

## Section 25 - Landscapes and Viewshafts

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### 25.1 Introduction

25.1.1 The Act, in Section 6 - Matters of National Importance, states:

*“In achieving the purpose of this Act, all persons exercising functions and powers under it, in relation to managing the use, development, and protection of natural and physical resources, shall recognise and provide for the following matters of national importance:*

*(a)...*

*(b) the protection of outstanding natural features and landscapes from inappropriate subdivision, use, and development*

*(c-d)...*

*(e) the relationship of Māori and their culture and traditions with their ancestral lands, water, sites, wāhi tapu, and other taonga*

*(f) the protection of historic heritage from inappropriate subdivision, use, and development*

*(g)...”*

25.1.2 The Act, in Section 7 - Other matters, states:

*“In achieving the purpose of this Act, all persons exercising functions and powers under it, in relation to managing the use, development, and protection of natural and physical resources, shall have particular regard to:*

*(a-b)...*

*(c) the maintenance and enhancement of amenity values*

*(d-j)...”*

25.1.3 The natural and cultural landscapes, identified within this Plan and on the Planning Maps, and associated objectives, policies and rules give effect to these requirements of the Act and the requirements of the Vision and Strategy for the Waikato River that arises from the Waikato-Tainui Raupatu Claims (Waikato River) Settlement Act 2010 and the Ngati Tuwharetoa, Raukawa and Te Arawa River Iwi Waikato River Act 2010.

25.1.4 In this Plan, natural landscapes have been assessed against the following criteria:

- (a) Natural science factors; and
- (b) Aesthetic values; and
- (c) Expressiveness (legibility); and
- (d) Transient values; and
- (e) Whether the values are shared and recognised; and
- (f) Values to tāngata whenua; and
- (g) Historical associations.

25.1.5 The natural landscapes are identified on the Planning Maps and described within Appendix N9. Viewshafts to several of these landscapes are also identified within the Planning Maps. The rules and assessment criteria for these landscapes and viewshafts will address matters relating to; building location height and colour, earthworks including recontouring, the location of commercial forestry, woodlots, structures to support artificial screening; and signs.

- 25.1.6 This Plan also includes cultural landscapes that are identified on the Planning Maps and described within Appendix N9. These cultural landscapes have a range of historic heritage values, and are of particular importance to tāngata whenua. Many of these landscapes coincide with the identified natural landscapes. There are two types of cultural landscape, identified within this Plan and on the Planning Maps, and they are assessed slightly differently within the resource consent process. The cultural landscapes relating to battlefields and/or long occupations are identified in Planning Maps as Cultural Landscape Areas and will directly trigger the requirement for a resource consent, and control will be reserved over the location of buildings, wastewater treatment systems and some earthworks. The other cultural landscapes within the District that are of particular significance to tāngata whenua are identified on the Planning Maps as Cultural Landscape Area – Alert. These alert layer cultural landscapes do not directly trigger the requirement for a resource consent, however if resource consent is required for other matters within these cultural landscapes, an assessment of the impact of the activity on the values of the cultural landscape will also be undertaken. The relevant assessment criteria are found within the zone sections of the Plan. Where the Cultural Landscape Area – Alert is shown on the Planning Maps to apply to a river or stream, it includes a 50m area on either side of the bank from the river or stream. This area has been shown as there has been a lot of historic activity alongside rivers and streams in the District.
- 25.1.7 It is acknowledged that the natural and cultural landscapes identified within this Plan include productive farm land, which makes an important contribution to the character and values of the landscapes. Rather than being static, these landscapes evolve as a result of changes in farming practices. There is potential for some productive land activities to adversely impact the quality of the values of the landscapes. Accordingly, the Plan seeks to balance the need to protect lawfully established farming activities with the requirement to avoid inappropriate development in these landscapes.
- 25.1.8 The role of forestry in landscape areas is a problematic one. On one hand forestry when growing can protect potentially unstable or low productive capability land from erosion which flows on to a benefit for water quality, soil conservation and even biodiversity and landscape values (depending on species). On the other hand, forestry can detract from landscape values when it is located in sensitive areas, comprises an exotic monoculture and particularly after harvesting by clear felling. The use of continuous cover forestry is in its infancy, but intuitively it would have a lesser landscape effect due to not involving harvesting by clear felling. Similarly, the use of mixed exotic forestry is in its infancy. This method suggests reduced landscape effects due to the diversity of species and variation in harvest schedules.

## 25.2 Resource Management Issues

### **Protect the outstanding natural features of Maungatautari and Mt Pirongia by avoiding inappropriate development**

- 25.2.1 The volcanic cones of Maungatautari and Mt Pirongia are of great significance to tāngata whenua, and are highly visible and distinctive landforms and features in the wider landscape of the District. These important values can be irrevocably compromised by development within and adjoining these mountains. The District's natural landscapes, including views to the outstanding natural features need to be protected from the adverse effects of development, including infrastructure and tourism effects, while recognising that many of the District's natural landscapes are located in working rural environments that will experience a degree of change over time.

### **Protecting the Waikato River and hydro lakes**

- 25.2.2 The Waikato River is of paramount importance to tāngata whenua and of great importance to the community, and sporting and recreational users; in addition to the river being used for the generation of hydro electricity. The need to access the river and the hydro dam have resulted in a high level of modification to the natural character of some parts of the river. The adjoining river valley is also subject to development pressures which need to be carefully managed.

### **Managing significant natural features within the District**

- 25.2.3 Mount Kakepuku, the ignimbrite cliffs and bluffs at Whitehall, Arapuni, Castle Rock, Maungatautari and Sanitorium Hill/Pukemako are all significant distinctive natural features that contribute to the District's landscapes, and are vulnerable to the effects of development.

### **Managing viewshafts within the District**

- 25.2.4 The State Highway 3 scenic corridor between Hamilton and Te Awamutu, provides prominent and memorable views to the outstanding landscape features, the volcanic cones and the significant views to the peat lakes, and these views are vulnerable to the effects of development.

### **Other Landscapes: visually sensitive hill country and river and lake environs**

- 25.2.5 The visually sensitive hill country surrounds the outstanding landscapes of Pirongia and Maungatautari, and forms a back drop to many of the views within the District. Likewise, the river and lake environs form the back drop to the river and lakes of the District. All development needs to be carefully managed in these locations.

### **Protecting the District's cultural landscapes from inappropriate development**

- 25.2.6 There are landscapes within the District that are of cultural significance to tāngata whenua, a number of which are on private land. The Act, coupled with the philosophy of co-management means that the cultural values of these areas need to be recorded and earthworks, buildings, and wastewater treatment systems need to be carefully located.

Advice Note: Cultural sites are covered in Section 22 - Heritage and Archaeology.

### **Managing signs within the identified landscapes of the District**

- 25.2.7 Signs located within or adjoining identified landscapes detract from the naturalness and people's appreciation of the landscapes.

### **Managing the effects of earthworks within landscapes**

- 25.2.8 Earthworks have the potential to alter landform and landscape qualities, and need to be managed.

### **Manage tensions between infrastructure and adverse effects on landscapes and viewshafts**

- 25.2.9 Manage the tension between infrastructure and the landscapes and viewshafts that are of importance to the District.

## **Forestry**

- 25.2.10 The planting and harvesting of forestry can alter landscape values and obstruct or compromise identified viewshafts. These effects need to be balanced against the positive effects of increased land stability in marginal hill country, and that harvesting effects can be mitigated over time through prompt replanting or sustainable harvesting techniques.

## **Indigenous vegetation removal from identified landscapes**

- 25.2.11 Existing indigenous vegetation makes a significant contribution to the naturalness and character of the identified landscapes, and its removal, particularly clear felling or large scale removal can change the values that the landscape has.

## **Support structures for screens and shelter belts**

- 25.2.12 Support structures, and associated screens and shelter belts can obstruct or result in loss of views to outstanding natural features of the District, and detract from landscape values.

## **Providing incentives to support the protection of landscapes for the community's benefit**

- 25.2.13 Subdivision processes and incentives in the form of environmental benefit lots are available to protect the sensitive outstanding landscapes and features of the District and will be administered through the subdivision section of this Plan. These processes will seek to transfer development out of the sensitive outstanding landscapes to a less sensitive location.

## **Community connections with the Waikato and Waipā Rivers**

- 25.2.14 The ability of the community to maintain relationships with river catchments can be adversely affected by inappropriate development and subdivision and should be protected and enhanced. The maintenance of these relationships extends from iwi to the community in general.

## **25.3 Objectives and Policies**

*Please also refer to the objectives and policies of Parts C, Part D and Part E, as relevant.*

*Please note that these objectives and policies do not apply to the Karāpiro and Arapuni Hydro Power Zone.*

### **Objective - Outstanding natural features and landscapes**

- 25.3.1 To protect the outstanding landscape values and qualities of Mount Pirongia and Maungatautari. The values of these outstanding landscape features are:

*Maungatautari:*

- (a) A highly memorable and distinctive feature, that dominates both the flat lands to the west and Lake Karāpiro, the Waikato River, Lake Arapuni and State Highway 1 to the east; and
- (b) It is of great spiritual significance to tāngata whenua of the area and was a place with a long history of settlement; and
- (c) The shape of the cone makes it highly distinctive; the indigenous vegetation contributes to its high natural character and is managed as an ecological island.

*Mt Pirongia:*

- (d) A spiritual and ancestral landmark for descendants of the Tainui waka; and
- (e) The shape of the cone makes it highly distinctive, demonstrating the formative processes that created it, and the bush on the upper slopes contributes to its high natural character; and
- (f) Its aesthetic quality is high, because of its visual distinction and eminence within the District. It is seen from much of the central portion of the Waikato Region.

*Policy - Ensuring that development shall not detract from outstanding landscapes*

25.3.1.1 To ensure the landscape values of Mount Pirongia and Maungatautari are maintained by:

- (a) Ensuring the location, materials, and colour of buildings, artificial screens and infrastructure avoid adverse effects on the values and features of the landscape, natural habitats and ecosystems; and
- (b) Avoiding clusters or groups of buildings; and
- (c) Ensuring earthworks for buildings, driveways and farm access tracks integrate with the existing landform to preserve natural landscape character, and recontouring earthworks are avoided or minimised to preserve natural landscape character; and
- (d) Avoiding developments on locations that are of significance to tāngata whenua; and
- (e) Avoiding new above ground network infrastructure, unless the route and site selection process demonstrates that there is no other alternative; and
- (f) Minimising the effects of upgrade work to existing infrastructure including removal of indigenous vegetation; and
- (g) In all other cases, avoiding or minimising the removal of indigenous vegetation; and
- (h) Recognising and providing for the continued operation of lawfully established farming activities.

**Objective - High amenity landscape: Waikato River and hydro lakes**

25.3.2 To maintain the high amenity landscape qualities and values of the Waikato River and hydro lakes. The values of this landscape are:

- (a) The paramount significance of the River to River iwi, having very high cultural and spiritual values; and
- (b) High recreational values; and
- (c) The narrowness of the northern parts of the river, clothed in a mixture of trees, with steep banks, and in places flat river terraces; and
- (d) The high quality landscapes, at Lake Karāpiro, and the Waikato River below Lake Karāpiro, and at Lake Arapuni, where the water surface widens out and the water is at a higher level and the banks of the lake and river are covered in exotic and native trees; and
- (e) The existing rural production character within the High Amenity Landscape; and
- (f) The existing physical resources comprising the hydro infrastructure and operations.

*Policy - Managing adverse effects on the surface of water and on the land adjacent to the Waikato River and the hydro lakes*

- 25.3.2.1 Activities, buildings, and infrastructure on the surface of the water and on the land adjacent to the Waikato River and the hydro lakes, shall be managed so that adverse effects on the qualities that contribute to the aesthetic and natural value of these areas are avoided, remedied or mitigated.

*Policy - Conserving the indigenous vegetation adjacent to the Waikato River and the hydro lakes*

- 25.3.2.2 To maintain the character and amenity of the Waikato River and lakes natural landscape areas, the stability of these locations, and the biodiversity and habitat of the Waikato River and hydro lakes, the removal of the indigenous vegetation adjacent to the Waikato River and the hydro lakes shall be avoided.

*Policy - Enhance natural character where compromised*

- 25.3.2.3 Promote opportunities to enhance the natural character of the Waikato River margins where it has been compromised.

*Policy - Relationship of buildings to the Waikato River*

- 25.3.2.4 Buildings shall be designed and appropriately set back from the Waikato River to recognise its associated cultural, amenity and natural character values.

#### **Objective - Significant natural features and landscapes**

- 25.3.3 To recognise, maintain and where practicable enhance the landscape qualities and values of the significant natural features and landscapes, including those values associated with working pastoral landscapes.

*Policy - Mount Kakepuku*

- 25.3.3.1 To recognise that the volcanic cone of Mount Kakepuku is a highly distinctive landscape feature within the Waipā District. The value of this landscape is:
- (a) A small volcanic cone that is a highly distinctive feature in the locality, particularly because of its contrast with the surrounding flat land; and
  - (b) The long history of association with tāngata whenua, recognised through the historic reserve status; and
  - (c) Its recreation values, with walking tracks up to the summit.

*Policy - Maintaining the values of Mt Kakepuku*

- 25.3.3.2 To ensure that the values of Mt Kakepuku are maintained, buildings, infrastructure and driveways shall be located, and finished in colours and materials, that do not detract from the natural feature.

*Policy - Ignimbrite cliffs and bluffs at Whitehall, Arapuni, Castle Rock and Maungatautari*

- 25.3.3.3 To recognise that the ignimbrite cliffs and bluffs at Whitehall, Arapuni, Castle Rock and Maungatautari are distinctive features, which have landscape values associated with their

colour and form that contrast with the surrounding landscape, as well as significant values to tāngata whenua.

*Policy - Maintaining the values of the Ignimbrite cliffs and bluffs at Whitehall, Arapuni, Castle Rock and Maungatautari*

- 25.3.3.4 To ensure that the values of the Ignimbrite cliffs and bluffs at Whitehall, Arapuni, Castle Rock and Maungatautari are maintained; buildings, infrastructure and driveways in these areas shall be located, and finished in colours and materials that do not detract from the natural features.

*Policy - Sanitorium Hill/Pukemako*

- 25.3.3.5 To recognise that Sanitorium Hill/Pukemako is a distinctive hill rising steeply out of flat country. The values of this landscape feature are the prominent feature, with a distinctive, vegetated peaked shape, in views from Cambridge, as well as having significant values to tāngata whenua.

*Policy - Maintaining the values of Sanitorium Hill/Pukemako*

- 25.3.3.6 To ensure that the values of Sanitorium Hill/Pukemako are maintained, buildings infrastructure and driveways shall not be highly visible in this location, to ensure that they do not detract from the natural feature.

#### **Objective - Other landscapes: visually sensitive hill country and river and lake environs**

- 25.3.4 To provide for lawfully established farming activities while ensuring the location of buildings, driveways and infrastructure does not compromise and where practicable enhances the landscape qualities of visually sensitive hill country and river and lake environs.

*Policy - Visually sensitive hill country*

- 25.3.4.1 To recognise that visually sensitive hill country provides a visual backdrop to large parts of the District, and in some locations this land is of quite a steep grade. The values of these landscapes are:

- (a) A mixture of steep grade to gently rolling country dominated by pasture and pockets of bush; and
- (b) These rural hills form the backdrop to many of the views in the District; and
- (c) The aesthetic value of these landscapes is moderate with pockets of forest which have high natural character values. The main characteristic is a patchwork of pasture, trees and bush.
- (d) Sanitorium Hill/Pukemako visually sensitive hill country contains regionally significant prospective greywacke resources whose extraction can have adverse effects on landscape values, while providing benefits to communities through the sustained supply of aggregate.

*Policy - Maintaining the values of visually sensitive hill country*

- 25.3.4.2 To maintain or enhance the values of the visually sensitive hill country by recognising the landscape values associated with working pastoral environments and through the careful location of buildings, driveways and infrastructure that align with the contours of the land, the use of appropriate design, materials and colours, and minimising earthworks and minimising the need for bush removal.

*Policy - River and lake environs*

- 25.3.4.3 To recognise that the river and lake environs provide a visual backdrop to the lakes and rivers, in particular on the highly visible exposed river flats. The river and lakes environs values include the backdrop that the river terrace slopes and rocky outcrops, and vegetation, provide around lakes and rivers.

*Policy - Maintaining the values of the river and lake environs*

- 25.3.4.4 To ensure that the amenity and values of the river and lake environs are maintained, or enhanced, the locations of buildings, infrastructure and driveways shall not dominate these landscapes. Buildings shall use appropriate design, materials and colours and vegetation removal should be avoided.

**Objective - Viewshafts and State Highway 3 scenic corridor**

- 25.3.5 To maintain views to identified landscape features from viewshafts and the State Highway 3 scenic corridor identified on the Planning Maps, while recognising the landscape values associated with working pastoral environments.

*Policy - Protection of viewshafts*

- 25.3.5.1 To maintain the viewshafts to Mt Pirongia, Mt Kakepuku, Maungatautari Mountain, Mt Te Kawa, the District's peat lakes, and Rangiaowhia Ridge; buildings, forestry, woodlots, artificial screens, and shelter belts shall be located to retain these views, from the identified viewshafts along State Highway 39, the Cambridge to Te Awamutu Road, and the Rangiaowhia and Paterangi ridges.

*Policy - State Highway 3 scenic corridor between Hamilton and Te Awamutu*

- 25.3.5.2 The values of the State Highway 3 scenic corridor are the prominent and memorable views to the outstanding natural landscape features, the volcanic cones and views of nationally significant peat lakes. The location of buildings, driveways and infrastructure, shelterbelts, artificial screens, woodlots and commercial forestry shall be managed to recognise, maintain or enhance the views.

**Objective - Cultural landscapes**

- 25.3.6 To recognise and provide for the historic heritage values and the relationship of tāngata whenua with their ancestral lands through maintaining the values associated with the cultural landscapes identified in this Plan and on the Planning Maps.

*Policy - Identification of cultural landscapes*

- 25.3.6.1 To bring the cultural landscapes within Waipā and their associated values (including historic heritage) to public attention, and to ensure that activities do not compromise their values, through identifying them within the Plan and on the Planning Maps as follows:

(a) *Pirongia cultural landscapes values:*

- (i) Long standing symbols of identity with spiritual significance; and
- (ii) Their prominence within landscapes; and
- (iii) The presence of native vegetation and wildlife; and

- (iv) The presence of unidentified significant sites.
- (b) *Maungatautari mountain cultural landscape values:*
  - (i) Long standing symbol of identity with spiritual significance and is celebrated in tribal poetry and songs; and
  - (ii) Their prominence within landscapes; and
  - (iii) The presence of native vegetation and wildlife; and
  - (iv) The presence of unidentified significant sites.
- (c) *Kakepuku cultural landscape values:*
  - (i) Long standing symbol of identity with spiritual significance; and
  - (ii) Its visual prominence within the landscape; and
  - (iii) The long history and evidence of occupation.
- (d) *Mātakitaki cultural landscape values:*
  - (i) A long history of occupation; and
  - (ii) The location of a major battle with a significant loss of life of tāngata whenua; and
  - (iii) A nationally important site in the context of both pre and post European history.

Advice Note: There is an existing conservation plan for Mātakitaki.

- (e) *Rangiāowhia cultural landscape values:*
  - (i) The areas of previous settlements around the church sites and to the south; and
  - (ii) The location of battles where both European soldiers and tāngata whenua died; and
  - (iii) The open nature of the countryside with views to and from historic heritage sites, and views to Maungatautari, Pirongia and Kakepuku; and
  - (iv) The presence of urupā and burial sites; and
  - (v) The cluster of predominantly single level buildings, and identified heritage items, including St Pauls church on the Rangiāowhia ridge, set amongst mature trees.
- (f) *Ōrakau cultural landscape values:*
  - (i) The location of a significant and historically pivotal battle where both European soldiers and tāngata whenua died; and
  - (ii) The open nature of the landscape and the views of the flight path to the Pūniu River.
- (g) *Pukekura cultural landscape values:*
  - (i) Taumatawiiwii was a significant and historically pivotal battle that took place in 1830 where many warriors died; and
  - (ii) A long history of occupation and the connection to the river and the Maunga through the historic pā sites; and
  - (iii) The land form and landscape between the river and the historic pā sites.
- (h) *Waiari cultural landscape values:*
  - (i) Skirmish between British and tāngata whenua in February 1864 resulted in the death of both tāngata whenua warriors and British soldiers; and

- (ii) Waiari is a registered archaeological site with a long history of pre European occupation.
- (i) *Hingakaka cultural landscape values:*
  - (i) A significant and historically pivotal pre-european battle took place where oral tradition reports thousands of warriors died; and
  - (ii) Many taonga were buried in the lake, which is now dry land due to drainage; and
  - (iii) The high probability of the presence of urupā and undiscovered sites and artefacts.

*Policy - Managing the location of development within cultural landscapes*

- 25.3.6.2 The location of buildings, wastewater treatment and disposal systems and some earthworks shall be managed to avoid adverse effects on the values of the cultural landscapes of Pirongia, Maungatautari, Kakepuku, Matakītaki, Rangīāowhia, Ōrakau, Pukekura, Waiari and the Hingakākā battle site.

*Policy - Assessing development within alert layer cultural landscapes*

- 25.3.6.3 The relationship of Māori with their ancestral lands, water, sites, wāhi tapu and other taonga within alert level cultural landscapes will be assessed in the event that a resource consent is triggered within the cultural landscape.

*Policy - Retention of cultural and heritage connections*

- 25.3.6.4 Development shall be managed to retain cultural and/or heritage connections between places, sites or points of cultural or heritage significance within or between cultural landscapes.

*Policy - Public awareness and protection of cultural landscapes*

- 25.3.6.5 To promote and encourage public awareness and protection of cultural landscapes and their values.

Advice Note: Some of the landscapes of cultural significance to tāngata whenua have been recorded within this Plan, through maps, and/or the histories describing the reasons for their significance. There are other areas of significance that tāngata whenua have chosen not to record within the Plan. Cultural sites are covered in Section 22 - Heritage and Archaeology.

**Objective - Signs in natural landscapes and viewshafts**

- 25.3.7 Protect the amenity of the identified landscapes and viewshafts within the District by managing the number and size of signs.

*Policy - Limit the number and size of signs in identified natural landscapes and viewshafts*

- 25.3.7.1 To avoid adverse visual effects within identified landscapes, and views to identified landscapes, the number and size of signs shall be managed.

**Objective - Earthworks**

- 25.3.8 To avoid, remedy or mitigate adverse effects from earthworks in all identified landscapes.

*Policy - Earthworks in cultural landscapes*

- 25.3.8.1 The location of earthworks will be managed to not detract from cultural values.

*Policy - Earthworks in identified natural landscapes*

- 25.3.8.2 Earthworks for buildings platforms, infrastructure, driveways, farm access tracks and recontouring shall avoid, remedy or mitigate adverse effects on the identified natural landscapes.

**Objective - Forestry in landscapes and viewshafts**

- 25.3.9 To provide for forestry operations that provide a clear and on-going land stability benefit, while ensuring that forestry does not significantly detract from landscape character and value.

*Policy - Avoid adverse effects of forests*

- 25.3.9.1 Forestry shall not be located where the species or harvesting method will significantly detract from landscape character and values of an identified landscape, or where an identified viewshaft to an outstanding natural feature or landscape cannot be maintained.

*Policy - Sustainably harvested forestry operations*

- 25.3.9.2 To enable sustainably harvested forestry operations (particularly indigenous) that maintain a continuous canopy.

*Policy - Forestry that provides a land stability benefit*

- 25.3.9.3 To provide for forestry operations that provide a clear benefit to land stability and improved water quality, particularly where the operation minimises adverse effects on landscape values.

*Policy - Existing forestry in landscape areas*

- 25.3.9.4 To provide for the harvesting of forestry blocks planted prior to Plan notification within landscapes as a controlled activity.

**Objective - Shelter belts and structures for artificial screening in natural landscapes and viewshafts**

- 25.3.10 Ensure that the location of shelter belts and artificial screens maintains the character and amenity of natural landscapes, and the views of outstanding landscape features from identified viewshafts.

*Policy - Shelter belts and artificial screens locating in viewshafts*

- 25.3.10.1 Shelter belts and artificial screens shall avoid locating in viewshafts where the views to the outstanding natural features, and mountains and heritage items cannot be maintained.

*Policy - Artificial screens in natural landscapes and viewshafts*

- 25.3.10.2 Artificial screens shall not detract from the character and amenity of the landscape or viewshaft.

*Policy - Shelter belts in natural landscapes and viewshafts*

25.3.10.3 Shelter belts shall be orientated and located to minimise adverse effects on natural landscapes and viewshafts.

**Objective - Mineral and aggregate extraction within landscapes**

25.3.11 To ensure that mineral and aggregate extraction avoids identified landscape areas where extraction will compromise the landscape values.

*Policy - Avoid adverse effects from mineral and aggregate extraction*

25.3.11.1 The impacts of mineral extraction and aggregate processing are considered to have potentially significant long term impacts on natural landscapes. The nature and scale of these activities can make them difficult to mitigate, and accordingly they should be avoided, in locations where the values of the landscape cannot be maintained.

**25.4 Rules**

*The rules that apply are contained in:*

- (a) *The activity status tables and the performance standards in this section; and*
- (b) *The activity status tables and the performance standards in Parts D Zone Provision, Part E District wide Provisions, and Part F District Wide Natural and Cultural Heritageprovisions of the Plan.*

*Please note that the following rules do not apply to the Karāpiro and Arapuni Hydro Power Zone. Refer to Section 12 of the Plan.*

**25.4.1 Activity Status Tables**

25.4.1.1	Activities	Outstanding natural features and landscapes	High Amenity Landscape: Waikato River and hydro lakes	Significant landscape features: Mount Kakepuku, Ignimbrite cliffs and bluffs at Whitehall, Arapuni, Castle Rock and Maungatautari, Sanitorium Hill/Pukemako	Other landscapes: Visually Sensitive Hill Country, River and Lake Environs	Viewshafts, SH3 Scenic Corridor
(a)	The performance standards at 25.4.2 apply to permitted, controlled, or restricted discretionary activities. The activity status for activities which fail to comply with the performance standard is identified under each rule.					
<b>Buildings</b>						
(b)	Buildings less than 3m in height and/or less than or equal to 20m <sup>2</sup> in area.	RD	P	P	P	P
Assessment of restricted discretionary activities shall be restricted to the following matters: <ul style="list-style-type: none"> <li>▪ Location; and</li> <li>▪ Height; and</li> <li>▪ Integration with landscape; and</li> <li>▪ Colour; and</li> <li>▪ Materials; and</li> <li>▪ Reflectivity.</li> </ul> These matters will be considered in accordance with the assessment criteria in Section 21.						

25.4.1.1	Activities	Outstanding natural features and landscapes	High Amenity Landscape: Waikato River and hydro lakes	Significant landscape features: Mount Kakepuku, Ignimbrite cliffs and bluffs at Whitehall, Arapuni, Castle Rock and Maungatautari, Sanitorium Hill/Pukemako	Other landscapes: Visually Sensitive Hill Country, River and Lake Environs	Viewshafts, SH3 Scenic Corridor
(c)	Buildings less than 1.5m in height and/or less than or equal to 10m <sup>2</sup> GFA.	P	P	P	P	P
(d)	Buildings 3-8m in height and/or greater than 20m <sup>2</sup> in area.	D	RD	RD	RD	RD
<p>Assessment of restricted discretionary activities shall be restricted to the following matters:</p> <ul style="list-style-type: none"> <li>▪ Building and driveway location; and</li> <li>▪ Building height, scale, colour, materials and reflectivity; and</li> <li>▪ Integration with landscape; and</li> <li>▪ Scale and location of any retaining walls or fencing; and</li> <li>▪ Vegetation retention; and</li> <li>▪ Mitigation and/or enhancement planting; and</li> <li>▪ Consideration of the guidelines in Appendix DG7.</li> </ul> <p>These matters will be considered in accordance with the assessment criteria in Section 21.</p>						
(e)	Buildings exceeding 8m in height.	NC	NC	NC	NC	NC
(f)	A primary dwelling, where the property is predominantly located within a landscape overlay area and the site existed prior to 30 May 2014.	RD	C	C	C	C
<p>Assessment of controlled activities shall be limited to the following matters:</p> <ul style="list-style-type: none"> <li>▪ Dwelling and access location; and</li> <li>▪ Dwelling height, scale, colour, materials and reflectivity; and</li> <li>▪ Scale and location of any retaining walls or fencing; and</li> <li>▪ Vegetation retention; and</li> <li>▪ Mitigation and/or enhancement planting.</li> </ul> <p>Assessment of restricted discretionary activities shall be restricted to the following matters:</p> <ul style="list-style-type: none"> <li>▪ The matters listed above for a controlled activity; and</li> <li>▪ Consideration of the guidelines in Appendix DG7.</li> </ul> <p>These matters will be considered in accordance with the assessment criteria in Section 21.</p>						
(g)	New dwelling, where the building is sited on a building platform approved as part of a subdivision consent issued after 30 May 2014 subject to	P	P	P	P	P

25.4.1.1	Activities	Outstanding natural features and landscapes	High Amenity Landscape: Waikato River and hydro lakes	Significant landscape features: Mount Kakepuku, Ignimbrite cliffs and bluffs at Whitehall, Arapuni, Castle Rock and Maungatautari, Sanitorium Hill/Pukemako	Other landscapes: Visually Sensitive Hill Country, River and Lake Environs	Viewshafts, SH3 Scenic Corridor
	compliance with Rules 25.4.2.2 to 25.4.2.4 (colour of buildings and the glazing of structures).					
<b>Artificial Screens</b>						
(h)	Artificial screens and ancillary structures.	RD	RD	RD	RD	RD Within 400m of a public road P In other locations
<p>Assessment of restricted discretionary activities shall be restricted to the following matters:</p> <ul style="list-style-type: none"> <li>▪ Location; and</li> <li>▪ Height; and</li> <li>▪ Integration with landscape; and</li> <li>▪ Colour; and</li> <li>▪ Materials.</li> </ul> <p>These matters will be considered in accordance with the assessment criteria in Section 21.</p>						
<b>Shelterbelts</b>						
(i)	Shelterbelts	P	P	P	P	RD Within 400m of a public road P In other locations
<p>Assessment of restricted discretionary activities shall be restricted to the following matters:</p> <ul style="list-style-type: none"> <li>▪ Location; and</li> <li>▪ Effects on views; and</li> <li>▪ Integration with landscape pattern; and</li> <li>▪ Species; and</li> <li>▪ Mature height.</li> </ul> <p>These matter will be considered in accordance with the assessment criteria in Section 21.</p>						
<b>Planting of forestry</b>						
(j)	Planting of indigenous forestry.	P	P	P	P	NC
(k)	Planting of less than 2ha of single species exotic tree forestry or mixed exotic forestry per holding	P	P	P	P	NC
(l)	Planting of 2ha or more of mixed	C	C	C	C	NC

25.4.1.1	Activities	Outstanding natural features and landscapes	High Amenity Landscape: Waikato River and hydro lakes	Significant landscape features: Mount Kakepuku, Ignimbrite cliffs and bluffs at Whitehall, Arapuni, Castle Rock and Maungatautari, Sanitorium Hill/Pukemako	Other landscapes: Visually Sensitive Hill Country, River and Lake Environs	Viewshafts, SH3 Scenic Corridor
	exotic forestry per holding with a Landscape Management Plan (refer 21.1.25.5 and 21.2.25.3)					
<p>Assessment of controlled activities shall be limited to the following matters:</p> <ul style="list-style-type: none"> <li>▪ The effects of the location, layout, and extent of planting including the arrangement, distribution and choice of species on landscape values; and</li> <li>▪ Visual effects; and</li> <li>▪ Effects on landscape values; and</li> <li>▪ Effects of future harvesting on landscape values; and</li> <li>▪ Benefits of forestry in term of land stability; and</li> <li>▪ Effects on biodiversity values; and</li> <li>▪ Effects on the relationship of tāngata whenua with their ancestral lands, water bodies, wāhi tapu, and other taonga.</li> </ul> <p>These matters will be considered in accordance with the assessment criteria in Section 21. Activities that fail to comply with Rule 25.4.1.1(l) will require resource consent for a non-complying activity.</p> <p>Advice Note: The detail of Landscape Management Plans should address and be proportionate to the potential effects of the proposed Mixed Exotic Forestry on the landscape values recognised in the Plan and therefore plans will vary according to site specific circumstances. The detail required in a Landscape Management Plans can be determined at a pre-application meeting with the assistance of an NZILA Registered Landscape Architect whose attendance will be facilitated by Council.</p>						
(m)	Planting of 2ha or more of single species exotic forestry per holding.	RD	RD	RD	RD	NC
<p>Assessment of restricted discretionary activities shall be restricted to the following matters:</p> <ul style="list-style-type: none"> <li>▪ Location, layout and extent of planting including the arrangement, distribution and choice of species; and</li> <li>▪ Effects on Landscape Values including whether the planting integrates with and reinforces existing landform and vegetation patterns; and</li> <li>▪ Whether forestry is visible from public places and obstructs or substantially interferes with views of the landscape or the visual coherence of the landscape; and</li> <li>▪ Effects of future harvesting on landscape values; and</li> <li>▪ Benefits of forestry in terms of land stability; and</li> <li>▪ Effects on biodiversity values; and</li> <li>▪ Effects on the relationship of tāngata whenua with their ancestral lands, water bodies, wāhi tapu, and other taonga.</li> </ul> <p>These matters will be considered in accordance with the assessment criteria in Section 21.</p>						
<b>Harvesting of Forestry</b>						
(n)	Continuous cover forestry and/or Sustainable Forest Management/ sustainable harvesting.	P	P	P	P	NA

25.4.1.1	Activities	Outstanding natural features and landscapes	High Amenity Landscape: Waikato River and hydro lakes	Significant landscape features: Mount Kakepuku, Ignimbrite cliffs and bluffs at Whitehall, Arapuni, Castle Rock and Maungatautari, Sanitorium Hill/Pukemako	Other landscapes: Visually Sensitive Hill Country, River and Lake Environs	Viewshafts, SH3 Scenic Corridor
(o)	Forestry harvesting involving clear felling without replanting within 12 months.	RD	RD	RD	RD	NA
<p>Assessment of restricted discretionary activities shall be restricted to the following matters:</p> <ul style="list-style-type: none"> <li>▪ Effects on landscape values; and</li> <li>▪ Effects on land stability; and</li> <li>▪ Effects on biodiversity values; and</li> <li>▪ Effects on the relationship of tāngata whenua with their ancestral lands, water bodies, wāhi tapu, and other taonga; and</li> <li>▪ Mitigation measures proposed in relation to harvesting.</li> </ul> <p>These matters will be considered in accordance with the assessment criteria in Section 21.</p>						
(p)	Forestry harvesting involving clear felling where replanting will occur within 12 months.	C	C	C	C	NA
<p>Assessment of controlled activities shall be limited to the following matters:</p> <ul style="list-style-type: none"> <li>▪ Effects on landscape values; and</li> <li>▪ Effects on land stability; and</li> <li>▪ Effects on biodiversity values; and</li> <li>▪ Effects on the relationship of tāngata whenua with their ancestral lands, water bodies, wāhi tapu, and other taonga; and</li> <li>▪ Mitigation measures proposed in relation to harvesting.</li> </ul> <p>These matters will be considered in accordance with the assessment criteria in Section 21.</p>						
(q)	Exotic or indigenous forestry harvesting involving clear felling of forestry blocks planted prior to 30 May 2014 with or without replanting.	C	C	C	C	NA
<p>Assessment of controlled activities shall be limited to the following matters:</p> <ul style="list-style-type: none"> <li>▪ Effects on landscape values; and</li> <li>▪ Effects on land stability; and</li> <li>▪ Effects on biodiversity values; and</li> <li>▪ Effects on the relationship of tāngata whenua with their ancestral lands, water bodies, wāhi tapu, and other taonga; and</li> <li>▪ Mitigation measures proposed in relation to harvesting.</li> </ul> <p>These matters will be considered in accordance with the assessment criteria in Section 21.</p>						
<b>Conservation Planting</b>						
(r)	Conservation Planting and any associated earthworks.	P	P	P	P	P

25.4.1.1	Activities	Outstanding natural features and landscapes	High Amenity Landscape: Waikato River and hydro lakes	Significant landscape features: Mount Kakepuku, Ignimbrite cliffs and bluffs at Whitehall, Arapuni, Castle Rock and Maungatautari, Sanitorium Hill/Pukemako	Other landscapes: Visually Sensitive Hill Country, River and Lake Environs	Viewshafts, SH3 Scenic Corridor
<b>Signs</b>						
(s)	Signs	P	P	P	P	P
<b>Mineral extraction and processing</b>						
(t)	Mineral and aggregate extraction, and mineral prospecting.	NC	D	D	D	D
<b>Tracks</b>						
(u)	New farm access tracks and earthworks (including farm quarries less than 500m <sup>3</sup> per calendar year) that comply with rule 25.4.2.10.	P	P	P	P	P
(v)	New farm access tracks and earthworks (including farm quarries) greater than 500m <sup>3</sup> per calendar year.	RD	C	C	C	C
<p>Assessment of restricted discretionary activities, shall be restricted to the following matters:</p> <ul style="list-style-type: none"> <li>▪ Visibility from public place; and</li> <li>▪ Scale of earthworks and effects on the landform pattern; and</li> <li>▪ Suitability of re-vegetation plan.</li> </ul> <p>This matter will be considered in accordance with the assessment criteria in Section 21.</p> <p>Assessment of controlled activities shall be limited to the following matters:</p> <ul style="list-style-type: none"> <li>▪ Suitability of re-vegetation plan; and</li> <li>▪ Visibility from a public place.</li> </ul> <p>This matter will be considered in accordance with the assessment criteria in Section 21.</p>						
<b>Other Activities</b>						
(w)	Removal of indigenous vegetation, except where listed as a permitted, controlled or restricted discretionary activity in Section 24 Indigenous Biodiversity.	NC	D	NA	D	NA

25.4.1.1	Activities	Outstanding natural features and landscapes	High Amenity Landscape: Waikato River and hydro lakes	Significant landscape features: Mount Kakepuku, Ignimbrite cliffs and bluffs at Whitehall, Arapuni, Castle Rock and Maungatautari, Sanitorium Hill/Pukemako	Other landscapes: Visually Sensitive Hill Country, River and Lake Environs	Viewshafts, SH3 Scenic Corridor
<p><i>In this table: P= permitted activity; C = controlled activity; RD = restricted discretionary activity; D = discretionary activity; NC = non-complying activity; NA= not applicable</i></p>						

Advice Notes:

1. Earthworks complying with permitted activity standards or subject to resource consent requirements under the National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health Regulations 2011 are exempt from additional resource consent requirements.
2. Earthworks within 23m of a lake or water bodies require resource consent. Refer Section 26 - Lakes and Water bodies.

25.4.1.2	Cultural landscapes Pirongia, Maungatautari, Matakaitaki, Kakepuku Hingakaka, Rangiaowhia, Orakau, Waiari, Pukekura, as shown on the Planning Maps
(a)	<p><b>Controlled activity in all zones:</b></p> <p>(i) Earthworks; or (ii) Construction of new buildings; or (iii) The installation of wastewater treatment systems.</p> <p>For the purposes of this rule, earthworks includes any filling and cutting deeper than 1m below the soil surface and/or greater than 500m<sup>3</sup>, for any activity but excludes fencing, tile drainage, and maintenance of existing tracks and tree planting; and 'building' does not include additions to existing buildings.</p> <p>Assessment of controlled activities will be limited to the following matters:</p> <ul style="list-style-type: none"> <li>▪ Location; and</li> <li>▪ Cultural values.</li> </ul> <p>This matter will be considered in accordance with the assessment criteria in Section 21.</p>

## 25.4.2 Performance Standards

*The following rules apply to activities listed as permitted, controlled or restricted discretionary.*

*Where rules are not complied with resource consent will be required in accordance with the rules in the activity status table or as identified in the performance standards, and will be assessed against the relevant objectives and policies. In the case of controlled and restricted discretionary activities, the assessment will be restricted to the matters over which control or discretion has been reserved, in accordance with the relevant assessment criteria contained in Section 21. For discretionary activities Council shall have regard to the assessment criteria in Section 21. The criteria in Section 21 are only a guide to the matters that Council will consider and shall not restrict Council's discretionary powers.*

### Rule - Building setback from road boundaries within identified viewshafts

- 25.4.2.1 The minimum building setback from road boundaries for all buildings within an identified viewshaft must be 15m.

Advice Note: This requirement is not additional to the minimum building setback for road boundaries in the Rural Zone.

Activities that fail to comply with this rule will require a resource consent for a discretionary activity.

### **Rules - Colour of buildings**

- 25.4.2.2 For all buildings within natural landscapes and viewshafts identified on the Planning Maps, the whole of the walls and façade of the structure (including doors, window sills, and chimneys) shall be finished so that they are either of:
- (a) Unpainted natural timber board or batten; or
  - (b) Uncoated brick, stone, or concrete block, or any surface coated with paint, stain or varnish but in each case, the colours must be in accordance with Appendix N6; or
  - (c) A combination of the above.
- 25.4.2.3 The whole of the roof of the building in a natural landscape or viewshaft identified on the Planning Maps shall be finished in the colours set out in Appendix N6, provided that:
- (a) This rule does not apply to an extension of an existing dwelling or accessory building or a farm building that is not visible from a public place; and
  - (b) In the event that the extension is visible from a public place, the extension and existing building shall comply with the colours set out in Appendix N6; and
  - (c) Roofs, shall use a darker colour than the walls of the building.

Activities that fail to comply with Rules 25.4.2.2 and 25.4.2.3 will require a resource consent for a discretionary activity.

### **Rule - Glazing of structures and buildings**

- 25.4.2.4 In an outstanding landscape or viewshaft identified on the Planning Maps where more than 40% of any exterior wall that is visible from a public place is in glazing, buildings shall:
- (a) Have a minimum overhang or eave of 600mm; and/or
  - (b) Use glass with reflectivity of 2% or less; and/or
  - (c) Windows and doors shall be recessed at least 0.5m from the façade.

Activities that fail to comply with this rule will require a resource consent for a restricted discretionary activity with discretion being restricted to:

- Location and visibility of the structure or building; and
- Design and orientation of the building and associated structures; and
- Extent and type of glazing; and
- Effectiveness of alternative method in managing adverse effects of glazing.

This matter will be considered in accordance with the assessment criteria in Section 21.

### **Rules - Signs in all natural landscape and viewshaft areas identified within the Planning Maps**

- 25.4.2.5 Only one sign is permitted on a site.
- 25.4.2.6 The sign shall not be internally illuminated, flashing, incorporate fluorescent or contain moving materials such as flags or be painted in colours that are used on traffic signals.
- 25.4.2.7 The sign shall be placed so that, where attached to a building, no part protrudes above the eaves or parapet, or where attached to a fence or wall, no part protrudes above the top of the fence or wall.

- 25.4.2.8 If the sign is free standing, the freestanding sign shall be placed so that no part is more than 2m above natural ground level, and:
- (a) Shall be placed so that they do not block sight distances at intersections or driveways; and
  - (b) Shall not be placed any closer than 20m to a road intersection.

25.4.2.9 The total area of a sign shall be 0.25m<sup>2</sup> in area.

Advice Note: Signs on Heritage Items listed in Appendix N1 shall comply with the rules in Section 22 - Heritage and Archaeology.

Activities that fail to comply with Rules 25.4.2.6 to 25.4.2.10 will require a resource consent for a discretionary activity.

#### **Rule - New farm access tracks, earthworks and farm quarries**

- 25.4.2.10 Earthworks, excavation and recontouring may not exceed 500m<sup>3</sup> per calendar year and:
- (a) Earthworks for the purpose of recontouring must be revegetated or regrassed within 3 months of the topsoil removal; and
  - (b) Earthworks and farm quarries may not be located or undertaken within 20m of the top of a ridgeline.
  - (c) New farm access tracks must not result in cut or fill faces of greater than an average of 1.5m in height with a maximum cut or fill face height of 2m.

Activities located in an outstanding natural landscape that fail to comply with this rule will require a resource consent for a restricted discretionary activity with the discretion being restricted over:

- Visibility from public place; and
- Scale of earthworks and effects on the landform pattern; and
- Suitability of re-vegetation plan.

This matter will be considered in accordance with the assessment criteria in Section 21.

Activities located in any other identified landscapes (except the cultural landscapes) that fail to comply with this rule will require a resource consent for a controlled activity. Assessment of controlled activities will be limited to the following matters:

- Suitability of re-vegetation plan; and
- Visibility from a public place.

This matter will be considered in accordance with the assessment criteria in Section 21.

#### **Rule - Shelterbelts in natural landscapes**

- 25.4.2.11 Shelterbelts shall not obscure views of significant natural features and landscapes from public space or roads.

Activities that fail to comply with this rule will require a resource consent for a restricted discretionary activity with discretion being restricted over:

- Effects on views from view shafts including consideration of:
  - Location; and
  - Effects on views; and
  - Species; and
  - Mature height.

This matter shall be considered in accordance with the assessment criteria in Section 21.

## **25.5 Assessment Criteria**

### **25.5.1 Controlled activities and Restricted Discretionary activities**

*For controlled and restricted discretionary activities the assessment will be restricted to the matters over which control or discretion has been reserved, in accordance with the relevant assessment criteria contained in Section 21. Resource consent conditions can only be imposed over the matters which control or discretion has been reserved.*

### **25.5.2 Discretionary activities**

*For discretionary activities Council shall have regard to the assessment criteria in Section 21. The criteria in Section 21 are only a guide to the matters that Council will consider and shall not restrict Council's discretionary powers.*