

Landscape

6. Landscape

Explanatory Statement

The Western Bay of Plenty District Council has a number of natural features and landscapes that are appreciated by residents and visitors alike for their outstanding visual character and appeal. These features have been formally identified in a landscape assessment and mainly comprise of dominant landform features such as peaks, ridgelines and sharp transitions between landform types such as between land and water. A number of important viewshafts from State Highways and public lookouts have also been identified.

These landscape features and views are sensitive to change and their visual quality can be compromised by the individual or cumulative effects of land use and development activities which are not in harmony with the natural appearance of the landscape. Over the next ten year planning period, it is anticipated that there will be additional pressure put on these landscapes from subdivision and development. To ensure these landscape features are protected and maintained for current and future generations it is appropriate to implement planning controls to ensure potential impacts of development are avoided or mitigated.

Activity performance standards in this Section apply to all Outstanding Landscape Features identified in Appendix 2 and on the Planning Maps. Specific Landscape Management Areas and rules have been adopted for both the Wairoa River Valley and Tauranga Harbour Margin. The new setbacks which define the extent of these management areas are significantly larger than in the previous District Plan, however they provide a more accurate reflection of the particular vulnerability of these landscapes to inappropriate subdivision and development. A set of Permitted Activity standards has been provided to allow development to still occur as of right in situations where the effects are deemed to be acceptable.

The Outstanding Landscape Features identified in Appendix 2 are in most cases located on private property. The overall intention of the rules in this section is to not unreasonably prevent development within landscape features but rather to ensure that development is undertaken in a manner which mitigates its visual impact against the surrounding natural environment.

Lot boundaries provide the overall pattern of landscape that in time determines landscape character. Where possible they should be aligned to reinforce the natural pattern of the landscape.

Existing use rights apply. These include farm management and the management of other land currently used for production forestry, woodlots, and quarries.

6.1 Significant Issues

1. The District has a number of outstanding natural features and landscapes, the visual quality of which can be adversely affected by inappropriate subdivision, use and development.

2. Important viewshafts from public locations such as State Highways and public lookouts can be compromised by inappropriate land use and development activities.

6.2 Objectives and Policies

6.2.1 Objective

The unique visual quality and character of the District's outstanding natural features, landscapes and viewshafts are protected from inappropriate subdivision, use and development.

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6.2.2 Policies

1. Within areas identified as being outstanding natural features and landscapes, landscape character should be protected and enhanced by managing the adverse effects of inappropriate land use and development activities.
2. Identified outstanding viewshafts throughout the District should be maintained through the avoidance of inappropriate development.

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6.3 Applicability

The rules within the Landscape Section apply only within identified natural features and landscapes and identified viewshafts. Refer Planning Maps for general location and Appendix 2 (Schedule of Identified Outstanding Landscape Features) for detailed descriptions. For the purpose of interpretation, the description provided in Appendix 2 shall take priority over the maps with regard to location. The following activity performance standards apply to:

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- (a) Activities within natural features and landscapes where such activities are visible from State Highways and identified public lookouts.
- (b) Activities within the Landward Edge Protection Yards Maketu Estuary (S22), and Waihi Estuary (S24) and Tauranga Harbour (S8) and Wairoa River (S7) Landscape Management Areas where such activities will be visible from the adjoining waterbody.
- (c) Activities within the Open Coastal Landward Edge Protection Yard (S27) where such activities will be visible from both the adjoining waterbody and the beach.
- (d) Activities within identified viewshafts where such activities could compromise the quality of the view or cause or contribute to the obstruction of the view.

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Explanatory Note: The Tauranga Harbour (including Matakana Island S19) and Wairoa River Landscape Management Areas are included as natural features and landscapes within Appendix 2 and extend 300m inland from MWHS and the river margin on Rural Zoned land only.

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6.4 Activity Lists

6.4.1 Permitted Activities

In addition to those activities listed as Permitted in the respective zone (or in Rule 10.3) but excluding those listed as Restricted Discretionary in 6.4.3 below, the following are Permitted Activities:

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- (a) Production forestry in landscape feature S19 - Matakana Island.
- (b) Native forest logging under the Forest Amendment Act 1993.
- (c) Buildings in the Tauranga Harbour Landscape Management Area between 40m and 300m above MHWS and buildings in the Wairoa River Landscape Management Area between 20m and 300m from the river subject to compliance with all of the following Permitted Activity performance standards;

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- (i) All external surfaces of buildings (excluding glazing) shall comply with the following reflectivity standards

Walls = no greater than 35%;
 Roofs = no greater than 25%;

Explanatory Note: The above shall be in accordance with British Standard BS5252 Reflectance Value.

- (ii) No mirrored glass shall be used.
- (iii) Earthworks (cut and fill) shall be limited to a maximum cumulative vertical face of 1.5m, provided that any such face shall be grassed or mass planted.
- (iv) No native vegetation greater than 3m in height shall be removed as a result of any new building and/or access way.

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Explanatory Note: For the purpose of this rule “buildings” shall include additions and alterations to existing buildings lawfully established prior to 1 January 2010 or granted building consent (and resource consent if required) for which relevant applications were lodged prior to 1 January 2010, which increase the gross floor area of that existing building by 50% or more.

Except that:

Additions and alterations which do not increase the gross floor of an existing building (as described above) by 50% or more shall be exempt from compliance with any rules contained within the Landscape Section.

6.4.2 Controlled Activities

Those activities listed as controlled in the respective zone, but excluding those listed as Restricted Discretionary in 6.4.3 below.

6.4.3 Restricted Discretionary Activities

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6.4.3.1 Within Identified Outstanding Landscape Features (this includes within 40.0m of MHWS in the Tauranga Harbour Landscape Management Area and within 20.0m of the river bank in the Wairoa River Landscape Management Area).

- (a) Subdivision (only where additional lots are created within an Identified Outstanding Landscape Feature and not within the balance area).
- (b) Buildings.
- (c) Earthworks (cut or fill) resulting in a cumulative vertical face of greater than 1.5m.
- (d) Native vegetation clearance.
- (e) Production forestry.
- (f) Works and Utilities classified as Discretionary Activities by Rule 10.3.

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6.4.3.2 Between 40.0m and 300m above MHWS in the Tauranga Harbour Landscape Management Area and between 20m and 300m in the Wairoa River Landscape Management Area.

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- (a) Buildings that do not meet all of the Permitted Activity performance standards provided in 6.4.1 (c) above.
- (b) The assessment criteria set out in Rule 6.6.1 are applicable only to the extent that they relate to any actual or potential adverse environment effects directly attributable to the particular matter of non-compliance.

6.4.4 Discretionary Activities

Any activity not listed as a Permitted, Controlled or Restricted Discretionary Activity.

6.5 Information Requirements for Restricted Discretionary and Discretionary Activities

A landscape and visual assessment is to be provided with the application. This assessment shall establish the landscape context taking into account the proposed activity and the affected landscape elements applicable to the development site and the immediate surrounding area.

The landscape assessment shall:

- (a) Identify and describe the landscape characteristics of the site and any features of special significance to the surrounding environment.
- (b) Include a site plan that shall identify lot boundaries, contours (reduced levels i.e. levels related to a known datum point), landscape types, native vegetation, and other trees over 6.0m in height, waterways, significant adjacent off-site natural features, the location of buildings and

structures (and RL's for roofs), proposed access, fencelines, and the finished landform and levels in relation to the proposed subdivision or proposed works, to clearly demonstrate the protection of the natural landscape character.

- (c) Recommend conditions necessary to mitigate adverse effects or provide positive effects on the landscape including:
- (i) Controls on the siting, bulk, location and design of buildings, earthworks and vegetation removal;
 - (ii) Location and design of roading and associated services;
 - (iii) Planting of vegetation and/or landscaping on public and private lands;
 - (iv) Protection of features of landscape significance or historic heritage;
 - (v) Location and design of fencing.

The level of detail provided with any application shall be related to the scale of the activity and the nature of any effects.

For ease of analysis and consistent administration, the landscape elements as they relate to the Tauranga Harbour and Wairoa River Landscape Management Areas have been broadly defined into four landscape types as follows:

Harbour plains/river flats: This landscape type is found mostly within the bays, along the harbour margin but also along the margins of the Wairoa River. Generally the estuarine margin is densely vegetated or a sandy beach is found. The depth of the harbour and river plains varies eventually meeting a rolling slopes landscape. The slope for this landscape element ranges between 0 - 4°.

Rolling hills/slopes: This landscape comprises rolling landscape and can vary from gentle rolling to strong rolling hillsides with deep valleys and dominant ridgelines. In some cases the rolling slopes drop to meet the harbour margin directly with some estuarine margin abutting the edge. Slopes range between 4 - 21°.

Scarps/cliffs: This landscape is found mostly along the varying headlands within the Tauranga Harbour and along the edge of the Wairoa River and its plains. Both scarps and cliffs are steep slopes ranging between 21-90°.

Plateau: This landscape type is found along the varying headlands within the Tauranga Harbour and above steep river cliffs. The plateau in many cases supports a variety of land uses, including horticulture, agriculture and residential housing. The plateau landform ranges between of 0-4 °slope.

6.6 Matters of Discretion

6.6.1 Assessment criteria for Restricted Discretionary Activities

In considering an application for a Restricted Discretionary Activity Council is restricted to the following assessment criteria. These criteria can be used as a guide for Discretionary and Non Complying Activities.

- (a) The extent to which the development will maintain the integrity of the landform and skyline profile. Factors that will be considered include:
 - (i) The location of any buildings, works, structures (including sign boards) or vegetation within identified viewshafts;
 - (ii) Reflectivity standards relating to the colour and finish of buildings (see British Standard BS 5252);
 - (iii) The height of buildings taking into account the surrounding landscape;
 - (iv) Whether building form or works positively respond to the natural landform contour;
 - (v) The extent of landform modification and whether the finished landform appears natural;
 - (vi) The ability to mitigate effects through landscape planting using native plant species within a timeframe not exceeding five years;
 - (vii) The Design Response Guidelines identified on Page 28 of the Western Bay of Plenty District Council Landscape Review – Assessment of Landscape Management Requirements for the Tauranga Harbour Margins and Wairoa River Valley by Boffa Miskell (October 2008).
- (b) The extent to which native vegetation removal can be avoided. Native vegetation should not be removed except where there is no alternative for building location or access. Subdivision should locate house sites and access outside existing stands of native vegetation. 39.22
- (c) The extent and location of earthworks. Earthworks shall generally not exceed that required for the building(s), vehicle access and turning, and outdoor living court(s). 39.23
- (d) The ability to retain a natural appearance following site earthworks and vegetation removal. All disturbed ground should be contoured to be sympathetic to the natural landform and revegetated with species appropriate to the context and use of the site.
- (e) The extent of proposed planting on re-contoured slopes steeper than 1 in 4.
- (f) The extent of visual effects of any works and network utilities.

- (g) The extent to which Significant Ecological Features within the visual landscape are avoided, maintained or enhanced (See Section 5).
- (h) The extent to which the location and design of access tracks and roads follow the natural contours, minimise any cut at ridgelines, and mitigate any impact by regrassing/planting. Work should take account of weather and planting times.
- (i) The extent to which new lot boundaries and fencing follows natural ground contours. Fences should not be located on the top of ridgelines and where practical should be incorporated into the landform feature within the lot. Water courses, areas of native bush and wetlands should not be dissected by subdivision or development.
- (j) The extent to which production forestry is in general accordance with any applicable industry code of practice. Particular regard shall be given to the following matters:
 - (i) avoiding geometric and unnatural shapes and unnatural orderliness;
 - (ii) attention to the shape and line of the production forest to blend into the landscape;
 - (iii) avoiding disruption to the skyline;
 - (iv) avoiding vertical lines that divide a landscape;
 - (v) oversowing clear-felled areas with grasses or replanting as soon as possible after felling;
 - (vi) avoiding areas of high visual profile, particularly around the Tauranga Harbour margin (excluding Matakana Island) and the Wairoa River valley.

6.7 Other Methods

- 6.7.1 Bay of Plenty Regional Water and Land Plan with regard to earthworks.
- 6.7.2 Negotiation of joint management plans with affected landowners to maintain/enhance the significant viewshafts that are threatened by existing vegetation.
- 6.7.3 District Council incentives which may be payable for protection covenants
- 6.7.4 Application fees shall be waived for resource consents for activities within Identified Outstanding Landscape Features that would otherwise be a Permitted Activity.