first 1 – 5year time period and 'low' in the 5year + time period. In respect to a planning scale this equates to 'less-than-minor'. The most immediate change will be construction effects in a presently disused rural land area and the removal of pine trees.
- 6.19 Construction effects may extend to 9months. After this initial time period the environmental effects of the development are considered to be positive for adjacent neighbours. The level of sunlight and air circulation will increase significantly and the level of dampness and frost is expected to drop. Traffic and background noise are not considered likely to exceed potential noise from existing neighbours.
- 6.20 The assessment of potential visual effect is considered to be 'low-medium' in the short term and 'low' in the 5-10year timeframe. Those most affected with be the neighbours at No's 37 and 39 Wharfdale Street and during the construction period but there are not considered to be any significant effects following the end of construction and the planting of the slope areas below the house curtilage.
- 6.21 At present the site is hidden from both the north/west harbour views and views from within Macandrew Bay and surrounding slopes. The removal of the pine trees adjacent to the building platform will expose the site to the north/west but it will remain hidden to the south due to a Eucalyptus tree at 43 Wharfdale Street.
- 6.22 Increased visibility will occur for viewers from the north/west side of the harbour but the pine belt will remain behind the proposed house site and provide a dark context for the new structure. A low reflectivity value for roof and walls will diminish potential effects, as will the absence of a dark mono form tile roof.
- 6.23 Summary of Landscape and Visual Effects
- The longer-term landscape and visual effects of the proposed 2 additional lots are assessed as being low in the 5year + time frame and not significant in the context of the rural character and visual values that are exhibited in the wider area.
- 6.24 The proposed development is will be in the lower part of the site and which is already modified and not used for active pastoral grazing. All structures will be at a lower level than the existing residence and in the context of existing vegetation and close to adjacent residential development. Access will be retained to the wider pasture and will not diminish the visual amenity of this land or its rural function.

- 6.25 Combined with design conditions and planting mitigation and a low settlement density the development of lots 2 and 3 are expected to have little or no effect on present character values and a low to minimal level of off-site visibility.
- 6.26 Several pine trees are proposed for removal on the lower western boundary and above the farm track to proposed lot 3 and adjacent to lot 2. A further site visit was undertaken on Friday 1st September 17 and confirmed that the primary visual catchment for the potential visual change is confined to the block of housing to the east of Jane Street and above Marion Street and below Featherston Street (Fig.11).
- 6.27 These houses face due north/east and towards the site. However the viewing distance to proposed Lot 2 is approx. 820m at the lower boundary with Marion Street and approx. 1km from Featherston Street. Due to the trees along the western boundary there are limited views available from the lower houses (Fig.11). Views from the upper part of this block are constrained by the pine shelter belt that is offset from the lower site boundary, to the south of proposed Lot 2, and the wilding pines that are located south and west of this lot (Fig.12).
- 6.28 Views to the houses on the upper south slopes or Macandrew Bay from proposed Lot 2 were checked. The trees that are proposed for removal will not expose this lot to wider views and the house will sit behind juvenile to medium growth pine trees that are established on the bank below.
- 6.29 Removal of the pine trees below proposed Lot 2 will open views to the existing residence but these will be at 1.3km approximately and the house will be seen in context of the mitigation planting that surrounds it and over the lower pasture area of the ridge that extends to Porterfield Street. Any of these trees could be removed as of right on a rural property. The assessment of effect in terms of landscape change or visual effect is considered to be 'less than minor' on a planning scale.

7.0 Policy Assessment

- 7.1 OP Section 6, Rural, Introduction provides an overview of the rural characteristics of the landscape, land use practices and present amenity values that are to be maintained by the Plan. Residential development is discussed both as a threat and appropriate, in some places. An appropriate outcome is considered achieved when the development and receiving environment has the 'characteristics and capacity to absorb the effects on rural character and amenity values' (OP, Section 6 Rural, Rural Residential Zone, pg.6.3).
- 7.2 Objective 6.2.2 and Section 14.5.3 (b) provide criteria by which assess potential positive and adverse effects on the rural environment and the 'North-West Peninsula Landscape Conservation Area'. These objectives and factors are restated in Table One and the elements of the proposal assessed against the provisions.

Table One

Objective 6.2.2	Proposal
▪ Predominance of natural over human features ▪ High ratio of open space compared to built-development ▪ Significant pasture, crops, forestry and indigenous vegetation ▪ Presence of large numbers of farmed animals ▪ Noises, smells and effects of pastoral animal production ▪ Low population densities relative to urban land ▪ Generally narrow unsealed roads ▪ Absence of urban infrastructure	Majority of site will remain in rural use The proposed lots have a low density and low visibility. Mitigation planting will provide maintain context with surrounding vegetation and lower the potential for an urban character The existing site includes pasture, pine trees. and native shrubs. This will continue, with an increase in indigenous plant numbers The upper pasture is leased for horses. This activity will not be affected Animals are present in the mid and top field area on an occasional basis and will continue to be so. They are not present in lower areas. There will be an extension of the residential use of the site but at low density comparative to urban areas. Development is structured to minimise adverse effects for neighbours and amplify positive effects, e.g. planting, sunlight and air circulation Lot 2 and 3 driveways may require concrete seal. Low reflectivity values have been included in draft consent conditions The existing residence is connected to water and waste. Street lighting is excluded as design condition
Section 14.5.3 (b)	
▪ Protection and predominance of natural landform and features ▪ The extent and quality of viewpoints from public roads ▪ Maintain contrast between rural land and harbour edge settlements ▪ Maintain balance of settlement to avoid dominance of rural landscape	A low level of land modification will be required and will retain the existing contours An assessment of visual effects from distant and adjacent areas confirmed that there will be a low level of adverse effect The boundary of the urban fringe will be maintained as only one house will be partly visible from off site at a distance of 2km+. The rural land above lot 1 and proposed lot 2 will contain no development and will maintain the characteristics of open space and rural land use. The proposed development is not considered to lead to a dominance of built development over rural character as it is located at the bottom of the site and which has a low level

of off-site visibility

- Maintain extent and quality of regenerating native bush

There is no indigenous vegetation on site other than what the applicants have established. This will be increased with mitigation planting.

- 7.3 Apart from not meeting the 15ha lot requirement for residential development in rural land under the OP this assessment has found that there are no discernable adverse effects on the landscape and visual values of the present site that are likely to result from the proposed additional two house lots.
- 7.4 Gains in landscape and visual amenity are anticipated from the removal of pine trees proposed and the planting of additional native shrubs and trees. The removal of pine trees is expected to significantly increase light and air circulation to existing residences on the lower western boundary. The planting undertaken around the present residence reflects the benefits anticipated from additional native planting.
- 7.5 Off-site views indicate that the residential areas below the site extend up and down small coastal headlands and ridges and contain extensive vegetation. The proposed two lots are not assessed as likely to alter this pattern or detract from the wider and more open character of the slopes above.
- 8.0 Conclusion**
- 8.1 It is the conclusion of this review that the proposed development will not detract from existing rural or landscape values and will add to the environmental quality of neighbouring properties.
- 8.2 Potential landscape and visual effects is assessed as being 'low' on a scale of 'low, low-medium, medium, medium-high' and 'less than minor' on a planning scale of 'less-than-minor, minor, more-than-minor'.
- 8.3 It is recommended that consent be granted for the proposed 3-lot subdivision on the basis of the consent conditions set out in section 6 of this review.

Hugh Forsyth
Registered Landscape Architect

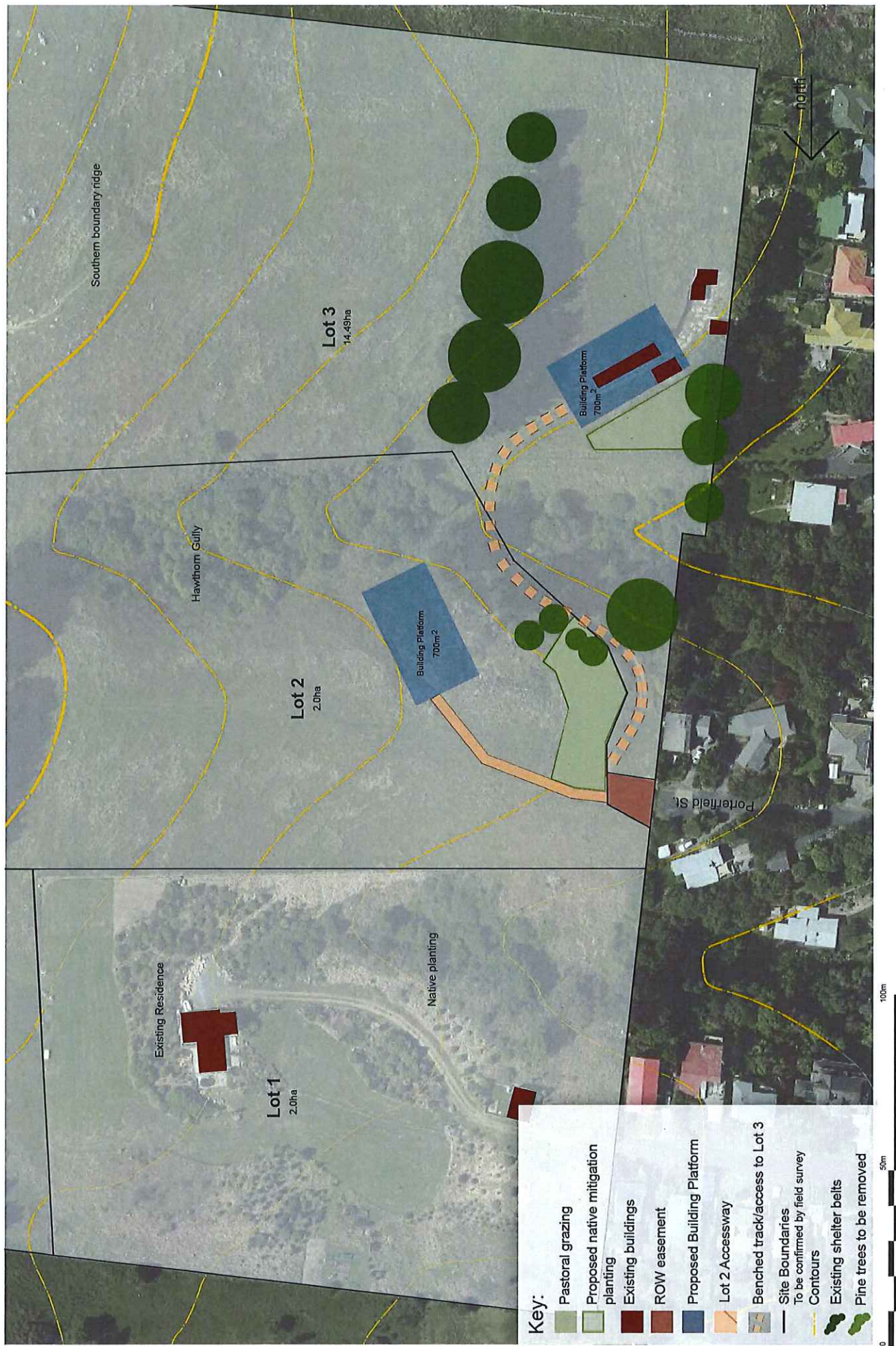
27 September 2017

(Report issue rev a)

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hugh@siteinfo.co.nz



Data from Dunedin City Council GIS site



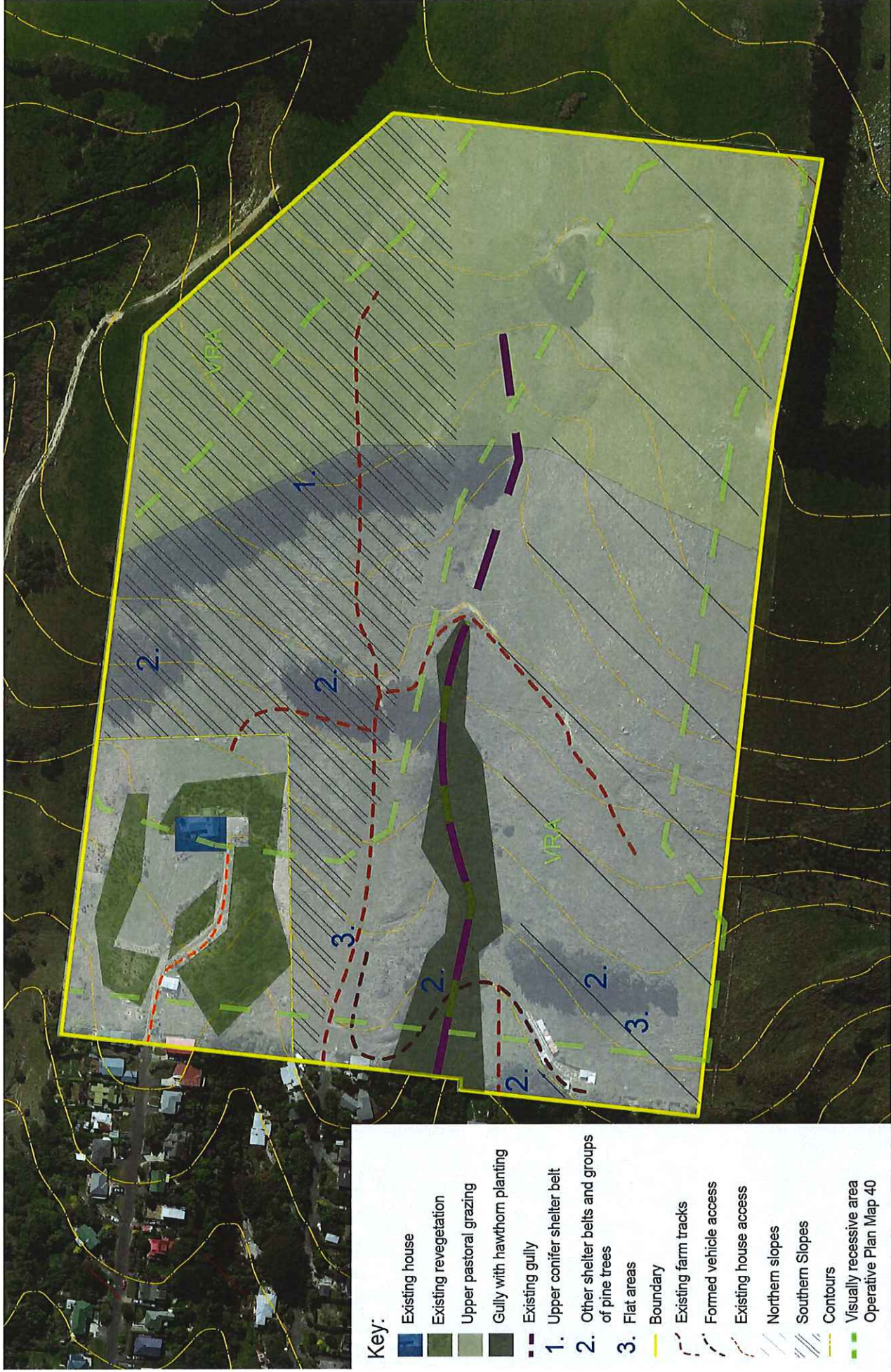


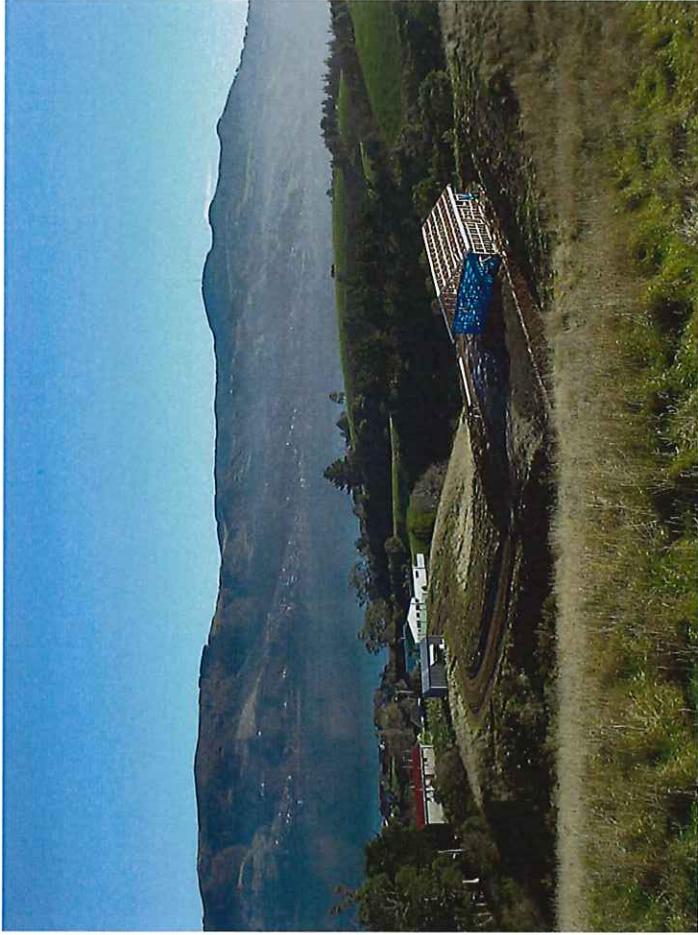
Proposed Lot 2 - Existing benched area



Proposed Lot 3 - South/west boundary

Images reduced

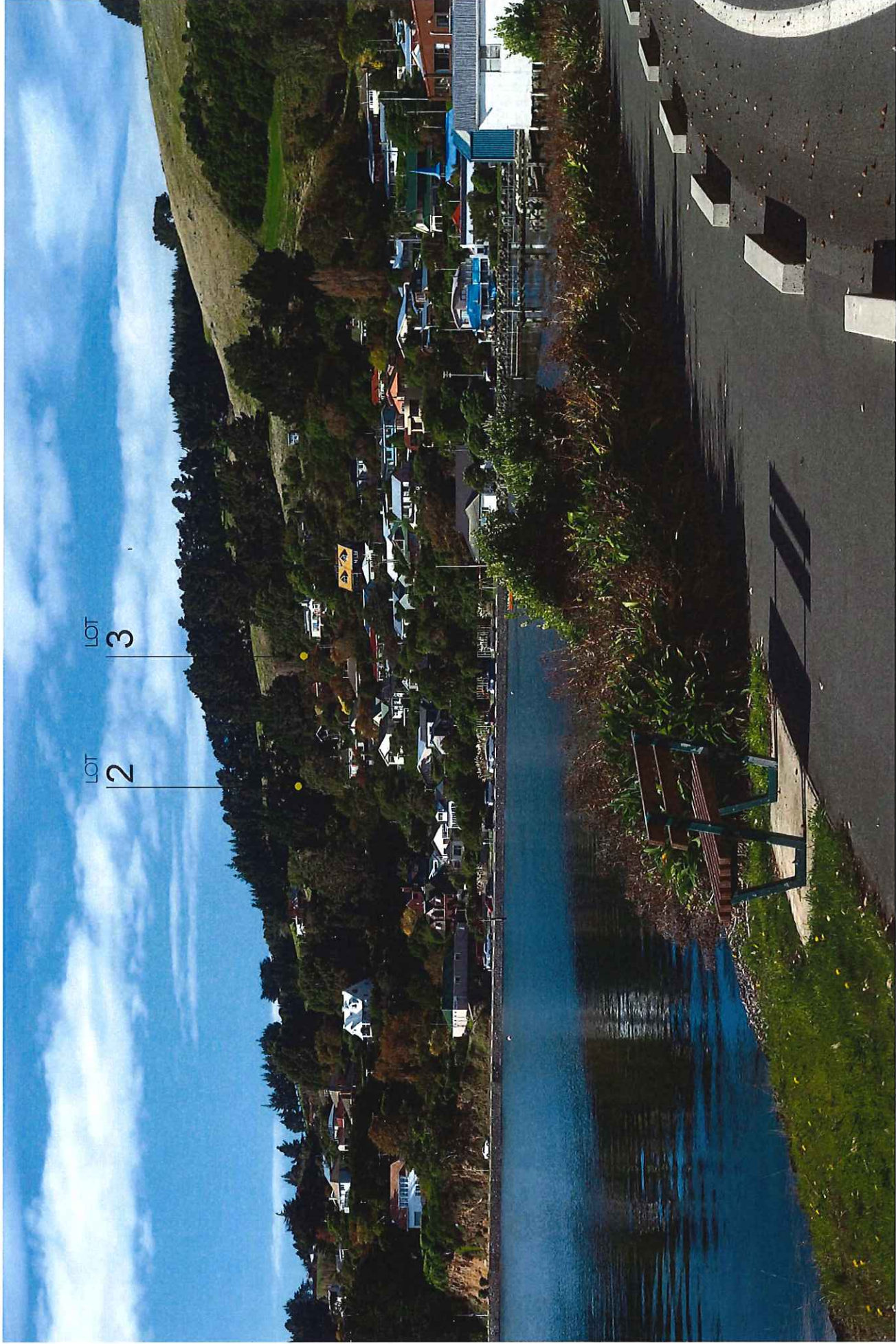




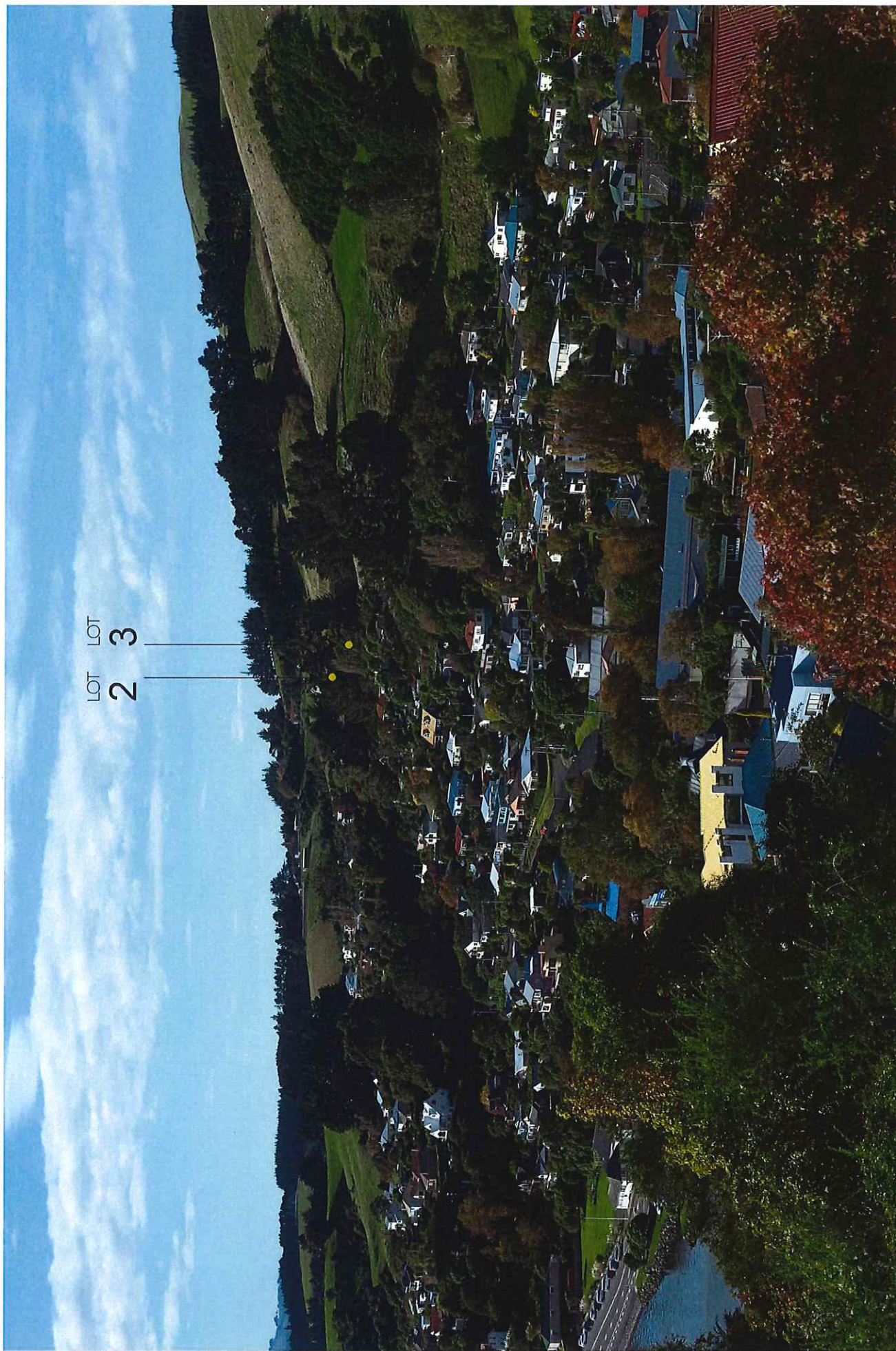
Residence @ 34 Gorman Street - 2002



Residence @ 34 Gorman Street - 2017



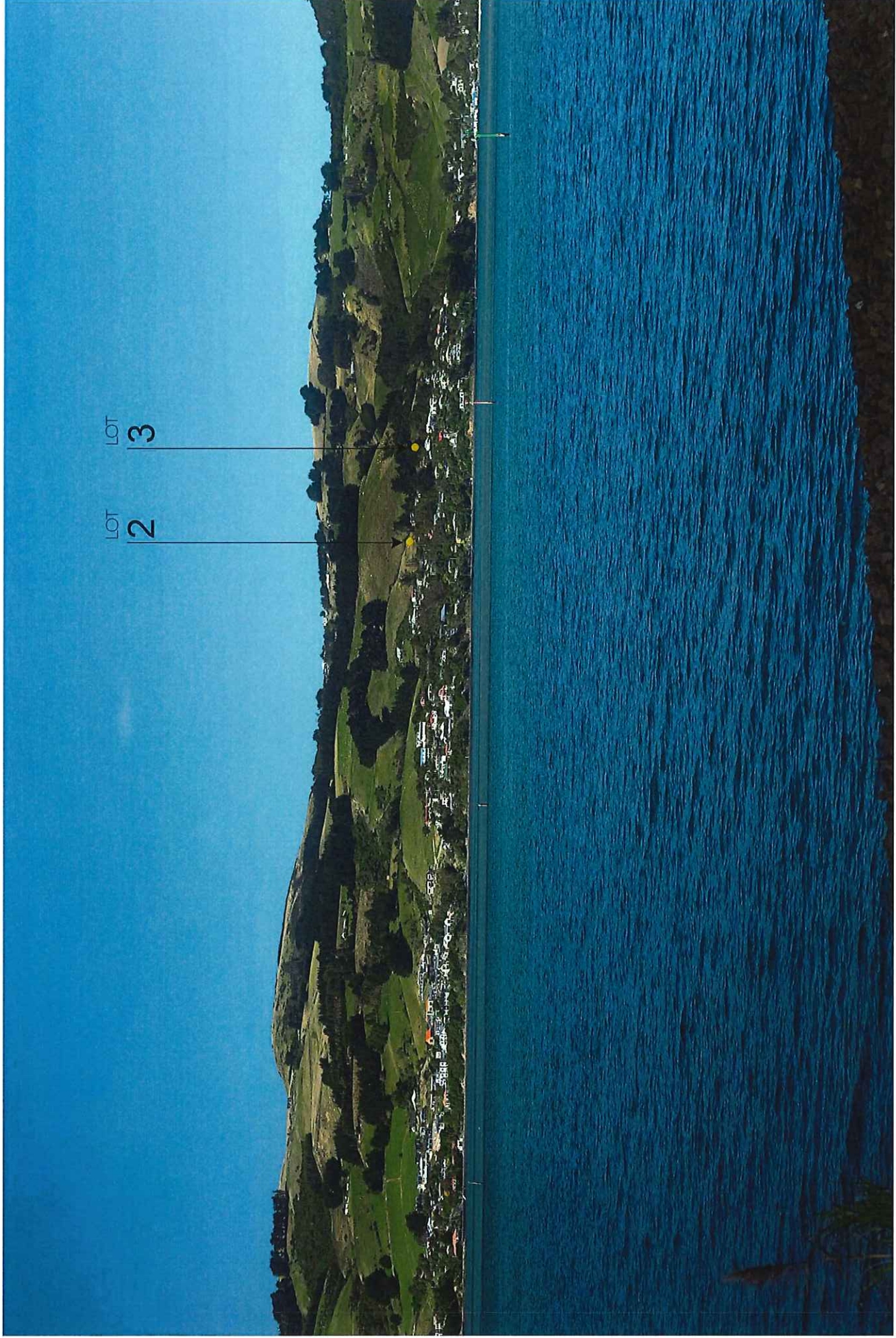
50mm lens on full frame digital camera



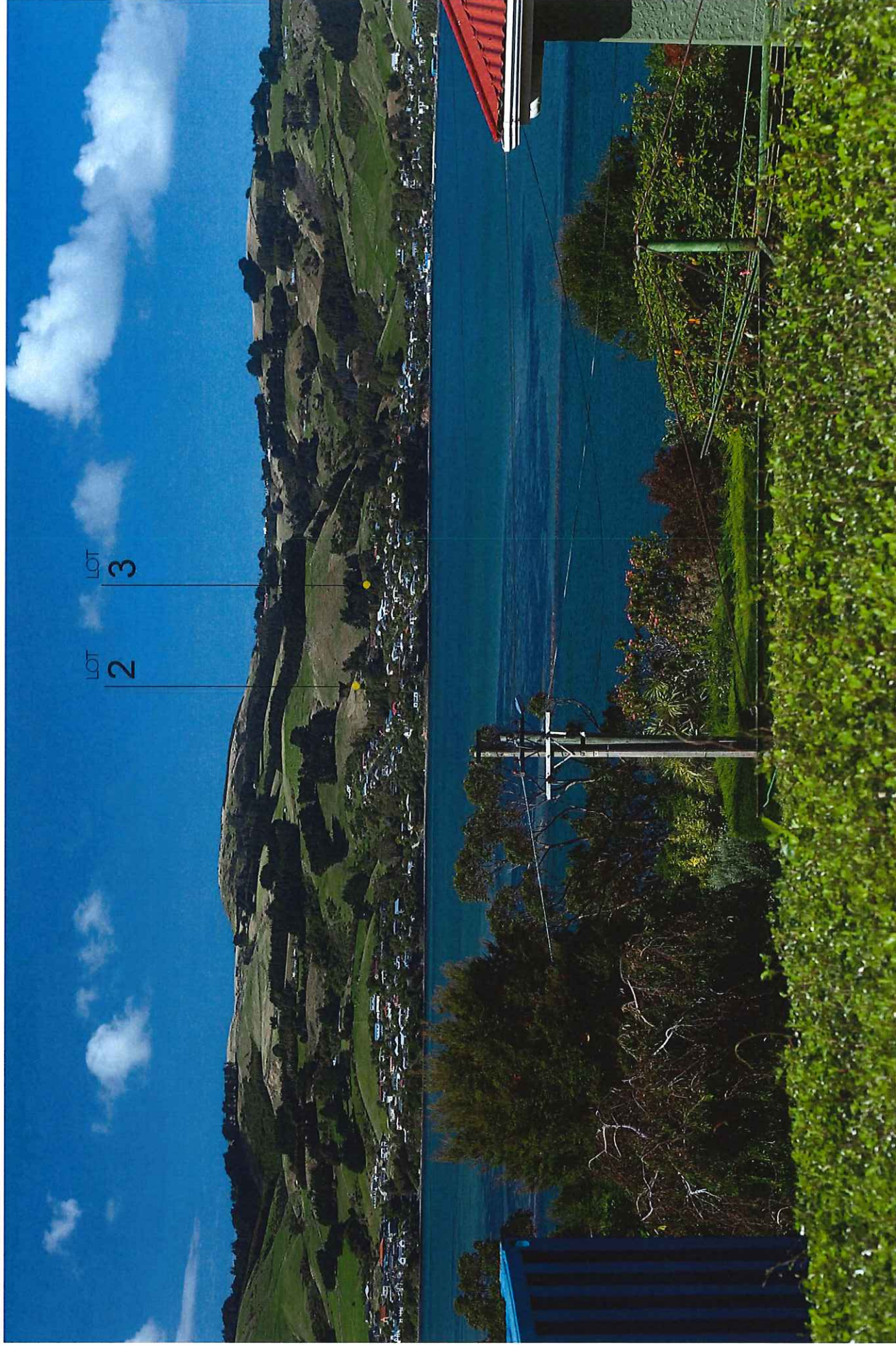
50mm lens on full frame digital camera



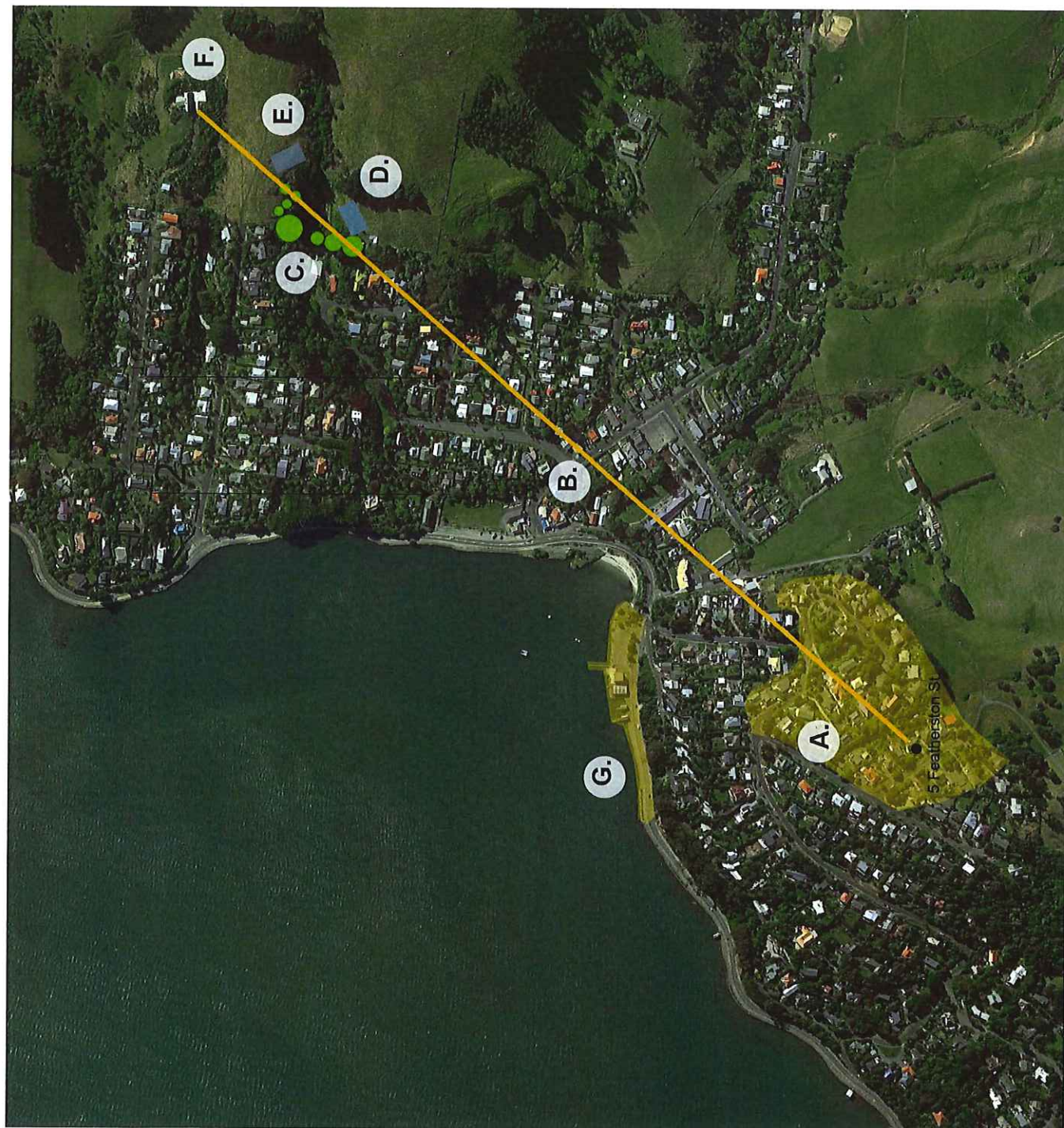
50mm lens + full frame digital camera



50mm lens on full frame digital camera



50mm lens on full frame digital camera



Legend

- A. Approximate catchment for viewing audience on Southern slopes of Macandrew Bay
- B. Viewing axis - 5 Featherston Street to existing house (1.135km approx.)
- C. Trees to be removed - ref Fig.12
- D. Lot 3 building platform
- E. Lot 2 building platform
- F. Existing house - 34 Gorman Street
- G. Southern road approach catchment



Legend

- A. Proposed tree removal 1 -8
- B. Lot 3 building platform
- C. Existing benched farm track
- D. New access to Lot 2
- E. Lot 2 building platform
- F. Native shrub planting
- G. ROW common access area
- H. Centre viewing axis - existing residence to 5 Featherston St, South
- K. Existing residence

Group	A03	A05	07	A09	A11	A13	A14	B17	B19	B21	B23	B25	B27	B29	C35	C37	C39	C40	C42
02	Sheep Skin™ N80-006-102	Mountain Mist™ N41-003-088	Bambo™ N64-001-095	Starla™ N55-002-289	Shir Grey™ N43-000-147	Brick™ N37-003-259	Black™ N28-005-068	Water™ O81-029-648	Dot Blue™ B271-022-648	Hemp™ B162-025-045	Russett™ B53-024-042	Congo Brown™ B845-023-034	Congo Brown™ B38-024-030	Havana™ B830-016-026	Star™ O21-029-648	Campan Pink™ R53-050-002	Malberry™ R16-043-337	Islede™ V29-027-351	Islede™ V29-027-351
04	Pink Star™ N81-005-060	Snow Grey™ N44-004-043																	
06																			
08	Cloud™ Y91-017-062	Concrete™ N62-007-082																	
10																			
12	Grey Rock™ G80-011-093	Delta Grey™ G17-013-094	Frost Grey™ Y62-010-046	Inside Grey™ G55-009-094	Dune™ N44-006-049														
14																			
16																			
18	Pink™ G60-011-123	Reindeer™ N61-006-146																	
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NB. Colours copied from Resene BS5252 chart.
Obtain a physical copy of this chart to ensure accurate colour representation



DESIGN + GARDEN
LANDSCAPES

34 Gorman Street, Macandrew Bay - BS5252 - 50% RV and below

September 2017

Cubitt Consulting Limited

RESOURCE MANAGEMENT CONSULTANTS

28 September 2017

Planning Department
Dunedin City Council
PO Box 5045
Dunedin

Attention: Amy Young

Dear Amy

SUB 2017-74 and LUC 2017- 407: Further Information Request

I refer to your letter dated 30 August requesting further information in relation to the above applications for resource consent. I respond to each of your requests below.

1. Geotechnical Report.

You state that the GEOSOLVE report was not included in the application. However, it was emailed to Council with the application on the 15th of August. It is attached again for your ease of reference. We have also attach a supplementary report from GEOSOLVE that addresses some of the other geotechnical questions your raise. Please note that the area is no longer identified as being unstable under the ZGP.

2. HAIL

A HAIL search request has been made by the applicant.

3. Earthworks

The supplementary report from GEOSOLVE provides some general comment on the earthworks, while the supplementary report from Hugh Forsyth also addresses earthworks in relation to the building platform.

However, our normal approach is not to apply for earthworks consents at this stage as we do not know what type of house a purchaser may want to build on the platforms and what that may entail earthworks wise. We do not encourage the formation of the platforms prior to sale of the site because of the short to medium term visual effect of that, given we don't know how long it will be before a house is constructed. GEOSOLVE confirm that development of the platforms will not affect stability. All retaining walls and earthworks will be appropriately engineered.

4. Planting RMA 2004-0260

This is addressed in the supplementary report from Hugh Forsyth. It is not proposed to carry on with this planting. Given this application relates to the site affected by that consent, a variation to RMA 2004-0260 is not considered necessary.

GeoSolve Ref: 170329
18 September 2017

Alistair Montgomerie
34 Gorman Street
MacAndrew Bay
Dunedin 9014

c.c.: Allan Cubitt

**Response to DCC request for further information,
34 Gorman St, Macandrew Bay, Dunedin**

Dear Alistair,

In accordance our proposal dated 10/05/2017, we have reviewed the geotechnical aspects of the DCC request for further information (RFI) (ref. SUB-2017-74 and LUC-2017-407) and respond as follows.

The proposed development is for subdivision to form two new building platforms as reported earlier (GeoSolve letter report dated 3 August 2017).

Proposed 2GP hazard mapping:

We note that the revised 2GP plan will consider recommended amendments to the land stability hazard map for the site (see Fig 1 below). Note that the amended plan on the right indicates no hazard overlay for the proposed lots.

We understand that this mapping is based on advice from GNS Science and hence there may be no further requirement to address the slope stability hazards listed in the RFI.



Fig 1 – Current hazard mapping (left) compared to recommendations for 2GP (right)

Previous slope stability mapping:

If older mapping is to be applied then some ancient landslide features may coincide with the sites (known as the “East Macandrew Bay mass movement area”). This area was mapped by GNS Science in 1994. Given that these landslide areas are not part of the 2GP recommendations, we assume that they are considered inactive or unlikely to present a hazard. Furthermore the regular survey monitoring of the Dickson St slide by DCC appears to indicate that landslide hazard is unlikely to apply at the sites.

Most of the hazards listed in the RFI are not applicable, i.e.:

- Seismic liquefaction is not a relevant issue at this site (i.e. it is not a hazard that is mapped here and the essential conditions for liquefaction to occur are not present at the site).
- The Dickson Street slide and the Wharfdale slope do not coincide with the proposed building platforms.
- We assume that the reference to the “Peninsula Landslide” is a reference to the 1974 Leslie map. This indicates very severe risk for the area of the building lots, however it should be noted that this older map is based on very broad regional inferences on soils/slope angles and is not based on engineering geological mapping. Site specific investigations often enable revision of the mapped risk indicated on the Leslie map. For example weathered volcanic rock has been proven at shallow depth at Lot 2 and hence severe risk is not applicable there. Severe risk tends to imply active landsliding such as Dickson St slide which is clearly remote from the building platforms. In addition, there are no indications of active landslide activity at the building platforms, despite several very high intensity rainfall events in recent years (including July this year).

We suggest that the consultants who advised on the proposed amendments to the 2GP hazard overlay have considered the above landslides/hazards zones and have concluded that they are not applicable for the purposes of the 2GP.

Building platforms:

Weathered volcanic rock was proven at shallow depth at Lot 2 and hence global slope instability is very unlikely at this location.

If further quantification of risk is required at Lot 3 then drilling may be required as rock was not proven at this location. This does not mean that the site is unstable but it is not possible to quantify the risk with the currently available subsurface data. Some mitigation measures may be warranted for Lot 3. Such work could be made a condition of consent for Lot 3, i.e. that specific geotechnical investigations are required for building consent to adequately address slope stability considerations.

Other geotechnical issues:

The following provides comment on other geotechnical matters raised in the RFI:

We consider it feasible to carry out earthworks to establish access to the building platforms, provided that appropriate geotechnical supervision and design of retention is carried out. It may be necessary to remove any unsuitable alluvium from the gully crossing. Cuts for eventual buildings can be addressed with appropriate slope retention or battering. All cuts should be subject to geotechnical consideration prior to works. We understand that no formal plans of the accessway alignments are currently available and hence suggest that application for earthworks consent be deferred until the subdivision construction phase.

Removal of isolated groups of trees such as shelter belts is unlikely to have any destabilising effect on property.

Applicability

This report has been prepared for the benefit of Alistair Montgomerie with respect to the particular brief given to us and it may not be relied upon in other contexts or for any other purpose without our prior review and agreement.

Yours faithfully,



Mark Walrond
Senior Engineering Geologist

GeoSolve Ref: 170329
3 August 2017

Alistair Montgomerie
34 Gorman Street
MacAndrew Bay
Dunedin 9014

c.c.: Allan Cubitt

Geotechnical Assessment for Subdivision of 34 Gorman St, Macandrew Bay, Dunedin

Dear Alistair,

In accordance with our proposal dated 10/05/2017 we have completed test pitting at the potential building platforms. This letter provides an initial geotechnical assessment of the sites.

Proposed Development

The proposed development is for subdivision to form two new building platforms at the locations shown on the appended site plan.

Desk Review

The area is located on hillslopes above the Dickson St Landslide feature that has been mapped by others. We have reviewed the various hazard maps available and note that there are new landslide hazard recommendations for the Dunedin City Council's second generation district plan currently under consideration. It appears that the extent of the former landslide hazard area may be much reduced if this is adopted. However older mapping suggests that ancient landslide debris is likely over part of the site, i.e. scarps of the Dickson St Landslide have been previously mapped on 34 Gorman St.

It is notable that DCC carry out regular monitoring of the Dickson St landslide and two of the survey deformation marks are located on 34 Gorman St. We have not reviewed the latest results, however older results available to us suggest that 25 mm of movement has been detected since installation in 1997. This is unlikely to represent significant displacement of the marks and may be beyond the practical limits of accuracy anyway.

Subsurface Investigations and Discussion of Results

Test pitting was carried out to better define the extent of landslide soils and to enable further comment on risk.

A total of eight sites were investigated over a wider range of locations using an excavator. The soils were logged by an engineering geologist. The field data are on file and can be converted to formal logs for future reporting purposes as required.

Lot 1 (containing the existing building) is likely to be well founded on competent soils and has not been investigated further.

Proposed Lot 2 Building Platform:

Investigations at the proposed Lot 2 building platform encountered weathered volcanic rock at around 1 m depth which illustrates that thick debris is not present at this site. Development of a dwelling here is likely to be straightforward, however normal solutions such as slope retention and drainage may be required depending on the eventual design.

Proposed Lot 3 Building Platform:

Lot 3 is mapped within the greater Dickson St landslide area and test pitting here encountered ancient landslide debris (noted at Lot 3 as up to 2.8 m thick). No rock was encountered. The soils are likely to be ancient landslide debris and unlikely to be currently active. However the fact that bedrock was not encountered means that specific engineering requirements may apply at this site. It will be important to assess risk that movement could occur in extremely adverse storm events. For example the development or reactivation of landslip lobes is relatively common in ancient slide debris during very major storms. If this site is to be considered then the site should be subject to specific engineering assessment which may include drilling investigations to define the thickness of debris and the depth to groundwater. Specific foundation design and drainage requirements may be necessary.

Sufficiency of Investigations

The purpose of this report is to confirm the feasibility of the sites for residential use and to advise on requirements to mitigate natural hazard and any adverse site conditions. No plans are currently available. We recommend that the detailed design phase for any dwelling should be carried out in consultation with both the structural and geotechnical engineer. Geotechnical supervision is recommended during construction to confirm that conditions assumed above are consistent and in order to prescribe any further requirements.

The current investigation data confirm that the Lot 2 site is likely to be suitable for conventional shallow foundations once excavations have been carried out to expose good ground. This should be confirmed by a geotechnical specialist. Provided that the foundations rest on good ground, then design in accordance with NZS 3604 is likely to be appropriate. The Lot 3 site requires further specific investigation.

Conclusions and Recommendations

- Lot 2 is likely to be straightforward to develop as there are no known land instability issues and weathered rock is locally available in the upper metre.
- Lot 3 is likely to be feasible to develop, however drilling is recommended in order to define the thickness of debris and check groundwater conditions. This will enable detailed advice on specific engineering solutions to be provided.
- The accessways are likely to be relatively straightforward to develop but some potential difficulties in traversing debris could result and hence construction should be overseen by a geotechnical specialist.
- We recommend that all foundation excavations should be inspected by a geotechnical specialist to confirm design assumptions and adequate socketing into weathered rock or competent soils.

Applicability

This report has been prepared for the benefit of Alistair Montgomerie with respect to the particular brief given to us and it may not be relied upon in other contexts or for any other purpose without our prior review and agreement.

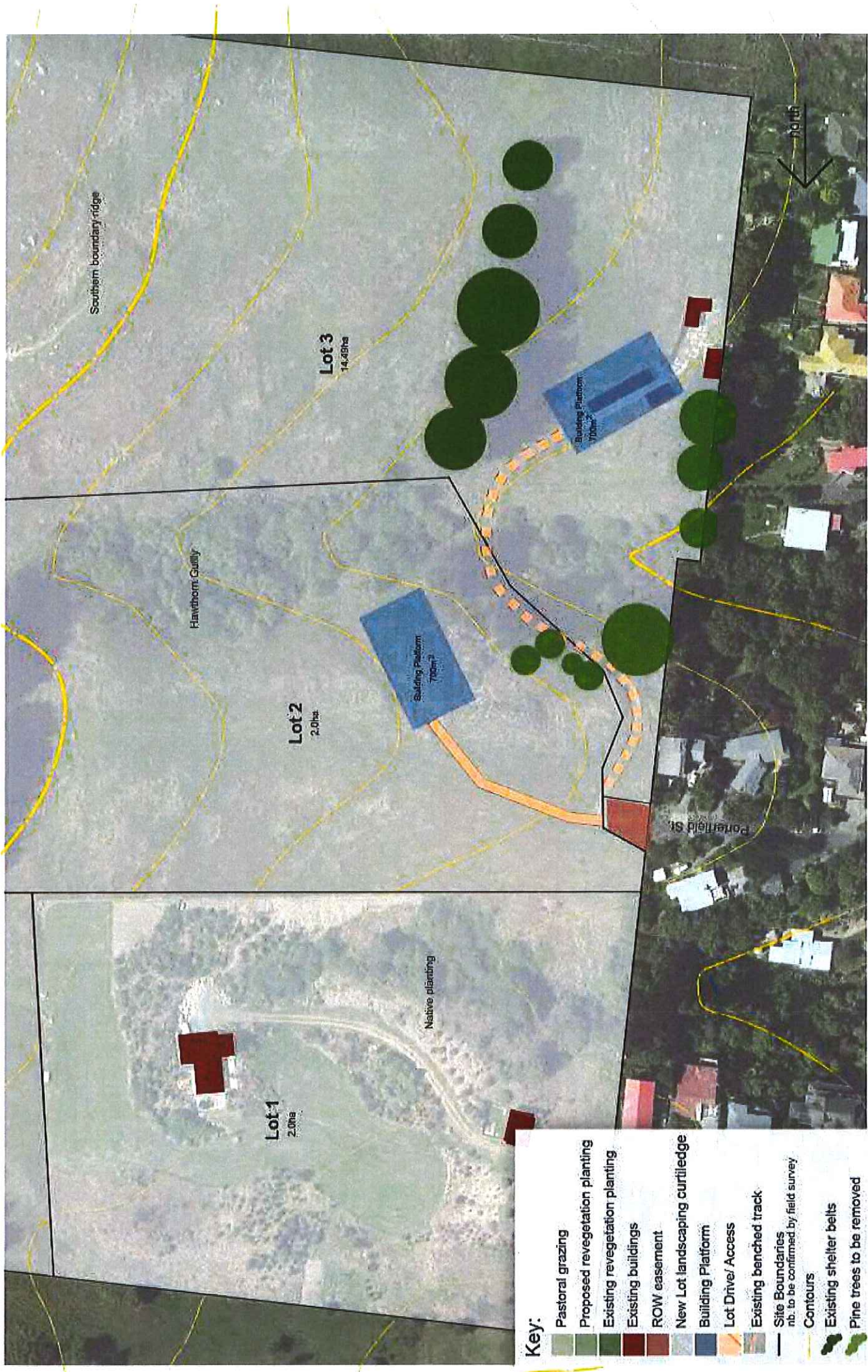
Yours faithfully,



Mark Walrond
Senior Engineering Geologist



GEO SOLVE



Key:

- Pastoral grazing
- Proposed revegetation planting
- Existing revegetation planting
- Existing buildings
- ROW easement
- New Lot landscaping curtilledge
- Building Platform
- Lot Drive/ Access
- Existing benched track
- Site Boundaries
nb. to be confirmed by field survey
- Contours
- Existing shelter belts
- Pine trees to be removed



HAIL report



50 The Octagon, PO Box 5045, Moray Place
Dunedin 9058, New Zealand
Telephone: 03 477 4000, Fax: 03 474 3488
Email: dcc@dcc.govt.nz
www.dunedin.govt.nz

7 September 2017

A W Montgomerie
34 Gorman Street
Macandrew Bay
Dunedin 9014

Dear Alistair,

HAIL-2017-79 / 34 Gorman Street, Macandrew Bay

Please find enclosed the results of the Hazardous Activities and Industries List (HAIL) Property Search lodged on 31 August 2017. This HAIL property search details the information which is documented on the Council records for the site at 34 Gorman Street, Macandrew Bay. Please note the attached documentation only includes information that is available on the Council's records and the Council does not necessarily hold comprehensive records of the historic land use of this site.

There is no evidence in the Council records of any activities on the HAIL list having occurred on the above site.

It is recommended that further investigation of the historic land use be undertaken through other means including consulting with any former land owners and checking with the Otago Regional Council. This information does not constitute a Preliminary Site Investigation in terms of the Resource Management (National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health) Regulations 2011.

Yours sincerely,

Lily Burrows
Planner

Lily Burrows

From: Chris Scott
Sent: Thursday, 7 September 2017 09:06 a.m.
To: Phil Marshall
Cc: John Sule; Lily Burrows
Subject: RE: HAIL-2017-79, 34 Gorman Street Macandrew Bay, HAIL application lodged
Attachments: 34 Gorman 1958.jpg; 34 Gorman 1978.jpg; 34 Gorman 1990.jpg; 34 Gorman 2000.jpg

Hi,

I have examined the available archival evidence relating to this address, and can find no evidence that HAIL activity has taken place there. The available aerial photographs are attached; if you require anything further, please let me know.

Regards,

Chris Scott
Archivist, Digital Services
Business Information Services
Dunedin City Council
50 The Octagon, Dunedin; PO Box 5045, Moray Place, Dunedin 9058, New Zealand
Telephone: 03 477 4000; Fax: 03 474 3694
Email: <mailto:chris.scott@dcc.govt.nz>; <http://www.dunedin.govt.nz>

Visit DCC Archives photo collection at www.flickr.com/photos/dccarchives P Please consider the environment before printing this e-mail

-----Original Message-----

From: Lorna Jackson
Sent: Friday, 1 September 2017 1:39 p.m.
To: Digital Services - Archives
Subject: HAIL-2017-79, 34 Gorman Street Macandrew Bay, HAIL application lodged

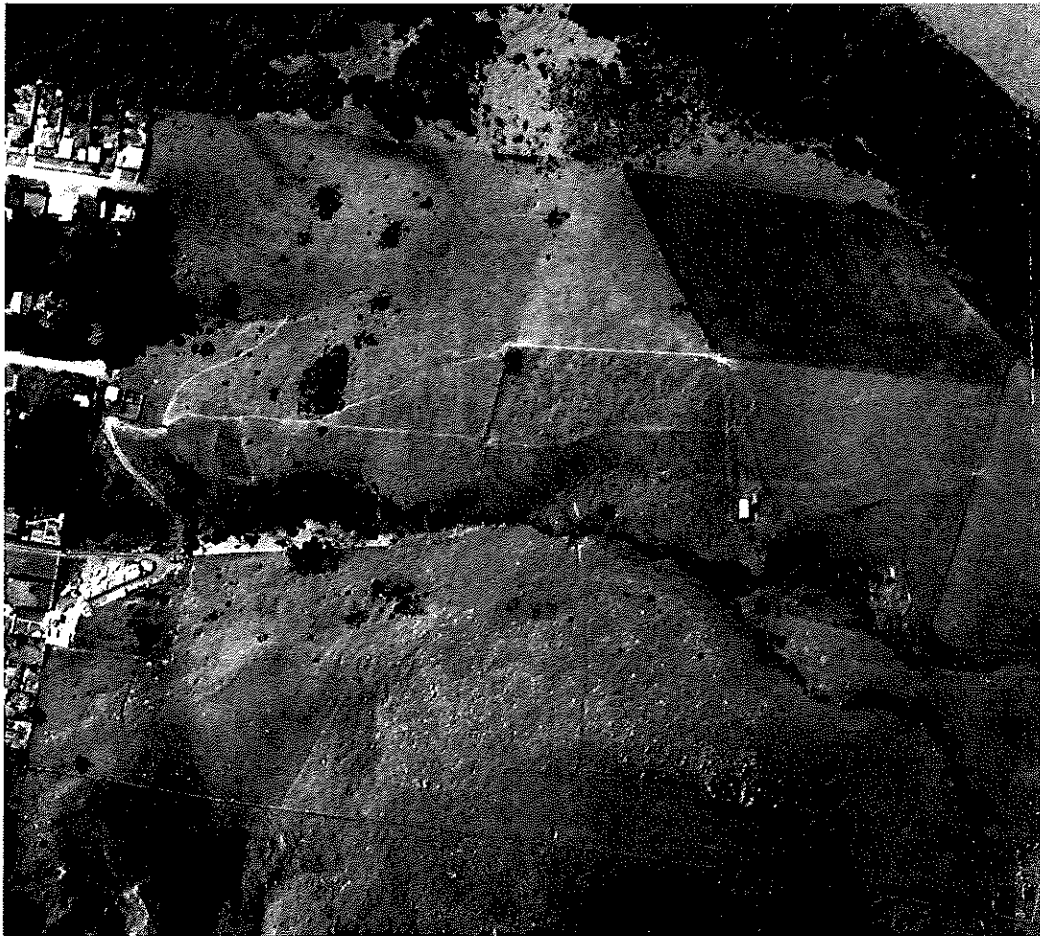
Please do the archival search

Additional Info:
Attachment links to HAIL-2017-79, 34 Gorman Street Macandrew Bay

If this message is not intended for you please delete it and notify us immediately; you are warned that any further use, dissemination, distribution or reproduction of this material by you is prohibited.



Date: 1958



Date: 1978



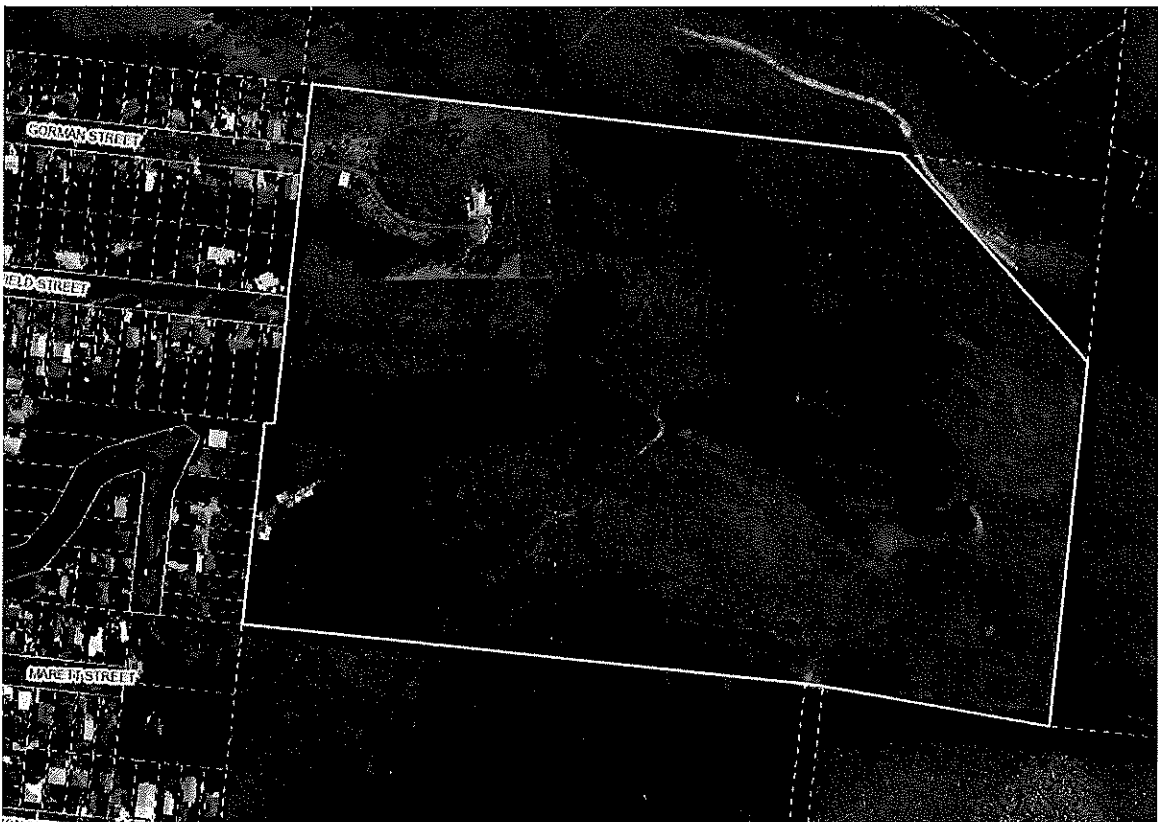
Date: 1990



Date: 2000



Date: 2006/2007



Date: 2013

Consent Record for 34 Gorman Street, Macandrew Bay (Property Key 5043126)

Building Applications:

Building Application	Status	Description	Lodge Date	Applicant
<u>PIM-2008-2635</u>	PIM Issued	Extend Dwelling. New Garage, Living Areas, 2 Bedrooms, and Bathroom.	25/11/2008	<u>221856</u> A W Montgomerie
<u>ABA-2008-2613</u>	CCC Issued	Extend Dwelling. New Garage, Living Areas, 2 Bedrooms, and Bathroom.	25/11/2008	<u>221857</u> S J Montgomerie
<u>XPL-2008-2519</u>	Property Search Completed	Property search	06/10/2008	<u>243303</u> Insite Design
<u>ABA-2004-303829</u> GEMS ID ABA41054	BC Issued	(DWX) Erect Dwelling Plan Heater - No Plans	16/04/2004	<u>100849</u> S O Chin
<u>H-1985-98304</u> GEMS ID AAB19851835	Historical Record	AAB19851835 9879 - Erect hay shed (Grainger)	09/10/1985	
<u>H-1985-98047</u> GEMS ID AAB19851411	Historical Record	AAB19851411 (DWX) 9544 - Erect farm building - Plan (Chin)	03/09/1985	
<u>H-1980-212807</u> GEMS ID AAD19801214	Historical Record	AAD19801214 Plan only, Refer to 16 Barling Street for Fiche	23/01/1980	
<u>H-1963-60753</u> GEMS ID AAB19631489	Historical Record	AAB19631489 (DWX) 10207 - Erect Shed/Garage/Store Shed & Workshop, No Plans (Hellyer)	01/01/1963	
<u>H-1954-44613</u> GEMS ID AAB19541936	Historical Record	AAB19541936 (DWX)208 Erect Glasshouse, Plan (Jury)	01/09/1954	<u>189736</u> Historic Person - Old Consents (Bldg, Land Use, Sub)
<u>H-1953-42710</u> GEMS ID AAB19534332	Historical Record	AAB19534332 (DWX) 56 - Erect Dwelling, Plan - (Jury)	01/10/1953	<u>189736</u> Historic Person - Old Consents (Bldg, Land Use, Sub)

Planning Applications:

Planning Application	Status	Description	Lodge Date	Applicant
<u>LUC-2017-407</u> GEMS ID	Suspended Pending Combined Decision	land use consequential to a subdivision consent	16/08/2017	<u>221856</u> A W Montgomerie
<u>SUB-2017-74</u>	1st FI Request	subdivison consent for two	15/08/2017	<u>221856</u> A W

GEMS ID		additional dwellings		Montgomerie
<u>LUC-2008-454</u> GEMS ID	Completed	construction of an addition to a dwelling in a landscape area in excess of 100 percent of the current floor area	21/08/2008	<u>221856</u> A W Montgomerie
<u>RMA-2004-367687</u> GEMS ID RMA20040260	Consent Issued	DWELLING WITHIN LCA	06/04/2004	<u>221856</u> A W Montgomerie

RESOURCE CONSENTS WITHIN 50 METRES OF 34 GORMAN STREET MACANDREW BAY

5041290 31 Gorman Street Macandrew Bay

RMA-1997-360585 Resource Management Act (Historical Data) ADD TO DWG. The outcome was Granted on 05/03/1997.

5041291 33 Gorman Street Macandrew Bay

RMA-2004-368396 Resource Management Act (Historical Data) CONSTRUCT A CARPORT WHICH IS PROPOSED TO BE LOCATED PARTIALLY ON A ROAD RESERVE (Non-Notified - Restricted Discretionary). The outcome was Granted on 18/11/2004.

5041295 28 Gorman Street Macandrew Bay

RMA-2003-366692 Resource Management Act (Historical Data) REMOVE TWO TREES (Non-Notified - Restricted Discretionary). The outcome was Granted on 30/06/2003.

5041321 43 Porterfield Street Macandrew Bay

LUC-2010-560 Land Use Consent retrospective consent for a deck constructed without building or resource consent. The outcome was Granted on 02/02/2011.

5041322 40 Porterfield Street Macandrew Bay

RMA-1995-353073 Resource Management Act (Historical Data) DISPENSATION (Non-Notified - Non Complying).

5041384 35 Wharfdale Street Macandrew Bay

LUC-2013-35 Land Use Consent rebuild existing deck. The outcome was Granted on 19/02/2013.

5041387 37 Wharfdale Street Macandrew Bay

RMA-1997-361454 Resource Management Act (Historical Data) front yard, height plane and height encroachment by proposed dwelling. The outcome was Granted on 03/12/1997.