

UNDER THE RESOURCE MANAGEMENT ACT 1991

IN THE MATTER OF an application for resource consent by **FONTERRA FARM SOURCE** to establish and operate a rural supply store and undertake a two Lot subdivision at 2475 South Road, Okato.

Council Ref: LUC18/47378 and SUB18/47165

EXECUTIVE SUMMARY OF PLANNING EVIDENCE

**BY JEREMY JOSEPH BROPHY
ON BEHALF OF FONTERRA FARM SOURCE**

28 March 2019

INTRODUCTION

1. Given the length of my planning evidence I have prepared this executive summary to focus on matters where I have particular expert views.
2. My pre-circulated planning evidence has addressed all relevant matters, which forms the basis of my planning assessment.
3. This executive summary therefore seeks to reiterate my expert planning view on the following matters:
 - a. Rural character (including: the proposed rural supply store use and subdivision Lot size);
 - b. Rural amenity values (including: visual building bulk, signage visual effects, parking and loading visual effects and traffic generation visual effects);

RESPONSE TO SUBMITTERS CIRCULATED EXPERT EVIDENCE

4. I have reviewed the expert evidence that was pre-circulated by Mr Damien Legrand on behalf of Mr James Dinnis. I note that Mr Legrand's area of expertise is in providing computer modelling services, specifically 3D render images.
5. My observation is that for the purposes of assessing this resource consent proposal, Mr Legrand has no expertise in assessing landscape or visual effects that relate to rural amenity values and character. Any comments from Mr Legrand in this area should therefore be considered lay evidence.

APPLICATION OF THE PERMITTED BASELINE

6. The permitted baseline for building bulk is considered to be highly relevant to this proposed development. As outlined in my pre-circulated planning evidence a permitted building could be located 20m closer to the Kaihihi Road frontage and have a height of 10m (with an area of 400m²). This permitted baseline building would appear much bulkier when viewed from the properties at 8 and 12 Kaihihi Road.

EFFECTS ON RURAL CHARACTER

7. I concur with the Officers Report that the character of the area surrounding the subject site is mixed use in nature, featuring the Stony River Hotel (restaurant and bar), Service Station, Ravensdown Fertiliser and Childcare Centre. The remaining properties on Upper Kaihihi Road are occupied by rural/residential use.

8. The development site's location near the Okato village which includes a mixture of both long established commercial and agricultural service activities means that the development site is exposed to activities that are not typically observed within an open, production orientated, low built form rural setting (which is described in page 26a of the District Plan Management Strategy). The area does not represent a 'perfect rural character scenario' as defined by the NPDP Management Strategy. Mr Bain's evidence concurs with this view stating that: "*given the mixed-use nature of the area, this change is not necessarily adverse, rather part of the inevitable change from openness to built form that occurs on the-peri-urban fringes of growing townships*" (paragraph 17 of Mr Bain's evidence).
9. Section 5.3 of the submission from the Dinnis family states that the proposed building "*is located closer to the road and the submitters property than what the District Plan anticipates*". This statement is incorrect, the proposed building is compliant with the 30m minimum setback from Upper Kaihihi Road, being setback 50m.
10. When viewed from the submitter in opposition's properties at 8 and 12 Upper Kaihihi Road the proposed building bulk will be suitably mitigated through a combination of setback distance, building articulation, colour controls and landscaping. I detail these measures further in paragraph 21 below. In addition, as noted in the Officers Report there is a consent notice on the record of title for 12 Upper Kaihihi Road that requires existing vegetation on the frontage of 12 Upper Kaihihi Road to be maintained and enhanced in perpetuity. The wording of the consent notice is as follows:
11. "*Lot 3 (referred to as 12 Upper Kaihihi Road) shall retain, maintain and enhance the existing vegetation on the eastern, northern and southern boundaries. These areas of protected vegetation shall be defined on the survey plan*".
12. This existing planting can therefore be used as visual mitigation for the proposed rural supply store building, as it is legally required to be retained on this adjoining property. Mr Bain states in his expert evidence that "*this planting will screen all views of the proposal from the dwelling and outdoor areas*" (paragraph 27).
13. As stated in Mr Bain's evidence the property at 8 Upper Kaihihi Road has a cluster of well-established trees and shrubs located along the front boundary of their property. In the landscape and visual impact assessment (LVIA) Mr Bain considers that "*the property is heavily screened along its road boundary, preventing external views. The property's occupants will see the proposal when exiting their driveway*" (paragraph 27). Mr Bain considers that this creates a low to moderate effect, as amenity when exiting one's property is short in duration and transient. However, it is acknowledged that these trees

and shrubs on 8 Upper Kaihihi Road could be removed at any time, although as it currently stands views towards the development site will be screened by this vegetation which forms part of the existing environment.

14. As outlined in the AEE, Upper Kaihihi Road provides a steady flow of traffic movements due to its proximity to the South Road (SH45), noting the mixed-use rural environment to include a range of other existing activities on Upper Kaihihi Road. The character of the area around the development site therefore includes heavy vehicle movements and passenger vehicle movements that occur throughout the week. The proposed activity is ancillary to rural activities. The volumes of traffic proposed are in keeping with the surrounding environment and would maintain the existing rural character of the area.
15. The proposed subdivision is directly related to establishment of the rural supply store activity and will provide separate legal ownership of the development site. As a result, this proposal will give Council certainty that a comprehensive development i.e. land use and subdivision would be implemented together and will not result in a vacant title.
16. Overall, the proposed rural supply store building, related traffic movements and subdivision are not considered to generate any significant adverse effects on the rural character of the area, given the existing mixed-use nature. In addition, Ms Symons notification report concludes any effects on the wider environment to be no more than minor and no other adjacent properties (with the exception of the four submitters) are considered to be affected.
17. Overall, any effects on rural character are considered to be no more than minor.

EFFECTS ON RURAL AMENITY VALUES

Visual Building Bulk

18. As demonstrated earlier the development site has a highly relevant permitted baseline for building bulk.
19. However, in the instance that the permitted baseline is not adopted by the Commissioner, the potential effects of the proposed building have also been assessed and a suite of mitigation has been developed in response to feedback from Council's Landscape Architect, Ms Martha Dravitzki.
20. The proposal includes the following mitigation measures/factors:

- a. The elevation of the proposed building facing 8 and 12 Upper Kaihihi Road would be visually broken up by the use of two green colours, differing cladding and a drive through canopy. The design, colour and cladding is considered to mitigate the visual building bulk when viewed from Upper Kaihihi Road.
- b. The main façade of the building (excluding the drive through canopy) is setback 50m from Upper Kaihihi Road frontage. This separation distance mitigates the visual bulk of the proposed building when viewed from 8 and 12 Upper Kaihihi Road.
- c. Landscape planting proposed adjoining Upper Kaihihi Road requires plants to reach a height of 1.5m (to be maintained at 1.5m in height). This area of planting adjoining Upper Kaihihi Road has purposely been kept at a lower height to address a concern raised by the owners of the Stony River Hotel. The hotel currently has a view to Mt Taranaki along this edge of Upper Kaihihi Road. The proposal therefore respects this important view for this existing commercial operation. This planting is considered to be useful in providing softening, rather than screening, of visual bulk. Ms Dravitzki and Ms Symons are comfortable with the level of detail provided in the proposed planting plan. I concur with the comment made by Ms Symons that the separation distance of the proposed building provides mitigation for the lack of height in landscape planting along this boundary. Overall it is considered the application provides for a high-quality landscaping outcome with an appropriate level of certainty regarding the type, location and size of landscape plantings.
- d. As noted above the property at 12 Kaihihi Road owned by submitter in opposition Mr James Dinnis has a consent notice that requires existing front boundary vegetation to be retained in perpetuity. The adjoining property at 8 Kaihihi Road owned and occupied by submitter in opposition Mr Robert and Ms June Dinnis also has mature planting along its front boundary that provides visual screening of views towards the development site.
- e. Landscape planting on all other site boundaries has been designed to cluster larger tree specimens to avoid a flat planting screen and to enable views into the development site which is required for commercial and advertising purposes. Blue Rata or Northern Rata are proposed to provide some scale to site planting that will soften views of the proposed building.
- f. The light reflectance value (LRV) of the light green colour is confirmed as being 40%. The green colour as proposed is

deemed to be acceptable by Mr Bain, given that the light green colour does not cover the whole building. As above, mitigation planting will assist with softening the visual impact of the proposed building. In addition, the green is a corporate colour, and has, and will be used on all other Farm Source developments in Taranaki as described by Ms Douglas.

- g. Originally the proposed roof colour was to be (Resene Titania) which has a LRV of 67%. In response to Council's concerns for this level of LRV Resene Gull Grey is now proposed which has a LRV of 48%. The Officers Report supports this proposed roof colour.
 - h. Though consultation with Ms Dravitzki concrete used for the internal site layout will be of asphalt composition. The concrete crossings will be tinted with a dark grey additive similar to Resene Outback to ensure that there is no bright white concrete onsite.
21. In summary, Ms Dravitzki and the Ms Symons are both able to support the bulk of the proposed rural supply store, subject to recommended conditions of consent.
22. Mr Bain's evidence considers that, subject to the mitigation measures outlined above that "*the proposal will not create significant adverse character or amenity effects on either the submitter's property or broader landscape*" (paragraph 35). I concur with this view.
23. Overall, for the reasons described above the proposal is able to effectively mitigate visual building bulk and effects on rural amenity values to a level that is no more than minor.

THE OBJECTIVES AND POLICIES OF THE DISTRICT PLAN

24. The District Plan contains objectives and policies that generally relate back to 'effects' as a result of the effects-based framework. The relevant provisions of the District Plan all broadly relate to managing effects on rural character and amenity, traffic and impacts on infrastructure. In my view the proposal is consistent with the relevant objectives and policies for this Rural Environment Area site.

RECOMMENDED DRAFT CONDITIONS OF CONSENT

25. As outlined in paragraph 103(a)-(e) of my pre-circulated planning evidence, I would suggest the amendments are made to the suite of draft conditions in the Officers Report.

RMA ASSESSMENT CONCLUSION

26. In my overall broad judgment, the proposal will achieve the sole purpose of the RMA to promote the sustainable management of natural and physical resources. I support the Officers Report which recommends that the proposal be granted subject to recommended conditions.

A handwritten signature in black ink, appearing to read 'Brophy', with a large loop on the left side and a vertical line extending downwards from the end.

Jeremy Joseph Brophy
28 March 2019

