

A P P L I C A T I O N F O R
R E S O U R C E C O N S E N T

SUBDIVISION & LANDUSE

APPLICANT: C KEOGH & J CORSON

LOCATION: 25 TE KARITA ROAD
MOERAKI

PART A: APPLICATION FOR RESOURCE CONSENT UNDER SECTION 88 OF THE RESOURCE MANAGEMENT ACT 1991

- To:** Planning Manager
Waitaki District Council
Private Bag 50058
OAMARU
- Applicant:** C Keogh & J Corson
- Site Location:** 25 Te Karita Road, Moeraki
- Legal Descriptions:** Lot 1 DP 18457 (OT13D/957) and Lot 2 DP 18457 (OT13D/958)
- Proposal:** This Resource Consent application seeks resource consent for a subdivision/adjustment of boundaries between Lot 1 DP 18457 (OT13D/957) and Lot 2 DP 18457 (OT13D/958). In addition, the application seeks resource consent to enable a new dwelling to be established on the proposed Lot 1 resulting from the subdivision on land identified as Significant Coastal Landscape Area.
- Consent(s) Required:** Subdivision Resource Consent for a **Non-Complying Activity**
Landuse Resource Consent for a **Discretionary Activity**
- Term Sought:** N/A
- Other Consents Required:** Nil
- Actual or Potential Effects on the Environment:**
- An assessment of actual and potential effects that the proposed activities may have on the environment is presented as Part B of this report, in accordance with the Fourth Schedule to the Resource Management Act 1991.
- Consultation:** The applicant has consulted with Te Rūnanga o Moeraki and adjoining neighbours (detailed later) and has obtained the written approval of the potentially affected parties. Aspects of the feedback have been incorporated into the proposal.
- Additional Information:** All of the information that is required by the Operative Waitaki District Plan is included in the assessment in Part B of this report.
- As this is an application for subdivision consent, we attach information that is sufficient to adequately define –
- (a) The position of all new boundaries; and

- (b) The areas of all new allotments; and
- (c) The locations and areas of new reserves to be created, including any esplanade reserves and esplanade strips; and
- (d) The locations and areas of any existing esplanade reserves, esplanade strips, and access strips; and
- (e) The locations and areas of land below mean high water springs of the sea, or of any part of the bed of a river or lake, to be vested in the Crown or local authority under section 237A of the Resource Management Act 1991; and
- (f) The locations and areas of land to be set aside as new roads.



James White
Planner
MPlan

Signed on behalf of the Applicant

PART B: ASSESSMENT OF EFFECTS

Introduction:

This assessment has been prepared in accordance with those matters set out in Section 88 of, and the Fourth Schedule to the Resource Management Act 1991. This statement of effects accompanies and forms part of the resource consent application.

This Resource Consent application seeks resource consent for a subdivision/adjustment of boundaries between Lot 1 DP 18457 (OT13D/957) and Lot 2 DP 18457 (OT13D/958). In addition, the application seeks resource consent to enable a new dwelling to be established on the proposed Lot 1 resulting from the subdivision on land identified as Significant Coastal Landscape Area.

The proposal is illustrated on the Application Scheme and Site Plans attached in Appendix A.

Applicant: C Keogh & J Corson

Site Location: 25 Te Karita Road, Moeraki

Legal Descriptions: Lot 1 DP 18457 (OT13D/957) and Lot 2 DP 18457 (OT13D/958)

District Plan: Operative Waitaki District Plan – Rural General - Map 32
Part subject to Significant Coastal Landscape notation

Description of Activity:

This Resource Consent application seeks resource consent for a subdivision/adjustment of boundaries between Lot 1 DP 18457 (OT13D/957) and Lot 2 DP 18457 (OT13D/958). No additional titles will result from the proposal.

It is proposed that the following new lots/titles will be created:

- Lot 1 being approximately 1.58ha of bare land
- Lots 2 being approximately 0.65ha of land containing an existing dwelling

The proposed new lots are shown on the subdivision scheme plan attached as Appendix A.

In addition, the application seeks resource consent to enable a new dwelling to be established on the proposed Lot 1 resulting from the subdivision on land identified as Significant Coastal Landscape Area. The application contains a Landscape Assessment which details the extent of the proposed development and to which the AEE refers.

Description of Site:

The land subject to this application is located at 25 Te Karita Road, on the outskirts and to the south-east of the township of Moeraki (Figures 1 and 2). The site is zoned Rural General in the Waitaki District Plan. The Planning Map identifies most of the site as Significant Coastal Landscape Area.



Figure 1: Image from Google Earth showing the approximate location of the site near the township of Moeraki.

Record of Title OT13D/957 contains approximately 1.2000ha of land, and is legally described as Lot 1 DP 18457; while Record of Title OT13D/958 contains approximately 1.0470ha of land, and is legally described as Lot 2 DP 18457. Both land holdings are 43.27m wide and lie as long, narrow strips of land in an east/west direction between an unformed legal road adjacent to the coast to the east and Te Karita Road to the west. There is an existing private easement over both parcels that facilitates walking access to an informal coastal track to the east.

There is an existing dwelling and accessory buildings at 25 Te Karita Road (Lot 2), while no buildings currently exist on Lot 1. The closest residential neighbours are those located at 27 Te Karita Road (adjoins on southern boundary), and 18 Te Karita Road (opposite).

Te Karita Road is typical of an isolated country road, being of gravelled formation and relatively narrow. The existing dwelling at 25 Te Karita Road has an existing vehicle entrance with reasonable sight distances in either direction. The remaining land (to become Lot 1) has existing farm entrance(s) from Te Karita Road.

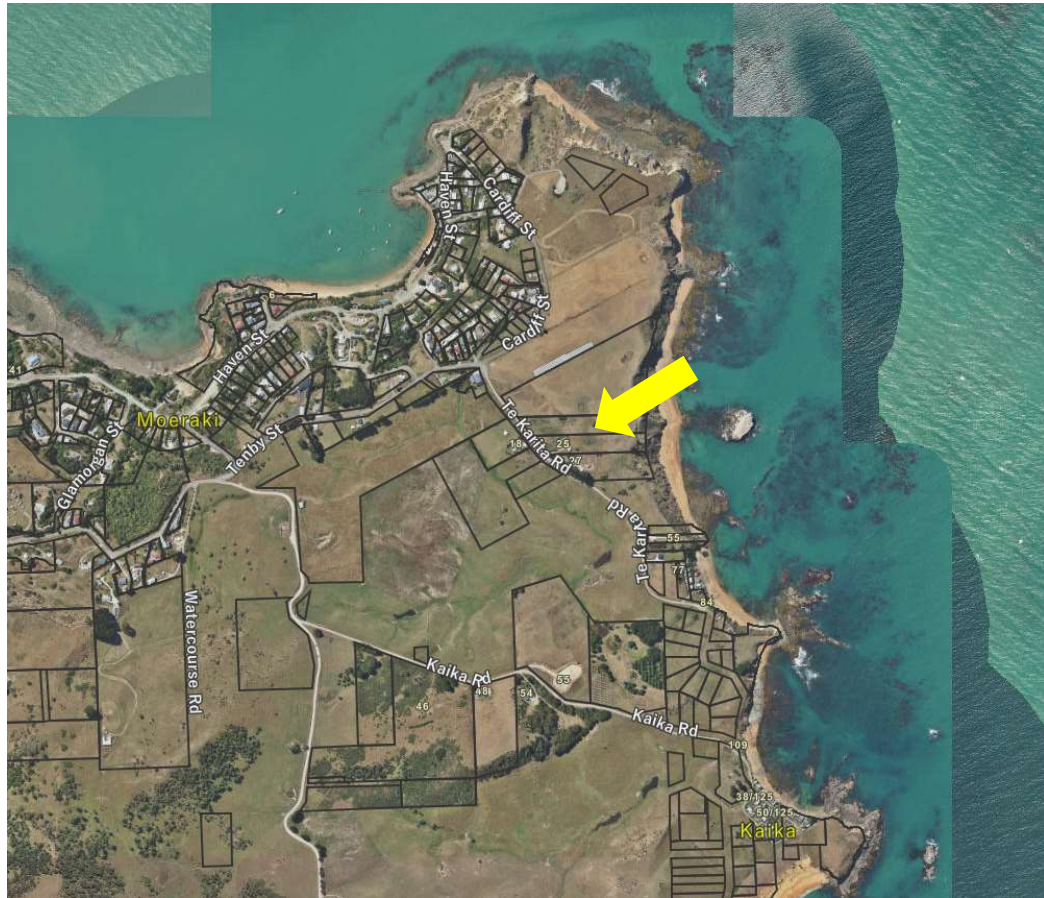


Figure 2: Aerial photograph showing location of the site in relation to the surrounding environment and existing boundaries.

The application contains a Landscape Assessment which contains a comprehensive description of the site, and to which this AEE refers.

There are no significant natural hazards identified on the Planning Maps for this site. However, the Moeraki area has a long and extensive history of land instability. This is caused by large, slowly creeping landslips in the underlying mudstone. In some parts of Moeraki, this poses a high risk of damage to structures. A report by Tonkin Taylor (2012) presented the results from a hazard mapping study of Moeraki and the surrounding area which was undertaken by geotechnical engineering consultants from Tonkin & Taylor Ltd. The report mapped the Moeraki area in terms of landslip risk, with five categories ranging from 'very low risk' to 'very high risk' (Figure 3). The report also provided some considerations for responding to the issues, along with recommendations for further investigations.

The subject site is shown on the Tonkin & Taylor (2012) report hazard risk map as being at Low to Very Low risk of landslip.

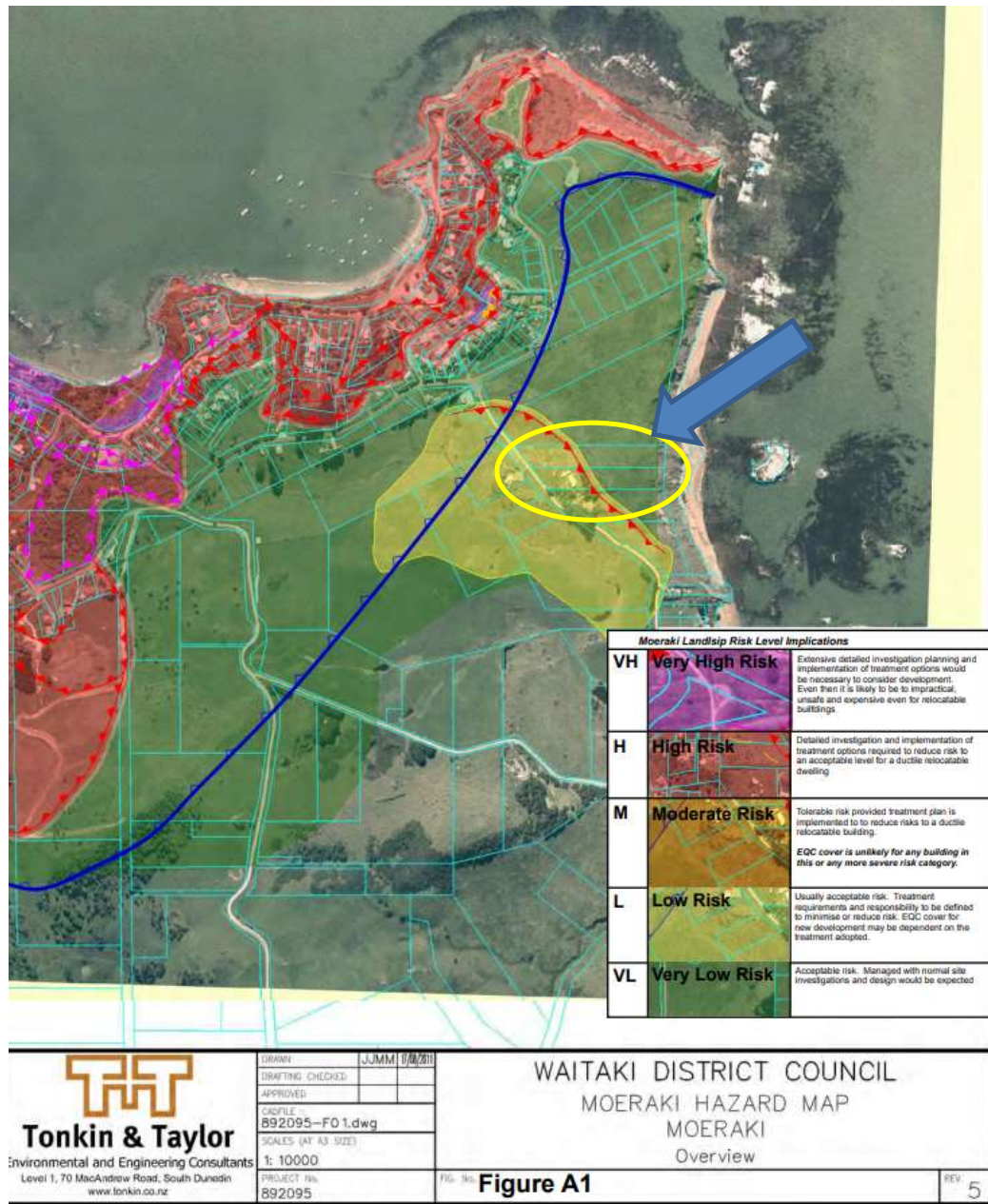


Figure 3: Excerpt from the Tonkin & Taylor (2012) report hazard risk map showing the location of the subject site in relation to the recognised risk (Low Risk).

Reason for Application:

This application is required to be considered under the requirements of the Operative Waitaki District Plan (the Plan).

Subdivision Assessment:

All subdivision activities require resource consent under Rule 14.3.2 of the Plan pursuant to Section 11 of the RMA.

Rule 14.3.4 states that any subdivision within areas identified as Significant Coastal Landscape Area on the Planning Maps shall be a Discretionary Activity which requires resource consent.

In addition, the proposal complies with all the Site Development Subdivision Standards contained within the Plan, but not the Critical Subdivision Zone Standard 14.4.1 relating to lot size. Rule 14.3.5 of the Plan states that any subdivision which does not comply with one or more Critical Zone Subdivision Standards shall be a Non-Complying Subdivision Activity.

Therefore, taking the most stringent activity status, the application is for a **Non-Complying Activity** subdivision resource consent.

Landuse Assessment:

Under the Rural General Zone Site Development Standards, Rule 4.4.7 Environmentally and Ecologically Sensitive Areas states that no buildings (Rule 4.4.7.1) and earthworks (Rule 4.4.7.2) shall be allowed within areas identified as Significant Coastal Landscape.

Rule 4.3.3.12 captures the above as **Discretionary Activities**.

Overall, the application requires a **Non-Complying Activity** subdivision resource consent, and a **Discretionary Activity** landuse consent.

Written approvals – Section 104(3):

Section 104(3) of the Act states that the Council must disregard any effect on a person who has given written approval to the application.

The applicant has obtained written approvals from the following parties who are potentially the most affected by the proposal:

- Te Rūnanga o Moeraki
- JD Brookes and P Hey
- JR Taiaroa and M Paki
- WR Reed

Please see the copies of the written approvals and signed plans attached in Appendix C.

Section 104 Subdivision Assessment of Effects:

The following constitutes an assessment of effects on the environment and includes an assessment against Rule 14.3.3 in the Plan which specifies the relevant assessment criteria to be considered in assessing a subdivision application.

Baseline Consideration:

The starting point for the assessment of effects is the environment on the site as it currently exists. Consideration also needs to be given to future development on the land that is currently authorised or allowed as of right.

The future environment on the land can include activities permitted by the Plan. It can also potentially include resource consents that have been granted but not yet implemented. The application of the 'permitted baseline test' is at the Council's discretion and allows the effects of a proposal to be compared to permitted activities that could be carried out on the site without a resource consent.

There are currently no resource consents held against the land.

Proposed Lot 2 is already developed to its full potential in terms of residential density as there is an existing legally established dwelling (and accessory buildings) on Lot 2 DP 18457. This legally established dwelling forms the permitted baseline by virtue of being part of the existing site.

It is noted that there are no permitted subdivision activities – all subdivisions require some form of resource consent, with at least a Controlled Activity consent.

Building on existing titles greater than 3000m²

The Plan permits residential units to be built in the Rural General Zone at a scale of one house per 4ha, or where there is a separate Certificate of Title of not less than 3000m² one house may be built (Rule 4.4.1.2). The height limit of buildings is 10m. The setback from boundaries is 20m from internal boundaries and 15m from roads (not State highway). There are no other design restrictions.

The above standards set the permitted baseline and any effects the same or similar in scale to the permitted effects may be discounted by the Council. The effect of a 10-metre high dwelling built on Lot 1 DP 18457 could amount to actual and potential effects on neighbour's rural amenity, including a loss of openness, a loss of privacy, noise and lighting effects. Crucially, the Plan allows these effects now. It is acknowledged that such a development would require a Discretionary Activity Resource Consent as per the SCL requirements, but the above effects should not form part of the consideration of such an application, except where the above matters affect the SCL.

Non-Complying Subdivision status

While the proposal adjusts the boundaries between two existing properties (with no additional titles created), it is the fact that the resultant Lot 2 will be slightly smaller than the previous Lot 2 DP 18457 that triggers the Non-Complying Subdivision status (otherwise it would be a Discretionary Activity due to the SCL). Essentially Lot 1 becomes slightly larger, and Lot 2 becomes slightly smaller than the existing layout – and, at 0.65ha, is below the 4ha lot size limit for the Rural General Zone.

A dwelling could feasibly be established on existing Lot 1 DP 18457 now and meet the site density requirements in the Plan (provided a Discretionary Activity Resource Consent was obtained as per the SCL requirements). Indeed, the proposed development on Lot 1 is not contingent on the subdivision/boundary adjustment going ahead as the majority of the proposed development will be located within the bounds of the existing Lot 1 DP 18457 parcel.

When the permitted baseline is applied to the proposed subdivision (both the 3000m² rule and boundary adjustment subdivisions rule), it becomes clear that the potential effects resulting from the proposal are less than those effects already permitted by the Plan. It is the SCL area that requires the most consideration in terms of the proposal.

Significant Coastal Landscape – Discretionary Activity

As already noted, a large portion of Lot 1 and all the land within Lot 2 is identified as Significant Coastal Landscape Area (SCL). This notation places restrictions on the types of activities (including both subdivision and dwellings) that can occur within this area without resource consent. The resource consent considers the effects of a particular subdivision and/or development on the coastal landscape. As a Discretionary Activity, the presumption is that development can occur provided it is in harmony with, and compliments, the surrounding coastal landscape.

There does not appear to be any applicable permitted baseline activities that are useful in considering both the subdivision and the subsequent development of Lot 1 in terms of the SCL.

Baseline Consideration Summary

Setting aside the SCL area, both existing parcels meet the Plan rules (Permitted Baseline) in terms of either existing or potential development. The proposed subdivision, although Non-Complying, does not introduce any additional potential effects that are not already anticipated by the Plan. To put it another way, without the SCL present the proposed subdivision would not create any additional effects over and above the Permitted Baseline.

However, the presence of the SCL area is undeniable, and there are no baseline considerations applicable. Therefore, it is appropriate that Council fully assess all potential effects of both the subdivision and the landuse proposal. Notwithstanding that there are some strong parallels with the Plan rules in terms of rural density and potential adverse amenity effects on neighbours.

Lot size and Dimensions:

Critical Zone Subdivision Standard Rule 14.4.1 (a) requires that no lots created by subdivision consent, including balance titles shall be less than 4ha in the Rural G Zone; while Rule 14.4.1(a)(i) addresses Boundary Adjustments where new lots may be created by subdivision provided that the resultant lots are not less than the smallest that existed before subdivision.

It is proposed that the following new lots/titles will be created:

- Lot 1 being approximately 1.58ha of bare land (formally 1.2000ha)
- Lots 2 being approximately 0.65ha of land containing an existing dwelling (formally 1.0470ha)

In terms of potential adverse effects resulting from the undersized Lot 2, the following potential effects have been identified:

- Amenity

- Noise
- Lighting
- Visual
- Significant Coastal Landscape Area
- Traffic generation
- Earthworks
- Infrastructure
- Precedent effects
- Cumulative effect

Amenity:

The rural environment has particular amenity and environmental values which are important to rural people. These include privacy, rural outlook, spaciousness, ease of access, and quietness. Increased numbers of residential dwellings in rural areas can lead to complaints in respect of some farming activities (reverse sensitivity). Intense dwelling and other building development, associated with subdivision, can also cause a significant loss of "openness." The decline in the openness of an area can cause increased loss of privacy, loss of rural outlook and loss of spaciousness; all important amenity values for many people living in the rural area. In addition, people living in urban areas often value rural open spaces that are nearby.

For the reasons presented in the above Baseline Considerations section and the attached Landscape Report, it is submitted that any potential adverse effects on the amenity experienced by adjoining neighbours and members of the wider public will be less than minor as a result of the proposed subdivision and subsequent establishment of the new dwelling and proposed landscaping. This conclusion includes consideration of the potential effects on rural amenity experienced by adjoining neighbours and members of the public located further afield around the Moeraki landscape.

In addition to the above, the adjoining neighbours have all given their written approval to the application. Section 104(3) of the Act states that the Council must disregard any effect on a person who has given written approval to the application.

Noise:

The additional noise generated by daily activities within a residential development where previously there was none has the potential to disrupt the quietness experienced and valued by some people in the Rural zone – particularly for nearby neighbours where the density of development was not anticipated by the Plan.

Lot 2 is already fully developed in terms of the Plan residential density limits (forming part of the permitted environment) and the alteration to the boundary will not change this existing environment.

Proposed Lot 1 will be larger than the existing Lot 1 DP 18457 and the application proposes a new dwelling built in the eastern portion of the site – well away from any existing neighbouring dwellings.

In addition, the adjoining neighbours have all given their written approval to the application. Section 104(3) of the Act states that the Council must disregard any effect on a person who has given written approval to the application.

Any potential adverse effects resulting from noise experienced by adjoining neighbours or the wider community will be less than minor as a result of the proposed subdivision and subsequent development.

Lighting:

Additional light emitted from a residential development where previously there was none has the potential to disrupt the openness and remoteness experienced and valued by some people in the Rural zone – particularly for nearby neighbours where the density of development was not anticipated by the Plan.

Lot 2 is already fully developed in terms of the Plan residential density limits (forming part of the permitted environment) and the alteration to the boundary will not change this existing environment (including lighting).

Proposed Lot 1 will be larger than the existing Lot 1 DP 18457 and the application proposes a new dwelling built in the eastern portion of the site – well away from any existing dwellings.

In addition, the adjoining neighbours have all given their written approval to the application. Section 104(3) of the Act states that the Council must disregard any effect on a person who has given written approval to the application.

Any potential adverse effects resulting from lighting experienced by adjoining neighbours or the wider community will be less than minor as a result of the proposed subdivision and subsequent development.

Visual effects:

For the reasons and proposed conditions presented in the attached Landscape Assessment, it is submitted that any potential adverse effects resulting from visual considerations (from the undersized Lot 2 and the proposed dwelling on Lot 1) experienced by adjoining neighbours and members of the public will be less than minor as a result of the proposed subdivision and subsequent landuse.

Instead of a specific dwelling design, the following measures (volunteered as conditions of consent) are proposed to ensure any adverse effects of the proposed buildings and earthworks are minimised:

- *The proposed buildings shall be no more than a maximum of 5m height above existing or modified ground level and will not have a footprint of more than 400m² total built area.*
- *The proposed buildings will be clad in materials with a natural finish (e.g. stone or timber), or otherwise building colours are to be selected to ensure that contrast with the dominant hues of the surrounding rural landscape is minimized on any façade that is visible from outside the property boundary.*

- *Light reflectance value (LRV) for building colours on walls covered by (b) shall be no more than 40%.*
- *Change to the existing landform will be minimized by aligning buildings with the slope and to run along the contour. Any alteration to the natural landform is to be designed to minimise visual impact from beyond the site and all earthworks are to blend seamlessly with surrounding natural contours.*
- *Fencing will all be standard post and wire rural farm fencing.*
- *All proposed services are to be located below ground.*
- *Driveways are to have a metalled surface with no kerb and channel.*
- *The plantings set out on the landscape plan are to comprise native tree and shrub species typical of the coastal environment. Ornamental or productive exotic species may be used only in plantings adjacent to the house and utility buildings.*
- *The planting plan is to be given substantial effect to within two years of issuance of the consent.*
- *Buildings including water tanks, other than temporary structures of less than 20m² floor area, must be located within the identified building platforms. The identified locations provide for most effective integration of new buildings into the landscape with minimal physical and visual impact. These locations also allow for screening plantings to remove or reduces views of the structures from the publicly accessible viewpoints and where buildings are visible, will provide a vegetative element of greater scale to minimize impact and assist integration.*
- *Building plans are to be submitted to Council prior to construction to confirm that the conditions of consent relating to design and location are met.*

The landscape plan shows framework plantings that are to be established to provide additional screening and softening from public viewpoints in the wider landscape context.

In addition to the above, the adjoining neighbours have all given their written approval to the application. Section 104(3) of the Act states that the Council must disregard any effect on a person who has given written approval to the application.

Significant Coastal Landscape Area

A large portion of Lot 1 and all of the land within Lot 2 is subject to a Significant Coastal Landscape Area (SCL) notation on the Planning Maps. This notation places restrictions on the types of activities that can occur within this area without resource consent.

In terms of the effects on the SCL resulting from the proposed subdivision and subsequent landuse, the dwelling on Lot 2 is existing and as such enjoys existing use rights in terms of any landscape effects. The Landscape Report attached to the application concludes that any potential adverse effects on the SCL are less than minor (for the reasons provided in the report).

Given the above points, it is submitted that any potential adverse effects on the Significant Coastal Landscape Area will be less than minor as a result of the proposed subdivision and development.

Traffic generation:

For the reasons outlined in the 'Baseline considerations' and 'amenity' sections above, it is submitted that any potential adverse effects resulting from traffic generation (from the

undersized Lot 2 and development of Lot 1 as proposed) experienced by adjoining neighbours will be less than minor as a result of the proposed subdivision.

In addition to the 'less than minor' effects due to the permitted baseline, the adjoining neighbours have all given their written approval to the application. Section 104(3) of the Act states that the Council must disregard any effect on a person who has given written approval to the application.

Earthworks:

There will be some earthworks required to establish the new dwelling, vehicle access and associated landscaping on Lot 1, and these are proposed as part of this application. The proposed earthworks generally consist of minor levelling for lawns and a vegetable garden with a cut of up to 1.5 metres at the house site to allow for the building to be set back into the slope. All excavated material will be retained on site. The existing site access from the road frontage to the house site will be trimmed and a gravel paving will be constructed. The width and gradient of the access will not be altered.

The Landscape Report attached to the application concludes that any potential adverse effects resulting from earthworks on the SCL or other landscape considerations are less than minor (for the reasons provided in the report).

For these reasons, it is submitted that any potential adverse effects resulting from earthworks will be less than minor as a result of the proposed subdivision and development.

Infrastructure:

The dwelling on Lot 2 is already in existence and is serviced, while Lot 1 can be adequately serviced for residential purposes from nearby infrastructure. Further information on servicing is presented later in this document. It is submitted that any potential adverse effects resulting from the proposed subdivision and undersized lots will be less than minor in regard to infrastructure.

Precedent:

It is extremely unlikely that any precedent effects will arise should consent be granted in this case. The application is fairly unique and any new application for other sites in the Waitaki District will necessarily have to be assessed on their merits. Any new proposal will necessarily not only have to prove any effects will be no more than minor but will also face scrutiny against the objectives and policies of the Subdivision and Rural General Zone Plan provisions (104D Gateway Test).

Cumulative effects:

Given the above assessment, the adjoining neighbours written approval, and the proposed dwelling/landscaping, any potential adverse effects will be less than minor. It is not anticipated that any cumulative effects will result from the proposal.

Property Access:

Te Karita Road is typical of an isolated country road, being of gravelled formation. The existing dwelling at 25 Te Karita Road (Lot 2) has an existing vehicle entrance with reasonable sight distances in either direction. The land to become Lot 1 has existing farm entrance from Te Karita Road that will likely need upgrading.

The applicant will defer to the advice of Council's Roading Engineer with regard to recommended conditions of consent.

Subject to advice from Council Roading Engineer that the vehicle entrances to each lot can comply with Council requirements and are considered safe, it is considered that any adverse effects will be less than minor in terms of traffic safety and property access.

Esplanade Provision:

The existing property does not contain any waterways where esplanade reserves or strips may be warranted.

It is noted that there is an existing unformed legal road running along the coastline in this area that effectively provides for legal walking access for any willing pedestrians.

Natural Hazard:

As noted, the Tonkin Taylor report (2012) mapped the Moeraki area in terms of landslip risk, with five categories ranging from 'very low risk' to 'very high risk' (Figure 3). The report also provided some considerations for responding to the issues, along with recommendations for further investigations. The subject site is shown on the Tonkin & Taylor (2012) report hazard risk map as being at Low to Very Low risk of landslip.

The Low Risk area constitutes a 'usually acceptable risk' where treatment of any particular development will depend of site specific recommendations to minimise or reduce risk; while the Very Low Risk area constitutes 'acceptable risk' that can be managed with normal site investigations and design.

Lot 2 is already fully developed in terms of the Plan residential density limits (forming part of the existing environment) and the alteration to the boundary will not change this existing environment – including the level of risk from land instability.

The development proposed for Lot 1 will be undertaken primarily with the land identified in the Tonkin Taylor report (2012) as Very Low Risk, with only the driveway (existing track to be upgraded) located within the area deemed as Low Risk. It is submitted that the applicant will necessarily have to prove 'good ground' specific to the building design as part of any Building Consent Application, and it is therefore not necessary to undertake further geotechnical investigations as part of this subdivision and landuse application.

Given the above, any potential adverse effects resulting from land instability will be less than minor as a result of the proposed subdivision and development.

Water Supply:

There is an existing water line servicing the existing dwelling on proposed Lot 2 that runs from the Council water line in Te Karita Road along the southern boundary of Lot 2 – this line is shared with Section 7A Blk XVI Moeraki SD directly to the south. Lot 1 will require a new water connection upon building the new dwelling and advice has been sought on this matter from Council's 3Waters Department.

As per Rule 14.4.1(c), water supply from a Council reticulated supply is not a requirement in the Rural Zone, therefore it is considered that any adverse effects will be less than minor with respect to water supplies.

Stormwater and Sanitary Sewage Disposal:

Lot 1 is of a size and of suitable ground conditions to adequately dispose of storm water and sewage to ground on-site and this can be adequately dealt with at the time of Building Consent for the new dwelling.

Lot 2 is of a size and of suitable ground conditions to adequately dispose of storm water and sewage to ground on-site and the existing infrastructure and disposal area is entirely contained within the new boundaries of the lot.

Given the above, it is considered that any adverse effects will be less than minor with respect to storm water and sanitary sewage disposal.

Trade Waste Disposal:

There is no trade waste disposal aspect to this application.

Energy Supply and Telecommunications:

There is a requirement under Rule 14.3.3(10) to consider the provision of power and telephone services, while under Rule 14.4.1(e) connection to power and telephone services are not a requirement in the Rural General zone.

Lot 2 has existing connections to power and telephone; and Lot 1 can be serviced if required in the future.

Given the above, it is considered that any adverse effects will be less than minor with respect to power and telephone services.

Cultural, Heritage, Landscape, Archaeological and Vegetation:

This proposal is not expected to adversely affect values, character or features associated with cultural, heritage, landscape, archaeological or vegetation matters.

As stated above, a large portion of Lot 1 and the land within Lot 2 that is close to the coast is subject to a Significant Coastal Landscape Area notation on the Planning Maps. For the reasons presented earlier, it is submitted that any potential adverse effects on the Significant Coastal

Landscape Area will be less than minor as a result of the proposed subdivision and development.

The site is not subject to any listed Heritage or Archaeological items or Sites of Natural Significance. Notwithstanding, the applicant consulted with Te Rūnanga o Moeraki, the kaitiaki Rūnanga whose takiwa includes the site the proposal relates to regarding any mana whenua values pertaining to the subject land. Aukaha's letter (on behalf of Te Rūnanga o Moeraki) detailing the Rūnanga's supportive feedback is attached in [Appendix C](#). The applicant is more than happy to volunteer a condition of consent related to the accidental discovery of archaeological items such as:

That the Heritage New Zealand Pouhere Taonga Archaeological Discovery Protocol (attached) should be adhered to in undertaking earthworks.

The applicant proposes to establish significant indigenous vegetation matched to the coastal environment of this area. This will be a substantial improvement on the currently highly modified and degraded farmland currently on the site.

Given the above, it is submitted that any adverse effects will be less than minor with respect to cultural, heritage, landscape, archaeological and vegetation matters.

Building Location:

The existing buildings on Lot 2 are located in compliant positions in relation to the new boundaries. The new proposed buildings will also be located in compliance with the District Plan rules.

It is therefore submitted that any adverse effects will be less than minor with respect to building location.

Easements:

There is an existing private easement over both parcels that facilitates access to the informal coastal track to the east. This easement is proposed to be extinguished as part of the subdivision as it will no longer be viable.

No easements are proposed for this subdivision at this time. If a need for any easements becomes apparent these can be shown on the survey plan prior to 223 certification.

Reserve Fund Contribution:

The Plan states that a financial contribution may be included as a condition for subdivision consent for the purposes of providing, upgrading land and/or facilities for open space and recreation, including street scaping up to a maximum rate of 7.5% of the market value of the land in the additional lots authorised by the subdivision consent.

Given that no new separately saleable lots are being created, it is anticipated that no reserves fund contribution requirement will apply in this instance.

Assessment of Objectives and Policies:

Section 104 requires that Council must have regard to any relevant provisions of the Plan. Therefore, the proposal has been assessed against the relevant objectives and policies contained within the Plan.

Following close inspection and given the above effects assessment of the proposal I consider that the proposal meets the relevant objectives and policies contained within the Plan at Part 2, Section 8 Subdivision, Development and Financial Contributions Rules.

| Objectives/Policies | Assessment |
|--|--|
| Section 8 - Subdivisions | |
| <p>8.2.2 Objective 1 - Services <i>The provision of necessary services to subdivided lots, in anticipation of the likely effects of land use activities on those lots.</i></p> | <p>The dwelling on Lot 2 is already in existence; and the remaining land can be serviced for residential purposes. It is submitted that the proposal is <u>not contrary</u> to this objective.</p> |
| <p>Policy 8.2.2 <i>To ensure safe and effective vehicular access to properties in subdivisional developments.</i></p> | <p>The respective vehicle entrances are already in existence and, subject to comment from Council's Roding Engineer, will be safe and effective. It is submitted that the proposal is <u>not contrary</u> to this policy.</p> |
| <p>Policy 8.2.3 <i>To achieve provision of pedestrian and amenity linkages where useful linkages can be further developed.</i></p> | <p>There is an unformed legal road running around the coastline along the eastern boundary of both lots; however the steep terrain in this area is not conducive to pedestrian access. It is submitted that the proposal is <u>not contrary</u> to this policy.</p> |
| <p>Policy 8.2.4 <i>To avoid or mitigate any adverse visual and physical effects of subdivision and development on the environment.</i></p> | <p>The effects assessment contained within this application has concluded that any potential adverse visual and physical effects resulting from the proposal will be no more than minor; therefore, it is submitted that the proposal is <u>not contrary</u> to this policy.</p> |
| <p>Policy 8.2.6 <i>To ensure that water supplies to subdivided lots are of a sufficient capacity and of a potable standard for the anticipated landuses on each lot or development, including fire fighting requirements.</i></p> | <p>It is submitted that the proposal is <u>not contrary</u> to this objective.</p> |
| <p>Policy 8.2.9 <i>To ensure, upon subdivision or development, that anticipated land uses are provided with a means of disposing of sanitary sewage in a manner which is consistent with maintaining public health and which avoids, remedies or mitigates adverse effects on the environment.</i></p> | <p>It is submitted that the proposal is <u>not contrary</u> to this objective.</p> |

| | |
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| <p>Policy 8.2.10 <i>To ensure upon subdivision or development, that all new lots or buildings are provided with a connection to a reticulated water supply, reticulated public sewerage system, and a reticulated stormwater system, where such reticulated systems are available.</i></p> | <p>It is submitted that the proposal is <u>not contrary</u> to this objective.</p> |
| <p>8.3.2 Objective 2 - Costs <i>The costs of the provision of services within a development or the upgrading of services necessitated by a development (including subdivision) must be met by the developers.</i></p> | <p>It is submitted that the proposal is <u>not contrary</u> to this objective or policy.</p> |
| <p>Policy 8.3.3 <i>To require developers to meet the costs of upgrading services (including head works), which are attributable to the impacts of the development and subdivision, including where applicable:</i> <i>roading and access (vehicular, cyclist, pedestrian);</i> <i>water supply;</i> <i>sewage collection, treatment and disposal;</i> <i>stormwater collection, treatment and disposal;</i> <i>trade waste disposal;</i> <i>provision of energy;</i> <i>provision of telecommunications.</i></p> | |
| <p>8.4.2 Objective 3 - Amenity <i>The maintenance or enhancement of amenity, historic heritage, and significant nature conservation values and landscape character through the subdivision process.</i></p> | <p>The applicants propose extensive native plantings which will enhance the amenity, ecology and landscape character of the area. Given the AEE and Landscape Assessment, it is submitted that the proposal is <u>not contrary</u> to this objective.</p> |
| <p>Policy 8.4.3.2 <i>To ensure that physical works associated with land subdivision and development avoid or mitigate the adverse impacts on the natural qualities of the environment and on areas of significant that have nature conservation value and on areas that contain historic heritage.</i></p> | <p>Considering the assessment of effects, it is submitted that the proposal is <u>not contrary</u> to this objective.</p> |
| <p>Policy 8.4.3.3 <i>To avoid or mitigate any adverse effects on visual amenity values associated with subdivision and associated development works.</i></p> | <p>For the reasons presented in the assessment of effects, it is submitted that the proposal is <u>not contrary</u> to this policy.</p> |
| <p>Policy 8.4.3.4 <i>To encourage innovative subdivision design consistent with the maintenance of amenity value.</i></p> | <p>For the reasons presented in the assessment of effects, it is submitted that the proposal is <u>not contrary</u> to this policy.</p> |
| <p>Policy 8.4.3.5 <i>To avoid subdivision where it is likely that the subsequent landuses would not give effect to the policies for the outstanding or significant natural features, the</i></p> | <p>For the reasons presented in the assessment of effects, it is submitted that the proposal is <u>not contrary</u> to this policy.</p> |

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| outstanding landscapes, and the significant coastal landscapes set out for the Rural Zone under Chapter 16.8, Issue 7 - Landscapes. | |
| Rural Zone | |
| <p>16.5.1 Objective 4 - Rural Amenity <i>A level of rural amenity that is consistent with the range of activities anticipated in the rural areas, but which does not create unacceptably unpleasant living or working conditions for the District's residents and visitors, nor a significant deterioration of the quality of the rural environment.</i></p> | For the reasons presented in the assessment of effects, it is submitted that the proposal is <u>not contrary</u> to this policy. |
| <p>Policy 16.5.2.1 <i>To encourage a wide range of rural land use and land management practices in the Rural General Zone, without increasing the potential for conflict or the loss of rural amenity, by ensuring that subdivision is limited to moderate sized rural allotments.</i></p> | For the reasons presented in the assessment of effects, it is submitted that the proposal is <u>not contrary</u> to this policy. |
| <p>Policy 16.5.2.6 <i>To require that residential dwellings be setback from property boundaries so as to reduce the probability of dwellings being exposed to significant adverse effects from an activity on a neighbouring property.</i></p> | It is submitted that the proposal is <u>not contrary</u> to this policy. |
| <p>16.8.2 Landscape Objective <i>Subdivision, use and development are managed so that:</i></p> <ul style="list-style-type: none"> - <i>the values identified for the outstanding or significant natural features, the outstanding landscapes, and the significant coastal landscapes are protected from inappropriate use and development;</i> - <i>and the overall landscape qualities of the Rural Scenic Zone are retained.</i> | For the reasons presented in the assessment of effects and the Landscape Assessment attached to the application, it is submitted that the proposal is <u>not contrary</u> to this policy. |
| <p>Policy 16.8.3.1 <i>To adopt a shared values approach which recognises that members of the community can be given the opportunity to consider what are the important landscapes in the district and the appropriate means by which to manage these landscapes.</i></p> | For the reasons presented in the assessment of effects and the Landscape Assessment attached to the application, it is submitted that the proposal is <u>not contrary</u> to this policy. |
| <p>Policy 16.8.3.2 <i>To maintain the character of those landscapes identified as being outstanding because of their high degree of openness, naturalness and/or visual coherence, and to avoid subdivision, use and development in those parts which have little or no capacity to absorb change.</i></p> | For the reasons presented in the assessment of effects and the Landscape Assessment attached to the application, it is submitted that the proposal is <u>not contrary</u> to this policy. |
| <p>Policy 16.8.3.3 <i>To manage landscape change in the Rural Scenic Zone in a manner that maintains the overall character of the</i></p> | For the reasons presented in the assessment of effects and the Landscape Assessment attached to the application, |

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| <p>significant landscape, which forms the basis of the visual amenity associated with this Zone.</p> | <p>it is submitted that the proposal is <u>not contrary</u> to this policy.</p> |
| <p>Policy 16.8.3.4 <i>To manage the effects of use and development within the significant coastal landscapes so that:</i> a) <i>the natural character of the coastal environment is preserved and protected from inappropriate use and development; and</i> b) <i>the visual amenity associated with these landscapes is maintained</i></p> | <p>For the reasons presented in the assessment of effects and the Landscape Assessment attached to the application, it is submitted that the proposal is <u>not contrary</u> to this policy.</p> |
| <p>Policy 16.8.3.5 <i>To ensure that those characteristics leading to the identification of an outstanding or significant natural feature, are protected from inappropriate use and development.</i></p> | <p>For the reasons presented in the assessment of effects and the Landscape Assessment attached to the application, it is submitted that the proposal is <u>not contrary</u> to this policy.</p> |
| <p>Policy 16.8.3.6 <i>To assist in achieving the outcomes in Policies 2 to 5 above, the following policies are to be considered against any subdivision, use or development applications:</i> a) <i>Production forestry is to be avoided within the outstanding natural features, outstanding natural landscapes, the significant natural features and the significant coastal landscapes.</i> b) <i>Shelterbelts are to be carefully designed and located within the outstanding natural landscapes so that the values associated with those landscapes are not compromised.</i> c) <i>In the Rural Scenic Zone:</i> i. <i>Forestry is to be generally limited to carefully sited and designed woodlots</i> ii. <i>Shelterbelts are encouraged to be sited on land of easy contour; and,</i> iii. <i>Shelterbelts are to be sited and designed so that they do not unnecessarily obscure views from State Highways and other main roads.</i> d) <i>Subject to Policies 6(a) and 6(b) above, any exotic tree planting is encouraged to:</i> i. <i>be located on the lower portions of adjacent slopes, and to use natural features such as river terraces or drainage patterns to achieve a degree of visual coherence within the existing landscape where plantings are in valleys or basins;</i> ii. <i>be located so that mature trees will not obstruct views from main roads or viewpoints;</i></p> | <p>For the reasons presented in the assessment of effects and the Landscape Assessment attached to the application, it is submitted that the proposal is <u>not contrary</u> to this policy.</p> |

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| <p>iii. be shaped in sympathy with existing landforms, and where possible be tied to an existing landform or vegetation edge;</p> <p>e) In the outstanding natural features and landscapes and significant coastal landscapes buildings are to be located in areas with higher potential to absorb change and, together with residential units in the Rural Scenic Zone, where possible, are to avoid skylines, ridgelines, prominent places and features within important views and are to be encouraged to be in sympathy with the dominant forms and colours in the landscape;</p> <p>f) Earthworks are encouraged to be located away from visually sensitive areas, and where practicable towards the edges of the landform and vegetation patterns;</p> <p>g) Earthworks should not compromise any rare or distinctive geological outcrops or any other values associated with an identified outstanding or significant natural feature;</p> <p>h) Earthworks, where possible, should be restored and finished to a contour sympathetic to the surrounding physiography and should also, where possible, be revegetated with a cover appropriate to the site and setting;</p> <p>i) Use and development is to take into account the effects of indigenous vegetation clearance on landscape character, and in particular, clearance is to be avoided where the values identified for the outstanding or significant natural features or outstanding natural landscapes, or the significant coastal landscapes, would be irreversibly lost.</p> | |
| <p>Transport</p> | |
| <p>6.2.2 Objective 1 <i>To promote the efficient use of the District's existing and future transportation resource and of fossil fuel usage associated with transportation, and the maintenance and improvement of access, ease and safety of all vehicular, cycle and pedestrian movements.</i></p> | <p>It is submitted that the proposal is <u>not contrary</u> to this objective.</p> |
| <p>Policy 6.2.3.4 <i>To require off-road parking and loading for most activities in order to limit congestion and loss of safety and efficiency of adjacent roads and to promote the maintenance of the amenity of those roads.</i></p> | <p>It is submitted that the proposal is <u>not contrary</u> to this objective.</p> |
| <p>6.3.2 Objective 2 <i>Avoid or mitigate adverse effects on the surrounding environment as a result of transport.</i></p> | <p>It is submitted that the proposal is <u>not contrary</u> to this objective.</p> |
| <p>Policy 6.3.3.2 <i>To discourage traffic in areas where it would have significant adverse environmental effects.</i></p> | <p>It is submitted that the proposal is <u>not contrary</u> to this objective.</p> |

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| <p>Policy 6.3.3.3 <i>To support the development of pedestrian links within settlements, in order to improve the amenity of the settlements</i></p> | <p>It is submitted that the proposal is <u>not contrary</u> to this objective.</p> |
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The preceding effects assessment has shown that the adverse effects of the proposal will be less than minor, and for similar reasons it is considered that the proposal is consistent with the objectives and policies contained within the Plan as presented above.

Assessment of New Zealand Coastal Policy Statement (section 104(1)(b)(iv))

The New Zealand Coastal Policy Statement (NZCPS) was made operative in December 2010. Regional policy statements, regional plans and district plans must give effect to the NZCPS and local authorities must amend regional policy statements, proposed regional policy statements, plans, proposed plans, and variations to give effect to NZCPS provisions. To that end, the NZCPS is an overarching document with a nation-wide focus, and the Operative Waitaki District Plan gives effect to the NZCPS provisions insofar as they apply to this subdivision proposal.

Of particular relevance to both the Operative Waitaki District Plan and this application, Objective 2 seeks to preserve the natural character of the coastal environment and protect natural features and landscape values through:

- *recognising the characteristics and qualities that contribute to natural character, natural features and landscape values and their location and distribution;*
- *identifying those areas where various forms of subdivision, use, and development would be inappropriate and protecting them from such activities; and*
- *encouraging restoration of the coastal environment.*

As noted earlier, the Operative Waitaki District Plan includes a Significant Coastal Landscape Area (SCL) notation on the Planning Maps that places restrictions on the types of activities that can occur within this area without resource consent. This SCL area gives effect to the NZCPS and the above objective in particular.

For the reasons provided earlier in the assessment of effects on the environment, it is considered that the proposal is not contrary to the provisions of the NZCPS.

Assessment of Regional Policy Statements (section 104(1)(b)(v))

Operative Otago Regional Policy Statement

Section 104(1)(b)(iii) of the Act requires that the Council take into account any relevant regional policy statements. The Regional Policy Statement for Otago was made operative in October 1998, and parts of the Proposed Regional Policy Statement were made operative in late 2018.

Given their overarching regional focus, it is considered that the Operative and Proposed Regional Policy Statements only have a bearing on the proposed application insofar as they direct the Operative Waitaki District Plan to give effect to their provisions. For example, Objective 8.4.6 in the Proposed Regional Policy Statement seeks to protect areas of natural

character, outstanding natural features and landscapes and their associated values within the coastal environment. Correspondingly, the Operative Waitaki District Plan has provisions relating to land use within the Significant Coastal Landscape Area (which have already been highlighted and addressed previously). It is considered that the Operative Waitaki District Plan has given effect to both the Regional Policy Statement for Otago and the Proposed Regional Policy Statement for Otago. Furthermore, the proposal is not considered to be contrary to the provisions of either document.

Section 104D Assessment:

As a Non-Complying Activity, Section 104D of the RMA states that Council, after considering an application for resource consent, may grant or refuse the application; and if it grants the application, may impose conditions under Section 108.

The preceding assessment of the proposal against the District Plan rules and provisions shows that the proposal can either comply with the provisions or meet the intent of the provisions to the extent that it will not offend them. For the reasons provided in the above assessment, it is submitted that any adverse effects as a result of the consent being granted are likely to be less than minor and Council may confidently grant a non-notified Non-Complying Activity resource consent to this proposal.

It is considered that Council has sufficient information in consider the application. It is expected that the application will be assessed by Council's internal staff and that specific conditions will be imposed on this resource consent relating to matters where control is reserved or effects require mitigation.

Conclusion:

As the preceding assessment has shown, any actual and potential effects on the environment of allowing this proposal to subdivide and develop the land as proposed will be less than minor. It is considered that Council can grant a non-notified Non-Complying Activity Subdivision Resource Consent to the proposed subdivision and a Discretionary Activity Landuse Resource Consent to the proposed residential development, subject to any conditions relating to matters where control is reserved or effects require mitigation.

Please call to discuss any queries or questions you may have in regard to this application.

We look forward to your response in due course.

Regards

Survey Waitaki Limited



James White
Planner
MPlan

Appendix A – Subdivision Scheme Plan

Appendix B – Landscape Assessment

Appendix C – Aukaha/Te Rūnanga o Moeraki Letter

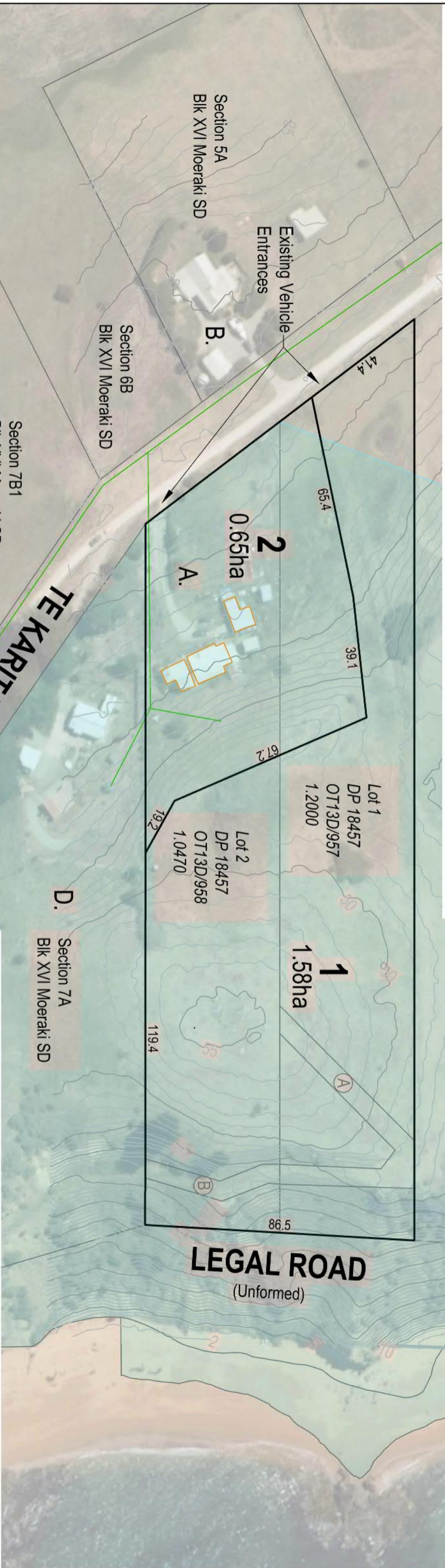
Appendix D - Written approvals

Appendix E – Computer Registers

AFFECTED PARTY APPROVALS

Affected party approval to the subdivision and landuse consent being granted non notified.

| | | | | | | | |
|----------------|-------|------|-------|-------------------------|-------|------|-------|
| B. D T Higgins | ..... | Date | ..... | C. JR Taiaroa, M Paki | ..... | Date | ..... |
| D. WR Reed | ..... | Date | ..... | E. Te Rununga O Moeraki | ..... | Date | ..... |



NOTE:

1. FINAL AREAS AND DIMENSIONS ARE SUBJECT TO SURVEY
2. CONTOURS SHOWN ARE SOURCED FROM ORC LIDAR INFORMATION

KEY:

- Existing Water
- Significant Coastal Landscape Area
- Existing Dwelling & Buildings

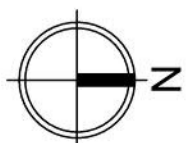
| Schedule of Existing Easements Proposed to be Extinguished | | | |
|--|--------------|----------------|----------------|
| Shown | Purpose | Burdened Land | Benefited Land |
| A | Right of Way | Lot 1 DP 18457 | Lot 2 DP 18457 |
| B | Right of Way | Lot 2 DP 18457 | Lot 1 DP 18457 |



Survey Waitaki
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cameron@surveywaitaki.co.nz

| DRAWN | DATE | DRAWING TITLE | PROJECT TITLE |
|-------|------------|--|-------------------|
| JFW | Aug 2020 | lots 1 & 2 being proposed subdivision of Lot 1 DP 18457 & Lot 2 DP 18457 | Keogh Subdivision |
| CHKD | SCALE (A3) | STATUS | OUR REF |
| CJL | 1:1250 | For Information | 1103-SCH-001 |
| | | | REV B |



**Landscape Assessment
for proposed buildings
and boundary adjustment
at 23 Te Karita Road
Moeraki**

September 2020

1 Introduction

This report is prepared to support an application for a subdivision for the purpose of making a boundary adjustment and for the erection of a residence and associated utility buildings and earthworks to prepare building platforms at a property at 23 Te Karita Road in Moeraki. The site which presently has an area of 1.2 hectares will, when the subdivision is approved, comprise a block that is approximately 100 metres wide by 275 metres deep, with an area of 1.62 hectares. The subdivision will also result in 25 Te Karita Road being reduced from 1.047 hectares to 0.62 hectares in area.

The site is in an identified Significant Coastal Landscape in the Rural General Zone.

As the proposed development does not meet Site Development Standard 4.4.7 the proposed development is a discretionary activity. While a discretionary activity requires that all the effects of the proposed use must be considered, the primary matters to be assessed for activities within the area covered by Significant Coastal Landscape overlay are stated in the Waitaki District Plan Appendix D: Landscape Guidelines.

This report addresses the landscape and visual effects arising from the proposed development with reference to the Landscape Guideline. It will be structured as follows:

- Site and area description
- Landscape values
- The proposed development and mitigation measures
- Landscape effects
- Visual effects
- Statutory Planning Assessment
- Conclusion

2 Site and area description

The land is on the eastern side of Te Karita Road approximately 250 metres to the south east of Moeraki township and on the northern margin of the small coastal and lifestyle block community of The Kaikas as shown in Figure 1.



Figure 1: Site Location.

The site is adjacent to the eastern shoreline of the Moeraki Peninsula and its extent is shown in Figure 2 outlined with a turquoise dashed line. The site contains three distinct landform components. The western slopes adjacent to Te Karita Road, the elevated gently rolling central plateau and the steep eastern facing coastal slope. Each of these distinct areas is described in the following sections.

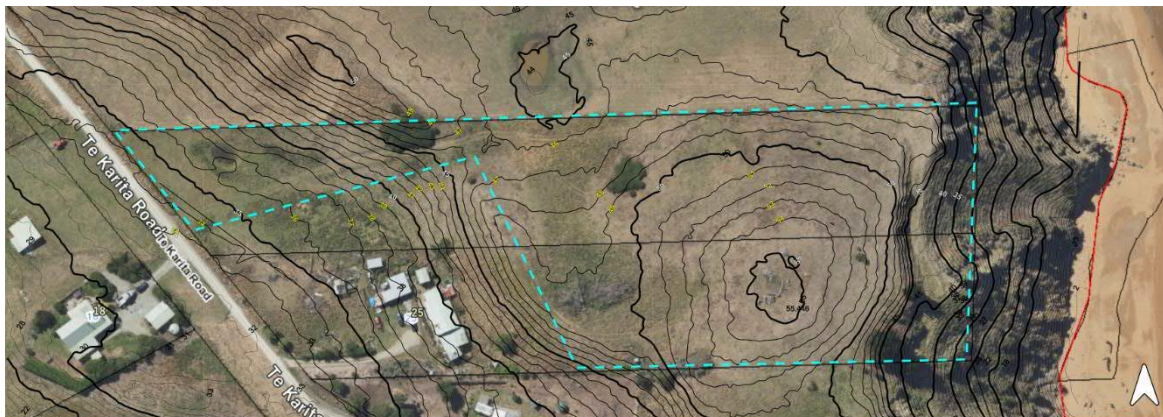


Figure 2: The proposed site extent outlined with a dashed blue line with contours and aerial photo showing the landform and the relationship between the development site, the coastline and neighbouring dwellings.

2.1 The western slopes

The site frontage on Te Karita Road is between 30 and 34 metres asl (above sea level). The part of the site adjacent to the road frontage rises to the east, at a gentle gradient near the road frontage then more steeply to a crest at 50 metres asl located approximately 100 metres from the road frontage.

This area is identified¹ as the headscarp and upper parts of an ancient landslide. This landscape comprises a sloping area of poor quality pasture with a small farm pond adjacent to the site northern boundary, a large gorse bush on the skyline adjacent to the northern boundary and a formed access track runs more or less directly upslope to the ridge crest from the site entrance that is located centrally on the site road (western) boundary. This part of the site is the only part that is visible from Te Karita Road. This landscape is characterised by small lots containing dwellings on the site southern boundary and immediately across Te Karita Road. All of these lots are substantially smaller than that now permitted in the Rural Zone and this higher density of settlement characterises the landscape character of the middle parts of Te Karita Road north of the more densely settled community at The Kaik.

Views of this part of the site are shown from the road frontage looking east in Figure 3 and from the top of the ridgeline looking west in Figure 4.



Figure 3 The site viewed from the Te Karita Road frontage with the southern boundary at the fenceline to the right of the photo and the northern boundary on the fenceline on the left of the photo. The ridgeline on the skyline separates the front part of the property from central and coastal parts.

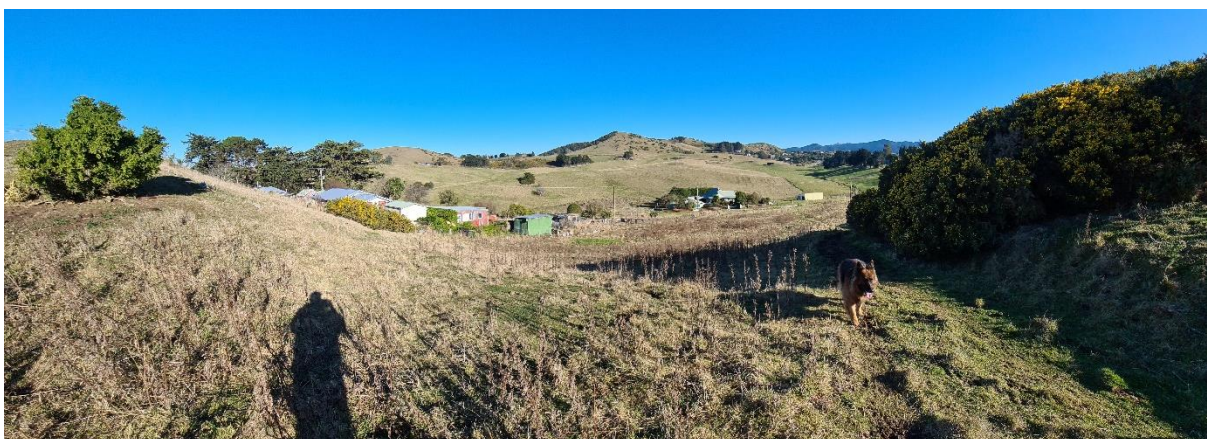


Figure 4: The western part of the site viewed from the crest of the ridge separating the western part of the property from the central and coastal parts, with Te Karita Road crossing the centre of the photo and house on 25 Te Karita Rd at left.

¹ Waitaki District Council Moeraki Hazard Map Tonkin and Taylor Ltd May 2012

2.2 Central plateau

The elevated central and eastern parts of the site are gently undulating within a range of between 47 and 55 metres asl and with a northerly aspect.

The land is covered in poor quality pasture suffering from severe rabbit damage with some gorse and an extensive infestation with thistles. The proposed development site is fenced into two paddocks and the greater part of the land slopes to the north and west away from the coastal slope.



Figure 5: View east across the central part of the site viewed from the crest of the ridge with the present boundary between 23 and 25 Te Karita Rd at right of photo. The proposed dwelling site will be to the east (beyond) the large gorse bush in the centre of the image. The proposed utility sheds will be to the right of the image near the pile of slash from fallen trees.



Figure 6: The eastern and central part of the site looking towards Moeraki township. The dog is standing in the location of the proposed dwelling. The dwelling will be oriented on an east-west axis parallel to the slope and will be benched into the slope. The degraded state of the pasture over much of the property is clearly evident with severe rabbit damage to the soil and pasture and extensive infestation with thistles.

2.3 Coastal slope

The eastern-most margin of the property includes the upper parts of the steep coastal cliff dropping from 50 metres at the top of the cliff to 30 metres asl at the site boundary 40 metres inland from the shoreline. This part of the coastline, shown in Figure 7, is a visually distinctive landscape strongly separated by the crest of the coastal slope from the rest of the property.

This part of the eastern shoreline of the Moeraki Peninsula is a distinctive and attractive landscape but it does not have the drama of the more precipitous shoreline to the north. It also does not have the coherence and complexity of the shoreline landscape of the more distinctive landscape of the southern part of this coastline adjacent to Katiki Point.

This part of the shoreline is not easily accessible due to the steepness of the near shore land and the lack of public access to the upper parts of the coastal slope. Shoreline access is restricted by steep rocky headlands at both northern and southern extremities of this part of the shoreline.

The landscape contains very distinctive geological features associated with the long-extinct Moeraki volcano. This shoreline is also a very significant site with respect to the mana whenua of the Moeraki Peninsula with Maukiekie Island and the foreshore being identified key features containing important connections to the early history of settlement.



Figure 7: The coastal landscape at the eastern end of the site. The site eastern boundary is located about 30 metres downslope of the track. The track was cut in the late 1970's to access a short-lived gravel mining operation on the beach. This image shows the distinct separation between the landscape of the steep coastal slopes and the elevated rural landscape of the plateau west of the coastal slopes.

3 Landscape Values

The natural character of the coastal environment is enshrined as one of the 'matters of national importance' in Section 6(a) of the RMA. While the property is identified as being within the Significant Coastal Landscape as expressed in the WDC District Plan, the majority of the site is not within the "coastal environment" as defined in Policy 1 of the New Zealand Coastal Policy Statement 2010 (NZCPS). The coastal landscape is only applicable to the eastern, coastal facing slopes. The majority of the site faces inland to the north and west and is visually more strongly connected to the rural and rural residential landscape of the interior parts of the Moeraki Peninsula than it is to the coastal landscape.

The Otago Regional Council has undertaken a comprehensive assessment of the regional coastal landscapes² to address the requirements of the NZCPS. It has done this by identifying the distinct landscape components of the regional coastline and giving them a natural character rating. The ranking for the Moeraki Peninsula section of this report is shown in Figure 8. The ranking is applied only to the actual coastal margin defined in accordance with the definition of the coastal environment in the NZCPS, not to the full extent of the significant coastal landscape in the WDC District Plan. This ranking categorises the landscape containing the site as being of medium (below average) value.

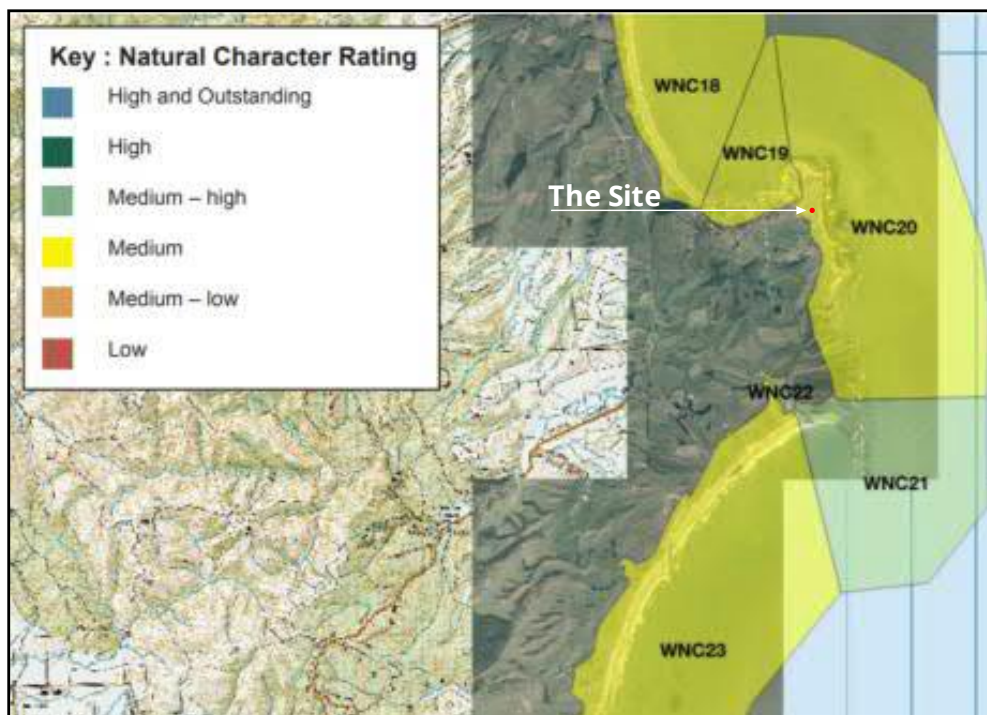


Figure 8: The site shown in relation to the Landscape Character Areas and rating from Coastal Environment of Otago Natural Character and Outstanding Natural Features and Landscapes Assessment Waitaki District Section Report, Figure 6(c): Waitaki District Coastal Environment Natural Character Units and Ratings Moeraki - Pleasant River (ORC 2015)

The coastal landscape adjacent to the site is characterised by a steep slope 40-50 metres high that commences at the high tide mark. The land to the west of the coastal cliff slopes to the north and

² Coastal Environment of Otago Natural Character and Outstanding Natural Features and Landscapes Assessment Waitaki District Section ORC Report 26 June 2015

west, away from the shoreline. Within the site, the coastal environment only extends to the top of the near shore slope and forms a strip of less than 100 metres in width.

3.1 Landscape context

The key character of this coastline is derived from its distinctive volcanic origins. The Moeraki Significant Coastal Landscape (SCL) comprises two strongly separated parts. The coastal landscape on the eastern side of the Moeraki SCL is formed by a narrow foreshore with a steep nearshore slope that rises up to 45 metres above sea level within 80 metres of high water. The land to the west of the crest at the rear of the coastal landscape slopes to the north and west and is part of a larger (80hectare), south east facing semi-rural – urban peripheral landscape formed by the catchment of the small stream that discharges at The Kaik. This landscape includes the southern parts of Moeraki township and is traversed by Te Karita Road and is bounded by Tenby Street along its northern margin and Lighthouse Road on the western side and Kaika Road to the south.

Parts of Tenby Street, Lighthouse Road, and Kaika Road provide broadscale distant views to the site while Te Karita Road runs along the site western boundary and provides close proximity views.

3.1.1 Coastal Landscape

The coastal landscape has a very distinctive character dominated by unusual rock volcanic rock formations and by a vivid orange sand that only occurs on the beaches between Katiki Point in the south and Moeraki Point in the north. The landform inland from the beach is steep to vertical and rises abruptly to a height of 40 to 50 metres from high water as shown in Figure 9. This landscape is separated from the wider landscape of the Moeraki Peninsula by the crest of the slope.

There are no views to the site from the adjacent coast. The closest public access is afforded by the private road to the waterfront at The Kaik at the end of Te Karita Road. The view north along the coast from the foreshore at The Kaik towards the site is shown in Figure 9. Figure 9 shows that the coastal landscape is constrained by the coastal cliffs and views from this location do not extend beyond the crest of the steep slopes immediately adjacent to the foreshore.



Figure 9. View towards the site from the foreshore at The Kaik. This is the nearest part of the shoreline that is readily accessible to the public. The coastal part of the site is obscured from this view by the foreground landform.

3.1.2 Ridgeline Landscape

The central part of the site comprises a broad undulating ridgeline shown in Figure 10. It is an area that is isolated from the adjacent landscapes by strongly demarcated edges. The landscape possesses little in the way of distinctive features and is fenced into two paddocks with isolated stands of gorse and extensive infestation of thistles and rabbits.



Figure 10: The ridgeline landscape forming the central part of the property is where the proposed development is to be sited.

3.1.3 Te Karita Road Landscape

The land to the west of the crest of the cliff is of an aesthetically pleasant but undistinguished landscape comprising rolling moderately hilly farmland that is mostly in small holdings and adjacent to the southern margin of Moeraki township. The landscape comprises land fenced into small paddocks with housing present at rural residential densities rather than the more isolated dwellings that would be expected in a true rural farmland landscape. The building density within the area adjacent to the site is that more typically associated with a peri-urban rural lifestyle landscape rather than a purely agricultural landscape. This more densely settled character is created by the small scale of the paddock layouts, and in the presence of shelter trees and dwellings and utility buildings. As can be seen in Figure 11, the site for the proposed dwelling and utility buildings will be associated closely with the existing cluster of houses and ancillary buildings located on 18, 25 and 27 Te Karita Road and the shelter plantings associated with those properties. This view is also nearly one kilometre from the site and for much of the part of Tenby Street that is closer to the site, views of the site are blocked by trees and buildings along the roadside.



Figure 11: View towards the site from Tenby Street with locations of proposed buildings indicated. From this view 900meters from the site, the proposed buildings are seen as a part of the cluster of structures formed by the dwellings and outbuildings on the adjacent small lots at 18, 25, and 27 Te Karita Road.

The most significant public viewpoint is the Whalers Lookout at the end of Cardiff Street at the eastern end of Moeraki township. This view is shown in Figure 12. From this viewpoint the structures will appear in the middle distance (half a kilometre away). The buildings will be below the skyline when viewed from this location and will at least in part be screened from view by the intervening landform.



Figure 12: The view south from the Whalers Lookout showing the location of the proposed buildings. The buildings are approximately 500 metres distant and are partly screened by a low ridge midway between the site and the lookout.

The site is most exposed to views from the part of Lighthouse Road between its intersections with Tenby Street and Kaika Road. The view from the intersection of Kaika Road with Lighthouse Road is shown in Figure 13. Views from these two roads are from a slightly lower elevation than the proposed building platforms and views will be blocked at least partially by the ridgeline feature within the site that runs parallel to Te Karita Road. From this view at nearly one kilometre the proposed buildings will be minor and visually consistent elements in a broader panoramic landscape that contains numerous buildings and trees. The buildings will also be immediately adjacent to and appear as a part of the existing cluster of structures and trees at the entrance to the Kaik settlement.



Figure 13: View from the intersection of Lighthouse Road and Kaika Road to the site at a distance of 800metres showing the proposed buildings will only be partly visible due to the upper parts of the site being screened from view by the ridgeline adjacent to Te Karita Road. The buildings will also integrate with the existing cluster of structures on the neighbouring properties.

There are no views to the site of the proposed buildings from Te Karita Road as they are blocked by the ridgeline in the foreground as shown in Figure 14.



Figure 14: The view east and south from the site entrance with the buildings on 25 Te Karita Road visible at right of centre. The proposed buildings will be behind this skyline and not visible from Te Karita Road

4 The proposed development and mitigation measures

The proposed development includes the erection of a dwelling and utility buildings and also a subdivision to redefine the extent of the two lots forming 23 and 25 Te Karita Road (being Lot 2 and Lot 2 of DP18457 respectively) through a boundary adjustment as shown in Figures 15 and 16.



Figure 15: Draft subdivision plan showing proposed land exchange between Lot 1 and Lot 2 of DP 18457

The existing dwelling and ancillary buildings on 25 Te Karita Road are located adjacent to the road frontage below the steep ridge that runs parallel to Te Karita Road. The steep slope at the rear of the dwelling renders the greater part of the land that presently forms 25 Te Karita Road that is behind the house inaccessible, other than limited access on foot.

In contrast the ridgeline where it crosses 23 Te Karita Road is less steep and is crossed by an existing formed track that provides vehicle access to the eastern part of both 23 and 25 Te Karita Road.

The land on the road frontage on 23 Te Karita, in the present layout, has a very restricted capacity to accommodate a dwelling as the site is less than 45 metres wide and the District Plan imposes a 20 metre building setback from each boundary, leaving a strip of land 5 metres wide within the property that complies with this performance standard. The lower part of the site adjacent to Te Karita Road is also identified as containing a landslide head scarp. The slope of the landform adjacent to the road frontage also severely restricts the space available for construction of a dwelling within the strip of land not covered by the boundary setback requirements.



Figure 16: The existing (blue dashed line) and proposed (yellow dashed line) boundary between 23 and 25 Te Karita Road showing the change in land area adjacent to the dwelling on 25 Te Karita road. The wastewater discharge field is indicated by the patch of bright green vegetation adjacent to the green shed.

The dwelling and associated buildings on 25 Te Karita Road are also built to within a metre or so of the common boundary and a dwelling on the frontage of 23 Te Karita Road, even if it meets the setback would still be closer to the existing dwelling than is envisaged for building in the rural zone by the district plan. It also appears that the wastewater system serving 25 Te Karita Road discharges on to land within this part of 23 Te Karita Road. This is likely to have occurred as the two lots were on one title at the time the dwelling was erected on 25 Te Karita Road. It would also be difficult to

locate an additional septic tank disposal field in this area without overloading the area's capacity to absorb and treat the discharge. The land exchange will substantially enhance the extent of useable land surrounding the dwelling on 25 Te Karita Road and also for the proposed dwelling site on the eastern part of 23 Te Karita Road.

The proposed new dwelling on Lot 1 can be serviced with water from the Moeraki municipal supply and a connection to the local power supply is available from the pole within 25 Te Karita Road, though it is intended to include a self-contained solar power supply as a part of the design of the dwelling. The proposed subdivision will also ensure that there is ample land available for on-site wastewater disposal for an additional dwelling if located as proposed.

4.1 Proposed subdivision

This development proposes a land exchange between the two properties where the inaccessible land at the rear of Lot 2 (25 Te Karita) is transferred to Lot 1 (23 Te Karita) while all of the land below the ridgeline south of the existing access track on Lot 1 is transferred to Lot 2 as shown in Figure 17.

This will not create any new land titles and will not alter the density of development of the land but will allow a more sensible apportionment of the land with respect of the existing and proposed residential developments. The new subdivision layout will also allow the landscape development and proposed revegetation of the land, particularly the ridgeline landscape and the coastal slopes, to be both more extensive and more coherent than would be possible with the existing long narrow lot configuration. The landscape enhancements will, if the redefinition of the two lots is consented, be undertaken across both properties as shown in the attached landscape development plan.

4.2 Erection of buildings

It is proposed to construct a dwelling and two utility buildings located within the elevated central and eastern parts of the new Lot 1. The proposed platforms for the house and utility buildings are shown outlined in red in Figure 17 and the areas to be disturbed with earthworks are shown outlined in white dashed lines. The proposed earthworks are in the greater part minor levelling for lawns and a vegetable garden with a cut of up to 1.5 metres at the house site to allow for the building to be set back into the slope. All excavated material will be retained on site.

The existing site access from the road frontage to the house site will be trimmed and a gravel paving will be constructed.

The dwelling will have a mono-pitch roof with the roof pitch following the contour of the adjacent land. The utility buildings will also be mono-pitch and all buildings will be clad in either natural or stained timber or with a cladding finished in a low albedo (not greater than 40% reflectance) finish. None of the buildings will exceed 5 metres in height from the finished surface of the building platform. The total building footprint over three structures will not exceed 400m² in total floor area.

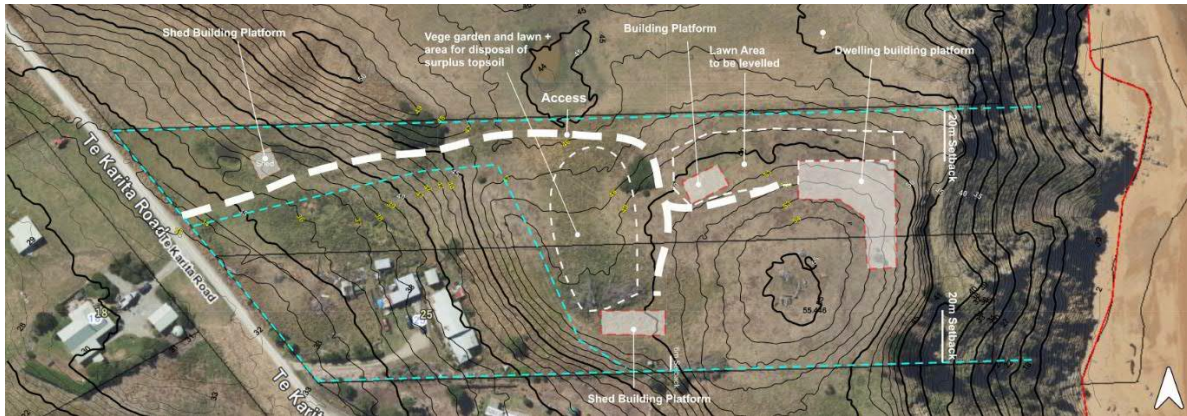


Figure 17: Proposed building platforms shown shaded in pink with red dashed lines to indicate areas within which buildings will be located - not actual extent of buildings - areas outlined in white indicate areas to be levelled/filled and grassed/planted. Proposed new lot boundaries shown with turquoise dashed lines

A design for the proposed dwelling has not been prepared as consent must first be obtained for the proposed building location and the redefinition of the two lots. Instead of a specific design, the following measures are proposed to ensure any adverse effects of the proposed buildings and earthworks are minimised:

- The proposed buildings shall be no more than a maximum of 5m height above existing or modified ground level and will not have a footprint of more than 400m² in total built area.
- The proposed buildings will be clad in materials with a natural finish (e.g. stone or timber), or otherwise building colours are to be selected to ensure that contrast with the dominant hues of the surrounding rural landscape is minimized on any façade that is visible from outside the property boundary.
- All building rooflines will be aligned to reflect the adjacent slopes
- Light reflectance value (LRV) for building colours on walls facing the north and west shall be no more than 40%³.
- Change to the existing landform will be minimized by aligning buildings with the slope and to run along the contour. Any alteration to the natural landform is to be designed to minimise visual impact from beyond the site and all earthworks are to blend seamlessly with surrounding natural contours.
- Fencing will all be standard post and wire rural farm fencing.
- All proposed services are to be located below ground.
- Driveways are to have a metalled surface with no kerb and channel.
- The plantings identified as being key for screening and integrating the proposed buildings as shown as hatched areas marked "Planting A" and "Planting B" in Figure 18 and set out on the landscape plan attached as Appendix A are to comprise native tree and shrub species typical of the coastal environment. Ornamental or productive exotic species may be used only in plantings adjacent to the house and utility buildings.
- The key screening plantings are to be given substantial effect to within one year of issuance of the consent.
- Buildings including water tanks, other than minor utility structures of less than 30m² floor area, will be located within the identified building platforms. The identified locations provide for most effective integration of new buildings into the landscape with minimal physical and visual impact. These locations also allow for screening plantings to remove or

³<https://www.standards.govt.nz/touchstone/building/2014/feb/light-reflectance-value/>

reduce views of the structures from the publicly accessible viewpoints and where buildings are visible, will provide a vegetative element of greater scale to minimize impact and assist integration.

- Building plans are to be submitted to Council prior to construction to confirm that the conditions of consent relating to design and location are met.

The attached landscape plan shows framework plantings that are to be established to provide additional screening and softening from public viewpoints in the wider landscape context. The landscape plan is generally of the finished planting effect but may be varied in detail to accommodate the final design and layout of buildings and access.

4.3 Site landscape plan

The landscape plan covers planting for both 23 and 25 Te Karita Road. The plan proposes low to medium native shrub and tree planting on the Te Karita frontage due to the limitations imposed by the overhead power lines.

The steep face immediately to the east of Te Karita Road will be planted predominately in flax, toetoe, red tussock and hebe spp with a few larger trees including cordyline, (cabbage tree) taupata (*Coprosma repens*), Ngaio, pittosporum spp. Trees will be planted at a greater density on the northern side of the site access on 23 Te Karita Road. On the ridgeline landscape trees will be planted in clusters where screening or shelter is desirable. These plantings will include ngaio, akeake, pittosporums, rata and pohutukawa.

The key plantings for screening and integrating the buildings into the landscape are the boundary planting along the central and eastern part of the site's northern boundary and planting along the crest of the scarp between the Te Karita landscape and the ridgeline landscape. The majority of the planting shown on the landscape plan are primarily for aesthetic purposes. The landscape plan is also indicative rather than definitive and will be adapted to integrate with the final design and layout of the site. However, the two areas indicated in Figure 18 require reinforcement to screen and integrate the proposed buildings into the landscape and planting in these areas must be given effect to as a priority. It is proposed to plant predominately with small to medium sized native coastal trees including Taupata (*C.repens*) Akeake (*D.viscosa*) Ti (*Cordyline australis*) Tarata (*P.eugenoides*) Kowhai (*S.tetraptera*) in key Planting Area A. Key Planting Area B will be planted with a mix of harakeke and wharariki (*Phormium spp*), toetoe (*A.fulvida*), Ti (*Cordyline australis*), Kowhai (*S.tetraptera*) and hebe spp. These will provide screening without forming a dense block of planting on the skyline or excessively shading the dwelling on 25 Te Karita Road. It is proposed that the general effect on the roadside parts of both properties will be of a substantial planting of native trees and shrubs.

5 Visual effects

The site comprises three distinct landforms; the west facing slopes adjacent to Te Karita Road, the elevated ridgeline landscape in the central and eastern parts of the site; and the steep coastal landscape at the eastern margin of the site. The boundaries between these landscapes are strongly defined by abrupt changes in the site topography as marked by the dashed yellow lines in Figure 18. The distinct landforms defining these landscapes also isolate the elevated interior of the site from views from the adjacent land. The effect of this screening is demarcated in Figure 18 and also illustrated in Figure 19. Figure 19 is a cross section of the site generated using a LIDAR model provided by the Otago Regional Council – this graphic is shown with a ten times vertical exaggeration relative to the horizontal axis. The cross section shows how effectively the cliff edge and the ridgeline shield the site interior from proximate views. These elevated edges to the interior also enable planting, even of relatively low growing material such as flax and toetoe, to amplify the screening effect the landform edges provide.

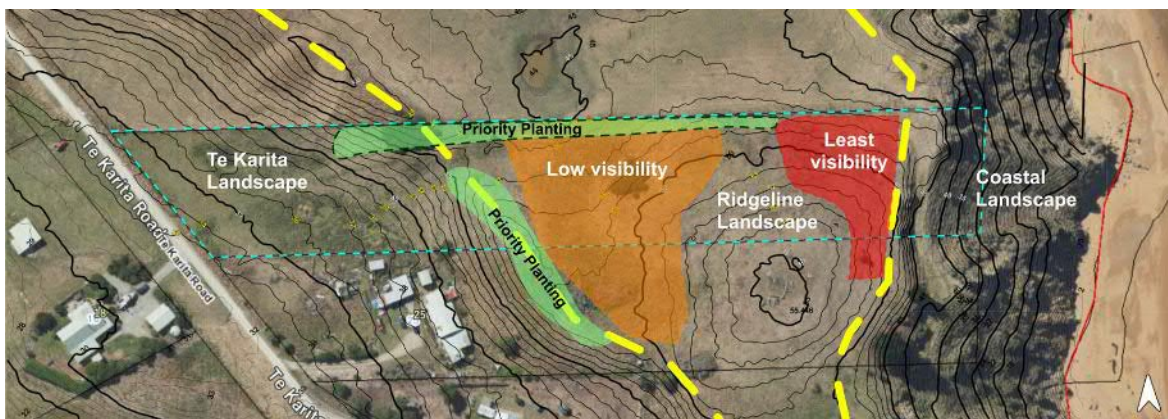


Figure 18: The structure of the site landscape and relative exposure to views and proposed key screening plantings

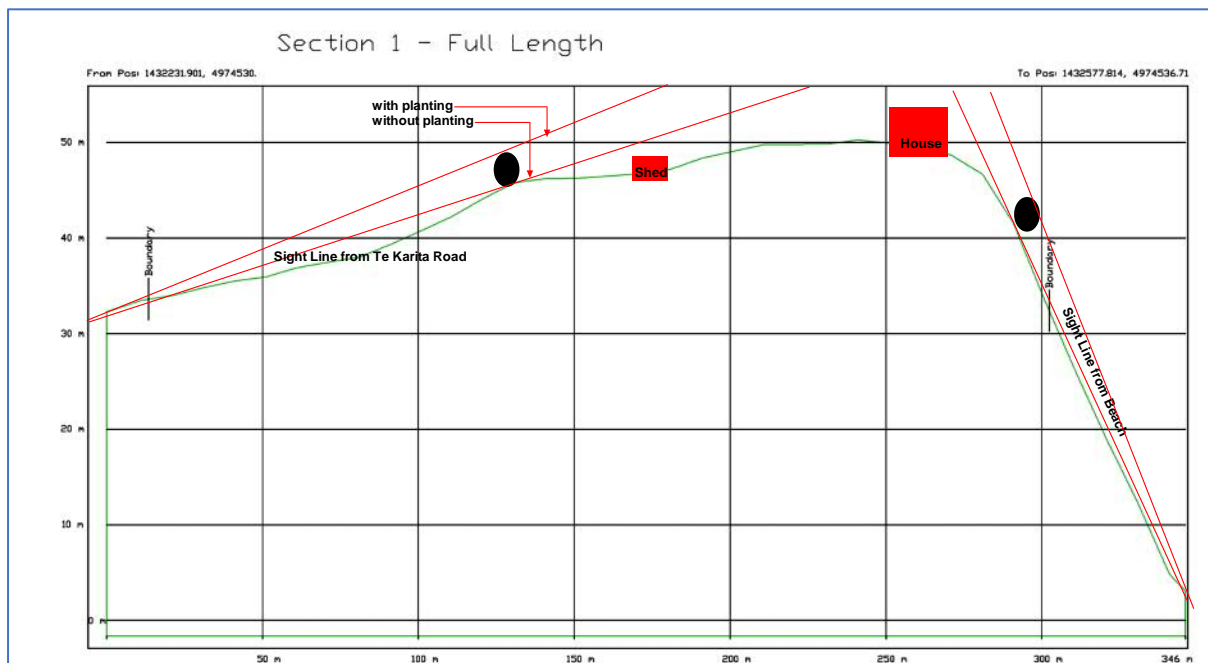


Figure 19: Cross section of the site from Te Karita Road at left to the high water mark at right - with 10X vertical exaggeration relative the horizontal axis. This shows the lack of views of the site interior from the adjacent land and also how the screening effect is magnified by planting on or adjacent to the boundary landscape features.

5.1 Key viewpoints

The key viewpoints surrounding this property are the formed public roads and public accessible viewing points including Te Karita Road, Lighthouse Road, Tenby Street, Whalers Lookout and The Kaik waterfront. The views to the site are analysed using Google Earth viewshed function. These analyses are undertaken on a relatively coarse terrain model and also lack any consideration of screening provided by surface features such as planting and buildings so are approximations only, albeit useful ones. The site is partially visible from Whalers Lookout, the viewshed from Tenby and Lighthouse Road slightly over-estimate site visibility while the view from Te Karita Road substantially overstates the extent of views to the upper parts of the ridgeline landscape. All of these analyses show that the site is of marginal visibility. Whalers Lookout is the only formal public viewpoint with views to the site. In all of these views the site comprises a very small and distant part of a broad landscape panorama. The site at between 45 and 55 metres asl is slightly elevated above the majority of the views other than those from Whalers Lookout and the intersection of Kaika and Lighthouse Roads which are located at 60m asl. The views to the site are generally located at more than 500metres from the site and in all cases the site forms a very small component in a much larger vista and the proposed structures will be minimal elements in the existing broader landscape.

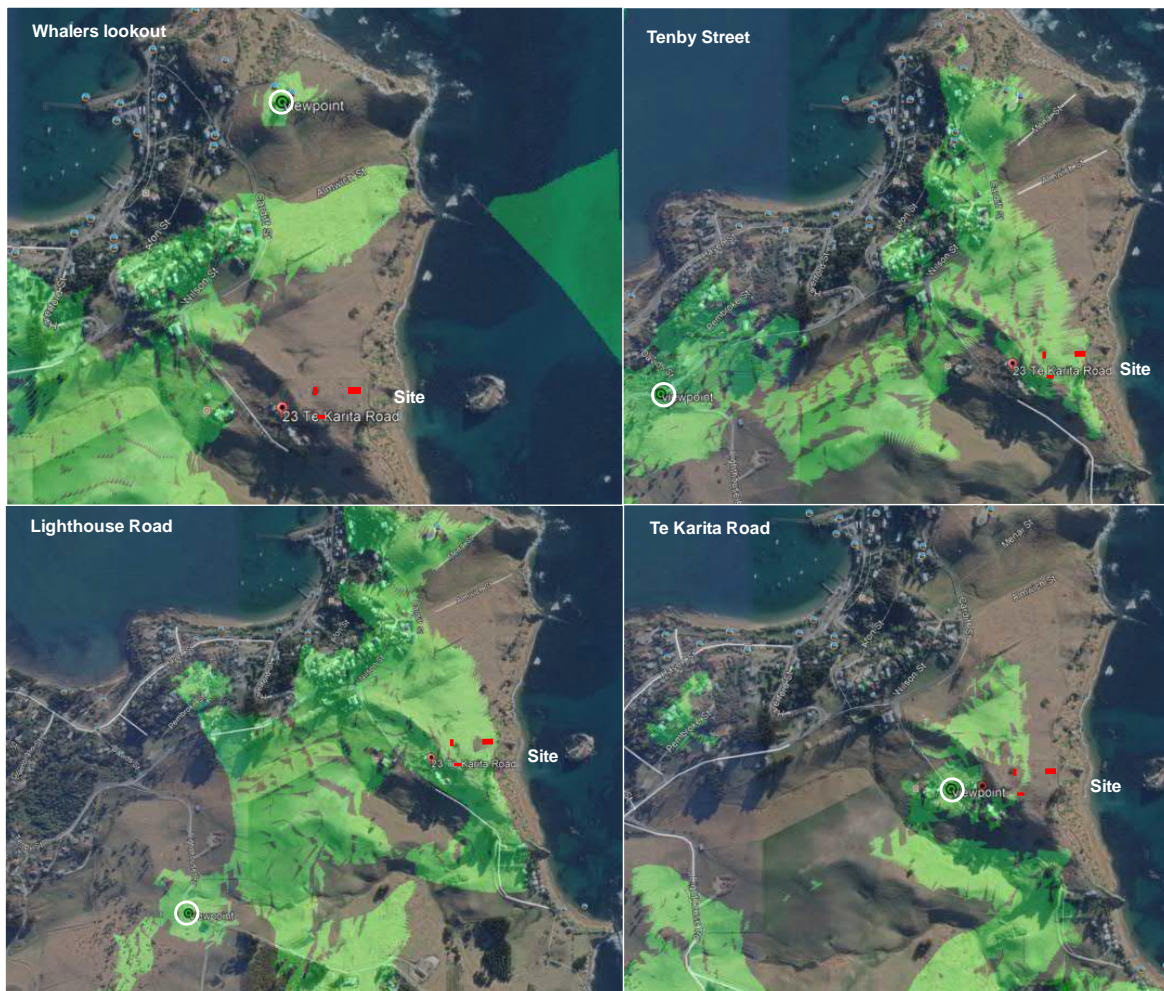


Figure 20: Viewsheds from the most significant viewpoints within the catchment with the Whalers Lookout at top left, Tenby Street top right, Lighthouse Road lower left and Te Karita Road lower right. (Google Earth)

6 Statutory Assessment

16.8 ISSUE 7 - Landscapes

The District's landscapes are of significant value but are vulnerable to change as a result of the effects of some land use activities.

16.8.2 Landscape Objective

Subdivision, use and development are managed so that:

- *the values identified for the outstanding or significant natural features, the outstanding landscapes, and the significant coastal landscapes are protected from inappropriate use and development; and*
- *the overall landscape qualities of the Rural Scenic Zone are retained.*

Comment: The proposed subdivision and development will cause a substantial part of the significant coastal landscape to be replanted in native vegetation. The proposed land exchange between the lots will enable the area to be rehabilitated adjacent to the coastline to be substantially greater than if the development is limited to the Lot 1 as it is presently defined. The site landscape is presently in a degraded state with no remaining native vegetation, with severely weed and rabbit infested pasture, poorly maintained fences and with pines and sycamore establishing on the coastal slopes. The coastal slopes are also eroding badly, partly due to rabbit damage and partly due to the loss of native tree and shrub cover.

16.8.3 Policies

1 To adopt a shared values approach which recognises that members of the community can be given the opportunity to consider what are the important landscapes in the district and the appropriate means by which to manage these landscapes.

Comment. The coastal margin is of particular significance to tangata whenua and as noted in the letter of advice from Aukaha, it is considered very desirable to undertake revegetation of the coastal landscape but to avoid any disturbance or construction in this area. The proposed development offers the opportunity to begin to reverse the severe degradation of the landform and natural values occurring to this culturally, geologically, and visually significant landscape.

2 To maintain the character of those landscapes identified as being outstanding because of their high degree of openness, naturalness and/or visual coherence, and to avoid subdivision, use and development in those parts which have little or no capacity to absorb change.

Comment. The rural part of the site landscape west of the crest of the coastal slope is undistinguished from much of the surrounding rural and rural residential landscape. The ORC coastal landscape classification rates the coastal landscape area within which the proposed development is located as being of less than average landscape significance when compared to the totality of the regional coastline.

The development will not form a visually isolated intrusive development within an otherwise open rural landscape as it is located within a locale characterised by small holdings with dwellings and all of neighbouring landholdings are used primarily for residential purposes and comprise lots that are all well below the presently permitted minimum size for lots in the rural zone. The proposed development is of a scale and character that reflects that of the adjacent landholdings.

3 *To manage landscape change in the Rural Scenic Zone in a manner that maintains the overall character of the significant landscape, which forms the basis of the visual amenity associated with this Zone.*

Comment: The present landscape character of this part of the Moeraki Coastline is attractive at the large scale but is severely degraded when examined in detail. The proposed development will be complementary with the adjacent residential small holdings along Te Karita Road and will also result in the restoration of native vegetation to a significant part of the shoreline landscape.

4 *To manage the effects of use and development within the significant coastal landscapes so that:*

a) the natural character of the coastal environment is preserved and protected from inappropriate use and development; and

b) the visual amenity associated with these landscapes is maintained.

Comment: The natural character of the coastal landscape within the SCL containing the proposed development site is severely degraded. The development will lead to a significant restoration of the natural values of this coastline.

5 *To ensure that those characteristics leading to the identification of an outstanding or significant natural feature, are protected from inappropriate use and development.*

Comment: There are no outstanding or significant features within the central and western part of the development site. The development will lead to restoration of the natural values of the significant coastal landscape of the eastern part of the site. The development will also create a more attractive native woodland landscape within the vicinity of Te Karita Road.

6 *To assist in achieving the outcomes in Policies 2 to 5 above, the following policies are to be considered against any subdivision, use or development applications:*

a) Production forestry is to be avoided within the outstanding natural features, outstanding natural landscapes, the significant natural features and the significant coastal landscapes.

b) Shelterbelts are to be carefully designed and located within the outstanding natural landscapes so that the values associated with those landscapes are not compromised.

c) In the Rural Scenic Zone:

i. Forestry is to be generally limited to carefully sited and designed woodlots

ii. Shelterbelts are encouraged to be sited on land of easy contour; and,

iii. Shelterbelts are to be sited and designed so that they do not unnecessarily obscure views from State Highways and other main roads.

d) Subject to Policies 6(a) and 6(b) above, any exotic tree planting is encouraged to:

i. be located on the lower portions of adjacent slopes, and to use natural features such as river terraces or drainage patterns to achieve a degree of visual coherence within the existing landscape where plantings are in valleys or basins;

ii. be located so that mature trees will not obstruct views from main roads or viewpoints;

iii. be shaped in sympathy with existing landforms, and where possible be tied to an existing landform or vegetation edge;

e) In the outstanding natural features and landscapes and significant coastal landscapes buildings are to be located in areas with higher potential to absorb change and, together with residential units in the Rural Scenic Zone, where possible, are to avoid skylines, ridgelines, prominent places and features within important views and are to be encouraged to be in sympathy with the dominant forms and colours in the landscape;

Comment. The buildings are proposed to be located in areas where they will be least visible and native tree and shrub plantings are proposed that will either integrate them within the landscape or otherwise screen them from view. The development will not include any plantation forestry or exotic shelter plantings. The proposed buildings are located in the parts of the site that are not visible from any publicly accessible viewpoint that is less than 500 metres from the site. The neighbouring owners, only one of which will have views to the proposed buildings, have all provided affected party's consent. The buildings will be located below the skyline and designed to integrate into the landscape through controls on exterior colour and finish and by using rooflines that reflect the slope of the adjacent land. Screening plantings are to be established to further reduce visibility of the proposed buildings from middle distance views.

f) Earthworks are encouraged to be located away from visually sensitive areas, and where practicable towards the edges of the landform and vegetation patterns;

g) Earthworks should not compromise any rare or distinctive geological outcrops or any other values associated with an identified outstanding or significant natural feature;

h) Earthworks, where possible, should be restored and finished to a contour sympathetic to the surrounding physiography and should also, where possible, be revegetated with a cover appropriate to the site and setting;

Comment. Site earthworks will not be visible from outside of the site upon completion of the development. Minimal cut will be required and all exposed soil will either be resown in grass, planted in trees and shrubs or covered with paving or buildings.

i) Use and development is to take into account the effects of indigenous vegetation clearance on landscape character, and in particular, clearance is to be avoided where the values identified for the outstanding or significant natural features or outstanding natural landscapes, or the significant coastal landscapes, would be irreversibly lost.

7 To manage siting, design, trees species and the management of tree planting within the Rural Scenic Zone in order to prevent wilding spread.

Comment. No Indigenous vegetation is present within the development site. The proposed development will cause the reintroduction of native vegetation to both the coastal landscape and the rural landscape adjacent to Te Karita Road.

8 To recognise that the Rural General Zone is made up of landscapes that have a greater capacity to absorb change because the land has been more intensively developed, and contains a greater range of land uses with a greater dominance of buildings and structures; at the same time acknowledging that the rural amenity of this zone still needs to be managed (refer to Issue 4 and the Associated Objective and Policies).

9 To protect site-specific and outstanding geological or geomorphological features that are of scientific importance from inappropriate use and development; further sites that come before the Council will be included by way of a Plan Change at a later date.

Comment: The development will avoid any disturbance of the significant geological features exposed on the coastal slope.

7 Conclusion

This property is in an area identified as a significant coastal landscape and the proposed development requires consent as a discretionary activity which requires that Councils Landscape Guidelines are given effect to.

The proposed development will have a less than minor adverse visual effect and any adverse effect on publicly accessible views can be avoided or mitigated through the proposed design controls, with careful siting of the proposed building and with the proposed native tree and shrub plantings.

The site is located within the rural general zone. However, the area along Te Karita Road comprises small lots developed for rural lifestyle and residential use. The proposed use is concordant with the use of adjacent land, the development will build on and extend the landscape character of the southern part of Te Karita Road and affected party's consent has been obtained from all of the neighbouring land owners. Uenuku marae as representatives of mana whenua has provided supportive advice with regard to enhancement of the coastal landscape and avoidance of disturbance to the significant wahi tapu on the coastal slopes.

The development has beneficial effects in that it will add more residents to support the community of Moeraki and its infrastructure, it will result in the revegetation and redevelopment of what is presently a neglected weed and pest infested uneconomic small rural lot, and it will result in commencement of restoration of the natural values of the severely degraded coastal near shore land.

7.1 WDC Landscape Guidelines

The site landscape plan addresses the key considerations set out in the WDC District Plan Appendix D: Landscape Guidelines.

7.1.1 Building siting

The buildings are sited so that they are removed from view from the adjacent road, they are to be set into the benches cut into the slopes where practical to reduce their profile. The buildings will not be sited on promontories or skylines to the greatest extent possible within the constraints of the site. The buildings will be aligned with the slope of the adjacent landform as much as is practical. Excavation will not result in substantial exposed cut faces and will primarily be for the purpose of levelling building platforms, access, and amenity grassed areas.

7.1.2 Design

Structures will be designed to have a low profile with roof elements sloped to conform with the slope of the surrounding land.

7.1.3 Colour

Buildings will be clad in low reflectance finishes or natural materials.

7.1.4 Fences Power lines etc

All services will be underground and fences will be standard height wire or netting fences typical of a farm setting.

7.1.5 Tracks and Roads

The entrance track is already formed but will be resurfaced with an all-weather gravel pavement.

7.1.6 Tree planting

A landscape plan attached to the application sets out the proposed plantings within 23 and 25 Te Karita Road. The landscape will comprise a framework of native trees surrounding open grassed spaces with lower shrubbery plantings on slopes and on key locations to reinforce the screening effect of landform features.

The application proposes a set of building and site development controls that will ensure that effects on landscape and visual values will be minor, and in many aspects beneficial and that the proposal is consistent with the relevant landscape related assessment matters in the Waitaki District Plan.

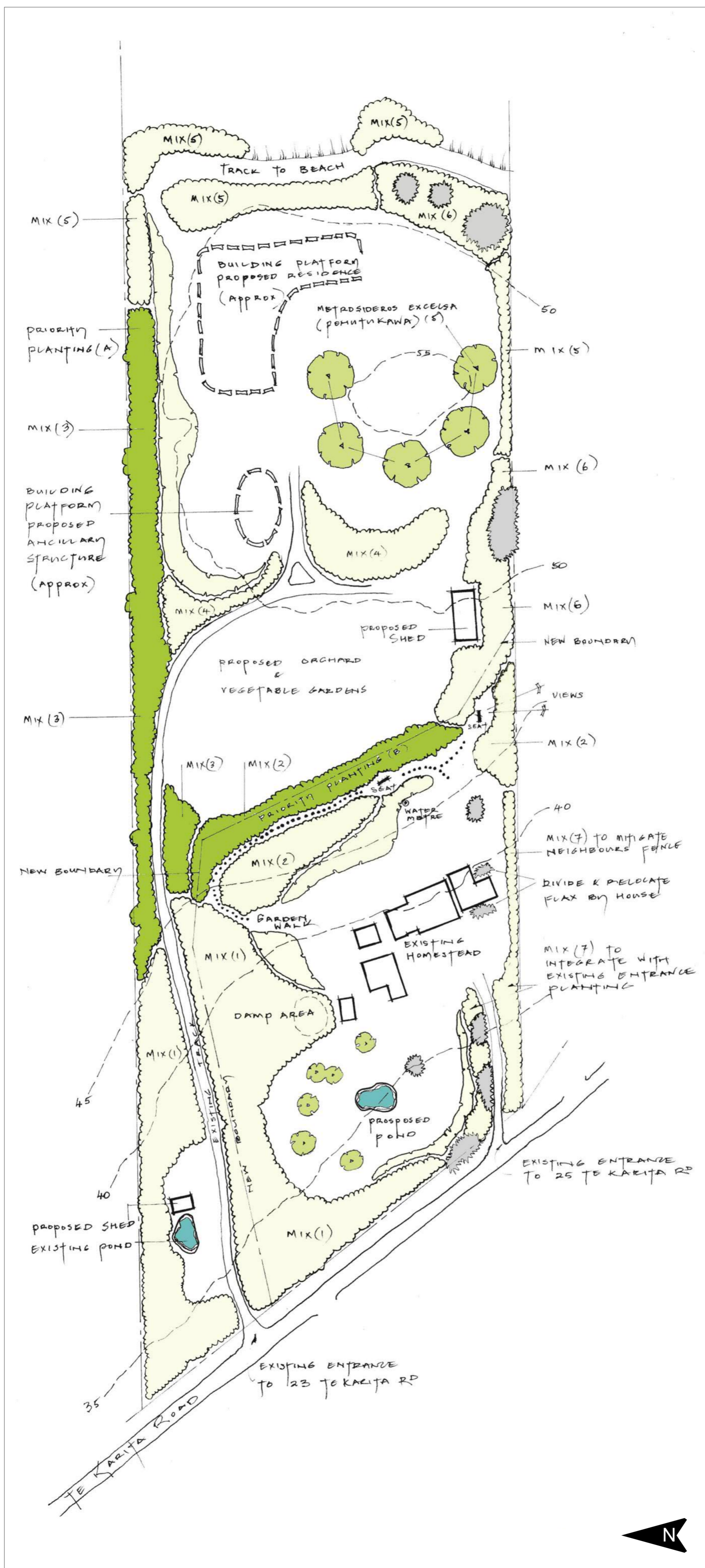
7.2 Proposed consent conditions






It is proposed that the following consent conditions will ensure that the development addresses the requirements of the District Plan and the landscape guidelines:

- 1. The proposed buildings shall be no more than a maximum of 5m height above existing or modified ground level and will not have a footprint of more than 400m² in total built area.*
- 2. The proposed buildings will be clad in materials with a natural finish (e.g. stone or timber), or otherwise building colours are to be selected to ensure that contrast with the dominant hues of the surrounding rural landscape is minimized on any façade that is visible from outside the property boundary.*
- 3. Light reflectance value (LRV) for building colours on walls facing the north and west shall be no more than 40%⁴.*
- 4. All building rooflines will be aligned to reflect the adjacent slopes*
- 5. Change to the existing landform will be minimized by aligning buildings with the slope and to run along the contour. Any alteration to the natural landform is to be designed to minimise visual impact from beyond the site and all earthworks are to blend seamlessly with surrounding natural contours.*
- 6. Fencing will all be standard post and wire rural farm fencing.*
- 7. All proposed services are to be located below ground.*
- 8. Driveways are to have a metalled surface with no kerb and channel.*
- 9. The plantings identified as being key for screening and integrating the proposed buildings as shown in Figure 18 and set out on the landscape plan attached as Appendix A are to comprise native tree and shrub species typical of the coastal environment. Ornamental or productive exotic species may be used only in plantings adjacent to the house and utility buildings.*
- 10. The key screening plantings on the northern boundary and the central scarp are to be given substantial effect to within one year of issuance of the consent.*
- 11. Buildings including water tanks, other than minor utility structures of less than 30m² floor area, will be located within the identified building platforms. The identified locations provide for most effective integration of new buildings into the landscape with minimal physical and visual impact. These locations also allow for screening plantings to remove or reduce views of*

⁴<https://www.standards.govt.nz/touchstone/building/2014/feb/light-reflectance-value/>

- the structures from the publicly accessible viewpoints and where buildings are visible, will provide a vegetative element of greater scale to minimize impact and assist integration.*
12. *Building plans are to be submitted to Council prior to construction to confirm that the conditions of consent relating to design and location are met.*



- LEGEND**
-  **Native Species Mix**
 -  **Native and Exotic Mix**
 -  **Specimen Tree**
 -  **Existing Planting**
 -  **Priority Planting**

**MIX (1): NZ Native Small Tree and Shrub Mix
Bush Context Te Karita Landscape**

- Coprosma repens (Taupata),
- Cordyline australis (Ti Kouka, Cabbage tree),
- Corynocarpus laevigatus (Karakā),
- Cyathea spp (Mamaku/Ponga Tree fern),
- Dicksonia spp (Wheki/Ponga Tree fern),
- Fuschia excorticata (Kotukutuku, Tree Fuschia),
- Griselinia littoralis (Kapuka Papauma, Broadleaf),
- Hebe salicifolia (South Island Koromiko),
- Metrosideros spp (Pohutukawa and Southern Rata),
- Myoporum laetum (Ngaio),
- Myrsine australis (Red Matipo, Mapau),
- Phormium spp (Wharariki, Flax),
- Pittosporum eugenioides (Tarata, Lemonwood),
- Pittosporum tenuifolium (Kohuhu),
- Pseudopanax arboreus (Puahou, Five Finger),
- Pseudowintera colorata (Horopito, Pepper tree),
- Sophora microphylla (Kowhai)

**MIX (2): NZ Native Small Tree and Ground Cover Mix
Embankment above existing house**

- Chionochloa rubra (Haumata, Red Tussock),
- Coprosma repens (Taupata),
- Cordyline australis (Ti Kouka, Cabbage tree),
- Cortaderia richardii (Toe Toe),
- Myoporum laetum (Ngaio),
- Hebe spp (Hebe/Korimiko species and varieties)
- Phormium spp (Wharariki, Flax),
- Sophora microphylla (Kowhai)

**MIX (3): NZ Native Small Tree and Shrub Mix
Northern boundary ridgeline landscape**

- Coprosma repens (Taupata),
- Cordyline australis (Ti Kouka, Cabbage tree),
- Dodonea viscosa (AkeAke),
- Hebe spp (Hebe / Korimiko – assorted species and varieties),
- Metrosideros excelsa (Pohutukawa),
- Myoporum laetum (Ngaio),
- Myrsine australis (Red Matipo, Mapau),
- Olearia arborescens (Common Tree Daisy),
- Phormium spp (Wharariki, Flax),
- Pittosporum eugenioides (Tarata, Lemonwood),
- Pittosporum tenuifolium (Kohuhu),
- Sophora microphylla (Kowhai)

**MIX (4): NZ Native Small Tree and Shrub Mix
Ridgeline Interior Landscape**

- Coprosma repens (Taupata),
- Cordyline australis (Ti Kouka, Cabbage tree),
- Dodonea viscosa (AkeAke),
- Hebe spp (Hebe / Korimiko – assorted species and varieties),
- Kunzea ericoides (Kanuka)
- Leptospermum scoparium (Manuka),
- Metrosideros spp (Pohutukawa, and Southern Rata),
- Myoporum laetum (Ngaio),
- Myrsine australis (Red Matipo, Mapau),
- Olearia arborescens (Common Tree Daisy),
- Phormium spp (Wharariki, Flax),
- Sophora microphylla (Kowhai)

**MIX (5): NZ Native Small Tree and Shrub Mix
Coastal Landscape Revegetation**

- Coprosma repens (Taupata),
- Cordyline australis (Ti Kouka, Cabbage tree),
- Cortaderia richardii (Toe Toe),
- Metrosideros spp (Pohutukawa and Southern Rata),
- Myoporum laetum (Ngaio),
- Hebe spp (Hebe/Korimiko species and varieties),
- Phormium spp (Wharariki, Flax),
- Sophora microphylla (Kowhai)

**MIX (6): NZ Native Small Tree and Shrub Mix
Ridgeline Landscape South Boundary and Coastal**

- Coprosma repens (Taupata),
- Cordyline australis (Ti Kouka, Cabbage tree),
- Corynocarpus laevigatus (Karakā),
- Griselinia littoralis (Kapuka Papauma, Broadleaf),
- Hebe spp (Hebe/Korimiko species and varieties),
- Metrosideros spp (Pohutukawa, Southern Rata),
- Myoporum laetum (Ngaio),
- Phormium spp (Wharariki, Flax),
- Podocarpus totara (Totara),
- Pseudowintera colorata (Horopito, Pepper tree)

**MIX (7): NZ Native Small Tree and Shrub Mix
South Boundary Te Karita Landscape**

- Coprosma repens (Taupata),
- Cordyline australis (Ti Kouka, Cabbage tree),
- Cyathea spp (Mamaku/Ponga Tree fern),
- Dicksonia spp (Wheki/Ponga Tree fern),
- Hebe spp (Hebe / Korimiko – assorted)
- Metrosideros spp (Pohutukawa, Southern Rata),
- Myoporum laetum (Ngaio),
- Olearia arborescens (Common Tree Daisy),
- Pittosporum eugenioides (Tarata, Lemonwood),
- Pittosporum tenuifolium (Kohuhu),
- Pseudopanax arboreus (Puahou, Five Finger),
- Sophora microphylla (Kowhai)

23 & 25 Te Karita Road, Moeraki Landscape Development Concept

Environmental Consultants Otago Ltd
 Environmental and Contaminated Site Assessment •
 Planning and Urban Design • Landscape Architecture
 PO Box 5522 Dunedin 9058 • 64 3 4728875

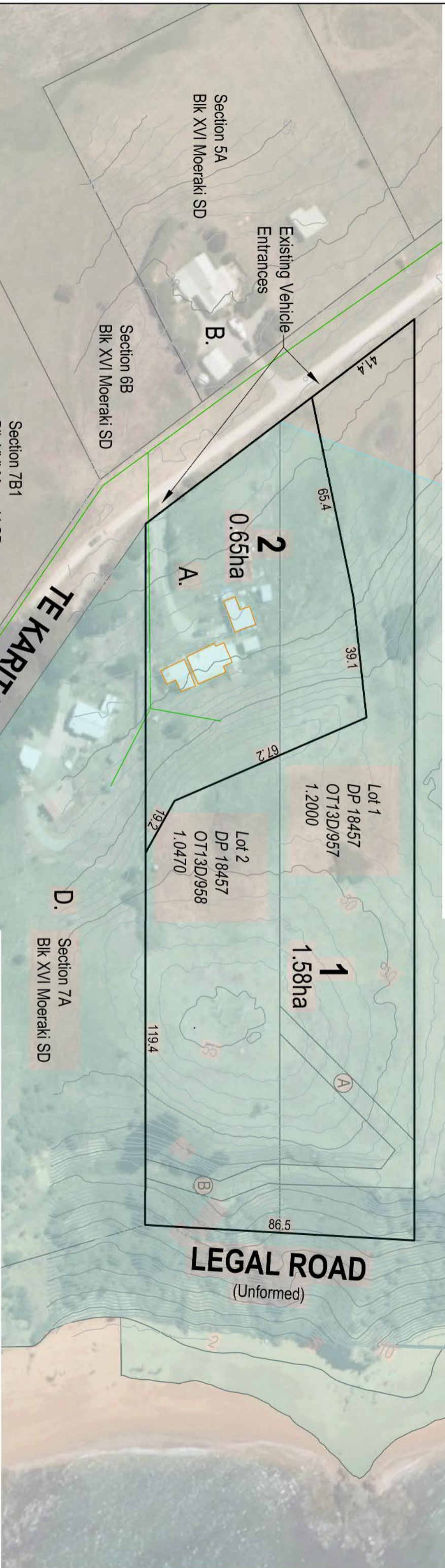
October 2020

AFFECTED PARTY APPROVALS

Affected party approval to the subdivision and landuse consent being granted non notified.

| | | | |
|-------------------------|-------|------|-------|
| B. D T Higgins | ..... | Date | ..... |
| C. JR Taiaroa, M Paki | ..... | Date | ..... |
| D. WR Reed | ..... | Date | ..... |
| E. Te Rununga O Moeraki | ..... | Date | ..... |

A. JD Brookes Date



NOTE:

1. FINAL AREAS AND DIMENSIONS ARE SUBJECT TO SURVEY
2. CONTOURS SHOWN ARE SOURCED FROM ORC LIDAR INFORMATION

KEY:

- Existing Water
- Significant Coastal Landscape Area
- Existing Dwelling & Buildings

DRAFT

| Schedule of Existing Easements Proposed to be Extinguished | | | |
|--|--------------|----------------|----------------|
| Shown | Purpose | Burdened Land | Benefited Land |
| A | Right of Way | Lot 1 DP 18457 | Lot 2 DP 18457 |
| B | Right of Way | Lot 2 DP 18457 | Lot 1 DP 18457 |



Survey Waitaki
surveying - planning - engineering

SURVEY WAITAKI LTD
PO BOX 237 OAMARU
Ph 03 434 8020
cameron@surveywaitaki.co.nz

| DRAWN | DATE | DRAWING TITLE | PROJECT TITLE |
|-------|------------|--|-------------------|
| JFW | Aug 2020 | lots 1 & 2 being proposed subdivision of Lot 1 DP 18457 & Lot 2 DP 18457 | Keogh Subdivision |
| CHKD | SCALE (A3) | STATUS | OUR REF |
| CJL | 1:1250 | For Information | 1103-SCH-001 |
| | | | REV B |

19 August 2020

Ciaran Keogh

Attention: Ciaran Keogh

Proposal

Te Rūnanga o Moeraki understands that Ciaran Keogh is seeking advice on mana whenua values for:-

- Cultural Values associated with 23 Te Karita Road, Moeraki (as specified in the limited information provided)

Situation

Aukaha writes this report on behalf of Te Rūnanga o Moeraki, the kaitiaki Rūnanga whose takiwa includes the site the proposal relates to.

Decision

Rūnanga representatives have been informed of the proposal received 24 July 2020.

Please be advised that Te Rūnanga o Moeraki understand the applicant is proposing to purchase this section and construct a dwelling, shed and garage along with planting of indigenous trees and shrubs. Te Rūnanga o Moeraki request that the following be adhered to:-

1. That the Heritage New Zealand Pouhere Taonga Archaeological Discovery Protocol (attached) should be adhered to in undertaking earthworks.

Te Rūnanga o Moeraki would like it noted that although there are no recorded Māori archaeological sites within the boundary of the subject site, this area is rich in cultural values and history and known to be utilised by mana whenua in the past. Therefore, any earthworks undertaken should be carried out in a way that allows monitoring for artefacts or archaeological material, as there have been unrecorded sites/artefacts/kōiwi uncovered during earthworks in this area.

Te Rūnanga o Moeraki **would not support** the construction of an access road/track/steps down to the beach on the 23 Te Karita Road property due to the high potential of uncovering unrecorded Māori archaeological sites/artefacts/kōiwi.

Significant landscapes near to the subject property are:-

Hine Matua

Creek by the Te Rūnanga o Moeraki Marae

Paeke

Place near Maukiekie Island

Maukiekie Island

A small island off the Moeraki peninsula, between Tikoraki Point and Punatoetoe Head. Maukiekie was an ancestor on the Ārai-te-uru waka that capsized off the coastline near Matakaea (Shag Point). After the capsizing, many of the passengers went ashore to explore the land, however they needed to be back at the waka before daylight. Most did not make it, including Maukiekie, and instead transformed into many of the well-known landmarks of Te Waipounamu.

Is also a reserve vested in Te Rūnaka o Moeraki Inc Soc under Sec 332 of the Te Turi Whenua Act 1993

Hine Tāwai

Location of the Pollets homestead

The Pollets are a local Māori family who live/d at Moeraki. Porete is the correct Māori name but Pollets is the transliteration of Porete.

Hinematua

Rise behind the Pollets Homestead

The Pollets are a local family who have a house at Moeraki.

There is a recorded Māori archaeological site within the boundary of 25 Te Karita Road, Moeraki - J42/45 – Midden – if any planting is to occur on this property, a buffer zone should be implemented to protect the archaeological site.

Te Rūnanga o Moeraki encourage and support planting of indigenous trees and shrubs within the property and as visual screening from the coastline.

This reply is specific to the above proposal. Any changes to the proposal will require further consultation.

Nāku noa, nā



Tania Richardson
Consents Officer

cc Te Rūnanga o Moeraki



HERITAGE NEW ZEALAND
POUHERE TAONGA

Heritage New Zealand Pouhere Taonga Archaeological Discovery Protocol

Under the Heritage New Zealand Pouhere Taonga Act (2014) an archaeological site is defined as any place in New Zealand that was associated with human activity that occurred before 1900 and provides or may provide, through investigation by archaeological methods, evidence relating to the history of New Zealand. For pre-contact Maori sites this evidence may be in the form of bones, shells, charcoal, stones etc. In later sites of European/Chinese origin, artefacts such as bottle glass, crockery etc. may be found, or evidence of old foundations, wells, drains or similar structures. Burials/koiwi tangata may be found from any historic period.

In the event that an unidentified archaeological site is located during works, the following applies;

1. Work shall cease immediately at that place and within 20m around the site.
2. The contractor must shut down all machinery, secure the area, and advise the Site Manager.
3. The Site Manager shall secure the site and notify the Heritage New Zealand Regional Archaeologist. Further assessment by an archaeologist may be required.
4. If the site is of Maori origin, the Site Manager shall notify the Heritage New Zealand Regional Archaeologist and the appropriate iwi groups or kaitiaki representative of the discovery and ensure site access to enable appropriate cultural procedures and tikanga to be undertaken, as long as all statutory requirements under legislation are met (*Heritage New Zealand Pouhere Taonga Act, Protected Objects Act*).
5. If human remains (koiwi tangata) are uncovered the Site Manager shall advise the Heritage New Zealand Regional Archaeologist, NZ Police and the appropriate iwi groups or kaitiaki representative and the above process under 4 shall apply. Remains are not to be moved until such time as iwi and Heritage New Zealand have responded.
6. Works affecting the archaeological site and any human remains (koiwi tangata) shall not resume until Heritage New Zealand gives written approval for work to continue. Further assessment by an archaeologist may be required.
7. Where iwi so request, any information recorded as the result of the find such as a description of location and content, is to be provided for their records.
8. Heritage New Zealand will determine if an archaeological authority under the *Heritage New Zealand Pouhere Taonga Act 2014* is required for works to continue.

It is an offence under S87 of the *Heritage New Zealand Pouhere Taonga Act 2014* to modify or destroy an archaeological site without an authority from Heritage New Zealand irrespective of

whether the works are permitted or a consent has been issued under the Resource Management Act.

Heritage New Zealand Regional archaeologist contact details:

Dr Matthew Schmidt
Regional Archaeologist Otago/Southland
Heritage New Zealand
PO Box 5467
Dunedin
Ph. +64 3 470 2364, mobile 027 240 8715
Fax. +64 3 4773893
mschmidt@heritage.org.nz



WRITTEN APPROVAL TO A RESOURCE CONSENT

(Please be aware that these details are available to the public)

I (applicant), Ciaran Keogh and Jill Corson.....

of (address) PO Box 5522, Dunedin.....

am applying to the Waitaki District Council for a Resource Consent to undertake the following activity (see also the attached plans):

1. Subdivide Lot 1 DP 18457 (OT13D/957) and Lot 2 DP 18457 (OT13D/958) into 2 new lots where Lot 1 will be approx 0.62ha and Lot 2 will be approx 1.62ha - being a Non-Complying Activity Resource Consent as per the Waitaki District Plan.

2. Undertake earthworks and build a new dwelling on the new Lot 2 where the land is identified in the Waitaki District Plan as Significant Coastal Landscape Area - being a Discretionary Activity Resource Consent.

Note to the applicant: this form, a copy of the application and plans must be signed by the affected person to be accepted as complete.

The Waitaki District Council considers that the following persons, organisations, property owners could be adversely affected by the granting of the Resource Consent:

.....

If written consent of any of the above persons is received, the Council shall not take account of any actual or potential effect of the activity on those persons (Section 95D(e)) Resource Management Act 1991).

If you, as a potentially affected person, approve of the application being considered without being notified in accordance with the Act, please sign the form below and a copy of the application/AEE and plans (if any).

I (Full name).....

of (address).....

have given my written approval to the consent being considered as a non-notified application.

Signed (owner)

Signed (joint owner)

Signed (occupier)

Date

(if necessary, attach further comments on a separate page)

Neighbours' Consent Explanation

If you are approached to sign a neighbours' consent form, you need to understand the place that consent has in the processing of the application. If the Council decides you may be adversely affected by the proposal, on an adjoining or nearby site, then it is up to the applicant to obtain your written consent to the proposal. If you sign this form, then the Council *is unable to take account of any adverse (negative) effects the proposal may have on you and your property* when it makes a decision on whether to grant or refuse the application.

Identification as an affected neighbour

In deciding whether or not anyone is affected by a proposal, the Council has to consider what the District Plan was trying to achieve. A few examples that may help you understand the process are:

- If your neighbour proposes to build right up to your boundary instead of setting the building back by the amount required in the District Plan, then it is likely only your consent will be required and not other neighbours, as the rule seeks to reduce the visual dominance of the building on your outlook, to enable access to daylight and to provide for a degree of privacy.
- If your neighbour proposes to set up a business in their house, which will attract visitors to the site, then all the adjoining neighbours' consents may be required.
- If you live in the vicinity of a commercial area and a tavern proposes to operate beyond 11pm with a band playing every night, then neighbours' consents might be required from a wide area, possibly a whole block.

The range of neighbours' consents required depends very much on the issue involved and each application has to be considered independently as the circumstances of each application are unique. In most cases, the Council will require the consent of both the owner(s) and the occupier (eg tenants) of a property.

Supporting the approval of the application

You should also remember that you are quite entitled to change your mind after you have signed a neighbours' consent form. If you decide to withdraw your consent, you can do so but you must do this *before* the Council has considered the application otherwise the Council will assume you agree with the application. If you decide to withdraw your consent, you can telephone the planning department but you should also send in a brief letter recording the withdrawal of the consent. The withdrawal of the consent may mean the application has to be notified.

Opposing the application

If you do not support the approval of the proposal, you are quite within your rights not to sign the form. There is no compulsion to give your consent, nor is there a certain time frame in which you must decide whether to give a consent or not. If an applicant gives you a date to respond by, that is usually for their convenience and is not a Council deadline. If you need more time to consider it, then you should say so.

However, you should feel able to discuss with the applicant ways in which they can change their proposal to meet any concerns you may have. It is appropriate to negotiate with your neighbour about such matters when you are discussing things that can be done to reduce the impact of the proposal to you and your property. Two common ways of doing this are either to get the applicant to amend their plans before you sign them *or* to make your consent conditional upon some matter. Council will only accept conditional consents where the condition relates to a relevant Resource Management matter. Council planners are able to give advice on the types of conditions that can be included in conditional consents.

If you decide to withhold your consent and the applicant is not prepared to change the proposal to exclude the effects it has on you, it is likely that the application will have to be notified. This is a significantly more costly and time consuming process and this may be of concern to the applicant. Alternatively, the applicant may decide to withdraw the application.

The Council is aware that in some instances people have had difficult and ongoing disputes with their neighbours as a result of disagreements over neighbours' consents. This is unfortunate but in some situations, this may happen. The potential for such a dispute would hopefully be less where the discussions and negotiations are reasonably related to the effects of the proposal and not some unrelated matter.



**RECORD OF TITLE
UNDER LAND TRANSFER ACT 2017
FREEHOLD
Search Copy**



R. W. Muir
R. W. Muir
Registrar-General
of Land

Identifier **OT13D/957**
Land Registration District **Otago**
Date Issued 01 October 1991

Prior References
OT3D/543

Estate Fee Simple
Area 1.2000 hectares more or less
Legal Description Lot 1 Deposited Plan 18457

Registered Owners
Ciaran Maurice Keogh and Barbara Jill Corson

Interests

657731.1 Easement Certificate specifying the following easements

| Type | Servient Tenement | Easement Area | Dominant Tenement | Statutory Restriction |
|--------------|---|---------------|---|---|
| Right of way | Lot 1 Deposited Plan 18457 - herein | A DP 18457 | Lot 2 Deposited Plan 18457 - CT OT13D/958 | Section 309(1)(a) Local Government Act 1974 |
| Right of way | Lot 2 Deposited Plan 18457 - CT OT13D/958 | B DP 18457 | Lot 1 Deposited Plan 18457 - herein | Section 309(1)(a) Local Government Act 1974 |



**RECORD OF TITLE
UNDER LAND TRANSFER ACT 2017
FREEHOLD
Search Copy**



R. W. Muir
Registrar-General
of Land

Identifier **OT13D/958**
Land Registration District **Otago**
Date Issued 01 October 1991

Prior References

OT3D/543

Estate Fee Simple
Area 1.0470 hectares more or less
Legal Description Lot 2 Deposited Plan 18457

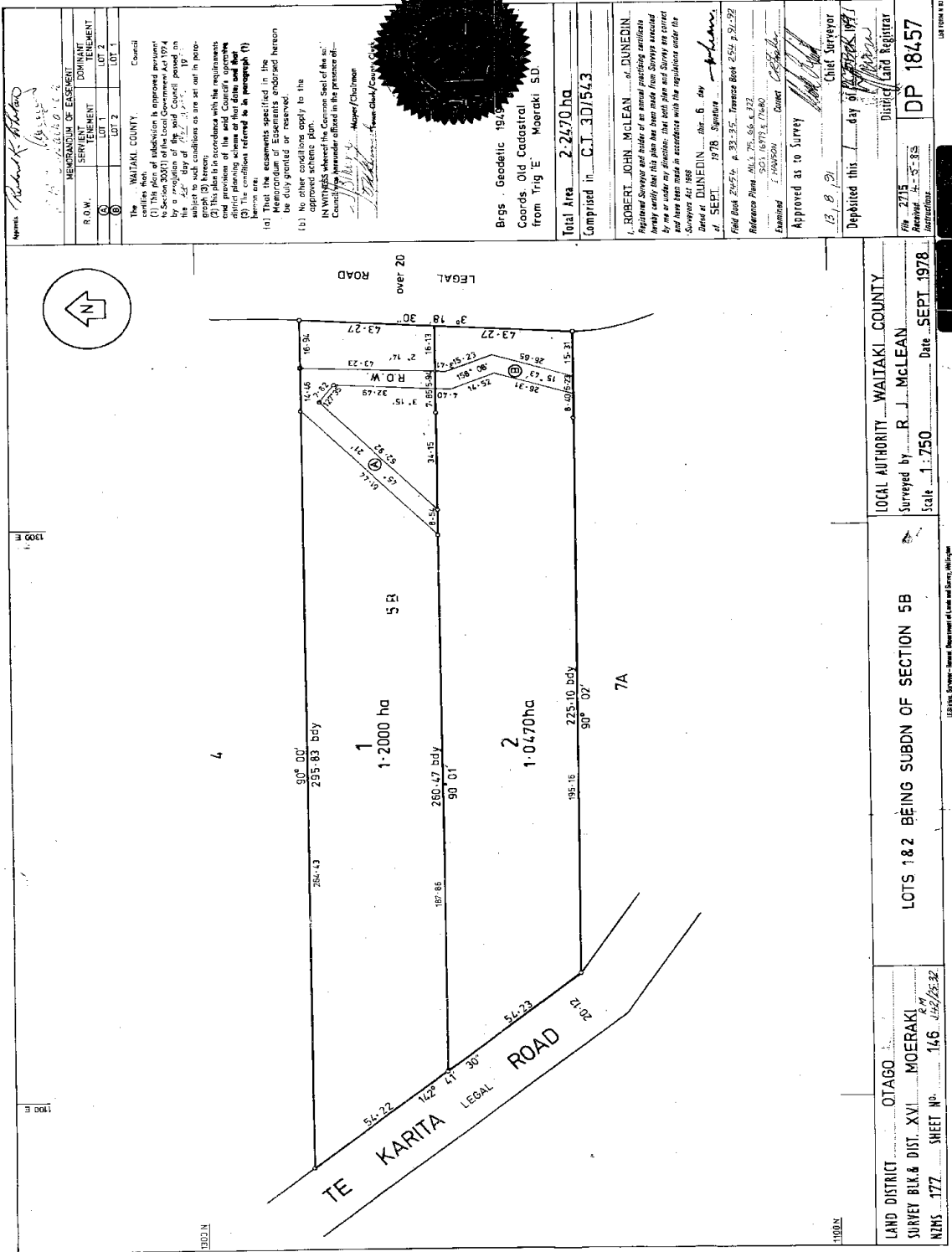
Registered Owners

Pamela Joyce Hey as to a 1/4 share
Jennifer Dawn Brookes as to a 1/2 share
Jennifer Dawn Brookes, John Raymond Hey and Peter Lindsay Hey as to a 1/4 share as Executors

Interests

657731.1 Easement Certificate specifying the following easements

| Type | Servient Tenement | Easement Area | Dominant Tenement | Statutory Restriction |
|--------------|---|---------------|---|---|
| Right of way | Lot 2 Deposited Plan 18457 - herein | B DP 18457 | Lot 1 Deposited Plan 18457 - CT OT13D/957 | Section 309(1)(a) Local Government Act 1974 |
| Right of way | Lot 1 Deposited Plan 18457 - CT OT13D/957 | A DP 18457 | Lot 2 Deposited Plan 18457 - herein | Section 309(1)(a) Local Government Act 1974 |



MEMORANDUM OF EASEMENT
 R.O.W. LOT 1
 LOT 2
 LOT 1

WAITAKI COUNTY Council
 The centre line of section 5B is proposed to be Section 30(1) of the Local Government Act 1974 by a resolution of the said Council passed on the 27th day of 1978.

(1) This plan is in accordance with the requirements and provisions of the said Council's agreement and is subject to the conditions set out in paragraph (2) hereof.

(2) The easement specified in the Memorandum of Easement endorsed hereon is hereby granted as requested.

(3) The conditions referred to in paragraph (1) hereon are:

(a) That the easements specified in the Memorandum of Easement endorsed hereon are hereby granted as requested.

(b) No other easements apply to the proposed scheme plan.

IN WITNESS whereof the Common Seal of the Council has hereunto been affixed in the presence of:

[Signature] Mayor/Chairman
[Signature] Town Clerk/Council Secretary

Brigs, Geodetic 1945
 Coords. Old Cadastral from Trig E Moeraki SD.

Total Area 2-2470 ha
 Comprised in C.I. 30/543

I, ROBERT JOHN McLEAN, of DUNEDIN, Registered Surveyor and holder of an annual practicing certificate hereby certify that this plan has been made from surveys executed by me or under my direction; that both plan and survey are correct and have been made in accordance with the regulations under the Survey Act 1968.

Done at DUNEDIN this 6th day of SEPT 1978. Signature
 Reference Plans O.L.S. 75, 56 & 112
 Field Book 20/574, p. 23-25; Traverse Book 254 p. 2-22
 Examined I. HANSON
 Chief Surveyor

Approved as to Survey
 13/8/91
 Deposited this 13th day of SEPT 1978
 District Land Registrar
 DP 18457
 File No. 2715
 Received 1-3-88

LOCAL AUTHORITY WAITAKI COUNTY
 Surveyed by R. J. McLEAN
 Scale 1:750 Date SEPT 1978

LAND DISTRICT OTAGO
 SURVEY BLK. & DIST. XVI MOERAKI
 SHEET No. 146
 146
 146/2/23-32

1:1000 N
 1:1000 E
 1:1000 E