

Memorandum

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|---|--|--|---|--|
| <input type="checkbox"/> Whangarei
Level 1
BDO Business Centre
15 Porowini Avenue
Morningside
Whangarei 0110
+649 358 2526 | <input type="checkbox"/> Auckland
PO Box 91250
Auckland 1142
+649 358 2526 | <input type="checkbox"/> Hamilton
PO Box 1094
Hamilton 3240
+647 960 0006 | <input type="checkbox"/> Tauranga
PO Box 13373
Tauranga 3141
+647 571 5511 | <input type="checkbox"/> Wellington
PO Box 11340
Wellington 6142
+644 385 9315 |
| <input type="checkbox"/> Nelson
27 Vanguard Street
Nelson 7010
+643 548 8551 | <input type="checkbox"/> Christchurch
PO Box 110
Christchurch 8140
+643 366 8891 | <input checked="" type="checkbox"/> Queenstown
Level 1
72 Shotover Street
Queenstown 9300
PO Box 1028
Queenstown 9348
+643 441 1670 | <input type="checkbox"/> Dunedin
49 Water Street
Dunedin 9016
+643 470 0460 | |

Attention: Liz White

Company: on behalf of Timaru District Council

Date: 08/10/2024

From: Yvonne Pfluger, Partner, Landscape Planner

Message Ref: Response to Submissions on Natural Character and Natural Features & Landscapes Chapters

Project No: BM240365

Qualification and Experience

My name is Yvonne Pflüger. I am employed as a Landscape Planner for Boffa Miskell Limited (BML), an environmental consultancy specialising in planning, design and ecology. I am a Partner in the company.

I hold a Master's degree in Landscape Planning from BOKU University, Vienna (Austria, 2001) and a Master's degree in Natural Resources Management and Ecological Engineering from Lincoln University (NZ, 2005). I am a Full Member of the Resource Management Law Association and a registered member of the New Zealand Institute of Landscape Architects, as well as a Certified Environmental Practitioner under the Environment Institute of Australia and New Zealand.

I have practised as a landscape planner for over 23 years on a wide range of projects including landscape and visual effects assessments. During my time at BML I have played a key role in preparing numerous landscape studies for various territorial authorities throughout New Zealand's South Island. I was the project manager and key author of the Canterbury Regional Landscape Study Review (2010) and Banks Peninsula, Ashburton, Invercargill, Hurunui, Christchurch, Timaru, Kaikoura, Eastern Mackenzie, Waimate and Southland District landscape studies (2009-2022). The preparation of these studies, and of related evidence for hearings, involved evaluating landscape character and values for these regions and districts and advising councils on objectives and policies for the ongoing management of the landscape.

I have also prepared a large number of landscape and visual assessments for development projects of varying scales within sensitive environments, including preparation of landscape evidence for numerous council and Environment Court hearings.

Through my work on the Timaru Landscape and Coastal Study in 2017, as well as my advice provided in relation to community engagement in 2021, I am familiar with the landscapes within the district. I visited the Timaru District for the preparation of these studies. As part of my site investigations, I also had the opportunity to observe developments and their effects within the landscape over the past 10 years.

Code of Conduct for Expert Witnesses

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

Introduction

In 2016 Timaru District Council (TDC) engaged Boffa Miskell Ltd (BML) to assist in assessing the landscape values and identifying areas of Outstanding Natural Features and Landscapes (ONF/Ls) within the District, as well as assessing the extent and natural character of the coastal environment (CE). Subsequently, the Timaru Landscape and Coastal Study (Boffa Miskell, 2020- referred to as BML Study) was prepared to ensure that Outstanding Natural Features and Landscapes, as well as Visual Amenity Landscapes (VAL), proposed in the District Plan are consistent with each other in terms of their value and boundary identification.

The draft version of this study was used to inform land owner consultation and stakeholder engagement in 2021. Land owners had the opportunity to discuss ONF/Ls on their land with TDC. Site visits were subsequently undertaken by BML in 2021 to verify the validity of areas requested for inclusion/ exclusion in consultation with the community. It is noted that these site visits did not involve meeting land owners and accessing their private land for more detailed on-site investigations, but were limited to areas that could be viewed from public roads. Where these site visits resulted in amendments to the ONF/L boundaries, detailed maps were provided to TDC in a detailed response document (dated 20/07/2021). Maps used for notification of the district plan review reflect these amendments.

In 2024 BML were asked to provide input into the s42A Report relating to submissions on the Natural Features and Landscapes Chapter and the Natural Character Chapter of the Proposed District Plan (PD). The responses to the submissions BML were asked to provide input into are outlined in this memorandum. The findings in this memorandum assist as technical input for the preparation of the S42a report for these two chapters.

Submission Response Natural Character Provisions

Topic	Submitter	Summary request
Natural Character Provisions	Forest and Bird (156.120)	<p>NATC-P1: change of wording to</p> <p><u>Recognise the following natural elements, patterns, processes, and experiential qualities which contribute to the natural character values of wetlands, rivers, lakes, and their margins:</u></p> <ol style="list-style-type: none"> 1. <u>Is in their natural state or close to their natural state;</u> 2. <u>landforms and landscapes, biophysical, geologic, and morphological aspects;</u> 3. <u>hydrological and fluvial processes, including erosion and sedimentation;</u> 4. <u>indigenous biodiversity, habitats, and ecosystems;</u> 5. <u>water flow and levels, colour and clarity, and water quality;</u> 6. <u>the cultural values of the water body to Kāti Huirapa, including values associated with traditional and contemporary uses and the continuing ability of the waterbody to support taoka species and mahika kai activities.</u> 7. <u>the experience of the above elements, patterns, and processes.</u>
<p>Comment</p> <p>Forest and Bird [156.120] have requested alternate wording for NATC-P1. Ms White has asked me to provide my view on the appropriateness of the alternate wording. I have reviewed Ms White's recommendation and I consider that the alternative wording, taking into account the submitter's request and Ms White's amendments, more accurately address the key aspects of natural character. I recommend the following amendment to the wording of the submitter's clause (1), which is clause (6) in Ms White's amendments and below:</p> <p><u>Recognise the contribution of the following natural elements, patterns, processes and experiential qualities to the natural character values of wetlands, rivers, lakes, and their margins:</u></p> <ol style="list-style-type: none"> 1. <u>landforms and landscapes, biophysical, geologic, and morphological aspects;</u> 2. <u>hydrological and fluvial processes, including erosion and sedimentation;</u> 3. <u>indigenous biodiversity, habitats, and ecosystems;</u> 4. <u>water flow and levels, colour and clarity, and water quality;</u> 5. <u>the cultural values of the water body to Kāti Huirapa, including values associated with traditional and contemporary uses and the continuing ability of the waterbody to support taoka species and mahika kai activities.</u> 6. <u>absence of man-made modifications to their natural state;</u> 7. <u>the experience of the above elements, patterns, and processes.</u> <p>In my view, this wording takes into account a wider range of aspects that contribute to the natural character of water bodies than the notified version of Policy NATC-P1. Under (1) the bed/margins of a water body are addressed, as well as the wider landscape context found within the catchment. The amended wording also better recognises the processes that are essential to the functioning of natural processes of a waterbody, including the quantity and quality of the water (under 4), as well as the biotic (under 5) and abiotic (under 1 and 2) aspects of natural character.</p> <p>My recommended wording above also takes into account the presence/ absence of man-made modifications, which include structures such as bridges and flood protection, buildings, water takes, as well as changes to the land cover and land use in the vicinity of a water body. It is recognised that there are water bodies where the natural elements, patterns and processes have not been substantially modified which means that they are in, or close to, their natural state.</p>		
Natural Character Provisions	Various	<p>A number of submitters have sought changes to the NATC policies and rules to enable a slightly broader range of activities in riparian areas.</p>
<p>Comment:</p> <p>Ms White has advised me that various submitters have sought changes to the NATC chapter to permit a broader range of activities being undertaken in riparian areas. She has asked me to provide advice on the effects of enabling:</p> <ul style="list-style-type: none"> • the operation, maintenance and repair of assets/activities already located in these areas; and 		

- the replacement and/or expansion of existing buildings and associated vegetation clearance and earthworks.

It is my opinion that if an activity is existing it has already impacted the natural character of the waterbody and its margin. Allowing it to continue and to maintain it, is appropriate in my view. The replacement or repair of buildings and other structures in their existing location are unlikely to lead to noticeable additional adverse effects on the natural character of adjacent waterbodies. Extensive expansions or new activities, including the associated earthworks and vegetation clearance, should be assessed to confirm if they have adverse effects on the existing natural character (which is low in some instances). If the natural character of a water body is high or close to its natural state, it is likely to be more susceptible to change.

Natural Character Provisions

Federated Farmers (182.117)

Seeks a wider scope for NATC-P5, to allow for the grazing/mowing of grasses to reduce the fire risk and other exotic species which suppress biodiversity, providing cover for predators. The changes sought are to amend clauses 2 and 5 as follows:

2. vegetation clearance to remove pest **and/or exotic** species; [...]

Comment:

NATC-P5.2 relates to enabling vegetation clearance to remove pest species. Federated Farmers [182.117] have sought that it is extended to enable the removal of exotic species more generally. It is my view that this is appropriate because the removal of both pest and other exotic species can contribute towards the enhancement of natural character. Pest species found along river margins include in particular willows, with *Salix fragilis* (crack willow) and *Salix cinerea* (grey willow) being the most prevalent ones. These species are often involved in confining the braid plain of braided rivers.

Other pest species listed under ECO-R7 also often occur within along the margins of water bodies, such as sycamores, buddleia, lupins and poplars- all of which have detrimental effects on natural character. However, there are other species that are commonly found in river beds and margins that are not listed, such as gorse, broom, hawthorn and briar rose. In my view, the removal of all exotic species is an improvement to the natural character of a water body, as it enables the natural process of regeneration of native vegetation to occur in areas that are naturally vegetated, while maintaining open parts of river beds, such as gravel banks.

Natural Character Provisions

Te Kotare and Waipopo Huts (115.31) (189.43)

Seek amendment to NATC-R5 (buildings and structures) to allow for construction of buildings outside of the footprint of the previous building as a permitted activity, if the construction of the building is required to upgrade and/or replace an existing building of the same or similar footprint.

Comment:

I consider that where there is an existing building within the riparian margins, replacement of that building, with the same or similar footprint, or a small expansion, would not create additional adverse effects that would compromise natural character values. However, to provide certainty for a permitted activity framework, I consider that a limit should be placed on the scale (beyond the existing footprint).

In my view, the expansion of a building/ structure footprint in vicinity of a water body should only be small as a permitted activity to ensure that the natural character effects do not increase. There are likely instances where larger expansions are also appropriate (in particular in areas of lower natural character) but this would best be assessed as a restricted discretionary activity.

I discussed with Ms White that it would be appropriate to limit the expansion to an existing building or structure as a permitted activity to those where the footprint of the building/structure does not increase by more than 25% or 50m² (whichever is the lesser) from that existing at the time the rule becomes operative.

Natural Character Provisions

Te Kotare and Waipopo Huts (115.29) (189.41) (115.30) (189.42)

Seeks the amendment various NATC rules to allow vegetation clearance, earthworks etc outside of the footprint of the building as a permitted activity, if the vegetation clearance is required to upgrade and/or replace an existing building of the same or similar footprint.

Comment:

As outlined above, I consider it appropriate to provide for some vegetation clearance/earthworks etc outside of the footprint of an existing building as a permitted activity, where it relates to replacing an existing building. I consider that the adverse effects of existing buildings on natural character values in these riparian areas is already established, and in my view, those associated with a limited amount of additional clearance that might be associated with a replacement building are likely to be minimal in comparison. However, similar to the expansion of a building/structure as a permitted activity, greater certainty would need to be provided in relation to the size of the footprint that would apply to the additional earthworks and/or vegetation clearance. As outlined under the previous submission this footprint should not increase by more than 25% or 50m² (whichever is the lesser).

Submission Response Natural Features and Landscapes Chapter – ONL schedules

Topic	Submitter	Summary request
Natural Features and Landscapes Chapter – ONL schedules	Frank, H (90.18)	Seeks amendments to the 'Landscape values and characteristics' description of ONL-2, including the addition of new points under the Biophysical and Sensory descriptions (refer to detail in the submission). Note that they largely relate to including further detail on indigenous biodiversity present in the ONL.
<p>Comment:</p> <p>Addition to text in SCHED8 and SCHED9</p> <p>Frank, H [90.18] has requested that additions are made to:</p> <ul style="list-style-type: none"> - the 'Biophysical' and 'Sensory' descriptions of ONL-2; and - the 'Biophysical' description relating to ONF-2a to ONF-2q; and - the 'Biophysical' description relating to ONF-6; and - reference Mt Donald in ONF-2e; <p>I have considered Mr Frank's requested additions, and in general I consider that the inclusion of some details relating to plant species is appropriate, as the level of detail is comparable with other ONFLs. While some of these additions are focussed on ecological values (including rarity of these species), they form part of the physical values associated with these ONFLs and are relevant to the landscape values and characteristics.</p> <p>I checked the validity of Mr Frank's requested additions and consider them to be appropriate and correct to the best of my knowledge based on publicly available information.</p> <p>I recommend the following change to the point to be added to ONL-2 (Sensory Values): <i>"The Orari River has high water quality and is popular for swimming."</i> This focusses the statement on the recreational opportunities available in relation to the ONF which fall under its sensory values.</p> <p>Regarding the request to add to ONF-2g-2d: in second column (in bold): Mt Donald. I have not been able to locate Mt Donald and therefore verify the validity of this request. Further evidence/ information would be required from the submitter to recommend this addition.</p>		
Natural Features and Landscapes Chapter – ONL schedules	ECan (183.171)	Seek that outstanding natural features of international, national and regional significance listed in the geopreservation inventory are included in the schedule.
<p>Comment:</p> <p>Ms White has asked me to confirm to what extent features listed in the Geopreservation Inventory (Kenny & Hayward) were considered in the identification of ONFs. I note that in the Landscape Study, Figure 3 and Table 8: Geopreservation Sites within Timaru District lists all Geopreservation sites in the district, and includes those of international, national and regional significance.</p> <p>Table 8 Geopreservation Sites within Timaru District lists all Geopreservation sites with their importance (second to last column) ranked as follows:</p> <ul style="list-style-type: none"> A: International: Site of International Scientific Importance; B: National Site of National Scientific, Educational or Aesthetic Importance; C: Regional: Site of Regional Scientific, Educational or Aesthetic Importance; 		

However, not all Geopreservation sites are identified in the PDP as ONFs, since the reasons for their identification as Geopreservation sites are different to those for ONFs and sometimes only relate to geological values. However, there is some overlap in relation to biophysical values of ONFs which is one of three criteria for identification.

Natural Features and Landscapes Chapter – ONL schedules

Forest and Bird (156.141)

Considers that it is not clear if the PDP mapped ONLs and ONFs in accordance with the NZCPS, stating that there is no reference to any ONCs in the Timaru District and that it is not clear if this exercise was undertaken, and none were found. It seeks that the mapping of ONFs, ONLs and ONCs is reconsidered, in accordance with the NZCPS.

Comment:

Forest and Bird [156.141] have queried whether the mapping in the PDP has been undertaken in accordance with the NZCPS. The landscape evaluation that led to the identification of ONF/Ls in the Timaru District Landscape and Coastal Study (BML, 2020) was carried out across the entire district, including the coastal environment. One ONF was identified within the coastal environment (Dashing Rock ONF-5).

As part of the Timaru Coastal Study the extent of the coastal environment was first identified. Following this, an assessment of natural character was carried out within the coastal environment. Once the inland extent of the coastal environment was determined, the four originally identified coastal character areas were assessed in terms of their natural character. As required under the NZCPS areas of high and outstanding natural character were identified.

The methodology applied for this assessment is outlined in detail in the coastal study section (see Section 7, p.78ff). The natural character assessment led to the identification of fairly extensive areas of high natural character in the coastal environment (see Figures 25-28). An area with outstanding natural character may be an area within the coastal environment that is considered to have 'high' or 'very high' levels of natural character. No areas of outstanding natural character were identified due to the level of modification to the natural elements, patterns and processes.

Natural Features and Landscapes Chapter – ONL schedules

Connexa; Spark (176.73-75) (208.73-75)

Consider that roads should be excluded from the provisions relating to the ONF, ONL and VAL overlays, as they are a modified environment and therefore seek that these overlays are amended so that it is clear that roads are not included within the overlays.

Comment:

Connexa; Spark; Chorus; and Vodafone have requested that roads are not included within ONF, ONL and VAL overlays because they are a modified environment. Roads and other man-made modifications, such as buildings form part of the wider landscape. As defined in case law (Man O'War) the extent of the landscape is first defined and a value assessment carried out subsequently. If the landscape meets the threshold for ONFL (or lower threshold for VAL) the landscape or feature are included in the identified area. It would not be best practice to exclude these discrete man-made elements from the wider identified areas. However, it is acknowledged that road corridors contain a higher level of man-made modification and there may, therefore, be a higher ability to absorb change within this environment than in the more natural surroundings that provide more notable landscape values. If it is considered appropriate to allow for a wider range of activities in road corridors, this could be addressed through a more permissive management regime.

I have discussed with Ms White the option of including poles and antennas (up to 8m height plus 3.5m for antennas) as a permitted activity in ONLs, if they are located within a road reserve. I consider that the presence of a road already represents a level of modification in the ONL which would mean that this part of the landscape has a higher ability to absorb this kind of change, and agree that this would protect the values sufficiently. Given that unformed paper roads are not actual modifications present in the landscape, this rule should not apply there. While I consider that the higher sensitivity of ONFs requires a higher level of protection, the limited extent of ONFs does not overlap with road reserves.

Natural Features and Landscapes Chapter – ONL schedules	Chorus; and Vodafone (209.73-75) (210.73-75)	In addition, these submitters consider that rural residential areas should be excluded from VALs as they are defined as rural areas under the NESTF, and therefore seek that the extent of the VAL is amended to exclude areas zoned for rural residential land use.
<p>Comment:</p> <p>Connexa; Spark; Chorus; and Vodafone have requested the extent of the VAL is amended to exclude areas zoned for rural residential land use. While the ONLs in the district include only areas within the rural zone, the VAL at Geraldine Down also includes some land zoned Rural Lifestyle. As outlined above, the presence of human development does not preclude an area to be identified as part of a VAL. The landscape study describes that rural settlement has occurred along some of the roads throughout the area. The attractiveness for living reflects its high amenity value and distinguishes it from other rural areas that are predominantly used for agricultural production. The landscape values that led to the VAL identification are outlined under Section 5.13 of the landscape study (p.73).</p>		

Submission Response Natural Character Features and Landscapes Chapter – NFL rules and standards

Topic	Submitter	Summary request
Natural Character Features and Landscapes Chapter - NFL rules and standards	Alpine (55.18)	Seek that in NFL-R3 (Network utilities including associated earthworks), PER-2 is amended so that the installation of new above ground network utilities and structures are permitted. This is largely due to the costs associated with undergrounding. (Note that while the change sought relates to the rule as a whole, the concern appears to be in relation to VALs, and the Geraldine Downs VAL in particular; and to the undergrounding of electricity lines.)

Comment:

I have been asked to provide brief advice on the potential adverse effects of:

- Permitting new above ground network utilities and structures (generally) in ONLs and ONFs.
- Permitting new above ground network utilities and structures (generally) in VALs.
- Permitting new overhead lines and support structures in ONLs and ONFs.
- Permitting new overhead lines and support structures in VALs.

ONFLs are generally more sensitive and less domesticated than VALs. VALs display a high level of visual amenity associated with rural landscapes, while the landscape values of ONFLs relate to their high biophysical, sensory and associative values. ONFs are generally small, very confined features that are highly sensitive to change, including the modification associated with man-made structures, which should generally be avoided in immediate vicinity of the identified features.

The identified VALs within the district vary in terms of their underlying landscape values, as described in the landscape study for each identified area. Most of the VALs, apart from Geraldine Downs and the Rangitata Valley floor below the gorge, are located in the foothills on elevated ground. Geraldine Downs is a rural living environment with particularly high visual amenity values and the Rangitata VAL is a rural landscape located between Mt Peel and the Rangitata River. Both of these VALs contain a distinctive underlying geology and areas of native vegetation located between farmland. As part of these landscapes man-made elements such as roads, buildings and utility structures are to a certain extent expected modifications. The VALs that contain rolling hills and elevated spurs are likely to be more sensitive to the introduction of man-made elements, but are also of a lower naturalness and cohesiveness than the ONLs.

I consider that undergrounding of local lines would not be required in all instances to maintain the existing landscape and visual amenity values of ONFLs or VALs. In my view, new local lines are likely to be appropriate in many instances within VALs, but require assessment on a case-by-case basis within ONLs. In ONFs, which are generally more confined and particularly sensitive to landform and other human modification, the placement of overhead lines and utility structures should generally be avoided.

Based on the above, I consider RD consent pathway to be appropriate to assess effects of network utilities on a case-by-case basis within both VALs and ONFLs. While there is generally a difference in landscape values and sensitivity between the ONLs and VALs, some network utilities, such as larger-scale high-voltage transmission lines and sub-stations can have a higher level of adverse effect than local lines, and are best assessed as RD in ONFLs

and VALs. I note that the height, size and scale of overhead lines and structures are already addressed through the matters of discretion in the current rule which should make the consenting of local lines reasonably straight-forward in landscapes where they are in character with the existing modifications. The introduction of high-voltage electricity lines would most likely lead to adverse effects on the landscape values identified in the landscape study for both ONFLs and VALs.

Natural Character Features and Landscapes Chapter - NFL rules and standards

Federated Farmers (182.131)

Seeks that NFL-R5 is amended to allow for shelterbelts as a permitted activity in the ONF/ONL overlay, given that the ONL overlays include the Rangitata catchment where there are strong Norwest winds, and noting that shelterbelts prevent soil erosion and are important for animal welfare purposes.

Comment:

The Landscape Study (page 116) addresses concerns with the effects of commercial forestry plantations and viticulture. I have been asked to also address the potential landscape and visual effects associated with shelterbelt planting and whether it may be appropriate/ acceptable in ONFLs.

The notified Plan provides for shelterbelts in proposed Rule NFL-R5 within 100m of an existing residential unit as a permitted activity. In general, shelterbelts create a level of domestication within the landscape and the unnatural lines created by them are a common element of rural landscapes. This includes to some extent the rural landscapes within VALs, in particular those within the Rangitata Valley below the gorge¹, where a number of existing shelterbelts are present. This also applies, but to a lesser extent, to the Upper Rangitata Valley floor between the gorge and Mesopotamia Station that falls within the Upper Rangitata Catchment ONL. Within these valley floor landscapes shelterbelts are largely in character with the rural surroundings. However, in elevated parts of this ONL and in other ONLs the presence of shelterbelts would generally appear out of character, in particular where linear shelterbelts would create a pattern of straight lines that could have detrimental effects on the cohesiveness and naturalness of the landscape.

In general, a permitted status is considered appropriate in areas where rural/ unnatural patterns are already present, but consideration on a case-by-case basis (controlled in a VAL and restricted discretionary in an ONL/ONF) is supported from a landscape perspective to ensure that the sensory and biophysical landscape values and visual amenity values are not adversely affected by shelterbelts.

Given the current presence of shelterbelts within the valley flats of the upper Rangitata Valley, Controlled activity status could be considered under NFL-R5 Tree planting (other than plantation forestry) for the land within the Upper Rangitata Catchment ONL below the 500m contour line, as shelterbelt would in many instances be in character with the existing environment.

Natural Character Features and Landscapes Chapter - NFL rules and standards

Federated Farmers (182.132)

Seeks that NFL-R6 PER-2 is deleted, but also comments that having either a permitted or non-complying status is disproportionate, and considers a restricted discretionary status would be more reasonable.

Comment:

Federated Farmers [182.132] have requested that the consent requirement for new areas of irrigation or cultivation be removed. Ms White has asked me to comment on whether I consider new areas of irrigation or cultivation are appropriate as a permitted activity in ONFL areas. In my view, irrigation and cultivation are mostly going to be threats on the Rangitata Valley floor since the majority of land included in ONLs is sloping, elevated land. In my view, cultivation may be appropriate in low-lying parts of identified ONLs that already contain agricultural land use, if limited in extent. I support this being considered through a consent pathway.

With respect to irrigation, in general, I consider that there should be no center pivot irrigation in ONLs as it creates unnatural lines and impacts on the legibility of the landscape values. Other types of irrigation may be appropriate on the Rangitata Valley floor of the Upper Rangitata Catchment ONL. Again, I support this being considered through a consent pathway.

¹ Rangitata Flats (between gorge and Peel Forest) VAL

I understand Ms White's view is that a non-complying activity status is generally suitable where an activity is considered unlikely to align (in most cases) with the policy direction (in this case NFL-P4), whereas a restricted discretionary (or fully discretionary) status is more suitable where a case-by-case assessment is required, but activities are expected in some circumstances to be able to meet the policy direction.

In my view, there are limited areas where new areas of irrigation (excluding centre-pivot) or cultivation within ONL/ONF areas are able to meet the policy direction in NFL- P4, such as those in parts of ONFLs that have capacity to absorb the change (eg where a higher level of modification is already present) as long as they protect the landscape values and natural patterns present. I consider that this could be assessed on a case-by-case basis within ONLs which are generally large and more varied in terms of their values.

For ONFs both cultivation and irrigation are generally considered inappropriate due to the vulnerability of the relatively confined features identified, including high biophysical values relating to the landform/vegetation and associative values for tāngata whenua.

Natural Character Features and Landscapes Chapter - NFL rules and standards

Frank, H (90.16)

is concerned that NFL-S2 does not align with NFL-P2 and that it "generally does not make sense to allow new structures above this altitude considering the character and location of these natural features and landscapes in the Timaru District". The submitter seeks that NFL-S2.2 is amended to apply to 500m, rather than 900m above sea level.

Comment:

Based on a review of the location of the 500m contour line, it appears to align reasonably well with the base of the hills in the Upper Rangitata catchment ONL. Around the front ranges the 500m contour extends in general around the tops of the eastern spurs. The 900m contour falls generally onto the base of the more steeply rising slopes in the upper Rangitata catchment and relatively close to the tops of the Four Peaks Range (eg Little Mt Peel 1113masl). In the mid Rangitata area (upstream of the gorge) the area between 500-900masl includes the large open fans that are slightly elevated above the valley floor, as well as the valley floor itself along the Rangitata Gorge section. Figure 1 (see last page) shows the extent of ONFLs and VALs in relation to both the 500 and 900m contour lines.

I consider that the slopes located between the 500-900m contours are visually sensitive to change, in particular along the Four Peaks Range, where they form the prominent backdrop to the plains. In this area I consider that the application of this standard would be more meaningful if it was linked to the 500m contours where it would help to protect the slopes and spurs of ONLs from landscape and visual effects associated with the placement of buildings, structures and irrigators. In my view, it would be appropriate to require resource consent for buildings on these slopes.

In the Upper Rangitata ONL, I consider the elevated fans to be of an intermediate sensitivity, compared to the more modified valley floor on the eastern side of the Rangitata Gorge Road and the highly natural slopes of the MacLeod, Sinclair and Two Thumb Ranges to the west. While buildings and structures are likely to be appropriate in some locations between 500-900masl, a consent requirement would ensure that they are sensitively located within this area.

I have considered the other standards applying to built form in ONLs and do not consider that in combination that they are sufficient to adequately protect these landscapes. I therefore, support the submitter's request in relation to buildings in ONLs between 500-900masl.

Natural Character Features and Landscapes Chapter - NFL rules and standards

Rooney Holdings; Rooney, GJH; Rooney Group; Rooney Farms; Rooney Earthmoving; TDL
174.40-43;
191.40-43;
249.40-43;
250.40-43;
251.40-43;
252.40-43.

Oppose NFL-S3.2, NFL-S4.2, NFL-R5.2 and NFL-S6.2 on the basis that this level of control is unnecessary for a visual amenity landscape, and seek that all four standards are amended to delete the control applying within the VAL overlay.

Comment:

The submitter requests that the following standards applying in VALs are to be removed:

NFL-S3.2: Buildings within nodes – New residential units, farm buildings and structures must be located within 100m of an existing farm building or residential unit: This rule encourages the co-location and clustering of built form within VALs. I consider this to be appropriate standard to ensure that the buildings as a permitted activity are clustered around existing nodes of development, instead of a proliferation in the wider landscape that currently provides values associated with openness and a largely undeveloped character. While it is likely that there are other suitable locations within VALs for the location of buildings and structures, I consider that this can be appropriately assessed as a restricted discretionary activity where the visual integration in the landscape can be assessed amongst other aspects proposed as matters of discretion.

NFL-S4.2: Building size – Size limit 40m² for public amenity buildings; 500m² for farm buildings or residential units; 200m² for any other building or structure:

I consider that large-scale buildings and structures have the potential to compromise the landscape values associated with the identified VALs, such as openness, visual amenity and rural character. While these may lead to appropriate landscape effects if located sensitively where they can integrate with the landscape, I consider it appropriate to assess this through a consenting pathway as proposed.

NFL-S5.2: Colours and Materials: The exterior surfaces of buildings and structures shall be constructed of materials and/or finished in a manner which achieves a light reflectance value not greater than 30%:

In general, I consider controls on colours and materials are a useful mechanism to avoid visual prominence of buildings in VALs which are visually more sensitive than other rural landscapes. Light reflectance value of buildings refers to the brightness of their colour, limiting the permitted range to darker, more subdued colours that blend in with the surrounding landscape. However, for some types of farm buildings it may be appropriate to use corrugated iron (unpainted) as it is in character with other existing rural buildings. Generally, these farm buildings are located within more modified parts of VALs where they would not lead to significant adverse landscape or visual effects. In my view, it may be appropriate to exclude farm buildings and structures within VALs from the rule that requires the light reflectance value (LRV) to be less than 30%.

NFL-S6.2: Earthworks: see TDC submission (42.36) to increase the permitted depth from 1m to 2m which is supported. Within VALs large-scale earthworks can lead to scarring and visually prominent disturbance of the land cover. It is, therefore, recommended to limit the size of the area and the overall volume as proposed in standard. However, the depth of the disturbed area could be increased to 2m without substantial increase in effects.

Natural Character Features and Landscapes Chapter - NFL rules and standards

TDC (42.36)

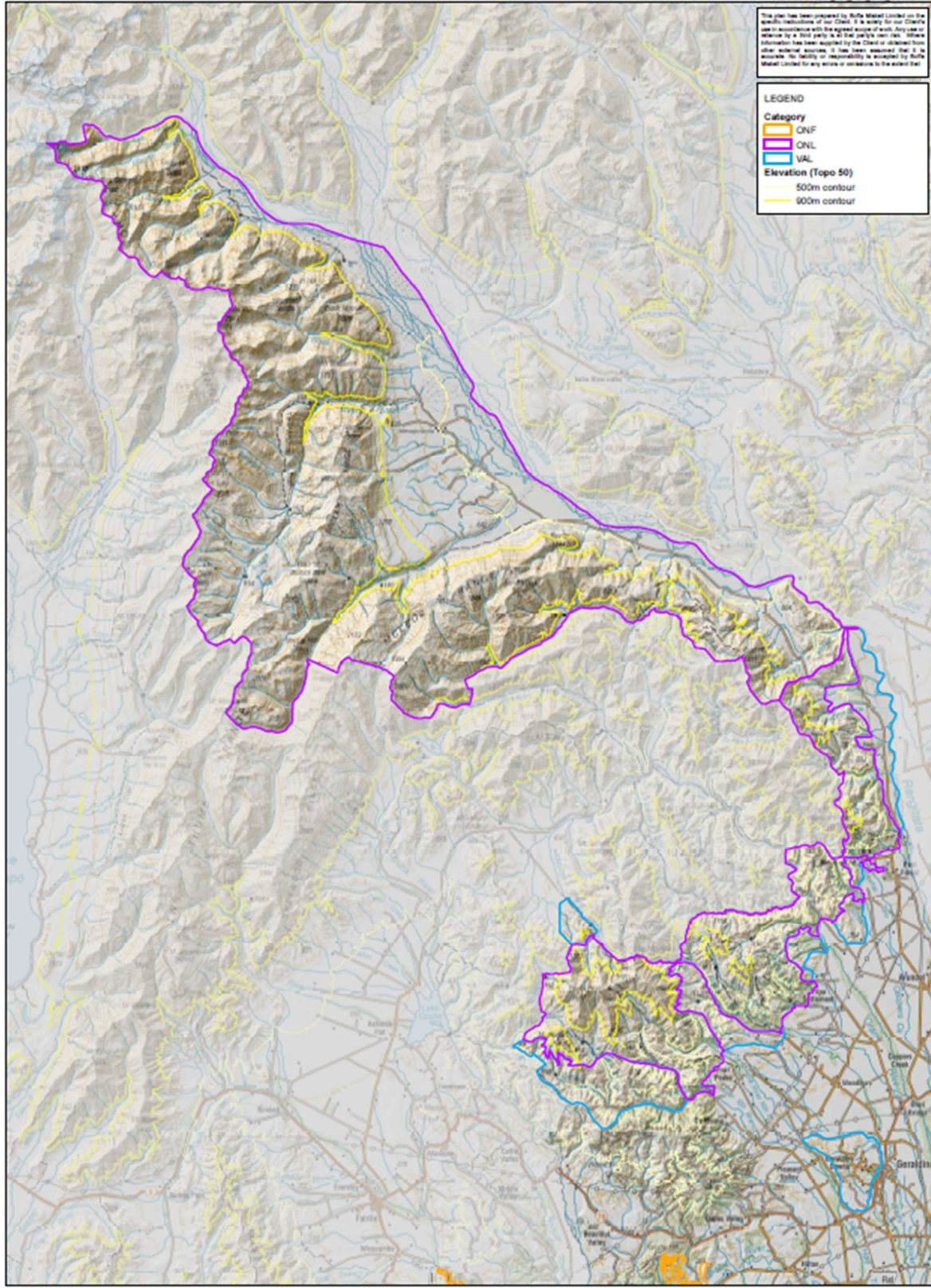
Seeks that NFL-S6 is modified to allow for sufficient depth, through amending NFL-S6.1 to increase the permitted depth from 1m to 2m

Comment:

TDC [42.36] have sought that Earthworks Control NFL-S6.1 to increase the permitted depth from 1m to 2m. I consider that this is appropriate, in combination with the max volume set out in NFL-S6.3, as landscape and visual effects are unlikely to be significant if this depth is excavated or filled over a small area. If the depth for cut or fill for earthworks is amended to 2m for ONLs, this should also be amended for VALs.

This is considered appropriate in combination with the max volume (NFL-S6.3) as landscape and visual effects are unlikely to be significant if this depth is excavated or filled over a small area. If the depth for cut or fill for earthworks is amended to 2m for ONLs, this should also be amended for VALs.

This plan has been prepared by Boffa Miskell Limited on the specific instructions of our Client. It is made for our Client's use in accordance with the agreed scope of work. Any use or reliance by a third party in all that party's own risk. Where information has been supplied by the Client or obtained from other external sources, it has been assumed that it is accurate. No liability or responsibility is accepted by Boffa Miskell Limited for any errors or omissions to the extent that



LEGEND

Category

- ONL
- ONL
- VAL

Elevation (Topo 50)

- 500m contour
- 600m contour

Figure 1