

**BEFORE THE HEARINGS PANEL
FOR THE CENTRAL OTAGO DISTRICT COUNCIL**

UNDER the Resource Management Act 1991

IN THE MATTER of RC240033 an application for land use consent to construct a second residential dwelling in the Rural Residential Area at 353 Dunstan Road, Alexandra

BY **NATASHA WILLIAMS**

Applicant

EVIDENCE OF PETER KLOOSTERMAN

Dated: 2 December 2024

Statement of evidence of Peter Kloosterman

Introduction

- [1] My name is Peter Kloosterman.
- [2] I am employed by Calder Surveying Limited as a Consultant Planner
- [3] My qualifications are a Bachelor of Science and a Masters of Regional of Resource Planning. I have worked in Resource Management for over 30 years. I have been employed by District Councils, a Regional Council, Planning Consultancies, the Department of Conservation and Federated Farmers of New Zealand.
- [4] I have been instructed by the Applicant, Natasha Williams, to give expert planning evidence in respect of RC240033, an application for land use consent to construct a second residential dwelling in the Rural Residential Area at 353 Dunstan Road, Alexandra, legally described as Lot 1 DP 316193 (**Site**).

(**application**)

Code of conduct for expert witnesses

- [5] While this is not an Environment Court hearing, I have read and agree to comply with the Code of Conduct for Expert Witnesses in the Environment Court Practice Note 2023. This evidence is within my area of expertise, except where I state that I am relying on material produced by another person. I have not omitted to consider material facts known to me that might alter or detract from the opinions that I express.

Introduction and summary of site and context

- [6] The subject site is on the east side of Dunstan Road and gently rises from the road to the base of the terrace which is approximately the location of the water race. The land above the water race is steeper.
- [7] Sites for the second dwelling were explored prior to the application being lodged. Sites between the existing house and the water race were deemed undesirable for the following reasons:

- (a) a dwelling in that area will compromise the vista from the house at 347 Dunstan Road;
- (b) the landowners wish to utilise that area for primary production as it is irrigated from the race; and
- (c) this area is in shadow and/or experiences less direct sunlight for much of the winter.

[8] A Discretionary land use consent is necessary for a second dwelling on the property for three reasons:

- (a) No dwellings can be constructed in the Rural Zone (and Rural Residential Zone) without a land use consent. The District Plan does not provide for extended family 2nd dwellings in the Rural Zone.
- (b) The apex of the roof exceeds the Rural Zone height standard of 7.5 metres.
- (c) The dwelling may minimally protrude above the background skyline.

[9] The application included the written approval of the two adjoining neighbours and a Landscape Report prepared by Mr Richard Tyler, (**Landscape Report**). The Landscape Report determined the effects of the dwelling on amenity/landscape values were less than minor. The Landscape report incorporated suggested conditions of consent to mitigate any potential effects by retaining the roadside trees.

[10] There are no dwellings on the west side of Dunstan Road who will see the skyline protrusion. The Section 95 Report confirms the skyline breach does not occur when the site is viewed from the Otago Central Rail Trail. Any Skyline breach may only be temporarily apparent from vehicles traveling along Dunstan Road which has an 80 km/h speed limit.

[11] The Section 42A report confirms:¹

Visibility will be for relatively short periods from vehicles travelling at speed along Dunstan Road.

[12] A s 95 (Notification) report was prepared with the Council planner ascertaining the effects would be more than minor.

[13] The application was notified and no submissions were received.

Preliminary matters

[14] In relation to the stated height and the reporting Planner determining the dwelling was higher. The stated height did not take into consideration the chimney which exceeded the maximum width of 750 mm and therefore must be included in any height measurement.

[15] The application was furnished with a full set of scalable construction Plans. The reporting Planner utilised these Plans to determine the height of the dwelling and chimney.

[16] A further information request was received on 18 March 2024 which stated:

The actual height of the dwelling is approximately 9m. The applicant is invited to update their assessment of the proposal, including their assessment of the visual and landscape effects of the proposal, and effects on the amenity values of neighbouring landowners and occupants, as they see fit.

[17] In response to the further information request, Mr Tyler was commissioned to review the proposal including the height of the proposed dwelling and furnish a Landscape Assessment which was then provided to Council. The Landscape Assessment has the effect of updating the assessment utilising the corrected pole heights and hence I take umbrage at the statement in the Section 42A report that the Applicant opted not to amend the application in relation to the height differences.

¹ Section 42A report, at page 8.

[18] The issue of whether the building in the proposed location will breach the skyline is completely dependent on distance and perspective. We are in accord that there is no skyline breach when viewed from the Rail Trail. I viewed the profile poles from the Rail trail side of Dunstan Road and did not discern a skyline breach. The Reporting Planner viewed the profile poles from the applicants fence line and perceived a skyline breach. The District Plan is clear breaches are as viewed from any public vantage point. In this regard I defer to the Reporting Planners findings. The distance and angle defining whether a breach occurs or not puts the magnitude of effect of the breach into some perspective.

[19] My assessment of the floor area was incorrect. The construction Plans were supplied with the application and were used to ascertain the correct floor area. There was no attempt to mislead the Council. Floor area of rural buildings is not a matter of control within the District Plan, there is no standard or maximum/ minimum specified. I suggest we ignore this aspect as it is not a matter which can be considered by the Hearings Panel.

[20] The colours are now finalised for the roof (Flaxpod) and can be conditioned to comply with the light recession requirements for the walls/ cladding. The draft conditions (adopted from the Planners Report) cover this aspect, as set out below:

5/ *The exterior walls of the dwelling must be clad in a mixture of vertical timber with a natural stain, schist and plaster, or similar, and thereafter maintained accordingly.*

6/ *The roof of the dwelling must be clad in profiled iron coloured "Flaxpod", or similar, and thereafter maintained accordingly.*

Landscape and Amenity Value Effects

[21] The Landscape Report, prepared by the suitably qualified Mr Tyler, establishes the dwelling will not have significant landscape or amenity effects. Mr Tyler used the methodology endorsed by the Environment Court. Council Planners, unqualified in Landscape Assessment, determined the Landscape effects will be more than minor. A Council, if it questions the content of any professional report, has the option of commissioning a peer review of the report. Council chose not to do so

and finalised the Notification Report – leading to public notification. The Section 42A report was then prepared without any peer review of the Landscape Assessment.

- [22] In the absence of any contrary Professional Assessment the only Landscape Report the Panel can consider in the context of its decision making is the one furnished with the application.
- [23] The proposed dwelling complies with the yardage (setbacks) and colour palate defined in the District Plan. Other similar Rural Residential intensification developments may not have been able to place a second dwelling proximate to the road because they are “relatively thin lots” so could not realise the requisite yardage and the original dwelling is closest to the road.
- [24] The proposal is for a Discretionary Consent with any decision confined to the three matters of non-compliance. The amount of non-compliance defines what level of weighting should be used when making a decision. The skyline breach is minimal and only perceivable from very limited locations. As further addressed in the evidence of Mr Tyler, the skyline breach can be adequately mitigated through planting and related conditions.

Reverse sensitivity effects

- [25] The Applicant is receptive to mitigating any potential reverse sensitivity issues emanating from viticultural activities. The Applicant therefore intends to offer the following additional conditions regarding reverse sensitivity effects:

Reverse Sensitivity

- a) any dwelling must be designed and constructed to achieve sound insulation of habitable spaces of 40 dB Rw+Ctr. Where this can only be achieved with windows and doors closed, the habitable rooms shall be provided with mechanical ventilation to ensure that the requirements of clause G4 of the Building Code are complied with.

- b) All reasonable and appropriate steps must be taken to advise prospective purchasers, lessees, licences or tenants, or any other users having an interest in Lot 1 DP 316193 of:
 - i) Horticultural, viticultural, and agricultural activities that can occur as of right in the Rural Resource Area.
 - ii) The usual incidence of these activities including (but not limited to) stock handling, haymaking, chemical spraying, pest control (including by use of poison, night shooting and helicopters), deer stag roaring, irrigation, frost control and bird scaring, which may have amenity impacts beyond the boundaries of adjoining properties.
 - iii) The need for appropriate siting, design and screening of dwellings and other sensitive uses to mitigate adverse effects associated with noise and spray drift from adjacent horticultural activities

Cumulative effects

[26] The review of cumulative effect aggregates up the title areas and number of houses and defines an average – on the east side of Dunstan Road. In making the assessment of cumulative effects in the s 42A report, no recognition has been made by the planner of the 19 hectare Rural Residential allotment immediately opposite the subject site which, if included in the assessment, reduces the average substantially.

[27] In my opinion, this is an artificial assessment to make. When one is experiencing this section of Dunstan Road, the experience is not limited to only the eastern side of the road but encompasses the whole location. When all encircling properties are considered in assessing density one more additional house does not compromise the current District Plan density expectations. The Vincent Spatial Plan clearly defines the Council's higher density intentions for this Rural Residential Zone. The area will be rezoned through a Plan Change to provide for additional dwellings/ allotments.

Objectives and Policy Review

[28] The Section 42A report on Page 12 reviews the relevant Objectives and Policies which relate to the proposal. The report states:

I do not consider the proposal to be consistent with Objective 4.3.3 and Policy 4.4.2

[29] No explanation of why the proposal is not considered consistent is incorporated into the report. I have addressed the s 42A report concerns regarding rural amenity values and landscape character in my above paragraphs, and expand on this below.

[30] Objective 4.3.3 reads:

4.3.3 Objective - Landscape and Amenity Values

To maintain and where practicable enhance rural amenity values created by the open space, landscape, natural character and built environment values of the District's rural environment, and to maintain the open natural character of the hills and ranges.

[31] Maintaining the open natural character of the hills and ranges has two aspects:

- (a) ensuring any development of the hills and ranges maintains the open natural character; and
- (b) maintaining rural amenity values.

[32] The proposed development is not located on the hills or ranges. The matter to be reconciled is whether the height exceedance and possible skyline intrusion compromises rural amenity values.

[33] The Resource Management Act 1991 defines amenity values as:

Those natural or physical qualities and characteristics of an area that contribute to people's appreciation of its pleasantness, aesthetic coherence, and cultural and recreational attributes.

[34] The properties on the skyline are private and to my knowledge do not have any cultural or recreational attributes. This leaves pleasantness

and aesthetic coherence as the amenity values to be considered and maintained.

[35] Objective 4.3.3 is focussed by Policy 4.4.2. This policy reads:

4.4.2 Policy – Landscape and Amenity Values

To manage the effects of land use activities and subdivision to ensure that adverse effects on the open space, landscape, natural character and amenity values of the rural environment are avoided, remedied or mitigated through:

(a) The design and location of structures and works, particularly in respect of the open natural character of hills and ranges, skylines, prominent places and natural features.

...

(g) Encouraging the location and design of buildings to maintain the open natural character of hills and ranges without compromising the landscape and amenity values of prominent hillsides and terraces.

[36] The Policy provides for avoidance, remediation or mitigation of adverse effects. All three methods have equal validity.

[37] Any intrusion over a Skyline does not automatically default to a decline. The Policy does not exclusively list avoidance. The discipline is to identify whether any identified effect is significant and adverse. The proposed methods of avoidance, remediation or mitigation are then considered to ascertain whether these are adequate when considering the magnitude of the identified effect.

[38] In defining Skyline breaches as a Discretionary Activity, the District Plan recognises they can and do occur and provides for their consideration with each application being assessed on its merits.

Policy 4.4.10 – Rural subdivision and development

[39] Policy 4.4.10 reiterates much of the content within other Policies, particularly 4.4.2. This focusses attention on landscape and amenity values which are canvassed in the review of Policy 4.4.2

Objective 4.3.1 – Wellbeing of rural communities

- [40] The objectives and policies germane to this application are generic Rural objectives and policies. There are no specific objectives and policies for Rural Residential (a subset of Rural).
- [41] Objective 4.3.1 provides for social, economic, and cultural wellbeing, and for their health and safety while ensuring environmental quality is maintained and enhanced.
- [42] The Reporting Planner states they do not consider the application is consistent with the rural residential character anticipated by Objective 4.3.1. The Objective requires the maintenance of environmental quality, not the maintenance of any particular characteristics. The Section 42A report is unclear on which particular aspect of environmental quality is not being maintained or any recognisable methodology whereby such an assessment has been made.

Part 2 of the RMA

- [43] Based on my findings above, I consider that the rural character of the area is adequately protected by the proposal. I consider that the proposal will satisfy Part 2 of the RMA and promote the sustainable management of District's natural and physical resources.

Vincent Spatial Plan April 2022

- [44] The Vincent Spatial Plan is a visionary document approved by Council looking to the future to understand how and where the communities can grow and develop over the next 30 years. It will inform an upcoming review of the Central Otago District Plan. The Vincent Spatial Plan was completed in April 2022.
- [45] The Spatial Plan maps for Alexandra and Clyde townships represent a managed approach to growth over the next 30 years. They have been developed following feedback from the community and reflect community aspirations and considerations for growth and infrastructure through a mix of infill and new greenfield development.

[46] The Spatial Plan will inform future land use patterns and decisions about potential new zonings in the Central Otago District Plan.

[47] The Spatial Plan defines the density of development envisioned for the subject site in the following:

Rural Residential

Typical Sections: 0.5 - 2 ha
Density: 1 - 2 Dwellings /Hectare
Typical Housing Types: Detached houses on a rural section.

[48] The direction of the Spatial Plan is to define new areas for Rural Residential zoning and increase the density of housing within the existing Rural Residential zone.

[49] The Williams dwelling accords completely with the Spatial Plan Vision and zoning of Rural Residential. A map showing the location of the Site in relation to the Vincent Spatial plan and related zoning are attached as **Attachment A**.

National Policy Statement for Highly Productive Land

[50] In September 2022 the Governor General approved the Ministry for the Environments National Policy Statement for Highly Productive Land (**NPS-HPL**).

[51] Its only objective is:

Highly productive land is protected for use in land-based primary production, both now and for future generations

[52] The NPS defines Highly Productive Land as one of Land Use Classification 1, 2, or 3 land.

[53] Clause 3.7 defines one of the responsibilities of CODC:

Clause 3.7 Avoiding rezoning of highly productive land for rural lifestyle

(1) Territorial authorities must avoid rezoning of highly productive land as rural lifestyle, except as provided in clause 3.10

[54] Within the area defined for rezoning to higher density Rural Residential by the Vincent Spatial Plan is a substantial geographically cohesive area of LUC 3 land. A map showing the Site within the LUC 3 land is attached as **Attachment B**.

Other matters

[55] In light of my assessment above, I set out some suggest draft conditions below.

[56] I also attach to my evidence correspondence with the Council planner, which I will refer to from time to time to assist my evidence. This is provided as **Attachment C**.

Suggested Draft Conditions

1/ The proposed activity must be undertaken in general accordance with the approved plans attached to this certificate as Appendix One, and the information provided with the resource consent application received by the Council on 28 February 2024, and further information received on 22 August 2024, except where modified by the following conditions.

2/ The consent holder shall pay to the Council all required administration charges fixed by the Council pursuant to section 36 of the Act in relation to:

Administration, monitoring and inspection relating to this consent; and

Charges authorised by regulations.

3/ The dwelling shall be located and aligned in accordance with the Plan furnished as evidence at the 10 December Hearing.

4/ Richards landscaping condition to screen dwelling

5/ The exterior walls of the dwelling must be clad in a mixture of vertical timber with a natural stain, schist and plaster, or similar, and thereafter maintained accordingly.

6/ The roof of the dwelling must be clad in profiled iron coloured “Flaxpod”, or similar, and thereafter maintained accordingly.

7/ At the time building consent is lodged for the dwelling, the consent holder must provide evidence demonstrating that the dwelling has been designed to achieve an indoor design sound level of 45 dBA Lmax within any habitable room where the exterior noise source is within the class of sources described in sub-clauses b and c of Rule 4.7.6E of the Operative Central Otago District Plan taking into account any noise associated with the operation of nearby viticultural activities.

The indoor design level shall be achieved with windows and doors open unless adequate alternative ventilation means is provided, used, and maintained in operating order.

8/ Domestic water must be provided from the Dunstan Water Supply or a similar, secure, source provided that at least 1,000 litres of water must be made available to supply the dwelling (In addition to that supplied to the existing dwelling).

9/ At the time residential activity is constructed and thereafter maintained in perpetuity minimum domestic water and firefighting storage is to be provided by;

- a) Minimum 30,000 litre capacity tank storage. Of this total capacity, a minimum of 20,000 litres shall be maintained at all times as a static firefighting reserve. Alternatively an 11,000 litre firefighting reserve is to be made available to the building in association with a domestic sprinkler system installed to the building to an approved standard. A firefighting connection is to be located within 90 metres of any proposed building on the site. In order to ensure that connections are compatible with Fire and Emergency New Zealand (FENZ) equipment the fittings are to comply with the following standards:

Either: For flooded sources, a 70 mm Instantaneous Couplings (Female) NZS 4505 or, for suction sources, a 100 mm and 140 mm Suction Coupling (Female) NZS 4505 (hose tail is to be the same diameter as the threaded coupling e.g. 100 mm coupling

has 100 mm hose tail), provided that the consent holder shall provide written approval of Fire and Emergency New Zealand to confirm that the couplings are appropriate for firefighting purposes.

All connections shall be capable of providing a flow rate of 25 litres per second at the connection point

The connection shall have a hardstand area adjacent to it to allow a Fire and Emergency New Zealand appliance to park on it. The hardstand area shall be located at the centre of a clear working space with a minimum width of 4.5 metres. Access shall be maintained at all times to the hardstand area.

Underground tanks or tanks that are partially buried (provided the tank is no more than 1 metre above ground) may be accessed by an opening in the top of the tank, removing the need for couplings.

Note: For more information on how to comply with this Condition or on how to provide for FENZ operational requirements refer to the Fire Fighting Water Supplies Code of Practice SNZ PAS 4509:2008. In particular, the following should be noted:

For more information on suction sources see Appendix B, SNZ PAS 4509:2008, Section B2.

For more information on flooded sources see Appendix B, SNZ PAS 4509:2008, Section B3. 3

- a) Firefighting water supply may be provided by means other than that provided for in a) if the written approval of the Fire and Emergency New Zealand is obtained for the alternative method.

10/ At the time of construction of a dwelling, an on-site wastewater disposal system that complies with the requirements of AS/NZ 1547:2012 “On-site Domestic Wastewater Management” shall be designed by a suitably qualified professional.

- a/ The designer shall supervise the installation and construction of the system and shall provide a construction producer statement to the Chief Executive.

- b/ An operation and maintenance manual shall be provided to the owner of the system by the designer and a copy supplied to the Chief Executive. This manual shall include a maintenance schedule and an as-built of the system dimensioned in relation to the legal property boundaries. A code of compliance certificate for the dwelling and/or disposal system shall not be issued until the construction producer statement and a copy of the owner’s maintenance and operating manual have been supplied to the

Chief Executive. The maintenance and operating manual shall be transferred to each subsequent owner of the disposal system.

c/ Disposal areas shall be located such that the maximum separation (in all instances greater than 50 metres) is achieved from any water course or any water supply bore.

11/ Stormwater from buildings and impervious surfaces must be managed within the boundaries of the site by appropriately designed and constructed soakpits, or through storage and beneficial re-use within the site.

12/ Any new power and telecommunication services within the site shall be located underground.

13/ Prior to occupation of the dwelling the existing access to the site must be upgraded as necessary to comply with Part 29 of Council's Roding Policy, January 2015.

14/ Payment of a reserves contribution of \$1,034.78 + GST calculated in terms of Rule 15.6.1 of the Operative Central Otago District Plan.

Advice Notes:

Infrastructure

1/ Development contributions of \$1,494.68 + GST are payable for roading purposes pursuant to the Council's Policy on Development and Financial Contributions contained in the Long Term Council Community Plan. Payment is due within 90 days of the issue of the Building Consent, or prior to the issue of the Code of Compliance certificate under the Building Act, whichever comes first.

General

2/ In addition to the conditions of a resource consent, the Resource Management Act 1991 establishes through sections 16 and 17 a duty for all persons to avoid unreasonable noise, and to avoid, remedy or mitigate any adverse effect created from an activity they undertake.

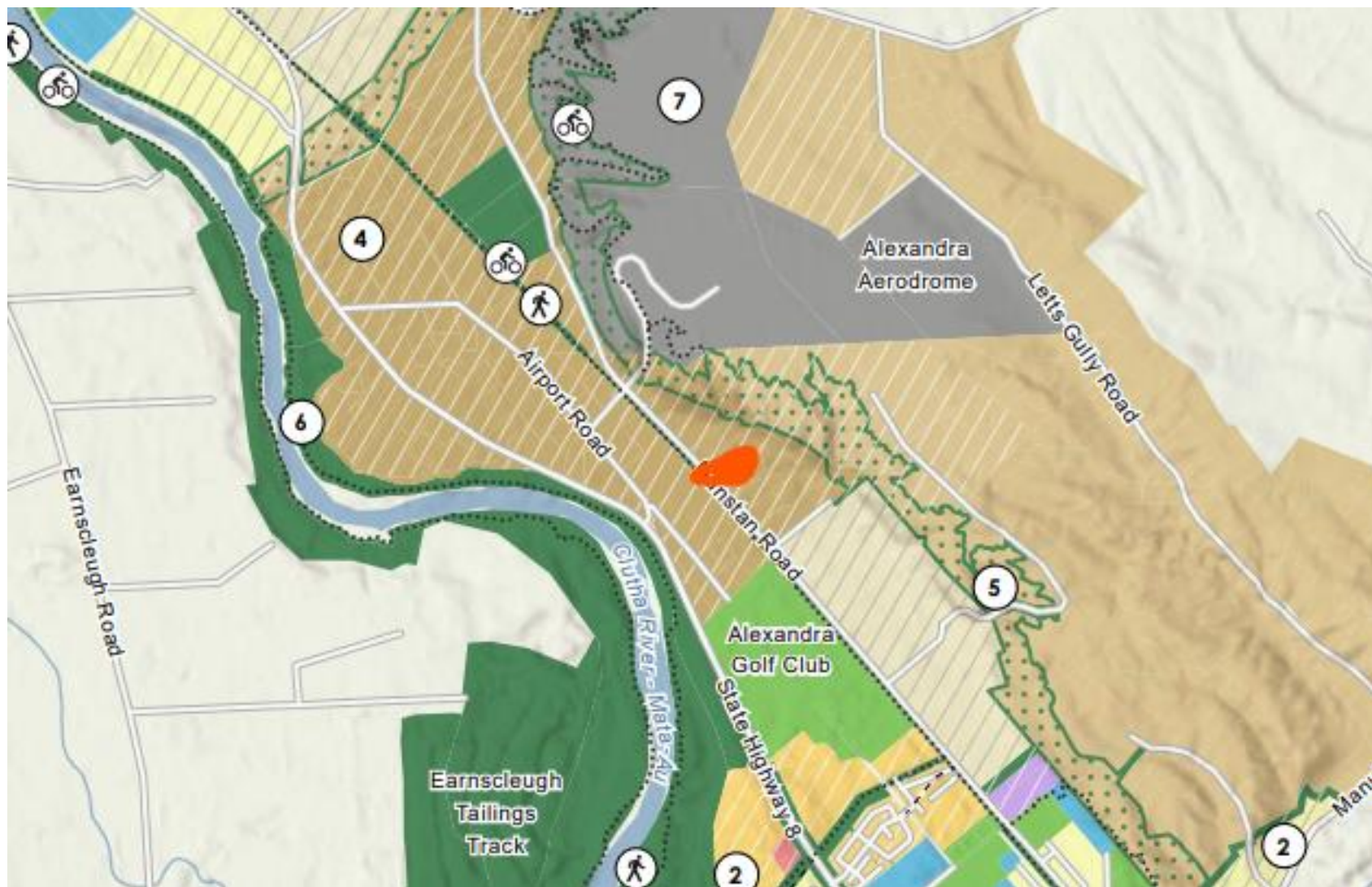
3/ Resource consents are not personal property. The ability to exercise this consent is not restricted to the party who applied and/or paid for the consent application.

4/ It is the responsibility of any party exercising this consent to comply with any conditions imposed on the resource consent prior to and during (as applicable) exercising the resource consent. Failure to comply with the conditions may result in prosecution, the penalties for which are outlined in section 339 of the Resource Management Act 1991.

5/ The lapse period specified above may be extended on application to the Council pursuant to section 125 of the Resource Management Act 1991.

6/ This is a resource consent. Please contact the Council's Building Services Department, about the building consent requirements for the work.

Attachment A – Zoning of the Site



Attachment B – LUC soil map of the Site



Attachment C

Email Correspondence

Good Morning Adam

In the absence of any change to the house design, adjoining neighbours affected party approval and no submissions received the client is not asking Richard to amend his professional assessment.

Yours

Peter Kloosterman

Consultant Planner | Calder Surveying Ltd
24 The Half Mile | Alexandra
t: 03 448 8501 | m: 021 2851305



From: Adam Vincent <Adam.Vincent@codc.govt.nz>
Sent: Friday, 18 October 2024 10:01 am
To: Peter John Kloosterman <Peter@caldersurveying.co.nz>
Subject: RC 240033 - Landscape Assessment

Kia ora Peter,

I just wanted to get in touch to see if your client was intending to ask Richard to make any updates to his landscape assessment for 353 Dunstan Road, before I get too far into drafting my recommendation on the application.

Ngā mihi,

Adam Vincent
Planning Officer



+64 21 621 649
Adam.Vincent@codc.govt.nz
1 Dunorling Street, Alexandra 9320
www.codc.govt.nz

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I may have sent this outside of your working hours and only anticipate a response during your working hours.

If you have received this email and any attachments to it in error, please take no action based on it, copy it or show it to anyone.
Please advise the sender and delete your copy. Thank you.

Hi Adam

The dwelling to be constructed will be made from the timbers of an old barn the applicant purchased in Ohio. The barn was disassembled and the timbers loaded into a shipping container and sent to NZ. It has either arrived or is still on the way (at sea).

The applicant is heavily committed to the design submitted so its highly unlikely they will withdraw and resubmit with something smaller in magnitude.

I think the S95 report should be finalised and we go to a hearing.

From your report the key points of non-compliance are the skyline breach and the density of development.

Yours

Peter Kloosterman

Consultant Planner | Calder Surveying Ltd
24 The Half Mile | Alexandra
t: 03 448 8501 | m: 021 2851305



From: Adam Vincent <Adam.Vincent@codc.govt.nz>
Sent: Wednesday, August 28, 2024 10:57 AM
To: Peter John Kloosterman <Peter@caldersurveying.co.nz>
Subject: RE: 240033

We haven't finalised it yet, hence why Tanya hasn't signed it. Me sending it to you early was out of courtesy to give you and the applicant a chance to make any amendments you think necessary to help address the points raised without needing to withdraw and re-lodge the application.

Ngā mihi,
Adam

From: Peter John Kloosterman <Peter@caldersurveying.co.nz>
Sent: Wednesday, August 28, 2024 10:53 AM
To: Adam Vincent <Adam.Vincent@codc.govt.nz>
Subject: RE: 240033

Hi Adam

That's fine, can I therefore assume the draft s95 recommendation (as sent) is actually finalised.

If so I will then send it to the applicant.

Yours

Peter Kloosterman
Consultant Planner | Calder Surveying Ltd
24 The Half Mile | Alexandra
t: 03 448 8501 | m: 021 2851305



From: Adam Vincent <Adam.Vincent@codc.govt.nz>
Sent: Wednesday, August 28, 2024 10:45 AM
To: Peter John Kloosterman <Peter@caldersurveying.co.nz>
Cc: Stuart Calder <Stuart@caldersurveying.co.nz>
Subject: RE: 240033

Kia ora Peter,

A 10m high shed would not be a permitted activity in this location as it would breach Rule 4.7.6D.b, so cannot form a permitted baseline. Regardless, the District Plan's standard for dwelling height is 7.5m and no residential building can be built as a permitted activity, hence me not applying a permitted baseline in this case.

If a hearing is necessary, I will decide whether I need additional landscape evidence before drafting my s42A report.

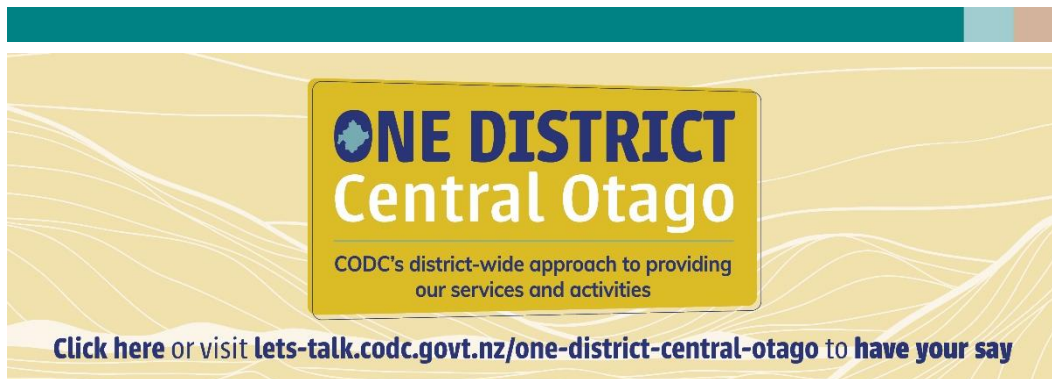
Tanya reviewed my recommendation before I provided it to you. She is comfortable with the recommendation.

Ngā mihi,

Adam Vincent
Planning Officer



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www.codc.govt.nz



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Please advise the sender and delete your copy. Thank you.

From: Peter John Kloosterman <Peter@caldersurveying.co.nz>
Sent: Wednesday, August 28, 2024 9:52 AM
To: Adam Vincent <Adam.Vincent@codc.govt.nz>
Cc: Stuart Calder <Stuart@caldersurveying.co.nz>
Subject: RE: 240033

Good Morning Adam

In regard to Permitted Baseline, what has not been considered is a Shed of the same floor area can be built to a height of 10 metres. There would still be a skyline breach but in terms of bulk, scale and visual appearance it would have the same effect.

The matters for consideration (discretion) in a breach of 4.7.3 iii are:

1. Whether or not the building or structure can be appropriately screened from public view by topographical features, appropriate planting or other screening having regard to the open space, landscape, natural character and amenity values of the rural environment.
2. Whether the building or structure will breach the form of or be visually prominent in public view on any skyline or terrace edge.

3. The colour scheme for the building or structure which should in general be darker than the background in which it is set.

So if a skyline breach does occur, will it be visually prominent from the road as people drive past at 100 km/h.

Given this, I find it difficult to rely on his assessment that the visual and landscape effects of the dwelling will be very low. I agree with Mr Tyler that the row of birch trees along the Dunstan Road frontage will assist in screening the dwelling from view during summer, while the trees are in leaf. However, I consider that the dwelling would be a significant feature in the local landscape, notably taller than any other building in the vicinity and will be particularly visible in winter.

This text calls into question the professional opinion of Mr Tyler – in the absence of review by someone equally qualified. If a hearing is necessary will you be speaking to the concerns regarding landscape matters?

Should the S95 report be peer reviewed before it is finalised.

Yours

Peter Kloosterman

Consultant Planner | Calder Surveying Ltd

24 The Half Mile | Alexandra

t: 03 448 8501 | m: 021 2851305



From: Adam Vincent <Adam.Vincent@codc.govt.nz>

Sent: Monday, August 26, 2024 2:52 PM

To: Peter John Kloosterman <Peter@caldersurveying.co.nz>

Subject: RE: 240033

Kia ora Peter,

Please find attached my draft s95 recommendation to give you a chance to respond before I send it off for review and a formal notification decision.

Ngā mihi,

Adam Vincent

Planning Officer



+64 21 621 649

Adam.Vincent@codc.govt.nz

1 Dunorling Street, Alexandra 9320

www.codc.govt.nz

A banner with a yellow background and white wavy lines. It features a central yellow box with the text "ONE DISTRICT Central Otago" and "CODC's district-wide approach to providing our services and activities". Below the box, it says "Click here or visit lets-talk.codc.govt.nz/one-district-central-otago to have your say".

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