

## Appendix 3: Waimakariri District Plan Provisions

# 5. Outstanding Landscapes and Natural Features

## Issue 5.1

The loss or degradation of the characteristics and qualities of the outstanding landscapes and natural features.

### Objective 5.1.1

The protection of characteristics that contribute to the natural character of the outstanding landscapes and natural features.

#### Policy 5.1.1.1

Identify the outstanding landscapes and natural features within the Waimakariri District.

### Explanation

The Waimakariri District Council has identified an Outstanding Landscape Area that includes the Puketeraki Mountains, Lees Valley and the front ranges including Mount Oxford through to Mount Thomas.

The Outstanding Landscape Area is not uniform. It has been divided into three areas, the “Core”, “Buffer” and “Ashley Gorge”. These are shown on Map 134 Outstanding Landscape Areas and Prominent Ridges.

Some parts of the Outstanding Landscape Area are dominated by both their dramatic topography and their largely unmodified natural vegetation cover. These parts have been described as Core areas (see Table 5.1). Parts of Ashley Gorge share many of these values and also contribute panoramic views out to the plains.

Table 5.1: Characteristics and Qualities of the Core and Ashley Gorge Outstanding Landscape Area

Characteristics	Qualities
Mountain ridges and peaks	Internal
Steep bush-clad hills	— Less modified botanical, zoological and ecological elements
Tussock, subalpine meadows, shrublands and gorge communities	— Fewer intrusions from wilding trees
Steep gorges with exposed rock formations	— Naturalness
Waterfalls, rivers and remnant wetlands	— Beauty
Historical features	— Solitude and freedom
	— Heritage
	— Tangata whenua significance
	External
	— Skyline signature: local identity and orientation
	— Transient qualities: snow, nor' west arch, morning and evening light
	— Subtle compositions and contrasts
	— Panoramic views out
	— Contrast with the plains

The characteristics are distinct, natural features of the area such as the streams and vegetation. The qualities are more intangible elements. They help describe the extent to which a characteristic contributes to the outstanding landscape. For example, in the Core Outstanding Landscape Area, characteristics like steep bush clad hills, are enhanced in quality when compared to the Buffer Outstanding Landscape Area by their relative lack of wilding trees and lack of structures. This contributes to a heightened sense of solitude and naturalness experienced in the Core area.

Bordering the Core Outstanding Landscape Area are landscapes also with dramatic topography. These Buffer Outstanding Landscape Areas have been modified by land use activities such as vegetation change, buildings and shelter plantings. Nonetheless, the areas of remnant indigenous vegetation, the landforms, watercourses, and the expansive views of Lees Valley and the Plains still have a strong natural component. They include Lees Valley, and the lower slopes of Mount Thomas, Mount Richardson, Mount Oxford and the Puketeraki Range. They are important both for their intrinsic qualities and for their value as a transition between the Core Outstanding Landscape Areas and the surrounding modified plains. They share some of the characteristics and qualities of the Core Outstanding Landscape Area as is shown in Table 5.2.

Table 5.2: Characteristics and Qualities of the Buffer Outstanding Landscape Area

Characteristics	Qualities
Steep hills	Internal
Streams, rivers and wetlands	— Botanical, and ecological elements more influenced by human actions
Gorges	— Semi-naturalness
Fragmented indigenous habitats – bush, tussock, grassland and shrubland, modified pasture, extensive commercial forestry plantations	— Characteristic hill country farming patterns
Occasional buildings, structures, and other modifications	External
Rough pasture and weed spread eg extensive gorse and broom and some wilding trees	— Subtle variety in overlapping ridges and varied vegetation cover
Agricultural components such as managed pastoral systems	— Transient aesthetic qualities
	— Contrast with the plains
	— Expansive views along foothills and across the plains

The Ashley Gorge is the third area of the Outstanding Landscape Area. It is a dynamic landscape which, in a considerable part, is the result of the work of landowners. Both natural and managed vegetation changes occur rapidly. The Gorge's vegetation cover is a product of past and present land management that included burning and grazing followed by an invasion of bracken, gorse, manuka and matagouri. Without this constant intervention the visual elements of Ashley Gorge would be very different. Although it has been modified, historical photographs show that the dramatic landform has remained dominant.

The distinction between the Core, Ashley Gorge and Buffer Outstanding Landscape Areas is applied as a matter of assessment. For example, if a consent is triggered for a subdivision, then as part of the assessment of effects, the Council will take into account whether a proposal is in the Buffer, Ashley Gorge, or Core parts of the Outstanding Landscape Area. Land use such as buildings and tracking are examples of activities that may adversely affect the characteristics and qualities of the Core Outstanding Landscape Area. Such activities may not have the same effect in the Buffer Outstanding Landscape Area because its qualities are largely influenced by the actions of humans. For the Buffer it is more a matter of how land use activities are managed.

The boundary between the three areas of the Outstanding Landscape Area are aligned as closely as possible to the change in landscape attributes from one area to another. For example, the boundary between the Core and Buffer Areas will usually be at the point where the vegetation has been substantially modified by farming and forestry practices. To give certainty, the boundaries as shown on the District Plan Maps, such as between the Core and Buffer have been adjusted to fit roads, forestry roads, titles, or streams, where it is appropriate. Where the difference between the landscape change and these features is too great, the boundary follows either a ridgeline as in the northern area from the

Okuku River to the Okuku Pass Road, or approximately the 300 metre contour line as around those parts of the foothills on the border of the Outstanding Landscape Area and the plains.

Natural features, such as prominent rock outcrops, are also present outside the Outstanding Landscape Area. It is proposed to survey these in conjunction with landowners and develop a management strategy to protect them from inappropriate subdivision, use and development.

CROSS REFERENCE: Policies 4.1.1.2 and 4.1.1.3

### Methods

#### Research/Information Collection 5.1.1.1.1

Prepare a landscape analysis of the Outstanding Landscape Area along with associated guidelines in conjunction with the Lees Valley Land Care Group and other landowners, the Department of Conservation, and the Canterbury Regional Council focusing on:

- the characteristics and qualities that contribute to making the area an Outstanding Landscape Area; and
- management guidelines for structures, earthworks and tracking, forest establishment, shelter planting, and vegetation clearance.

#### District Plan Maps 5.1.1.1.2

District Plan maps that identify the Outstanding Landscape Area within the Waimakariri District.

#### Survey 5.1.1.1.3

Outstanding natural feature survey identifying sites District wide, including geopreservation sites – in consultation with landowners, and others who have relevant information on the natural features of the District.

### Policy 5.1.1.2

Avoid or remedy adverse effects of inappropriate subdivision, use and development of land on the characteristics and qualities of the Outstanding Landscape Area as set out in Tables 5.1 and 5.2.

### Explanation

A high level of naturalness or natural character has been identified as a quality of the Outstanding Landscape Area. Natural character is dependent on the presence of natural features, in natural patterns and underpinned by natural processes.

- Natural features are the landforms and features, such as ridgelines, rock outcrops and gorges, vegetation and animals.

- Natural processes refers to the ecological processes that underpin natural features. These are processes such as erosion, plant colonisation and succession, and the movement of animals within the landscape.
- Natural patterns are the manifestation or distribution of these features and processes within the landscape, for example, the pattern of the tussock distribution on the landscape, the distribution of shingle screes. These are all sensitive to change from inappropriate use and development. Artificial elements should only be a major part of the outstanding landscape if their design and management are compatible with outstanding landscape values.

In the Core Outstanding Landscape Area naturalness is dominant. In this area land use activities are more likely to have a significant effect on the landscape. In the Buffer Outstanding Landscape Area natural character is less dominant, though still a strong quality of the working landscape. The Buffer Area is considered less sensitive to change and development and has a greater capacity to accommodate the effects of land use activities than the Core or Ashley Gorge Outstanding Landscape Areas. The Ashley Gorge, like the Buffer Area is a working landscape and so its qualities are different, but it also contains characteristics such as the river and gorge that are similar to the Core.

The Council seeks to minimise the restriction of land use activities in the Outstanding Landscape Area while at the same time protecting its natural character and naturalness. Methods used to achieve this policy include education and liaison with landowners and occupiers. For the Core and Ashley Gorge Areas, subdivision and land uses such as structures, vegetation change or earthworks, beyond a particular scale, are controlled or discretionary activities.

In assessing these matters, consideration should be given to the effect the activity has on the natural character and landform characteristics of the area.

For subdivision consents, regard should be given to the future land uses enabled by the subdivision. It is anticipated that the distribution and size of lots has the potential to have a future adverse effect on the characteristics and qualities of the Outstanding Landscape Area.

For a structure, regard should be had to how it was sited in relation to surrounding landforms. Structures should avoid ridgetops and skylines, locating near a change in landform such as the base of a hill rather than be sited in the middle of a wide open space. Structures should also align with the shape of the land so that the structure length follows the contour. Excavation for any building site should be minimised and existing plant types should be used wherever possible to screen the structure. The texture of structures should complement the landscape and the colour should be non-reflective.

For earthworks and tracks, regard should be had to how they conform to contours, use existing vegetation for screening and avoid steep slopes where possible to reduce the visibility of cuts and fills. Cuts and fills should be revegetated to soften their impact on the landscape. Where tracks cross open areas, their visual impact is reduced if they follow the edge. The scale of the landscape and the dominance of natural processes, including erosion, means that small scale cuts will not be visually dominant.

Tree planting design should have regard to how it complements natural landforms with straight edges to woodlots and plantations avoided where possible. New plantings can be planted around and within existing vegetation to merge into the landscape.

Wilding trees can be a significant basis of change in landscape character by changing the natural patterns and processes in the Outstanding Landscape Area. They are an issue in the Outstanding Landscape Area because lower grazing pressure and less intensive land management practices create opportunities for seedling survival that are less available on the plains. There is a growing body of science relating to wilding trees. Controls on species, seed dispersal sites, and tree management can help avoid or mitigate the adverse effects of wilding tree spread.

### Methods

#### Advocacy 5.1.1.2.1

Advocacy with landowners and the Lees Valley Land Care Group to protect the natural character of the Outstanding Landscape Area.

#### Resource Management Programme 5.1.1.2.2

The promotion and development of guidelines to assist management of the values of the Outstanding Landscape Area. Guidelines could cover matters such as strategies to remove and minimise the risk of wilding spread (particularly from new plantings) and techniques to minimise the visual impacts of tree plantings and tracks.

#### District Plan Rules 5.1.1.2.3

Limits on tree species.

Subdivision Rules.

Limits on tree planting, earthworks and vegetation clearance.

Protection of prominent ridges, and two viewpoints in Ashley Gorge.

#### Processes to Deal With Cross Boundary Issues 5.1.1.2.4

NOTE: See Chapter 19: Cross Boundary Issues

### Policy 5.1.1.3

Avoid, remedy or mitigate the adverse effects of land use, subdivision and development on the landscape qualities of prominent ridges within the Outstanding Landscape Area.

## Explanation

Prominent ridges are a "signature" of the Waimakariri District and are reference points that contribute to the District's identity. When viewed from the plains or Lees Valley the prominent ridges of the Outstanding Landscape Area have few noticeable human intrusions.

The purpose of this policy is to require specific regard to be had to any adverse effects of subdivision, land use and development that impact on prominent ridges. These will include effects on the landform of the ridge such as any change in shape from earthworks or quarrying; whether tracks follow natural contour lines; whether cuts and fills are reduced to a minimum; the extent of intrusion above the skyline of the ridge by structures; visual contrasts between the activity and the ridge's landscape; and any effect on the natural character including the natural vegetation cover of the ridge. Factors such as the location, size, shape and colour of structures and the landscape effects of activities like earthworks and tracking, will influence the scale and nature of effects.

## Methods

### District Plan Maps 5.1.1.3.1

District Plan maps that identify prominent ridges within the Outstanding Landscape Area of the Waimakariri District.

### Advocacy 5.1.1.3.2

Advocacy with landowners and occupiers that promotes the policy on prominent ridges.

### District Plan Rules 5.1.1.3.3

Rules that limit land use activities close to or on the prominent ridges of the Outstanding Landscape Area.

## Policy 5.1.1.4

Maintain the ability to view the Canterbury Plains and Ashley Gorge from selected viewpoints on the Lees Valley Road.

## Explanation

Views from the Lees Valley Road have been identified as an important part of peoples' ability to appreciate the Outstanding Landscape Area and its contrast with the Canterbury Plains. It is recognised that the landscape seen from the Lees Valley Road is dynamic and will change. The purpose of this policy is to maintain an ability to view the landscape – not to maintain or freeze the landscape in the state that it is in today. Vegetation growth, both indigenous and exotic, and the unsympathetic siting of structures that block or potentially limit the ability to view from viewpoints are matters to assess.

Lees Valley Road was not designed as a scenic road. The safety of people and the provision of safe areas for vehicles to park off the carriageway needs to be addressed.

Two viewpoints have been identified. The first is Fishers Saddle at the start of Ashley Gorge which gives views of the Gorge and out across the Plains. The second is Bottle Hill Saddle within the Gorge. These are mapped in the District Plan, alongside the rule, and their qualities will be promoted with landowners and occupiers.

### Methods

#### Consultation 5.1.1.4.1

Liaison with landowners and occupiers along the Lees Valley Road to advocate land management around selected viewpoints so that the values the points offer are retained.

#### Service Provision 5.1.1.4.2

Signposting and marking of selected viewpoints using the RAPID system.

#### Asset Management 5.1.1.4.3

Manage the roading asset to maintain safe parking areas at selected viewpoints.

#### District Plan Rules 5.1.1.4.4

Identify two viewpoints.

Rules to avoid blocking the view from nominated viewpoints.

NOTE: See Chapter 24: Outstanding Landscapes and Natural Features – Rules, Figure 24.2

### Principal Reasons For Adopting Objectives, Policies and Methods 5.1.2

The Council has a responsibility to recognise and provide for, as a matter of national importance “...the protection of outstanding natural features and landscapes from inappropriate subdivision, use, and development...” (section 6(b) Resource Management Act 1991).

Plan proposals for an area of outstanding landscape address this matter from the view that the loss and degradation of landscape characteristics and qualities is not sustainable. The objective seeks to protect those characteristics and qualities of the Outstanding Landscape Area that are particularly sensitive to the effects of activities.

The Outstanding Landscape Area was identified by community consultation and supported by a landscape analysis that characterised the elements that contribute to the landscape. The policy contains descriptions of the qualities of the landscape that will assist resource management decision-making about

the impact of different activities in the area. Policy 5.1.1.2 addresses the need to relate decisions to the characteristics and qualities of each part of the Outstanding Landscape Area. The policy on prominent ridges addresses one of the key, distinct landscape features of the District. Prominent ridges are particularly sensitive to adverse visual impact from structures. The viewpoints policy gives effect to a community concern that an ability to view the landscape be retained. The standard for cuts as part of earthworks is appropriate to the scale and nature of the landscape.

The Council recognises the dynamic nature of the landscape and the integral part land use activities play. The Council has therefore adopted a flexible approach in its choice of methods.

Information, education, and working with landowners and occupiers are key methods to achieve the objective, whilst not unnecessarily restricting land use activities. This method also allows the development of appropriate solutions for each situation. Mapping of prominent ridges, and selected viewpoints along the Lees Valley Road, provides certainty for landowners and occupiers, and utility operators. Activities with the greatest potential to adversely affect the landscape, such as structures, earthworks and subdivision have been made a discretionary activity in order to trigger a resource consent and associated assessment of effects, and give the Council the ability to attach conditions, or decline consent where the adverse effects are considered significant. Vegetation clearance in the Core Outstanding Landscape Area, except for clearance of existing plantations, is discretionary (restricted) because vegetation can be an important characteristic or element of this area. In the Buffer and Ashley Gorge Outstanding Landscape Areas, clearance of vegetation is subject to general clearance controls in Chapter 23: Land and Water Margins – Rules. Here, the impact of clearance is temporary and the patterns and process of vegetation change are an integral characteristic of this working landscape. Tree planting, in excess of a specified area, is discretionary (restricted) for the Buffer and Ashley Gorge Outstanding Landscape Area as this allows landscape design elements to be considered that avoid or mitigate longer term adverse impact of any woodlot or plantation on the landscape. Controls on tree species, known to be sources of wilding tree spread, highlight the need to have care in species choice, siting, and land management. Uncontrolled wilding spread such as experienced in other high country areas is not a sustainable use of the resources within the Outstanding Landscape Area, and has the potential to adversely affect the very values that form the basis of the Outstanding Landscape Area. Control is appropriate and necessary. The objective, policies and methods do not seek to prohibit land use activity but seek to make people aware of the characteristics and qualities of the Outstanding Landscape Area and to work in sympathy with these.

## Anticipated Environmental Results and Monitoring 5.2

Anticipated Environmental Result	Monitoring Indicator	Information	Monitoring Frequency
<p>Naturalness is maintained or enhanced as the dominant attribute in the Core Outstanding Landscape, as reflected in the characteristics and qualities listed in Table 5.1</p> <p>Natural character is maintained or enhanced as the dominant attribute in the Buffer Outstanding Landscape, as reflected in the characteristics and qualities listed in Table 5.2</p>	<p>The perceptions of residents and a range of others also affected, of change to the characteristics and qualities listed in Tables 5.1 and 5.2</p>	<p>Survey</p> <p>Subdivision and land use consents</p> <p>Aerial photographs</p>	<p>5 yearly</p>
<p>No buildings or structures are visible on prominent ridges of the Outstanding Landscape Area</p>	<p>No structures on or near prominent ridges that can be seen from the Plains or Lees Valley</p>	<p>Landscape photographs from defined points</p> <p>Subdivision and land use consents</p>	<p>Annually</p>
<p>Views of the Ashley Gorge and the Canterbury Plains are maintained from selected viewpoints on the Lees Valley Road</p>	<p>Ability to view the Gorge and Plains is retained</p>	<p>Landscape photographs from defined points</p> <p>On-site survey</p> <p>Subdivision and land use consents</p>	<p>Biennially</p>

# 24. Outstanding Landscapes and Natural Features – Rules

## 24.1 Permitted Activities

Any land use within the Core Outstanding Landscape Area, Ashley Gorge Outstanding Landscape Area, or the Buffer Outstanding Landscape Area, as outlined on the District Plan Maps, is a permitted activity if it:

- i. is not otherwise listed as a controlled or discretionary (restricted), discretionary or non-complying activity under this chapter;
- ii. complies with the conditions under Rule 24.1.1; and
- iii. complies with all the conditions and provisions for permitted activities in all chapters.

### 24.1.1 Conditions

24.1.1.1 In the Buffer Outstanding Landscape Area any earthwork cut shall not exceed an uphill batter vertical height of 4m or a downhill vertical spill of 8m of side castings as shown in Figure 24.1.

24.1.1.2 Areas planted in Douglas Fir (*Psuedotsuga menziesii*) in the Buffer Outstanding Landscape Area on the plains side of the foothills north of the Ashley River/Rakahuri identified on District Plan Map 134, shall have at least four rows of a less spread prone species planted between the Douglas Fir and the boundary of the Core Outstanding Landscape Area.

24.1.1.3 For the purposes of Rule 24.1.1.2 “a less spread prone species” means a species with a spreading vigour of less than or equal to two in accordance with “Guidelines for Minimising the Risk of Unwanted Wilding Spread from New Plantings of Introduced Conifers” Ledgard & Langer (1999).

24.1.1.4 The planting of exotic tree species, other than those species listed in Rule 24.3.4 for which a resource consent is required, in the Ashley Gorge Outstanding Landscape Area shall be less than 10ha (excluding areas covered by any track or firebreak) on any one site in any 12 month period provided that either:

- a. the land has been surveyed by the Department of Conservation, and the Department certifies that no area of significant indigenous vegetation is involved; or
- b. a certificate is provided by a suitably qualified person that no significant indigenous vegetation is involved and the Department of Conservation concurs.

For the purposes of the rule, failure to respond by the Department within 21 days of the

## 2 Outstanding Landscapes and Natural Features

certificate being referred to them by the Waimakariri District Council shall be deemed concurrence.

24.1.1.5 Earthworks required for the construction and maintenance of stock water ponds in the Core Outstanding Landscape Area and the Ashley Gorge Outstanding Landscape Area shall not exceed an area of 500m<sup>2</sup> per pond.

24.1.1.6 Earthworks required to level the ground for the installation of water tanks in the Core Outstanding Landscape Area and the Ashley Gorge Outstanding Landscape Area shall not exceed an area of 50m<sup>2</sup> per tank.

24.1.1.7 Earthworks required for the installation or maintenance of water pipes shall not exceed 1000m<sup>2</sup> per any 1ha.

### 24.1.2 Exemptions

24.1.2.1 The maintenance of:

- a. any electricity and associated telecommunication facility;
- b. any track or cut; or
- c. any fence line

is exempt from complying with Rule 24.1.1.1, provided that the effect of that maintenance is not to increase the existing extent of the uphill batter vertical height or increase the downhill vertical spill of side-castings.

24.1.2.2 The construction of forestry roads and landing sites within the exotic forestry plantation including an area of indigenous forest managed pursuant to a sustainable management plan under the Forests Amendment Act 1996 or 2004, is exempt from complying with Rule 24.1.1.1, provided that construction is in accordance with the 'Best Practice Guidelines for Road and Landing Construction (2000)' as published by Forest Industries Training New Zealand, and adverse effects on the following are avoided or remedied:

- a. the water quality and quantity of any water body; and
- b. land stability and erosion.

NOTE: Verbatim text from Environment Court Consent Order C88/2004

## 24.2 Controlled Activities

24.2.1 Within the Ashley Gorge Outstanding Landscape Area, tree planting or structures that block the view of the landscape from the two selected viewpoints as mapped in Figure 24.2 are a controlled activity.

In considering any application for a resource consent under Rule 24.2.1 the Council shall, in granting consent, and in deciding whether to impose conditions, exercise its control over the following matters:

- i. the effect on the ability to obtain an unimpeded view of the landscape from either of the two viewpoints as outlined in Figure 24.2; and
- ii. the relationship of the activity with existing landforms.

24.2.2 An application for resource consent under Rule 24.2.1 shall be considered without the need to obtain the written approval of affected persons in accordance with section 93(1)(b) of the Resource Management Act 1991, and shall be non-notified.

## 24.3 Discretionary Activities (Restricted)

24.3.1 Within the Buffer Outstanding Landscape Area any earthworks that do not comply with Rule 24.1.1.1 are a discretionary activity (restricted), except where exempted by Rule 24.1.2.

In considering any application for a resource consent under Rule 24.3.1 the Council shall, in deciding whether to grant or refuse consent, and in deciding whether to impose conditions, restrict the exercise of its discretion to the following matters:

- i. the timing, duration, area and location of the activity;
- ii. any vegetation that is to be retained;
- iii. any vegetation screening and backdrop;
- iv. the relationship of the activity with landforms;

## 4 Outstanding Landscapes and Natural Features

- v. the methods necessary to maintain values associated with natural character, amenity and landscape, including revegetation type and density;
- vi. location and management, including revegetation, of cuts and fills; and
- vii. the effects on the stability and life-supporting capacity of soil.

24.3.2 Earthworks, other than those resulting from the maintenance of any electricity utility and associated telecommunication facility, within 20m of the highest adjacent point of any ridgeline mapped as a Prominent Ridge on District Plan Map 134, is a discretionary activity (restricted).

In considering any application for a resource consent under Rule 24.3.2 the Council shall, in deciding whether to grant or refuse consent, and in deciding whether to impose conditions, restrict the exercise of its discretion to the following matters:

- i. the relationship of the activity with landforms;
- ii. any vegetation screening or backdrop;
- iii. the methods necessary to maintain values associated with natural character, amenity and landscape;
- iv. the location and management, including revegetation, of cuts and fills; and
- v. the effects on the stability and life-supporting capacity of soil.

24.3.3 Any structure, other than a fence or a structure less than 5m<sup>2</sup> floor area and less than 2m in height, within 20m of the highest adjacent point of any ridgeline mapped as a Prominent Ridge on District Plan Map 134, is a discretionary activity (restricted).

In considering any application for a resource consent under Rule 24.3.3 the Council shall, in deciding whether to grant or refuse consent, and in deciding whether to impose conditions, restrict the exercise of its discretion to the following matters:

- i. the location and orientation of the structure;
- ii. the relationship of the activity with landforms;
- iii. any vegetation screening or backdrop;
- iv. the methods necessary to maintain values associated with natural character, amenity and landscape;  
and
- v. the effects on the stability and life-supporting capacity of soil.

CROSS REFERENCE: Rules 24.4.3 and 24.4.4

24.3.4 Within the Ashley Gorge Outstanding Landscape Area and the Buffer Outstanding Landscape Area, except the Buffer Outstanding Landscape Area on the plains side of the foothills north of the Ashley River/Rakahuri as shown on District Plan Map 134, the planting of any of the following tree species:

Lodgepole Pine – *Pinus contorta*

Scots Pine – *Pinus sylvestris*

Douglas Fir – *Pseudotsuga menziesii*

Corsican Pine – *Pinus nigra*

Larch – *Larix* spp

Mountain Pine – *Pinus uncinata*

Sycamore – *Acer pseudoplatanus*

Alder – *Alnus* spp

Willows adjacent to rivers – *Salix* spp

is a discretionary activity (restricted).

24.3.5 Within the Buffer Outstanding Landscape Area on the plains side of the foothills north of the Ashley River/Rakahuri, the planting of any of the following tree species:

Lodgepole Pine – *Pinus contorta*

Scots Pine – *Pinus sylvestris*

Corsican Pine – *Pinus nigra*

Larch – *Larix* spp

Mountain Pine – *Pinus uncinata*

Sycamore – *Acer pseudoplatanus*

Aldern – *Alnus* spp

Willows adjacent to rivers – *Salix* spp

is a discretionary activity (restricted).

24.3.6 Except as provided for by Rules 24.3.4 or 24.3.5, and not within the Buffer Outstanding Landscape area on the plains side of the foothills to the north of the Ashley River/Rakahuri, the planting of any tree species in areas greater than 50ha on any site in any 12 month period, (excluding areas covered by any track or firebreak) is a discretionary activity (restricted).

24.3.7 Any land use that does not comply with Rules 24.1.1.2 and 24.1.1.3 is a discretionary activity (restricted).

In considering any application for a resource consent under Rules 24.3.4, 24.3.5, 24.3.6 or 24.3.7 the Council shall, in deciding whether to grant or refuse consent, and in deciding whether to impose conditions, restrict the exercise of its discretion to the following matters:

- i. the relationship of the activity with existing landforms, and natural features;
- ii. the methods necessary to maintain values associated with natural character, amenity and landscape;
- iii. wilding plant, prevention, minimisation and management measures;
- iv. effects on areas of significant indigenous vegetation and significant habitats of indigenous fauna; and
- v. setbacks from wetlands, rivers and water bodies.

CROSS REFERENCE: Rule 24.5.1 for planting in the Core Outstanding Landscape Area

24.3.8 Vegetation clearance in the Core Outstanding Landscape Area, other than the clearance of plantation forestry planted prior to 20 June 1998, is a discretionary activity (restricted).

In considering any application for a resource consent under Rule 24.3.8 the Council shall, in granting consent, and in deciding whether to impose conditions, exercise its control over the following matters:

- i. the relationship of the activity with landforms;
- ii. the methods necessary to maintain values associated with natural character, amenity and landscape; and
- iii. the effects on the stability and life-supporting capacity of soil.

## 24.4 Discretionary Activities

24.4.1 Subdivision in the Core Outstanding Landscape Area, Buffer Outstanding Landscape Area and Ashley Gorge Outstanding Landscape Area is a discretionary activity, except for:

- a. any allotment which will be held together with other land in a manner which does not provide for their separation without the consent of the Council;

- b. any reserve created under the Reserves Act 1977;
- c. any allotment created for any unstaffed utility, accessway or road; or
- d. the subdivision of any allotment solely for the purposes of conservation, restoration or enhancement of any vegetation and habitat site, notable plant, or heritage resource listed in the District Plan, provided that:
  - the balance allotment meets the subdivision standards for that zone; or the balance allotment is amalgamated with land held in another certificate of title in order to meet the subdivision standard, and
  - an instrument is registered on the title of the exempted land appropriately linking its future use to those activities compatible with the values or significance identified within the District Plan.

In considering any resource consent application under Rule 24.4.1 the Council shall, in deciding whether to grant consent, and in deciding whether to impose conditions, have regard to (but not be limited by) the following matters:

- i. standards and terms for subdivision as set out in Rule 32.1.1;
- ii. location of the subdivision in relation to topography, vegetation, visibility from roads, and prominent ridgelines;
- iii. subdivision design in relation to the outstanding landscape qualities;
- iv. future building locations in relation to topography and vegetation; and
- v. those matters over which control is exercised for controlled activities in Chapter 32: Subdivision – Rules.

24.4.2 Within the Core Outstanding Landscape Area and Ashley Gorge Outstanding Landscape Area earthworks are a discretionary activity, except where provided for under Rule 24.1.1, or where exempted by Rule 24.1.2.

CROSS REFERENCE: Rule 23.1.1.8

24.4.3 Within the Core Outstanding Landscape Area and the Ashley Gorge Outstanding Landscape Area, the location of buildings is a discretionary activity.

CROSS REFERENCE: Rule 24.3.3

24.4.4 Within the Buffer Outstanding Landscape Area, the location of dwellings is a discretionary activity.

CROSS REFERENCE: Rule 24.3.3

## 24.5 Non-complying Activities

- 24.5.1 Within the Core Outstanding Landscape Area the planting of any exotic tree is a non-complying activity.