

NFL

Natural Features and Landscapes

**DRAFT
WAITAKI DISTRICT PLAN**



Waitaki

DISTRICT COUNCIL
TE KAUNIHERA Ā ROHE O WAITAKI

Natural Features and Landscapes

Introduction

The Waitaki District contains some of New Zealand’s most outstanding and distinctive landscapes, with spectacular vistas through the Mackenzie and Ōmārama Basins as well as the impressive man-made lakes which are actively managed as part of the Waitaki Power Scheme. The District also includes cultural landscapes and features of significant value to Kāi Tahu, including extensive karst outcrops which include historic rock carvings. The District’s landscapes make a significant contribution to New Zealand’s unique character and sense of place.

To provide clarity around the importance of the District’s Natural Features and Landscapes, parts of the District have been classified as:

1. Outstanding Natural Features and Landscapes, the protection of which is a matter of national importance; and
2. Significant Natural Features and Rural Scenic Landscapes, which are of local importance to the District and are sometimes termed ‘amenity landscapes’.

These landscapes and features make a significant contribution to the District’s distinctive character, amenity and identity. They are often working landscapes, and the ability for existing uses to be able to continue, along with maintenance of existing farm infrastructure, is important for the farming community. They can also offer significant economic, social and cultural benefits to the community and they have intrinsic values. The District’s landscapes and features are an important recreation and tourism resource. Tourism and recreation activities, if well designed and located, can be undertaken in a manner that protects the District’s landscapes and features.

This chapter sets out objectives, policies and rules to protect Outstanding Natural Features and Landscapes and Rural Scenic Landscapes from inappropriate subdivision, use and development. The level of protection for Rural Scenic Landscapes is less than that for Outstanding Natural Features and Landscapes because they have a greater ability to absorb change.

In addition to the regulatory methods employed in this chapter, WDC also seeks to protect Outstanding Natural Features and Landscapes and Rural Scenic Landscapes by providing incentives, educating the public and advocating for their protection, restoration and enhancement.

Objectives

NFL-O1

Protect Outstanding Natural Features and Landscapes, Significant Natural Features, and Rural Scenic Landscapes from inappropriate activities

Outstanding Natural Features and Landscapes, Significant Natural Features, and Rural Scenic Landscapes are protected from inappropriate subdivision, use and development.

NFL-O2

Wilding conifers

The impact of wilding conifers on Outstanding Natural Features and Landscapes, Significant Natural Features, and Rural Scenic Landscapes is reduced.

NFL-O3

Restoration and enhancement of landscapes

Outstanding Natural Features and Landscapes, Significant Natural Features, and Rural Scenic Landscapes are restored and enhanced, where appropriate.

Policies

NFL-P1

Identify Natural Features and Landscapes

In relation to the identification of important landscapes:

1. apply the following assessment matters that address the biophysical, sensory and associative values when assessing landscapes:
 - a) natural science values;
 - b) legibility values;
 - c) aesthetic values;
 - d) transient values;
 - e) tākata whenua values;
 - f) shared and recognised values;
 - g) historic values; and
2. use these to:
 - a) identify the values, location and extent of Outstanding Natural Features and Landscapes on the Planning Maps and include those values in SCHED7 – Outstanding Natural Features and SCHED8 – Outstanding Natural Landscapes; and
 - b) identify the location and extent of Significant Natural Features and Rural Scenic Landscapes on the Planning Maps.

NFL-P2 Recognise the importance of protecting Natural Features and Landscapes

Recognise:

1. the national importance of Waitaki's Outstanding Natural Features and Landscapes;
2. the local and regional importance of Waitaki's Rural Scenic Landscapes and Significant Natural Features; and
3. the particular significance of Waitaki's Outstanding Natural Features and Landscapes to Kāi Tahu.

NFL-P3 Inappropriate activities on or within an Outstanding Natural Feature or Landscape

Only provide for subdivision, use and development where it:

1. maintains the values identified in SCHED7 –Outstanding Natural Features and SCHED8 – Outstanding Natural Landscapes that make the natural feature or landscape outstanding; or
2. avoids, remedies or mitigates adverse effects on other ONFL values.

NFL-P4 Inappropriate activities within Significant Natural Features and Rural Scenic Landscapes

Only provide for subdivision, use and development in Rural Scenic Landscapes and on Significant Natural Features where it:

1. maintains amenity values; or
2. avoids, remedies or mitigates adverse effects on other values of Significant Natural Features or Rural Scenic Landscapes.

NFL-P5 Landscape's ability to absorb change

When determining a landscape's ability to absorb change, have regard to the level of:

1. landscape resilience;
2. landscape capacity;
3. landscape vulnerability; and
4. landscape sensitivity.

NFL-P6 Earthworks

When determining if earthworks are appropriate, have regard to whether:

1. earthworks are designed and undertaken to reflect natural contours;
2. volume, cut and fill heights are minimised; and
3. there is any resulting erosion and visual scarring of the landscape.

NFL-P7 Buildings and structures

When determining if buildings and structures are appropriate, have regard to the following:

1. whether the colour, scale and location of buildings and structures integrates with or complements the colours, textures, patterns and forms of the surrounding landscape; and
2. ensuring buildings and structures are not visually prominent from public places.

NFL-P8 Subdivision

Avoid subdivision:

1. on Significant Natural Features or within Rural Scenic Landscapes where allotment sizes are less than 40 hectares; and
2. on or within Outstanding Natural Features and Landscapes where allotment sizes are less than 100 hectares;

unless the subdivision is a boundary adjustment or required for an access lot, utility lot, or for conservation purposes.

NFL-P9 Wilding conifers

Avoid the spread of wilding conifers by:

1. prohibiting planting of species that result in wilding conifers on or within Outstanding Natural Features and Landscapes, Significant Natural Features and Rural Scenic Landscapes; and
2. incentivising owners and occupiers of sites on or within Outstanding Natural Features and Landscapes, Significant Natural Features and within Rural Scenic Landscapes to destroy wilding conifers growing on that land.

NFL-P10 Enhancement and restoration of Outstanding Natural Features and Landscapes, Significant Natural Features and Rural Scenic Landscapes

Support the enhancement and restoration of Waitaki's Outstanding Natural Features and Landscapes, Significant Natural Features and Rural Scenic Landscapes by:

1. enabling activities that maintain the integrity of, restore, or enhance ONFL values and amenity values of Rural Scenic Landscapes; and
2. encouraging owners, community groups and others to take action to restore and/or enhance ONFL values of Outstanding Natural Features and Landscapes and amenity values of Significant Natural Features and Rural Scenic Landscapes.

Rules

Note: For certain activities, a resource consent may be required by rules in more than one chapter in the District Plan. Unless expressly stated otherwise by a rule, resource consent is required under each of those rules. The steps to determine the status of an activity are set out in the General Approach Chapter.

PERMITTED ACTIVITIES

NFL-R1 Buildings and structures (excluding fences) on or within an Outstanding Natural Feature or Landscape		
All zones	<p>Activity status: Permitted</p> <p>Where: PER-1 The structure is underground.</p>	<p>Activity status when compliance is not achieved: Restricted Discretionary</p> <p>Where: RDIS-1 Compliance is not achieved with PER-1</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. consideration of landscape sensitivity, landscape vulnerability, landscape capacity and landscape resilience; and 2. whether the proposal protects or enhances values of the Outstanding Natural Feature or Landscape; and 3. the extent to which the proposal will detract from the naturalness, dry grassland vegetation, visual coherence and openness of the landscape, or block important views from public roads (including paper roads), public walkways, or trails; and 4. whether the proposal recognises the context and values of historic and cultural significance and the relationship, culture and traditions of Ngāi Tahu; and 5. the scale, form, design and finish (materials and colours) proposed and mitigation measures, such as appropriate planting. This shall include consideration of any adverse effects of reflectivity, glare

		<p>and light spill, including cumulative effects; and</p> <ol style="list-style-type: none"> 6. the extent to which indigenous vegetation is impacted; and 7. whether the proposal supports the continuation of farming activities in a Rural Zone; and 8. any technical or operational needs for its location; and 9. where there is the potential for significant adverse effects to arise: consideration of alternative routes, construction methodology or locations for the activity; and 10. the need for any conditions to be complied with on a continuing basis, such that covenants are appropriate to ensure continued compliance with conditions.
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NFL-R2 Buildings and structures (excluding fences) within Rural Scenic Landscapes and on Significant Natural Features		
All zones	<p>Activity status: Permitted</p> <p>Where:</p> <p>PER-1 The structure is underground; or</p> <p>PER-2 The building or structure is in a Rural Scenic Landscape; and</p> <p>PER-3 The building or structure complies with NFL-S1.</p>	<p>Activity status when compliance is not achieved: Restricted Discretionary</p> <p>Where:</p> <p>RDIS-1 Compliance is not achieved with PER-1, PER-2 or PER-3</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. consideration of landscape sensitivity, landscape vulnerability, landscape capacity and landscape resilience; and 2. whether the proposal maintains or enhances values of the Rural Scenic Landscape or Significant Natural Feature; and 3. the extent to which the proposal will detract from the naturalness, dry grassland vegetation, visual coherence and openness of the landscape, or block important views from public roads (including paper

		<p>roads), public walkways, or trails; and</p> <ol style="list-style-type: none"> 4. the scale, form, design and finish (materials and colours) proposed and mitigation measures, such as appropriate planting. This shall include consideration of any adverse effects of reflectivity, glare and light spill, including cumulative effects; and 5. the extent to which indigenous vegetation is impacted; and 6. whether the proposal supports the continuation of farming activities in a Rural Zone; and 7. any technical or operational needs for its location; and 8. where there is the potential for significant adverse effects to arise: consideration of alternative routes, construction methodology or locations for the activity; and 9. the need for any conditions to be complied with on a continuing basis, such that covenants are appropriate to ensure continued compliance with conditions.
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NFL-R3 Permanent fencing on or within Outstanding Natural Features and Landscapes, Significant Natural Features, or Rural Scenic Landscapes		
All zones	<p>Activity status: Permitted</p> <p>Where: PER-1 The fence is a post and wire, or post and rail fence, or farm-style gating; and PER-2 Any fence or gates are no more than 1.5m high (except any deer fence which can be up to 2m high).</p>	<p>Activity status when compliance is not achieved: Restricted Discretionary</p> <p>Where: RDIS-1 Compliance is not achieved with PER-1 or PER-2</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. consideration of landscape sensitivity, landscape vulnerability, landscape capacity and landscape resilience; and 2. whether the proposal protects or enhances values of the Outstanding Natural Landscape or Feature, Rural

		<p>Scenic Landscape or Significant Natural Feature; and</p> <ol style="list-style-type: none"> 3. the extent to which the proposal will detract from the naturalness, dry grassland vegetation, visual coherence and openness of the landscape, or block important views from public roads (including paper roads), public walkways, or trails; and 4. the scale, form, design and finish (materials and colours) proposed and mitigation measures, such as appropriate planting; and 5. whether the proposal supports the continuation of farming activities in a Rural Zone; and 6. any technical or operational needs for its location.
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NFL-R4 Earthworks on or within Outstanding Natural Features or Landscapes, Significant Natural Features or Rural Scenic Landscapes		
<p>All zones</p>	<p>Activity status: Permitted</p> <p>Where: PER-1 Earthworks undertaken for the repair and maintenance of existing and lawfully established:</p> <ol style="list-style-type: none"> 1. farm tracks; 2. yards; 3. non-system irrigation infrastructure; 4. fences; 5. dams; 6. walking tracks; 7. cycling tracks; or 8. driveways and access; and <p>PER-2 The width and length are the same as that which existed prior to the repair and maintenance being required; and</p>	<p>For Significant Natural Features and Rural Scenic Landscapes:</p> <p>Activity status when compliance is not achieved: Restricted Discretionary</p> <p>Where: RDIS-1 Compliance is not achieved with PER-1, PER-2, PER-3 or PER-4</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. consideration of landscape sensitivity, landscape vulnerability, landscape capacity and landscape resilience; and 2. the extent to which the proposal will detract from the naturalness, dry grassland vegetation, visual coherence and openness of the landscape; and 3. whether the proposal recognises the context and values of historic and cultural significance and the

	<p>PER-3 The earthworks are located at an elevation less than 900m above sea level; and</p> <p>PER-4 All bare areas are re-sown or finished within 6 months of the earthworks being undertaken.</p>	<p>relationship, culture and traditions of Ngāi Tahu; and</p> <ol style="list-style-type: none"> 4. any mitigation measures, such as appropriate planting; and 5. the extent to which indigenous vegetation is impacted; and 6. whether the proposal supports the continuation of farming activities in a Rural Zone; and 7. for new access tracks, whether the track supports conservation activities, farming, recreation activities, locally or nationally significant network infrastructure, or rural tourism activities and the ability to integrate with the landscape, follow natural contours and mitigate any adverse effects; and 8. any technical or operational needs for its location; and 9. where there is the potential for significant adverse effects to arise: consideration of alternative routes, construction methodology or locations for the activity. <p>For Outstanding Natural Features and Landscapes:</p> <p>Activity status when compliance is not achieved: Non-Complying</p> <p>Where: NC-1 Compliance is not achieved with PER-1, PER-2, PER-3 or PER-4</p>
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NFL-R5 Primary production activities (excluding buildings, mining, quarrying, intensive indoor primary production, intensive outdoor primary production and plantation forestry) on or within Outstanding Natural Features and Landscapes, Significant Natural Features and Rural Scenic Landscapes		
All zones	<p>Activity status: Permitted</p> <p>Where: PER-1 The activity does not involve agricultural intensification</p>	<p>For Rural Scenic Landscapes and Significant Natural Features:</p> <p>Activity status when compliance is not achieved: Discretionary</p> <p>Where: DIS-1 Compliance is not achieved with PER-1</p> <p>For Outstanding Natural Features and Landscapes:</p> <p>Activity status when compliance is not achieved: Non-Complying</p> <p>Where: NC-1 Compliance is not achieved with PER-1</p>

NFL-R6 Amenity tree planting and shelterbelts on or within Outstanding Natural Features and Landscapes, Significant Natural Features or Rural Scenic Landscapes		
All zones	<p>Activity status: Permitted</p> <p>Where: PER-1 The amenity tree planting or shelterbelt is:</p> <ol style="list-style-type: none"> 1. set back at least 100m from State Highways; and 2. has a maximum width of 30m; and <p>PER-2 The amenity tree planting or shelterbelt is not located on an Outstanding Natural Feature; and</p> <p>PER-3 The species used is not one that could result in wilding conifers.</p>	<p>Activity status when compliance is not achieved: Discretionary</p> <p>Where: DIS-1 Compliance is not achieved with PER-1 or PER-2</p> <p>Activity status when compliance is not achieved: Prohibited</p> <p>Where: PR-1 Compliance is not achieved with PER-3</p>

NFL-R7 Outdoor recreational activities (excluding buildings) on or within Outstanding Natural Features and Landscapes, Significant Natural Features and Rural Scenic Landscapes		
All zones	<p>Activity status: Permitted</p> <p>Where: PER-1 The outdoor recreational activities:</p> <ol style="list-style-type: none"> 1. are not commercial; and 2. do not involve motorised vehicles (excluding e-bikes); or <p>PER-2 The outdoor recreational activities:</p> <ol style="list-style-type: none"> 1. are commercial activities; and 2. do not involve motorised vehicles (excluding e-bikes); and 3. involves a maximum of 25 people per group; and 4. involves a maximum of 5 groups per day. 	<p>Activity status when compliance is not achieved: Restricted Discretionary</p> <p>Where: RDIS-1 Compliance is not achieved with PER-1 or PER-2</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. consideration of landscape sensitivity, landscape vulnerability, landscape capacity and landscape resilience; and 2. whether the proposal protects or enhances values of the Outstanding Natural Feature or Landscape; and 3. the extent to which the proposal will detract from the naturalness, dry grassland vegetation, visual coherence and openness of the landscape; and 4. whether the proposal recognises the context and values of historic and cultural significance and the relationship, culture and traditions of Kāi Tahu; and 5. the extent to which indigenous vegetation is impacted; and 6. whether the proposal supports the continuation of farming activities in a Rural Zone; and 7. any technical or operational needs for its location; and 8. where there is the potential for significant adverse effects to arise: consideration of alternative routes, construction methodology or locations for the activity.

NFL-R8 Landscape enhancement activities on or within Outstanding Natural Features and Landscapes, Significant Natural Features and Rural Scenic Landscapes		
All zones	Activity status: Permitted	Activity status when compliance is not achieved: Not Applicable

CONTROLLED ACTIVITIES

NFL-R9 Plantation Forestry within or on a Significant Natural Feature or Rural Scenic Landscape		
All zones	<p>Activity status: Controlled</p> <p>Matters of control are restricted to:</p> <ol style="list-style-type: none"> 1. consideration of landscape sensitivity, landscape vulnerability, landscape capacity and landscape resilience; and 2. the extent to which adverse effects on values of Rural Scenic Landscapes or Significant Natural Feature can be minimised; and 3. the extent to which the proposal will detract from the naturalness, dry grassland vegetation, visual coherence and openness of the landscape; and 4. where there is the potential for significant adverse effects to arise, consideration of alternative locations for the activity. 	Activity status when compliance is not achieved: Not Applicable

RESTRICTED DISCRETIONARY ACTIVITIES

NFL-R10 Indigenous vegetation clearance on or within an Outstanding Natural Feature or Landscape		
All zones	<p>Activity status: Restricted Discretionary</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. consideration of landscape sensitivity, landscape 	Activity status when compliance is not achieved: Not Applicable

<p>vulnerability, landscape capacity and landscape resilience; and</p> <ol style="list-style-type: none"> 2. whether the proposal protects or enhances values of the Outstanding Natural Feature or Landscape; and 3. the extent to which the proposal will detract from the naturalness, dry grassland vegetation, visual coherence and openness of the landscape; and 4. whether the proposal recognises the context and values of historic and cultural significance and the relationship, culture and traditions of Ngāi Tahu; and 5. whether the proposal supports the continuation of farming activities in a Rural Zone; and 6. where there is the potential for significant adverse effects to arise, consideration of alternative locations for the activity. 	
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DISCRETIONARY ACTIVITIES

NFL-R11	Mining and/or quarrying activities within or on a Significant Natural Feature or Rural Scenic Landscape	
All zones	Activity status: Discretionary	Activity status when compliance is not achieved: Not applicable

NON-COMPLYING ACTIVITIES

NFL-R12	Mining and/or quarrying activities on or within an Outstanding Natural Feature or Landscape	
All zones	Activity status: Non-Complying	Activity status when compliance is not achieved: Not Applicable

NFL-R13	Intensive indoor primary production and intensive outdoor primary production within or on a Significant Natural Feature or Rural Scenic Landscape	
All zones	Activity status: Non-Complying	Activity status when compliance is not achieved: Not Applicable

PROHIBITED ACTIVITIES

NFL-R14	Plantation Forestry on or within an Outstanding Natural Feature or Landscape	
All zones	Activity status: Prohibited¹	Activity status when compliance is not achieved: Not Applicable

NFL-R15	Planting species that can result in wilding conifers on or within Outstanding Natural Features and Landscapes, Significant Natural Features and Rural Scenic Landscapes-	
All zones	Activity status: Prohibited	Activity status when compliance is not achieved: Not Applicable

NFL-R16	Intensive indoor primary production and intensive outdoor primary production on or within an Outstanding Natural Feature or Landscape	
All zones	Activity status: Prohibited	Activity status when compliance is not achieved: Not Applicable

¹ Note: The District Plan is more stringent than the *Resource Management (National Environmental Standards for Plantation Forestry) Regulations 2017*.

NFL - STANDARDS**NFL-S1 Standards for colours of buildings and structures in landscapes**

Buildings and structures shall comply with the following standards:

1. the use of natural timber or stone as exterior building materials. Such materials are not subject to (2) below; or
2. exterior building materials and finishes which, when graded using the British Standard BS5252:1976 Framework for Colour Co-ordination for Building Purposes, meet the following standards:
 - a) where the materials are not used for a roof cladding, they are of a colour which has a reflectivity value of no more than:
 - i. 60 per cent for greyness groups A or B.
 - ii. 40 per cent for greyness group C;
 - b) where the materials are used for a roof cladding, they are of a colour which has a reflectivity value of no more than 40 per cent for greyness groups A, B or C;

provided that (2) does not apply to windows, window frames, bargeboards, stormwater guttering, downpipes or doors. These items may be of any colour.