

## Rhea Lind

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**From:** Jayne Macdonald <jmacdonald@mactodd.co.nz>  
**Sent:** Friday, 4 March 2022 10:41 am  
**To:** Ann Rodgers  
**Subject:** FW: PC14 - Shannon Farm  
**Attachments:** ASLA annotated Nov 24 revised SP .pdf

Kind regards

**Jayne Macdonald**  
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**Mactodd Lawyers**  
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**From:** Jayne Macdonald  
**Sent:** Tuesday, 30 November 2021 10:19 AM  
**To:** 'Neil J. Gillespie' <neil.gillespie@codc.govt.nz>  
**Cc:** 'Louise van der Voort' <Louise.VanderVoort@codc.govt.nz>  
**Subject:** FW: PC14 - Shannon Farm

Hi Neil,

Further to our Zoom meeting last week, Anne Steven produced the attached marked up structure plan in response to the plan prepared by Tony Milne. Referring to the exchange below, you will see that matters related to the Structure Plan are pretty much resolved.

I have spoken with Cherry Corp's solicitor (Sarah Eveleigh) this morning and she is to prepare a memo to the Court either putting on hold, or extending the evidence timetable given the constructive settlement discussions that have taken place (noting Cherry Corp's evidence is due on Friday under the current timetable).

I have advised Sarah that in addition to the agreed structure plan changes, the Council seeks to make it clear in the rules that open space/common lots within RLA1 are excluded from the calculation of average lot sizes. She is to come back to me on this once she has instructions.

I will keep you apprised as matters progress.

Kind regards

**Jayne Macdonald**  
Director & Notary Public

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**From:** anne steven <[a.steven@xtra.co.nz](mailto:a.steven@xtra.co.nz)>

**Sent:** Monday, 29 November 2021 5:04 PM

**To:** Vicki Jones <[vicki@visionplanning.co.nz](mailto:vicki@visionplanning.co.nz)>; Jayne Macdonald <[jmacdonald@mactodd.co.nz](mailto:jmacdonald@mactodd.co.nz)>

**Subject:** Re: PC14 - Shannon Farm

yes I agree that the points are largely resolved pending rewording rules/policies to ensure the desired outcome re lots sizes.

I dont think we need to pursue the amenity planting.

cheers ANne

On 29/11/21 4:50 pm, Vicki Jones wrote:

Hi Anne/ Jayne

This is tracking well by the sounds...

For my part:

- **Re no. 4 below**, if we can get express agreement that the calculation of this would exclude any large common lots in order to achieve the intended lot size diversity (a point he has not yet responded to directly) and they are open to re-drafting the matters of control and potentially adding some policies to achieve the diversity we're after then I think we can reach agreement on this point.

I started trying to amend the matters of control to something that would satisfy council but when I did I realised they're a real mess and, as currently drafted, are a mix of MoCs, policies, and Assessment matters – hence Tony's confusion in referring to them as Assessment matters below at times

In short, I think :

1. The matter of discretion 3 that he refers to does restrict the amount of earthworks they can do such that they should not be granted approval to just flatten the whole RLA 1 area but really the MoC should just say "The extent of earthworks" and then be supported by a new policy that says "to ensure that earthworks are limited to those earthworks that are required for the installation of services, access and the creation of a building platform in order to retain the natural contours of the land"

- A new matter of control is needed over the:

"the size and range of lot sizes and the overall pattern of subdivision layout within the RLA1 area"

and that, rather, than add the desired outcome of this into the MoC (as has been done in some of the others and which tony also suggests below) this needs to be supported by a policy such as:

*“to ensure that the subdivision layout within the RLA1 area responds to the natural contours of the land and that, within each contiguous area of RLA1, a range of allotment sizes and shapes is provided for, comprising pockets of smaller lots offset by larger lots and open space”*

I would then dearly love to add an objective such as “To provide a wide range of rural residential living opportunities within the RA5 area, including through providing for denser clusters of rural residential lots of varied sizes and shapes ...” but I know they don’t think any new objectives are necessary so maybe not...

*I think if we get to a point of agreement, we should see if we can try and tidy up to the MoCs (and add policies to express the desired outcomes where need be rather than including those in the MoCs)*

- **Re no.6 below**, I will defer to you on this Anne but he may well be correct (esp in relation to the RLA1 boundary that runs parallel to the existing shelterbelt planting) and that it is not necessary esp considering the RLA6 lots can’t be developed until they are planted out and therefore the RLA1 housing in the west will be seen through a veil of orchard type plantings within the short – medium term (hopefully!!)

Cheers

Vicki

**VISIONPLANNING**  
Resource Management • Strategic Directions

**Vicki Jones**

Director BRP (Hons), MNZPI

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**From:** Tony Milne <[tony@rmmla.co.nz](mailto:tony@rmmla.co.nz)>  
**Sent:** Monday, 29 November 2021 3:02 pm  
**To:** anne steven <[a.steven@xtra.co.nz](mailto:a.steven@xtra.co.nz)>  
**Cc:** jayne Macdonald <[jmacdonald@mactodd.co.nz](mailto:jmacdonald@mactodd.co.nz)>; Vicki Jones <[vicki@visionplanning.co.nz](mailto:vicki@visionplanning.co.nz)>  
**Subject:** RE: PC14 - Shannon Farm

Good afternoon Anne

Many thanks for your email and the consideration the CODC team have given to the revised Structure Plan and supporting indicative/layout/lot yield plan. It is very positive and encouraging that we are agreed that we are almost there. In response to the matters raised in your email please see the following:

1. I believe we should leave the BRA as shown on the revised Structure Plan, however as you suggest, identify a specific area to locate the future building platform within. To that effect I agree with the location you have identified. We will adopt that on the Structure Plan.
2. Agree regarding adopting the no build to straddle the saddle as you have shown. I also agree with regard to identifying a building platform within this area of RLA5 in the location you have shown. The Structure Plan will be updated to reflect this.
3. Agree with the open space suggestion. Structure Plan will be updated to reflect this.
4. In regard to your comments at 4, I understand these. I suggest the best way forward is for this to be captured in the matters of control in the subdivision rule. I have reviewed these and I believe some of your comments are currently caught (in part) by assessment matter (8). Also note, that assessment matter (3) already addresses extent of earthworks, as follows:

*3. The extent of earthworks to not exceed that required for the installation of services, access and a building platform.*

However, for further surety, I think we can build on existing assessment matter #2 as per the following addition:

2. *Subdivision design including the shape and arrangement of allotments and road alignment and design to:*

- *Facilitate convenient, safe, efficient and easy access for vehicles, pedestrians and cyclists.*
- *Facilitate the safe and efficient operation and the economic provision of roading and network utility services to secure an appropriate, integrated and planned development.*
- *In RLA1, provide a range of allotment sizes and shapes and an allotment layout that reflects the range of minimum lot sizes provided for in RLA1 and limits uniformity*

1. Agree with the open space/access link. Structure Plan will be updated to reflect this.
2. I don't agree with the need for an amenity edge tree along the south/southeast edge of RLA1 in the southwest corner. I don't believe this is visually exposed from either leg of Ripponvale Road, due to the angle and distance it will be viewed from. There is also the proposed mitigation planting along the Rockburn boundary that provides additional screening from the north south leg of Ripponvale Road.

Following the above, that leaves only one matter (#6 above) to agree on. If you are comfortable with my response above, then I believe we have closed out all the outstanding matters.

Please consider the above and I will send through an updated Structure Plan accordingly.

Ngā mihi

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Please note RMM work a nine day fortnight where our studios will be closed every second Friday.

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**From:** anne steven <[a.steven@xtra.co.nz](mailto:a.steven@xtra.co.nz)>  
**Sent:** Friday, 26 November 2021 11:07 AM  
**To:** Tony Milne <[tony@rmmla.co.nz](mailto:tony@rmmla.co.nz)>  
**Cc:** jayne Macdonald <[jmacdonald@mactodd.co.nz](mailto:jmacdonald@mactodd.co.nz)>; Vicki Jones <[vicki@visionplanning.co.nz](mailto:vicki@visionplanning.co.nz)>  
**Subject:** Re: PC14 - Shannon Farm

good morning Tony,

I met with the rest of the CODC team yesterday to review the revised Structure Plan and the supporting indicative layout/lot yield plan. We are agreed we are almost there in terms of a good landscape/visual outcome, subject to the following matters being settled between us.

I have made some comments on your revised SP reflecting our discussion - attached.

1. It is really good the bulk of the SAL is proposed for single lot ownership and management. The No Build area still omits the mid to lower slopes within the SAL which are highly visible and sensitive, and seamless with the upper slopes.

There are two options here:

- (i) to bring the BRA right down to cover most of this area excluding a small area where a future dwelling may go; or
- (ii) (ii) leave the BRA as it is but identify a specific area to locate the future building platform and single dwelling/farmstead within. I have identified the only suitable area (in my opinion) on the attached plan.

2. The No Build area should straddle the saddle at the top of the gully between ONL and SAL (refer attached plan). Built form is not appropriate on or close to the saddle in my opinion. There is a possible building platform location area for RLA5 that could be cut out from the BRA in a slight indent near the top of the gully (refer attached plan) - providing it is well screened from view including night lighting. The future road-mitigating tree planting in the gully that is agreed could be utilised to ensure this outcome.

3. The area below the indicative road in the gully should be marked as open space (for the future tree planting), as per your indicative layout plan.

4. The RLA1 and RLA2 roll together is supported. However a uniformity of Lot size and homogenising of the landscape (eg, through earthworks) needs to be strictly avoided. The preference is for a genuine range of lot sizes from 1500 to 3000m2 with the lot size averaging 2000m2 (noting that the calculation of this would presumably need to exclude any large common lots in order to achieve the intended lot size diversity) . The design of the lots should closely reflect and express the natural topography and other ambient landscape characteristics. I appreciate the layout provided is only indicative however it illustrates a high degree of uniformity. To this end, we discussed Policy 4.4.18 and matters of control in the subdivision rule picking up some of this wording. It would be interesting to know what the lot size range is in the indicative layout if that level of information is available. I also recommend avoiding any potential for grid layout (southwest corner) as this is inconsistent with the overall pattern.

5. I recommend retaining an open space/access link between the basin floor and the ONL area, up the small spur in the southwest through the RLA1 area where you have indicated a service road. This gives easy access to the southwest ridge in the ONL and assists in keeping buildings off the spur.

6. Finally, we noted there is no amenity tree planting along the visually exposed south/southeast edge of RLA1 in the southwest corner. This should be included in the SP.

We look forward to seeing the revised SP reflecting these adjustments.

kind regards Anne

On

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**From:** Anne Steven <[a.steven@xtra.co.nz](mailto:a.steven@xtra.co.nz)>  
**Sent:** Wednesday, 24 November 2021 6:18 PM  
**To:** Tony Milne <[tony@rmmla.co.nz](mailto:tony@rmmla.co.nz)>  
**Cc:** jayne Macdonald <[jmacdonald@mactodd.co.nz](mailto:jmacdonald@mactodd.co.nz)>; Vicki Jones <[vicki@visionplanning.co.nz](mailto:vicki@visionplanning.co.nz)>  
**Subject:** Re: PC14 - Shannon Farm

Thank you Tony, this will be helpful.  
Kind regards Anne

Sent from my iPhone

On 24/11/2021, at 6:09 PM, Tony Milne <[tony@rmmla.co.nz](mailto:tony@rmmla.co.nz)> wrote:

Hi Anne

It has been a day of meetings and on site, so only now a chance to respond to your email.

Please find attached our indicative masterplan. This is supplied without prejudice and it is very indicative only, especially given the timeframe it has been prepared in.

I believe it is important that we remain cognisant of the fact that it is the structure plan that forms part of the plan change and if we are comfortable that plan along with the objectives, policies, rule and assessment matters combine to deliver an outcome that addresses the key landscape matters, then fundamentally that needs to remain our focus.

I certainly believe the revised/updated structure plan does that and the attached masterplan is only one outcome, that would be enabled by the Plan Change.

I look forward to your response.

Ngā mihi

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**From:** anne steven <[a.steven@xtra.co.nz](mailto:a.steven@xtra.co.nz)>  
**Sent:** Tuesday, 16 November 2021 9:41 AM  
**To:** Tony Milne <[tony@rmmla.co.nz](mailto:tony@rmmla.co.nz)>  
**Cc:** jayne Macdonald  
<[jmacdonald@mactodd.co.nz](mailto:jmacdonald@mactodd.co.nz)>; Vicki Jones  
<[vicki@visionplanning.co.nz](mailto:vicki@visionplanning.co.nz)>  
**Subject:** Re: PC14 - Shannon Farm

good morning Tony

thank you for the heads up.

We have also been reviewing the Structure Plan to find a constructive way forward. Before you finalise at your end please see the attached. We consider this structure plan would better protect the landscape and visual values particularly those of the SAL.

The key changes are:

1. no development on the bulk of the SAL to best ensure it remains a cohesively managed open pastoral block of land. It is able to continue to express its particular landform

values, which rely on the simple open character and a relative absence of fragmentation.

2. As agreed, there is some scope for development in the bottom of the valley to the east (ideally this would be within a unifying tree planting framework related to the landforms but this could come later as a detail layout plan??)

3. Larger scale lots on the lower southern flanks of the SAL (RL4) to achieve a larger proportion of open space and a more rural character; as this is a visually exposed and sensitive part

4. an increase in potential areas for RLA1 development in pockets around the base of the slope, where because of the angle of view the "front" development tends to mask development behind. Against the ONL and in the ONL, I envisage this being within a native planting framework to enhance the ONL, and unify and absorb built form.

5. Tree vegetation in the separating valley to mask the road to the saddle (and enhance ONL/SAL)

6. open space network slightly rejigged

7. amenity tree buffer as agreed on far side of RLA6 lots bordering Ripponvale road.

We look forward to your response,

kind regards Anne

On 16/11/21 8:30 am, Tony Milne wrote:

Good morning Anne

A quick update from me and a heads up for you.

We have made some adjustments to the structure plan and indicative masterplan and we are looking to issue these to you either tomorrow or Thursday.

Ngā mihi

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(he/him)  
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Please note RMM work a nine day fortnight where  
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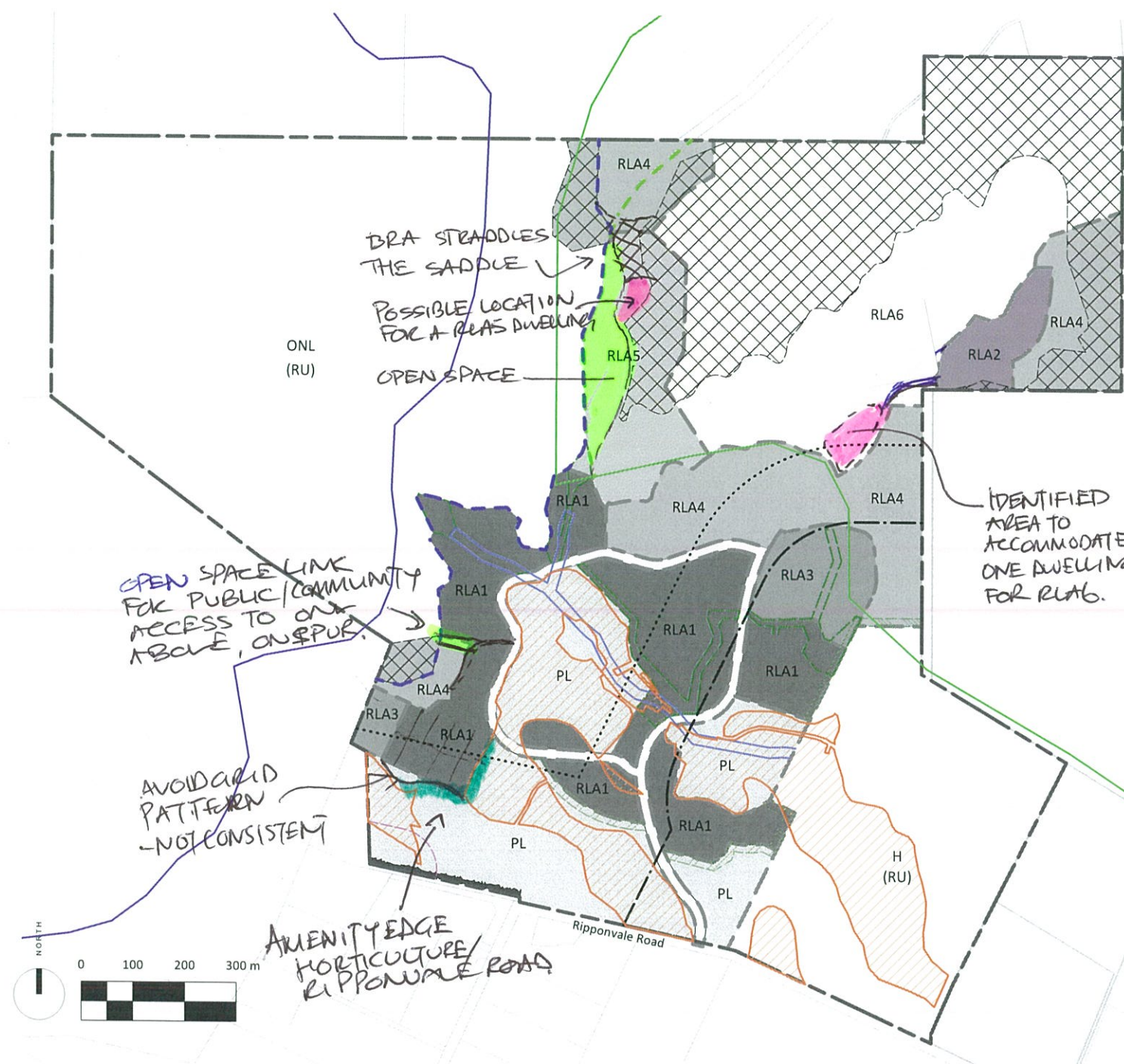
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- RLA Boundary
- No Build
- Indicative Open Space
- Amenity Edge - Ripponvale Road
- Amenity Edge - Horticulture 15m
- Amenity Edge - Horticulture 10m
- Shelterbelt
- Indicative Road Network
- Existing ONL
- Proposed ONL (Expert Agreed)
- Existing SAL
- Proposed SAL (Expert Agreed)
- Waenga WS Soils (Hills, 2021)
- Overland Flow Path
- 40dB Sound Insulation Boundary
- 35dB Sound Insulation Boundary
- 80m Rockburn Setback
- ONL Outstanding Natural Landscape
- H Horticulture Area
- (RU) Rural Resource Area
- PL Productive Land Lot Size: 2 - 6ha
- RLA1 Rural Lifestyle Area 1 Lot Size: 1500m2 minimum, up to 3000m2 Average lot size: 2000m2
- RLA2 Rural Lifestyle Area 2 Lot Size: 3000m2 minimum
- RLA3 Rural Lifestyle Area 3 Lot Size: 4000m2 minimum
- RLA4 Rural Lifestyle Area 4 Lot Size: 8000m2 minimum
- RLA5 Rural Lifestyle Area 5 Lot Size: 3 ha minimum
- RLA6 Rural Lifestyle Area 6 Single lot

NEED TO ENSURE THERE IS INDEED A RANGE OF LOT SIZES EXPRESSING AMBIENT LANDSCAPE CHARACTER + TOPOGRAPHY. (AVOID UNIFORM LOT SIZES)

ASLA RESPONSE TO REVISED SP (NOV. 19 2021) supported by Rev 3 of Indicative layout Plan 24/11/21.