

**BEFORE A HEARINGS COMMISSIONER APPOINTED  
BY THE OTAGO REGIONAL COUNCIL**

**IN THE MATTER OF**      the Resource Management Act 1991 (“the Act” or “the RMA”)  
**AND**

**IN THE MATTER OF**      Onumai Enterprises Coastal Permit Application, RM22.550  
21 Marine Parade, Taieri Mouth.

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**STATEMENT OF EVIDENCE OF RACHAEL ANNAN**

**ON BEHALF OF OTAGO REGIONAL COUNCIL**

**7 August 2025**

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## **QUALIFICATIONS AND EXPERIENCE**

- 1 My full name is Rachael Annan. I am a registered member of Tuia Pito Ora, the New Zealand Institute of Landscape Architects (NZILA) and hold a Bachelor of Landscape Architecture Degree (Hons.) from Lincoln University.
- 2 My professional experience involves over 20 years across the areas of landscape architecture, landscape planning and urban design review. In my current role I am employed by SLR Consulting New Zealand Limited as a Technical Director. I lead SLR's New Zealand based landscape planning work.
- 3 I have worked on rural and urban based projects for applicants and councils across New Zealand. I have provided expert evidence at both council hearings and the environment court. My project work has included consent and plan change applications and technical advice informing district plan preparation.

## **CODE OF CONDUCT FOR EXPERT WITNESSES**

- 4 I have read and am familiar with the Environment Court's Code of Conduct for Expert Witnesses (Environment Court Practice Note 2023) and agree to comply with it. My qualifications as an expert are set out above.
- 5 Other than where I state that I am relying on the advice of another person, I confirm that the matters addressed in this statement of evidence are within my area of expertise.
- 6 I have not omitted to consider material facts known to me that might alter or detract from the opinions I express.

## **SCOPE OF INVOLVEMENT**

### **Technical Peer Review**

- 7 My role with this application to date has been to provide landscape peer review behalf of Otago Regional Council. This has included:
  - (a) Preliminary review of the landscape relevant matters of the application Assessment of Environmental Effects (June 2022);
  - (b) Visited the application site and surrounding environment (22/11/23);
  - (c) Setting out preliminary concerns and landscape RFI matters (6/12/22);

- (d) Peer reviewing (23/2/23) the subsequent landscape assessment provided on behalf of the applicant (Mike Moore, 26/1/23).

### **Landscape Evidence on behalf of Otago Regional Council**

- 8 My evidence provides an explanation and summary of landscape related matters of the application. This includes landscape character (values), visual amenity effects, and natural character effects. Matters of note include the shift in landscape character afforded by the proposal, and the associated visual amenity effects, particularly for residents overlooking the Coastal Development Area 5 application site.
- 9 In preparing this evidence I have again reviewed the application landscape evidence, relevant matters of the application AEE and updated application plans (31/3/2023). I have also read through submissions, and reviewed comments related to landscape matters.

### **LANDSCAPE MATTERS**

#### **The Existing Landscape**

- 10 The application site, within a row of other wharves and storage structures, is located on the northern approach to the larger and southern area of the Taieri Mouth settlement. This location is beyond the settlement's residential areas, which to this side of the river, predominantly follow a ribbon pattern along roads framing the river mouth and extending south along the coast.
- 11 The wharves are physically separated from housing areas above (accessed from Totara Close) by an escarpment face extending up to mixed scrub and pine vegetated slopes. This affords an immediate undeveloped backdrop to the inland side of this section of Marine Parade. There is existing physical separation afforded from the presence and character of local residential development. Viewpoint photography 2, 3, 4, 7 and 9 (Mike Moore, 1/2/23) illustrate a context which also includes surrounding rural aspects and extents.
- 12 With reference to the Regional Plan, the AEE sets out that:

*There are a number of developed areas within Otago's coastal marine area. These areas are **characterised by having a mixture of structures, facilities and associated infrastructure required by the recreational and commercial activities** occurring in those areas. In considering applications for activities within or adjacent to coastal development areas, **the values identified within those areas will be recognised and regard will be given to the need to provide for those***

**values, as appropriate.** (ORP, Schedule 2.2 OR RPS 'Coastal Area Development 5' – emphasis added)

**'The schedule identifies the values within this part of the Taieri Mouth CMA as being fishing and recreational facilities.'** (p.7, AEE – emphasis added)

13 This boating and recreational character is readily observable in visiting the application site's setting, and in the landscape report viewpoint photography. The existing wharf structures are somewhat ad hoc and spaced out along the row. They are utilitarian, and small-scale industrial storage rather than being a row of more picturesque recreational boatsheds. Their small scale repetitive built form, however, bears no resemblance to residential character.

14 I agree that *'the existing environment is significant in the assessment of this proposal'* (p.7, AEE). I consider there is legible coherence to the existing wharf row and the structures upon them (9-27 Marine Parade). This pattern reflects the land use of the locality, readily associated with fishing activity, historically commercial and progressively more recreational boating. This boating use, however, remains a consistent activity.

15 In the *'Coastal Environment of Otago, Natural Character and Outstanding Natural Features and Landscapes Assessment, 'Clutha District Section Report', 2015* (referenced by the landscape report, p.11), the site is located within the Taieri Mouth Landscape Character Unit which was assessed as having medium-high landscape values.

16 The application landscape report lists local landscape values including cultural and recreational values, noting specifically that:

*'The fishing port area is a notable feature of Taieri Mouth reflecting an historically important aspect of the history of the township and the moored boats, wharves and sheds are a memorable, if somewhat aesthetically 'scruffy' element. The interplay of the natural river with the boats and structures is visually interesting'*. (p.9, landscape report)

17 While the application AEE sets out the decline of local commercial fishing, it also notes that:

*'Recreational fishing remains popular at Taieri Mouth, both in the river and at sea when weather allows safe crossing of the bar, while cruising up the river is also a popular pastime with visitors to Taieri Mouth.'* (p.3, application AEE)

18 The landscape report references (p. 9) that:

*'In the ORPC, the site is located within a Coastal Development Area. These are described in Section 2.2 as 'characterised by having a mixture of structures,*

*facilities and associated infrastructure required by the recreational and commercial activities occurring in those areas'. **The values listed for CDA 5 Taieri Mouth are fishing facilities and recreational facilities.***' (Emphasis added)

- 19 I consider that the application landscape report *overstates* the change associated with the shift from commercial to recreational boating use of the Marine Parade wharves/port (p. 4, 11, landscape report). The physical scope of this already occurring change in character involves the boats which come and go. This change is not always readily visible to the casual observer of the wharves and structures upon them (and more so for their lack of upkeep). The existing structures' patina reflects a lack of upkeep over time, and weathering associated with their function in a coastal locality.
- 20 As illustrated by the landscape report viewpoint photographs, the CDA 5 wharves and storage sheds are distinct from the settlement's residential areas, not just in function, but their repetitive scale, and utilitarian appearance and location. The wharves and structures upon them have an immediate relationship to the river, providing points of access for boating activity, being set down to the water's edge and set out for a short distance over its surface. The wharf row and associated landscape values reflect human interaction with the natural environment, serving a settlement area at the river mouth.
- 21 The AEE misses the mark to primarily reference *residential* character and values with regards to the application site within CDA 5. This tension is further evident in that the AEE sets out both that the application site is '*generally at some distance*' (p. 9) from neighbouring (residential) properties but also puts forward a development approach in keeping with '*residences of the surrounding environment*' (p. 9).
- 22 As identified, relevant distinct local landscape values associated with this area of the CMA include the use of the wharves. These are therefore key matters for the application.

*'An assessment of the existing landscape character and values (see Chapter 5) is therefore an essential part of an assessment of landscape effects. It is important, though, that such assessment of the existing landscape is tailored to purpose: that it **focuses on the landscape values/attributes relevant to the issues.***' (p.138, TTtM<sup>1</sup>)

- 23 As noted in my peer review memorandum, the landscape report provides limited discussion of *existing* landscape attributes. Statements through the landscape report illustrate a reductionist approach in which visual amenity and natural character are considered at the expense of identified local landscape values.

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<sup>1</sup> '*Te Tangi a te Manu, Aotearoa New Zealand Landscape Assessment Guidelines*'. Tuia Pito Ora/NZILA, 2022.

24 This issue is evident in the following statements:

*'The small scale, utilitarian, fishing industry structures (and associated clutter of fishing gear) are of some interest **but do not contribute to natural character or aesthetic coherence.**'* (p.5. landscape report – emphasis added)

*'Whilst of visual interest, the port elements also represent 'clutter' that modifies the **natural character based aesthetic values** of the river landscape to an extent.'* (p.7, landscape report – emphasis added)

*'It (the existing port area) does not however, contribute positively to **natural character-based amenity values** and aesthetically, has a rather dilapidated and scruffy appearance.'* (p. 12, landscape report – emphasis added)

25 The currently ad hoc and scruffy nature of the wharf structures detracts from natural character. However, the scope of consideration illustrated by the above quotes is at the exclusion of the existing 'human interaction' component of local landscape character and values. This is despite that in this CMA location these matters come to the fore. In these statements above, the structures' lack of upkeep seems to override the values associated with the community's relationship to the river, which includes to use and access it.

26 Regarding existing natural character, it is an agreed point that the site is not within an area of high or outstanding natural character. The referenced coastal landscape assessment findings that the Taieri Mouth natural character assessment unit, of which the site forms part, has a medium natural character rating (as referenced in the landscape report, P.9) is agreed and adopted here. The wharf row represents a concentrated area of human waterside activity and engagement, with other aspects of the river mouth and coastal environment expressing more pristine natural character.

## Landscape Character (values), Visual Amenity and Natural Character Effects

### LANDSCAPE EFFECTS

- 27 As a principal of *‘Te Tangi a te Manu’*, landscape characteristics or attributes embody landscape values.

*‘A landscape effect is an outcome for a landscape value’* (p. 135, TTtM).

*‘To assess effects it is therefore necessary to first identify the landscape’s values—and the physical characteristics that embody those values. **There is a direct link between assessing landscape character and values** (Chapter 5), **assessing landscape effects** (Chapter 6), and **managing such effects** (Chapter 7).’* (p. 135, TTtM)

- 28 In this location, and as identified in landscape relevant policy matters, there are landscape values associated with boating and recreational access to the water from the wharves. The appearance, scale and pattern of the existing local wharves and structures are *distinct* to Taieri Mouth.

- 29 Landscape assessment practice involves seeking to integrate a project within its receiving environment. The relevant consideration is the local landscape values. In the same vein, the current permit condition 6 includes to *‘blend in’*.

- 30 The landscape report states that:

*‘Overall, given that there is no baseline requiring protection of the existing fishing port character, I consider that effects on landscape values will be neutral or positive.’* (p.12)

- 31 Further to this, the AEE notes the Clutha District Plan is silent on recognised landscape values for the location (p.8). However, this consideration remains a requirement of an application landscape report.

- 32 Landscape relevant policy matters for the application are set out in the NZCPS, the ORPS and ORP – Coast. The landscape report provides assessment of the application against landscape related provisions (from p.13). However, comments are not made regarding:

- (a) ORP – Coast Policies 5.4.4 (values associated with coastal development areas),
- (b) 8.4.2 (activities involving structures, and values associated with Schedule 2 and 3 areas), and;
- (c) 8.4.3 (values and use associated with coastal development areas, and activities involving structures).

33 With regards to (ORP – Coast) Policy 8.4.5, the landscape report states that:

*In my assessment, the proposed boatshed will integrate acceptably with the character of the existing port area, the use of which, is changing from commercial fishing to recreation. The proposed structure will clearly read as a live-in boatshed, and will not appear out of place in terms of scale or character.'*

This is considered to overstate the nature of the shift from commercial to recreational boating. Identified landscape values of CDA 5 already include 'boating and recreational use'. The landscape report does not provide here the basis for considering the combined legibly increased scale and residential appearance as being not 'out of place'. There are key characteristic of boatsheds which are not successfully met. These include scale, proportion, repetition and simple materiality.

#### VISUAL EFFECTS

34 Visual effects are a subset of landscape effects.

*'Visual effects are effects on landscape values experienced as views. They contribute to our understanding of landscape effects.'* (p. 142, TTtM - emphasis added)

*'A pitfall is to superficially treat visual effects as mere visibility or changes to a view rather than the implications for the landscape values experienced in the view.'* (p. 135, TTtM)

35 The application AEE states positive effects of the application include *'the enhancement of visual amenity values as a result of the new structure...'* (p.12). This statement, however, disregards the relationship between character and amenity. To describe the visual amenity outcomes of introducing residential character are 'entirely positive' separates amenity effects from the underlying character and values of the existing CDA 5 boating and recreational use. Concern relates to the appropriateness of the proposed change in this location, i.e. the ability to integrate the application within this setting.

36 In the landscape report, descriptions from different viewpoints reference the residential character of the township beyond as assisting with integrating the application in its setting. This is disconcerting, because it misses a step, that is considering how anticipated or 'in keeping' it is to *extend* residential land use to the location proposed (p. 5-7).

37 The AEE sets out that the proposal will be visible to both road users and residents across the river (p.9), describing this as *'overwhelmingly positive'*, simply due to the lack of upkeep of the existing structures. Introducing residential use and character is not an inherent outcome of maintenance and upkeep of the wharf or structures upon it, nor is



this consistent with the “structures blending into the environment” of the locality. These permit conditions correlate to existing landscape values.

#### NATURAL CHARACTER

- 38 The landscape report findings that the application will have very low (adverse) natural character effects are agreed. As the proposal involves a new structure within an existing lineal coastal pattern of structures, it is considered that it is not specifically natural character, but landscape character that is the more relevant matter for the application. This is also consistent with the *‘Coastal Environment of Otago, Natural Character and Outstanding Natural Features and Landscapes Assessment, ‘Clutha District Section Report’, 2015* finding higher landscape values (medium-high, referenced at p. 11, landscape report) of the unit than natural character values (medium, referenced at p. 9, landscape report).
- 39 It is problematic however, to include natural character outcomes as being *‘vastly improved’* (p.8), given the increase in development proposed. This is in direct contrast with natural character decreasing as development and built form increase.
- 40 With regards to the NZCPS (2010), Policy 13, 1B and Policy 15, B are agreed to be relevant, and the natural character effects of the application are not considered significant. Similarly, ORPS (2019) policies 3.2.3, 3.2.4, 3.2.8, 3.2.8 and 3.2.9 would not be applicable.

#### LANDSCAPE RELEVANT SUBMISSIONS

- 41 With regards to landscape matters I note the following patterns in that submitters in opposition set out the departure in character of the proposal residential use, and this shift is unnecessary and inappropriate in making improvements in this location.
- 42 With regards to landscape matters, submitters in favour set out in broader terms the visual improvements afforded by the application, and often due to the lack of maintenance of existing structures.
- 43 My response is that in landscape terms, amenity is derived from character. The first point to address in landscape terms is the effects and appropriateness of the change in character (landscape values).
- 44 While positive amenity outcomes (visual effects) are recognised in terms of experiential qualities, their consideration irrespective of character is a very much a surface level approach and one with inherent risks. Out of character development can initiate incremental erosion of landscape values. This can also contribute to a loss of a place’s distinct identity, coherence and legibility. The existing wharves and structures do not

express residential character. It would be a notable loss of character for this area to become homogenous with the wider residential settlement.

- 45 The Te Rūnanga o Ōtākou submission in opposition to the application, sets out landscape relevant matters of concern related to the introduced residential activity included unexpected features including its lighting, and precedent nature of the application in an area of significance to Rūnaka,

#### ACCEPTABLENESS OF CHANGE

- 46 In landscape terms, residential use in itself is not the key concern. The issue is how effectively the application can be integrated in this setting. The concern being the application's shift in *character*, and domestic appearance in this CMA location as would occur with the application as lodged. In this way, if the same building was not actually proposed for accommodation, it would still, in most ways, be just as much out of character. The contribution of residential building use will generate further effects, i.e. the uncharacteristic glowing box lighting of evening use.

- 47 As proposed, the change in use will be legibly expressed by:

- (a) The combined changes in materiality, particularly glazing;
- (b) Increased detailing, readily associated with residential use, amid the row of wharves, and;
- (c) The increased height and proportions of the proposed built form, relative to adjacent structures along the row.

- 48 The proposal's scale and floor area has led to disproportionate form and roof height for the adjacent built form pattern (as shown in **Appendix A**). The gabled building will be over double the combined area of the existing structures and be taller than any existing wharf structure along the row. There are design solution options available to better scale the building in response to the existing pattern of adjacent structures.

- 49 Proposing built form mitigation is not about style preference, it is outcome or performance based. The design approach chosen is at the applicants' discretion. However, assessment and review may involve questioning components of concern. The focus is on the overall effectiveness of the design approach to integrate the application in its landscape setting.

- 50 Greater consistency with the identifiable character and proportion of a boatshed would more appropriately reference the character and values of local boating and recreational water use. This would better integrate with the existing repetitive form and scale of structures, while lifting the amenity associated with human use.

- 51 A key concern of the application is the extent of proposed use of glazing to the building's east river facing façade. This façade treatment is the clearest departure from the existing character, and embodied values, of the recreational and boating use structures of CDA 5. The landscape report acknowledges that the built form elements of skylights and windows to side elevations are also elements which signal residential use (p.5).
- 52 The nighttime glowing box effect of this be a further differentiation characteristic from boating and recreational use of the wharves. There are no such existing facades to the waterfront. Though the area was not observed at night, current lighting is anticipated by association as spotlights over outdoor areas such as for loading and unloading boats.
- 53 The AEE acknowledges that *'Accommodation guests will generate activity normally associated with a domestic dwelling'* (P. 9. AEE). Further to this, the application does not set out a maximum number of nights use per year.
- 54 The key differences in landscape opinion are the overall rating of effects for the proposal in this location, which I consider minor. The landscape report sets out very low natural character effects, and neutral to positive landscape and visual effects (p.16).

## **SUMMARY OF FINDINGS**

- 55 The existing landscape values of this coastal location draw on human interaction with the natural environment for boating and recreation. The proposed introduction of local residential character to this area and over the water is not considered to be appropriately integrated with the location.
- 56 A narrowed assessment focus on amenity and natural character is evident through the landscape report. This is at the expense of addressing relevant landscape attributes, character and capacity. There is also considered to be some misdirection in assessing both recreational and residential activity as if comparative new uses.
- 57 This proposed shift in use is not inherent in maintenance and upkeep of permitted use of CDA 5. The application will both be clearly larger (against the existing scale and pattern of wharf structures') and introduce residential accommodation, it's character shift most abrupt in the glazed façade facing east over the river.
- 58 While new built form and use may be effectively integrated in this CDA 5 setting, the application is considered 'as a whole'. This is inclusive on the residential character it will introduce. The application as proposed (drawing set dated 31/3/2023) is considered to demonstrate minor (adverse) overall landscape effects in this setting.

**Rachael Annan**

7 August 2025

## **Appendix A - 21 Marine Parade Built Form Recommendations**

Proposed Built Form - Review Comments



Top heavy, disproportionate roof scale, due to building width (evident in East & West Elevations below)

Skylights plus window x2 styles complicating what should be basic elevation

Problematic full length bedroom window by public access

Street and/or harbour elevations do not show proposed building in context of other built infrastructure

People, cars and boats of scale

E-01 NORTH ELEVATION



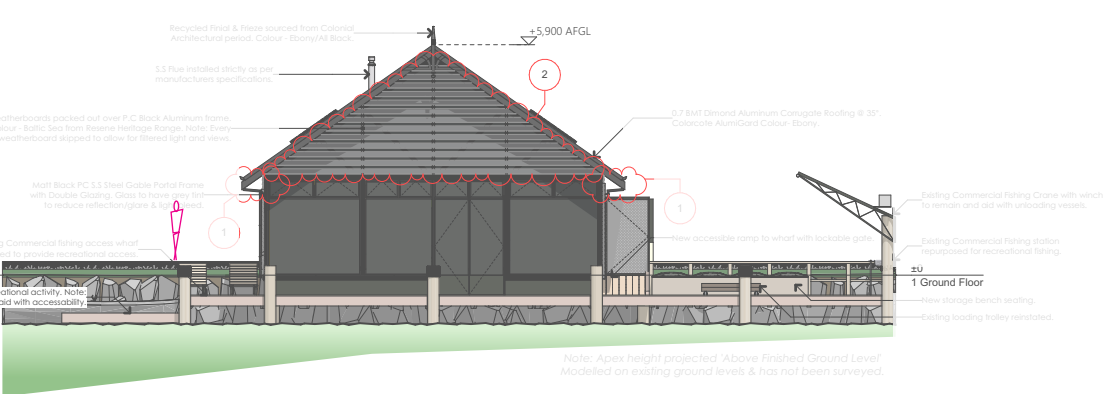
Fire flue out of character with context

Mass glass elevation out of character, day and night - both when in use and when not

Width of glass finish breaking expected pattern

Gate implies private space

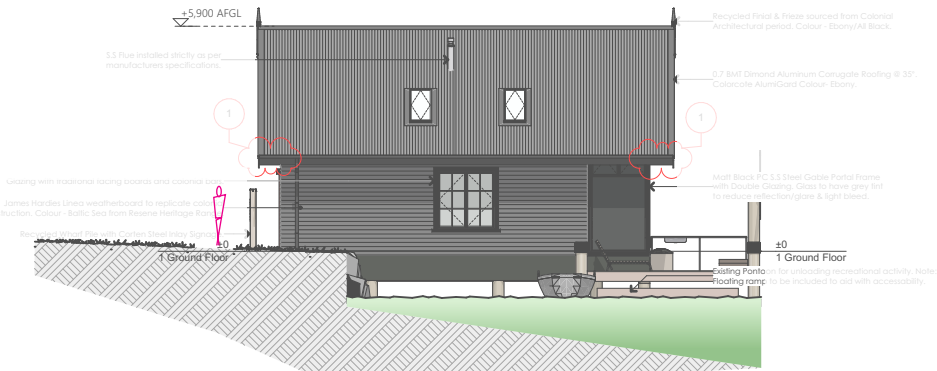
Outdoor furniture can further imply private space & use



E-02 EAST ELEVATION

Top heavy, disproportiona roof scale, resulting from width of building

Skylights plus window x2 styles complicating what should be a basic elevation

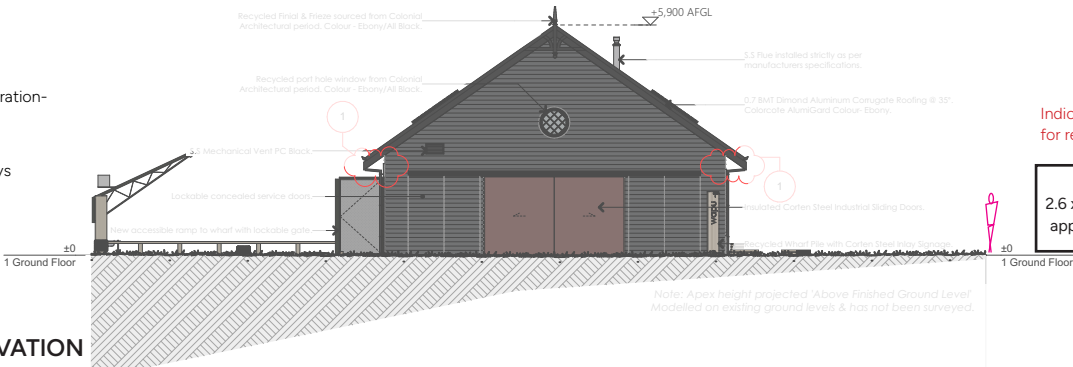


E-03 SOUTH ELEVATION

Fire flue out of character

Top heavy roof, disproportiona roof and door scale

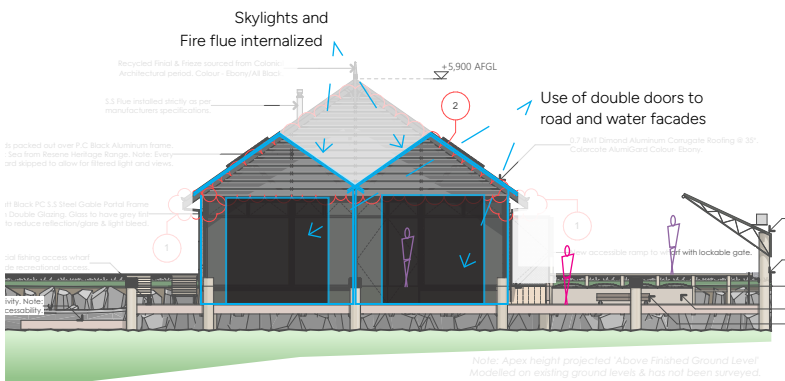
Gate (even if glass) implies private space



Indicative container scale for reference

2.6 x 2.4 approx	2.6 x 4m approx
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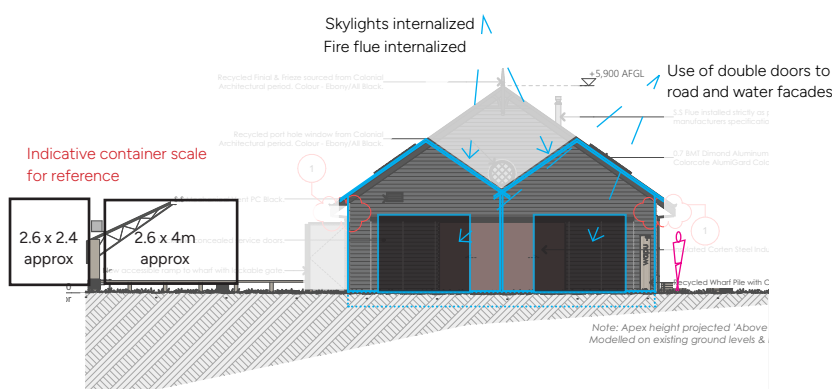
E-04 WEST ELEVATION



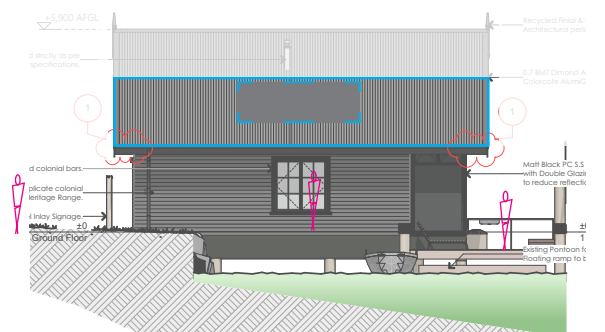
E-02 EAST ELEVATION



E-01 NORTH ELEVATION



E-04 WEST ELEVATION



E-03 SOUTH ELEVATION

## TEST CASE

### 1 Ngapipi Rd, Orakei

- Scale of built form
- Height of building(s)
- Limited material use
- Repetitive scale
- Limited to no windows
- When not in use, there is no evidence of residential occupation/use
- repeated form is more characteristic of other locations than repeated colour

