

Resource consent is sought to undertake a two-lot subdivision of the property at 2500 Tarras-Cromwell Road, Tarras. Land use consent is also sought to establish a residential building platform on the proposed new vacant allotment.

The property, being 2.1 hectares in area, would result in allotments of 0.83 ha and 1.28 ha in area. The proposal therefore requires consideration as a non-complying activity under the provisions of the Central Otago District Plan for subdivision (in the Rural Resource Area) that does not comply with the minimum (2ha) or average allotment (8ha) requirements.

The application was publicly notified on a volunteered basis. Only one neutral submission was received from NZTA.

An assessment from Landscape Architect Ms Michelle Snodgrass confirms that despite the zone of the site being Rural Resource Area, the site sits within a clearly defined enclave of residential activities, resulting in a “wedge” of rural residential allotments that is distinctly separate to the wider pastoral landscape of the surrounding environment.

The proposed allotment and associated design controls for the proposed RBP are considered to result in an outcome that ensures the subdivision remains sympathetic to the receiving environment while appearing as a logical insertion to the defined “wedge”. This containment assists with mitigating effects on the wider pastoral landscape character with all proposed domestication representing a coherent addition to the site.

In terms of precedent effects, I agree with Mr Anderson that each application is to be assessed on its merits in terms of cumulative effects, and the granting of this consent would not negate this requirement for any future applications. Given the provisions of the District Plan, and the level of assessment required for each individual development, it is considered that this proposal would unlikely have implications in terms of setting a precedent that enables development within the wider Rural Resource Area. It follows that this proposal would not affect the integrity of the District Plan. Any further development within the “wedge” that defines the immediate area will be equally non-complying, and will necessitate the requirement to consider whether further development beyond this application (assuming this application is approved and enacted) can be appropriately absorbed into the receiving environment without detracting from Rural Amenity values, landscape character and so on. Mr Anderson notes that within the “wedge”, there is one other potential site (2464 Tarras Cromwell Road) of a similar size that could be subdivided in a manner consistent with this proposal. However, as I have pointed out, such an application would be equally classified as non-complying and it would therefore be necessary for subdivision of that land (or any other land) to demonstrate that it can occur without giving rise to adverse cumulative effects over and above the receiving environment that applies at the time. In my view, no person can simply point to this application as reason enough to grant an unrelated application, without first meeting the necessary gateway test under Section 104D of the Resource Management Act 1991. Therefore, I do not consider a precedent will be set.

The site is classified as consisting of LUC Class 3 soils and therefore the requirements of the NPS-HPL applies. Advice from horticultural consultant Mr Earnsby Weaver and pastoral advisor Mr Mike Shields, confirms that the site does not lend itself to legitimate rural primary production. This includes an evaluation of potential alternative (productive) uses confirming the site is constrained to provide for such activities. Constraints include the limited access to

a reliable water supply, the size of the allotment, the proximity to existing residential activities, and climatic constraints. Therefore, it is my assessment that the proposal meets the requirements under Clause 3.10 of the NPS-HPL, which affords Council the ability to consider the subdivision of Class 3 land, if it is satisfied that there are long term constraints on the land that mean its use for land-based primary production is not able to be economically viable for at least 30 years.

All other adverse effects have been canvassed within the AEE and endorsed by Council’s s42A report.

Overall, the proposal is considered to generate no more than minor adverse effects on the environment.

In terms of NZTA’s submission, this recommended the inclusion of two conditions; one being the registration of the access with NZTA as a crossing place (CP), and secondly, the requirement to incorporate a reverse sensitivity clause for road noise. The applicant has accepted both of these requirements and we have since engaged with NZTA regarding the process with registering the CP.

In terms of the recommended conditions of consent as drafted in the s42A report, Condition 11 requires that the Right of Way over proposed Lot 1 is formed with a width of 4.5 metres within a legal right of way of 10 metres. The proposed scheme plan shows the legal width of 6.9 metres, of which the formed carriageway will be 4.0 metres. The legal width was dictated by the existing alignment of the fences and through consideration of Clause 16.7.5 which requires a ROW in rural area of 6 metres legal, and 4.0 metres formed. The legal width of 6.9 metres still allows for a sufficiently wide enough formed carriageway of either 4 or 4.5 metres and necessary stormwater management and therefore we recommend that Condition 11 is updated to reflect this request.

All other conditions are accepted.

A thorough evaluation of applicable policies are provided in this AEE. The proposal is considered to be consistent with the relevant objectives and policies of the Central Otago District Plan and the various Otago Regional Policy Statements and National Policy Statements.

The proposal is considered to promote Part 2 of the Resource Management Act 1991.



NOTES:

1. Areas and dimensions are subject to final survey.
2. Site features are from GPS survey completed on 19/05/2024.
3. Aerial photo has been sourced from Grip and is for indicative purposes only.

LEGEND

- Proposed Boundary
- Proposed Easement
- Proposed Building Platform
- Formed Accessway
- Sealed Vehicle Entrance
- Planted Garden
- Stormwater Culvert
- Post and Rail Fencing
- Stone Wall
- Power Pole
- Bore
- Tree (Last in Row)

COTERRA
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Project:
HART

2500 TARRAS-CROMWELL ROAD, TARRAS

Title:
PROPOSED SUBDIVISION OF
LOT 1 DP 7416

SCHEME PLAN

Revision	Amendments	Date
B	Additional dimension	05/09/2024
C	Building platform	09/09/2024

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The Contractor shall verify all dimensions on site.

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Scale:
1:1000 (A3)

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6487	ALC	-	-
Drawing No:	Sheet No:	Revision:	Date Created:
C1855	1/1	C	05/09/2024