

**APPLICATION FOR
SUBDIVISION AND LAND USE CONSENTS**

Mainland Property (2004) Limited

**82 RICCARTON ROAD EAST,
EAST TAIERI**

Prepared By

Cubitt Consulting Ltd

March 2016

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FORM 9
APPLICATION FOR A RESOURCE CONSENT
UNDER SECTION 88 OF THE RESOURCE MANAGEMENT ACT,
1991

To: Manager-Resource Consents
Dunedin City Council
PO Box 5045
Dunedin 9058

Mainland Property (2004) Ltd hereby applies for the resource consent described below:

- 1. The current owner of the site is:**
Mainland Property (2004) Ltd, the applicant
- 2. The location to which this application relates is:**
82 Riccarton Road East, East Taieri, Valuation Number 27901-14216. The site is legally described as Lot 28 DP 341800 and is held in Computer Freehold Register CFR171990.
- 3. The type of resource consent sought is:**
Subdivision and land use consents
- 4. A description of the activity to which the application relates:**
Resource consent is sought to subdivide the 6.6862 hectare rural site into three allotments as follows:
Lot 1 – 2 hectares
Lot 2 – 2 hectares
Lot 3 – 2.5 hectares

Land use consent is sought to establish residential activities on each of the building platforms identified within each allotment as shown on the attached scheme plan.

The activity is fully described in the attached application at section 1.2.
- 5. The following additional resource consents are required in relation to this proposal and have been applied for:**

None.
- 6. We attach an assessment of effects that the proposed activity may have on the environment in accordance with Section 88 and the Fourth Schedule of the Act.**
- 7. We attach other information required to be included in the application by the District Plan or Regional Plan or Regulations**

(a) Computer Freehold Register

(b) A Statutory and District Plan Assessment is incorporated in the AEE.

(c) Geo-tech report

(d) Subdivision plan

Dated at Dunedin on 19 March 2016

Signed _____

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1. Description of Proposal

1.1 Description of Site

The property is described in Council's rates book data as 82 Riccarton Road East, East Taieri, and Valuation Number 27901-14216. The site is legally described as Lot 28 DP 341800 and is held in Computer Freehold Register CFR171990, in the name of Mainland Property (2004) Ltd, the applicant. The subject site was created by subdivision consent RMA 2003-0879 (4 June 2004), which was processed under Variation 9A to the Dunedin City District Plan, and has an area of 6.7 hectares. Access to the southern part of site is via a right of way from Riccarton Road East while the northern part of the site has direct access to this road.

Variation 9A promoted a minimum site area for residential activities in the Rural Zone of 6 hectares. However a further resource consent was necessary to enable the establishment of a residential activity on the site because the Environment Court decision (C176/2004) on an appeal to Variation 9A reinstated the 15 hectare minimum site area. This was granted in January 2006 (RMA 2005-0784) and enabled the establishment of a residential activity within a building platform located in the south west corner of the site. This platform sits on top of a ridge that traverses the southern third of the property, with the northern part of site sloping down to residential development along Main South Road. However this consent has not yet been exercised and was varied in February of this year to enable the workshop/garage on the site (located in the south east corner) to be used as a temporary dwelling. The only other built development on the site is a five bay barn located near the workshop/garage that has consent for use as temporary dwelling.

The land surrounding the subject site is divided into a range of property sizes, almost all of which support residential activity with some, to varying extents, also accommodating rural pastoral land uses. Directly to west and south are three properties that were also subdivided under the 6 hectare rule. They accommodate substantial dwellings. Directly to the north of the site is the East Taieri Residential 1 zone. To the east are a number of undersized rural allotments that range from just under to 1 hectare up to just over 2 hectares. Generally speaking in this location, the properties nearer to Main South Road are smaller residential allotments, with a transition from these high density sites through to rural residential 1-2ha blocks, up to 6ha rural lifestyle, to 15ha+ holdings further up towards Saddle Hill Road.

1.2 Proposed Activities

Subdivision consent is sought to create three rural residential allotments as illustrated on the attached scheme plan. Lots 1 and 2 have an approximate area of 2 hectares while Lot 3 will have an area of 2.5 hectares. Land use consent is sought to establish a residential activity on each of the three allotments as shown on the attached scheme plan. The building platform for Lot 2 was identified at the time of subdivision consent and is registered on the certificate of title by way of consent notice. The building platform on Lot 1 is essentially the location of the temporary dwelling. These building platforms were identified on geotechnical grounds and are located on the top of the ridge that passes through the property. The platform on Lot 3 is not located on the ridge but at a lower elevation on the northern extent of the property. A geotechnical assessment has been carried out by Dr Jon K Lindqvist, appended to this application.

Access to Lots 1 and 2 will continue to be from the existing right of way off Riccarton Road East. The existing access at this point will continue to be used for

Lot 2 while a new access for Lot 1 will be constructed over an old farm track off the end of the right of way. Access to Lot 3 will be directly from the existing crossing point to Riccarton Road East which adjoins 80 Riccarton Road East.

Effluent and stormwater from the site will be disposed of on-site using approved systems that are designed to take into account the topography of the site, the extent of vegetation and the proximity to watercourses. Rainwater collection from roof surfaces will serve as the primary source of water for domestic consumption. Power and telephone services are available nearby. However if possible, and acceptable to Council, the preference would be to connect any dwelling constructed on proposed Lot 3 to the urban reticulation available in East Taieri.

A range of land use conditions, which reflect the original consent granted in 2006, are proposed to mitigate any potential environmental effects

- 1. There shall be only one dwelling located on each of the sites, with the dwellings being located entirely within the building platforms identified in the consent notices attached to the respective certificates of title for the properties.*
- 2. The maximum height of each of the dwellings shall not exceed 7 metres above natural ground level.*
- 3. The maximum length of each of the dwellings shall not exceed 30 metres.*
- 4. The dwelling on Lot 3 shall be located at least 20m from the northern and eastern boundary of the site.*
- 5. The dwelling on Lot 2 shall be located at least 20m from the common boundary with Lot 27 DP 341800 (86 Riccarton Road East).*
- 6. The dwellings shall be clad and/or painted in a uniform non-reflective recessive colour being a muted tone of green, grey, brown, tussock or similar subdued colour, to blend in with the colours of the surrounding landscape.*
- 7. Prior to the submission of a building consent application, plans and elevations shall be submitted for each dwelling for the approval of the Council's Resource Consents Manager detailing:*
 - a. The location of the proposed dwelling within the approved building platform;*
 - b. The dimensions of the proposed dwelling;*
 - c. The nature and colour of the materials being used to clad and roof the dwelling;*
 - d. The location and extent of any earthworks to be carried out;*
 - e. A landscape development plan that will be implemented to mitigate the effects of the dwelling on the surrounding landscape. In particular the plan is to focus on screening or softening views of the dwellings from outside the sites to be developed when dwelling locations have been finalised.*
- 8. The landscape development plan required under Condition 7e shall, as a minimum:*
 - a. Show the location of the planting on the site in relation to the proposed dwelling;*

- b. *Identify the density of planting, the species to be used, the number of each species to be planted and the age/grade/height of the proposed plants at the time of planting;*
 - c. *Describe the measures that will be utilised to ensure the successful long-term establishment of the plantings.*
9. *Planting identified in the landscape development plan shall be completed within 12 months of the date of the completion of construction of each dwelling.*

1.3 Status of Activities

The property is zoned **Rural** in the operative Dunedin City District Plan. The site is free of all other resource protection mechanisms. The boundary of the **Saddle Hill Landscape Conservation Area** is located approximately 230 metres to the south of the property.

The boundary between the Rural Zone and the Residential 1 Zone is alongside the northern end of proposed Lot 3. That means that some of the land directly opposite Lot 1 is zoned for residential activity at a density of one dwelling per 500m².

The land is not recognised as comprising high class soils. The eastern end of Riccarton Road is a **Local Road** in the District Plan's Roading Hierarchy.

Subdivision in the Rural Zone is permitted provided that each resulting site has an area of at least 15ha [Rule 18.5.1(i)]. Because the proposed lots range in area from 2 to 2.5 hectares the proposed subdivision is a **non-complying** activity in accordance with Rule 18.5.2.

Likewise, Residential activity is only permitted in the Rural zone if the site has an area of at least 15 hectares [Rule 6.5.2(iii)]. Again the proposed residential use of the allotments is therefore a **non-complying** activity in accordance with Rule 6.5.7(i).

The property is zoned **Rural Coastal** in the proposed Dunedin City District Plan. Residential activities are only permitted in this zone if the site has an area of at least 15 hectares. However the minimum subdivision site size is 40 hectares. Non-compliance with this rule appears to be a **non-complying activity**.

The zone maps for that plan identify part of the site as being unstable (Hazard 2 – land instability). The geotechnical assessment that has been carried out for all three buildings site confirms that this is not an issue.

Overall, the proposal is a **non-complying activity**.

2. Assessment of Environmental Effects

2.1 Introduction

Rural zones section 6.7 and Subdivision section 18.6.1 of the operative District Plan contain a range of assessment criteria in respect to activities in that zone. One of the key matters of the rural assessment criteria is 6.7.15 which specifically relates to residential units. It reads as follows:

- (i) The cumulative effects of an increased density of residential development in this location.

- (ii) The potential for conflict between adjoining land uses or reverse sensitivity issues arising from the location of the proposed residential activity.
- (iii) The extent to which soil will be covered by hard surfaces.
- (iv) The extent to which a residential unit on the site affects the amenity and economic well-being of neighbouring properties.
- (v) The degree to which amenities relating to the open nature of the environment are compromised.
- (vi) The degree to which the productive potential of the site and adjoining properties and their future sustainable use is compromised.

The Transportation section's assessment matters (section 20.6) are also pertinent with respect to the proposed vehicle access arrangements and the Environmental Issues section (section 21.6) includes specific assessment matters relating to self-servicing of rural sites. All of these have provided the foundation of our assessment of effects. Having regard to those matters and our visits to the site, and after considering all potential effects of the activity, we believe the following are the main issues that need to be addressed and assessed:

- Amenity values and character of the area
- Bulk and location
- Transportation
- Provision for water supply and disposal of stormwater and sewage
- Land disturbance and hazards
- Productive potential of rural land
- Reverse sensitivity and conflict
- Cumulative effects.

2.2 *Amenity values and character of the area (Assessment Matters 6.7.3, 6.7.13, 6.7.17 and 18.6.1(q))*

The District Plan states that Dunedin's rural area *"has a generally low incidence of residential and other activities and is characterised by a low density of development, the size of buildings small and local roads having low traffic numbers. The character of the rural area is greatly influenced by the predominance of natural features and the productive use of the land."* The plan seeks to preserve the amenity values associated with this environment by way of a 15 hectare minimum allotment size.

However in assessing the impact of the proposal on these values, the character of the existing environment becomes the key factor. To the north, the properties directly fronting Main South Road, as well as those between Main South Road and Riccarton Road East on the eastern boundary of the subject site, are zoned Residential 1 – the City's standard urban density. The subject site rises up to the south from this area, and is adjoined on its western and southern boundary by three 6 to 7 hectare sites that were created when the minimum allotment size was at 6 hectares. More importantly, this particular site (unlike the other 6 hectare sites), adjoins an area where non-complying rural allotments dominate to the point that the character of the area is not rural. These allotments sit to the immediate east (on

both sides of Riccarton Road East) of the subject site. While they are zoned Rural, they have areas of between 0.4ha and 2ha.

While the subject sits at a higher elevation than the rural residential neighbourhood to the east, the proposed density is not out of keeping with existing development and does not extend the area of residential development further into otherwise undeveloped areas of the Rural zone. The development represents a more appropriate rural-residential density than the current 6 hectare site.

With respect to the landscape effects of proposed building platforms, we note that the site does not sit within a landscape conservation area but the ridgeline is visible from sections of State Highway 1 to the south west of the sites, and is seen as a foreground or middle ground element in many views towards Saddle Hill from the west. However from many viewpoints on the Taieri Plains, the proposed dwellings will be able to be seen against a backdrop of land, specifically Saddle Hill. It is considered that the conditions proposed will ensure that buildings are sympathetic to the form, character and scale of the landscape in their siting and design and be of a scale and character compatible with the landscape setting. As a consequence the Saddle Hill Landscape Conservation Area is not adversely affected by the proposal.

The platform on Lot 3 is much lower than the platforms on Lot 1 and 2 but is closer to the residential development along Main South Road. However it has been sited to avoid significant adverse effects on these properties. The conditions proposed will also assist with integrating it into its surroundings.

We conclude that any adverse effects on the amenity values of private property will be less than minor and the proposal will not have significant adverse effects on the existing character of the area.

2.3 *Bulk and location of structures (Assessment matters 6.7.9 and 18.6.1 (q), (h))*

The proposal includes confirmed building platforms. These have been determined based on geotechnical considerations but have been set back from boundaries to ensure amenity values on adjoining properties are maintained. Restrictions on the height and length of the proposed dwellings are also proposed. With the imposition of these conditions, no adverse effects from the bulk and location of the proposed structures are anticipated, and the proposal will be in keeping with the amenity values of the site, adjoining sites and the surrounding area.

2.4 *Transportation (Assessment matters 6.7.24, 18.6.1(m), 20.6.1, 20.6.5, 20.6.7 and 20.6.10)*

Transportation effects related to access to Lots 1 and 2 of the proposal were considered at the time of subdivision and the proposed access was considered acceptable. As a result, the traffic effects of Lots 1 and 2 of the proposal are expected to be no more than minor. Access to Lot 3 will be from an existing crossing point to Riccarton Road East located approximately 60 metres from the Main South Road intersection. The road is sealed at this point and the current access will be upgraded and sealed from the edge of the existing carriageway to a point 5 metres within the site.

2.5 *Provision of water supply and disposal of stormwater and sewage (Assessment matters 6.7.10, 18.6.1(n), (o), (p) and 21.6.5)*

Councils Water and Waste Services Business Unit has previously considered the use of the land for residential purposes during the subdivision of the original property. The specific details of the water supply and septic tank systems can be considered at the time of building consent.

The primary source of potable water will be rainwater collection from roof surfaces. The applicant is aware of the potential health issues with this form of water collection. Care will be taken to protect the water storage from contamination and the system will be regularly cleaned and maintained. The new development will include measures necessary to comply with the New Zealand Fire Service's Code of Practice for Fire Fighting Water Supplies

Previous geotechnical investigations have considered the matter of on-site effluent disposal and recommend a system that has been specifically designed for the site by a suitably qualified person. Oasis Clearwater 2000 is considered an appropriate system for the location. Whichever system is ultimately selected, it will ensure all sewage and wastewater will be treated and disposed of within the boundaries of the allotment and it will comply with the New Zealand Building Code. The applicant will accept the imposition of a consent notice regarding the need for a specifically designed effluent disposal system.

The proposal will not generate adverse environmental effects as a result of servicing the proposed dwelling.

However we are aware that Council services are available in the location and if Council deems appropriate the applicant would prefer that any dwelling constructed on proposed Lot 3 connect to them.

2.6 *Land disturbance and stability (Assessment matters 6.7.11, 6.7.23, 18.6.1(t), (q))*

The presence of natural hazards on Lot 1 and 2 was considered during the subdivision of the original property and the subsequent land use variation. The intended houses will be located solely within the approved building platforms for these lots, which were defined for geotechnical reasons as being suitable for dwellings.

Dr Jon Lindqvist has assessed the geotechnical conditions of Lot 3 to determine its suitability for building. That report is attached.

While Mr Lindqvist identified several shallow slide failures within the loess cover upslope of Lot 3, these slides and associated patches of hummocky ground are confined to the western 2/3rds of the lot. Accordingly he has identified the eastern third of the lot (shown in Figures 1 & 5 of his report) as suitable for a dwelling platform. He has recommended that the following conditions be incorporated into the consent:

(1) Piles or concrete footings, and retaining walls are to be placed directly on schist after removal of soil cover, or on a correctly designed hard fill pad on schist; and

(2) Drainage systems are installed to intersect and remove any surface water or spring water flow that may affect the stability of ground in the vicinity of the building.

The applicant is comfortable with these conditions and adopts them as part of the application.

In summary, we submit that there is no concern about the proposed residential activity generating instability or being affected by existing natural hazards. For the purposes of section 106 of the Resource Management Act, the Council can be satisfied that Lot 1 is suitable for the proposed residential development. The proposal does not affect any previously approved uses of the balance area.

2.7 *Productive potential of rural land (Assessment matter 6.7.15)*

As will be evident from any site visit undertaken, the property is not suitable for agricultural activity due to its topography, soil quality and physical detachment from larger areas of the landholding. The site is not recognised as comprising high class soils. The surrounding land uses are predominantly residential or rural residential in nature. Allowing the site to be used for rural residential activity will not affect the land's currently minimal productive potential.

2.8 *Reverse sensitivity and conflict (Assessment matters 6.7.15 and 6.7.26)*

The surrounding land uses are entirely residential on allotments varying in area from 500m² to 6ha. As such, the activity will be akin to the existing development and consequently, compatible. Any activity taking place on the operational farms in the wider area will be sufficiently distant from the site so that there is unlikely to be any conflict. The existing residences on neighbouring sites all coexist comfortably with any other land use. Reverse sensitivity is not likely to arise.

2.9 *Cumulative effects (Assessment matters 6.7.4 and 6.7.15)*

In our opinion, the proposal is unlikely to give rise to cumulative effects of significance. While it does introduce another two residential activities in the area, it is effectively infill development of land not suitable for productive rural activity. The character of this location is very much of a 'residential lifestyle' nature with low density residential activity the predominant land use.

No effect from this activity is expected to worsen or increase over time to the extent that it could become a more than minor adverse effect. In fact the opposite is likely to be true. Once construction is completed, the buildings will settle into the environment and subsequent vegetation is likely to integrate the site development. Permanent occupation of the land is also likely to improve the quality of the environment by introducing more vegetation.

2.10 *Summary of effects on the environment*

The above assessment leads us to conclude that the overall adverse effects of the activity will be less than minor. The land is not suitable for a permitted farming activity and the visual effects of the proposed residential activity will be substantially mitigated. We have assessed transportation effects to be less than minor. The land has been assessed by a geotechnical engineer as being suitable for residential activity and self-servicing.

The proposal will integrate well within a location that is essentially rural residential in character.

3. *District Plan Policy Framework*

The key sections of the District Plan are Sustainability, Rural Zones, Subdivision, Transportation and Environmental Issues. Each of these sections is considered below.

3.1 *Sustainability*

The proposal is not considered inconsistent with the policy framework of the Sustainability section of the plan. These provisions seek to ensure that infrastructure is sufficient to cater for the activity without compromising the demands of future generations. They also encourage the protection of the natural and physical resources and the maintenance or enhancement of amenity values. Policy 4.3 8 seeks to avoid the mixing of incompatible activities.

The proposal is considered a sustainable use of the land within the property. The location, topography and size of the property do not lend itself to productive agricultural or horticultural activity. Subdivision Assessment Matter 18.6.1(k) considers the potential for physical limitations of an allotment to restrict its future uses.

If further residential activity is established on the site, the land will be much better managed which will provide some benefit to the adjoining land owners through control of pest plants and likely development of new plantings. This will make a positive contribution to the environment with respect to landscape value and in terms of reducing spread of pests into the adjoining, established residential properties.

Further residential activity on the site is compatible with the surrounding development which is almost entirely residential rural residential and generally at much higher density than that proposed here. The proposal will therefore not affect the sustainability of existing activity in the area or affect the potential to carry out permitted activities on other land.

The activity will be self-sustaining in terms of water supply and effluent and stormwater disposal. Rainwater collection will be the primary source of domestic water. There will therefore be no impact on the City's reticulated infrastructure. Riccarton Road East is sealed and is of sufficient formation to cater for the additional residence.

Overall, the proposal is not only sustainable in its own right, but has the potential to improve the environment in some respects.

3.2 *Rural zones*

The relevant objectives and policies of the Rural Zones section chiefly seek to protect the productive potential of the zone, public infrastructure, and rural character and amenity values.

As already discussed, the land has no real productive value. The topography of the site, its size, and the physical separation from large farm holdings make agricultural activity unlikely and horticultural activity impracticable. At 6 hectares, the site is considered too small for rural activities and too large for rural residential purposes. If consent is not obtained for further residential activity, there is the potential for a lack of maintenance of the site leading to establishment of pest plant and animal species. The proposal is not considered inconsistent with related objectives 6.2.1 and 6.2.6, and with policies 6.3.1 and 6.3.2.

With regard to public infrastructure [objective 6.2.4 and policy 6.3.8], the proposal will be self-supporting in terms of water supply and wastewater disposal. We have assessed the effects on the roading network to be less than minor.

Those objectives and policies that relate to protection of the rural character and amenity values seek to ensure that adverse effects of activities are sufficiently avoided or minimised so that the character and amenity is maintained or enhanced [objective 6.2.2 and policies 6.3.5, 6.3.6 and 6.3.12]. The character of this part of the Rural Zone is that of low density residential activity, such as is permitted in the adjacent Residential 1 zone or the Rural Residential zone. The proposal is in keeping with surrounding development and any new effects on the amenity values of the area will be negligible. Better management of the land within the site might enhance amenity values.

Objective 6.2.5 and Policy 6.3.12 seek to avoid conflict between activities. We have outlined above the reasons why there should be little conflict in this location. All neighbouring properties are used for residential activity.

In summary, we consider the proposal to support all relevant objectives and policies of the Rural Zones.

3.3 Subdivision

The objectives and policies of the Subdivision section seek to ensure that subdivision is coordinated and sustainable, with physical limitations and potential land uses taken into account to ensure that adverse effects are avoided, remedied or mitigated. All necessary infrastructure should be provided by the developer to avoid the need for unsustainable upgrades of public services [Objective 18.2.7 and Policy 18.3.7].

The application seeks consent for the subdivision and the future land use activity on the site and is therefore coordinated and holistic. The physical limitations are discussed in the assessment of effects and it has been determined that matters such as location, topography and the allotment size limit the site's suitability for permitted rural uses whereas residential use would be compatible with the surrounding activities. Residential activity on the site will be self-serviced and will not give rise to adverse effects on the roading infrastructure.

The proposal is consistent with the objectives and policies of the Subdivision section.

3.4 Transportation

The objectives and policies of the Transportation section seek to ensure that land use activities are undertaken in a manner that avoids, remedies or mitigates adverse effects on the transportation network so that the network can operate safely and efficiently.

We have assessed the effects of the activity on the transportation network to be less than minor. In all respects, the proposed provision for site access, parking and manoeuvring comply with the standards of the District Plan. The proposal is consistent with the objectives and policies of the Transportation section.

3.5 Environmental Issues

The relevant objectives and policies of the Environmental Issues section relate to protecting public health and amenity from nuisance noise and glare, and protecting water quality.

The proposal will comply with the noise requirements of the relevant noise areas. Glare that might arise from the building surfaces will be mitigated by the presence of vegetation and topography and likely construction materials. There are no rules governing glare outside of landscape management areas and the proposal is likely to generate less effect in this regard than would a permitted rural structure.

The proposal will be self-sufficient with respect to obtaining potable water and disposing of waste in a safe and efficient manner. All related systems will be well maintained and cleaned.

We consider that the proposal is consistent with the objectives and policies of the Environmental Issues section of the Plan.

3.6 Conclusion – Objectives and Policies

Having considered the relevant objectives and policies of the District Plan, it is concluded that the proposal is not inconsistent with the policy framework.

4. Proposed District Plan

The proposed District Plan was notified on the 26th September 2015 and submissions closed until the 24th of November 2015. Hearings have yet to be held. There are numerous submissions on the rural provisions of the proposed District Plan. Hence very little weight can be given to the provisions of that plan. However some regard must be given to the policy framework of the proposed plan.

The proposed District Plan zones the site 'Rural Coastal' and contains a number of objectives and policies relevant to the proposal. However perhaps the key objective in the Plan in relation to Residential activity in rural zones, is that this should be limited to the extent that it directly supports farming or which is associated with papakāika. This particular site is not a farming operation and is never likely to be. Policy 16.2.1.7 is to "Avoid residential activity in the rural zones on a site that does not comply with the density standards for the zone, unless it is the result of a surplus dwelling subdivision." The site doesn't comply with the density standard of the zone but the proposal will reflect the density of the surrounding environment. Policy 16.2.3.2 is to "Require residential activity to be at a density that maintains the rural character values and visual amenity of the rural zones" and as we have concluded above, the proposal achieves this for this particular rural area.

5. Section 104D of the Act and the notion of 'True Exception'

Given the proposal's non-complying status, consideration must be given to the provisions of section 104D of the Resource Management Act. That section requires an application for a non-complying activity to pass one of two thresholds in order to be considered for approval, namely the environmental effects must be no more than minor or the proposal must be consistent with the objectives and policies of the District Plan. Our assessment above suggests to us that the proposal in fact meets both of these provisions and we therefore encourage Council to consider granting consent to the application on that basis.

In addition, we expect that Council might turn its mind to whether the proposal is a true exception, as has been described in one division of the Environment Court. We consider it not entirely appropriate here given that the proposal is consistent with the objectives and policies of the Plan, but should the Council think it necessary we

outline below the combination of factors that make the proposal different from the majority of potential applications to establish residential activities in the Rural zone:

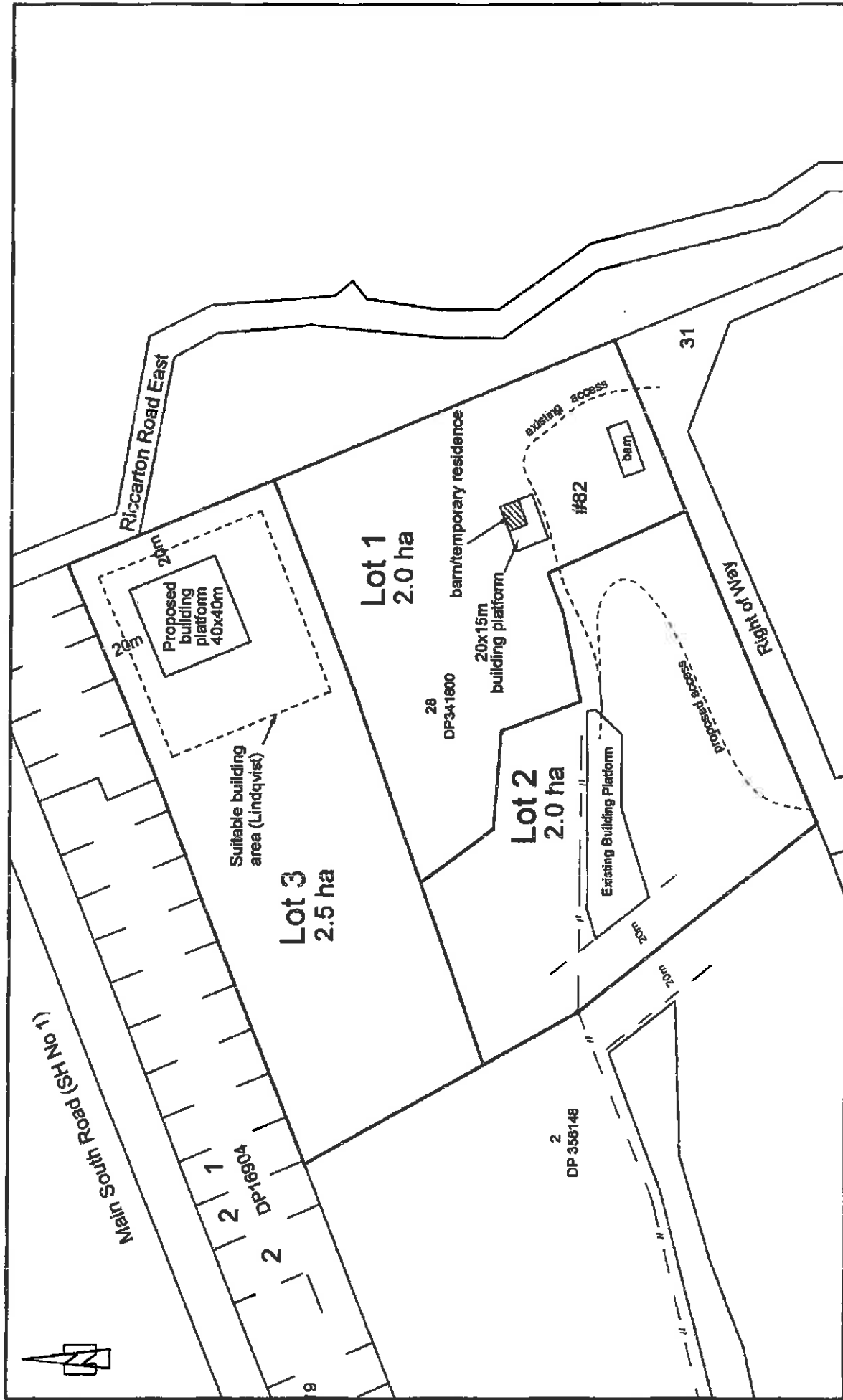
- (i) The location, topography and size of the site limit the use of the property for permitted uses.
- (ii) All neighbouring land is used for residential activity on allotments of varying size, most of which are smaller than the subject site and all of which are significantly smaller than 15ha. The site is sandwiched between allotments that are smaller than the minimum area, all of which are used for residential activity. Residential use of the site is more in keeping with the existing land uses than a permitted activity would be.

6. Affected Persons and Notification

The applicant does not reside permanently on the site and as a consequence has not had the opportunity to consult with neighbouring property owners in order to gain written approvals to the proposal. However we anticipate that Council will public notify the application.

7. Conclusion

We are confident that any adverse effects arising from this proposal will be sufficiently controlled to allow it to comfortably coexist alongside the existing activities in the vicinity. Some positive effects may result. We are of the view that the proposal promotes the purpose of the Act, being the sustainable management of the natural and physical resources.



CRAIG HORNE Registered Surveyor 5 MAIN SOUTH EAST TAIERI P.O. BOX 58 MOSGIEL		Proposed Subdivision of Lot 28 DP341800 82 Riccarton Road East, East Taieri		For: Kellher		SHEET 1
				Drawn CH Traced	Checked 18 April 2018	OF 3 A3 SCALE 1:1500



CRAIG HORNE

Proposed Subdivision of
Lot 28 DP341800

32 Proposed Road East East

For Further

1:1500

Geotechnical Assessment of Lot-3, part 82 Riccarton Road East, Dunedin

Report prepared for

C. KELLIHER

chris.kelliher@gmail.com

11 April, 2016

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1 Introduction

The writer was requested to assess the geotechnical conditions of a portion of Mr Kelliher's property at 82 Riccarton Road East to be subdivided as Lot-3 (Figure 1).

2 Site Topography & Geology

I made an initial inspection of the property accompanied by the owner on 13 August 2015, and a further examination on 30 March 2016. Proposed Lot-3 occupies the lower northern flank of a ridge that extends west of Riccarton Road East (Figure 1). According to the 1:50,000 scale geological map of McKellar (1990), Lot 3 is underlain by schist rock (Figure 2). The property lies within a structural block bounded by strands of the Titri Fault which extends along the east side of Taieri Plain. Schist is exposed in recently cut slope batters within the adjoining property to the east, between Lot 3 and Riccarton Road East (Figure 3), and in a farm track cutting above Lot-3 (Figure 4). In both areas the schist has a blocky brecciated appearance. This is considered to be a result of tectonic deformation during past movements on Titri Fault. An alternative interpretation is that it is a very coarse grained part of the Henley Formation, an alluvial fan deposit of Cretaceous age locally found elsewhere on the southeast side of Titri Fault. Henley Formation is mapped by McKellar (1990) further to the southeast of the property (Figure 2). The brecciated schist consists of large in-tact schist blocks up to 2x2 m set at various orientations in dense rubbly broken schist matrix. The matrix is relatively unaltered, contains some calcite cement, and includes an estimated <5% of chlorite-derived clay sized material. The 50°-60° (measured from horizontal) batter slope appears stable (Figure 3A).

As indicated in the various exposures, schist rock underlying proposed Lot 3 has a 0.5~1.5 m thick cover of yellow clayey silt sub-soil (loess). This deposit accumulated from wind-blown dust during the Last-Glacial period that ended approximately 10,000 years ago.

3 — Land Stability & Seismic Risk

Selection of a building area is complicated by several shallow slide failures that have developed in the loess cover upslope of Lot-3, however the slides and associated patches of hummocky ground are confined to the western 2/3rds of Lot 3 (Figure 1). The slides, also represented in McKellar's (1990) geological map (Figure 2), are likely of post-European settlement age. The largest has an apparent run-out mound near the center of Lot-3 (Figures 1, 5 & 6). The area of relatively smooth ground with gradients of 14° to 17° between this mound and Riccarton Road East is considered the most suitable for a new house build.

Although the property is bounded by strands of Titri Fault, this section of the fault is considered to have been inactive throughout Holocene time [from ~10,000 years ago to the present] (Litchfield 2001). Underlying geology indicates that the property has a low-moderate susceptibility to earthquake shaking.

4 Conclusions & Recommendations

- A** The eastern approximately 1/3 of the area of proposed Lot-3, indicated in Figures 1 & 5 of this report, is considered suitable for a house platform.
- B** It is recommended that: (1) piles or concrete footings, and retaining walls are placed directly on schist after removal of soil cover, or on a correctly designed hard fill pad on schist; and (2) drainage systems are installed to intersect and remove any surface water or spring water flow that may affect the stability of ground in the vicinity of the building.

5 References

- Litchfield, N.J. 2001: The Titri Fault System: Quaternary-active faults near the leading edge of the Otago reverse fault province. *New Zealand Journal of Geology and Geophysics* 44: 517-534
- McKellar, I. C. 1990: Southwest Dunedin urban area. Geological map of New Zealand Miscellaneous Series Map 22, 1:50000 scale. DSIR Wellington

Figures 1-5 appended



Figure 1 Plot of the 32 Riccarton Road East property. A suggested building area within proposed Lot-3 is indicated.

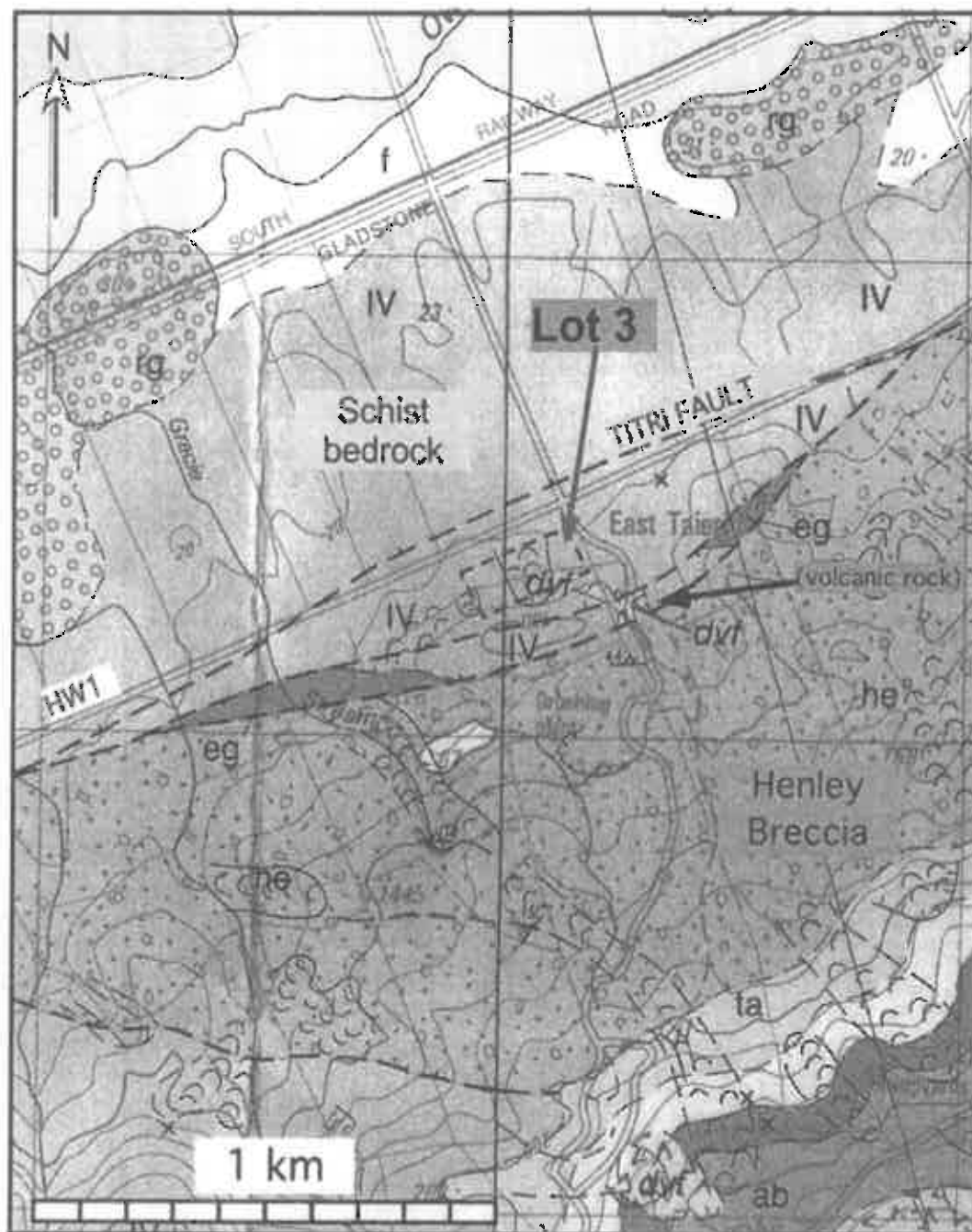


Figure 2 Geological map of the Riccarton Road East area, extracted from McKellar (1990). Proposed-Lot 3/82 Riccarton Road East is outlined in blue



A (above). B (below).



Figure 3 Schist breccia exposed near the eastern boundary of proposed Lot-3. (A) General view. Note the large block in the center of photo, and relatively thin (<50 cm) loessic soil beneath the fence line. (B) Close-up view of schist breccia.

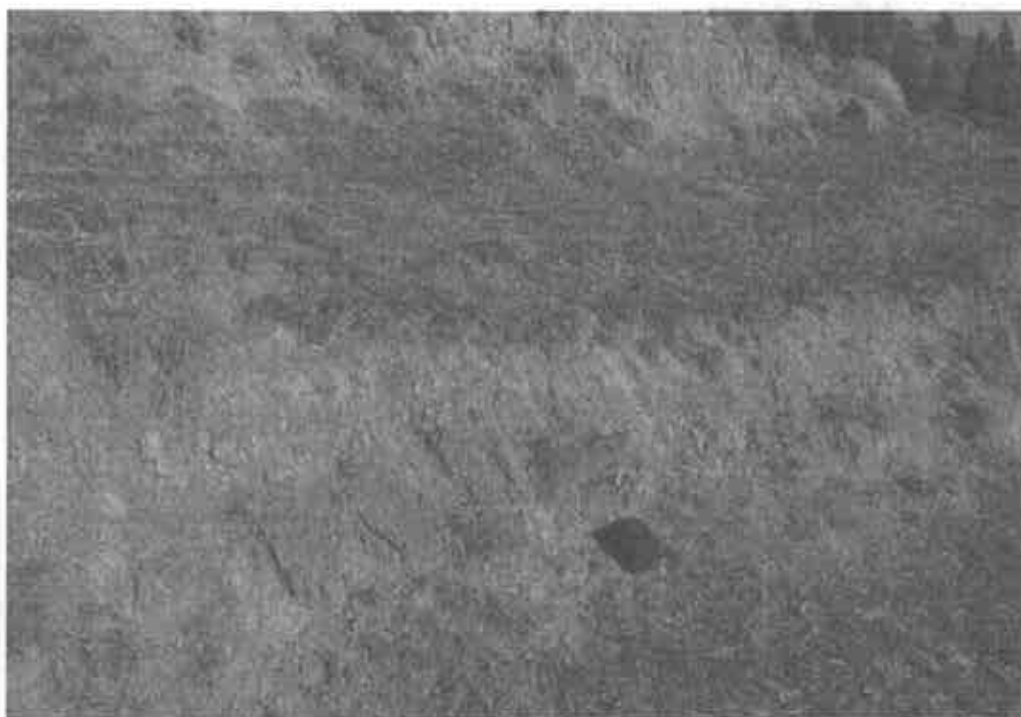


Figure 4 Blocky schist (beneath 13cm long camera case) and overlying loess subsoil exposed upslope of proposed Lot-3, directly north of the existing barn building.



Figure 5 Northwards view of the suggested building area.



Figure 6 View of the eastern 1/3 of proposed Lot-3 from the slide mound outlined in Figure 1.



COMPUTER FREEHOLD REGISTER
UNDER LAND TRANSFER ACT 1952

Search Copy



Identifier 171990
Land Registration District Otago
Date Issued 09 June 2005

Prior References
69464

Estate Fee Simple
Area 6,6862 hectares more or less
Legal Description Lot 28 Deposited Plan 341800
Proprietors
Mainland Property (2004) Limited

Interests

761150 Land Improvement Agreement pursuant to Section 30A Soil Conservation and Rivers Control Act 1941 -
31.10.1989 at 9:50 am

Subject to telecommunications easement a right (in gross) over over part marked E,FT,F1,FT1,F2,F3,FTG DP
341800 to (now) Chorus New Zealand Limited created by Transfer 5268972.2 - 2.7.2002 at 9:00 am

6451329.15 Consent Notice pursuant to Section 221 Resource Management Act 1991 - 9.6.2005 at 9:00 am

Subject to a right to convey electricity,telecommunications & computer media over part marked TGE1,TGE2 DP
341800 and gate power & control cable easement over part marked TG,TG1,TG2,FIG,TG3,TGE1,TGE2 DP 341800
created by Easement Instrument 6451339.16 - 9.6.2005 at 9:00 am

Appurtenant hereto are rights of way, rights to convey electricity, telecommunications & computer media, rights
to convey water and gate power & control cable easements created by Easement Instrument 6451339.16 -
9.6.2005 at 9:00 am

The right of way and right to convey electricity, telecommunications & computer media easements created by
Easement Instrument 6451339.16 are subject to Section 243 (a) Resource Management Act 1991

Appurtenant hereto is a right to convey electricity for security gates and a gate power and control cable
easement created by Easement Instrument 6474637.1 - 28.6.2005 at 9:00 am

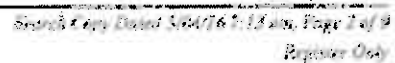
Land Covenant in Easement Instrument 6451339.16 - 15.8.2005 at 9:00 am

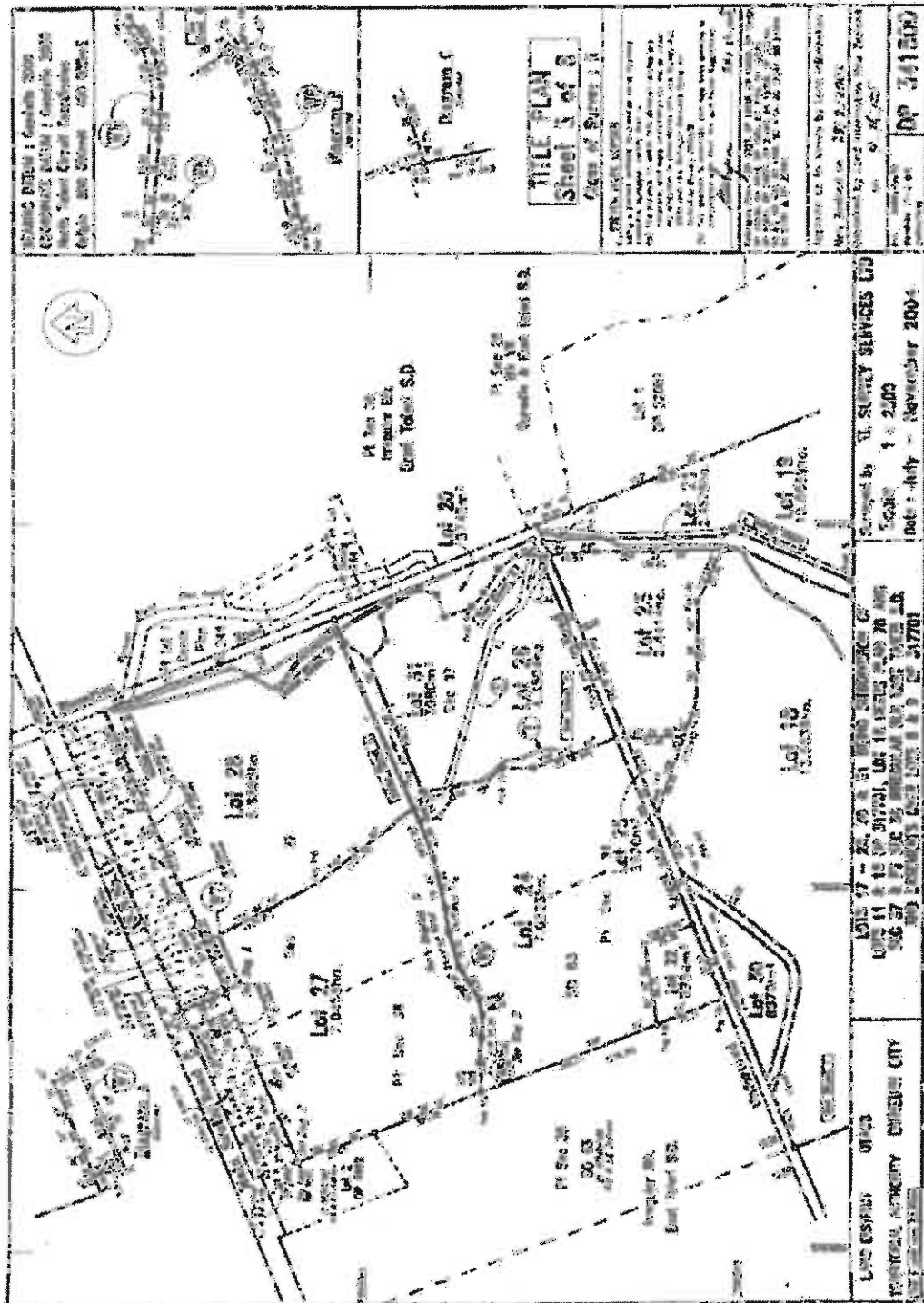
6815128.2 Resolution pursuant to Section 243(f)(ii) Resource Management Act 1991 partially cancelling the
easement conditions on DP 341800 described in Easement Instrument 6451339.16 - 5.4.2006 at 9:00 am

6815128.4 Partial surrender of the rights specified in Easement Instrument 6451339.16 - 5.4.2006 at 9:00 am

Fencing Covenant in Transfer 7389379.2 - 15.6.2007 at 3:36 pm

10325412.1 Mortgage to ANZ Bank New Zealand Limited - 11.2.2016 at 2:20 pm





Narrative Filed 5/14/15 Page 5 of 9





Identifier

171990

