

<b>22C ACTIVITY STATUS, PERFORMANCE STANDARDS &amp; ASSESSMENT CRITERIA FOR SUBDIVISION IN THE RURAL COUNTRYSIDE LIVING ZONE</b>
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**Explanation**

The Rural Countryside Living Zone (RCSL Zone) provides:

- A managed, integrated and sustainable approach to rural countryside living;
- A distinctive area as an attractive and dedicated alternative to existing dispersed countryside living in the Rural and Coastal Zones;
- A 'rural focussed' approach which incorporates, within its subdivision and development patterns, an open spacious rural character;
- Significant environmental benefits by protecting, restoring and enhancing natural features; and
- For the recognition of existing natural and physical resources.

The RCSL Zone is different from, and seeks a more rural focussed character than, the adjoining Rural Residential Zone of Pukekohe. It is also distinct from the adjoining Environmental Enhancement Overlay Area in that it is a dedicated countryside living zone. The establishment of the RCSL Zone recognises the particular locational advantages for rural countryside living of the Runciman area.

The existing Runciman area has a landscape and natural environment that has a distinctive rural and landscape amenity. It comprises two relatively distinct landscape areas. Each of these areas individually reflect a particular homogeneity in appearance and character. The landscape areas are illustrated in Planning Map 110C and are described as:

- The Flatter, Open, Visible landscape area (FOV) - This landscape area exists in three locations, one to the north and two to the south and is characterised by long rural views within an open landscape.
- The Steeper Vegetated landscape area (SV) – This landscape area is located between the FOV landscape areas. It is characterised by an undulating landform, with areas available for development generally limited to the ridgelines and the flatter, higher ground that is visible from the road network.

These distinctive landscapes require individual approaches to design and subdivision density in order to manage potential adverse effects of subdivision and development and to address the rural character outcomes envisaged for the Zone. The perception of rural character and amenity is determined by the relationship of visible expanses of the landscape, both open and enclosed, and the balance of this landscape with the manmade structures and elements within it. While some views within the RCSL Zone are restricted by local topography and vegetation, many areas of land within the Zone are visible from roads, particularly those that are elevated. Establishing 'a rural character' and amenity reflective of countryside living in this Zone, particularly where the area is currently highly visible, open and spacious, is important.

**Subdivision Eligibility Throughout the Zone**

Lots with a size greater than 5 hectares have the ability to absorb the effects of increased development opportunities. Subdivision opportunities are provided on these sites. The lots less than 5 hectares are not anticipated to be subdivided, maintaining the existing rural character elements of these sites and their contribution to the area as a whole.

**Subdivision Density and Clustering Throughout the Zone**

It is important to recognise the type of environment that the Zone's provisions are seeking to create. Countryside living development should have a rural character, which in this context is achieved by the maintenance of open spacious land between specified buildings areas (where not located within a cluster), dwelling houses or between clusters.

There is a limit to how much density can be accommodated in the Zone before rural character is adversely affected. The adjoining Rural Residential Zone has a distinctly urban character, even with its larger lots. The RCSL Zone seeks to achieve 'a rural character' at the densities proposed, and to achieve this requires the clustering of specified building areas into groups, creating larger areas of rural land between areas of resulting built development.

Clustering refers to a compact grouping of dwelling houses and associated facilities located within a rural setting designed to relate houses to one another, and designed in such a way as to maintain a rural open spacious landscape around the cluster. The grouping of houses together in this compact manner is important to the achievement of a rural character, given the density of new subdivision enabled by the rules.

Clustering avoids the sporadic nature of rural subdivision found elsewhere in the District or the urbanized character of the adjoining Rural Residential Zone. It maintains some of the open character of this landscape and minimises adverse effects on rural character and amenity values. The resulting lots will be of a countryside living scale, designed in a manner so that they borrow their rural character and amenity from the surrounding open and spacious rural landscape.

The rules provide for small scale clustering in the FOV and SV landscape areas, with an average density of one new lot per 2.5 hectares of the site. Because of the high incidence of flat-topped ridgelines separated by steep gullies in the SV landscape area, development is likely to occur most frequently on ridge tops. The use of minimum densities, separation distances and smaller clustering opportunities, will avoid linear and more concentrated development along ridgelines and the undermining of the achievement of a rural character on these sites.

Because of their visual absorption capacity and opportunities for comprehensive development, sites with an area greater than 20 hectares in the FOV landscape area can be developed to an average density of up to one new lot per 1.5 hectares of the site. To achieve this density and a rural character requires that specified building areas on new lots to be predominantly clustered together. The size of the clusters in the FOV can also be larger. The clustering of new lots is important to achieve a rural character outcome, and where this is not possible the density of subdivision may need to be reduced to ensure compliance.

Subdivision applications shall be based on the cluster approach. Dispersed subdivision is not acceptable as it will not accommodate the level of density provided for by the rules in a manner which achieves a rural character.

### **Rules – Separation Distances and Setbacks**

The Road Corridors are an important element in achieving a rural character in the Zone. The appreciation of this rural area is through the ability to see across the landscape from the ridgeline roads. Specifically targeted techniques, including road corridor set backs and separation distances, are applied to ensure visual effects are minimised and an open spacious rural character is achieved.

### **Other Landscape Matters**

Amenity planting as part of subdivision proposals has the potential to mitigate visual effects, providing for the visual separation of clusters from each other and creating new rural amenity features.

### **Rules – Significant Environmental Benefits**

The rules will achieve significant environmental benefits in the RCSL Zone. Much of the existing indigenous vegetation is already protected through historic conservation lot subdivision. Any unprotected remnant indigenous vegetation or freshwater wetland shall be protected. Many of the RCSL Zone's streams are highly degraded through farming activity, and their restoration provides opportunities for improving water quality and aquatic and terrestrial ecosystems. The streams provide opportunities for riparian corridors to be established and protected. Significant environmental benefits will result from:

- The protection and enhancement of remnant indigenous vegetation and wetlands;
- The protection of existing mature exotic species;
- The planting of riparian corridors along identified streams that do not have existing indigenous vegetation, or mature exotic species where these are not identified as pest plants; and
- The provision for recreation trails within the Zone and pedestrian connections to Pukekohe.

<b>22C.1 CONTROLLED ACTIVITIES</b>
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Within the Rural Countryside Living Zone the subdivision activities listed below are Controlled Activities.

Controlled activities must comply with the relevant performance standards.

An application for a Controlled Activity shall be considered without public notification or limited notification unless special circumstances exist.

1. Subdivision for NETWORK AND OTHER UTILITIES in accordance with Rule 22B.13.
2. Lots for Road Severances in accordance with Rule 22B.14.
3. Boundary relocation or adjustments in accordance with Rule 22B.15.
4. Rural countryside living subdivision in accordance with Rules 22C.5.1 and 22C.5.2.

Notes:
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| <ol style="list-style-type: none"> <li>a) Controlled Activities require a resource consent. A controlled activity consent will be granted, however conditions may be applied. An application must be submitted in the prescribed format (available from the Council).</li> <li>b) Applications in accordance with Rules 22C.1.1, 22C.1.2 and 22C.1.3 will be assessed in terms of the matters set out in 22B.7, 22B.8 and 22B.9.1, as well as any specific matters in the relevant subdivision rule. Conditions of consent will only relate to those matters.</li> <li>c) Applications in accordance with Rule 22C.1.4 will be assessed in terms of the matters set out in 22C.6 and 22C.7. Conditions of consent will only relate to those matters.</li> <li>d) The information submitted with the application shall be in accordance with Rules 52.2 and 22A.1 and need only be confined to matters over which the Council has reserved control. Such information provided shall be of a sufficient standard to enable a thorough consideration and assessment on such matters. The application must also clearly demonstrate compliance with the stated performance standards applicable to the activity.</li> </ol> |
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## 22C.2 RESTRICTED DISCRETIONARY ACTIVITIES

Within the Rural Countryside Living Zone the subdivision activities listed below are Restricted Discretionary Activities.

Restricted discretionary activities must comply with the relevant performance standards.

An application for a Restricted Discretionary Activity shall be considered without public notification or limited notification unless special circumstances exist.

1. Rural countryside living subdivision on SITES with an area greater than 20 hectares in the Flatter Open Visible Landscape Area in accordance with Rules 22C.5.1 and 22C.5.3.
2. Rural countryside living subdivision that meets the controlled activity performance standards with the exception of Rules 22C.5.2(e)(iii), and/or 22C.5.2(e)(iv), and/or 22C.5.2(f)i provided that:
  - i. For Rule 22C.5.2(e)(iii):
    - All SPECIFIED BUILDING AREAS shall be located within 155 metres radius from the CLUSTER'S centre.
  - ii. For Rule 22C.5.2(e)(iv):
    - There shall be a minimum separation distance of 100 metres between a SPECIFIED BUILDING AREA in one CLUSTER and the nearest SPECIFIED BUILDING AREA in another CLUSTER.
  - iii. For Rule 22C.5.2(f)i there shall be a minimum separation distance of 75 metres from the edge of another SPECIFIED BUILDING AREA or an existing DWELLING HOUSE (existing as of [operative date]);

In addition to the matters identified in Rule 22A.1.4(c), the applicant shall present a CLUSTER development plan to the Council and shall submit a detailed assessment of landscape and visual effects, along with a detailed landscape mitigation plan by a suitably qualified and experienced person as part of the subdivision consent application. The CLUSTER development plan shall be assessed in accordance with the relevant assessment criteria in Rule 22C.7.2.2 and 22C.7.2.3.

3. Rural countryside living subdivision that meets the applicable performance standards in 22C.5 except where an unplanted gap is proposed within a 'riparian corridor' for the purpose of providing recreation access to, or vehicle and/or pedestrian access across, a stream.

### Notes:

- a) Refer to Rules 22C.3 and 22C.4 to ensure the activity does not require consent under those rules.
- b) Restricted Discretionary Activities require a resource consent, and the consent may be granted or refused. An application must be submitted in the prescribed format (available from the Council).
- c) Applications will only be assessed in terms of the matters set out in 22C.5, 22C.6 and 22C.7, and any specific matters in the relevant rule. Conditions of consent will be restricted to those matters.
- d) The information submitted with the application shall be in accordance with Rules 52.2 and 22A.1 and need only be confined to matters over which the Council has restricted its discretion. Such information provided shall be at a sufficient standard to enable a thorough consideration and assessment on such matters. The application must also clearly demonstrate compliance with the stated performance standards applicable to the activity.

<b>22C.3 DISCRETIONARY ACTIVITIES</b>
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Within the Rural Countryside Living Zone the subdivision activities listed below are Discretionary Activities:

1. Any subdivision activity listed under Rules 22C.1.1, 22C.1.2 or 22C.1.3 which does not meet one or more of the standards specified in the relevant rule(s).
2. Rural countryside living subdivision which does not meet one or more of the standards in Rule 22C.5, except those identified as a restricted discretionary activity in Rule 22C.2 or a non-complying activity in Rule 22C.4 provided that:
  - i. For Rule 22C.5.3(d) LOTS shall be available on the basis of the grouping of between 80% to less than 90% of the resulting LOTS' SPECIFIED BUILDING AREAS together in a CLUSTER in accordance with Rule 22C.5.3(e).

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| <ol style="list-style-type: none"> <li>a) Discretionary Activities require a resource consent, and the consent may be granted or refused. An application must be submitted in the prescribed format (available from the Council).</li> <li>b) In assessing a discretionary activity, the consent authority may take into account any relevant matter. In particular, applications will be assessed in terms of the matters set out in the relevant rules, and/or Rules 22C.6, 22C.7, and 53. Where consent is granted, conditions of consent may be imposed.</li> <li>c) The information submitted with the application must be in terms of Rules 52.2 and 22A.1.</li> </ol> |
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<b>22C.4 NON-COMPLYING ACTIVITIES</b>
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Within the Rural Countryside Living Zone the subdivision activities listed below are Non-Complying Activities:

1. Rural countryside living subdivision which does not meet the standards in:
  - i. Rules 22C.5.2(a) and 22C.5.2(b)
  - ii. Rule 22C.5.3(a)
  - iii. Rule 22C.5.3(b)
  - iv. Rule 22C.5.3(d) where less than 80% of the resulting LOTS' SPECIFIED BUILDING AREAS are in a CLUSTER.
  - v. Rule 22C.5.3(e)
2. A TRANSFERABLE RURAL LOT RIGHT into or out of the Rural Countryside Living Zone.
3. Any subdivision activities not provided for under Rules 22C.1, 22C.2 or 22C.3.

Notes:
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| <ol style="list-style-type: none"> <li>a) Non-complying Activities require a resource consent, and the consent may be granted or refused. An application must be submitted in the prescribed format (available from the Council).</li> <li>b) Applications will be assessed in terms of the matters set out in Rule 53, the Objectives and Policies of the Plan, and where appropriate, the matters applying to Controlled, Restricted Discretionary or Discretionary Activities. Where consent is granted, conditions of consent may be imposed.</li> <li>c) The information submitted with the application must be in terms of Rules 52.2 and 22A.1.</li> </ol> |
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<b>22C.5 PERFORMANCE STANDARDS - RURAL COUNTRYSIDE LIVING SUBDIVISION</b>
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**22C.5.1 GENERAL PERFORMANCE STANDARDS – ALL RURAL COUNTRYSIDE LIVING SUBDIVISION**

All rural countryside living subdivision shall meet the following Performance Standards:

**General Performance Standards**

- (a) A consent notice shall be registered against the title requiring the DWELLING HOUSE to be located within the SPECIFIED BUILDING AREA.
- (b) The subdivision application shall provide a scheme plan that designs and locates all the SITE'S subdivision entitlements (including lot layout, access, boundaries and SPECIFIED BUILDING AREAS), and areas for protection, and identify and provide for all the environmental benefit requirements in 22C.5.1. For the avoidance of doubt, this plan may include stages for the section 224c Certificate.
- (c) A consent notice shall be registered against all new Certificates of Title (including that for any balance lot) to record that subdivision entitlements have been utilised.
- (d) Physical And Legal Access shall be in accordance with the standards in Rule 22B.7.1.1.
- (e) Private Ways shall be in accordance with the standards in Rule 22B.7.1.2.
- (f) SITE(S) shall be in accordance with the standards in Rule 22B.7.1.4.
- (g) Wastewater shall be in accordance with the standards in Rule 22B.7.1.5.
- (h) Stormwater shall be in accordance with the standards in Rule 22B.7.1.6.
- (i) SITE(S) shall be in accordance with the standards in Rule 22B.7.1.7.
- (j) Contaminated site matters shall be addressed in accordance with the standards in Rule 22B.7.1.8.

**Significant Environmental Benefits Performance Standards**

- (k) Unprotected REMNANT INDIGENOUS VEGETATION or unprotected freshwater WETLANDS located within the SITE shall be protected, enhanced and certified in accordance with Rule 22B.11.3: and
- (l) Riparian corridors within the SITE identified on Map 110A shall be planted, protected, restored and certified in accordance with Rule 22B.11.3, and meet the minimum standards specified in Table 22C.5.1.\*

Note: Where a SITE has existing mature indigenous species or mature exotic species adjacent to a stream (where the species are not pest plants) this existing vegetation may be used as credit to meet the requirements under table 22C.5.1.



Table 22C.5.1

<b>A. Riparian Corridor</b>	<b>B. Minimum Planting Width measured horizontally from the edge of the stream</b>
Where any freshwater stream identified on Map 110A forms a property boundary.	An average of 20 metres and a minimum of 15 metres on one side.
Where any freshwater stream identified on Map 110A is within the property.	An average of 20 metres on each side and a minimum of 15 metres on each side (or to the property boundary where the width between the stream and the property boundary is less than the above).

The final location of a stream identified on Map 110A shall be confirmed by onsite survey at the time of subdivision application.

- (m) Protective fencing, as required under Rule 22B.11.3, shall only be required where grazing animals on LOTS is proposed.
- (n) Any feature proposed for protection shall not be eligible for compensation in accordance with the Act nor shall it qualify as a Financial or Development Contribution (including reserve contribution).
- (o) Land for the Proposed Walking / Cycle / Bridle Trails within the SITE generally identified on Planning Map 110D shall be vested in Council, or made available for use by the public through easement or alternative legal instruments. The land provided, up to a maximum width of 2 meters, may be located within a riparian corridor protected under Rule (k) and (l). Such an area will not contribute to the calculation of the Minimum Planting average width requirement contained in clause I, Table 22C.5.1.

#### **22C.5.2 SPECIFIC PERFORMANCE STANDARDS - RURAL COUNTRYSIDE LIVING SUBDIVISION – RULE 22C.1.4**

Controlled activity rural countryside living subdivision shall meet the following performance standards:

- (a) The SITE shall have an area of 5 hectares or greater.
- (b) The maximum density of subdivision shall be no greater than one new LOT per 2.5 hectares of the SITE. Maximum density is calculated from the gross area of the SITE.
- (c) New LOTS, including any new LOT around an existing DWELLING HOUSE, shall have a minimum net area of 2500 m<sup>2</sup>.
- (d) After the first new LOT, subsequent LOTS are only available on the basis of the grouping of at least 75% of the resulting LOTS' SPECIFIED BUILDING AREAS together in a CLUSTER in accordance with Rule 22C.5.2(e).
- (e) CLUSTER LOTS:
  - i. LOTS shall be agglomerated in CLUSTERS of up to 4 LOTS and thereafter in a subsequent CLUSTER(S) utilising the remaining entitlements. For the avoidance of doubt, an existing DWELLING HOUSE may be located within a CLUSTER;
  - ii. LOTS shall be contiguous with another LOT(S) within the CLUSTER;
  - iii. All SPECIFIED BUILDING AREAS shall be located within 100 metres radius from the CLUSTER'S centre;

- iv. There shall be a minimum separation distance of 150 metres between a SPECIFIED BUILDING AREA in one CLUSTER and the nearest SPECIFIED BUILDING AREA in another CLUSTER. This rule does not apply to a complying CLUSTER that is proposed to straddle a property boundary;
  - v. SPECIFIED BUILDING AREAS within a CLUSTER shall be located outside the Road Corridor Setbacks identified on Planning Map 110C provided that two SPECIFIED BUILDING AREAS within a CLUSTER may be located no closer than 30 metres to Runciman Road and no closer than 20 metres to Tuhimata Road;
  - vi. Each CLUSTER(S) shall be serviced by a single private way or ROAD. For the avoidance of doubt, several CLUSTERS can share the single private way or ROAD;
  - vii. Where located within the Bush Park Concept Plan area (Refer Map 110E), SPECIFIED BUILDING AREAS shall be located in the identified development areas (except as provided for in Rule 22C.5.2 (e) v. or 22C.5.2 (f).ii.).
- (f) SPECIFIED BUILDING AREAS of LOT(S) not within a CLUSTER shall be:
- i. Separated by at least 85 metres from the edge of another SPECIFIED BUILDING AREA or an existing DWELLING HOUSE (existing as of [operative date]);
  - ii. Located in the identified development areas if the SITE is located in the Bush Park Concept Plan area (refer to Map 110E) provided that two SPECIFIED BUILDING AREAS not within a CLUSTER may be located no closer than 30 metres to Runciman Road and no closer than 20 metres to Tuhimata Road);

**22C.5.3 RURAL COUNTRYSIDE LIVING SUBDIVISION ON SITES WITH AN AREA GREATER THAN 20 HECTARES IN THE FLATTER OPEN VISIBLE LANDSCAPE AREA (RESTRICTED DISCRETIONARY ACTIVITY – RULE 22C.2.1)**

Restricted discretionary activity rural countryside living subdivision shall meet the following performance standards:

- (a) The SITE shall have an area of 20 hectares or greater and be located within the Flatter Open Visible Landscape Area identified on Map 110C.
- (b) The maximum density of subdivision shall be no greater than one new LOT per 1.5 hectares of the SITE. Maximum density is calculated from the gross area of the SITE.
- (c) New lots, including any new LOT around an existing DWELLING HOUSE, shall have a minimum net area of 2500 m<sup>2</sup>.
- (d) LOTS are only available on the basis of the grouping of at least 80% of the resulting LOTS' SPECIFIED BUILDING AREAS together in a CLUSTER in accordance with Rule 22C.5.3(e).
- (e) CLUSTER LOTS:
  - i. LOTS shall be agglomerated in CLUSTERS with a minimum of 4 LOTS and thereafter in a subsequent CLUSTER(S) utilising the remaining entitlements with the maximum size of a CLUSTER being 15 LOTS. For the avoidance of doubt, an existing DWELLING HOUSE may be located within a CLUSTER;
  - ii. LOTS shall be contiguous with another LOT(S) within the CLUSTER;
  - iii. All SPECIFIED BUILDING AREAS shall be located within 155 metres radius from the CLUSTER'S centre;

- iv. There shall be a minimum separation distance of 125 metres between a SPECIFIED BUILDING AREA in one CLUSTER and the nearest SPECIFIED BUILDING AREA in another CLUSTER. This rule does not apply to a complying CLUSTER that is proposed to straddle a property boundary;
  - v. SPECIFIED BUILDING AREAS within a CLUSTER shall be located outside the Road Corridor Setbacks identified on Planning Map 110C (provided that two SPECIFIED BUILDING AREAS within a CLUSTER may be located no closer than 30 metres to Runciman Road and no closer than 20 metres to Tuhimata Road);
  - vi. Each CLUSTER(S) shall be serviced by a single private way or ROAD. For the avoidance of doubt, several CLUSTERS can share the single private way or ROAD; and
  - vii. In addition to the matters identified in Rule 22A.1.4(c), the applicant shall present a CLUSTER development plan to the Council and shall submit a detailed assessment of landscape and visual effects, along with a detailed landscape mitigation plan by a suitably qualified and experienced person as part of the subdivision consent application.
- (f) SPECIFIED BUILDING AREAS of LOT(S) not within a CLUSTER shall be:
- i. Separated by at least 125 metres from the edge of another SPECIFIED BUILDING AREA or an existing DWELLING HOUSE (existing as of [operative date]).

**22C.6 MATTERS OVER WHICH COUNCIL WILL EXERCISE ITS CONTROL OR RESTRICT ITS DISCRETION – ALL SUBDIVISION APPLICATIONS**

- A. In considering applications for controlled activity subdivision the council shall reserve its control over the matters listed in 1 to 10 below:
- B. In considering applications for restricted discretionary activity subdivision the council will restrict its discretion to the matters listed in 1 to 10 below:
1. Design, layout, and location of LOTS, SPECIFIED BUILDING AREAS, vehicle access, pattern of development and amenity planting and landscaping.
  2. Protection, restoration and enhancement of indigenous vegetation, wetlands and riparian corridors and the nature of restoration, mitigation and enhancement.
  3. Management of Steep Slopes > 15 degrees.
  4. Wastewater disposal.
  5. Stormwater management.
  6. Power, telephone and utility service.
  7. Provision of trails (Planning Map 110D).
  8. Protection and enhancement of archaeological sites and cultural resources.
  9. The effect of subdivision that creates new allotments within an area measured 20 metres either side of the centre point of a “National Grid Transmission Line” (as shown on the Planning Maps).
  10. Effect of subdivision on regionally and nationally significant infrastructure.

<b>22C.7 ASSESSMENT CRITERIA</b>
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When assessing an application for all subdivision the Council will have regard to the matters set out below:

**22C.7.1 GENERAL ASSESSMENT CRITERIA - ALL SUBDIVISION APPLICATIONS**

1. Design, layout, and location of LOTS and SPECIFIED BUILDING AREAS, pattern of development and amenity planting and landscaping.
  - i. The extent to which the design of the subdivision:
    - (a) Responds to the topography and characteristics of the land being developed resulting in non uniform patterns of development along the ridgelines (as shown on Map 110C) as viewed from public roads while providing a good level of amenity for future dwellings;
    - (b) Recognises and provides for existing BUILDINGS and vehicle access;
    - (c) Separates SPECIFIED BUILDING AREAS from REMNANT INDIGENOUS VEGETATION, WETLANDS and riparian corridors so as to avoid adverse effects on the continued ecological value and functioning of these features, and otherwise minimises the fragmentation of these features from the development of vehicle access.
  - ii. The extent to which amenity planting and landscaping is required with the subdivision to soften the visual effects of CLUSTERS and vehicle access. Appropriate protection mechanisms should apply to the amenity planting and landscaping as part of any subdivision application.
  - iii. The extent to which larger notable trees are retained in the design of the subdivision and where necessary protected.
  - iv. Whether the location and design of the proposed access, private way and roading (and extent of earthworks) are appropriate to maintain a rural character, and avoid the introduction of elements that create an urbanised character. Design outcomes promoted are:
    - Narrow gently curving accessways, grass swales and the absence of kerbs, channels, street lighting and extensive hard surfacing;
    - Entries, gates and fences that blend with existing rural character by using a simple range of materials that are common in the area, avoiding materials and elaborate designs that are borrowed from an urban context;
    - Gates and entranceway fencing setback from the road; and
    - Fence heights that are similar to rural farm fencing.
  - v. The extent to which each new LOT will have safe and stable vehicular access to the SPECIFIED BUILDING AREA, including its gradient, width (and use of passing bays as appropriate), sight distances, formation and finished surface (including extent and appropriateness of tar seal, concrete, compacted metal or other surface to the approval of Council), and the extent of any cutting, filling and earthworks that may be required to ensure this.
  - vi. Whether appropriate maintenance obligations for any private ways are proposed within the application.
2. Protection, restoration and enhancement of indigenous vegetation, wetlands and riparian corridors and the nature of restoration, mitigation and enhancement:

- i. Whether proposed protective fencing is of a sufficient standard to prevent grazing animals from entering protected natural areas and of such structure and material, as well as maintenance, to provide for a permanent ongoing means of protection.
  - ii. The manner in which the requirements specified in 22B.11.3 are addressed.
  - iii. The extent to which the riparian enhancement and restoration planting has regard to regional riparian zone planting guidelines and/or regional ecological restoration planting guidelines.
  - iv. Whether development associated with subdivision avoids the establishment of fish barriers and/or remedies existing fish barriers.
3. Management of steep slopes > 15 degrees.
  - i. The extent to which risk of erosion and instability is avoided on slopes steeper than 15 degrees. A management plan for slopes steeper than 15 degrees which are subject to significant risk of erosion and instability should be prepared. This management plan could include the retirement of land from farming activities and its revegetation.
4. Wastewater disposal.
  - i. Whether the LOT has sufficient area available to accommodate an appropriate sewage and wastewater disposal system which will not create an erosion or instability problem or water pollution; and/or
  - ii. Where it is proposed to serve a cluster by a waste water treatment system, the extent to which such a wastewater treatment system:
    - Is of an appropriate technical standard and has sufficient capacity to service the requirements of the subdivision;
    - Provides ongoing ownership by means of a properly Incorporated Legal Society or other entity which will have the physical and financial responsibility for repairing and maintaining the plant or facility, subject to rules and provisions for ongoing performance and maintenance to Council's satisfaction; and
    - Includes requirements for maintenance of the plant or facility to ensure its continued effective functioning.
5. Stormwater management.
 

Whether the proposed stormwater management techniques avoid or mitigate the adverse effects of stormwater runoff on neighbouring properties, waterways and on land stability.
6. Power, telephone and utility service.
 

Whether the subdivision and subsequent development will require power, telephone and other utility services. Note: The Council will generally require as a condition of consent that each new lot be served by power and telephone unless the applicant can demonstrate that this is unnecessary or inappropriate in the circumstances.
7. Provision of land for trails (Planning Map 110D).

The extent to which land provided for trails has a practical grade, width and alignment and link to any trails shown or formed on adjacent properties.

8. Protection and enhancement of archaeological sites and cultural resources.

The extent to which the subdivision avoids adverse effects on archaeological sites and cultural resources and provides for their protection and/or enhancement.

9. Effect of subdivision that creates new allotments within an area measured 20 metres either side of the centre point of a “National Grid Transmission Line” (as shown on the Planning Maps and Map 110B).

Where it is proposed to subdivide land to create new allotments within an area measured 20 metres either side of the centre point of a “National Grid Transmission Line” (as shown on the Planning Maps), the subdivision design should have particular regard to the following matters:

- a) The minimisation of risk or injury and/or property damage from such lines;
- b) The outcome of any consultation with the utility operator;
- c) The extent to which any earthworks and the construction of any subsequent buildings will comply with the New Zealand Electrical Code of Practice for Electrical Safe Distances (NZECP; 34 2001, or any subsequent amendment thereof); and
- d) The nature and location of any proposed vegetation to be planted in the vicinity of the National Grid Transmission Lines. Where the revegetation planting is located within an area measured 20 metres either side of the centre point of a National Grid Transmission Line, the species of trees to be planted should maintain safe clearance distances at a mature height (in accordance with the Electricity (Hazards from Trees) Regulations 2003) and replanting should not prevent vehicular access to existing transmission lines.

10. Effect of subdivision on regionally and nationally significant infrastructure.

Where it is proposed to subdivide land to create new allotments in proximity to regionally and nationally significant infrastructure (illustrated on Planning Map 110B), the proposal shall avoid adverse effects on that infrastructure and where necessary provide to Council the outcomes of any consultation with the utility operator.

## **22C.7.2 ASSESSMENT CRITERIA – RESTRICTED DISCRETIONARY ACTIVITIES**

In addition to the matters in 22C.7.1, each subdivision proposal shall be assessed against the specific matters identified below relevant to the rules in Part 22C.2:

1. Rural countryside living subdivision on SITES with an area greater than 20 hectares in the Flatter Open Visible Landscape Area.

When assessing an application for any resource consent in accordance with Rule 22C.2.1, the Council will have regard to the matters identified in 22C.7.1 above and those set out below:

The extent to which the design of the subdivision:

- i. Maintains distinct boundaries and a separate identity for each CLUSTER, providing a clear open space between clusters when viewed from a public road;
- ii. Complements the design and layout of subdivision by:

- The use of specimen trees along fence lines, driveways, ROADS and private ways;
  - The use of small scale woodlots and copses within fields;
- iii. Mitigates the effects of design and layout of subdivision by using amenity planting and landscaping undertaken in a comprehensive manner to screen or soften the visual effects of CLUSTERS, roads, private ways and driveways.
2. Rural countryside living subdivision seeking minor dispensation in accordance with Rule 22C.2.2(i).

When assessing an application for any resource consent in accordance with Rule 22C.2.2(i), the Council will have regard to the matters identified in 22C.7.1 above and those set out below:

The extent to which the design of the subdivision:

- i. Responds to existing topography constraints and other natural features of the SITE;
  - ii. Locates SPECIFIED BUILDING AREAS in a contiguous group within an appropriate location on the SITE, such that open spacious areas are retained and clearly discernible, as viewed from a public road, between CLUSTERS;
  - iii. Maintains distinct boundaries and a separate identity for each CLUSTER; and
  - iv. Mitigates the design and layout of subdivision, including where reduced separation distances are proposed by using amenity planting and landscaping undertaken in a comprehensive manner to provide landscape rehabilitation or to screen or soften the visual effects of CLUSTERS, future DWELLING HOUSES, roads, private ways and driveways. Landscaping opportunities include but are not limited to:
    - The use of specimen trees along fence lines, driveways, ROADS and private ways;
    - The use of woodlots and copses within fields.
3. Rural countryside living subdivision seeking minor dispensation in accordance with Rule 22C.2.2(ii).

When assessing an application for any resource consent in accordance with Rule 22C.2.2(ii), the Council will have regard to the matters identified in 22C.7.1 above and those set out below:

The extent to which the design of the subdivision:

- i. Responds to existing topography constraints and other natural features of the SITE;
  - ii. Locates SPECIFIED BUILDING AREAS within an appropriate location on the SITE, such that open spacious areas are retained and clearly discernible, as viewed from a public road;
  - iii. Maintains distinct boundaries and a separate identity for any adjacent CLUSTER; and
  - iv. Mitigates the reduced separation distances by using amenity planting and landscaping to provide landscape rehabilitation or to screen or soften the visual effects of future DWELLING HOUSES, roads, private ways and driveways.
4. Rural countryside living subdivision involving an unplanted gap within a 'riparian corridor' for the purpose of providing:



- i. Recreation access to, or
- ii. Vehicle and/or pedestrian access across, and/or
- iii. A view of the stream from a CLUSTER

provided that the gap (created by a combination of i, ii, and iii) does not exceed 20 metres in width and there is no more than one such gap for each CLUSTER.

When assessing an application for any resource consent in accordance with Rule 22C.2.3, the Council will have regard to the matters identified in 22C.7.1 above and those set out below:

The extent to which the gap in the planting of the riparian corridor:

- i. Would fragment the corridor;
- ii. Undermine the achievement of significant environmental benefits and ecological linkages; and
- iii. Is the most appropriate location for vehicle or pedestrian access to and across the stream.

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