

The logo for 4SIGHT CONSULTING is centered on the page. It features the word "4SIGHT" in a large, white, stylized font where the '4' is a square with a diagonal line. Below it, the word "CONSULTING" is written in a smaller, white, sans-serif font. The background of the entire page is a photograph of a city at sunset, viewed from a grassy hillside. The sky is a mix of orange, pink, and blue. In the foreground, there are green grasses. On the left side, there are several overlapping geometric shapes in shades of purple and white, including a large '4' shape and some parallel lines.

Rural Provisions Report

For Upper Hutt City Council
Planning Policy Team

Rural Provisions Advice
Recommendations and Supporting Research

June 2021

REPORT INFORMATION AND QUALITY CONTROL

Prepared for:	Ike Kleybos, Senior Planner Planning Policy Team Upper Hutt City Council
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1 EXECUTIVE SUMMARY

Following our completion of the Rural Bulk and Location metrics report, you have asked us to provide further landscape and planning advice with regards to specific draft rural provisions. This is to help inform the development of PC50 by both testing draft provisions and/or providing a landscape rationale basis across the topics set out in this report.

This Rural Provisions Report addresses:

- Clustered housing provisions
- The Maymorn precinct
- Light reflectivity values
- Secondary dwellings
- Landscape review of draft provisions

The scope of this report has not been to fully revise council's draft provisions but provide further landscape values-based rationales for these. We have also noted areas where provisions may be revised or strengthened. We have also brought through advice from earlier PC50 landscape reporting (for rural zones) in reference to key related themes from these reports.

This report outlines sets out our landscape and planning advice as requested on the above matters.

References are made throughout this report to two earlier rural landscape reports provided for the Upper Hutt PC50 process these are:

- The 'Rural Land Use Assessment Landscape Sensitivity Report' 2019, and which is referred to in this report as the 'Landscape Sensitivity Report'
- The 'PC50 Rural Zone Metrics Report', 2021, and which is referred to in this report as the 'Landscape Metrics Report'

We have used the following rural zone abbreviations through this report:

- General Rural Zone (GR)
- Rural Production Zone (RP)
- Rural Lifestyle Zone (RL)
- Rural Settlement Zone (RS)

2 RURAL PROVISIONS

2.1 Clustered housing provisions

In this section we address the appropriateness of draft provisions, making recommendations from a landscape perspective (with reference to earlier metrics and landscape sensitivity reporting). We identify relevant aspects of the draft provisions which may require further work.

Background

Clustered development is visible in traditional crossroads development patterns within the rural environment (p. 14, 34, Landscape Sensitivity report). It also allows retention of rural character (of the surrounds) by concentrating development yield, retaining the wider open space nature of the rural landscape (p. 44,45 Landscape Sensitivity Report).

Locally, the Katherine Mansfield Drive area is a positive example of cluster development, settled into lower slopes and retaining open areas of the valley floor for productive use (p. 14, Landscape Sensitivity Report).



Figure 1 - Aerial image of the Katherine Mansfield Drive area and adjacent valley floor (Supplied by UHCC)

Clustering provisions are included in council's draft Rural Lifestyle Zone (for properties of at least 10ha) and the Rural Settlement Zone (for properties of at least 6ha). The metrics used are different for comprehensive rural-residential development for each zone. However, in both draft zones clustered development is incentivised as a greater yield is permitted, while still retaining 70% balance land of the original property.

Clustered development also provides for efficiency in servicing subdivision development.

Policy Review:

In **Queenstown** the mechanism is Assessment Matters in rural areas in response to design and density requirements where there are Outstanding Natural Features and Outstanding Natural Landscapes and Rural Character Landscape rather than across rural areas generally.

In the **Tasman** District the reference to clustering of residential activities in the Rural 1 Zone is mainly a response to historically small rural sites that are unable to meet the 30-metre internal boundary setback and are one of a number of measures to be considered including building location, orientation, design, and fencing or screening. This is a design response within a single existing site, rather than across a number of rural sites at the time of subdivision.

In **Taupo** the approach to subdivision in the Rural Environment is to apply a formula based on the size of the parent lot, separation distances, and establishing an overall permitted density. This is closely aligned to the approach taken by Upper Hutt City Council in Appendix A.

Our recommendations/comments on draft Upper Hutt provisions (draft RL and RS zones):

For the Rural Lifestyle Zone and the Settlement Zone, the draft provisions of PC50 currently allow *'for up to 50% of residential units to have a shared wall'*. There is a risk that a duplex arrangement (two attached dwellings) in these zones would appear as a single building (dwelling) in the landscape. An additional control may be necessary to limit the overall footprint of these buildings as a result (as also noted in section 2.5 of this report, where our cluster provision comments are provided in full). This should also consider accessory building placement and area, as a topic for further investigation.

Council recognises that there are not many properties which may meet the minimum area for cluster development (comments 13 May 2021). However, where it can occur, the focus is on clustering development to less sensitive aspects of the property. We recommend that this intent is more clearly reflected in the comprehensive development provisions than indicated by current wording.

The following figures illustrate indicative cluster development based on the draft RL and RS zone cluster development provisions.

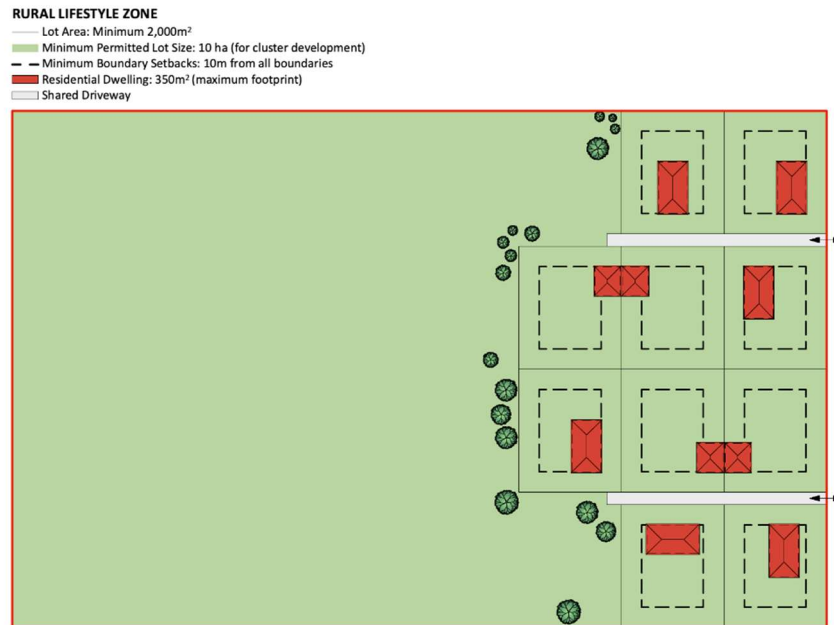


Figure 2 – Indicative cluster development based on the draft Rural Lifestyle Zone provisions

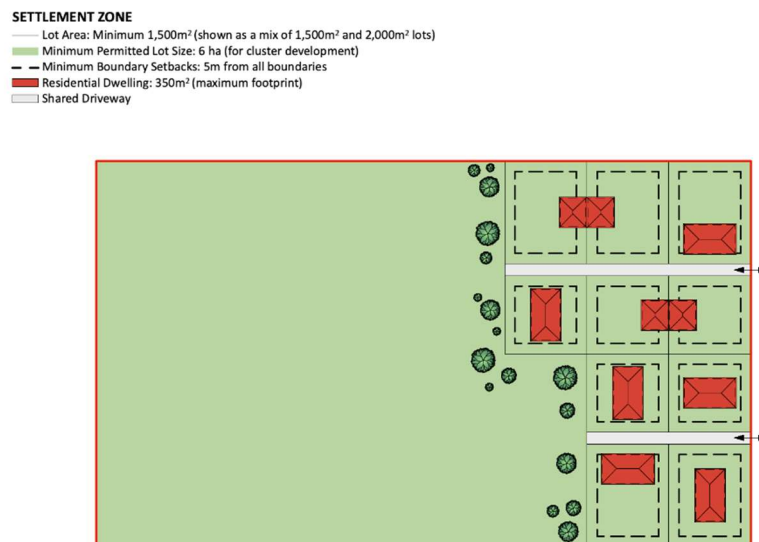


Figure 3 – Indicative cluster development based on the draft Rural Settlement Zone provisions

2.2 Maymorn precinct

In this section we provide a landscape basis for draft Maymorn precinct provisions in response to landscape outcomes anticipated for the Rural Settlement Zone. Measures are also set out to ensure good design outcomes, primarily with regards to commercial development and residential subdivision.

As background here, we note the following policy matters (with emphasis added).

The National Planning Standards 'Settlement Zone Area' definition sets out that:

'Areas used predominantly for a cluster of residential, commercial, light industrial and/or community activities that are located in rural areas or coastal environments.'

Upper Hutt City Council's Draft Objective 11 - Rural Settlement Zone¹

'The Rural Settlement Zone provides for a form of rural-residential living, in a compact and clustered form, whereby openness and privacy can be maintained and is located to be easily accessible to the urban perimeter and at a scale where on-site servicing is possible.'

Transport is a factor informing where the proposed Rural Settlement zone areas are to be located, with both proximity and easy accessibility to urban Upper Hutt. For the Maymorn Precinct, set out as a consolidated area within a 5-minute walk's distance to the railway station (p. 9 Landscape Metrics Report), accessible public transport is a further defining factor. Denser nodes or development areas within the rural environment should be neither isolated nor of reduced accessibility. This approach to proposed consolidated rural development also reflects a level of resilience planning ((p. 1, Landscape Metrics Report).

As rural development density will be most enabled through the draft Rural Settlement Zone areas, so too is the risk of this greater level of built development more readily having an urbanising effect on landscape character. There will be less offsetting space (and associated landscape planting opportunity) within allotments (p. 14. Landscape metrics report). This sets up a rationale for incorporating relevant design controls and taking a cautious approach to even smaller allotment sizes, noting that the proposed Maymorn Precinct allows for an average of 2,000m² and a minimum of 1,000m² allotments. We recommend the metrics consistent with 'standard' Rural Settlement Zone provisions are also applicable to the Maymorn Precinct.

Our recommendations

We recommend that council provide a plan illustrating the extend/limits of areas referenced under Objective 6 – Maymorn Development, points a) – g). In this way the intent of these provisions is not negated by any ambiguity. Such illustration will clarify the overall interaction and function of these elements.

We support the approach whereby Maymorn development is denser centrally (Policy 19 – Maymorn development pattern) and recommend the use of outline plans to clarify density expectations, along with effective road and multimodal connectivity (walkways and reserve linkages). This is consistent with landscape metrics reporting whereby this approach is also put forward to help reduce the risk of reverse sensitivity in relation to adjacent/nearby RP zoning.

From a landscape perspective we support the approach of policies 20, 21 and 22. However, as with other policies for this area, we recommend clarifying their intent with graphics or diagrams. Further analysis will be enabled by this illustration, which will also help negate potentially unnecessary debate on their interpretation.

With regards to 'Policy 23 – Design aesthetic of Maymorn', we recommend further clarity for the purpose of 'point a.' *landscape buffers*. In more developed areas vegetative screening may create an unintended or overt sense of separation. Further clarification is recommended on the intended context for such planting to help ensure it is not overtly relied on in denser areas. In such places (with higher pedestrian activity) vegetation may negate passive surveillance and a building or property's streetscape interface.

¹ As at 16 February 2021

However, road frontage planting in more open rural areas can help soften the appearance of rural subdivision. A considered approach to such broader scale framework planting is recommended, as is its integration with building placement and design measures.

Overall, we support and recommend the use of landscape planting through rural developments, particularly more informal planting which is characteristic of the rural environment. Where suitable, existing vegetation can be retained for a similar benefit.

For 'point c', *building dominance* may be best defined as its *visual prominence*. Retaining the discretion to approve subdivision building platform locations could be added to this list.

From a landscape perspective, we otherwise support the Maymorn Precinct policies.

We note a correction to the order of magnitude for allotments that could be created in this precinct of 40 rather than 400 allotments.

Design controls

Built form design controls should reference a residential vernacular and 'village feel' to commercial and community based built development. This would involve the avoidance of blank facades (i.e., tilt slab development), instead requiring measures such as an effective level of architectural detail, and fenestration.

Commercial development guidelines can also require an effective streetscape relationship, whereby front doors/pedestrian access addresses the street (as do well sized windows, which should remain uncovered by advertising), and that any customer parking is at the rear of the building. From our understanding of how the rural metrics would be applied, a commercial activity in the metrics zone would also be limited to 350m² main building footprint.

To support this and 'soften the built form' we recommend that frontage planting requirements (for both commercial and community development) include an informal frontage garden area of at least 2m in depth including a clear stemmed² tree capable of reaching 6m at maturity, (and another tree per 10m of frontage) to be underplanted with low shrubs throughout. This provision is also set out in section 2.,5 of this report. Consideration could be given to requiring that an area, such as 10% overall of commercial sites are required to be in garden areas/soft landscape, with a further requirement, (based on site area) to distribute trees through allotments.

Further to comment made in the earlier reporting, **public space areas** through both the RL and RS zones are key to avoid undue urbanising of these zones. In this regard, we recommend prohibiting the use of subdivision signage and entrance way gates and avoiding (to the extent practical) the use of formalised kerb and channel, in favour of swales or informal options. Where suitable, i.e., where foot traffic is low, footpaths could be provided to only one side of the street. Gravel paths may provide a preferable alternative to concrete footpaths, as they better reflect an informal character.

A council produced outline plan for the Maymorn precinct would more clearly communicate the spatial arrangements described in 'Objective 6 – Maymorn Development'. Further to this the outline plan can indicate where council seeks local road connectivity and alignment, reserve location(s) and shared path linkages throughout the precinct. This will ensure future walkability (prioritising direct pedestrian access); limiting the use of cul-de-sacs, more meandering road patterns or other approaches which can impact on access or wayfinding.

2.3 Light reflectivity values (LRV)

The scope for this section is to provide LRV recommendations, noting that Council's preference to establish a maximum 30% LRV level through GR, RP and RL zones; with comments also sought here regarding the merit of LRV measures being adopted for the RS zone (Council comments, 13 May 2021). Council's proposed provisions are

² In this way 'sight lines' would also be provided for, addressing Crime Prevention through Environmental Design (CPTED).

currently for buildings in all the Rural Zones to achieve a Light Reflectance Value (LRV) of 30% or less. This would mean that white or very light colours would not be acceptable across any of the draft rural zone areas.

Firstly, to address LRV levels for the draft Rural Settlement Zone. We consider this is less of a concern in this zone, given that there is a lesser expectation for open space to dominate over built form in this zone (at a higher development density), or in other words, as much a need for visually recessive built form.

Also, we note the historic basis (in part) for these areas, i.e., in relation to MacLaren Street. Lighter colours, for example, white weatherboard houses are a somewhat more traditional dwelling approach, we consider that the landscape character and amenity of the Rural Settlement Zone areas, including the proposed Maymorn Precinct do not warrant LRV provisions. We consider that metrics such as boundary setbacks, maximum building footprint and height play a more relevant role (from a landscape perspective) for the RS zone areas.

Policy Review

We have provided the following policy review to 'unpack' the approaches in other district plans regarding LRV provisions.

In the **Christchurch District Plan**³ there is variation in the approach to LRV, but in the main the control only relates to roofs of buildings, where the maximum value is 30% in the Rural Hills Zone (and 20% in the Residential Hills Zone). However, all parts of buildings in the Rural Banks Peninsula Zone are restricted to a maximum LRV of 40%. There are some specific provisions in hill areas where there are additional restrictions relating to trim details (Worsleys Spur) and the use of a colour palette in the Samarang Bay Density Overlay and the Allandale Density Overlay.

In the provisions of the Operative **Queenstown-Lakes District Plan** there is reference to a colour palette of acceptable colours and a design guide to the use of materials to incorporate timber and schist. In the Proposed Queenstown Lakes District Plan⁴ they have moved to all exterior surfaces being coloured in the range of browns, greens, or greys for all buildings in the Rural Zone such that:

Pre-painted steel and all roofs must have a light reflectance value not greater than 20%; and

*All other surface ** finishes except for schist, must have a light reflectance value of not greater than 30%.*

In the case of alterations to an existing building not located within a building platform, it does not increase the ground floor area by more than 30% in any ten-year period.)

Except this rule does not apply within the Ski Area Sub-Zones.

** Excludes soffits, windows and skylights (but not glass balustrades).*

*** Includes cladding and built landscaping that cannot be measured by way of light reflectance value but is deemed by the Council to be suitably recessive and have the same effect as achieving a light reflectance value of 30%*

Our recommendations:

Overall, LRV provisions should be used among a palette of other measures to help address the potential for visual prominence of built development and help to provide for appropriate landscape character outcomes.

We can support a light reflectance value for buildings to be 30% as a general rule for all external parts of a building. This is an approach that has been taken elsewhere and is perhaps simpler to administer than incorporating different values for different parts of the building (external wall cladding, roof area etc.). While some materials can weather and lighten naturally, we also note council comments (13 May 2021) that this is not a concern for locally sourced rock or stone.

³ <https://districtplan.ccc.govt.nz/pages/plan/book.aspx?exhibit=DistrictPlan>

⁴ <https://www.qldc.govt.nz/media/1b1gqi4h/pdp-chapter-21-rural-apr-2021.pdf>

2.4 Secondary dwellings

In this section we have set out recommendations to help facilitate an appropriate landscape outcome for siting two dwellings (primary and secondary) within a site. Draft provisions set out that secondary dwellings are permitted at up to 100m² in the GR and RP zones and that they are permitted at up to 60m² in the RL and RS zones.

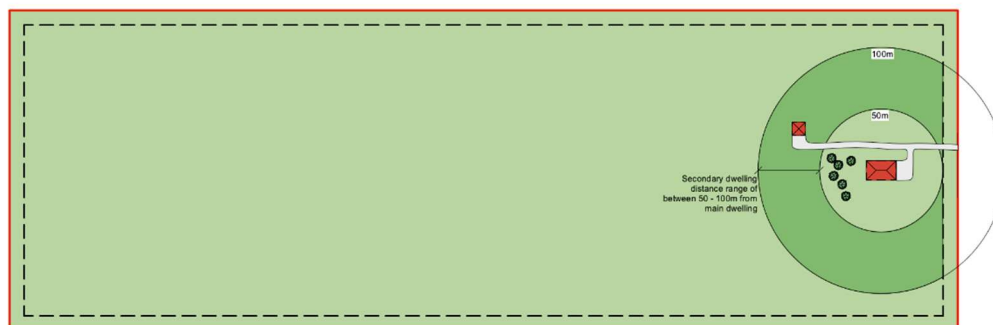
We have taken a balanced approach by taking the positive outcomes of clustering development, rather than a development pattern being more broadly scattered through the landscape, by setting out a *maximum* permitted distance between dwellings. In addition to this, the *minimum* recommended distance helps ensure a sufficient level of space and separation between the two dwellings. Further requirements for buffering tree planting between the two dwellings could bolster this approach as required.

Our recommendations:

- The primary and secondary dwelling share a driveway into the site reinforcing their compact arrangement onsite (all rural zones)
- Curtilage areas for each dwelling should be limited to further contain built development on a site (a topic for further investigation)
- Retain discretion to approve placement in more sensitive landscape areas (GR, RP, RL zones)
- Retain discretion to require a landscape plan for council sign off (GR, RP, RL zones)
- Require minimum (50m) and maximum (100m) separation distances between the two dwellings on a site as set out in the following diagrams (GR, RP zones)

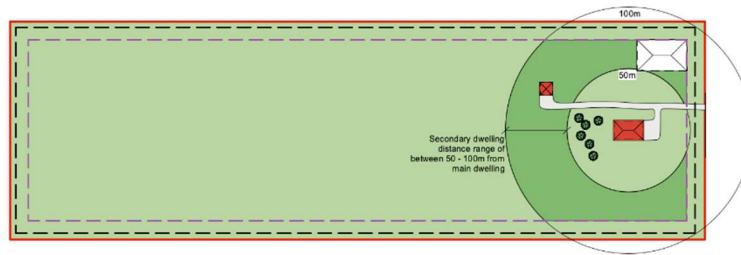
GENERAL RURAL ZONE: EXISTING METRICS

- Site Extents
- Minimum Permitted Lot Size: 20 ha
- Minimum Boundary Setbacks: 12m from all boundaries
- Residential Dwellings: 350m² + 100m²



RURAL PRODUCTION: PRELIMINARY PLACE HOLDER METRICS (FROM COUNCIL)

- Site Extents
- Minimum Permitted Lot Size: 10 ha
- Minimum Boundary Setbacks: 8m from front, 5m from side and rear boundaries
- Minimum Boundary Setbacks Non Residential: 15m from all boundaries
- Residential Dwellings: 350m² + 100m²
- Non Residential Building: 1,000m²



We note that at the denser zoning of RL and RS zones, the lesser available space within boundary setbacks negates the need to further constrain placements of secondary dwellings with minimum and maximum setbacks between the dwellings onsite.

2.5 Landscape review of draft provisions

The following points outline our landscape feedback, providing additional guidance on the ‘Proposed Draft PC50 Rural Provisions’⁵. In each case our comments relate to the provision (or bullet point) they follow.

Network utilities (p. 1 – permitted activity all zones)

We recommend a level of discretion in some circumstances based on height/bulk thresholds, with associated assessment matters related to landscape character and visual effects. Solutions may also include retaining discretion over their placement in the landscape i.e., for telecommunications towers which trigger the need for a consent (at nominally 20-25m in height for instance). From our experience, this approach would also be consistent with that of other district plans.

Various activities/facilities (p. 1,2 – permitted to non-complying activities all zones)

In the draft provisions, the use or purpose of a site activity informs its activity status across the different zones. It is not immediately clear why some activities align with a given activity status. This also sets up a risk by which a proposal’s use is tweaked to help it meet a different use definition, and thereby ease the consenting process. There may be a risk to address here which could be resolved by *also* settling thresholds in relation to relate to building area, parking provisions and other quantitative/metric factors? Exceeding more measurable standards would enable clearer discretion based on the potential landscape and visual effects.

Subdivision assessment matters (p. 3,4 – permitted activities all zones)

These bullet point lists in tables may be better reworded to address concerns more clearly.

- How the location of a building area or building platform(s) *conforms* to existing landform;
- The extent to which boundary locations *align* with landform;

We recommend language which more directly addresses landscape and visual effects, i.e., to sit development *unobtrusively or discreetly* within the landscape, and to address *visual prominence*.

- Whether controls are proposed to address building prominence, including the use of recessive colours, incorporating a secondary cladding material, and/or building modulation **and/or other measure which effectively ‘visually break up’ the bulk and scale of a building;**

Suggested further wording is shown **bold in teal** above.

- Access configuration and formation whereby access formation works are designed to reduce the scale of works and impact on landform and land cover;

Consider rewording this last bullet point above to specifically consider established trees and/or any indigenous vegetation.

It may also be better to word this as addressing the ‘effect of’ access configuration and formation so that where a slightly longer route provides a better outcome, the provision is more arguable directed that way. It is agreed that the reference though to both configuration and formation is important. Addressing ‘the effects of’ rather than addressing the change itself is also key as landscape effects are considered as the effects on landscape character values associated with a landscape change.

- How access utilises existing tracks or whether access utilises an existing formed access **for the purpose of minimising land disturbance and reducing the visual impact of new access routes;**

⁵ Appendix A, ‘ATTACHMENT 3 – Proposed draft PC50 rural provisions’, provided by Upper Hutt City Council.

Suggested further wording is shown **bold in teal** above. We also note slight variations on this wording between subdivision development and comprehensive development which could be better streamlined.

- The extent to which vegetation is proposed, including how this builds upon any identified Significant Natural Area and responds to the location of building platform(s), landform, and access location; and

Further clarity may help with this bullet point above. A planting plan for this purpose should be subject to approval based on appropriate planting selection and layout. Planting should not be used as the sole mitigation measure relied on to enable the use of more visually prominent building locations (particularly in elevated areas). Planting implemented on open and prominent hill locations (separate from existing vegetation patterns) can pinpoint a building's location. Limitations and matters of caution on the use of vegetative mitigation measures is discussed in more detail in the landscape metrics report.

Subdivision (p. 4,5 - restricted discretionary activity status RL, RS zones)

- Management of **the effects of** additional building density;

Suggested further wording is shown **bold in teal** above.

- Whether any proposed building uses a recessive colours pallet that achieves a Light Reflectance Value of 30% or less; and

Consider whether a broader statement across built form design measures would be of more value for the bullet point above (allowing more options for the owner to address effects).

- How effects on landscape **character values** are addressed; and

Suggested further wording is shown **bold in teal** above.

Comprehensive rural residential development (p. 6,7,8 - restricted discretionary activity status RL, RS zones)

- No more than 10 lots are clustered together (excluding access lots), with at least 1 balance lot;

More than one balance lot, thereby decreasing the continuous area of balance land may not result in the sought outcome of retaining rural character. We suggest that the use of *more than one* balance lot may be a matter of discretion.

- No more than 50% of residential units shall have a shared wall;

We recommend rewording the second of the two bullet points above to limit the use of attached dwellings to duplex development.

As 350m² is the maximum dwelling footprint across the rural zones, we recommend continuity with this in enabling attached dwellings. In this way, comprehensive development will not enable larger scale residential buildings than otherwise anticipated permitted throughout all rural zones.

The opportunity to create no more than 50% of dwellings as attached dwellings (i.e. duplex developments), *if* the entire building is no more than 350m², could facilitate a greater range of dwelling typology (i.e., for dwellings smaller than 'family homes') while retaining the overall limits anticipated for the rural zones.

- How the design responds to the existing landform, existing vegetation, waterways and identified natural hazards;

Note earlier comments on similar clauses.

- How the development responds to existing residential, production areas or industry;

This may require further explanation, regarding density distribution, informal planting or other measure which reflect adjacent rural character of lower density rural zoning. The bullet point may also set out measures to help negate reverse sensitivity concerns.

- Access configuration and formation whereby access formation works are designed to reduce the scale of works and impact on landform and terrain;

Note earlier comments on similar clauses.

- How access utilises existing tracks or agglomerates formed access legs;
- Measures to reduce building dominance and prominence through the use of material, recessive colours, and building modulation;

This is a good example, and this or something similar could replace built form consideration where it is limited to LRV only in other bullet points (giving owners more design approach options to mitigate effects, or council officers more opportunity to recommend the most effective mitigation measures).

- Any proposed planting and whether this builds upon any identified significant natural areas;

Note earlier comments on similar clauses.

Building height and design (p. 10, 11 – built form standards/breach = restricted discretionary activity, all zones)

We recommend greater continuity in wording regarding building form design mitigation, landscape and visual effects, and building location measures throughout the draft provisions. Where there are different requirements through the zones and/or their activity levels, the rationale for a varying approach should be clear. This is a matter to be further resolved.

Minor residential units and secondary residential units (p. 11 – built form standards/breach = permitted activity standard, all zones)

The intent of RS zone bullet point *‘One Minor Residential Unit unless a complying non-residential structure is already provided’* is unclear as this would seem to indicate a *constraining* rather than an *enabling* factor.

Home business (p. 13,14 – permitted activity standard, GR zone)

- Any dedicated parking area shall meet building setback requirements for non-residential buildings, with front lots requiring landscaping to be established between spaces and the road boundary.

More specific requirements would help with this bullet point as ‘landscaping’ which only involves lawn may be of limited effect (or mitigation value). We suggest the following or similar wording:

‘An informal frontage garden area of at least 2m in depth including a clear stemmed⁶ tree capable of reaching 6m at maturity, (and another tree per 10m of frontage) to be underplanted with low shrubs throughout’.

As a final note, we recommend that (from a landscape perspective, i.e., addressing potential effects), the revised maximum footprint for secondary dwellings of 60m² for RL and RS zones (council comments 13 May 2021) also be adopted for non-residential buildings in these two zones. For a negligible difference in outcome, over a 55m² permitted building size, this would allow more streamlined administration across all zones of the plan.

⁶ In this way ‘sight lines’ would also be provided for, addressing Crime Prevention through Environmental Design (CPTED).

Appendix A:

PC50 Draft General Rural Provisions

Appendix B:

Cluster provisions from other plans

Extracts from the following plans are included to assist with interpreting the discussion of clustering provisions:

- Proposed Queenstown Lakes District Plan:
<https://www.qldc.govt.nz/your-council/district-plan/proposed-district-plan#rural-pdp>
- Tasman Resource Management Plan:
<https://www.tasman.govt.nz/my-council/key-documents/tasman-resource-management-plan/>
- Taupo District Plan:
<https://taupo.isoplan.co.nz/eplan/>

Proposed Queenstown Lakes District Plan

(Extract from Part 4 – Rural 21)

21.21 Assessment Matters (Landscape)

21.21.1.5 Design and density of development:

In considering the appropriateness of the design and density of the proposed development, whether and to what extent:

- a. opportunity has been taken to aggregate built development to utilise common access ways including roads, pedestrian linkages, services and open space (i.e. open space held in one title whether jointly or otherwise);
- b. there is merit in clustering the proposed building(s) or building platform(s) within areas that are least sensitive to change;
- c. development, including access, is located within the parts of the site where it would be least visible from public and private locations;
- d. development, including access, is located in the parts of the site where it has the least impact on landscape character.

21.21.2.4 Design and density of development:

In considering the appropriateness of the design and density of the proposed development, whether and to what extent:

- a. opportunity has been taken to aggregate built development to utilise common access ways including roads, pedestrian linkages, services and open space (i.e. open space held in one title whether jointly or otherwise);
- b. there is merit in clustering the proposed building(s) or building platform(s) having regard to the overall density and intensity of the proposed development and whether this would exceed the ability of the landscape to absorb change;
- c. development, including access, is located within the parts of the site where they will be least visible from public and private locations;
- d. development, including access, is located in the parts of the site where they will have the least impact on landscape character.

Tasman Resource Management Plan

(Extract from Chapter 7 – Rural Environment Effects)

7.4.3 Policies

7.4.3.1 To ensure that there is sufficient flexibility for a wide range of productive rural activities to take place, while avoiding, remedying or mitigating adverse effects.

7.4.3.2 To provide for rural activities which may involve levels and types of effects, including noise, dust, smoke and odour, that may be permanent, temporary or seasonal, and that may not meet standards typically expected in urban areas.

7.4.3.3 To provide for the maintenance and enhancement of local rural character, including such attributes as openness, greenness, productive activity, absence of signs, and separation, style and scale of structures.

7.4.3.4 To exclude from rural areas, uses or activities (including rural-residential) which would have adverse effects on rural activities, health or amenity values, where those effects cannot be avoided, remedied or mitigated.

7.4.3.5 To exclude from rural-residential areas, uses or activities which would have adverse effects on rural-residential activities, health or amenity values, where those effects cannot be avoided, remedied or mitigated.

7.4.3.6 To discourage continuing subdivision of small allotments in the Rural 1 and Rural 2 zones where this may contribute to the cumulative loss of rural character and amenity values.

7.4.3.7 To avoid further subdivision of large allotments created by way of an average allotment size subdivision.

7.4.3.8 To discourage dwelling development on existing small allotments, where this may cumulatively adversely affect rural character and amenity value. C60 1/16 Op 6/19

7.4.3.9 To ensure that adequate physical or spatial buffers or other techniques are applied when allowing new allotments or buildings primarily or exclusively for residential purposes in rural areas, so that productive land use opportunities are not compromised.

7.4.3.10 To facilitate the amalgamation of land parcels as a means of avoiding, remedying or mitigating adverse effects of use or development on rural character or amenity values. 7.4.3.11 To enable the subdivision of land for conservation or protection of features or resources that particularly contribute to the rural character of the area.

7.4.3.12 To avoid, remedy or mitigate servicing effects of rural subdivision and development, including road access and impacts on the road network, water availability and wastewater disposal. C60 1/16 Op 6/19

7.4.3.13 To ensure the maintenance or enhancement of natural drainage features within rural catchments, and to avoid, remedy, or mitigate any adverse effects of stormwater runoff. C7 7/07 Op 10/10

7.4.3.14 To limit the adverse amenity effect of noise from frost protection methods, notwithstanding any other policy.

(Extract from Chapter 17.5 – Rural 1 Zone Rules)

Setback

Setback from roads will promote road safety and help maintain rural open space. It will also separate dwellings from the adverse effects of road use, such as dust, noise and vibration. Separation between buildings on adjoining sites maintains open space and privacy and minimises shading of neighbouring properties.

The 30-metre setback requirement for habitable buildings has been imposed primarily to manage cross-boundary effects, limit impacts on the productive potential of adjoining sites, and minimise impacts on rural character and amenity.

Tasman District has a legacy of small rural sites in the Rural 1 zone that may be constrained in meeting the 30-metre internal boundary setback standard for habitable building due to the shape of the site. In these cases, the mitigation of the effects identified in the preceding paragraph from a reduced internal boundary setback may be achievable through measures such as building location, orientation, design, fencing or screening, as well as clustering of residential activities.

Rules for setbacks to legacy sites below 2500 square metres recognised that the majority of these sites are already built on and used for residential activities; and there is very limited productive opportunity of these small sites. Risks of reverse sensitivity complaints or loss of rural amenity are less likely to arise on sites where residential activities are clustered with other residential activities. C60 1/16 Op 6/19

The setbacks for dwellings from quarry activities ensures that the potential adverse effects of present and future quarries on nearby dwellings are avoided, remedied or mitigated, and that any potential reverse sensitivity (for example, where future residents may try to limit quarry activities) is addressed.

A resource consent is required. Consent may be refused or conditions imposed, only in respect of the following matters to which the Council has restricted its discretion:

(1) Matters of control (1) – (8) in rule 17.5.3.2.

(2) Effects of a building with reduced setbacks. C60 1/16 Op 6/19

(3) Where any land is subject to any deferred urban zone, the adverse effects of the building on future opportunities for efficient subdivision, use, and development of the land or of any other land in the area that is deferred for the purposes of the relevant urban zone once it takes effect. C51 1/15 Op 9/16

(3A) Where a proposed building location cannot comply with the 30-metre setback rule due to the shape of the site, the potential to mitigate the effects from any reduced setbacks for habitable buildings through measures such as building location, orientation, design, fencing or screening, and clustering of residential activities.

Taupo District Plan

(extract from Section 4: Rules and Standards - 4b Rural Environment)

4b.3.9

Any subdivision of land in the Rural Environment which complies with all the following requirements is a **restricted discretionary activity**:

- i. The parent allotment is no less than 20ha in area and the subdivision results in an average density of no more than 1 allotment (excluding access lots) per 10ha;
- ii. Within the parent allotment, no more than one cluster area will be created per 100ha; At the time of subdivision consent application the following will be identified within the parent allotment:
- iii. Each cluster area shall contain a group of no more than 10 allotments (excluding access lots) with each allotment to contain no more than 1 dwelling house or accommodation unit;
- iv. Each cluster area will make up no more than 3% of the parent allotment or be no larger than 3ha whichever is the smaller;
- v. Each cluster area will be no less than 100 metres from the external boundary of the parent allotment;
- vi. Each cluster area will be no less than 1000m from the Wairakei Tauhara Geothermal Area;
- vii. Each cluster area will be no less than 1000m from the Residential Environment and any other cluster area created under this rule;
- viii. All allotments created pursuant to this rule shall have a consent notice registered preventing any further subdivision, or the creation of no more than one Dwelling House or Accommodation Unit on that allotment;
- ix. All land within 20m of a water body or a river^[2] will be planted in indigenous vegetation;
- x. No cluster area will be located within a Significant Natural Area, the Mapara Valley Structure Plan Area, Foreshore Protection Area, any identified Landscape Area or the Wairakei-Tauhara Geothermal Area;
- xi. No cluster area will be located within any identified Geothermal Area not covered by x above.

The matters over which the Council reserves discretion for the purposes of assessment are:

- a. The size and shape of the cluster area and the distribution of the allotments, so that the allotments are concentrated in a non linear fashion.
- b. The impact of the resulting development on the ability of the roading networks, including the State Highway network, to safely and sustainably operate and service the new development;

- c. The location of the cluster areas in respect to ridgelines, and to ensure the maintenance of open space character of the wider Rural Environment, and the protection of water courses and existing vegetation.
- d. The level and characteristics of the required revegetation of the parent allotment, including consideration of guidance contained in Appendix Three, section 2.11 relating to Revegetation Corridors.
- e. The location of the cluster area in respect to identified natural hazards or contaminated sites,
- f. The location and quantity of earthworks, including its movement to, from, and on the site.
- g. Any clearance of vegetation, including its location and species.
- h. Any reverse sensitivity effects on existing and potential rural landuses including any effect on renewable energy resources, electricity generation and transmission.
- i. The location of any structures to be built, and any mitigation proposed (including colour schemes, reduced reflectivity or planting).
- j. The provision, design and location of network utility services, secure water supply, waste water treatment systems, access ways and vehicle crossings, and new existing roads.

4b.3.10

Subdivision of land under [rule 4b.3.9](#) which does not comply with one or more of iv, v, vii, ix, x as to “any Identified Landscape Area”, or xi of that rule will be a **Discretionary Activity** except where the subdivision does not comply with both iv and xi.

ASSESSMENT CRITERIA

Please Note: These criteria together with the relevant Objectives and Policies should be considered in the assessment of rule 4b.3.10.

- a. The reasons that the cluster area is larger than that specified in the rules, and its design to reduce the impact of a larger than anticipated cluster on the amenity of the wider Rural Environment;
- b. The effects of a cluster area located within the setback to an external boundary, in relation to actual and potential reverse sensitivity effects that may arise from surrounding landuses;
- c. Whether the cluster area can be seen from a public road and any steps taken to mitigate the visual effects of the cluster area;
- d. The reasons that the cluster area is not located at least 1000m from the Residential Environment, and/or other cluster areas and/or the Wairakei Tauhara Geothermal Area, and the effect that its proximity may have on:
 - i. the effective functioning of the Residential Environment and Geothermal Area; and/or
 - ii. the cumulative and precedent effects of cluster areas in relation to issues of urbanisation of the Rural environment and wider rural amenity;
- e. Any alternative design and cluster area locations that could be considered so that the development could be more consistent with the requirements of [rule 4b.3.9](#).
- f. The reasons why land within 20 metres of a waterbody or river is not planted in indigenous vegetation and any alternative methods used to achieve a Net Environmental Gain from the subdivision and resulting development.
- g. The consideration of the location of cluster areas, in respect to ridgelines and for the maintenance of open space character, water courses and existing vegetation.
- h. The level and characteristics of revegetation of the balance lot which is planned, including consideration of guidance contained in [Appendix Three](#), Section 2.11 relating to Revegetation Corridors.

- i. The proximity of the lots to any existing urban area or identified Urban Growth Areas and the effects that the lots may have on those areas.
- j. Any immediate adverse or potentially adverse cumulative effects of the subdivision or subsequent land use on the quality of Taupō District's lakes, waterways and aquifers, and the methods by which such effects can be avoided, remedied or mitigated.
- k. Any immediate adverse or potentially adverse cumulative effects on the amenity values and the existing level of infrastructure or the Rural Environment, and the methods by which such effects can be avoided, remedied, or mitigated.
- l. The level to which the amenity and landscape of the Rural Environment has already been compromised by subdivision and development, and the extent to which the immediate environment can absorb further change without creating cumulative adverse effects.
- m. Whether the design and layout of the subdivision avoids, remedies or mitigates any adverse effects resulting from identified natural hazards or land contamination, including an assessment of any information provided by a suitably qualified person whose investigations are supplied with the subdivision application.
- n. The location and quantity of earthworks, including its movement to, from, and on the site.
- o. Any clearance of vegetation, including its location and species.
- p. Any reverse sensitivity effects on existing and potential rural landuses including any effect on renewable energy resources, electricity generation and transmission.
- q. The location of any structures to be built, and any mitigation proposed (including colour schemes, reduced reflectivity or planting).
- r. The provision, design and location of network utility services, secure water supply, waste water treatment systems, access ways and vehicle crossings, and new and existing roads.
- s. Any effects on the wider roading network, including the State Highway

