

Draft Plan Change 25: Shelterbelts and Artificial Crop Protection Structures

Proposed Changes to the Waipā District Plan

July 2024

*Note the changes presented in this document are in draft form,
have no legal effect, and may be subject to change*

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Part B: Definitions

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	operation.
‘All weather vehicle access’	means a CARRIAGEWAY surfaced with thoroughly compacted, crushed metal, gravel or sand and adequately drained; it may also include a paved or sealed access that does not create a dust nuisance.
‘Allotment’	has the same meaning as in the ACT.
‘Amateur radio configuration’	means the ANTENNAS, aerials (including rods, wires and tubes) and associated supporting structures which are owned and operated by licenced amateur radio operators for personal use, and without pecuniary gain.
‘Ancillary activity’	means a supporting ACTIVITY that is subordinate and incidental to a PRINCIPAL ACTIVITY undertaken on the same SITE.
‘Ancillary office’	means an OFFICE ACTIVITY on the same SITE as a PRINCIPAL BUILDING or ACTIVITY, and whose use is subordinate and incidental to that PRINCIPAL BUILDING or ACTIVITY (e.g. an OFFICE attached and subordinate to a manufacturing premise).
‘Ancillary retail’	means a RETAIL ACTIVITY that is subordinate and incidental to the PRINCIPAL BUILDING or ACTIVITY conducted on a SITE, where the items being sold have been manufactured, repaired, produced, processed or grown on the same SITE.
‘Annual Exceedance Probability (AEP)’	means the probability, expressed as a percentage, that a flood of a given magnitude will be equalled or exceeded in any one year. 1% AEP corresponds to a 1 in 100 year return period storm. 2% AEP corresponds to a 1 in 50 year return period storm.
‘Antenna’	means any device including any dish or panel that receives or transmits radio communication or telecommunication signals, but does not include any aerial. This includes the ANTENNA’S mountings (including any support structure or head arrangement such as shrouds or ANTENNA covers) and radio frequency unit or similar device.
‘Approved structure plan’	means a STRUCTURE PLAN that has been approved and made operative by COUNCIL.
‘Archaeological site’	means any place that was associated with human activity which occurred before 1900 and is, or may be able through investigation by ARCHAEOLOGICAL methods, to provide evidence relating to the history of New Zealand.
‘Arterial road’	see MAJOR ARTERIAL ROAD or MINOR ARTERIAL ROAD
‘Attached dwelling’	means two SELF CONTAINED DWELLINGS that share a common wall.
‘Artificial Screen’	means a man-made structure for the purpose of providing wind shelter that is greater than 2m high.
‘Artificial crop protection structure’	<p>means a structure covered by permeable materials (vertically and/or horizontally) which do not impede the use of underlying soils, and which are used to:</p> <ul style="list-style-type: none"> • provide wind shelter; and/or • protect or promote the growth of crops. <p>This does not include Greenhouses/glasshouses, or Plastic-clad shade houses.</p> <p>For the purpose of this definition, 'permeable material' means material that does not impede air, sunlight, or water penetration, and is able to be seen through.</p>
‘Authorised’	means a person to whom COUNCIL’S powers, duties and functions under the

	<p>generating station, a BUILDING, enclosure, or other structure to:</p> <ul style="list-style-type: none"> ■ Incoming terminals of any other BUILDING, enclosure, or other structure; and ■ An electrical appliance, in any case where the electrical appliance is supplied with electricity other than from a terminal in a BUILDING, enclosure, or other structure.
‘Emergency service facilities’	means those facilities operated by authorities responsible for the safety and physical welfare of people or property in the community and includes fire stations, ambulance stations, police stations, and ancillary accommodation and storage on the same SITE.
‘Environment’	has the same meaning as in the ACT.
‘Equestrian facility’	means within the St Peters School Zone a facility for the purpose of accommodating and training horses, including an enclosed arena, stabling and tack rooms, classrooms and PARKING AREA.
‘Erection’	means the construction of a BUILDING including any alterations or additions to a BUILDING, and also includes the placing and/or relocation of a BUILDING on a SITE.
‘Esplanade reserve’	has the same meaning as in the ACT.
‘Esplanade strip’	has the same meaning as in the ACT.
‘Excavation’	means to dig into the soil, or the removal of soil or other material from the ground onto the SITE or off the SITE, but excludes normal gardening activities, digging of post holes and tillage of land associated with the growing of crops where there is no significant change to landform (but does not include MINERAL EXTRACTION ACTIVITIES).
‘External alterations heritage item’	in relation to a protected BUILDING, place or object (listed in Appendix N1 of this Plan), means any work by way of construction or modification which may have the effect of altering the exterior fabric of the BUILDING and includes the removal and replacement of external walls, windows, ceilings, roofs, veranda, parapets, balustrades, abutments and supports and MAINTENANCE using materials or techniques that are detrimental to the materials or finish of the HERITAGE ITEM.
‘Farming activities’	<p>means an agricultural and/or horticultural ACTIVITY having as its primary purpose, the production of goods for human or animal consumption and includes any livestock or crop, using the in-situ soil, vegetation, water and air as the medium for production, and must include maintaining the ground cover. For the avoidance of doubt, FARMING ACTIVITIES includes:</p> <ul style="list-style-type: none"> ● ANCILLARY ACTIVITIES including the storage and initial processing of horticultural and agricultural products produced on-site; and ● The storage and spreading of any solid or liquid animal waste generated on-site by FARMING ACTIVITIES: and ● Farm implement sheds, stables, hay barns and BUILDINGS for the storage of feed which is to be used on the HOLDING; and ● BEEKEEPING (and associated ACTIVITIES including extraction processing, production of honey and bee products, packaging, storage and distribution); and ● PACKING SHEDS; and ● Stud farming, and horse training; and

	<ul style="list-style-type: none"> • The feeding of young stock in a BUILDING or similar enclosure or wintering of stock on a feed pad as part of normal pastoral FARMING ACTIVITIES for a limited season only; and • <u>Artificial crop protection structures; and</u> • Greenhouses/glasshouses with a PERMEABLE floor and where the soil profile is maintained if located on high quality soil; and • OUTDOOR (EXTENSIVE) PIG FARMING; and • CONSERVATION PLANTING; and • The use of FARM AIRSTRIPS AND FARM HELIPADS.
'Farm airstrips and farm helipads'	means any area of Rural zoned land used for take off and landing of aircraft (including helicopters), for the purpose of servicing rural land. Such servicing includes but is not limited to aerial topdressing, application of AGRICHEMICALS, fire fighting, forestry, fencing, delivery of farm supplies and equipment, and the collection of farm produce, but excludes airstrips or HELIPADS directly associated with commercial passenger transport or associated with any ACTIVITY located in the Rural Zone for which resource consent is required.
'Farm quarries'	means an ACTIVITY where sand or rock is extracted not for pecuniary gain and primarily for use on the source land HOLDING.
'Farm track'	means a track or race suitable for farm VEHICLE MOVEMENTS which is used for FARMING ACTIVITIES, including the movement of stock.
'Farm worker dwelling'	means a DWELLING established for employees required to live on the SITE for the purpose of employment as a direct result of the scale and intensity of the FARMING ACTIVITY.
'Financial contribution'	has the same meaning as in the ACT.
'Flats plan'	has the same meaning as a cross lease plan or cross lease Cadastral Survey Dataset (CSD), and depicts a lease area created by the BUILDING foot print (which may include any attachment to the BUILDING such as a deck or conservatory), as well as any exclusive use covenant areas and common areas. This type of CSD supports title issued under the requirements of Land Transfer Act 1952.
'Fortified site'	means a SITE characterised by the ERECTION of a look-out platform, tower or structure or the placement of a wall, barricade, fence, electrified fence, barbed wire fence or similar structure which precludes or inhibits access by the police or any AUTHORISED OFFICER. It also includes the ERECTION of monitoring system such as a surveillance camera to enable monitoring of persons beyond the boundaries of the SITE; provided that normal domestic residential security systems and historic FORTIFIED SITES such as redoubts are excluded.
'Frontage'	means for the purposes of legal access, that portion of land which secures legal access to a certificate of title from an existing ROAD or ROAD to be vested or otherwise legalised, and includes that portion of a RIGHT OF WAY or accessway ADJOINING a ROAD.
'Front boundary'	refer to definition of SITE.

'path'	capable of providing protection to the surrounding ENVIRONMENT for a 1 in 50 year return period rain event.
'Sensitive location'	means, for the purposes of TRANSFERABLE DEVELOPMENT RIGHTS, the locations outlined in Rule 15.4.2.43.
'Service lane'	means land dedicated as SERVICE LANE for intermittent access to ADJACENT or ADJOINING properties in the Residential Zone, Commercial Zone or Industrial Zone.
'Service station'	<p>means any SITE where the PRINCIPAL ACTIVITY is the retail sale of motor fuels and lubricating oils and includes:</p> <ul style="list-style-type: none"> ■ The sale of kerosene, tyres, batteries and other accessories normally associated with motor vehicles; and/or ■ The cleaning of vehicles; and/or ■ Mechanical and electrical servicing and repair of vehicles and light machinery such as lawn mowers; and/or ■ ANCILLARY RETAIL; and/or ■ Trailer hire. <p>But does not include panel beating, spray painting or heavy engineering such as engine reboring and crank shaft grinding.</p>
'Shelter belt'	means a row of trees not more than four deep, planted for the purpose of providing wind shelter and screening.
'Show home'	means any BUILDING designed to be used as a RESIDENTIAL ACTIVITY placed on temporary or permanent foundations for the purpose of the display or advertising of that home or that type of house.
'Side boundary'	refer to the definition of SITE.
'Sign'	<p>shall mean any name, figure, character, outline, spectacle, display, delineation, projection, blimp, billboard skin, poster, handbill, advertising device or appliance or any other thing of a similar nature to attract attention which is visible from PUBLIC PLACES and shall include:</p> <ul style="list-style-type: none"> ■ All parts, portions, units and materials composing the same, together with the frame, background, structure and support or anchorage thereof, as the case may be and shall also include any of the foregoing things when displayed on a hoarding or painted on a BUILDING; and ■ A SIGN shall not mean any public SIGN required by law or provided by any statutory body in accordance with its powers under any law. <p>Provided that where a SIGN is painted directly onto a BUILDING (for the avoidance of doubt, this includes windows, walls and roofs), the SIGN size is considered to be that area of the SIGN enclosed by a line drawn around the perimeter of the lettering or design.</p>
'Significant Natural Areas'	means areas that have been identified as significant INDIGENOUS VEGETATION or significant habitats of INDIGENOUS fauna, in order to recognise and provide for their protection pursuant to Section 6 of the Resource Management Act 1991, as indicated on the Planning Maps.

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Section 4: Rural Zone

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Section 4 - Rural Zone

4.1 Introduction

- 4.1.1 Waipā District is largely characterised by an exceptionally productive rural sector, arising from the existence of high class soils. 37% of the District is classified as containing high class soils, representing over 9% of the high class soils nationally. 12% of the District is classified as peat soils, representing roughly 8% of peat soils nationally. Maintaining this resource for rural production is of critical importance to the District.
- 4.1.2 The Rural Zone is primarily a pastoral rural working environment that is reliant on the rural land and soil resource of the District, and is largely typified by an open rural landscape. Dairy farming is the main rural land use in the District, followed by beef, and sheep farming. Horticulture is also a prominent contributor to the District. Although there are fewer properties involved in the equine industry, it is also a very significant contributor to the economy of the Waipā District.
- 4.1.3 Over time, the nature of dairy farming has changed due to a number of economic drivers. These trends include an increase in average farm area and stocking rate per hectare, coupled with an increase in the use of off farm supplements. The use of feed pads to facilitate supplementary feeding while reducing pasture damage has also been growing (Waikato Regional Council technical publication 2009/28). ~~The changing~~ Due to climate change, activities such as horticulture and crop production are becoming more common throughout the district. This diversification in rural activities means there is an evolving change to the rural working environment of the district. As a result, the nature of farming practice has resulted in changes to the scale practices and nature of actual and potential their associated effects on the environment are changing. The appropriate Appropriate methods to address these effects are a key issue for the Plan.
- 4.1.4 A variety of other rural based industrial uses can occur in the Rural Zone, as can mineral extraction, forestry, tourism and home occupations. Retaining rural character and amenity when making provision for activities that require a rural setting, or provide for lifestyle choices is important. The Rural Zone of the District has a boundary with several urban environments including Cambridge, Te Awamutu, and Hamilton City; and also borders Hamilton Airport, the Mystery Creek Event Centre, and the Karāpiro Lake Domain, as well as a number of rural marae/papakāinga. The relationship between development in the Rural Zone and urban areas and other activities needs to be carefully managed to protect the character, operation and growth of these locations in addition to maintaining rural character and amenity values.
- 4.1.5 There are a number of policy and statutory documents that provide direction to the outcomes sought through this Plan. These include, national and regional policy statements and plans, the Treaty of Waitangi and Te Ture Whaimana o Te Awa o Waikato — The Vision and Strategy for the Waikato River. The Future Proof Growth Strategy and Implementation Plan 2009 and the Waipā District Growth Strategy also provide direction on the anticipated settlement pattern of the District including the Rural Zone. The partnership principle embodied within the various Treaty of Waitangi settlements is important and also needs to be reflected within the provisions of this Plan.
- 4.1.6 This section of the Plan builds on the directions in National Policy Statements and the Waikato Regional Policy Statement. A key strategy for implementing these directions is

- b. Open landscapes containing natural features and scenic vistas including flat to rolling terrain, volcanic cones, streams, lakes, peat lakes, rivers and wetlands that are largely free from development; and
- c. Low density widely spaced built form, with dwellings and farm buildings dispersed in the wider landscape; and
- d. Land uses of a predominantly production or rural working nature such as farming and related farm storage sheds, **crop protection**, stock yards, farm animals and houses, and the widespread use of machinery supporting the principal productive land use. The characteristic noises and odours of farming are part of the rural working nature of the Rural Zone; and
- e. Occasional papakāinga and marae with associated activities and events; and
- f. Infrequent rural based industry sites such as cool stores and wineries, as well as infrequent mineral and aggregate extraction sites, intensive farming operations and rural service providers such as agricultural contractors; and
- g. Infrequent tourism or traveller accommodation based facilities generally associated with landscape features; and
- h. Generally un-serviced land with a lack of urban infrastructure such as reticulated water and wastewater systems; and
- i. An extensive network of roads with varying traffic levels, primarily without kerbs, footpaths or other urban structures such as street lighting, unless required for road safety reasons. Higher traffic levels occur on State Highways, arterial and some collector roads; and
- j. Occasional local temporary events and activities such as equestrian hunts, farm open days, local fund raising events, pony club, and associated events and activities in rural community halls; and
- k. Recreational hunting.

4.1.13 The policies and rules in this Plan seek to find a balance between economically driven farming practice and amenity, landscape, biological, cultural and social values.

4.1.14 In recognition of the scale of potential effects that deer and goats are known to have on indigenous vegetation, industry standards relating to deer and goat farming have been adopted for such activities within one kilometre of a significant natural area or bush stand in order to assist in managing potential effects relating to the grazing of deer and goats.

4.2 Resource Management Issues

Rural resources

4.2.1 The life supporting capacity of the land, soil and water resources can be adversely affected by land use activities.

4.2.2 The cultural, environmental and economic values of land, soil and water resources are

adverse reverse sensitivity effects on the operation and future development of the airport.

Other activities: tourism

- 4.2.22 Tourism activities and facilities can contribute to community well-being and enable enhancement of the natural features they are based around. The number, scale and effects of tourism activities can however compromise the productive nature of the Rural Zone, rural character and amenity, and the natural features that the activity is dependent upon. Careful management of tourism activities is required.

Other activities: Tokanui Dairy Research Centre

- 4.2.23 The Tokanui Dairy Research Centre is a regionally and nationally significant site essential to the ongoing development of the agricultural economy, but the buildings and types of activity undertaken on the site are different to farming activities generally undertaken in the Rural Zone.

Health and well-being of the Waikato and Waipā Rivers

- 4.2.24 Development within the Rural Zone has the potential to adversely affect the health and well-being of the Waikato and Waipā Rivers. Careful consideration should be given to the following; (but not limited to) potential impacts of vegetation clearance, earthworks, effluent and stormwater runoff and the provision of infrastructure within river catchments.

National Grid transmission lines for the conveyance of electricity

- 4.2.25 National Grid transmission lines for the conveyance of electricity are considered to be a resource of national and regional significance that requires protection. The location of activities within National Grid Corridors have the potential to result in adverse effects, including reverse sensitivity effects, on the operation, maintenance, upgrading and future development of the National Grid network and result in sensitive activities locating where they are most vulnerable to the effects, including risks, associated with the line.

4.3 Objectives and Policies

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

Objective - Rural resources

- 4.3.1 To maintain or enhance the inherent life supporting capacity, health and well-being of rural land, ecosystems, soil and water resources.

Policy - Health and well-being of the Waikato and Waipā Rivers

- 4.3.1.1 To give effect to the directions and outcomes in Te Ture Whaimana o Te Awa o Waikato — The Vision and Strategy for the Waikato River and the Waipā Accord through District Plan provisions relating to building setbacks, earthworks, farming activities, non-farming activities, intensive farming, rural based industries and solid and liquid waste.

Policy - Avoid adverse effects on Water Catchment Areas

Policy - Rural environment

- 4.3.2.2 Recognise and protect the continued operation of the Rural Zone as a **pastoral rural** working environment.

Policy - Farming activities to avoid adverse effects

- 4.3.2.3 Manage farming activities so that they do not result in adverse effects on the environment or adjacent sites by ensuring:

- a. Buildings are located appropriately; and
- b. Adverse effects, are avoided, remedied or mitigated.

Policy - Farm buildings and activities to internalise adverse effects

- 4.3.2.4 Farm buildings **(including artificial crop protection structures)**, and activities shall be located and scaled to minimise adverse effects on rural character and amenity.

Policy - Equine industry

- 4.3.2.5 To enable the activities of the equine industry to be undertaken within the rural areas of the District.

Policy - Storage and processing of horticultural and agricultural produce grown on the holding

- 4.3.2.6 To enable the storage and initial processing of horticultural or agricultural produce grown on the same holding as part of a farming activity.

Policy - Goat and deer fencing

- 4.3.2.7 To ensure that good practice fencing standards for deer and goat populations are undertaken in proximity to significant natural areas.

Objective - Rural activity: shelterbelts, woodlots, and commercial forestry

- 4.3.3 To ensure commercial forestry and/or woodlot forestry and shelterbelts do not have an adverse effect on the environment, the amenity of adjacent properties, or on infrastructure such as roads, railway lines, electricity transmission and distribution lines, and boundary fence lines.

Policy - Forestry to avoid adverse effects

- 4.3.3.1 Manage woodlot forestry and commercial forestry so that it does not result in adverse effects on the environment by ensuring:

- a. Woodlot forestry and commercial forestry is located appropriately and does not adversely affect the safety or daylight access to adjacent properties; and

National Grid electricity transmission network.

Policies - Management of activities within National Grid Corridors

- 4.3.18.1 To recognise the importance of the National Grid network in enabling communities to provide for their economic and social well-being and to provide for the ongoing operation, maintenance and development of the Grid through the management of activities within identified setbacks and corridors.
- 4.3.18.2 To ensure safe and efficient use and development of the National Grid and to protect the National Grid from the adverse effects of activities adjacent to it.
- 4.3.18.3 To avoid inappropriate land use and development within the National Grid Yard to ensure that the operation, maintenance, upgrading and development of the electricity transmission network is not compromised and to minimise the potential for nuisance effects.
- 4.3.18.4 To avoid the establishment of new sensitive activities within the National Grid Yard in order to minimise adverse effects on and from the National Grid, including adverse effects on health and safety, amenity and nuisance effects, and reverse sensitivity effects.
- 4.3.18.5 To not foreclose operation or maintenance options or, to the extent practicable, the carrying out of routine and planned upgrade works.

4.4 Rules

The rules that apply to activities are contained in:

- a. The activity status tables and the performance standards in this zone; and*
- b. The activity status tables and the performance standards in Parts E District Wide Provisions and Part F District Wide Natural and Cultural Heritage of the Plan.*

Notwithstanding any other rules in this plan, all plantation forestry activities, as from 1 May 2018, are regulated under the Resource Management (National Environmental Standards for Plantation Forestry) Regulations 2017 must comply with those regulations. Where there is conflict or duplication between a rule in this plan and those regulations, the regulations prevail.

Provisions in the Waipā District Plan also apply in circumstances where regulated activities (as determined by the Resource Management (National Environmental Standards for Plantation Forestry) Regulations 2017) are carried out not in accordance with the standards set out in the Regulations.

Advice Notes:

1. Works in close proximity to any electricity line can be dangerous. Compliance with the New Zealand Electrical Code of Practice for Electrical Safe Distances 34:2001 is mandatory for all buildings, earthworks and mobile plant within close proximity to all electric lines. Compliance with the Plan does not ensure compliance with the Code.
2. Vegetation to be planted within or near electric lines should be selected and/or managed to ensure that it will not result in that vegetation breaching the Electricity (Hazards from Trees) Regulations 2003. To discuss works, including tree planting, near any electrical line, contact the line operator.

4.4.1 Activity Status Tables

4.4.1.1	Permitted activities The following activities must comply with the performance standards of this zone
a.	One principal dwelling per viable certificate of title outside of quarry buffer areas.

b.	One secondary dwelling of 70m ² gross floor area or less excluding garaging, per holding outside of quarry buffer areas.
c.	Residential activities.
d.	Farming activities and associated underpass and bridging for stock movement.
e.	Home occupations.
f.	Conservation blocks — (Including Reserves under the Reserves Act 1977) and conservation activities, other than buildings and activities associated with education and tourism.
g.	Mineral exploration and prospecting activities.
h.	Planting of commercial forestry, woodlot forestry or planted indigenous forestry.
i.	Accessory buildings to any permitted activity.
j.	Demolition, removal of buildings and structures, except those listed in Appendix N1 - Heritage Items.
k.	Relocated buildings, except where the site is listed in Appendix N1 - Heritage Items.
l.	Within the Tokanui Dairy Research Centre Core Campus Area (as shown on Planning Maps), rural research facility and ancillary activities including education and conference facilities, laboratories, engineering workshops, staff offices and facilities, field days and pilot plants for researching the processing and manufacturing of dairy products.
m.	Earthworks
n.	Farm quarries.
o.	Urupa under Te Ture Whenua Māori Act 1993 and private cemeteries under the Burial and Cremation Act 1964.
p.	Temporary buildings including ablution and storage sheds incidental to a construction project.
q.	Temporary events.
r.	Signs
s.	Passive recreational uses.
t.	Earthworks within the National Grid Yard that comply with Rule 4.4.2.76.
u.	Within the Narrows Concept Plan area: <ul style="list-style-type: none"> i. Outdoor pursuits; ii. Outdoor education, outside of the Air Noise Boundary; iii. Cycling and walking tracks and associated parking areas; iv. One principal dwelling per viable certificate of title outside of the Air Noise Boundary, Runway Protection Area and the Southern Links Designation; v. Any activity listed in Rules 4.4.1.1.c. to 4.4.1.1.s. above.
v.	Harvesting of commercial and/or woodlot forestry complying with Rule 4.4.2.59.
w.	Poultry farming in accordance with Rule 4.4.2.5 where the maximum stocking density does not exceed 34kg of live weight per square metre or 15 birds per square metre, whichever is greater.
x.	Pasture reinstatement.
y.	Residential Based Visitor Accommodation
z.	<u>Shelterbelts</u>

Advice Note: Attention should also be given to the Waipā District Control of Signs and Sale of Goods Bylaw 2007 and the Public Places Bylaw 2007, and the relevant sections of the Waipā District Urban Reserves Management Plan.

4.4.1.2	Controlled activities The following activities must comply with the performance standards of this zone
a.	Harvesting of woodlot forestry and/or commercial forestry not complying with Rule 4.4.2.59. Matters over which Council reserves its control are: <ul style="list-style-type: none"> ■ Vehicle access, parking (excluding the number of parking spaces for cars) and loading; and ■ Effects on the road network and other infrastructure; and

<ul style="list-style-type: none"> ■ Effects on any water supply catchment infrastructure and/or operation; and ■ Effects on indigenous biodiversity; and ■ Erosion and sediment control measures; and ■ Hours of operation; and ■ Dust; and ■ Noise; and ■ Mitigation (financial contribution or works) where road network improvements are required to address identified adverse effects resulting from the increased heavy vehicle trip generation. <p>These matters will be considered in accordance with the assessment criteria in Section 21.</p>
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Advice Note: The location and formation of access points from the site to a public road must meet the requirements of Section 16 - Transportation of this Plan.

4.4.1.3	<p>Restricted discretionary activities The following activities must comply with the performance standards of this zone</p>
a.	<p>Dwellings within the Quarry Buffer Area shown on the Planning Maps.</p> <p>Assessment will be restricted to the following matters:</p> <ul style="list-style-type: none"> ■ Location of the dwelling; and ■ The likely adverse effects of the mineral extraction activities; and ■ Noise and vibration mitigation; and ■ Reverse sensitivity on mineral extraction activities; and ■ Landscaping and visual amenity. <p>These matters will be considered in accordance with the assessment criteria in Section 21.</p>
b.	<p>Frost fans.</p> <p>Assessment will be restricted to the following matters:</p> <ul style="list-style-type: none"> ■ Height, bulk and location of the frost fan(s) and their proximity to residential activities on an adjacent or adjoining site, or a Residential Zone or Large Lot Residential Zone; and ■ Number of blades; and ■ Operating conditions; and ■ Noise. <p>These matters will be considered in accordance with the assessment criteria in Section 21.</p>
c.	<p>Any activity (other than farming or rural based industry) within the Runway Protection Area shown on Planning Maps that isn't listed as a discretionary or prohibited activity.</p> <p>Assessment will be restricted to the following matters:</p> <ul style="list-style-type: none"> ■ Effects on the operational safety and performance of the Hamilton International Airport and its associated lighting and navigational aids; and ■ The risk of exposure to aircraft related accidents. <p>These matters will be considered in accordance with the assessment criteria in Section 21.</p> <p>Advice Note: The Operator of Hamilton International Airport shall be considered an affected party for any resource consent assessed under these criteria.</p>
d.	<p>Buildings associated with the rural research facility at the Tokanui Dairy Research Centre which are located outside of the Core Campus Area (as shown on Planning Maps).</p> <p>Assessment will be restricted to the following matters:</p> <ul style="list-style-type: none"> ■ Visual effects on surrounding properties; and ■ Transport and traffic related effects; and ■ Vehicle access; and ■ Effects on rural character and amenity; and ■ Lighting and glare; and ■ Water supply, wastewater and stormwater disposal; and ■ Reverse sensitivity effects; and ■ Effect on archaeological or cultural sites. <p>These matters will be considered in accordance with the assessment criteria in Section 21.</p>
e.	<p>Poultry farming in accordance with Rule 4.4.2.5 and Rule 4.4.2.6.</p> <p>Assessment will be restricted to the following matters:</p> <ul style="list-style-type: none"> ■ The amenity effects of the poultry farming activity; and ■ Wind and climate patterns; and ■ Visual impact of buildings and landscape planting; and ■ Topography and geographical features affecting odour, dust and visual effects; and ■ Traffic effects; and ■ The provision of a Management Plan. <p>These matters will be considered in accordance with the assessment criteria in Section 21.</p>

	<p>Assessment will be restricted to the following matters:</p> <ul style="list-style-type: none"> ■ Appropriate mitigation of the adverse night time acoustic effects inside affected dwellings (for example, sleep disturbance) of unscheduled engine testing. <p>No other assessment criteria will be applied to an application for a restrict discretionary activity in accordance with this rule.</p>
m.	<p>Farm workers dwellings that comply with the provisions of Rule 4.4.2.80.a. to d.</p> <p>Assessment will be restricted to the following matters:</p> <ul style="list-style-type: none"> ■ Site suitability; and ■ Site layout and services; and ■ Landscaping; and ■ Potential reverse sensitivity effects on any adjoining rural activities; and ■ Proximity to farm effluent storage facilities; and ■ Justification for the additional dwelling; and ■ The extent to which the building is designed to be relocated. <p>These matters will be considered in accordance with the assessment criteria in Section 21. Activities which fail to comply with Rule 4.4.2.80.a. to d. will require a resource consent for a discretionary activity.</p>
n.	<p>Any permitted or controlled activity that does not comply with the performance standards in 4.4.2, except for those specified in Rule 4.4.1.4.a. or as specified in 4.4.2.</p>
<u>o.</u>	<p><u>Removal of any existing shelterbelt which is screening an existing artificial crop protection structure from a road or a dwelling on an adjoining site, which results in non-compliance with Rules 4.4.2.1.c. and 4.4.2.2.d.</u></p> <p><u>Assessment will be restricted to the following matter:</u></p> <ul style="list-style-type: none"> ■ <u>Visual effects of the artificial crop protection structure.</u> <p><u>This matter will be considered in accordance with the assessment criteria in Section 21.</u></p>
4.4.1.4	Discretionary activities
a.	<p>Any permitted, controlled or restricted discretionary activity that fails to comply with:</p> <ol style="list-style-type: none"> Rule 4.4.2.1.b., ed. & de. - Minimum building setback from roads Rule 4.4.2.3 - Dwellings adjoining marae Rule 4.4.2.4 - Minimum setback for the confinement of animals Rule 4.4.2.11 - Special height requirements for Hamilton International Airport Rule 4.4.2.13 - Processing and storage of produce grown on-site Rule 4.4.2.14 - Housing and keeping of pigs Rules 4.4.2.15, 4.4.2.16, 4.4.2.20 to 4.4.2.22 - Noise Rule 4.4.2.25 to 4.4.2.27 - Noise insulation: noise sensitive activities Rules 4.4.2.28 to 4.4.2.41 - Airport noise Rule 4.4.2.44 to 4.4.2.45 - Signs Rules 4.4.2.49 to 4.4.2.50 - Temporary construction buildings Rules 4.4.2.51 to 4.4.2.53 - Temporary events Rule 4.4.2.62.b., c., e., f. & g. - Home occupations Rules 4.4.2.63 to 4.4.2.70 - Activities within the Air Noise Boundary (ANB), the SEL 95 Boundary and the Outer Control Boundary (OCB) Rule 4.4.2.71 - Maximum building coverage of new buildings in the Narrows Concept Plan Area Rule 4.4.2.72 - Set back from Waikato River for the Narrows Concept Plan Area Rule 4.4.2.75 - Earthworks Rule 4.4.2.81 - Fencing for goat farming Rules 4.4.2.82 to 4.4.2.83 - Fencing for deer farming
b.	Restricted discretionary activity not complying with one or more rules for a restricted discretionary activity.
c.	Farm workers dwellings that do not comply with Rule 4.4.2.80.a. to d.
d.	Community centre, marae and papakāinga.
e.	Agritourism and nature tourism facilities.
f.	Education facilities.
g.	Rural based industry.
h.	Mineral extraction activities except where located within 500m (minimum) from Lakes Cameron, Koromatua, Mangahia, Mangakaware, Maratoto, Ngārotoiti, Ngāroto, Rotomānuka, Rotopataka, Ruatuna and Rotopiko/Serpentine as measured at maximum annual water level.
i.	Intensive farming, and Poultry farming that does not comply with the minimum setbacks in Rule 4.4.2.5 or with Rule 4.4.2.6.

j.	Visitor accommodation and education facilities (includes aviation educational training) between the OCB (Ldn55) and the ANB (Ldn55).
k.	Boarding or breeding kennels or catteries.
l.	Aviation educational training within the ANB (Ldn55).
m.	Identification and imposition of a quarry buffer area and a mineral extraction area in conjunction with a new or existing mineral extraction activity.

4.4.1.5	Non-complying activities
a.	Any building or activity that fails to comply with: <ul style="list-style-type: none"> i. Rule 4.4.2.1.a. - Minimum building setback from roads ii. Rule 4.4.2.17 - Helicopter noise iii. Rules 4.4.2.42 to 4.4.2.43 - Frost fans iv. Rule 4.4.2.47 - Solid and liquid waste storage and spreading setbacks v. Rules 4.4.2.55 and 4.4.2.56 - Identification and imposition of a quarry buffer area and mineral extraction area on the Planning Maps. vi. Rule 4.4.2.60 - Planted indigenous forestry vii. Rule 4.4.2.62.a. or d. - Home occupations viii. Rules 4.4.2.75 and 4.4.2.76 - Earthworks
b.	All other activities not listed in activity status table Rules 4.4.1.1 to 4.4.1.4 and not listed as a prohibited activity.
c.	Mineral extraction activities located within 500m of Lakes Cameron, Koromatua, Mangahia, Mangakaware, Maratoto, Ngārotoiti, Ngāroto, Rotomānuka, Rotopataka, Ruatuna and Rotopiko/Serpentine as measured at maximum annual water level.
d.	Fortified sites.
e.	Scheduled engine testing that exceeds the standard in Rule 4.4.2.38 by more than 5dBA.
f.	Within the National Grid Yard: <ul style="list-style-type: none"> i. Any building or addition to a building for a National Grid Sensitive Activity. ii. Any change of use to a National Grid Sensitive Activity or the establishment of a new National Grid Sensitive Activity. iii. Buildings for intensive farming activities, commercial greenhouses, and dairy/ milking buildings. iv. Any building, structure or earthworks which fail to comply with Rules 4.4.2.76, 4.4.2.77 or 4.4.2.78.
g.	Farm workers dwellings that do not comply with Rule 4.4.2.80.e.

4.4.1.6	Prohibited activities The following activities are prohibited and no resource consent will be approved
a.	Within the Runway Protection Area shown on the Planning Maps, places of assembly, service stations, dwellings, residential activities, visitor accommodation, hospitals, camping grounds, and education facilities.
b.	Inside the ANB shown on Planning Maps: dwellings, visitor accommodation, and education facilities (except aviation education training).

4.4.2 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 - Minimum building setback from road boundaries

4.4.2.1 The minimum building setback from road boundaries shall be:

a.	For dwellings, and for buildings less than 100m ²	15m
b.	For buildings over 100m ² (other than dwellings; artificial crop protection structures)	30m
c.	For artificial crop protection structures Except no setback applies where an artificial crop protection structure is screened by an existing shelterbelt.	15m
Provided that:		
d.	For dwellings and buildings adjacent to a designated State Highway	30m
e.	For dwellings and buildings adjacent to the Waikato Expressway (Designation D20)	35m

a. For dwellings, and for buildings less than 100m² 15m
30m

b. For buildings over 100m² (other than dwellings)

Provided that:

c. For dwellings and buildings adjacent to a designated State Highway 30m
35m

d. For dwellings and buildings adjacent to the Waikato Expressway (Designation D20)

Activities that fail to comply with Rule 4.4.2.1.a. will require a resource consent for a non-complying activity.

Activities that fail to comply with Rules 4.4.2.1.b. to 4.4.2.1.d., and 4.4.2.1.e will require a resource consent for a discretionary activity.

Activities that fail to comply with Rule 4.4.2.1.c. will require a resource consent for a restricted discretionary activity, with the discretion being restricted over:

- Effects on rural character and amenity; and
- Safety of road users.

The matters will be considered in accordance with the assessment criteria in Section 21.

Rule - Minimum setbacks from internal site boundaries

4.4.2.2 The minimum building setback from internal site boundaries shall meet the following:

a.	Dwellings	15m
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b.	Dwellings on sites 1ha or less	10m
c.	Accessory buildings to dwellings less than or equal to 100m ²	10m
d.	Artificial crop protection structures	15m
<i>Except no setback shall apply where:</i>		
i.	Any adjoining site is held in common ownership.	
ii.	The artificial crop protection structure is screened from any adjoining site (not in common ownership) by an existing shelterbelt.	
iii.	The encroachment is authorised by a deemed permitted activity notice in accordance with s.87BA(2) of the Resource Management Act 1991.	
e.	All other buildings less than or equal to 250m ²	15m
f.	All other buildings greater than 250m ²	25m

- a. ~~Dwellings~~ ~~15m~~
- b. ~~Dwellings on sites 1ha or less~~ ~~10m~~
- c. ~~Accessory buildings to dwellings less than or equal to 100m²~~ ~~10m~~
- d. ~~All other buildings less than or equal to 250m²~~ ~~15m~~
~~25m~~
- e. ~~All other buildings greater than 250m²~~

Provided that buildings may be erected up to any common boundary with an adjoining site which is in the same holding.

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

- The provision of daylight and sunlight into neighbouring buildings; and
- Visual and aural privacy; and
- The general appearance/effect on the openness and character; and
- The safety and efficiency of traffic flow; and
- Access around the site; and
- Effects on surrounding properties; and
- Potential reverse sensitivity effects on any adjoining rural activities.

These matters will be considered in accordance with the assessment criteria in Section 21.

Rule - Dwellings adjoining marae

4.4.2.3

No dwelling shall be placed or constructed so that it has doors, windows, verandahs or outdoor living areas with a direct line of sight to the nominal mahau (veranda) or marae ātea (area in front of the wharenuī) area on existing marae.

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

2. Refer to Rule 26.4.2.1 for setbacks from lakes and water bodies.

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 the significant natural area vegetation and biodiversity.

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

Rule - Building setback from commercial forestry

4.4.2.8 The minimum building setback from the tree line of commercial forestry shall be 30m.

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

- Potential effects on activities within the building in terms of safety, shading/loss of daylight, and amenity; and
- Effects on surrounding properties; and
- Reverse sensitivity effects on future harvesting of the commercial forest.

These matters will be considered in accordance with the assessment criteria in Section 21

Rule - Height of buildings

4.4.2.9 Buildings (excluding artificial crop protection structures) in all areas except for those affected by the approach surfaces, transitional surfaces, horizontal surface, conical surface, as delineated on the Planning Maps for Hamilton International Airport and also in Appendix O9 shall not exceed 12m in height above ground level.

4.4.2.9A Artificial crop protection structures shall not exceed 6m in height above ground level.

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

- Visual effects including bulk, scale and location of the building; and
- Effects on rural character and amenity; and
- Effects on surrounding properties; and
- Loss of daylight to adjoining sites.

These matters will be considered in accordance with the assessment criteria in Section 21.

Rule - Maximum building coverage

4.4.2.10 The maximum amount of a site which can be covered by buildings is:

- a. 3% for sites of one hectare or more.
- b. 10% for sites less than one hectare.

Provided that this rule does not apply to the Tokanui Dairy Research Centre, artificial crop protection structures, or to dwellings.

Advice Note: Buildings for the processing and/or storage of horticultural or floricultural produce are subject to Rule 4.4.2.13.

- b. The area is no longer required for mineral extraction activities; and
- c. The quarry operator has identified in writing, the areas of the Quarry Buffer Area that are no longer required; and
- d. Council has resolved that the Quarry Buffer Area identified on the Planning Maps may be uplifted in whole or part.

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

- The extent to which the rehabilitation of the site is complete; and
- The extent to which the mineral extraction activities on the remainder of the site are able to internalise adverse effects.

These matters will be considered in accordance with the assessment criteria in Section 21.

Rule - Shelterbelts

4.4.2.57A

a.	No shelterbelt planted after [date at notification] may:
	i. Shade an existing dwelling on an adjoining site between 10am and 2pm on 21 June; and
	ii. Shade a paved public road between 10am and 2pm on 21 June; and
	iii. Restrict sight visibility from any vehicle access, road intersection (refer to Rule 16.4.2.4.), or railway crossing (refer to Rule 16.4.2.7); and
	iv. Be located closer than 30m from the boundary with any Urban Area or Marae Development Zone; and
v. Be located within 10m to a vertical line directly below an overhead power line or overhead telephone line.	
b.	The minimum setback of any shelterbelt planted after [date at notification] from an internal boundary shall be 4m unless:
	i. It adjoins a site held in common ownership; or
	ii. The encroachment is authorised by a deemed permitted activity notice in accordance with s.87BA(2) of the Resource Management Act 1991; or
	iii. There is an easement registered that provides right of access to adjoining land for maintenance purposes; or
	iv. It is demonstrated that the shelterbelt at its mature height can be maintained from within the boundaries of the subject site.
	v. Rule 4.4.1.57A(a) above applies.
c.	Shelterbelts shall be maintained by the owners at all times so that:
	i. No vegetation extends over property boundaries or roads; and
	ii. Any vegetation that falls onto adjoining sites is removed.

Advice Note:

1. Guidance on required visibility for compliance with 4.4.2.57A.a.iii. is contained within the Regional Infrastructure Technical Specifications (RITS) and section 2.1 of RTS6 (Guidelines for visibility at driveways)

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

- Effects on adjoining properties; and
- Effects on infrastructure and utilities; and
- Effects on the safety of road users; and

These matters will be considered in accordance with the assessment criteria in Section 21

Rule - Tree planting

4.4.2.58 No trees within a woodlot forest, or commercial forest or shelter belt which are or are likely to grow to more than 6m in height shall be planted closer than any of the distances specified below:

- a. 30m from any dwelling on an adjoining site; or
- b. 30m from any site boundary of the Residential Zone or Large Lot Residential Zone or Marae Development Zone; or
- c. 20m from any strategic arterial road and 10m from any other road or railway; or
- d. 10m to a vertical line directly below an overhead power or telephone line; or
- e. 5m from the edge of any lake or from the banks of any water bodies except trees which are planted for river protection works, soil conservation or for conservation planting.

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

- Effects on adjacent properties; and
 - Effects on infrastructure and utilities; and
 - Effects on water bodies as a result of potential tree fall and/or harvesting.
- These matters will be considered in accordance with the assessment criteria in Section 21.

Rule - Harvesting of commercial and/or woodlot forestry

4.4.2.59 Harvesting of commercial forestry and/or woodlot forestry, by way of:

- a. Clear felling of less than 4ha per calendar year per holding; or
- b. Continuous cover forestry generating up to 80 loaded truck and trailers loads per calendar year per holding.

Provided that:

- i. The forestry to be harvested is not located within a water supply catchment; and
- ii. Access onto the road network is via a Council approved heavy vehicle entrance; and
- iii. No harvesting related activity occurs on the road reserve; and

- b. Two bathrooms for 10 — 15 guests.

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

4.4.2.88 Rules - Artificial Crop Protection Structures

a.	Colour of vertical cloth materials	Dark green or black
b.	Colour of horizontal cloth materials	Dark green, black, or white

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

- **Visual effects including, bulk, scale, location; and**
- **Effects on rural character and amenity; and**
- **Cumulative effects.**

These matters will be considered in accordance with the assessment criteria in Section 21.

4.5 Assessment Criteria

4.5.1 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.

4.5.2 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.

Planning Map 50 - High Class Soil

Planning Map 53 - Taotaoroa Quarry

Planning Map 54 - Whitehall Quarry

Draft Plan Change 25 – Proposed Changes to the Waipā District Plan

Section 21: Assessment Criteria and Information Requirements

July 2024

*Note the changes presented as follows are in draft form, have no legal effect, and may
be subject to change*

Section 21 - Assessment Criteria and Information Requirements

Guide to using this Section

- This section contains both assessment criteria and information requirements.
- If the activity is a controlled activity or restricted discretionary criteria - refer to the assessment criteria under the relevant zone or district wide section. The assessment criteria have been listed in Section order, for example 21.1.2 contains the assessment criteria for Section 2 — Residential Zone. Controlled or restricted discretionary assessment criteria are limited to those matters that control or discretion has been reserved within the relevant section of the Plan.
- If the activity is a discretionary activity — refer to 21.1.1 Assessment Criteria for ALL discretionary activities as well as the relevant assessment criteria under the relevant zone or district wide provisions. For discretionary activities the assessment criteria are a guide to the matters that Council will consider and shall not restrict Council's discretionary powers.
- Information requirements — Council has standard information sheets that specify the information requirements for all resource consent applications. Section 21.2 contains additional information requirements. The information requirements listed in Section 21.2 will need to be submitted with the relevant resource consent application.

21.1 Assessment Criteria

Contents

21.1.1 Assessment criteria for ALL discretionary activities	21.1.14 Deferred Zones
21.1.2 Residential Zone	21.1.15 Infrastructure, Hazards, Development and Subdivision
21.1.3 Large Lot Residential Zone	21.1.16 Transportation
21.1.4 Rural Zone	21.1.17 Works and Utilities
21.1.4A Significant Mineral Extraction Zone	21.1.18 Financial Contributions
21.1.5 Reserves Zone	21.1.19 Hazardous Substances and Contaminated Land
21.1.6 Commercial Zone	21.1.20 Health and General Amenity
21.1.7 Industrial Zone	21.1.21 Assessment Criteria and Information Requirements (this Section)
21.1.8 Lake Karāpiro Events Zone	21.1.22 Heritage and Archaeology
21.1.9 Mystery Creek Events Zone	21.1.23 Protected Trees

21.1.4 Rural Zone

Rural Zone Assessment Criteria		
Controlled Activities		
21.1.4.1	Harvesting of woodlot forestry and commercial forestry	<ul style="list-style-type: none"> a. The volume of wood to be harvested, and the expected timing and programme of work for harvesting. b. The roads proposed to be used and the anticipated timing and volume of traffic. c. Extent to which the proposal meets rules regarding access, parking (excluding consideration of the number of parking spaces for cars) and loading. d. Specific traffic management proposals to mitigate the effects of logging trucks in rural areas. e. Sediment and erosion control methods to be employed to avoid damage to public roads. f. The extent of likely effects on water catchment area infrastructure and operations, if relevant. g. The methods or techniques employed to avoid or mitigate effects on at risk or threatened species known to inhabit the site. h. The extent of any potential effects on network utility infrastructure.
Restricted Discretionary Activities		
21.1.4.2	Relocated buildings	<ul style="list-style-type: none"> a. The overall condition of the exterior of the building, and the extent to which proposed works will avoid, remedy or mitigate any effects. b. The extent to which the repairs and works identified for action in Council approved or certified Building Relocation Inspection Report will be carried out. c. The timing, nature and extent of reinstatement works that are required to the exterior of the building after it has been moved to the new site. d. The timeliness of the works taking into account the extent and nature of the proposed works.
21.1.4.3	Dwellings within the Quarry Buffer Area shown on the Planning Maps	<ul style="list-style-type: none"> a. The likely adverse effects on residents in dwellings caused by the operations of any quarry, workings, plant or vehicles including the effects of noise, explosions, vibrations, smell, smoke, dust, glare, fumes and any discharge of contaminants into the air or water. b. The likely adverse effects on the appearance of the environs for residents from excavations, heaps, dumps, spoil or other materials and buildings. c. Whether the occupation of a dwelling could unduly limit mineral extraction operations or compromise continuing extractions of the natural resource. d. Whether or not the property is within an identified

		<ul style="list-style-type: none"> f. The potential effects of likely uses of the building on surrounding properties and on rural activities. g. The potential for reverse sensitivity effects on adjoining activities.
21.1.4.6A	<u>Minimum setbacks from roads</u>	<ul style="list-style-type: none"> 1. <u>The extent of effect of the development on the character and openness of the rural environment.</u> 2. <u>The effect on safety of road users.</u> 3. <u>The extent to which existing vegetation is retained and landscaping adds to the amenity of the development.</u>
21.1.4.7	Construction of new buildings within the Rangīowhia Ridge building setback area	<ul style="list-style-type: none"> a. Actual or potential adverse effects on the character of the predominantly single level buildings, and St Paul's church, on the Rangīowhia Ridge. b. Extent to which development within the Rangīowhia Ridge building setback area complements and maintains the low and open scale of existing development, particularly in relation to St Paul's Church and other heritage buildings. c. Whether views to St Paul's church are retained.
21.1.4.8	Minimum building setback from the boundary of a significant natural area	<ul style="list-style-type: none"> a. The extent to which the building will affect the soil, stormwater runoff or groundwater levels within the significant natural area. b. The extent to which the location and size of the building affects the ecological values of the significant natural area. c. The extent to which the building will affect the vegetation and biodiversity character and values of the significant natural area. d. The extent to which the building location will affect access to the significant natural area.
21.1.4.9	Building setback from commercial forestry	<ul style="list-style-type: none"> a. Extent of the potential effects on activities within the building in terms of safety, shading/loss of daylight, and amenity. b. Extent of effects on surrounding properties. c. Extent of reverse sensitivity effects on future harvesting of the forest.
21.1.4.10	Daylight control	<ul style="list-style-type: none"> a. The degree to which there is a loss of privacy, sunlight, amenity or outlook on adjacent or adjoining sites. b. Whether or not the bulk, scale and location of the building is in keeping with rural character and amenity. c. Whether there are any alternative locations for the building that would have a lesser degree of effect on adjacent properties. d. The extent to which existing vegetation is retained and any proposed landscaping adds to the amenity of the development.
21.1.4.11	Construction noise	<ul style="list-style-type: none"> a. The time and frequency that the activity occurs, the duration of noise continuance, any adverse effects on

		buildings either on-site or on surrounding properties and any special characteristics of the noise and subsequent effects on health and safety and on the amenity values of the surrounding environment.
21.1.4.12	Vibration	<ul style="list-style-type: none"> a. The time and frequency and duration that the activity occurs. b. Any adverse effects on buildings and activities either on-site or on surrounding properties. c. Any special characteristics of the vibration and subsequent effects on health and safety and on the amenity values of the surrounding environment.
21.1.4.13	Noise: Temporary military training activities	<ul style="list-style-type: none"> a. The extent to which noise adversely affects the amenity of the surrounding environment including cumulative effects. b. The proximity of vehicle movements to residential activities. c. The proposed timing, frequency and duration of activities. d. The effects of the activities on stock.
21.1.4.13	Shelterbelts	<ul style="list-style-type: none"> a. <u>The proximity to and effects on adjoining activities.</u> b. <u>The ability to maintain shelterbelts within the boundaries of the subject property.</u> c. <u>The effects on infrastructure and/or utilities.</u> d. <u>Effects on safety of road users.</u>
21.1.4.14	Tree planting	<ul style="list-style-type: none"> a. The proximity to and potential effects on residential activities, infrastructure, and/or utilities of the planting in terms of safety, shading, amenity, and effects on the associated activities. b. The potential effects on water bodies as a result of tree fall and/or harvesting.
21.1.4.15	Tokanui Dairy Research Centre	<ul style="list-style-type: none"> a. The location, scale and design and proposed use of buildings. b. The potential traffic and roading effects of the number of staff employed on-site and consequent number and type of vehicle movements. c. The effects on visual amenity for neighbouring properties, including lighting and glare, noise, odour, and vibration. d. The effects on rural character and the likelihood of success of any proposed landscaping or planting mitigation of any potential effects identified. e. The ability to provide for adequate water supply, stormwater and wastewater disposal for any proposed development. f. Outside the Core Campus Area, the potential for reverse sensitivity effects on adjoining activities. g. Outside the Core Campus Area, the extent to which the proposal affects archaeological sites or cultural sites.

		<p>landscaping adds to the amenity of the site.</p> <p>d. The extent to which the location of the dwelling has taken sufficient account of proximity to rural industry, mineral extraction activities, the dairy manufacturing sites and intensive farming.</p> <p>e. The extent to which the location of the dwelling has taken sufficient account of proximity to farm effluent tanks, ponds and storage facilities.</p> <p>f. The robustness of the justification for the farming activity being of a scale and/or intensity that requires additional farm workers to be permanently living on the site.</p> <p>g. The extent to which the building can be designed to be relocated.</p>
21.1.4.28	Pasture Reinstatement	<p>a. Extent and location of vegetation removal including the age, size, species and ecological value of vegetation to be removed and evidence as to whether the area was predominantly pasture within the previous 15 years.</p> <p>b. Extent of effects on the ecological and biodiversity values and characteristics of any adjoining indigenous vegetation, and on the connectivity to or along any adjacent biodiversity corridor.</p> <p>c. Whether or not the area is a known habitat for at risk or threatened species.</p> <p>d. Extent of effects on the relationship of tāngata whenua with their ancestral lands, water sites, wāhi tapu, and other taonga.</p> <p>e. Appropriateness and extent of remediation and mitigation measures proposed including consideration of the no net loss principle.</p>
21.1.4.29	Scheduled engine testing that exceeds the standard in Rule 4.4.2.38 by up to 5dBA.	<p>a. The extent to which the adverse night time acoustic effects inside affected dwellings (for example, sleep disturbance) of unscheduled engine testing are appropriately mitigated.</p>
21.1.4.29	<u>Artificial Crop Protection Structures</u>	<p>a. <u>The extent to which the colour of the vertical cloth materials integrates with and is sympathetic to the surrounding area.</u></p> <p>b. <u>the extent to which the height and location of the artificial crop protection structure integrates into the surrounding area.</u></p> <p>c. <u>The likely visual effects of the artificial crop protection structures and the effectiveness of any mitigation proposed.</u></p> <p>d. <u>The effect on rural character including consideration on the existing landscape setting and the overall cumulative effects.</u></p>
<p>Discretionary Activities <i>Refer also to 21.1.1 Assessment Criteria for ALL discretionary activities</i></p>		

		<p>significant natural areas or bush stands.</p> <p>d. The nature and extent of effects on indigenous biodiversity including at risk or threatened species known to inhabit the area.</p> <p>e. The appropriateness of mitigation measures proposed including consideration of the no net loss principle.</p> <p>f. Consideration of potential alternatives to removal of indigenous vegetation.</p>
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21.1.25 Landscapes and Viewshafts

Landscapes and Viewshafts Assessment Criteria		
Controlled Activities		
21.1.25.1	New farm access tracks and earthworks (including farm quarries) greater than 500m ³ per calendar year	<p>a. The extent to which the earthworks are visible from a public place.</p> <p>b. The extent to which the planting plan will mitigate effects in landscape values.</p> <p>c. The extent to which the farm access track and earthworks responds to the guidelines in Appendix DG7.</p>
21.1.25.2	Cultural landscapes only: Earthworks, construction or placement of new buildings. For the purposes of this rule, earthworks includes any filling and cutting deeper than 1m below the soil surface and/or greater than 500m ³ , 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>a. The extent to which the location of the earthworks affects cultural values.</p> <p>b. The extent to which the location of the new building affects cultural values.</p> <p>c. The extent to which the location of the installation of the wastewater system affects cultural values.</p> <p>d. The extent to which there is no other appropriate alternative location for the activity.</p>
21.1.25.3	A primary dwelling, where the property is predominantly located within a landscape overlay area and the site existed prior to 30 May 2014	<p>a. The extent to which the location, colour, scale, form, design and materials (including non-reflective glazing) integrate the building and access into the landscape and/or obstructs or detracts from the landscape or feature.</p> <p>b. The protection of existing vegetation and/or proposed mitigation/enhancement planting to assist the visual integration of built form.</p> <p>c. Retaining wall scale, materials and colour.</p> <p>d. Fencing scale, materials and height.</p> <p>e. Driveway location, integration with the landscape and colour/materiality.</p> <p>f. The extent to which the building responds to the</p>

	<p>predominantly located within the Outstanding Natural Feature or Landscape Overlay and the site existed prior to 30 May 2014</p>	<p>integrate the building and access into the landscape and/or obstructs or detracts from the landscape or feature.</p> <ul style="list-style-type: none"> b. The protection of existing vegetation and/or proposed mitigation/enhancement planting to assist the visual integration of built form. c. Retaining wall scale, materials and colour. d. Fencing scale, materials and height. e. Driveway location, integration with the landscape and colour/materiality. f. The extent to which the building responds to the guidelines in Appendix DG7. g. The extent to which dwellings within Outstanding Landscapes have used low reflectivity glass and/or use the building form to minimise the reflectivity of glazing particularly where more than 40% of an exterior wall is in glazing.
<p>21.1.25.10</p>	<p>Artificial screens and ancillary structures <u>Crop Protection Structures</u></p>	<ul style="list-style-type: none"> a. The extent to which the colour <u>of the vertical and horizontal materials of the artificial screen and/or ancillary structure</u> integrates into the landscape. b. The extent to which the height and location of the artificial <u>screen and/or ancillary crop protection structure</u> integrates into the landscape. c. <u>The likely visual prominence of the artificial crop protection structure and the effectiveness of any mitigation proposed.</u> d. <u>The extent to which the artificial screen and associated crop protection structure responds to the guidelines in Appendix DG7.</u> e. The extent to which the artificial <u>screen and/or ancillary crop protection structure</u> is visible from a public place. f. <u>The effect on any identified landscape and viewshaft areas.</u> g. <u>The effect of the location and scale of the artificial crop protection structure on cultural values of the site</u>
<p>21.1.25.11</p>	<p>Shelterbelts, including shelterbelts in viewshafts and the State Highway 3 scenic corridor</p>	<ul style="list-style-type: none"> a. The extent to which the shelterbelt might block views to landscape features from viewshafts. b. The height the proposed species within the shelterbelt could potentially grow to. c. The extent to which the shelterbelt responds to the guidelines in Appendix DG7. d. The extent to which the shelterbelt is visible from a public place.
<p>21.1.25.12</p>	<p>Planting of two hectares or more of single species exotic forestry per holding</p>	<ul style="list-style-type: none"> a. The nature and extent of effects of the forestry on landscape values as follows: <ul style="list-style-type: none"> i. Whether the proposed forestry is likely to be visually prominent to the extent that it dominates or detracts from views and landscape values; and ii. The extent of roading and tracking required to

		<p>facilitate harvest; and</p> <ul style="list-style-type: none"> iii. Visibility and extent of any area being harvested; and iv. The extent to which forestry boundaries reinforce landform boundaries. <ul style="list-style-type: none"> b. The potential to block important views from roads and other public places. c. The proximity to neighbouring properties, and the potential to shade neighbouring residences. d. The effect of the activity on the ecological values of the site and surrounding environment. e. The extent to which harvesting will be undertaken in a manner that does not result in significant adverse effects on landscape values. f. The nature and extent of any effects on the relationship of tāngata whenua with their ancestral lands, water sites, wāhi tapu, and other taonga. g. Benefits of forestry in terms of land stability.
21.1.25.13	Glazing of structures and buildings	<ul style="list-style-type: none"> a. The extent to which the location and visibility of the structure or building accentuates or minimises the effect of glazing and associated reflectivity. b. The extent to which the orientation and design of the structure or building incorporates materials or layout to minimise reflectivity including the visual prominence of glazing to integrate the building into the surrounding natural environment. c. The extent to which the structure or building incorporates low reflectivity glass and/or uses the building form to minimise the reflectivity of glazing particularly where more than 40% of an exterior wall is in glazing. d. The extent to which the structure or building uses eaves to minimise the reflectivity of glazing or recessed windows and doors in the visible façade to avoid the reflectivity effects of a flat elevation.
<p>Discretionary Activities <i>Refer also to 21.1.1 Assessment Criteria for ALL discretionary activities</i></p>		
21.1.25.14	General	<ul style="list-style-type: none"> a. The extent to which an additional building on the site may cause adverse effects on the identified landscape. b. The extent to which the siting, orientation, design, and bulk of the building/s and materials used for their construction, with particular regard to the reflectivity of the finish (including the visual prominence of glazing), integrate the building into the surrounding natural environment. c. The extent to which the finished building roofline, will be below the nearest ridgeline. d. The extent to which the location of buildings, artificial <u>screening crop protection structures</u>, and <u>shelter</u>

		<p>belts shelterbelts obstructs the identified viewshafts on State Highway 3, State Highway 39 and the Te Awamutu to Cambridge Road and the Rangiaowhia Ridge area.</p> <p>e. The extent to which planting/landscaping is proposed in order to mitigate adverse effects of building/s (including artificial crop protection structures), and earthworks; and whether trees are planted to follow the contour line rather than vertical lines.</p> <p>f. The extent to which commercial forestry and woodlot planting is shaped to the lie of the land not to property boundaries, and avoids harsh geometric shapes, and whether cosmetic edge planting around commercial forests integrates with the surrounding indigenous vegetation.</p> <p>g. The extent to which the effects of glazing detract from the values of the identified landscape, or the viewshaft.</p> <p>h. The extent to which any harvesting is undertaken in a manner that does not result in significant adverse effects on landscape values.</p> <p>i. The nature and extent of any effects on the relationship of tāngata whenua with their ancestral lands, water sites, wāhi tapu, and other taonga.</p>
21.1.25.15	Earthworks and recontouring	<p>a. The extent to which the scale and location of earthworks associated with roads, vehicular access tracks, and building sites, or recontouring detracts from the values and character of the landscape.</p> <p>b. The extent to which the cut and fill has been minimised and the final contours can be re-vegetated.</p> <p>c. The extent to which there is visual screening of the face of cuts and fills including those associated with farm access tracks as seen from public places and roads.</p> <p>d. The extent to which earthworks maintain the existing landform profile and align to the contour.</p> <p>e. The extent to which the location of the driveway or farm access tracks is aligned to the shallowest point of the contour to reduce the need for large amounts of cut and fill to provide a terrace for the driveway or farm track.</p>
21.1.25.16	Mineral and aggregate extraction, and mineral prospecting	<p>a. The extent to which the scale and location of the activity, associated roads, vehicular access tracks, buildings and recontouring detracts from the values and character of the landscape.</p> <p>b. The extent to which the cut and fill has been minimised and the final contours can be re-vegetated.</p> <p>c. The extent to which there is visual screening of the face of cuts and fills as seen from public places and roads.</p> <p>d. The extent to which the activity maintains the existing landform profile and aligns to the contour.</p>

Draft Plan Change 25 – Proposed Changes to the Waipā District Plan

Section 25: Landscapes and Viewshafts

July 2024

Note the changes presented as follows are in draft form, have no legal effect, and may be subject to change

Section 25 - Landscapes and Viewshafts

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 Te Ture Whaimana o Te Awa o Waikato — 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 shelterbelts~~, artificial ~~screening crop protection structures~~; 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

Artificial crop protection structures for screens and shelter belts shelterbelts

- 25.2.12

Support

Artificial crop protection structures, and associated screens and shelter belts shelterbelts 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 crop protection structures 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

- 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 farming/rural 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 (including artificial crop protection structures), 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 (including artificial crop protection structures), 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 (including artificial crop protection structures), 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 (including artificial crop protection structures), 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 (including artificial crop protection structures), 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 (including artificial crop protection structures), 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 screenscrop protection structures, and shelter belts shelterbelts 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 screenscrop protection structures, 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

- 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 Rangiaowhia 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. Taumatawiiwi 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 (including artificial crop protection structures), 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, Rangiaowhia, Ōrakau, Pukekura, Waiari and the Hingakākā battle

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, artificial crop protection structures and structures for artificial screening shelterbelts in natural landscapes and viewshafts

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

Policy - Shelter belts, Artificial Crop Protection Structures and artificial screens Shelterbelts locating in viewshafts

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

Policy - Artificial screens, crop protection structures in natural landscapes and viewshafts

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

Policy - ~~Shelter belts~~ Shelterbelts in natural landscapes and viewshafts

25.3.10.3 ~~Shelter belts~~ Shelterbelts 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 Heritage provisions 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.				
Buildings						

	<ul style="list-style-type: none"> ■ Dwelling height, scale, colour, materials and reflectivity; and ■ Scale and location of any retaining walls or fencing; and ■ Vegetation retention; and ■ Mitigation and/or enhancement planting. <p>Assessment of restricted discretionary activities shall be restricted to the following matters:</p> <ul style="list-style-type: none"> ■ The matters listed above for a controlled activity; and ■ Consideration of the guidelines in Appendix DG7. <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 compliance with Rules 25.4.2.2 to 25.4.2.4 (colour of buildings and the glazing of structures).	P	P	P	P	P
Artificial Screens						
Crop Protection Structures						
h.	Artificial screens and ancillary structures <u>Crop Protection Structures.</u>	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"> ■ Location; and ■ Height; and ■ Integration with landscape; and ■ Colour; and ■ Materials. <p>These matters will be considered in accordance with the assessment criteria in Section 21.</p>					
Shelterbelts						
i.	Shelterbelts	P	P	P	P	RD Within 400m of a public road
						P

a.	<p>Controlled activity in all zones:</p> <ul style="list-style-type: none"> i. Earthworks; or ii. Construction of new buildings; or iii. The installation of wastewater treatment systems. <p>For the purposes of this rule, earthworks includes any filling and cutting deeper than 1m below the soil surface and/or greater than 500m³, 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"> ■ Location; and ■ Cultural values. <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 (except Artificial Crop Protection Structures) within natural landscapes and viewshafts identified on the Planning Maps, the whole of the walls and facade 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 (except of an artificial crop protection structure) 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 - Colours for cloth materials associated with artificial crop protection structures

25.4.2.3A The colour of the horticultural cloth material used on the vertical sides or the horizontal canopy of artificial crop protection structures within the natural landscapes and viewshafts identified on the Planning Maps, shall be:

- a. Dark green or black on all vertical sides; and
- b. Dark green or black or white cloth material shall be used horizontally.

Activities which fail to comply with this rule will be require 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

- 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 and artificial crop protection structures in natural landscapes

- 25.4.2.11 Shelterbelts and artificial crop protection structures 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 public views; and
 - Species; and
 - Mature height.

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

Advice Note: Refer also to Rule 4.4.2.58 — Tree planting.

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.