

11. Landscape and Visual Amenity

11.1 Introduction

The Kaikoura District is made up of a series of landscapes. Descending from alpine ranges and limestone hill country, to lowland floodplains, sweeping beaches, rugged rocky cliffs and limestone bluffs, the Kaikoura District reflects the geological processes of ongoing fault action. These processes have created dramatic landscapes of contrast where hard rock uplifts cut through soft limestone and where rocky cliffs drop steeply to the ocean waters of the Hikurangi Trench.

It is the diversity of Kaikoura's indigenous, natural, cultural, working and built environment which gives it and its inhabitants their identity. The Kaikoura Ranges are a spectacular alpine backdrop to the District whether travelling north or south along the state highway, flying overhead on the regular air routes or tourist flights, or looking back from the coast and the sea. The absence of built form and development in the rural areas accentuates the scale of the landscape. Such dramatic visual contrast between mountains and the sea is the main visual perception which visitors identify as "Kaikoura".

Visual amenity values are part of the experience of Kaikoura. "Amenity" is difficult to define, but in simple terms can be described as "those values which create the appeal of a particular place". In the case of the Kaikoura township, visual amenity values are made up of a mix of building design and colours set against a coastal backdrop. The colours generally relate well to the natural environment. In the rural areas, visual amenity values are made up of open space, a "big" landscape, natural colours and absence of built form.

The Resource Management Act requires the Council to "recognise" and "provide for" the protection of outstanding natural features and landscapes from inappropriate subdivision, use and development. Landscapes can also have an interrelationship with the other matters to be provided for under section 6 of the RMA, specifically; section 6(a) - "...preservation of the natural character of the coastal environment...wetlands, and lands and rivers..."; section 6(c) - "...protection of areas of significant indigenous vegetation and significant habitats of indigenous fauna..."; section 6(d) - "...maintenance and enhancement of public access to and along the coastal marine area, lakes and rivers..."; and section 6(e) - "...the relationship of Maori and their culture and traditions with their ancestral lands, water, sites, waahi tapu and other taonga". In addition, Section 7(c) of the Resource Management Act 1991 requires Council to have particular regard to the maintenance and enhancement of amenity values.

Recognising and providing for the protection of landscapes is a complex task, given these interrelationships, the dynamic, ever-changing nature of landscape and the diverse and integrated range of individual components which make up a landscape. In addition, people's perceptions of a particular landscape vary widely depending on their culture, their life experience and even what mood they are in at the time. Nevertheless, to fulfil its statutory obligations, the Council commissioned a landscape architecture company to undertake a detailed landscape study of the District in 1999. This study formed part of the District Plan process.

The study firstly identified dominant landscape character areas, based on the underlying landforms and land cover. The study methods included an aerial survey, ground surveys, information provided by various agencies, assessment of existing reserves and maps and archival information. These character areas were identified as follows:

- Oaro Hills (incorporating the coastal strip from Haumuri Bluffs to Peketa)
- Kaikoura Lowlands (incorporating the Peninsula)

- Seaward Kaikoura Range
- Inland Clarence Valley
- Inland Kaikoura Range
- Rakautara (incorporating the Blue Duck Valley, Puhi Puhi Valley, Mt Alexander and the coastal strip between Mangamaunu and Okiwi Bay)
- Clarence (incorporating the Clarence River delta, lower Clarence valley and the coastal strip north to the District boundary at Tirohanga)
- Kekerengu Valley

These character areas provide a largely objective basis for carrying out landscape evaluations.

The landscape study then looked at the following values for each of the character areas:

- **aesthetic values** - aesthetics involve the beauty of a particular place(s), or the presence of exceptional views, which clearly modify people's awareness and appreciation
- **visibility** - how visible a feature or area is from important viewpoints
- **natural science values** - these include the contribution of geomorphological and biological characteristics of the landscape
- **heritage values** - the meaning imparted to a place by its history
- **popular, shared and recognised values** - these are usually associated with the popularity of a place for its recreation or tourist value, or as a source of inspiration to writers and artists
- **tangata whenua values** - while many Maori share the above values, the landscape also has special spiritual significance and meaning to the tangata whenua, reflecting their long association with the lands and waters of the District.

In addition to these values, the District Council sought feedback from the community in the form of a questionnaire in the local paper. The result is that the District has been separated into three distinct landscape categories. These are:

1. Outstanding Landscape Areas

A feature or place which has exceptional qualities for more than one of the values as assessed at a District level. These natural features and landscapes meet the necessary qualities to be identified as Outstanding Landscape Areas under section 6(b) of the Act.

2. Significant Landscape Areas

A number of very special landscapes were identified within the District which are significant to the local community but which do not meet the stringent quality standards of the outstanding natural features and landscapes. These are often working landscapes, which while retaining many natural characteristics, have been substantially modified through farming and other landuses. These landscapes are considered to have high amenity values which should be maintained or enhanced under section 7(c) of the Act. These are the Significant Landscape Areas, described as features or places important in a District, or regional context, but which are not exceptional.

3. Remaining areas

The remaining areas have been identified as not having the landscape values of outstanding and significant areas. Remaining areas may still nonetheless contain some local landscape values.

The Outstanding Landscape Areas and Significant Landscape Areas have been identified on the planning maps. The Council recognises that the boundaries of the landscape areas may need to be refined, through consultation, during the life of the Plan.

The Landscape Study was then released in draft form for consultation with representative affected parties. The Council sought and obtained feedback on the Draft Study from interest group representatives, representative landowners and Te Runanga o Kaikoura. The feedback obtained from this consultation has enabled identification of the following issues, objectives, policies and assisted in the formulation of the subsequent rules. Note that vegetation clearance in landscape areas is controlled through the indigenous forest and indigenous vegetation clearance rules in the Rural Section of the plan.

11.2 Issue 1 - Landscape Values

Effects of inappropriate use and development on areas identified as having outstanding or significant landscape values.

11.2.1 Objective 1

To protect areas of Outstanding Landscape Values from inappropriate subdivision, use and development.

Objective 2

To maintain and enhance areas having significant landscape values.

Objective 3

To support and encourage the consideration of landscape qualities when landuse activities are undertaken.

11.2.2 Policies

1. To promote the protection, and where practicable the enhancement, of the landscape and visual amenity values of areas that have been identified as having outstanding landscapes or natural features.
2. To ensure that activities such as earthworks, vegetation clearance, tree planting and the establishment of buildings, utilities or structures do not adversely affect the values of outstanding natural features and landscapes.
3. To promote the maintenance, and where practicable the enhancement, of the landscape and visual amenity values of areas that have been identified as having significant landscape values.
4. To recognise that much of the area identified as Significant Landscape Areas is a working rural environment and that controls required to maintain and enhance landscape values, such as visual amenity values, should be balanced with the need to allow farming activities to continue.
5. To adopt an integrated approach with neighbouring Districts in respect of the protection, maintenance and enhancement of landscape values.
6. To recognise, and where practicable, to maintain and enhance the individual characteristics and qualities of landscape character areas, including land types, geology and vegetation.
7. To encourage landowners to adhere to the "Landscape Guidelines" in appendix F.

11.2.3 Implementation Methods

1. To achieve Policies 1 and 2 through a mix of non-regulatory and regulatory methods as follows:
 - a. identification of areas of outstanding natural features and outstanding landscape values
 - b. negotiation of individual management agreements and property plans with landowners
 - c. provision of rates relief where landscape protection is formalised by way of covenant or any other similar method of protection
 - d. the waiver of consent fees, if appropriate, where activities contribute to the protection of landscape areas and features
 - e. assistance and advice to landowners of land within outstanding landscape areas through provision of education and interpretive material
 - f. promotion of good design practice through the use of design guidelines
 - g. provision of rules to control earthworks, vegetation clearance, commercial forestry and the establishment of buildings, utilities or structures in the outstanding landscape areas
 - h. use of consent conditions through the resource consent process to avoid or mitigate the effects or activities that may have adverse effects on outstanding landscape values.
 - i. The Council will promote good planting and maintenance practices among land owners, working with key organisations to advocate wilding prevention, such as disseminating information like “Guidelines for minimising the risk of unwanted wilding spread from new plantings of introduced conifers” by NJ Ledgard and ER Langer.
2. To achieve Policies 3 to 5 through a mix of non-regulatory and regulatory methods as follows:
 - a. identification of areas with significant landscape qualities that are not outstanding
 - b. negotiation of individual management agreements and property plans with landowners
 - c. provision of rates relief where landscape protection is formalised by way of covenant or any other similar method of protection
 - d. the waiver of consent fees, if appropriate, where activities contribute to the protection of landscape areas and features
 - e. assistance and advice to landowners of land within significant landscape areas through provision of education and interpretive material
 - f. promotion of good design practice through the use of design guidelines
 - g. provision of rules to control earthworks, vegetation clearance, commercial forestry and the establishment of buildings, utilities or structures in the significant landscape areas
 - h. use of consent conditions through the resource consent process to avoid or mitigate the effects or activities that may have adverse effects on significant landscape values.
3. To achieve policies 6 and 7 through
 - a. The description of landscape character areas throughout the District
 - b. assistance and advice to landowners through the provision of education and interpretive material.
 - c. The promotion of good design practice through the use of design guidelines.

- d. use of consent conditions through the resource consent process to mitigate the effects of activities.

Within the Kaikoura Peninsula Tourism Zone, to achieve all policies through:

- 4. The use of an Outline Development Plan and associated rules to control the location, scale and nature of buildings, main roading and car parking within the zone.

Explanation and Reasons

The Landscape Areas have been identified as having a range of values including those that are outstanding and others that are less exceptional but that are highly valued by the community. Virtually all parts of the District's landscapes are identified by the community as special for one or more reasons. Earthworks, vegetation clearance, forestry and the establishment of buildings, utilities or structures are activities which have the potential to adversely affect the landscape values of these areas. Consequently, these activities are controlled by provisions in the District Plan which enable the Council to fully consider the effects of any development proposals on landscape values. Note that vegetation clearance in the landscape areas is controlled through the indigenous forest and indigenous vegetation clearance rules (22.8.11 & 22.8.12) in the Rural Section of the plan.

The provisions in this section of the Plan are adequate to ensure that outstanding natural features and outstanding landscapes receive protection from adverse effects while allowing landuses to continue where appropriate. The Council recognises that it is inappropriate to restrict normal farming activities in rural areas, especially where land is already modified. As such, landscape provisions have been drafted for the Significant Landscape Areas that will allow farming activities and a range of land uses to continue while ensuring that landscape values are maintained and enhanced. Remaining landscapes without any status are not without values. The Council is keen to encourage awareness of the characteristics and qualities of these areas also.

In the Kaikoura Peninsula Tourism Zone effects on the landscapes of the peninsula are avoided or mitigated by an Outline Development Plan and the zone and district-wide rules. In depth investigations have been conducted to determine site specific physical, cultural and historic constraints within the zone. The outstanding and significant landscapes of the Peninsula as identified in the 1999 Landscape Study formed an integral part in the identification of those constraints. The plan provisions were subsequently drafted by using those constraints as a baseline.

11.3 Issue 2 - Landscape Attraction for Visitors

The importance of landscape values to the District's tourism industry.

11.3.1 Objective 4

To protect areas of Outstanding Landscape Values as an inherent attraction for visitors to the District.

Objective 5

To maintain and enhance the landscape values of Significant Landscape Areas where these provide the foreground for, or are integrated with, the District's Outstanding Landscape Areas.

11.3.2 Policies

1. To recognise the contribution that the natural landscape makes to attracting visitors to the District as a spectacular and dramatic backdrop to tourist activities.
2. To avoid adverse effects on the landscape values which may detract from visitor's perception of the landscape as a natural attraction.
3. To recognise and encourage opportunities for maintaining and enhancing landscape qualities through diversification of farming and tourism activities, landscape planting and revegetation.

11.3.3 Implementation Methods

To achieve policies 1-3 through:

1. Recognition of unique landscape qualities and the integration of landscape values with other values in the Tourism Management Strategy.
2. Recognition of the tourism value of the District's landscapes in the Tourism management Strategy.
3. as for 11.2.3.

Explanation and Reasons

Activities which affect landscape values will also affect the visual experience for visitors. Given the economic significance of Tourism to the District, it is important to protect the landscape from effects of any activity which detracts from visual experience. This is particularly important since popular visitor activities involve viewing the landscape from the sea, or from the air, as well as the land.

11.4 Issue 3 - Geological Uniqueness

Kaikoura's unique geology dominates the form of the landscape and is vulnerable to adverse effects from land use activities.

11.4.1 Objective 6

To protect the geological uniqueness of the Outstanding and Significant Landscape Areas from inappropriate use and development.

11.4.2 Policies

1. To recognise that the close proximity of the Seaward Kaikoura range to the coast is a unique geological feature.
2. To recognise that the geological relationship between the submarine coastal environment, in particular the Kaikoura Canyon, and Seaward Kaikoura range is internationally unique.
3. To recognise the relationship between the underlying geology of the district and the dominant landscape features.
4. To avoid inappropriate development of the Outstanding and Significant landscape areas which may adversely affect the underlying geology or the experience of that geology.

11.4.3 Implementation Methods

To achieve policies 1-3 through:

1. Recognition of unique geological formation of the District and coast in the Tourism Management Strategy.
2. as for 11.2.3.

Explanation and Reasons

The geological sequence of 2608 metre high mountains (Mt Manakau) descending to a 3000 metre deep submarine canyon is rare on a world scale. The importance of this sequence is reflected in the close proximity of the mountains to the sea, and by the fact that the submarine canyon is a “living” ecosystem supporting little known deep-water species.

The folded limestone rock outcrops are also a unique feature of the Kaikoura landscape. Many of these outcrops, particularly around Haumuri Bluffs, harbour important fossils.

Geology underlies what people see on the surface of the land. The Kaikoura mountains are the consequence of New Zealand’s most recent mountain-building periods. Protection of the geological makeup is therefore important to the protection of the landscape and the landscape experience.

11.5 Issue 4 - Visual Amenity Values

The District has visual amenity values which complement the natural surroundings and which retain a sense of identity.

11.5.1 Objective 7

To retain the visual amenity values of the District.

11.5.2 Policies

1. To avoid built form which detracts from the visual amenity of the District.
2. To control the effects of activities in order to maintain and enhance the visual amenity values of the Kaikoura District.

11.5.3 Implementation Methods

To achieve policies 1-3 through:

1. To include a colour chart in the Plan to provide a guide to the range of colours considered appropriate to the District.
2. Rules in the Plan to control effects of activities on visual amenity values.
3. as for 11.2.3.

Explanation and Reasons

“Amenity” generally means people’s appreciation of a particular place. In the context of this part of the Plan, it is the visual aspect of an activity or area (design, colour and scale), which make up the area’s “amenity”.

The Kaikoura rural areas, settlement areas, business areas and residential areas all have visual amenity values which contribute to a distinctive coastal rural amenity which locals and visitors come to know as “Kaikoura”. It is important to retain and enhance these values by avoiding development which adversely detracts from the visual amenity of Kaikoura.

11.6 Anticipated Environmental Results

1. Avoidance of adverse effects on the District's landscapes.
2. Retention of existing landscape values.
3. Retention and enhancement of the existing landscape as a visitor attraction.
4. Recognition and protection of the geological uniqueness of parts of the District.
5. Greater awareness of the importance of landscape values and unique geology to the District.
6. Avoidance of adverse effects on the visual amenity values of the District.

Landscape and Visual Amenity - Rules

11.7 Landscape Areas - General

1. The following rules apply to all activities in the Outstanding and Significant Landscape Areas as identified on the Planning Maps, except in the Kaikoura Peninsula Tourism Zone where the rules in this section shall only apply to the following activities:
 - Utilities;
2. Duplication of Consents. Where any activity requires a resource consent under the following rules and a resource consent has been obtained from the Canterbury Regional Council for the same activity, then the rules specified below shall not apply to that activity:
 - 11.7.1(1)(a) Earthworks
 - 11.7.2(2)(a) Earthworks

Note: Appendix F contains landscape guidelines. While these are guidelines only, the Council encourages landowners to adhere to the District Plan guidelines. In addition, the Ministry of Forestry publishes landscaping guidelines for forestry, such as the "South Island High Country Forestry Design". The Council encourages the use of such documents.

11.7.1 Outstanding Landscape Areas

1. Restricted Discretionary Activities

The following activities are Restricted Discretionary Activities in the Outstanding Landscape Areas:

- a. Earthworks exceeding cumulatively 1000m² in any 5 hectare area in any three year period, except for the maintenance of existing tracks, fence lines, drains, dams and ponds. Council's discretion in respect of this rule is restricted to:
 - effects on landscape values
 - visual prominence
- b. Buildings exceeding 4m in height and/or 15m² in area. This standard does not apply in Settlement Zones. Council's discretion in respect of this rule is limited to:
 - colour
 - scale
 - location
 - height
 - building materials
 - landscaping
- c. Any activity listed in rule 10.5.1 (permitted utilities) which is both:
 - i. located within 5km of a Strategic Arterial Road (State Highway 1 and the Inland Road) or within 5km of the Kaikoura District Council Water Reservoir (Maui Street – Designation D45), and

- ii. which is visible from any part of the Strategic Arterial Road or the Kaikoura District Council Water Reservoir except that this rule does not apply to the following utilities:
 - Any utility located in the Building Platform Location Areas of the Kaikoura Peninsula Tourism Zone, shown on the Outline Development Plan in Appendix O;
 - Any utility building provided that it does not exceed a gross floor area of 15m² and/or a height of 4m.

Or

- iii. Any new utilities as listed in 10.5.1(d) greater than 12m in height which are located outside of the requirements of i) and ii) above and not lawfully established prior to 1 May 2006.

Except that rule 11.7.1.1(c) does not apply to utilities under 10.5.1(d) if lawfully established prior to 1 May 2006. In which case the Rural (non-Landscape Areas) rules in Table 10.6.1 apply.

Council's discretion in respect of this rule is limited to:

- location
- effects on landscape values
- visual prominence
- colour

2. Unrestricted Discretionary Activities

Commercial Forestry and associated earthworks are unrestricted discretionary activities in Outstanding Landscape Areas.

11.7.2 Significant Landscape Areas

1. Controlled Activities

The following activities are Controlled Activities in the Significant Landscape Areas:

- a. Any activity listed in rule 10.5.1 (permitted utilities), which is both:
 - i. located within 5km of a Strategic Arterial Road (State Highway 1 and the Inland Road), and
 - ii. which is visible from any part of the Strategic Arterial Road
 - except that this rule does not apply to the following utilities:
 - Any utility located in the Building Platform Location Areas of the Kaikoura Peninsula Tourism Zone, shown on the Outline Development Plan in Appendix O;
 - Any utility building provided that it does not exceed a gross floor area of 15m² and/or a height of 4m.

Council's control in respect of this rule is limited to:

- colour
- scale
- location
- landscaping

- b. Buildings located within 5km of a Strategic Arterial Road (State Highway 1 and the Inland Road) exceeding 4m in height and/or 15m², and which are visible from any part of a Strategic Arterial Road. This standard does not apply to the Settlement Zones. Council's control in respect of this rule is limited to:

- colour
- scale
- location
- landscaping

2. Restricted Discretionary Activities

The following activities are Restricted Discretionary Activities in the Significant Landscape Areas:

- a. Earthworks exceeding cumulatively 2500m² in any 5 hectare area in any three year period, except for the maintenance of existing tracks, fence lines, drains, dams and ponds and except for earthworks for foot tracks provided that such tracks are no wider than 1.5m. Council's discretion in respect of this rule is restricted to:

- effects on landscape values
- visual effects

- b. Commercial forestry where any part of the forestry activity is visible against the skyline, when viewed from a Strategic Arterial Road (State Highway 1 and the Inland Road), or from the Kaikoura Peninsula water reservoir. Council's discretion in respect of this rule is restricted to the following:

- effects of the plantation on landscape values and visual effects
- future potential visual effects including harvesting.

- c. New utilities listed in 10.5.1(d) greater than 12m in height which are located outside of the requirements of 11.7.2.1(a) i) and ii) above and not lawfully established prior to 1 May 2006. Council's discretion in respect of this rule is limited to:

- Location
- Effects on landscape values
- Visual prominence
- Colour

Except that rule 11.7.2.2.c does not apply to utilities under 10.5.1.d if lawfully established prior to 1 May 2006. In which case the Rural (Non-landscape Areas) Rules in Table 10.6.1 apply.

11.8 Visual Amenity

There are no rules applying to activities in zones relating to visual amenities, however, the Council encourages the use of the guidelines in Appendix F.

11.8.1 General Rules

Attention is drawn to the following rules which may apply to activities undertaken in the landscape areas. Resource Consent may be required as a result of any one or more of these rules.

Natural Hazards	refer to Section 8
Hazardous Substances	refer to Section 9
Utilities	refer to Section 10
Transport	refer to Section 12
Subdivision	refer to Section 13
Financial Contributions	refer to Section 14
Heritage	refer to Section 15
Relocated Buildings, Temporary Buildings and Temporary Activities	refer to Section 17
Residential Zones	refer to Section 18
Settlement Zones	refer to Section 19
Marine Facilities Zone	refer to Section 20
Rural Zone	refer to Section 22
Kaikoura Peninsula Tourism Zone	refer to Section 23