

Memorandum

TO: Elisabeth Boyle, Planner

FROM: Luke McKinlay, Landscape Architect

DATE: 10 December 2024

SUBJECT: **LUC-2023-36:**
12 ANNIE STREET, OSBORNE
LA Comments

Kia ora Elisabeth,

The following is in response to your request for comment on the above land use consent for retrospective and proposed earthworks, at the above location.

As I understand it, this application includes remediation work to be undertaken at 12 Annie Street. It excludes any remediation work within the Bradley Road or Annie Street Road reserves. Additionally, the applicant has stated that the initially proposed retaining structures will now to be replaced by batter slopes.

The subject site is zoned **Township and Settlement**. The south-western part of the site is subject to the Pūrākaunui and Orokonui Landscape Overlay, however, the completed work and further proposed work is not situated within this overlay area.

Annie Street and Bradley Road are both classified as **Local Roads** in the 2GP road classification hierarchy.

The application will be assessed as a **restricted discretionary** activity pursuant to the 2GP rules listed below.

- **Rules 8A.5.1.3 and 8A.3.2.3-** change in finished ground level:
Pursuant to Rule 8A.5.1.3, the maximum change in finished ground level to be considered earthworks – small scale in residential zones is 1.5m. The change in ground level resulting from the earthworks already taken was measured to be 1.7-1.8m. The measurement was carried out by DCC Compliance Officer Peter Woods and Resource Consents Planner Elisabeth Boyle during a site visit on 29 August 2024. Since the change in ground level is over 1.5m in height, it is considered Earthworks Large Scale. Pursuant to Rule 8A.3.2.3, the activity status for Earthworks Large Scale is Restricted Discretionary. Council's discretion is restricted to:
 - Effects on visual amenity,
 - Effects on amenity of surrounding properties, and
 - Effects on the stability of land, buildings, and structures.
- **Rule 8A.5.3:** Earthworks must:
 1. have a maximum cut batter gradient of 1h:1v (i.e. rising 1m over a 1m distance); and
 2. have a maximum fill batter gradient of 2h:1v (i.e. rising 1m over a 2m distance)

The proposal breaches the cut batter rule as can be seen on the B-B long section. The work also breaches the fill batter gradient where side cast fill is sitting on the eastern side of the access way (confirmed by Stantec after a site visit last year – last year's comments are included in the attached file).

- **Rule 8A.5.4.1.a:** Earthworks over 600mm in height or depth not supported by retaining walls must be set back from property boundaries as shown below:

- i. a distance at least equal to the maximum height of the fill, as measured from the toe of the fill (see Figure 8A.5.4A);
- ii. a distance at least equal to 1.5 times the maximum depth of the cut, plus 300mm, as measured from the toe of the cut (see Figure 8A.5.4A); and
- iii. 300mm, as measured from the crest of any cut (see Figure 8A.5.4A).

The completed earthworks breaches this rule at the south-west boundary of the Bradley Rd road reserve, and at the north-west boundary of the Annie St road reserve.

- **Rule 6.3.3.a.i:** The maximum width for a vehicle access for residential purposes is 6.0m. The new vehicle access terminating at Annie Street appears to be 10m, breaching this rule.
- **Rule 6.6.3.6.b:** The full length of any driveway that serves more than 2 residential properties must be hard surfaced. Hard surfacing is not proposed, which is a breach of this rule since the accessway serves more than 2 residential properties.

Comments

The following comments address the potential effects of the proposed earthworks on the visual amenity of the surrounding area. I undertook a site visit on Friday, 6th December to inform these comments. Photographs taken at this time are attached as Appendix 1.

The site is near the south-eastern edge of the settlement of Osbourne. The surrounding topography is relatively steep, with an aspect to the south-east. Kanuka dominant forest and scrub encircles Osbourne to the south, west and north. Fragments of this vegetation type are also present within 12 Annie Street, scattered amongst pastoral areas, and within nearby properties and the paper road portions of Annie Street and Bradley Road (refer Figures 1-5, Appendix 1).

From a visual amenity perspective, the primary effects of the proposed works will be related to the re-battering of the cut face shown in figures 1 and 2, below. As I understand it, following the proposed earthworks, this batter will have a gradient of 1h:1v from its base to near the top of the slope, where it will flatten to a 2h:1v slope. The applicant intends to re-plant this flatter, upper part of the slope once the earthworks are complete (the existing flax will be removed).

It is noted that this cut batter will exceed the standard for small-scale earthworks (max change in finished ground level – 1.5m (Rule 8A.5.1.3)) by a relatively small amount (0.2-0.3m). In addition, it is noted that the existing batter face is an existing feature that does not have a notable adverse effect on the visual amenity of the surrounding area. As such, impacts of the proposed works on the visual amenity of the surrounding area will be relatively low.

Nearby dwellings are located well below the level of the proposed earthworks and are predominantly oriented to the northeast or southeast (away from the site of the proposed works). Further, there is considerable, well-established vegetation between these dwellings and the works, which provides visual screening. For these reasons, it is considered that the proposed earthworks will not be highly prominent from these dwellings and effects of the earthworks on existing visual amenity values will likely be low. From more distant locations, such as from Pūrākaunui, tall vegetation surrounding the site will screen views of the earthworks.

As an advice note, it is recommended that the proposed planting at the top of the batter slope consists of locally appropriate native species.

Regards,

Luke McKinlay
Landscape Architect.

Appendix 1: Site Photographs



Figure 1: Northern extent of cut slope to be re-battered.



Figure 2: Southern extent of cut slope to be re-battered.



Figure 3: Existing (upper) alignment to be closed.



Figure 4: View towards dwelling at 13 Annie St.



Figure 5: View towards dwelling at 15 Annie St.