

31 January 2024



**Louise Wood**  
Senior Resource Consents Planner  
Taupō District Council  
[lwood@taupo.govt.nz](mailto:lwood@taupo.govt.nz)

Dear Louise,

**Re: Seven Oaks Kinloch Ltd Subdivision, Stage 9 – 15 – Landscape and Visual Assessment Peer Review**

**Introduction**

1. Further to our correspondence, Boffa Miskell Limited ('**BML**') have undertaken a review of the Landscape and Visual Assessment Report ('**the LVA**' or '**the assessment**') accompanying the resource consent application for the proposed Seven Oaks Subdivision at Kinloch. The assessment was prepared by Mansergh Graham Landscape Architects (December 2022). The purpose of this review is the potential landscape and visual effects of the proposal.
2. As part of this, the following documents have been reviewed:
  - *Landscape and Visual Assessment Report* ('the assessment'), prepared by Mansergh Graham Landscape Architects, dated December 2022.
  - *Scheme Plan*, prepared by Cheal, dated 01/06/2023.
  - *Application for Resource Consent for Subdivision and Land Use, and Change of Conditions* (AEE), prepared by Cheal, dated 10 November 2023.
3. I possess a good understanding of Kinloch and have previously conducted peer reviews and assessments pertaining to landscape and visual effects in both Kinloch and the broader Taupō area. For the review of this application, I have relied upon my prior knowledge of the Kinloch area, the information provided in the application and desktop analysis. I have not undertaken a site visit at this stage.

## **Request for further information**

4. After conducting the initial review of the application material, it was determined there was sufficient information for me to understand the landscape and visual effects of this proposal. No additional information was deemed necessary under Section 92.

## **PEER REVIEW**

### **Proposal**

5. The LVA description of the proposal differs slightly from the description outlined in the application AEE. These disparities include staging counts, two additional residential lots, and the number of stormwater reserves, among other details. It is presumed that these variations arose during the ten-month period between composing the LVA report (refer scheme plan D) and the AEE (reference scheme plan E). Despite these minor discrepancies, the changes between the two scheme plans are minor. For the purposes of this review, I have chosen to adopt the project description presented in the application AEE and scheme plan (Rev E), including the specified lot and density numbers.
6. Seven Oaks Ltd ('the applicant') are seeking subdivision and land use consent for a proposed 100 lot residential subdivision on Okaia and Kahikatea Drive, Kinloch. The subdivision is proposed to be completed in 8 Stages (stages 8 – 15) with the intention that more than one stage could be jointly completed. The proposed development will be located within an area that is predominately identified as Kinloch Low Density Area (11.3ha) but includes a portion of Kinloch Residential Area (2.2ha) under the Taupō District Plan (TDP). Within the Kinloch Community Structure Plan (KCSP), these areas are identified as Medium and High-Density Areas respectively.
7. The proposal is a non-complying activity under the Taupō District Plan (TDP), as the residential allotments will be less than the minimum and average lot sizes for the Kinloch Low Density Zone and some of the proposed lots will be less than the minimum and average lot sizes for the Kinloch Residential Zone (Rule 4a.4.5 TDP).
8. The land use consent is also classed as a non-complying activity as the development infringes the Kinloch Residential performance standards through infringing the maximum building coverage, maximum plot ration, minimum building setback – front boundary and minimum building setback – all other boundaries (Kinloch low density zone). The proposal also infringes the maximum earthworks inside and outside of the building setback.
9. In summary the proposal consists of:
  - An eight-stage subdivision (stages 8 to 15) that includes the creation of 100 residential lots with the minimum lot size of 492m<sup>2</sup> and average lot size of 945m<sup>2</sup> over a 13.5 ha site. As a consequence, the proposal breaches the minimum lot size and average lot size standards in the Kinloch Low Density Residential zone.
  - Development includes five road lots to vest, one recreation reserve and four stormwater reserves.

- **Lot size** – Kinloch Low Density Residential standards require a minimum 1ha lot size, while the proposal has a minimum lot size of 492m<sup>2</sup>. The average lot size required is 1.5ha, and the proposed is for average lot size of 945m<sup>2</sup>.
- **Building coverage** - The Kinloch Low Density Residential zone allows 5% building coverage. It is proposed to allow 25% coverage as per the Kinloch Residential performance standards on Lots 1 – 80, 97 - 98. This will exceed the 5% limit by an additional 20%. It is proposed to allow 40% building coverage on Lots 81 – 96, 99 and 100. This will exceed the 5% limit by an additional 35%.
- **Building coverage** - Excluding a portion of stage 12, the proposed development applies the Kinloch Residential Lot Density, which allows 25% building coverage and 30% plot ratio. Within stage 12 there is a higher density area proposed (Lots 83 to 102). This area retains the Kinloch Residential density, setbacks, and height restrictions, however, has a building coverage of 40%.
- **Building height** - Currently buildings up to 8m are allowed in the Kinloch Low Density environment. It is proposed to limit this to 7.5m, or 4.5m within 50m of the Scenic Reserve.
- **Earthworks** - The Kinloch Low Density Residential environment allows 10% of the allotment at any one time. It is proposed to allow 90% disturbance as per the Kinloch Residential Performance Standards. This will exceed the 10% limit by an additional 80%. The design is stated to 'seek to minimise earthworks and create a near cut to fill balance to avoid any import or export of soil material'. No retaining walls are proposed. The earthwork depths will be up to 6m cut, and 6m fill. Earthworks will be setback 7.5m from the DoC Boundary.
- The proposed development includes continuous, 1.8m high, open style fence (such as pool fencing) black in colour erected along all boundaries of the residential lots with the adjoining Department of Conservation Okaia and Otaketake Scenic Reserves.
- The assessment does not identify the need for additional mitigation to screen the development. An initial overview planting scheme has been prepared as part of the proposal, this is based on the indicative layout and includes street tree selection and broad areas of planting. It is recommended that any further detail, for planting within public reserves, wetlands or planted bunds, should be picked up in a detailed landscape plan, prepared by a qualified landscape architect and included as a condition of consent.

## Methodology

10. The report outlines the methodology employed and alignment with the *Te Tangi a te Manu: Aotearoa New Zealand Landscape Assessment Guidelines [Final version 26 August 2022]*. Site visit summaries, information sources and other relevant information is provided. The 7-point scale for rating has been used in the assessment. This is consistent with Te Tangi a te Manu.
11. The assessment is supported through a series of maps, and photographs. Viewpoint locations have been clearly identified and cover a range of viewing audiences and distances. Two photomontages have been prepared (refer view location two and ten) however, does not appear to adhere to best practice methodology<sup>1</sup>. Important factors

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<sup>1</sup> Best Practice Guide Visual Simulations BPG 10.2, NZILA Education Foundation, 2010

such as viewing distance, the human field of view, viewpoint location, lens focal length, and overall methodology remain unclear. As a result, I have treated these with some degree of caution. The photographs from the remaining viewpoint locations that are included with the assessment are useful particularly with the annotation to show the extent of the development.

### **Relevant Statutory Provisions**

12. The LVA does not make direct reference to all specific objectives and policies, however it makes reference to and provides commentary on the:
  - The Resource Management Act (**RMA**), Part 2, particularly sections 6 (a), (b), (c) and 7(c).
  - Regarding Section 6 (b) and (c), the site is not within an identified outstanding natural feature or landscape. Lake Taupō is identified as an Outstanding Natural Landscape (OLA 20) to the south of the proposed subdivision.
  - The site is adjacent to reserve land and land zoned Significant Natural Area (SNA). (SNA 152, and SNA 170).
13. The proposed development is in an area that is captured by both the Kinloch Residential Area and Kinloch Low Density Area. This is identified in the Residential Environment in Section 3a of the TDP. Section 4a *Residential Environment* contains performance standards and development controls for the Residential Environment with specific reference to the Kinloch Residential Area.
14. The assessment could also have identified RMA section 7(f) maintenance and enhancement of the quality of the environment. However, considered this is adequately address in the TDP and lower order legislation this is sufficiently covered. I am not aware of any additional statutory matters that should have been addressed.
15. I have taken the above statutory context into account when reviewing the proposal.

### **Existing Environment / Landscape**

16. The wider surrounding context and site is well described in paragraphs 9 – 21. Including reference to several photographs, maps (within appendix) and descriptors that further enhance this understanding. I concur with the applicant's description which provides an accurate summary of the history of Kinloch, the site and wider context of the site. Of note when reading the assessment:
  - In the wider context, the original Kinloch residential development, situated within 500m of the foreshore, is confined by the Whanagamata Stream to the west and the Whakaroa Point Reserve to the east. The urban fabric features small-scale development near the lake, gradually transitioning to slightly larger lots farther away, with recent developments like Lisland and Locheagles Rise expanding the area. Most of the remaining land is in pastoral farming, with scattered patches of vegetation and regenerating scrubland along waterways and steeper headlands. The Kinloch Community Structure Plan (KCSP) guides development densities, categorising the application site in the western part as 'high density' and 'medium density' (800m<sup>2</sup> to 1.5ha). It includes an indicative collector road linking to Whangamata Road.

- The 13.5 ha application site is situated on elevated land west of Okaia Stream Scenic Reserve. It interacts with existing pastoral land, the Seven Oaks Development stages to the south, and vegetated reserve areas. Bounded by Okaia Stream Scenic Reserve to the east, Seven Oaks Development to the south, and Otaketake Stream Scenic Reserve to the west, the northern part extends into open pasture and undulating terrain. To the west, within Otaketake Stream Scenic Reserve, lies the Northwestern Bays Whakaroa Point to Otuparae Point Outstanding Landscape Area, separated by 100m of vegetation. The site, characterised by a generally southerly aspect, has undulating terrain falling from north to south.

## **Visual Catchments**

17. The visual catchment (areas from where it will be visible) and viewing audience (people who will see it) are described in detail in paragraphs 48 – 57. This is supported using Zone of Theoretical Visibility (ZTV) mapping. Limitations of the ZTV are that the analysis does not take into account existing vegetation. It is however useful in the first stages of determining a visual catchment for the proposal. The findings from the ZTV were verified through field investigation by the assessor, this is considered a robust process.
18. I agree with the visual catchment and viewing audience identified. From public vantage points, the application site features a rounded ridgeline, bordered by Otaketake and Okaia Stream Scenic Reserves. These reserves, with established vegetation, separate the elevated land from Kinloch village and adjacent areas. Close-up views are typically obscured by dense vegetation. From a distance and from elevated views the site is more visible. Both fleeting and panoramic views are possible from locations below the application site.

## **ASSESSMENT OF EFFECTS**

### ***Landscape Character Effects***

19. The assessment concludes that there will be *very low* landscape character effects on the broader context. I concur with this assessment and observe the following:
  - The defined boundary of Kinloch Residential on the western side ends abruptly at a narrow neck, without a clear rationale for this termination point. It seems to align with Kahikatea Drive, possibly following an older cadastral line or the edge of SNA170. From a landscape perspective, natural features such as streams, ridgelines, topography is preferable when setting boundaries. The assessment notes that the current 'Kinloch Residential' is mainly in the eastern part of the town, creating inconsistency. The proposed approach, increasing density in the west, aims to enhance consistency, improving symmetry of the settlement area and Kinloch landscape.
  - The intensification is sleeved within the development, and it utilises the stormwater reserve, and proposes vegetation to break up the bulk of the development. Towards the edges of the development the lot size transitions to larger lots.
  - Adherence to height controls, coupled with the factors mentioned above, will play a crucial role in mitigating the landscape character effects of the proposed increased density.

- The site is outside of designated areas of high or outstanding natural character, it is also outside areas designated as Outstanding Natural Features and Landscapes. The identified ONL will not be affected by the proposed subdivision. The buffer of existing reserve planting between the site and OLA 20 (including OLA 28), will prevent any adverse effect on the amenity of the lake.

### **Landscape Effects**

20. The assessment lacks an assessment of the the physical landscape, such as vegetation removal and earthworks, which can alter its character or value. Typically addressed in a landscape and visual effects assessment, this would have been beneficial. In my view, the proposed earthworks and vegetation removal are expected to result in low (adverse) effects. The proposed earthworks involve cut and fill up to 6m, with setbacks, including a 7.5m distance from the DoC boundary and 1.5m from other boundaries. Staged development will limit simultaneous earthwork portions. The greatest extent of earthworks is largely concentrated in the west of the site. While substantial changes will occur for street network establishment and urban development, the intimate rolling nature of the site will diminish. However, key highpoints and general north south topography will be preserved. Given the extensive earthworks it is not anticipated that any vegetation will be retained on the site however the site is currently pasture and not subject to any SEA over lay or protected vegetation.
21. Overall effects are anticipated to be low (adverse), considering the extensive earthworks, resulting in minimal retained vegetation except near waterways. Notably, the site lacks vegetation identified as significant for ecological values (SEA) or as notable trees.

### **Visual Amenity Effects**

22. A comprehensive assessment of visual effects is provided in paragraph 64 – 89. This assessment covers both views in the immediate proximity, more distant and is supported by viewpoint location photos and photomontages. Noting that the site is zoned for residential activity (Kinloch Low Density), with the effects of the development above that baseline that has been considered. A number of assumptions have been made in relation to building height, final form and location which seems reasonable at this stage of application.
23. The report provides a comprehensive evaluation of viewpoint location. Adverse visual effects are deemed low to very low, varying with distance. The Assessment concludes that the *'overall impact of the development on visual and amenity values in the existing environment is considered less than minor'*. I concur with this assessment, recognising the anticipated shift in the landscape's future built character, the proposed development pattern aligning generally with the broader Kinloch area, the location of the higher density zones situated internally, limiting their visibility as well as effective mitigation through the use of the stormwater reserve and sleeving of the surrounding development and built form.

## **Conclusion**

24. In conclusion, the Landscape and Visual assessment considers the relevant statutory provisions. The landscape and visual effects of the proposal are well considered and comprehensive. They consider both the immediate site and the wider environment.
25. The conclusions reached in the Assessment are consistent with the work undertaken in the Assessment. I am comfortable with the conclusions that the effects are no more than minor.
26. Whilst not relied upon for mitigation the assessment recommends that a detailed landscape planting plan be included as a condition of consent. I agree with this recommendation and add that the planting plan should further detail planting within public reserves, streets, wetlands, and planted bunds and prepared by a qualified landscape architect.
27. I trust that the above technical review provides you with enough information to enable you to complete your planning recommendation report in response to the application. Please let me know if you require any further clarification.

**Julia Wick**

Principal Landscape Architect

**BOFFA MISKELL LTD**

## Method Statement

22 June 2023

This peer review has been guided by the methodology outlined in '*Te Tangi a te Manu: Aotearoa New Zealand Landscape Assessment Guidelines*' by Tuia Pito Ora New Zealand Institute of Landscape Architects, July 2022. The following details are provided specifically regarding the effects ratings utilised in this peer review.

### *The Nature of Effect*

The nature of effect assesses the outcome of the proposal within the landscape. It is evaluated based on whether effects are positive (beneficial), negative (adverse), or neutral (benign) within the specific context within which they occur.

It is important to note that a change in landscape or the view of a landscape does not automatically imply an adverse effect. Landscapes are dynamic and undergo natural as well as human-induced changes, ranging from subtle shifts to more are noticeable transformations.

When assessing and managing landscape change, the key focus is to avoid or sufficiently mitigate adverse effects. The objective is to maintain or enhance the environment through appropriate design outcomes, while acknowledging that the nature and magnitude of effects may evolve over time.

### *The Level of Effect*

Where the nature of effect is assessed as '**adverse**', the assessment quantifies the level (degree or magnitude) of adverse effect. Assessing the level of effect entails professional judgement based on expertise and experience provided with explanations and reasons. The identified level of adverse natural character, landscape and visual effects adopts a universal seven-point scale from **very low** to **very high** consistent with Te Tangi a te Manu Guidelines and reproduced below.



### *Landscape Effects*

A landscape effect relates to the change on a landscape's character and its inherent values and in the context of what change can be anticipated in that landscape in relation to relevant zoning and policy. The level of effect is influenced by the size or spatial scale, geographical extent, duration and reversibility of landscape change on the characteristics and values within the specific context in which they occur.

### *Visual Effects*

Visual effects are a subset of landscape effects. They are consequence of changes to landscape values as experienced in views. To assess where visual effects of the proposal may occur requires an identification of the area from where the proposal may be visible from, and the specific viewing audience(s) affected. Visual effects are assessed with respect to landscape character and values. This can be influenced by several factors such as distance, orientation of the view, duration, extent of view occupied, screening and backdrop, as well as the potential change that could be anticipated in the view as a result of zone / policy provisions of relevant statutory plans.



### *The Significance of Effects*

Decision makers assessing resource consent applications must evaluate if the effect on individuals or the environment is less than minor<sup>2</sup> or if an adverse effect on the environment is no more than minor<sup>3</sup>. For non-complying activities, consent can only be granted if the s104D 'gateway test' is satisfied, ensuring adverse effects are minor or align with planning objectives. In these situations, the assessment may be required to translate the level of effect in terms of RMA terminology.

This peer review has adopted the following scale applied to relevant RMA circumstances<sup>4</sup> (refer to diagram below), acknowledging low and very low adverse effects generally equate to 'less than minor' and high / very high effects generally equate to significant<sup>5</sup>.



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<sup>2</sup> RMA, Section 95E

<sup>3</sup> RMA, Section 95E

<sup>4</sup> Seven-point level of effect scale. Source: Te tangi a te Manu, Pg. 15

<sup>5</sup> The term 'significant adverse effects' applies to specific RMA situations, including the consideration of alternatives for Notices of Requirement and AEEs, as well as assessing natural character effects under the NZ Coastal Policy Statement.