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Hastings District Council

Land Use Consent Application
Craggy Range Walking Track Removal
Waimarama Road, Havelock North

14 January 2019



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Craggy Range Walking Track Removal
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14 January 2019**



Prepared by: Janeen Kydd-Smith
Principal Planner

Date: 14 January 2019
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Status: Final



Reviewed by: Rowena Macdonald
Principal Planner

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Table of Contents

Form 9 Application for Resource Consent	ii
Executive Summary.....	iv
1 Introduction	1
2 Section 88 and Schedule 4 to the RMA Requirements	1
3 Description of Site and Location	2
4 Description of the Proposal	4
5 Status of the Activity.....	7
5.1 National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health (NES)	7
5.2 Hawke’s Bay Regional Resource Management Plan (section 104(1)(b)(v) RMA)	7
5.3 Other Documents (section 104(1)(b) RMA).....	8
5.4 Proposed Hastings District Plan (“Proposed Plan”) (section 104(1)(b)(vi))	8
5.5 Conclusion as to Activity Status.....	12
6 Statutory Criteria	12
7 Assessment of Environmental Effects	12
7.1 Land Disturbance and Vegetation Clearance Effects.....	14
7.2 Visual Impact	15
7.3 Effects on Other Land Uses and Adjoining Properties.....	16
7.4 Noise	16
7.5 Effects on Specific District Wide Activities and Locations	16
7.6 Earthworks within Outstanding Natural Landscapes (ONFL).....	16
7.7 Cultural Impacts	17
7.8 Conclusions	17
8 Consultation.....	17
9 Relevant Objectives and Policies.....	18
9.1 Section 17.1 Natural Features and Landscapes.....	18
9.2 Section 27.1 Earthworks, Mineral, Aggregate and Hydrocarbon Extraction	19
10 Part 2 RMA.....	21
10.1 Section 5 – Purpose.....	21
10.2 Section 6 – Matters of National Importance.....	21
10.3 Section 7 – Other Matters.....	21
10.4 Section 8 – Treaty of Waitangi	22
10.5 Conclusions	22
11 Summary and Conclusions	22

12 Notification 23

APPENDIX A - Technical Specifications

APPENDIX B - Landscape and Visual Effects Report

APPENDIX C - Archaeological Assessment

Form 9

Application for Resource Consent

Section 88, Resource Management Act 1991

To: Hastings District Council

1 I, Hastings District Council, apply for the following type(s) of resource consent:
Land Use Consent

1A *Not applicable*

2 The activity to which the application relates (the **proposed activity**) is as follows:
Land use consent for a Restricted Discretionary Activity (under Rule EM6 of the Proposed Hastings District Plan) for earthworks associated with removal of a remaining section of the Te Mata Peak track (commonly known as the 'Craggy Range Walking Track') that does not comply with General Performance Standard 27.1.6A Extent of Earthworks within ONFL1 and General Performance Standard 27.1.6C Slope.

3 The sites at which the proposed activity is to occur is as follows:
Waimarama Road, Havelock North, being Lot 3 DP 316592 and Lot 3 DP 408476 (CFR: 459184).

4 The full name and address of each owner or occupier (other than the applicant) of the site to which the application relates are as follows:

Owner	Occupier
<p>Name(s): Jeffrey John Drabble & Felicity Caroline Dobell-Brown Address: 213 Waimarama Road, Havelock North 4294</p>	<p>Name: Craggy Range Vineyards Limited (being the consent holder for construction of the Craggy Range Walking Track) Address: 253 Waimarama Road, Havelock North 4294</p>

5 There are no other activities that are part of the proposal to which this application relates.

6 No additional resource consents are needed for the proposal to which this application relates.

7 I attach an assessment of the proposed activity's effect on the environment that –

- (a) includes the information required by clause 6 of Schedule 4 of the Resource Management Act 1991; and
- (b) addresses the matters specified in clause 7 of Schedule 4 of the Resource Management 1991;
- (c) includes such detail as corresponds with the scale and significance of the effects that the activity may have on the environment.

8 I attach an assessment of the proposed activity against the matters set out in Part 2 of the Resource Management Act 1991.

9 I attach an assessment of the proposed activity against any relevant provisions of a document referred to in section 104(1)(b) of the Resource Management Act 1991, including the information required by clause 2(2) of Schedule 4 of that Act.

10 *Not applicable*

11 *Not applicable*

12 *Not applicable*

13 *Not applicable*

14 I attach the following further information required to be included in this application by the district plan, the regional plan, the Resource Management Act 1991, or any regulations made under that Act:

- *“Hastings District Council: Land Use Consent Application – Te Mata Peak Track Removal, Waimarama Road, Havelock North”, prepared by Sage Planning HB Limited, dated January 2019.*

Janeen Kydd-Smith, Director, Sage Planning HB Limited

(person authorised to sign on behalf of applicant)

Date: 14 January 2019

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EXECUTIVE SUMMARY

Hastings District Council (“The Applicant”) seeks resource consent for earthworks to remove a section of a private walking track (commonly known as the ‘Craggy Range Walking Track’) on a site located at Waimarama Road, Havelock North, on the eastern face of Te Mata Peak.

Resource consent to construct the track was granted by Hastings District Council (‘the Council’) on 16 October 2017 (RMA20170324) and most of the work to construct the track was completed in 2017. However, following complaints from iwi and the wider public about the appropriateness of the track and associated works, construction was put on hold and was not completed. The track was never formally opened for public use.

A separate retrospective resource consent was lodged by the Applicant in December 2018 for earthworks to remove the top portion of the walking track (a length of 495 metres) which were undertaken as Emergency Works pursuant to section 330 of the Resource Management Act 1991 (“RMA”). That application is currently being processed by the Council.

The Applicant is seeking a Restricted Discretionary resource consent from the Council under Rule EM6 of the Proposed Hastings District Plan, as the activity will not comply with General Performance Standard 27.1.6A in relation to the proposed volume of earthworks within ONFL1 which will exceed 200m³, and General Performance Standard 27.1.6C which restricts earthworks to slopes less than 45 degrees above horizontal.

This resource consent application is prepared in accordance with the requirements of Section 88 and the Fourth Schedule of the Resource Management Act 1991 (RMA), and it is intended to provide the information necessary to fully understand the proposal and any actual or potential effects that the proposed activity may have on the environment.

Adverse effects will be avoided or mitigated by:

- Compliance with the Technical Specifications (set out in Appendix A of this report), including the following:
 - Sediment and erosion control measures;
 - Restoration of the natural landform contours;
 - Archaeological Discovery Protocol; and
 - Revegetation.
- Short construction period (approximately one month).
- Excluding stock from the remediated track for at least 12 months.
- Controlling weeds (e.g. through spraying) and hydroseeding the remediated track if necessary, to ensure the successful establishment of pasture grass.

An Assessment of Environmental Effects has been undertaken which concludes that with the mitigation as proposed, any actual and potential adverse environmental effects of the proposed earthworks will be no more than minor in the short-term, and less than minor in the longer term.

The temporary effects of the track will have a moderate adverse visual effect, largely associated with the installation of coconut matting. Recognising that the matting will biodegrade at about 6 months and a full grass cover established in 12 months, the temporary effects will be recognised as part of a removal/remediation action, rather than a permanent visual effect. Over the first 12 months the visibility of the works will diminish and integrate with the surrounding grass cover. It is expected that the medium (12 month plus) and long term (5 years plus) will generate a positive landscape and visual effect, particularly when compared to the track's earlier condition, pre-removal.

The Applicant has met with Te Taiwhenua o Heretaunga representatives, who have made it clear that the Craggy Range Track is culturally offensive and that they would like the whole track removed and the natural landform reinstated.

The proposed activity is consistent with the purpose and principles of the RMA.

Given the above, consent can be granted to the proposal pursuant to section 104C(2) of the RMA, subject to the imposition of suggested conditions (set out in Section 4 of this report).

Given considerable tangata whenua and public interest in the construction and removal of the Craggy Range Track, the Applicant requests that this application be publicly notified pursuant to section 95A(2)(a) of the RMA.

The Applicant also considers that it would be appropriate for the Council to engage an Independent Commissioner to chair the hearings panel, and for a second Independent Commissioner to be appointed to the panel who has appropriate expertise to consider cultural matters arising as part of this application. The Applicant requests that the Council consult with tangata whenua as to appropriate persons to consider for the second Independent Commissioner role.

1 Introduction

Resource consent to construct a private walking track (commonly known as the ‘Craggy Range Walking Track’) on a site located at Waimarama Road, Havelock North, on the eastern face of Te Mata Peak was granted by Hastings District Council on 16 October 2017 (RMA20170324). Most of the work to construct the track was completed in 2017, however, following complaints from tangata whenua and the wider public about the appropriateness of the track and associated works, construction was put on hold and was not completed. The track was never formally opened for public use.

‘Emergency Works’ pursuant to section 330 of the Resource Management Act (“RMA”) were undertaken late October 2018/Early November 2018 to remove the upper portion of the walking track (a length of 495 metres) for health and safety reasons, and to restore the natural landform and contours to those existing prior to construction of the track. A resource consent was lodged by Hastings District Council in December 2018 (retrospectively) for these works, and is currently being processed.

Hastings District Council (“The Applicant”) is now seeking resource consent for earthworks to remove the remaining section of the walking track. A Restricted Discretionary resource consent is required under Rule EM6 of the Proposed Hastings District Plan as the activity will not comply with General Performance Standard 27.1.6A in relation to the proposed volume of earthworks within ONFL1 which will exceed 200m³, and General Performance Standard 27.1.6C which restricts earthworks to slopes less than 45 degrees above horizontal.

This resource consent application is prepared in accordance with the requirements of Section 88 and the Fourth Schedule of the Resource Management Act 1991 (RMA), and it is intended to provide the information necessary to fully understand the proposal and any actual or potential effects that the proposed activity may have on the environment.

Specifically, this document:

- Describes the site and location;
- Provides a description of the proposal;
- Identifies the status of the proposal under the Resource Management Act 1991 (“RMA”) as determined by the provisions of the relevant statutory instrument(s);
- Sets out the relevant statutory criteria for assessing the application;
- Assesses any relevant actual and/or potential environmental effects associated with the proposal;
- Assesses the proposal against Part 2 of the RMA;
- Provides a summary and conclusions; and
- Requests that the application be publicly notified pursuant to section 95A(2)(a) of the RMA.

2 Section 88 and Schedule 4 to the RMA Requirements

Section 88 and Schedule 4 to the RMA outline the requirements for resource consent applications. Both Section 88 and Clause 2(3)(c) of Schedule 4 require that an application provide an assessment of effects on the environment ‘in such detail as corresponds with the scale and significance of the effects that the activity may have on the environment’.

An assessment of effects of the activity on the environment (covering Clause 6(1)(b) and Clause 6(2)) is provided in Sections 7 and 9 of this report.

Identification of any persons affected by the proposal, any consultation undertaken, and any response to the views of those consulted (Clause 6(f)) is addressed in Sections 7 and 8 of this report.

Other relevant Clause 6 matters are addressed, as follows:

- The activity does not involve any significant adverse effects on the environment, therefore a description of any possible alternative locations or methods for undertaking the activity pursuant to Clause 6(a) is not provided.
- The activity does not involve the use of hazardous substances and installations, therefore an assessment of any risks to the environment from such use pursuant to Clause 6(c) is not provided.
- The activity does not involve the discharge of any contaminant, therefore a description of the nature of any discharge and possible alternative methods pursuant to Clause 6(d) is not provided.
- A description of the proposed mitigation measures to help prevent or reduce the actual or potential effects of the proposal is provided in Section 4 and Section 7 of this report pursuant to clause 6(e).
- The scale and significance of the activity's effects are such that monitoring beyond the Council's routine consent monitoring programme is not considered necessary (Clause 6(g)).

The activity does not have any effects on the exercise of a protected customary right (Clause 6(h)) as defined in the RMA. Therefore, a description of possible alternative locations or methods for the exercise of the activity is not provided.

3 Description of Site and Location

The existing walking track is located adjacent to the southern boundary of the site and on the eastern face of Te Mata Peak (refer Figure 1 and Figure 2).

The subject property has a total area of 51.93 hectares.

The property is located on the western side of Waimarama Road and rises in elevation/increasing steepness (by about 260 metres) from Waimarama Road to the rocky outcrops that form the Te Mata Peak ridge, which generally defines the western boundary of the property. The property is predominantly in pasture, with some trees located close to Waimarama Road.

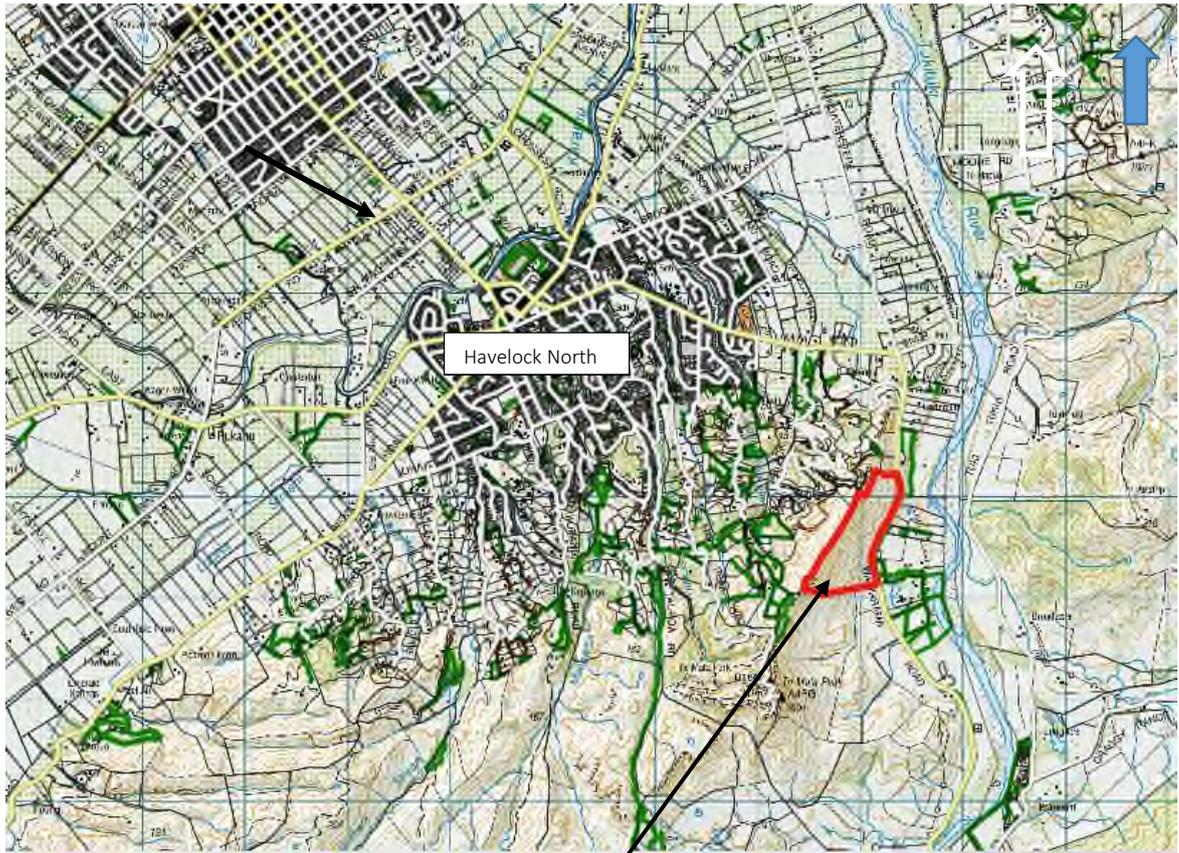


Figure 1: Location of subject property (outlined in red)

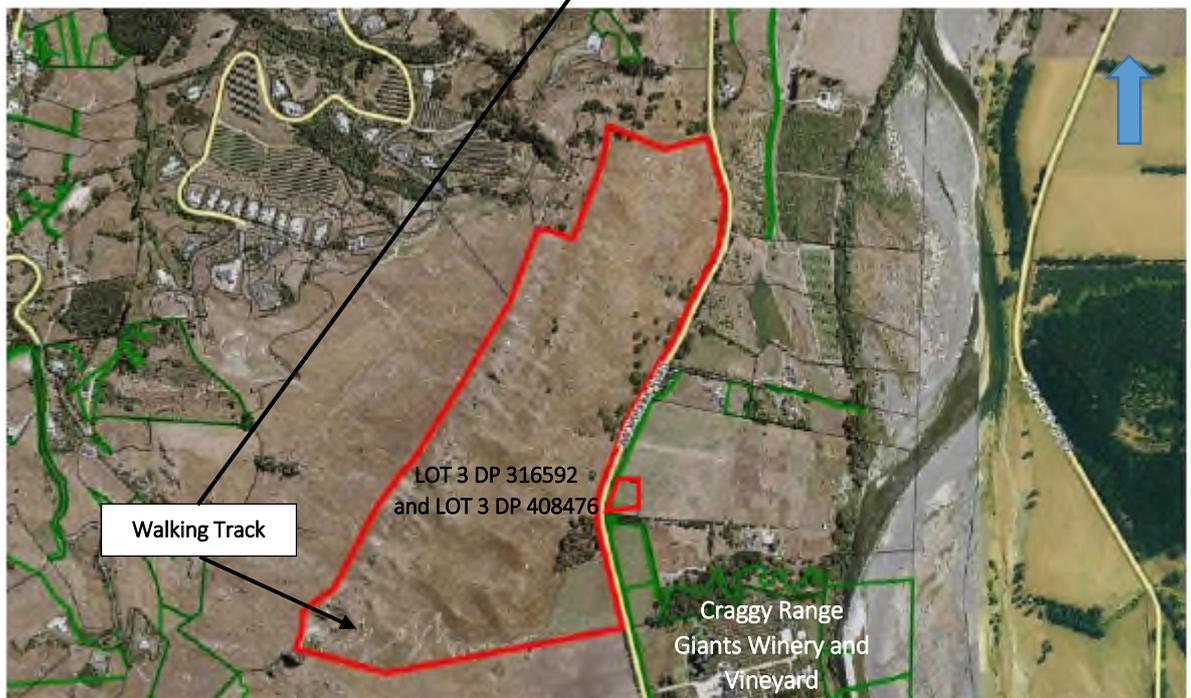


Figure 2: Aerial photograph of subject site (site boundaries shown in red outline) and surrounds



Figure 3: View of southern end of property from Waimarama Road (looking west-north west)

The eastern side of Waimarama Road has more of a built character including dwellings and the Craggy Range Winery amongst pastoral, agricultural and viticultural land uses.

4 Description of the Proposal

The Applicant seeks resource consent for earthworks to remove the remaining section of the walking track.

The upper section of track was removed (as Emergency Works pursuant to section 330 of the RMA) in late October/early November 2018 and is shown covered in coconut (BioCoir) matting in Figure 4 and Figure 5, with part of the remaining track visible below that. This is the subject of a separate resource consent application and is not part of this application.



Figure 4: Drone Photograph of coconut (BioCoir) matting covered emergency works from south east 9/11/2018



Figure 5: Drone Photograph of coconut (BioCoir) matting covered emergency works from above 9/11/2018

A description of the work proposed as part of this application are set out in a Technical Specification from Frame Group Ltd (attached in **Appendix A** to this report).

In summary, the works involve:

- Division of the remainder of the track into 3 sections: A, B and C (refer to Figure 6);
- Using an excavator for recovery of the side-cast soil from track construction and placing it on the track bench;
- Minor trimming of the batter edge both above and below the track bench;
- Importing and placing additional fill material on the track bend to supplement the recovered side-cast material;
- Where required, providing a thin layer of topsoil and sowing a ryegrass seed mix on all exposed earthwork faces on areas A and B;
- Installing BioCoir coconut matting over the exposed earthworks on areas B and C;
- Provision of topsoil/ silt mix on area A and sowing with a ryegrass seed mix to marry in with terrace productive pasture; and
- Placing informal limestone rock armouring in selected locations to mitigate isolated water scouring.

Key quantity details from that report are summarised as follows:

- Total length of section of track to be removed: 1,335m;
- Recovery of side cast soil: 1,140 lineal metres;
- Additional fill requirement: 140m³;
- Placement of rock armouring: 4m³;
- Sowing of grass seed: 43kg; and

- Laying of 'BioCoir matting': 3,400m².

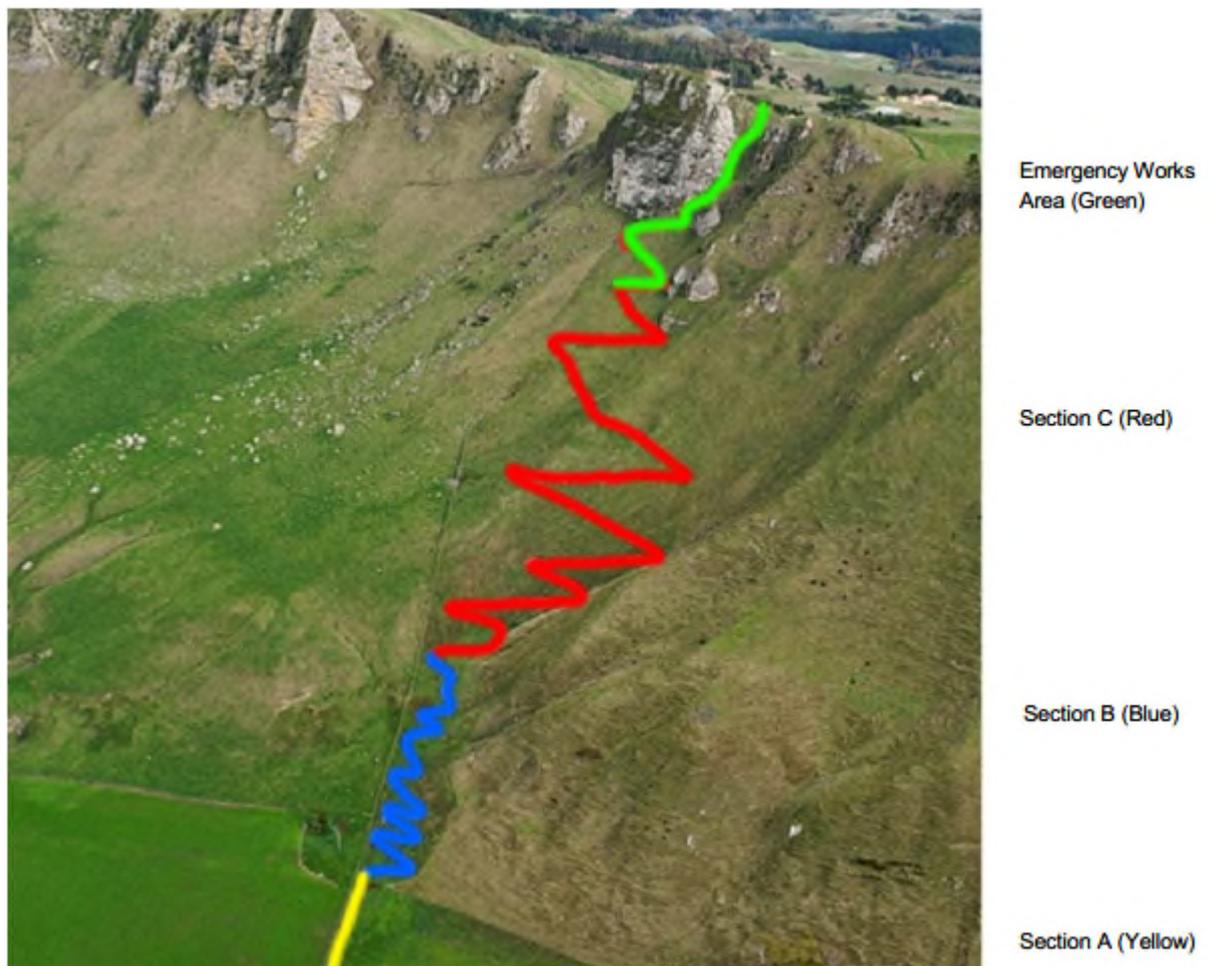


Figure 6: Extent of completed emergency works (in green) and sections of proposed works to remove remaining track

The proposed earthworks will be undertaken with the assistance of a helicopter dropping in supplies and with the use of light mechanical equipment where the slope allows, and otherwise by hand. The natural slope will be reinstated as best as possible using the available soil (i.e. from recovered side cast material and minor trimming of the upper and lower edges of the track formation) plus additional soil (140m³) brought onto the site. All formation fill will be compacted using mechanical compaction equipment. Erosion and sediment control measures will be put in place during the earthworks.

The completed work will be consistent with the work already undertaken to remove the upper section of track (see Figure 4 and Figure 5).

The Boffa Miskell Landscape and Visual Assessment Report (attached in Appendix B, and discussed in Section 7.2) recommends the following to ensure effective remediation of the earthworks:

“To ensure the viability of the track’s gradual remediation it is important that the management of the site during the first 12 months avoids any disturbance to the surface by human and stock movement. It is recommended stock is excluded from the remediated track and maintenance is undertaken manually. At the end of 12 months, a review of the stability of the remediated surface should be undertaken to determine if stock exclusion should be continued to minimise risk of erosion along the track surface.”

While the technical experts are confident that the proposed works will provide suitable pasture cover on the remediated track in time, the Applicant has agreed with the site's landowners that, if for some unexpected reason it is not successful, the Council will work with the landowners to have hydroseeding applied to the remediated track where necessary. The Applicant will work with the landowners to determine the best timing for that work to occur.

It is suggested that conditions of consent be imposed to require the exclusion of stock and the implementation of the proposed maintenance programme.

5 Status of the Activity

5.1 National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health (NES)

The Resource Management (National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health) Regulations 2011 (NES) came into effect on 1 January 2012.

This NES applies to assessing and managing the actual or potential adverse effects of contaminants in soil on human health from particular activities. Those activities comprise subdivision, land-use change, significant earthworks, soil sampling or removing fuel storage systems.

The NES only applies to land that is potentially or actually affected by contaminants because of its historical and/or current use and the types of activities previously undertaken on it. It also only applies if it is proposed to do one of the activities of subdivision, land-use change, earthworks, soil sampling or removing fuel storage systems, after 1 January 2012.

Under regulation 5(7), the NES applies to a 'piece of land' on which an activity or industry described in the current edition of the Hazardous Activities and Industries List (HAIL) is being undertaken, has been undertaken, or is more likely than not to have been undertaken and one or more of various activities described in sub-clauses (2) – (6) of regulation 5 are being carried out. Otherwise the NES does not apply.

Aside from the construction of the walking track, the site has been used for pastoral grazing for many years. Grazing pasture is not recognised as a hazardous activity by the NES or on the associated Hazardous Activities and Industries List, and therefore does not trigger the need for a resource consent under the NES (as land covered by the NES under clauses 5(7) and 5(8)).

5.2 Hawke's Bay Regional Resource Management Plan (section 104(1)(b)(v) RMA)

The Hawke's Bay Regional Resource Management Plan (RRMP) was made operative on 28 August 2006.

Rule 7 of the RRMP provides for vegetation and soil disturbance as a Permitted Activity subject to compliance with standards. The proposed activity will comply with the standards under Rule 7.

Rule 48 of the RRMP provides for the discharge of soil contaminants, including cleanfill, to land that will not enter water as a Permitted Activity subject to compliance with the following standards:

- a. *The discharge shall not increase land instability or the risk of erosion.*

- b. *The discharge shall not cross the boundary of the subject property onto any other property, unless written approval is obtained from the affected property owner.*
- c. *The discharge shall not cause any increase in the concentration of any hazardous substances or pathogenic organisms on or in any land.*
- d. *The discharge shall not cause any increase in the risk of human or animal disease.*
- e. *The discharge shall not have any acid producing potential.*
- f. *Upon request by the HBRC, a management plan, setting out how the conditions above will be met shall be prepared and provided to the HBRC.*
- g. *There shall be no discharge within 20 m of any surface water body, or over the Heretaunga Plains or Ruataniwha Plains unconfined aquifers as shown in Schedule IV, or within 20 metres of the coastal marine area, except for material extracted from a surface water body associated with the maintenance of legally established structures.*
- h. *Where the volume of solid contaminants on the subject property is greater than 100 m³ the person responsible for the discharge shall notify the Hawke’s Bay Regional Council within 7 days of that volume being reached or exceeded.*

The proposed track removal works (as described in Section 3 above), including the proposed grassing and use of coconut matting, will ensure that there is no increase in land instability or the risk of erosion. There are also no surface water bodies located within 20m of the walking track.

Given the above, no resource consents are required from Hawke’s Bay Regional Council for the proposed activity.

5.3 Other Documents (section 104(1)(b) RMA)

The site is not located within the coastal environment, therefore the New Zealand Coastal Policy Statement 2010 is not relevant, nor are there any other national policy statements or regulations relevant to this application.

5.4 Proposed Hastings District Plan (“Proposed Plan”) (section 104(1)(b)(vi))

The site is shown on the Proposed Plan maps as being located within the Rural Zone (refer to the map in Figure 6 below). It is also located within the following Natural Landscape Areas:

- Outstanding Natural Feature 1 (ONF1) – Te Mata (shown on the map as purple hatching);
- Outstanding Natural Landscape 1 (ONL1) – Te Mata (shown on the map as dark green cross hatching);
- Significant Amenity Landscape Area (SAL6) – Te Mata Peak Surrounds (shown in yellow cross hatching; and
- Rural Landscape Character Area (RCL7) – Mid Tukituki Valley (orange diagonal hatch) – applies to a very small area of the site in the south-eastern corner, close to Waimarama Road.

The upper slopes of the site are also located within the Prohibited Building Area (shown as black dashes on the map in Figure 7).

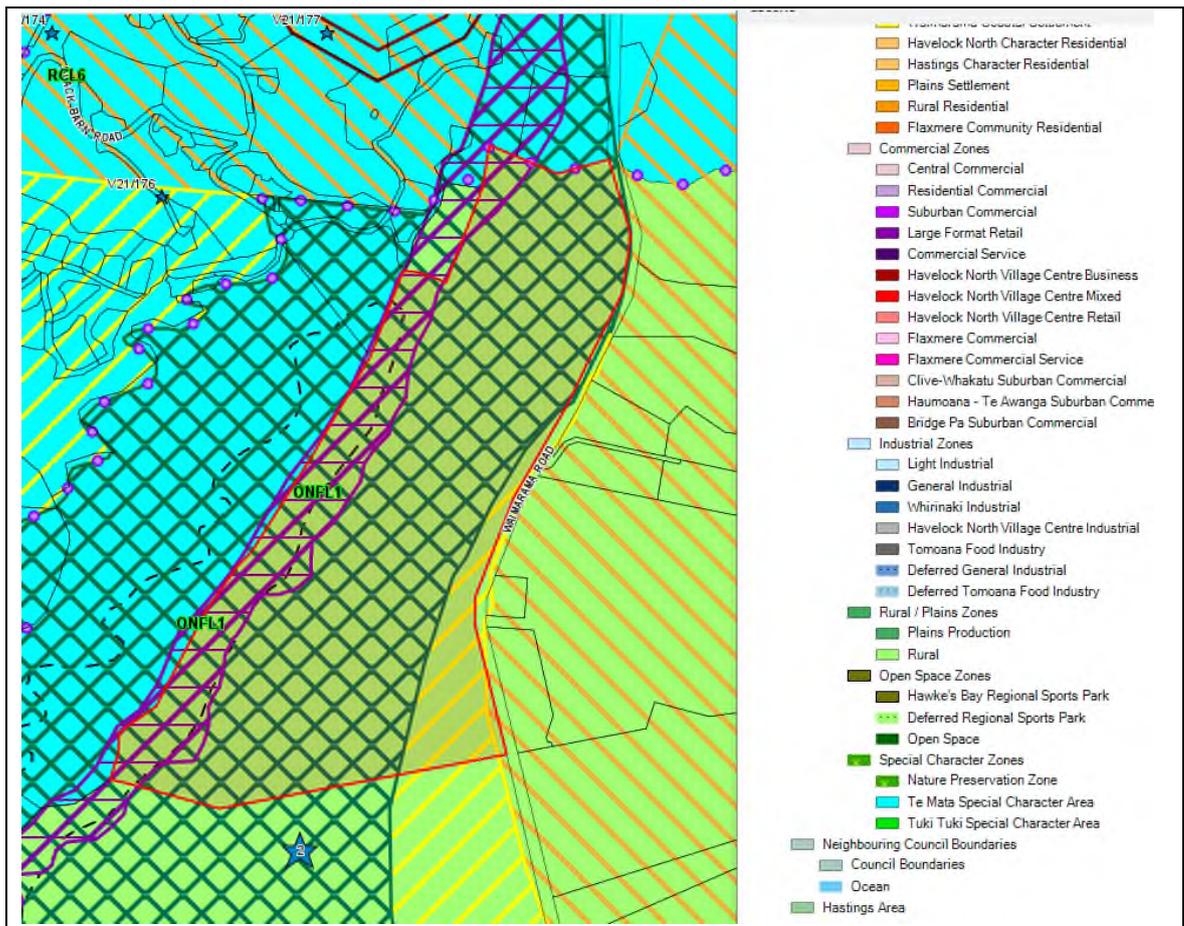


Figure 7: Zoning of the site on the Proposed Hastings District Plan zoning map (site shown with red border)

The 3-D image showing the Proposed Plan zoning over an aerial image of the site in Figure 8 (below) shows that the remaining section of track (in blue) that is to be removed is located within all of the above Natural Landscape Areas, except ONF1, which only applies to the upper section of the track (shown in red).

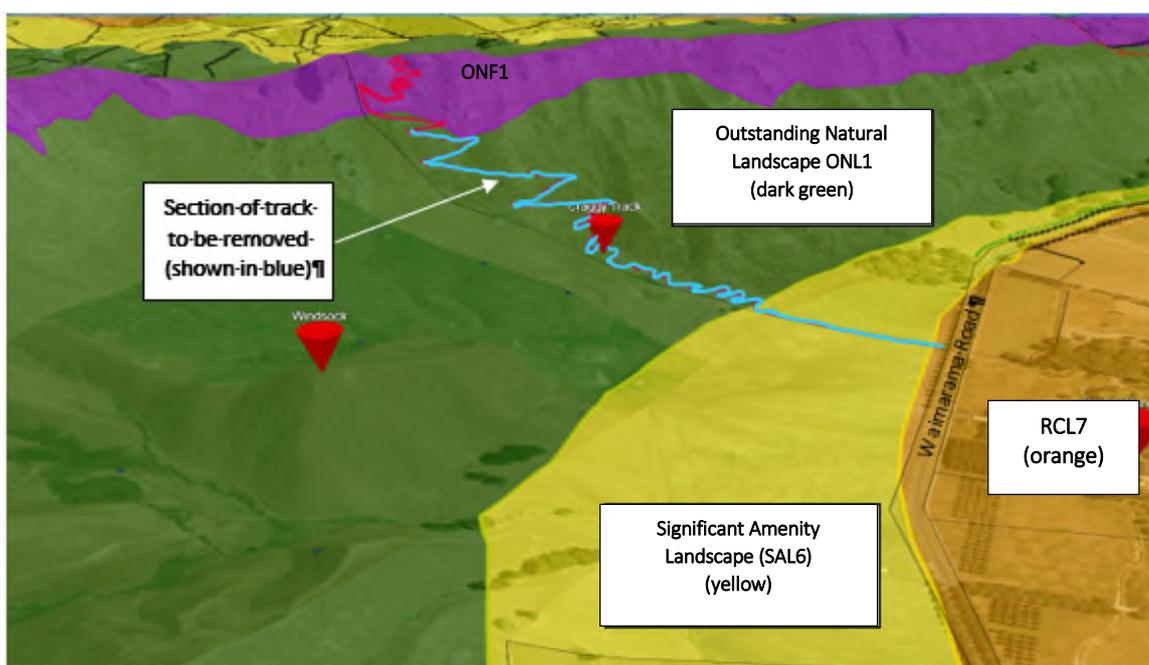


Figure 8: Proposed Plan zoning of the site shown over 3D aerial image

There are no features identified on the site on the Proposed Plan Planning Maps (i.e. Archaeological Sites, Heritage Items, Notable Trees, Hazards, etc.).

Rule EM1 in Table 27.1.5 of Section 27.1 Earthworks, Mineral, Aggregate and Hydrocarbon Extraction of the Proposed Plan permits Earthworks where they meet the General Performance Standards and Terms in Section 27.1.6.

“Earthworks” are defined in the Proposed Plan as follows:

Earthworks: means the disturbance of land by moving, placing or replacing earth, or by excavation or cutting; filling or backfilling and the removal or importation of earth (including topsoil) to or from any site, but does not include, excavation associated with.

- tiling or cultivating of soil
- harvesting and maintaining of crops
- post holes
- drilling bores
- offal pits
- burial of dead stock and plant waste
- installation of services such as water pipes and troughs

The proposed earthworks are assessed in Table 1 below against the relevant General Performance Standards and Terms Section 27.1.6 of the Proposed Plan.

Table 1: Assessment of proposal against relevant General Performance Standards and Terms of the Proposed Plan

Relevant Standard	Requirement	Proposal	Compliance Achieved?
27.1.6A Extent of Earthworks	<p>Rural Zone:</p> <ul style="list-style-type: none"> • Permitted volume of earthworks per hectare of site for any 12 month period: <ul style="list-style-type: none"> - 2000m³ <p>ONFL:</p> <ul style="list-style-type: none"> • Permitted volume of earthworks per site within ONFL: <ul style="list-style-type: none"> - 200m³ 	The proposal, in conjunction with earthworks undertaken on the property already to remove the upper section of the Craggy Range Track, exceeds the permitted volume within the ONFL.	No
27.1.6B Vegetation	1. Where vegetation clearance occurs (except where it is associated with the operation, maintenance or upgrading of lawfully established roads, tracks and drainage channels), disturbed areas shall be repastured or revegetated as soon as practicable within 18 months of the activity ceasing.	It is proposed that the disturbed area will be sown with browntop grass at a rate of 5-7gm per square metre. The exposed soil will then be covered with BioCoir B300JR coconut matting, fixed in place with wire pins.	Yes
27.1.6C Slope	Rural SMA: Earthworks shall not be undertaken on land with a slope greater than 45 degrees above horizontal.	The slope of the site of the proposed earthworks will exceed 45 degrees above horizontal.	No
27.1.6D Excavation	1. No earthworks shall have a cut/fill face (see Appendix 68) of overall vertical extent greater than: <ul style="list-style-type: none"> (i) 5 metres in Rural Zone [...] 	The proposal will comply with these standards.	Yes

Relevant Standard	Requirement	Proposal	Compliance Achieved?
	2.No excavations shall be greater than 1 metre vertical extent of cut/fill face, where the top of the excavation is within 10 metres of a building or surcharge loads.		
27.1.6E Noise	Activities shall comply with the provisions of Section 25.1 of the District Plan on Noise	This standard can be complied with by the proposed works.	Yes
27.1.6F Flood Protection Works	[...] 2. No significant change is to occur to existing flood overflow paths.	No significant change will occur to existing flood overflow paths.	Yes
27.1.6G Location of Fill	1. Except when associated with fill faces on rural farm tracks, any fill over: a) 100m ³ volume; or b) 0.5 metres total depth Shall only be permitted if a site plan is provided to Hastings District Council showing the location and extent of fill.	The volume of fill will exceed 100m ³ . A site plan showing the location and approximate extent of fill is provided in the Technical Specifications report prepared Frame Group Ltd (in Appendix A to this report).	Yes
27.1.6H Sediment Control	Sediment run-off into a Council reticulated network shall not cause any conspicuous change in colour or visual clarity of water after reasonable mixing.	There are no Council reticulated network in the vicinity of the site.	Yes
27.1.6I Earthworks within ONFLs for the Maintenance of Existing Farm Tracks, Maintenance of Existing Farm Drains and Maintenance of Existing Fence Lines	1. For the maintenance of tracks only, the landowner shall take, and provide to Council on request, photos of the location of the earthworks before and after completion, sufficient to show the width of the existing formed track; 2. Tracks shall not exceed the existing width of the formed track; 3. Exposed vertical cuts or batter faces shall not exceed 2m in vertical height or take place on slopes of greater than 45 degrees above horizontal; 4. All remaining slopes shall be remediated to marry in with the surrounding landform and be replanted with either grass or planting to match the surrounding vegetation cover (excluding weed species).	The proposed works are for the removal of a walking track.	N/A
Section 25.1 Noise			
Rule NS1 Any activity that meets the Performance Standards for the relevant Zone and the General and/or Specific Performance Standards and Terms in Section 25.1.6 and 25.1.7 is a Permitted Activity.			
25.1.6I Construction Noise	(a) Any noise arising from construction, maintenance and demolition work in any Zone shall comply with NZS6803:1999 Acoustics - Construction Noise. (b) Construction noise shall be measured and assessed in accordance with NZS6803:1999 Acoustics - Construction Noise. (c) To avoid doubt, Standards 25.1.6C to 25.1.6H above shall not apply to construction noise	This standard can be complied with by the proposed works.	Yes

As outlined in Table 1, the proposed activity will comply with all of the relevant Proposed Plan performance standards except General Performance Standard 27.1.6A Extent of Earthworks, as the proposed volume of earthworks will exceed 200m³ (being the permitted volume within an ONFL), and General Performance Standard 27.1.6C Slope, as the work will be undertaken on land with a slope greater than 45 degrees above horizontal.

Rule EM6 specifies that Permitted Activities not meeting the General Performance Standards and Terms are a Restricted Discretionary Activity.

5.5 Conclusion as to Activity Status

A **Restricted Discretionary Activity** resource consent is required for the proposed earthworks under Rule EM6 of the Proposed Plan.

6 Statutory Criteria

Subject to Part 2 of the Resource Management Act, Section 104(1) sets out those matters that Council must have regard to when making a decision. Such matters include:

“104 Consideration of applications

When considering an application for a resource consent and any submissions received, the consent authority must under section 104(1), subject to Part 2, have regard to-

- (a) any actual and potential effects on the environment of allowing the activity; and*
- (b) any relevant provisions of—*
 - (i) a national environmental standard:*
 - (ii) other regulations:*
 - (iii) a national policy statement:*
 - (iv) a New Zealand coastal policy statement:*
 - (v) a regional policy statement or proposed regional policy statement:*
 - (vi) a plan or proposed plan; and*
- (c) any other matter the consent authority considers relevant and reasonably necessary to determine the application.”*

Section 104C of the Act states that:

“104C Determination of applications for restricted discretionary activities

- (1) When considering an application for a resource consent for a restricted discretionary activity, a consent authority must consider only those matters over which—*
 - (a) a discretion is restricted in national environmental standards or other regulations:*
 - (b) it has restricted the exercise of its discretion in its plan or proposed plan.*
- (2) The consent authority may grant or refuse the application.*
- (3) However, if it grants the application, the consent authority may impose conditions under section 108 only for those matters over which—*
 - (a) a discretion is restricted in national environmental standards or other regulations:*
 - (b) it has restricted the exercise of its discretion in its plan or proposed plan.”*

7 Assessment of Environmental Effects

Section 27.1.7 of the Proposed Plan includes the following assessment criteria for Restricted Discretionary Activities:

“For Restricted Discretionary Activities, the following criteria identify those matters which Council has restricted its discretion over in assessing Resource Consent applications. [...]

21.1.7A LAND DISTURBANCE AND VEGETATION CLEARANCE

- (a) *The effects of land disturbance and vegetation clearance will be assessed in terms of their effects on:*
 - (i) *The life-supporting capacity of soils.*
 - (ii) *Soil erosion and stability.*
 - (iii) *Soil Runoff and Sedimentation.*
 - (iv) *Natural landforms and contours.*
 - (v) *Flora and fauna.*
 - (vi) *Significant cultural, ecological and historic heritage sites (including archaeological sites).*
 - (vii) *Composition and characteristics of any fill used.*
- (b) *In making an assessment, regard will be had to the following:*
 - (i) *The extent of removal of vegetation, topsoil and subsoils at any one time.*
 - (ii) *Methods to separate soil horizons during stripping.*
 - (iii) *Measures to safeguard the life supporting capacity of stockpiled soils.*
 - (iv) *The potential or increased risk of hazards from the activity, including potential risk to people or the community.*
 - (v) *Sediment control measures, including measures to prevent sediment run-off into Council's reticulated network.*
 - (vi) *Rehabilitation of site (including backfilling, re-spreading of subsoil and topsoil, contouring, repasturing and revegetation).*
 - (vii) *Land capability and potential end uses of the site.*
 - () *Information on any relocation of fill on or offsite.*
 - (viii) *Siting, construction and maintenance of internal access roads.*
 - (ix) *Effect on flow paths and floodways.*
 - (x) *Measures to avoid the disturbance of archaeological sites (noting that any disturbance of an archaeological site will require separate approval under the Heritage New Zealand Pouhere Taonga Act 2014.*

27.1.7B VISUAL IMPACT

- (a) *The visual effects of the activity will be assessed in terms of its potential effect on:*
 - (i) *The residential or recreational (including tourism) use of land in the vicinity of the activity.*
 - (ii) *The existing character of the locality and amenity values.*
 - (iii) *Whether the land is covered by Outstanding or Significant Landscape Areas will be assessed under the Assessment Criteria 27.1.7F.*
- (b) *In making that assessment regard shall be had to:*
 - (i) *Planting, screening and other amenity treatment to minimise visual impact.*
 - (ii) *Site location including locality, topography, geographical features, adjoining land uses.*
 - (iii) *Height of soil stockpiles and cuttings.*
 - (iv) *Rehabilitation of the site, including contouring, landscaping and re-vegetation.*
 - (v) *Duration, rate and extent of extraction.*
 - (vi) *Lighting - intensity, direction and positioning of lighting in relation to the effects of glare on the surrounding environment and adjacent land uses.*

27.1.7C EFFECTS ON OTHER LAND USES AND ADJOINING PROPERTIES

The extent to which the activity will interfere with, or adversely affect, the current use of the land on which the activity is sited, or adjoining land uses. Consideration will be given to

any potential effects of the proposed activity on adjoining properties and land uses, such as effects on surface drainage patterns, dust nuisance, or adverse effects on adjoining buildings. Permanent effects will be given more weight than temporary effects. Consideration will also be given to methods to avoid adverse effects on land use activities which are allowed in the Zone where the activity is located, such as the distance of activities from boundaries, and methods to avoid disturbance to adjoining properties, including livestock, particularly during birthing, and dust on fruit, particularly during harvesting season.

27.1.7D NOISE

In assessing the impact of noise, regard shall be had to the noise sensitivity of the receiving environment, including adjacent land uses, where it is proposed to undertake the activity. Consideration will also be given to hours of operation of the activity.

27.1.7E EFFECTS ON SPECIFIC DISTRICT WIDE ACTIVITIES AND LOCATIONS

The extent to which the activity will interfere with, or adversely affect:

- (a) Access to and along watercourses and waterbodies.*
- (b) Recreation, Conservation or Natural Areas (see District Plan Section 13.1 Open Space Environments)."*

27.1.7F EARTHWORKS WITHIN OUTSTANDING NATURAL LANDSCAPES (ONFL)

Earthworks within an ONFL will be designed and located to minimise adverse visual effects. In particular, the extent to which any such development will:

- (a) Where practicable, minimise the location of large scale earthworks on prominent rural ridgelines, hill faces and spurs.*
- (b) Be designed to minimise cuttings across hill faces and spurs.*
- (c) Where practicable, minimise the number of finished contours that are out of character with the natural contour.*
- (d) Demonstrate what visual mitigation is proposed to minimise the visual intrusion of the work, including proposals to ensure the successful establishment of any plantings.*

An assessment of the environmental effects of the proposal is provided below that addresses the above relevant assessment matters.

7.1 Land Disturbance and Vegetation Clearance Effects

The purpose of the proposed activity is to remove the walking track and to return the affected land back to extensive grazing pasture, consistent with the remainder of the site, and as close as possible to its condition prior to establishment of the track. The proposed works will not require the clearance of any significant vegetation or habitat. Soil stripped and spread on the sides of the track during construction (i.e. side cast material) will be used as fill to remove the track. Some additional fill will be brought onto the site (from the Ngaruroro River surrounds adjacent to the Chesterhope Bridge). The proposed works will not require any stockpiling of soil.

No internal access roads will be required to carry out the work. The majority of materials will be delivered to the site via helicopter, and a small amount will be transported via Waimarama Road.

As set out in the technical specifications (in Appendix A), erosion and sediment control measures will be put in place during the earthworks, and future soil erosion and instability will be prevented by compacting the fill, sowing grass seed and placing/pinning of coconut matting to ensure the topsoil layer is not vulnerable to erosion and is stabilized. The earthworks have been designed and

will be constructed to ensure there are no significant changes to flood overflow paths from the removal of the track and reinstatement of the natural contours of the site.

An inspection of the track site was undertaken by an archaeologist from Archaeology Hawke's Bay on 7 December 2018, which found some anomalous profiles present in the track bank cuts that could represent pit cuts. There was also evidence of bone material, which could potentially include koiwi tangata, that had been naturally transported from the upper slopes into the lower reaches and re-deposited (i.e. it did not occur as result of the construction of the track). The archaeologist considered that it was likely this material had been dislodged in the past through natural or human induced events from upslope and deposited within the soil matrix down-slope. The archaeologist found two recorded archaeological sites (V21/180 and V21/182) whose ArchSite polygons lay within 0 – 50m of the track cut.

The archaeologist recommends that, given the extreme proximity of V21/180 and V21/182, that an Archaeological Authority be sought from Heritage New Zealand (under the Heritage New Zealand Pouhere Taonga Act 2014) for any earthworks associated with the track remediation work that would be invasive (i.e. that would damage, modify or destroy the archaeological sites). A letter from the archaeologist, outlining the findings of the inspection and providing recommendations, is attached in **Appendix C** to this report.

The Applicant is currently consulting with Heritage New Zealand to determine whether an Archaeological Authority will be required for the proposed work. If an Authority is deemed necessary, then an Authority will be sought from Heritage New Zealand prior to any work commencing. It is suggested that an advice not be included on the resource consent that alerts the consent holder of the need to obtain any required Archaeological Authority from Heritage New Zealand under the Heritage New Zealand Pouhere Taonga Act 2014, prior to any of the proposed work commencing.

Section 3.6 of the Technical Specification (**Appendix A**) outlines an Archaeological Discovery Protocol that is to be followed, should any archaeological discovery be made during the proposed works. Representatives of Te Taiwhenua o Heretaunga have advised the Applicant that the Protocol (which is the same one adopted for the Emergency Works carried out to removed the upper section of the track) is acceptable to them.

It is therefore considered that, provided the works are carried out in accordance with the Technical Specification and any Archaeological Authority that may be required, any adverse effects of land disturbance and vegetation clearance will be less than minor.

7.2 Visual Impact

An assessment of the landscape and visual effects of the proposed works has been completed by Boffa Miskell Limited landscape architects, and is attached as **Appendix B** to this report.

The landscape architect considers that the temporary effects of the track will have a moderate adverse visual effect, largely associated with the installation of the coconut matting. Recognising that the matting will biodegrade in about 6 months and full grass cover will be established in 12 months, the temporary effects will be recognised as part of a remediation action, rather than a permanent visual effect. Over the first 12-month period the visibility of the track removal works will diminish and integrate with the surrounding grass cover. It is also recognised that there will be a period of 'bedding in' for the surface, whereby the soils will weather and the species mix of grass and weeds along the surface of the track will increase. It is expected that the medium (12

months plus) and long term (5 years plus) will generate a positive landscape and visual effect, particularly when compared to the track's earlier condition, pre-removal.

To ensure the viability of the track's gradual remediation, the landscape architect considers that it is important that the management of the site during the first 12 months avoids any disturbance to the surface by human and stock movement. It is therefore recommended that stock is excluded from the track, and maintenance is undertaken manually. At the end of the 12-month period, a review of the stability of the remediated surface will be undertaken to determine if stock exclusion should be continued to minimise risk of erosion along the track surface.

It is therefore considered that with the proposed mitigation, the temporary nature of adverse visual effects, and positive landscape and visual effects to be derived from the proposed works in the medium to long term, any adverse landscape and visual effects of the proposed works will be no more than minor in the short term, and less than minor in the longer term.

7.3 Effects on Other Land Uses and Adjoining Properties

The proposed works will remove the existing track and will enable the land to return to extensive pastoral use, which is consistent with the use of the land prior to construction of the track, the current use of the remainder of the subject site, and the use of adjoining land to the south.

The nearest buildings to the site are located on the opposite side of Waimarama Road; being the Giants Facility (comprising a winery, restaurant, accommodation and vineyard) owned by Craggy Range Vineyards Limited, and two dwellings owned by Jeffrey John Drabble & Felicity Caroline Dobell-Brown (i.e. the same owners of the subject site).

The duration of the proposed earthworks will be short term (approximately one month) and the technical specifications for the proposed earthworks will ensure that any potential adverse effects on surface drainage patterns and dust nuisance during and after the earthworks will be avoided or mitigated.

While the walking track was constructed, it was not legally open for public use and it remained in private ownership. As such, the removal of the track will not interfere with any legal use of a public walkway. Instead, it is considered that the removal of the track is more akin to restoring the affected land to its former use for pastoral farming.

It is therefore considered that any adverse effects on other land uses and adjoining properties will be less than minor.

7.4 Noise

The proposed activity can be managed to comply with NZS6803:1999 Acoustics – Construction Noise. The owners of the nearest sensitive activities have given their written approvals (Appendix B). Therefore, any adverse construction noise effects will be less than minor.

7.5 Effects on Specific District Wide Activities and Locations

The proposed activity will not adversely affect access to and along watercourses and waterbodies, or any Recreation, Conservation or Natural Areas.

7.6 Earthworks within Outstanding Natural Landscapes (ONFL)

The intent of the earthworks is to remove the remaining section of the Craggy Range Track for cultural and for health and safety reasons, and to restore the landform as far as possible to its natural state. It is acknowledged that there are short term visual effects due to the contrasting colour of the coconut matting to the adjacent green pasture, as can be seen in Figures 4 and 5

above relating to the Emergency Works already completed to remove the upper section of track. This effect will reduce as the adjacent pasture browns-off over summer and as the coconut matting breaks down as grass grows through it (from the sown seed).

Refer also to the Landscape and Visual Effects report by Boffa Miskell in **Appendix B** for a detailed discussion on the effects on the ONFL. As concluded in Section 7.2 above, with mitigation as proposed, it is considered that any adverse landscape and visual effects of the proposed works will be less than minor.

7.7 Cultural Impacts

Consultation was undertaken with Te Taiwhenua o Heretaunga representatives on 19 December 2018¹, and a Hui-Ā-Iwi was held on 12 January 2019 at the Te Taiwhenua o Heretaunga offices in Hastings².

Tangata whenua have made it clear that the Craggy Range Track is culturally offensive and they would like the whole of the Craggy Range Track removed and the natural landform reinstated as soon as possible. As noted in Section 7.1 above, the representatives have advised that the Archaeological Discovery Protocol proposed with the Technical Specifications for the work is appropriate and is supported.

At the Hui-Ā-Iwi, tangata whenua supported appointing an Independent Commissioner to chair the hearings panel for the application. They also requested that Council appoint a second Independent Commissioner to the hearings panel who has appropriate expertise to consider cultural matters arising as part of the application. The Applicant agreed to consult with tangata whenua as to appropriate persons to consider for the second Independent Commissioner role.

On the basis of the above, it is considered that the proposed works are consistent with the outcome desired by tangata whenua.

7.8 Conclusions

On the basis of the above assessment, with the mitigation as proposed, any actual and potential adverse environmental effects of the proposed earthworks will be no more than minor in the short-term, and less than minor in the longer term.

8 Consultation

Over the course of 2018 the Council, through its Planning and Regulatory Group Manager, has been in regular dialogue with the immediate neighbouring land owner to the south, Mr & Mrs Hutton (Wellwood Farms) and with Craggy Range Winery and vineyard to the east. Both of these landowners have been kept informed of the alternative track options under consideration, and of the decision to remove the track. The owners of the subject site (Mr Drabbel and Ms Dobell-Brown) are supportive of the proposed works to remove the remainder of the track.

There has also been ongoing consultation with a 'Stakeholder Reference Group' regarding the status of the Craggy Range Track and consideration of alternative options.

¹ A meeting was held between representatives of Te Taiwhenua o Heretaunga (TTOH) at the TTOH offices at 821 Orchard Road, Hastings, on 19 December 2018. Mr John O'Shaughnessy (Group Manager: Planning and Regulatory) and Janeen Kydd-Smith (Consultant, Sage Planning HB Ltd) attended the meeting on behalf of the Applicant.

² The hui was attended by John O'Shaughnessy (Group Manager: Planning and Regulatory) and Janeen Kydd-Smith (Consultant, Sage Planning HB Ltd).

As mentioned in Section 7.1, the Applicant is consulting with Heritage New Zealand to determine whether an Archaeological Authority will be required for the proposed work.

As addressed in Section 7.7 above, representatives of Te Taiwhenua o Heretaunga have also been consulted and a Hui-Ā-Iwi held specifically with regard to this application.

9 Relevant Objectives and Policies

It is considered that the following sections of the Proposed Plan are relevant to the assessment of the proposal:

- Section 17.1 Natural Features and Landscapes; and
- Section 27.1 Earthworks, Mineral, Aggregate and Hydrocarbon Extraction.

9.1 Section 17.1 Natural Features and Landscapes

The following objective and policies are considered relevant to the proposal:

OBJECTIVE LSO1

The factors, values and associations that define the District's Outstanding Natural Features and Landscapes are identified, and are protected from inappropriate subdivision, use, and development.

POLICY LSP2

Protection of the present landscape qualities of Te Mata Peak shall be afforded the highest priority through the District Plan.

Explanation

Te Mata Peak is a significant landscape icon in Hawke's Bay, having District, Regional and National significance. It is the most prominent landmark in the eastern Heretaunga Plains with a distinctive silhouette skyline. It is a source of identity for hapu, Ngati Kahungunu, and the Districts residents.

In order to ensure the protection and integrity of the landscape, the Plan prohibits buildings associated with residential activities and visitor accommodation above and including the 240 metre contour line of the Peak. In addition, it requires that resource consent for a Non-Complying activity be obtained for all other buildings above and including the 240 metre contour line, and for all buildings greater than 50m², network utilities, earthworks and plantations within ONFL1. The Prohibited and Non-Complying activity status of these activities provides a clear signal to the community and Council that the present landscape qualities of Te Mata Peak will be afforded the highest levels of protection.

POLICY LSP3

Buildings, Plantations, Earthworks and Network Utilities will be regulated on identified Outstanding Natural Features and Landscapes throughout the District taking into account the ability of the activity to integrate into the receiving landscape and the sensitivity of that landscape.

Explanation

The impact of different activities on the Outstanding Natural Features and Landscapes identified in Appendices 43 will vary depending on both the ability of the activity to integrate into the receiving landscape and the sensitivity of that landscape. The Plan addresses each activity differently for each of the landscape features in the District.

The scale, location, and effects of existing network utilities on outstanding natural features and landscapes are recognised, and work to mitigate these effects should be considered when the opportunity arises.

The above objective and policies seek to protect the present landscape qualities of Te Mata Peak, which is a source of identity for hapu, Ngati Kahungunu, and the Districts residents, and is afforded the highest priority through the Proposed Plan, as a significant landscape icon in the Hawke's Bay, having District, Regional and National significance. The Proposed Plan regulates earthworks on

identified ONFLs throughout the District, taking into account of the ability of the activity to integrate into the receiving landscape and the sensitivity of that landscape.

The assessment of the visual impact of the proposal in Section 7.2 above has concluded that with the proposed mitigation, the temporary nature of adverse visual effects, and positive landscape and visual effects to be derived from the proposed works in the medium to long term, any adverse landscape and visual effects of the proposed works will be no more than minor.

The temporary effects of the track will have a moderate adverse visual effect, largely associated with the installation of coconut matting. Recognising that the matting will biodegrade at about 6 months and a full grass cover established in 12 months, the temporary effects will be recognised as part of a removal/remediation action, rather than a permanent visual effect. Over the first 12 months the visibility of the works will diminish and integrate with the surrounding grass cover. It is expected that the medium (12 month plus) and long term (5 years plus) will generate a positive landscape and visual effect, particularly when compared to the track's earlier condition, pre-removal.

It is therefore considered that the proposal is consistent with the relevant objective and policies in Section 17.1 of the Proposed Plan.

9.2 Section 27.1 Earthworks, Mineral, Aggregate and Hydrocarbon Extraction

The following objective and policies are considered relevant to the proposal:

OBJECTIVE EMO1

To enable earthworks within the Hastings District while ensuring that the life-supporting capacity of soils and ecosystems are safeguarded and adverse effects on landscapes and human health and safety are avoided, remedied or mitigated.

POLICY EMP1

Require the repasture or revegetation of land where vegetation is cleared in association with earthworks, prospecting and extraction of aggregates or other minerals.

Explanation

Where vegetation clearance occurs, except where a pavement or permitted building is constructed, disturbed areas will be required to be repastured or revegetated in plant species which are in harmony with those existing in the area to avoid the risk of soil erosion, and to ensure that the life-supporting capacity of the soil is safeguarded. It will also help to ensure that adverse effects on the character and visual amenity of the area are avoided.

POLICY EMP4

Allow earthworks and the prospecting of minerals where the adverse effects on the environment will be minor.

Explanation

District Plan Rules and Standards are incorporated to control the scale, operation and location of earthworks and prospecting activities to ensure that any potential adverse effects are avoided, remedied or mitigated.

POLICY EMP5

Control earthworks, exploration and mining activities to ensure that any adverse effects on the natural and physical environment, and the amenity of the community, adjoining land uses and culturally sensitive sites are avoided, remedied and mitigated.

Explanation

Large scale earthworks, exploration and mining activities are recognised as having the potential to cause significant adverse effects on the environment, including the safety of people and property, and on the visual amenity and character of the area where it occurs.

OBJECTIVE EMO5

To ensure that earthworks and mineral extraction do not compromise outstanding natural features, historic heritage and cultural heritage features (including archaeological sites).

POLICY EMP13

Permanent visual scars resulting from earthworks and mineral extraction will be restricted on identified Outstanding Natural Landscapes throughout the District.

Explanation

The impact of earthwork activities on the Outstanding Landscapes and Natural Features identified in Appendix 43 will vary depending on both the ability of the activity to integrate into the receiving landscape and the sensitivity of that landscape.

Objective EM01 seeks to enable earthworks, while ensuring that the life-supporting capacity of soils and ecosystems are safeguarded and adverse effects on landscapes and human health and safety are avoided, remedied or mitigated. Policy EMP1 is to require land affected by earthworks to be repastured or revegetated and Policy EMP5 is to ensure that any adverse effects on the natural and physical environment, and the amenity of the community, adjoining land uses and culturally sensitive sites are avoided, remedied and mitigated. The assessment of effects in Section 7 of this report has concluded that any adverse effects of land disturbance and vegetation clearance will be less than minor.

EMO5 and EMP13 are specific to earthworks within ONFLs and seek to ensure that those landscapes are not compromised by earthworks and that permanent visual scars are restricted. The assessment of effects in Section 7.1 concludes that, provided the works are carried out in accordance with the Technical Specification and any Archaeological Authority that may be required, any adverse effects of land disturbance and vegetation clearance will be less than minor. The assessment of the visual impact of the proposal in Section 7.2 concludes that any adverse landscape and visual effects of the proposed works will be less than minor, and the assessment of cultural impacts in Section 7.7 concludes that the proposed works are consistent with the outcome desired by tangata whenua.

It is therefore considered that the proposal is consistent with the relevant objective and policies in Section 27.1 of the Proposed Plan.

9.3 Summary

Overall, the proposal is consistent with the relevant objectives and policies of the Proposed Hastings District Plan.

10 Part 2 RMA

10.1 Section 5 – Purpose

Section 5(1) of the RMA states the purpose of the RMA is to promote the sustainable management³ of natural and physical resources. This means managing the use of natural and physical resources in a way that enables people and communities to provide for their social, cultural and economic wellbeing, while sustaining those resources for future generations, protecting the life-supporting capacity of ecosystems, and avoiding, remedying or mitigating adverse effects on the environment.

The proposed removal of the remaining section of the walking track will restore the landform as far as possible to its natural state, enable the affected land to revert to its former use for extensive pastoral farming, and will provide for the social and cultural wellbeing of the community and their health and safety. The assessment of environmental effects in Section 7 above has determined that any actual or potential adverse environmental effects associated with the proposed activity will be less than minor.

The proposal is therefore consistent with the purpose of the RMA.

10.2 Section 6 – Matters of National Importance

Section 6 of the RMA requires all persons exercising functions and powers under the RMA to recognise and provide for matters of national importance. The following matters are relevant to the proposed earthworks:

- (b) *the protection of outstanding natural features and landscapes from inappropriate subdivision, use, and development:*
- (e) *the relationship of Maori and their culture and traditions with their ancestral lands, water, sites, waahi tapu, and other taonga:*

The proposed removal of the remaining section of the walking track will restore the landform (being the eastern face of Te Mata Peak) as far as possible to its natural state, and will provide for the outcome desired by tangata whenua.

10.3 Section 7 – Other Matters

Section 7 sets out the matters the Council shall have particular regard to in achieving the purpose of the RMA. Those matters of relevance to this application are:

- (c) *the maintenance and enhancement of amenity values:*
- (f) *maintenance and enhancement of the quality of the environment:*

In regard to section 7(c), amenity values are defined in the RMA as meaning “those natural or physical qualities and characteristics of an area that contribute to people’s appreciation of its pleasantness, aesthetic coherence, and cultural and recreational attributes”. As discussed in Section 7 above, the effects of the proposed earthworks on the visual amenity and character of

³ In this Act, **sustainable management** means managing the use, development, and protection of natural and physical resources in a way or at a rate, which enables people and communities to provide for their social, economic, and cultural wellbeing, and for their health and safety while-

- (a) Sustaining the potential of natural and physical resources (excluding minerals) to meet the reasonably foreseeable needs of future generations; and
- (b) Safeguarding the life-supporting capacity of air, water, soil, and ecosystems; and
- (c) Avoiding, remedying, or mitigating any adverse effects of activities on the environment.

the surrounding area will be no more than minor in the short-term, and less than minor in the longer term.

10.4 Section 8 – Treaty of Waitangi

Section 8 of the RMA requires all persons exercising functions and powers under it to take into account the principles of the Treaty of Waitangi. The proposal is consistent with tangata whenua's desire to have the whole of the Craggy Range Track removed and the natural landform reinstated.

10.5 Conclusions

Overall, it is considered that the proposed activity is consistent with the purpose and principles of the RMA.

11 Summary and Conclusions

The proposal is considered to give effect to the sustainable management purpose of the RMA under Part 2 of the RMA and is consistent with the relevant objectives and policies of the Proposed District Plan.

Adverse effects will be avoided or mitigated by:

- Compliance with the Technical Specifications set out in Appendix A, including the following:
 - Sediment and erosion control measures;
 - Restoration of the natural landform contours;
 - Archaeological Discovery Protocol; and
 - Revegetation.
- Short construction period (approximately one month).
- Excluding stock from the remediated track for at least 12 months.
- Controlling weeds (e.g. through spraying) and hydroseeding the remediated track if necessary, to ensure the successful establishment of pasture grass.

The assessment of environmental effects in Section 7 has concluded that, with the mitigation as proposed, any actual and potential adverse environmental effects of the proposed earthworks will be no more than minor in the short-term, and less than minor in the longer term.

The temporary effects of the track will have a moderate adverse visual effect, largely associated with the installation of coconut matting. Recognising that the matting will biodegrade at about 6 months and a full grass cover established in 12 months, the temporary effects will be recognised as part of a removal/remediation action, rather than a permanent visual effect. Over the first 12 months the visibility of the works will diminish and integrate with the surrounding grass cover. It is expected that the medium (12 month plus) and long term (5 years plus) will generate a positive landscape and visual effect, particularly when compared to the track's earlier condition, pre-removal.

The Applicant met with Te Taiwhenua o Heretaunga representatives in early December 2018 and a Hui-Ā-lwi held was on 12 January 2019. Tangata whenua have made it clear that the Craggy Range Track is culturally offensive and the whole track should be removed and the natural landform reinstated as soon as possible.

On the basis of the above, it is considered that the Council is able to grant consent to the application pursuant to section 104C(2) of the RMA, subject to the imposition of the suggested conditions and mitigation proposed, as set out in Sections 4 and 7 above.

12 Notification

Given considerable tangata whenua and public interest in the construction and removal of the Craggy Range Track, the Applicant requests that the subject application be publicly notified pursuant to section 95A(2)(a) of the RMA.

The Applicant also considers that it would be appropriate for the Council to engage an Independent Commissioner to chair the hearings panel, and for a second Independent Commissioner to be appointed to the panel who has appropriate expertise to consider cultural matters arising as part of this application. The Applicant requests that the Council consult with tangata whenua as to appropriate persons to consider for the second Independent Commissioner role.

APPENDIX A – Technical Specifications



TECHNICAL SPECIFICATION

Client

HASTINGS DISTRICT COUNCIL

Project Title

**Craggy Range Track – Te Mata Peak
Track Removal Works - Stage 2**

Specification No

FGL 18/033/01B

January 2019

Prepared by



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TECHNICAL SPECIFICATION

1.0 SCOPE OF WORK

1.1. Project Outline

- 1.1.1. This specification covers remedial work required to decommission and remove the remaining 1335m length of walking track on the eastern face of Te Mata Peak, Hawkes Bay. The track to be removed is in three portions, consisting as follows:
- Section A – Ch 0-195m. From road boundary to base of hill
 - Section B – Ch 195-480m. From base of hill to Craggy Lookout
 - Section C – Ch 480-1335m. From Craggy Lookout to Sheeps Rest
- 1.1.2. The removal of this track is proposed together with remedial work to return the site to as near as possible the original site appearance and ground profile.

1.2. Location and Access

- 1.2.1. The sections of track to be removed and the remedial work details are shown on drawings as follows:
- Drawing 18/033/02 – Section A – Location Plan and Sections
 - Drawing 18/033/03 – Section B – Location Plan and Sections
 - Drawing 18/033/04 – Section C – Location Plan and Sections
- 1.2.2. The track to be removed is on land owned by Craggy Range Vineyards Ltd. Permission will be granted to enter the site off Waimarama Rd to access along the track corridor.
- 1.2.3. Any fences breached to obtain access to the site shall be fully re-instated at the completion of the work. Fences shall be kept stock-proof during the execution of the work to prevent livestock entering the site.
- 1.2.4. Access for small trucks, power barrows and construction machinery along the lower sections of the track is permitted provided the equipment use does not cause adverse effects to the adjacent ground.

1.3. Required Work

- 1.3.1. The work involves the replacement of soil on the previously formed track bench to dis-establish the benched track. Specifically, this includes the following:
- Recovery of as much of the original track formation side-cast soil as possible, and placing this in compacted layers on the constructed track bench to re-instate the original ground profile.
 - Minor trimming of the batter edge above the track and the batter edge below the track in order to obtain additional material for filling the cut track bench.
 - Carting material supplied by the Principal from stockpile, placing and compacting this imported fill where this is necessary to provide sufficient material to re-instate the approximate original ground slope profile across the track.

- Supply and installing Biocoir coconut matting over the strip of exposed earthworks on track Section C, covering the restored track corridor including the areas where batters have been trimmed.
- Placing limestone rock armouring at potential water flow crossing areas to protect from possible scour.

2.0 GENERAL REQUIREMENTS

2.1. Preliminary

- 2.1.1. Refer to the terms and conditions of the Contract which shall be equally binding on all trades. All sections of the specification shall be read in conjunction with all other sections.

2.2. Materials and Labour

- 2.2.1. The Contractor shall supply the whole of the materials, plant and labour necessary for the Contract. Work shall be carried out according to best trade practice by skilled and experienced personnel to the standards hereinafter specified.
- 2.2.2. The Contractor is to arrange his own access for plant and materials and all necessary transportation of plant and materials to the site.

2.3. Work Area

- 2.3.1. The work shall be confined to the immediate site only, which consists of the corridor of the track to be removed, including the access track from Waimarama Rd, and the imported soil stockpile area.
- 2.3.2. The Contractor shall be responsible for security of the site and shall make allowance in the tender price for the erection and maintenance of appropriate temporary barriers to prevent inadvertent access by the public onto the work site.
- 2.3.3. The Contractor shall be responsible for locating and avoiding services such as power cables, communication lines and water lines at the site and on access routes. If any of these services are damaged during construction, the Contractor shall reinstate these at his own expense.

2.4. Site Establishment

- 2.4.1. The Contractor shall ensure that no damage beyond fair wear and tear is caused to entrances, existing tracks and roads used for access and any other existing facilities at the site.
- 2.4.2. Upon completion the Contractor is to remove all establishment facilities, rubbish and surplus materials.

2.5. Public Interference

- 2.5.1. Any enquiries from members of the public who want to discuss or debate the work shall be referred to the Supervisor. The contractor shall not enter into debate with members of the public or make any publicity statements or releases without gaining prior approval from the Supervisor.
- 2.5.2. In the case of any trespassing onto the work site, obstruction of the works or any other malicious activities by members of the public; the Contractor shall advise the Police, and contact the Supervisor as soon as practicable.

2.6. Requirements from Other Parties

- 2.6.1. Any instructions that are communicated to the Contractor by other parties, council inspectors, archaeologists, or Heritage NZ personnel shall not be taken by the Contractor as an instruction under the contract.
- 2.6.2. If such a communication is received; prior to actioning any instructions, the Contractor shall contact the Supervisor for confirmation and subsequent issue of a contract instruction if appropriate.
- 2.6.3. Where other parties enforcing Acts of Parliament and Regulations (e.g. HSAW Act, Heritage Act, RMA) instruct the Contractor to stop work immediately, the Contractor shall comply with the instruction and advise the Supervisor as soon as possible.

2.7. Public Access

- 2.7.1. The site is on private land and is closed to public access.
- 2.7.2. The Contractor shall utilize temporary rigid barriers (minimum 1.8 metres height with solid top and bottom rail and with durable infill) to prevent members of the public from entering the work site on formed tracks.
- 2.7.3. The Contractor shall install warning signs at all points of pedestrian access to the site. The signs shall be formed from suitable durable materials and shall clearly indicate the areas where public access is prohibited.

2.8. Helicopter Operations

- 2.8.1. The Contractor shall obtain prior approval from the Supervisor before each and every helicopter operation.
- 2.8.2. The Contractor is responsible for obtaining all required Civil Aviation and other permits necessary for helicopter operations.
- 2.8.3. The Contractor's site and job specific Risk & Safety Management Plan shall include procedures for such operations and the proposed measures to ensure public safety during the operations.
- 2.8.4. Any materials dropped by a helicopter operator, either by accident or on purpose outside of approved sites must be reported to the Supervisor as soon as possible and any such materials shall be removed as soon as possible. Site restoration work must be carried out to the satisfaction of the Supervisor in the event of any damage from dropped items.

3.0 ENVIRONMENTAL AND HERITAGE ISSUES

3.1. General

- 3.1.1. While undertaking any works the Contractor shall at all times comply with the obligations, provisions and requirements of the Resource Management Act.
- 3.1.2. A Resource Consent shall be obtained by Hastings District Council for the work and a copy shall be provided to the Contractor. The Contractor shall comply with all conditions of the Consent.

3.2. Protection and Reinstatement of Area

- 3.2.1. The Contractor's activity shall be confined to the track zone. Damage to the vegetation or ground beyond the track zone shall be rectified at the Contractor's expense.
- 3.2.2. The Contractor shall not disturb, modify or remove any items or materials at the site other than that necessary to carry out the work.
- 3.2.3. Particular care shall be taken not to damage or modify any natural rock formations on the site.
- 3.2.4. The Contractor shall not bring any dog, cat or other animal on to the site without the express approval of the Supervisor.

3.3. Sediment and Erosion Control Measures

- 3.3.1. The Contractor shall prevent sediment from leaving the work site by maintaining and stabilising the entry points for equipment to the site.
- 3.3.2. The Contractor shall take all practicable steps to ensure that all storm water run-off from the track remediation work site is managed so that sediment is retained on site and any discharge does not cause adverse effects on the environment by entering a natural watercourse.
- 3.3.3. Silt traps, silt fences and other sediment control measures are to be installed and maintained wherever silt arising from earthworks is likely to be washed off the work site.
- 3.3.4. The control measures must be maintained until the site has been adequately stabilised against erosion and sediment run-off.
- 3.3.5. The Contractor shall ensure that mud is not tracked off-site onto the public road beyond the site entrances, and shall, if necessary, clean road surfaces of silt and other spilt material.

3.4. Imported Fill Material

- 3.4.1. Imported soil fill shall be supplied by the Principal to a stockpile site near the entrance to the track on Waitemarama Rd.
- 3.4.2. All materials shall be transferred from the stockpile by the Contractor, and on completion, the stockpile site shall be returned to original condition.

3.5. Removal of Waste Material

- 3.5.1. Waste is defined as all foreign material on the site. This includes offcuts and surplus materials.
- 3.5.2. All waste is to be removed from the site at the completion of the work.
- 3.5.3. Waste or rubbish being held at the site prior to removal is to be stored in such a fashion that it cannot be blown about by the wind.

3.6. Archaeological Discovery Protocol

- 3.6.1. If Taonga (treasure or prized possession, including a natural resource, having tangible or intangible value) or archaeological evidence is discovered in any area, the Contractor shall notify the Supervisor. The Supervisor will contact the appropriate iwi and Heritage New Zealand. The Contractor shall immediately cease all work in the area of discovery until approval is given by the Supervisor to resume work.
- 3.6.2. Work in the vicinity where Taonga or archaeological evidence is uncovered shall not re-commence until the Supervisor gives approval (after the Supervisor has received approval from all of the necessary parties).
- 3.6.3. Damage to archaeological sites caused by the Contractor may be subject to prosecution under the Resource Management Act and/or Heritage New Zealand Pouhere Taonga Act 2014.

4.0 TRACK REMOVAL

4.1. General

- 4.1.1. The track to be removed shall be filled with compacted soil as shown on the specific drawing for each section.
- 4.1.2. The track formation over the whole work section length of 1335m shall be removed as per the drawings.

4.2. Earthworks on Track Sections B & C

- 4.2.1. Earthworks may be undertaken with light mechanical equipment or by hand. It is the Contractor's responsibility to ensure that any equipment proposed for use on the work, can be safely operated on the sloping site during the expected weather conditions.
- 4.2.2. The Contractor shall not undertake any rock breaking or damage any rock formations on site. Rock for armouring of water discharges shall be imported to the site, or may be recovered from the disturbed side-cast soil below the track bench. Scavenging of rock from the general area is strictly prohibited.
- 4.2.3. The natural slope shall be re-instated on completion of the track removal as best as possible with the available soil. Additional fill from the supplied stockpile shall be used for supplementing the available material on site where this is necessary. It is acceptable for the re-instated slope line to have a minor depression across the track alignment from the overall original slope line, but it

must never be dished to the extent that it could act as a collector drain. For clarity, the restored slope percentage shall at no point within the restoration area be less than half the natural slope grade percentage of the slopes above and below the work area.

- 4.2.4. Fill batter slopes in the restored area shall be no steeper than 10% greater than the natural slope percentage of the adjacent natural slope.
- 4.2.5. Material for filling the track formation shall be recovered from the side cast material from the original track construction, and from minor trimming of the upper and lower edges of the formation.
- 4.2.6. Additional fill for track bench filling will be supplied by the Principal to a stockpile on the site, near Waimarama Road.
- 4.2.7. Fill material shall be placed in level layers not exceeding 250mm loose depth and compacted using appropriate equipment. Where the existing track bench slopes at greater than 30%, a 300mm wide bench shall be formed on the ground before placing fill to key in the fill material into the slope and to facilitate compaction.
- 4.2.8. All formation fill shall be compacted by suitable mechanical compaction equipment. This shall be a plate compactor or tamping rammer.
- 4.2.9. Any fill material shall where practicable, be at a moisture content that is near the plastic limit so that compaction can achieve densification of the soil. If the moisture content of material to be used as fill is greater than the plastic limit, efforts shall be made to reduce the moisture content by covering with tarpaulins during rains and by exposing the soil to air and light during dry periods. Site drainage should be arranged to keep the fill free from saturation.
- 4.2.10. If necessary to achieve satisfactory compaction, the moisture content of soil material for fill shall be increased by watering.
- 4.2.11. Fill slopes shall be left in a tidy condition. It shall remain the Contractor's responsibility to make good any slumping or minor subsidence which occurs during the operation of this Contract.

4.3. Earthworks on Track Section A

- 4.3.1. On track Section A, the existing aggregate surfacing shall be removed by stripping with an excavator the top nominal 150mm depth of surface and removing this from this section of track alignment. This stripped material may be used as track bench fill material on Sections B and C, provided the aggregate content of this material is fully buried below the finished restored surface so that it does not inhibit grass growth.
- 4.3.2. Silt material from the stockpile of supplied fill material shall be applied at a 150mm nominal thickness layer over the stripped surface, and shaped to match the adjacent ground.
- 4.3.3. Shallow swales shall be formed across the placed silt material on the original track alignment at approximately 20m intervals, each having a fall to one side

to intercept and dispose of any surface water that may flow down the restored alignment.

4.4. Grassing

- 4.4.1. Where the restored slope surface consists of bare limestone derived soil, a nominal 50mm layer of organic soil shall be spread over the surface. This organic soil may be recovered from side-cast material or trimming, and may contain vegetation.
- 4.4.2. On completion of restoration earthworks, the soil shall be seeded with Browntop grass at a rate of 5-7gm per square metre.
- 4.4.3. After seeding, the exposed soil on track Section A and B shall be lightly raked to bed the seed.
- 4.4.4. After seeding, the exposed soil in track Section C shall be covered with BioCoir B300JR coconut matting, fixed in place with wire pins at 0.5m centres along edges and with three pins per square metre elsewhere. The matting shall be laid to closely fit the soil surface without air cavities and shall be overlapped by 100mm at the edges.

4.5. Drainage

- 4.5.1. Where natural stormwater drainage channel flows are likely to intercept the restored soil slope, swales shall be provided in the restored slope and these shall be armoured with limestone rock, placed to protect the swale from scour.
- 4.5.2. Rock armouring shall be stacked from a stable base and interlocked to ensure it remains in place during stormwater flows.

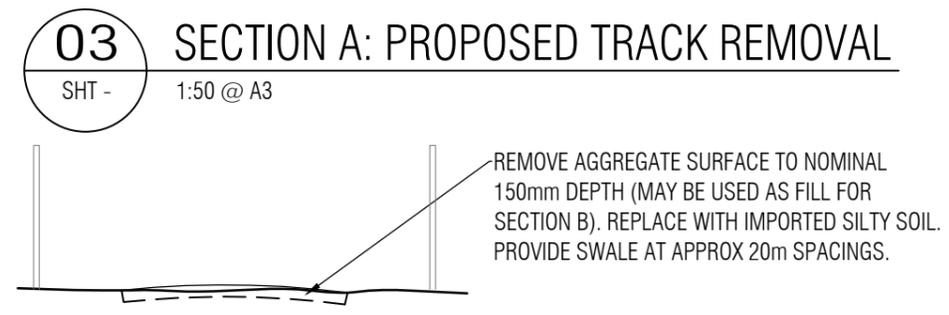
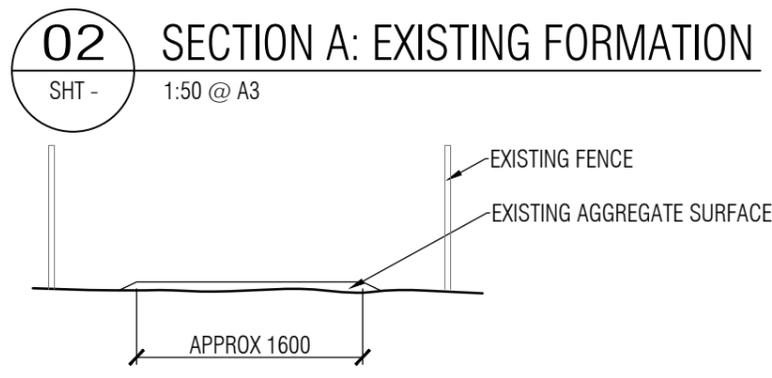
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01 SECTION A - PLAN
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PREPARED FOR
 HASTINGS DISTRICT COUNCIL

PROJECT
**Craggy Range Track - Te Mata Peak
Partial Track Removal Works**

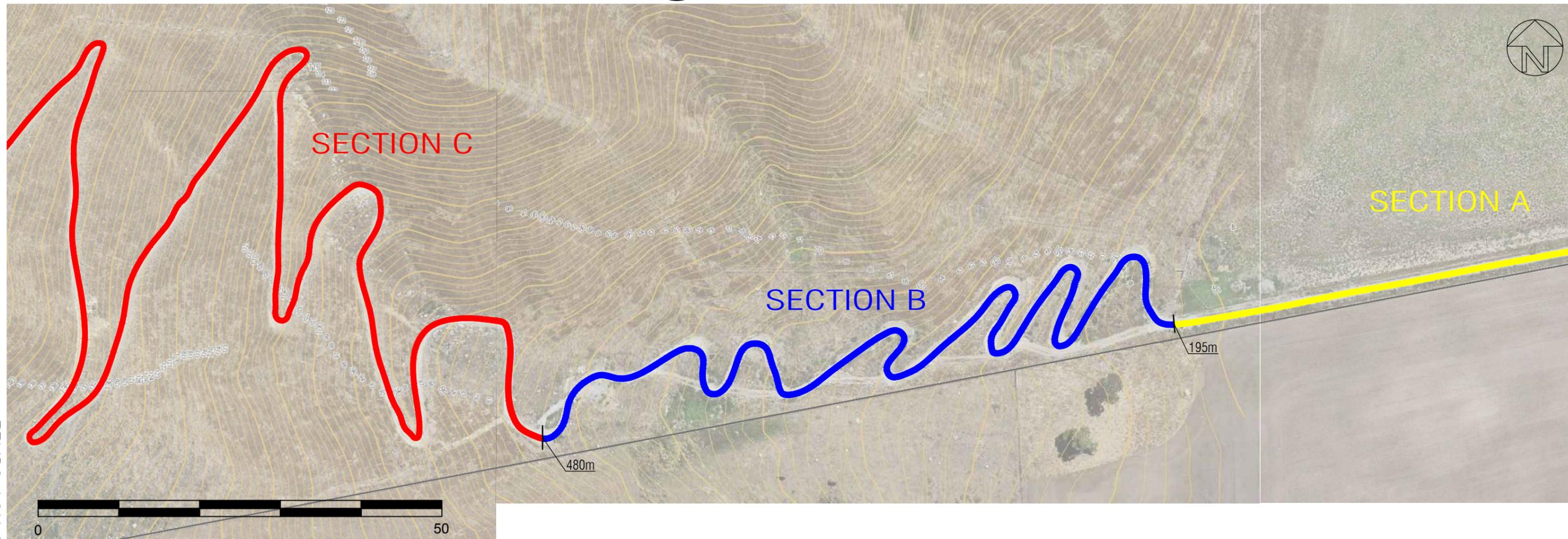
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AND SECTIONS**

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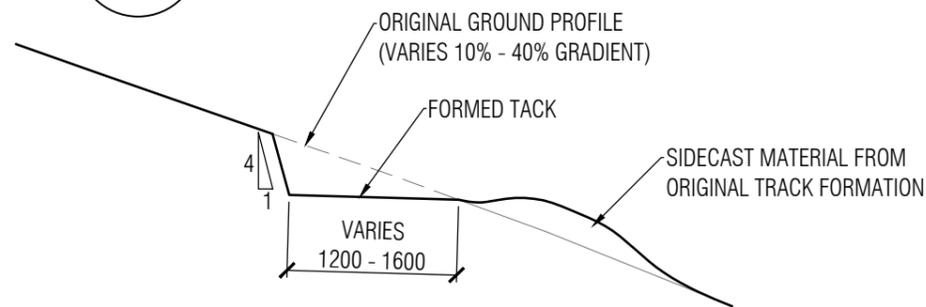
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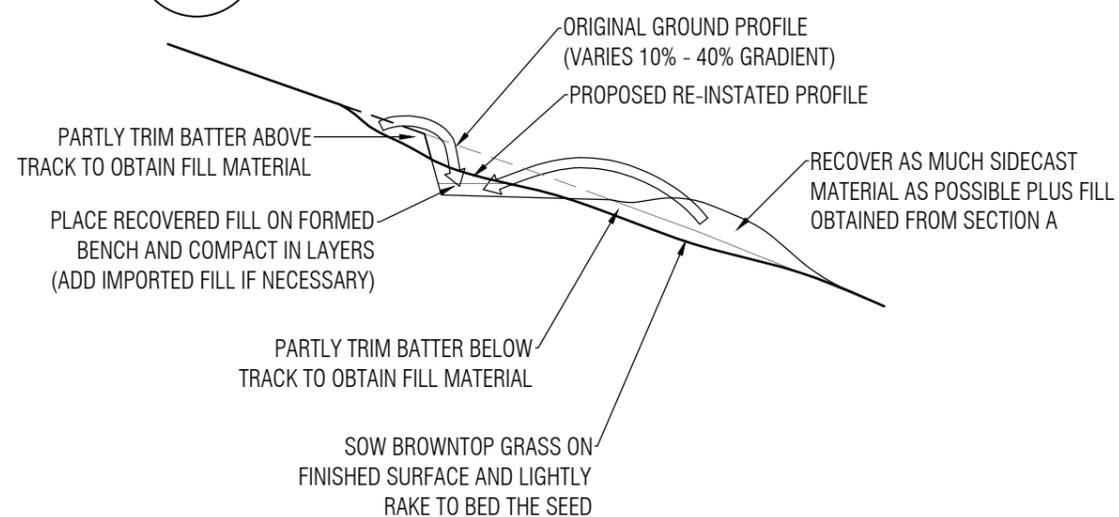


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02 SECTION B: EXISTING FORMATION
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03 SECTION B: PROPOSED TRACK REMOVAL
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PREPARED FOR
HASTINGS DISTRICT COUNCIL

PROJECT
**Craggy Range Track - Te Mata Peak
Partial Track Removal Works**

TITLE
**SECTION B - LOCATION PLAN
AND SECTIONS**

SCALE	AS SHOWN	DATE	JANUARY 2019
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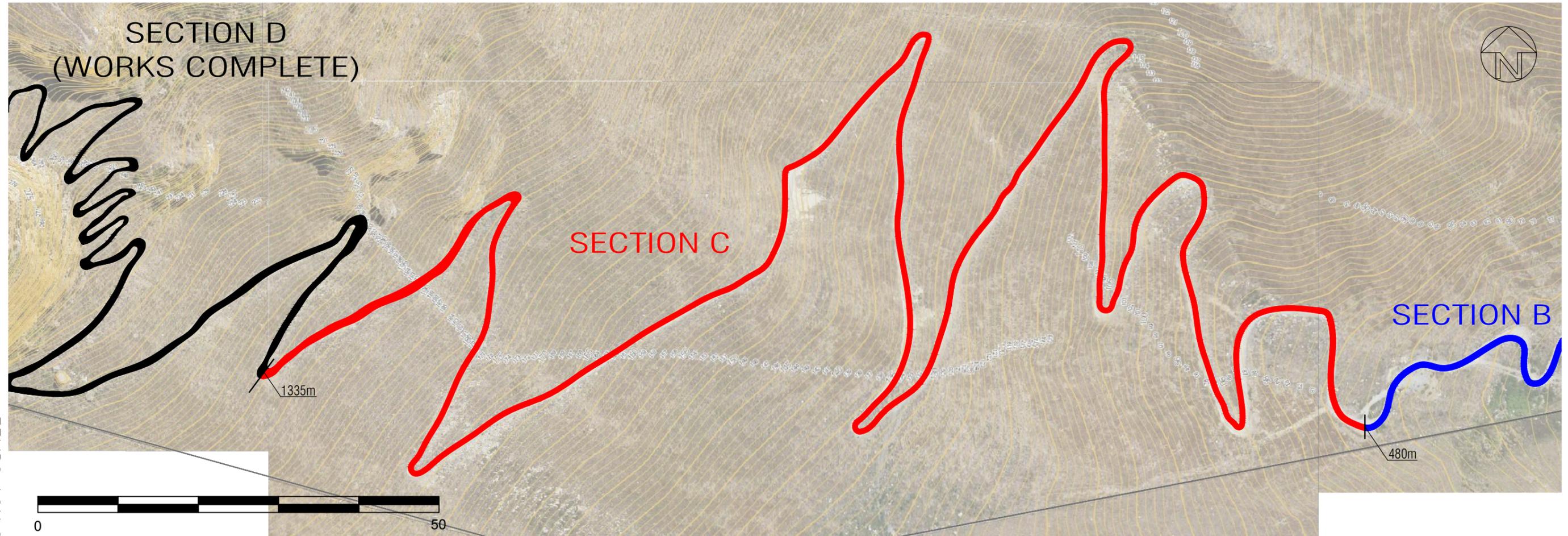
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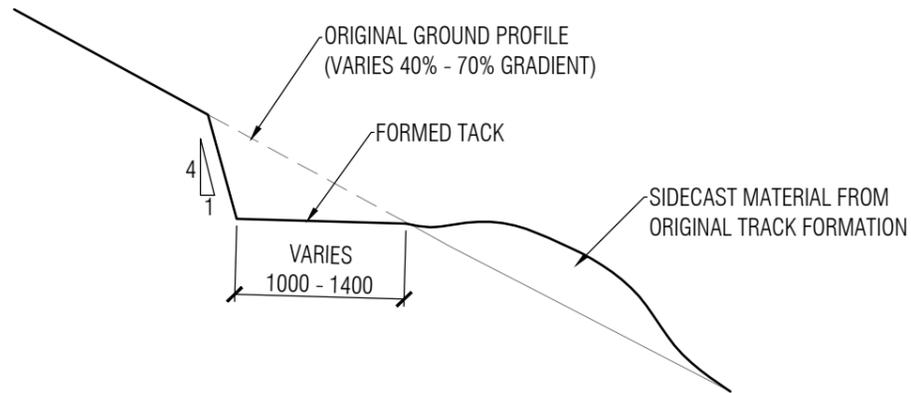


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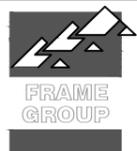
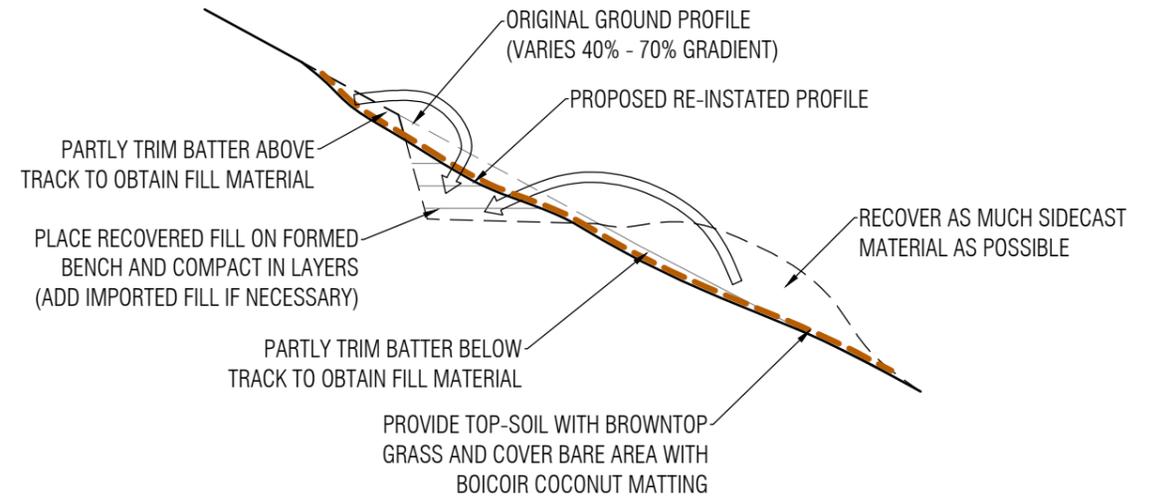


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SECTION C: PROPOSED TRACK REMOVAL

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HASTINGS DISTRICT COUNCIL

PROJECT

Craggy Range Track - Te Mata Peak
PARTIAL TRACK REMOVAL WORKS

TITLE

SECTION C - LOCATION PLAN
AND SECTIONS

SCALE AS SHOWN

DATE JANUARY 2019

DRAWN JR

DESIGNED

FGL JOB 18/033/01

APPROVED

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Appendix B – Landscape and Visual Effects Report

Craggy Range Track

Stage 2 Remedial Emergency Works: Landscape and Visual Effects Assessment
Prepared for Hastings District Council

11 January 2019



Document Quality Assurance

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T18057_Te_Mata_a_Tipuna_Craggy Range Track| Stage 2 Remedial Emergency Works: Landscape and Visual Effects Assessment_20181206

Cover photograph: Photo from Craggy Range Winery – July 2018

Table of Contents

1.0	Introduction and Background	1
2.0	Method of Assessment	4
3.0	Outline of Remediation Works	5
4.0	Statutory Context	6
5.0	Landscape Context of Te Mata ti Tipuna	8
6.0	Assessment of Landscape and Visual Effects	14
7.0	Assessment against the Planning Provisions	24
8.0	Recommendations	27
9.0	Conclusion.....	27
10.0	Bibliography	28

Appendix 1 – Methodology

Appendix 2 – Frame Group Ltd Technical Specification

Appendix 3 – Extract of Planning Provisions

Appendix 4 – Grass Specification

1.0 Introduction and Background

- 1.1 In September 2017 Craggy Range Vineyards applied for resource consent to construct a walking track for public use from Waimarama Road opposite their property to the top of the Te Mata Peak ridgeline. Consent was granted by Hastings District Council on 17 October and construction started immediately with the track largely completed by early December 2017. However, following widespread adverse public reaction, including from local iwi, all work on the track was halted in mid-December 2017.
- 1.2 The construction of the track polarised views of the wider community with many wanting it to be removed and the site remediated while others want it to be retained in its present location or an alternative public walking track provided on the eastern face of the Te Mata te Tipuna, which is recognised in the Hastings District Plan as an Outstanding Natural Feature (ONF) and Outstanding Natural Landscape (ONL), with the lower flanks of the range recognised as an Amenity Landscape Area.



Figure 1 – Photo of installed track (June 2018)

1.3 Despite the track being incomplete, particularly the upper section, the public continued to use the track over the 2017/2018 summer period. Security fences were installed to curtail public access and while the Council considered the future management of the track and the broader Te Mata te Tipuna landscape. This has involved the Council engaging a team of consultants from a range of disciplines to consider the long-term management of the eastern face and to formulate measures that should be undertaken to remediate the effects of the track. As part of these wider investigations, in June 2018 Council commissioned an assessment report of the condition of the track and the level of risk the track posed to users.¹ This report concluded that the track in its then current state represented a serious health and safety hazard to track users. The installation of security fencing and signs prohibiting entry and use of the track did not prevent people accessing track as confirmed by video monitoring.

1.4 A subsequent report in October 2018 on the condition and safety risk of the track determined that the upper sections of the track was becoming “more hazardous over time as a result of further deterioration of the retaining wall stability and the proliferation of stones and rocks that are tumbling down the track route.”² The advice to Council recommended that the upper 500m of track should be disestablished so walking access ceased. This would remove the hazard to possible track users and minimise the risk of soil erosion and drainage-related scouring on the upper slope.

1.5 Hastings District Council Acting Chief Executive considered this recommendation and concluded that the first stage of the remediation works affecting the upper 500m of the track could proceed as emergency works without a resource consent under s330 of the RMA.³ These works were carried out in early November 2018 and a retrospective consent, including a landscape and visual effects assessment was undertaken in December 2018.



Figure 2 – Photo of remediated upper section of the track (November 2018)

1.6 The remainder of the track forms the subject of this assessment which addresses measures to remove the remainder of the track and remediate the land form.

¹ *Craggy Range Track, Te Mata Peak Assessment and remedial options*, Frame Group Limited, 25 July 2018

² *Public Safety Issues-Craggy Range Track, Eastern Te Mata Peak*, Frame Group Limited, 24 October 2018.

³ *Craggy Range Track-Emergency Works-Record of Consideration*, Acting Chief Executive, Hastings District Council, 24 October 2018.

2.0 Method of Assessment

2.1 The assessment of landscape and visual effects are separate, although linked, procedures. The existing landscape and its existing visual context or visual envelope all contributes to the existing 'baseline' for landscape and visual assessment studies. The assessment of the potential effect on the landscape is carried out as an effect on an environmental resource (i.e. landscape features or character). Visual effects are assessed as one of the interrelated effects on the surrounding viewing audience. The differences between these types of effects can be summarised as follows:

Landscape effects derive from changes in the physical landscape, which may give rise to changes in its character and how this is experienced. This may in turn affect the perceived value ascribed to the landscape.

Visual effects relate to the changes that arise in the composition of available views as a result of changes to the landscape, to people's responses to the changes, and to the overall effects with respect to visual amenity.

2.2 To determine the overall nature and significance of landscape and visual effects, an understanding of the sensitivity of the landscape or viewing audience has been combined with an assessment of the magnitude of change resulting from the proposal in order to determine the overall significance of effects. This assessment has been undertaken with reference to the Quality Planning Landscape Guidance Note and its signposts to examples of best practice which include the recently published UK guidelines for landscape and visual impact assessment and the New Zealand Landscape Institute Guidelines for Landscape Assessment. Further detail on the method of assessment is included within Appendix 1.

3.0 Outline of Remediation Works

- 3.1 The Frame Group Limited July 2018 report included a technical specification for the remedial works outlining the scope of the works and requirements, a description of the environmental and heritage issues and other measures that needed to be addressed ⁴ (Appendix 2).
- 3.2 In summary, the works as set out in the technical specification involve:
- Division of the remainder of the track into 3 sections: A, B and C.
 - Using an excavator recovery of the side-cast soil from track construction and placing it on the track bench;
 - Minor trimming of the batter edge both above and below the track bench;
 - Importing and placing of additional fill material on the track bench to supplement the recovered side-cast material
 - Where required, providing a thin layer of topsoil and sowing a ryegrass seed mix on all exposed earthwork faces on areas B and C;
 - Installing BioCoir coconut matting over the exposed earthworks on areas B and C.
 - Provision of topsoil/ silt mix on area A and sowing with a ryegrass seed mix to marry in with terrace productive pasture.
 - Placing informal limestone rock armouring in selected locations integrate with topsoil to mitigate isolated water scouring.
- 3.3 The October 2018 Frame Group report stated that because of the nature and extent of the earthworks required to form the track that it would not be possible to restore the original slope profile, but it would be possible to approximate it and to re-establish original surface drainage patterns and vegetation.
- 3.4 Remedial works started on 29 October and were completed two weeks later (8 November 2018). Where the slope permitted (i.e. the lower section of the remediation area, a 1.5 tonne excavator was used to retrieve side-cast material but on the upper steeper section, this was done by hand with the use of a plate compactor. 45m³ of extra fill (silt material) was delivered to the site by helicopter.
- 3.5 A site inspection was made of the completed remedial works on 20 October 2018 by the peer reviewer, 12 days after completion of the emergency works; conditions during the site inspection were dry and sunny. A further site visit was undertaken by Hastings District Council staff on the 8th of January 2019 to investigate pasture growth on the emergency works site of the upper track.
- 3.6 **The proposed remediation of the remainder of the track**, for which this assessment addresses, will follow the same method. These works will involve the same approach as undertaken for the emergency works, minus the timber crib wall removal. The method of implementation will remain the same with the anticipated volume of earthworks being:
- 1,335m of track section to be removed;
 - 1140m recovery of side cast soil;
 - 140m³ of additional imported fill material;
 - 4m³ of integrate rock armouring
 - 43kg of grass seed
 - 3,400m² of BioCoir matting.

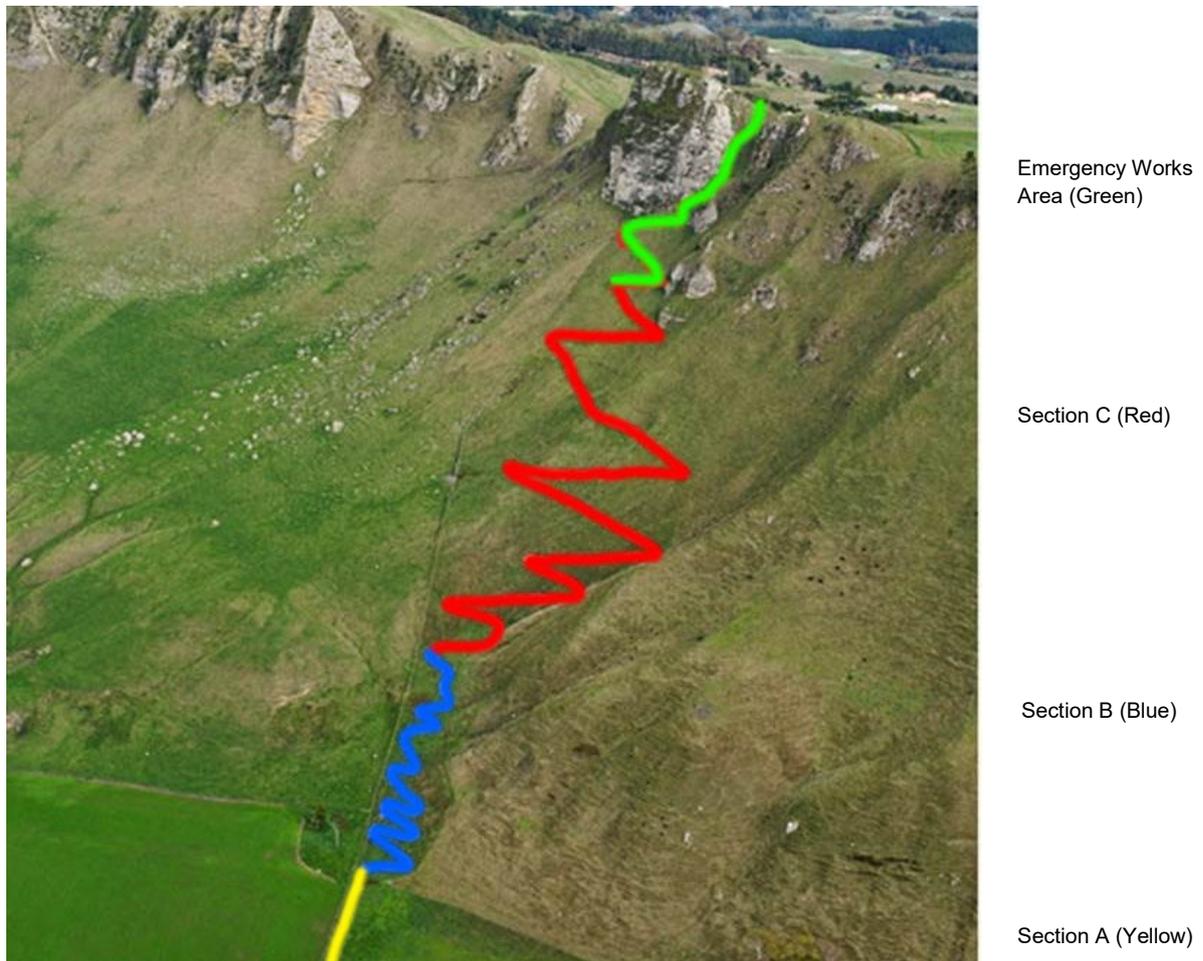


Figure 3 – Extent of completed and proposed works (Refer to AEE for Plans)

4.0 Statutory Context

In terms of the Hastings District Plan the status of the activity is restricted discretionary and the plan states:

For Restricted Discretionary Activities, the following criteria identify those matters which Council has restricted its discretion over in assessing Resource Consent applications.

The status would be full discretionary if there were cuts of greater than 1.0m in vertical extent involved, but Council considered that the proposed activity involved remediating the track by using the side-cast material and placing it on the track bench and filling of the existing cuts that were required to form the track did not result in any new cuts of greater than 1.0m.

Extracts from the Hastings District Plan are included in Appendix 3 and evaluated against in Section 7.0 of this report.

4.1 District Landscape Evaluations

Two district landscape assessments have been undertaken since 1996. In both studies Te Mata Peak and its range has been identified as being an Outstanding Natural Feature and Landscape. In the earlier 1996 Landscape Assessment (Isthmus Group Ltd, 1996) the iconic feature of the eastern escarpment featured within the broader assessment of landform patterns. The range

⁴ *Technical Specification: Craggy Range Track-Te Mata Peak Partial Track Removal Works*, prepared by Frame Group Limited for Hastings District Council, Specification FGL No. 18/033/01.

itself forms the boundary between two ecological districts, the Heretaunga Ecological District and the Eastern Hawkes Bay Ecological District. The assessment looks at pre and post European landscapes and the impacts of the varying land use practices on the landscape character of the district. By defining landscape character areas, the study and identifying features within it the study identifies Te Mata Peak, including both east and west faces, as Outstanding Natural Features and Landscapes.

This earlier assessment was prior to the Environment Court decision where the *Amended Pigeon Bay Criteria* were first recognised and subsequently promoted. The more recent review (Boffa Miskell Ltd, 2013) of the landscape areas provided an update to the earlier study. This review reinforced Te Mata Peak /Range as being an Outstanding Natural Feature and Landscape and identified the evaluation of the factors, values and associations by applying Policy 15 of the New Zealand Coastal Policy Statement and the Regional Coastal Environment Plan to the review. This review was a targeted review of the previously identified landscape areas and resulted in some changes to the extent and classification of some of the earlier identified Outstanding Natural Features and Landscapes. This recent study more specifically identifies Te Mata range as having:

- An Outstanding Natural Feature along the exposed rocky ridgeline of the range;
- An Outstanding Natural Landscape to the middle to lower foothills of the range, and;
- An Amenity Landscape Area around the foothills of the range connecting between Te Mata and Kohinerakau ranges

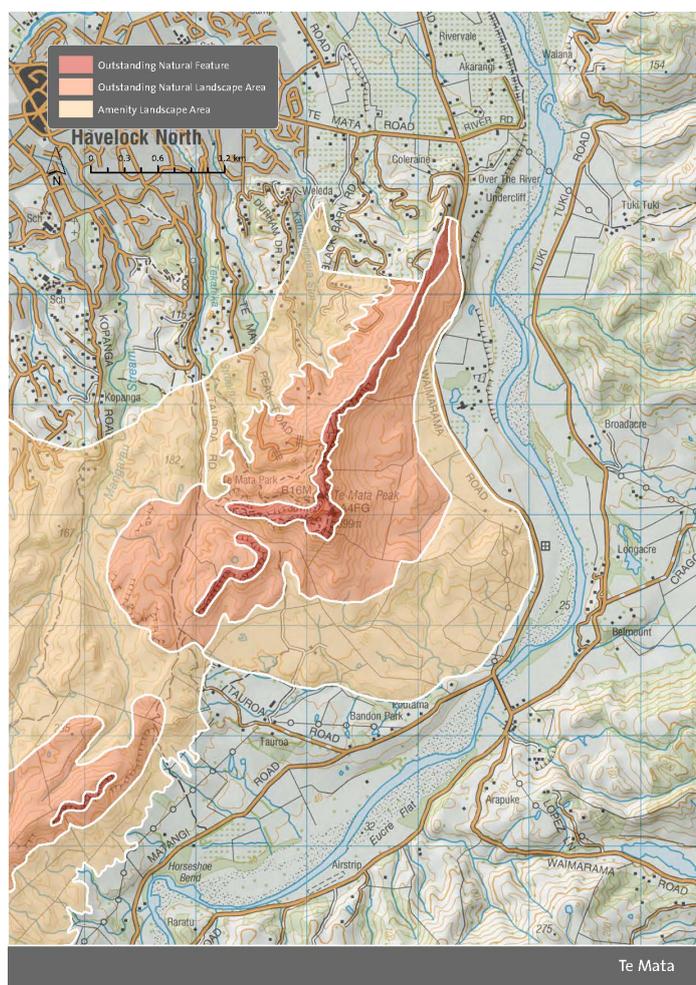


Figure 4 – Identified, Outstanding Natural Feature, Landscape and Amenity Landscape Area, 2013

Key management issues identified for the range are focused on human induced landscape change. The following key management issues were identified in the review:

- Retention of open character of the mid to lower slopes
- Retention of the interrupted skyline to ensure the depiction of the sleeping giant or ancestor is retained.
- Management of the elevation on Te Mata for built development to maintain the open rural context of the steep slopes.
- Retention of the open uninterrupted skyline between Te Mata and Kohinerakau
- Landscape change, in particular forestry, or other vegetation cover, can disrupt the legibility of the geology and landform. Management of any proposed new forestry or planting is needed.

Several of the above management issues identified are pertinent to the eastern escarpment and the following landscape evaluation explores this in more detail. The purpose of this evaluation is not to review the classification of the overall range or amend the extent of the Outstanding Natural Feature, Outstanding Natural Landscape or Amenity Landscape Area.

5.0 Landscape Context of Te Mata ti Tipuna

5.1 Biophysical Features

Te Mata range is one of many landforms within the Hastings District that is highly expressive of its formative processes. The Hawke's Bay landforms are a result of colliding plates of greywacke rock and sedimentary rock. The two rock groups are being pushed together by colliding plates with the Ruahine and Kaweka Ranges formed by the older greywacke rock and the younger sedimentary rock forming a series of folds. These folds have formed and faulted under pressure creating a pattern of steep escarpments, titled plateau and incised fault line rivers. Te Mata ti Tipuna comprises the sedimentary limestone layers that have faulted to form the steep eastern escarpment.

The Tukituki – Te Mata Hill country includes Te Mata ti Tipuna, Kohinerakau range and the Tukituki River. Te Mata range consists of tertiary aged sedimentary rocks that are broadly folded. The Kohinerakau range, including Te Mata Peak, tend to have fault dips toward the east and the east facing scarps, including the subject site (GNS, 2007).

Te Mata Peak itself stands some 399 metres above sea level and forms the western boundary to the Heretaunga Plains. The Peak itself known as a 'Hogs Back' ridge of erosion-resistant limestone dipping steeply to the west. The rock cliffs and outcrops are studded with fossils of marine shells with pockets of native groundcover and shrub vegetation along the upper slopes and ridge. (Park_Trust, 2018)

The formative tectonic processes are strikingly evident for the eastern face of Te Mata range with the exposure of the dip fault's sedimentary rock seam and subsequent natural erosion along the slope.

The landform along the eastern scarp retains a steep scarp that rises steeply to a vertical face of the exposed rock seam. Along the face of the slope are a series of spurs that extend down from Te Hau and Te Mata Peak. On the mid slopes, the gradient falls away to meet a mid slope plateau before rising to meet a series of hillocks on the foothills. At this intersecting of the lower scarp slopes and the foothills are a series of incised valleys formed from ephemeral and permanent water courses along the slopes. At the base of these slopes are seepage wetlands that are grazed as part of the dominant agricultural land use. Below the foothills the Tukituki valley floor comprises a series of river terraces, upon which agricultural cropping and grazing occurs.



Figure 5 – View from Communications Station at top of Te Mata ti Tipuna ridgeline.

Along the eastern scarp are several permanent and ephemeral water courses, originating from a series of springs along the mid slopes of the escarpment. A number of these features include active springs that are currently pumped or dammed for agricultural water supply.

The slopes of the eastern scarp have been modified through human land use changes resulting in the loss of native vegetation cover. Throughout Te Mata and Kohinerakau ranges there are remnants of the pre-human vegetation that covered the range. Small pockets of native trees remain on the lower slopes of Te Mata, both within private property and Te Mata Park (Grant). Tree species included matai, totara, karaka, titoki, ngaio, tarata and mapou. Evidence of matai roots are found on the slopes of Te Mata along with remaining species including the native daphne (*Pimelea* spp.), tussocks, tree hebes and pohuehue (Park_Trust, 2018).

Distinctive biophysical features within the subject site include:

- The limestone boulder field at the foot of rocky outcrop;
- The exposed limestone seam, including feature rocks along the 'Hogs Back' ridge and the rising steep scarp that is formed beneath it;
- Remnant seep wetlands at the foot of the eastern escarpments, and;
- Pockets of native vegetation cover along the ridgeline and steeper scarps, less accessible to stock.

These features are collectively distinctive to the biophysical feature of Te Mata ti Tipuna.

5.2 Sensory Qualities

Sensory qualities comprise aesthetic values, transient values and other sensory values experienced within and of a landscape or feature. Te Mata ti Tipuna's striking landform as skyline feature and western boundary to the Heretaunga plains creates a strong sense of memorability. Its location adjacent to the plains landscape and gateway to the Tukituki Valley contribute to its position as a landform contributing to district and regional way finding as an iconic landmark. The eastern escarpment is highly visible from Waimarama Road with the northern extent of the scarp visually exposed to much of the Tukituki Valley and road users.

The exposed landform and its interplay of light and shadow in differing conditions provides a highly distinctive feature of the wider Te Mata range. The ridgeline itself is memorable as part of a wider vista, with the escarpment providing one of the most striking landscape features of the wider range, especially at a localised level. Other than the ridgeline and its depiction of “*The Sleeping Giant*”, the eastern scarp is recognised widely within the district, region and country. One of the most photographed features, the eastern escarpment’s lack of built development and landform modification to the slopes contribute to its vividness. The geomorphology of this landscape feature creates a striking landscape that is reliant on the legibility of the landform itself.



Figure 6 – View from Middle Hill looking across Hutton property at rocky outcrop (right hand side of image)

The natural landscape’s elements, processes and patterns are largely evident on the eastern escarpment as the formative geological processes. The natural systems that remain on the landscape reside mainly in the geology and hydrological processes. Most of what would have been indigenous vegetation cover has been removed for farming. The remaining native vegetation is apparent but not visually recognised from wider viewpoints. The visual exposure of the rocky outcrops, natural erosion patterns, hydrological patterns and boulder fields depict the fundamental formative processes of this landscape. Much of this resides on the mid to upper slopes of the range with the lower foothills, hillocks and valleys providing a setting to the escarpment.

The aesthetic coherence of the eastern escarpments is derived largely from the exposed slopes, rocky outcrops and seams and the numerous spurs and valleys that connect at the mid to lower slopes of the eastern face. The dominant element that provides the most visually coherent feature of the slope is the area between the mid slope and the ridgeline. The lower slopes are also important and provide the overall context, however, the land use practices on the lower sections have modified the natural elements and patterns. This includes farm tracks, fence lines and alterations to watercourses and native vegetation cover that are unsympathetic to the natural landform patterns.



Figure 7 – Middle hill and eastern escarpment's lower foothills, with land form modifications.

The eastern escarpment along with the ridgeline of Te Mata ti Tipuna provides a variety of transient experiences of the landform with the interplay of light and weather conditions. The varying weather conditions and light interplay on the landform, creates a memorable composition of shadow and light along the escarpment. The variance in lighting conditions, cloud cover and mist, while transient conditions create a variety of visual and physical experiences of the eastern escarpment. This contributes to the drama and scenic beauty provided by the mid to upper scarps of the eastern terrace. Grazed pasture on themed and upper scarps has exposed the underlying geology and has resulted in the exposure of the dramatic landform.



Figure 8 – Looking northward from Te Mata Peak Lookout, along the eastern escarpment.

5.3 Shared and Recognised Values

Certain natural features and landscapes are widely known and valued by the immediate and wider community for their contribution to a sense of place. This leads to a strong community association with or high public esteem for the place. Te Mata ti Tipuna is renowned for its importance as *The Sleeping Giant* and the exposure of its ridgeline is significant in its story telling.

Shared and recognised values are reinforced through the visual relationship the wider community have with the range. The eastern escarpment's shared and recognised values are depicted through numerous photographic media representing the district and region. Similarly, oratory, waiata and haka connect people with Te Mata ti Tipuna. Shared and recognised values relate to the visual, physical and spiritual connections humans have with a landscape or feature. The outward visual expression of these values are found through promotional photography for a place, district or region, art work and other illustrative and promotional material. The eastern

escarpment is used by Hastings District to promote the area and is representative of the Te Mata Range in visual media, more so than the western face.

Cultural legibility is a vital component of many overseas landscapes where many centuries of human endeavour can be unravelled through study of the present landscape. In New Zealand this aspect of landscape has received only limited and belated attention. Hastings District with its rich history and a multitude heritage layers includes both Maaori and European history, as well as more recent multi-cultural influences such as those from Polynesia, Asia and Africa.

Maaori heritage values are often associated with significant natural features, that are in many cases now highly modified, such as former wetlands and swamps, as these places were important for mahinga kai (traditional food species and gathering) and supported associated kaainga (villages) and paa (fortified villages).

European heritage values attributed to Te Mata ti Tipuna are associated primarily with the land use, ownership and the heritage of those land owners.

“Te Mata Park has a rich human history spanning several centuries. The upper parts of the Park in particular have a strong cultural importance to Maori. There is evidence of past settlement including pa sites and other earthworks. The Karaka groves in the upper Te Hau Valley area and Moa bones found on the slopes suggest intensive Maori settlement.

The land that makes up Te Mata Park was included in a block purchased in 1862 by early settler, John Chambers. Chambers farmed in the area, including what now encompasses the Te Mata Estate Winery and land along the Waimarama Road and Tuki Tuki River. In 1927, as a memorial to their father, his sons Bernard, John and Mason gifted a 242 acre (99 hectare) reserve on the upper Havelock North hills, including Te Mata Peak, to the people of Hawke’s Bay in perpetuity.

A charitable trust was set up for the benefit of all citizens of the provincial district of Hawke’s Bay and to be kept as a recreational reserve. Protected by an open space covenant under the QEII National Trust, this generous and forward thinking gift has benefited not only the people of Hawke’s Bay but the New Zealand public in general.” (Park_Trust, 2018)

“The human relationship Maori have with their whenua differs to that of non-maori. In Te Ao Maori the perception of the environment as the physical embodiment of atua (gods) and the topography of the whenua often being explained in terms of actions of ancestors. The physical and metaphysical aspects making up the environment are inseparable and give rise to their status as taonga” (Te Taiwhenua o Heretaunga, 2012).

An interconnected relationship exists between tangata whenua and Te Mata ti Tipuna and its broader landscape. This relationship and connection comprises Whakapapa, Matauranga Maori, Kaitiakitanga, Mauri and Waahi Tapu. These are embedded through the people in Te Reo and expressed in korero, waiata and Kapa Haka. Te Mata ti Tipuna is one of the pillars that separated Papatuanuku from Ranginui.

Traditions and practices that connect tangata whenua to Te Mata ti Tipuna are found physically on the land and connected to the natural processes that occur. The landscape of Te Mata ti Tipuna and its eastern face hold significance to Tangata whenua for these reasons with numerous features and activities on the range identified as holding importance.

There are numerous places within the site that have written and unwritten korero that describes areas that are tapu, areas that were used for occupation and mahinga kai, the mauri of Te Mata, and areas that are waahi tapu (Te Taiwhenua o Heretaunga, 2012). The connection Te Mata ti Tipuna has to hapu and iwi is undoubtedly significant, and this is conveyed through the landform and land use practices. Access and the wellbeing of the landscape’s natural processes, patterns and elements are important to tangata whenua ‘values’. The eastern escarpment comprises several areas that at a localised level are important to tangata whenua. These areas and the management of this landscape feature require careful consideration to ensure the values are protected and/or enhanced.

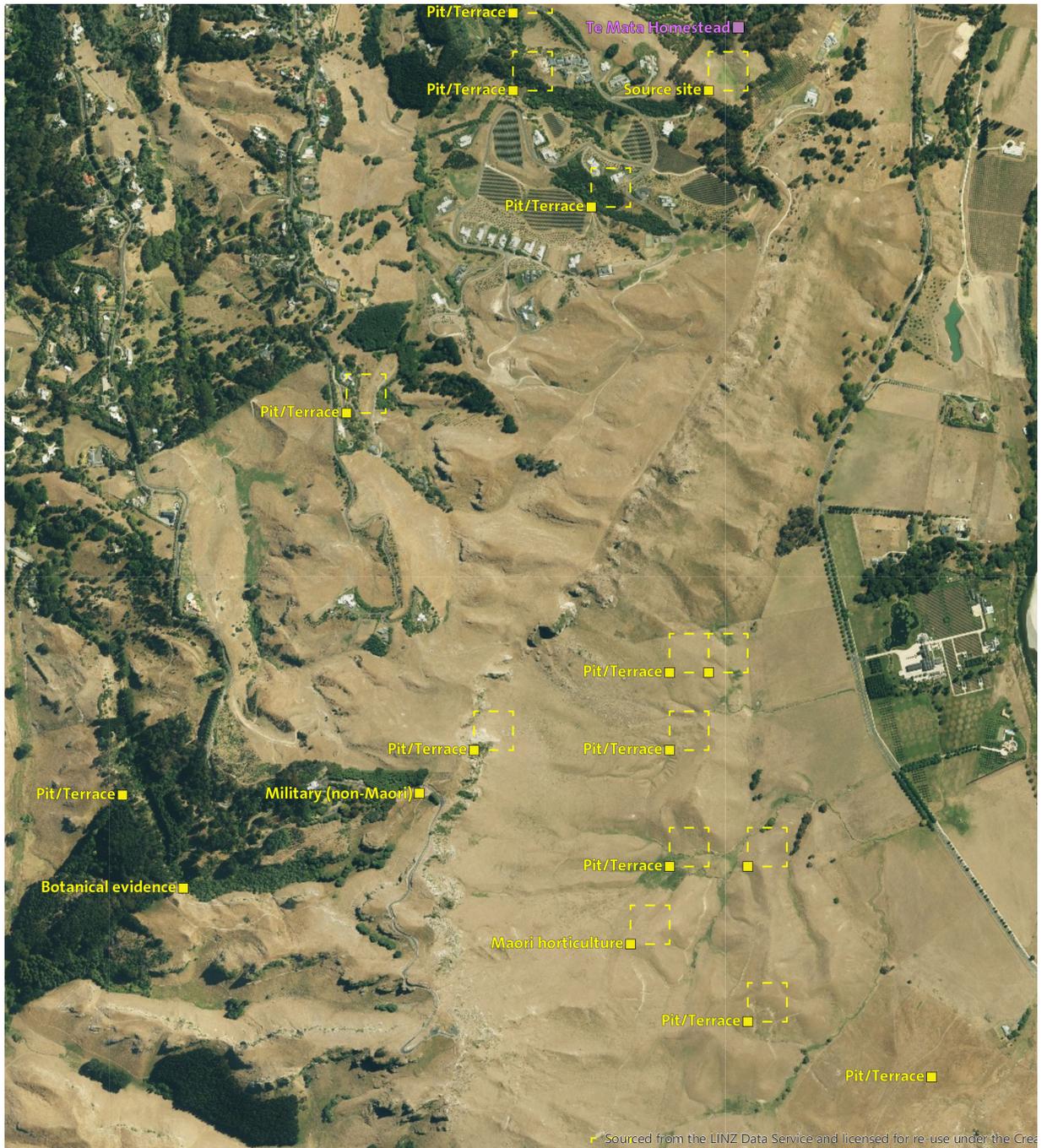


Figure 9 – NZAA Sites

6.0 Assessment of Landscape and Visual Effects

Assessing landscape effects requires an understanding of the nature of the landscape resource and the magnitude of change which results from a proposed activity to determine the overall level of landscape effects.

Assessing the nature of the landscape resource considers both the ability of an area of landscape to absorb change and the value of the landscape. The ability of an area to absorb change will vary upon the following factors:

- Physical elements such as topography / hydrology / soils / vegetation;
- Existing land use;
- The pattern and scale of the landscape;
- Visual enclosure / openness of views and distribution of the viewing audience;
- The zoning of the land and its associated anticipated level of development;
- The scope for mitigation, appropriate to the existing landscape.

The ability of an area of landscape to absorb change takes account of both the attributes of the receiving environment and the characteristics of the proposed development. It considers the ability of a specific type of change occurring without generating adverse effects and/or achievement of landscape planning policies and strategies. Landscape value derives from the importance that people and communities, including tangata whenua, attach to particular landscapes and landscape attributes. This may include the classification of Outstanding Natural Landscape (RMA s.6(b)) based on important biophysical, sensory/ aesthetic and associative landscape attributes, which have potential to be affected by a proposed development.

6.1 Landscape Effects – Existing Track

The nature of the subject site's existing environment includes the Craggy Range track and the remediated section of the track. The condition of the track and its landscape and visual effects has continued to change since establishment. In January 2018, despite the track formally being closed to the public since works ceased in December 2017, it was receiving heavy public use daily. Visitors wanting to use the track parked their cars on both sides of Waimarama Road and walked or ran to the Te Mata ridge on the newly formed track. Lack of suitable parking on what is a fast stretch of road created a potential hazard with people walking or running across the road to the track entrance. This heavy use continued over the summer holiday period but significantly reduced following the installation of the safety fences and notices and the video monitoring.

The heavy use on the formed but unfinished track during this period exacerbated some of the issues that have subsequently emerged contributing to generating landscape and visual effects. Public use, together with grazing the area with sheep have contributed to some of the adverse landscape and visual effects that are evident. In June 2018, when a second site visit was made, the paddock where the track is located was stocked with sheep, which had caused damage to the recently-formed track and earthworks and the excavated and side-cast material.

In these earlier visits, the zigzag track was highly visible when viewed from a distance, such as from Tukituki Road on the eastern side of the valley, or close range from Waimarama Road and environs. The raw track surface, the zig zag alignment and the activity on it with heavy public use all contributing to the track's prominence (Figure 10).



Figure 3 – Upper section track condition – July 2018

In the October 2018 site visit, the upper section of the track was prominent because of the remedial works involved the installation of the Biocoir coconut matting contrasting with the green pasture and grey colour of the limestone rock outcrops. However, in contrast, the middle and lower sections of the track, while visible, were not visually prominent. Stock had been removed and the grass was dense and tall, having benefitted by the removal of stock and the prime spring growing conditions.

Tall pasture on both the upper and lower edges of the track had masked its presence in many places and the previously prominent zigzag had disappeared along many stretches (Figure 11). Weeds, especially thistles, dock, dandelion were also present, especially on track edges and on the side-cast material of the middle and lower track sections (Figure 12 and 13). Flat weeds were also becoming established on the actual track surface.



Figure 11 – Existing track amongst long grass



Figures 12 and 13 – Weed Species

The lower section of the track the topography is much gentler and the track has been aligned with longer switchback lengths. In several places, when the track was heavily used by the public, walkers had bypassed track at the turn points, taking more direct routes. This has created a series of informal track connection (Figure 10). Given that the track construction was unfinished drainage and runoff had not been resolved and in places scouring has occurred

Whilst this assessment is not required to address the landscape and visual effects of the track, it is considered the resultant alignment and profile of the track has resulted in significant adverse landscape and visual effects. The track is incongruent with the biophysical, sensory and associative values attributed to the site and Te Mata ti Tipuna as a whole.



Figure 14 – Panorama looking west of eastern escarpment, including track (July 2018)

6.2 Landscape Effects – Track Remediation

The objective of the proposed track remediation is to remove the pedestrian track and reintegrate the landform and landcover with its immediate surrounds. Integrating with the natural patterns and processes of the landscape are inherent in the proposed outcome. As a construction project there will be a period of time (up to 5 years) where the track alignment will remain visible, however following integration the alignment will weather and eventually visually merged with its surrounding landform and landcover.

Considering the existing environment, the proposed remediation will see the integration of the landform and removal of cut faces and fill batters that exist on site. The landform will retain some recognition of the track and the inclusion of some informal areas of limestone rock armouring in selected locations which will be integrated with topsoil to mitigate isolated water scouring. These areas are unknown at this point but intended to visually integrate with the vegetation cover and avoid 'engineered' rock armouring methods. The purpose of these is to help dissipate water scouring across the newly established landform.

Short Term landscape effects are largely those where the natural patterns of landform and vegetation cover are in contrast to that of the surrounding terrain. The changes to the landform will see a move toward a less modified and human induced hydrological pattern, which currently exists on site. The alignment of the track will remain visible in the short term. The inclusion of the BioCoir matting will see a material that will eventually decompose into the landform but will for the first few years remain visible across the site. Vegetation patterns will take time to establish however the vegetation patterns will be an improvement on the current track condition.

It is recommended that a ryegrass core mix is used for the grass species to integrate with the surrounding productive pasture mix⁵. Within 5 years the grass cover on the track alignment will be invaded by the surrounding grass species and merge completely as a pasture cover, hiding the minor landform differences.

The short term adverse landscape effects will be low in nature and when compared to the existing track, positive.

Long term landscape effects, when considering the natural weathering of the landform and grass establishment will be positive, which is also the objective of the proposed works.

6.3 Visual Effects – Viewing Audience

To assess the visual effects of a proposed development on a landscape, a visual baseline must first be defined. The visual 'baseline' forms a technical exercise which identifies the area where the development may be visible, the potential viewing audience, and the key representative public viewpoints from which visual effects are assessed.

The viewing audience for Te Mata ti Tipuna's eastern escarpment and the subject site comprises the individuals or groups of people occupying or using the properties, roads, footpaths and public open spaces that reside along Waimarama Road, Tuki Tuki Road and Craggy Range Road.

Views range between transient and permanent, with many users visiting or moving past the site. Given the alignment of Waimarama Road and the approaching angle of view, views from vehicles, bicycles and pedestrians moving south and north along Waimarama Road will have unimpeded views of the existing track and the associated remediation works. This viewing audience along with adjoining land owners are considered to have moderate to high visual sensitivity.

Immediate views of the track are demonstrated by representative viewpoints from Waimarama Road, Te Mata Park and adjoining landowners to the south (Wellwood Farms). The following photographic viewpoints demonstrate views from and to the track.

⁵ Advice provided by AgFirst Pastoral Consultant – Lochie MacGillivray



Figure 15 - View from Section C of the existing track, of eastern visual catchment



Figure 16 - View from summit above the existing track, of southern visual catchment



Figure 17 - View from Section C of the existing track, of southern visual catchment



Figure 18 - View from summit of Te Mata Park looking north along eastern escarpment



Figure 19 - View from Waimarama Road looking west at track



Figure 20 - View from Wellwood Farms property looking northwest at track.

6.4 Visual Effects – Existing Track

The existing track includes the upper section of the track which has been remediated and includes the BioCoir Matting in situ. The alignment of the graded track sought to provide a graded track that avoided the need for steps and was confined to an agreed landholding. As a result the switch back design established, consented and installed.

The sensory qualities of the eastern escarpment are such that the unimpeded and striking landform are the dominant characteristics of the Te Mata ti Tipuna landscape. The track and its alignment create a striking scar in the landscape that contrasts and interrupts the natural patterns of the landform. Visually the track, whilst appreciated for its recreation access, is not sympathetic to the natural landform and forms a contrasting feature which degrades the aesthetic qualities of the natural landform.

The existing track as a whole is considered to have a high to very high adverse visual effect on the aesthetic qualities of the feature. The proposed remediation seeks to lessen these effects and reintegrate the affected area into the natural landscape.

The introduction of the BioCoir matting is, as stated earlier, a temporary measure, however this does highlight the alignment of the track on the eastern escarpment. Recognising this is a temporary measure which will eventually biodegrade amongst dominating grass cover. There is a recognised short term temporary visual effect which will be low -moderate however this is recognised will be completely removed following the biodegrading of the material and dominance of grass cover along the track alignment.

6.5 Visual Effects – Proposed track remediation works

As with Section D, the upper section of the track, the introduction of the BioCoir matting on Sections B and C will be a temporary measure, however this will accentuate the alignment of the track on the eastern escarpment. This is a temporary measure which will begin biodegrading at 6 months and will continue to degrade amongst dominating grass cover over a period of up to 5 years. Recent examples of growth on the remediated section of the track (Section D) demonstrates the rapid grass and weed growth through the matting.



Figure 21 – View of Section D of track – January 2019

There is a recognised short term temporary visual effect which will be moderate however this is recognised will be completely removed following the biodegrading of the material and dominance of grass cover along the track alignment.

Examples of the remediated Section D portion of the track demonstrate the integration of the landform. This approach provides a successful remediation of the natural landform, recognising that complete reinstatement of the pre track landform is not possible from a construction perspective. Over time the integration of the ryegrass mix and long term invasion of surrounding pasture cover will ensure the track alignment will not be visible.

Section A of the track will not require BioCair matting due to the flat gradient. A silt dominated topsoil will be placed on the site and seeded with a productive pasture mix dominated by ryegrass (Refer to Appendix 4). This will see this area visually integrate within 1-2years with a dominant pasture cover in three years.



Figure 22 - View of Section A track condition (October 2018)

Materials selected for the soil medium (silt based) will provide a medium where the soil begins to operate in a similar function to that surrounding it. Grass species selected will integrate with the surrounding pasture cover and respond to weather conditions in the similar manner to the surrounding pasture, ie drying / browning off over dryer periods.

Other materials include the importation of limestone for isolated rock armouring along swales to manage surface run off. Limestone is found throughout the site and surrounding eastern escarpment. It is imperative that the 'armouring' is naturalised and avoids an 'engineered channel'. The purpose of remediating to marry into the natural landform of the escarpment will require the avoidance of 'linear rock features' on the slopes. Inclusion of soil amongst the rock armouring, creating a predominantly subsurface feature along with a more scattered approach to the placement of the material will ensure they are visually subservient to the landform and natural aesthetic patterns.

When combined with the existing remediated section of the upper track (Section D) there is a recognised moderate magnitude of visual change to the existing track in the short term resulting in a moderate adverse visual effect for those viewing the site from Waimarama Road (residents, visitors and road users). However, over a period of 2-5years the BioCoir matting will reduce in visibility and eventually biodegrade on site.

Combined with natural weathering of the soil medium, biodegrading of the BioCoir, existing and projected grass growth and invasion of surrounding grass species, the potential visual effects will be positive.

7.0 Assessment Against the Planning Provisions

7.1 The adverse landscape and visual effects of the first stage of the remedial work are low overall when assessed against the assessment criteria for visual impact and earthworks within an ONFL. The remedial works, together with the removal of stock from the site and preventing public access to the track has lessened the adverse landscape and visual effects that existed immediately prior. There is now in place a process that will allow the landscape to start to heal notwithstanding that other remedial measures will need to be actioned on the middle and lower sections of the track to advance this process further. In addition, careful management of the site will be necessary in the years ahead to satisfactorily complete the process.

7.2 Table 1 assesses the remedial works against the visual impact criteria and the criteria for earthworks within an ONFL.

POTENTIAL VISUAL EFFECT	EXPLANATION	EFFECT OF REMEDIAL WORKS
Residential or recreational (including tourism)	<p>The development of the track was to provide a tourism opportunity enabling visitors to walk up the eastern face of Te Mata te Tipuna to the ridgeline and obtain panoramic views over the Tukituki Valley and beyond.</p> <p>For some people creating this opportunity has compromised the intrinsic landscape, visual and cultural values of Te Mata te Tipuna, which is accorded special status (ONFL) in the district plan.</p> <p>Preventing public access to the track has removed an opportunity of providing recreational use of the land but implementing the first stage of the remedial works has initiated a return to the status quo of the land, particularly in terms of its tourism value as ONFL.</p>	<p>To many in the community the remedial works will be seen as positive, the first step in restoring the mana and character of Te Mata te Tipuna. To others they will be seen as negative and preventing a distinctive recreational and tourist experience.</p>

POTENTIAL VISUAL EFFECT	EXPLANATION	EFFECT OF REMEDIAL WORKS
Local character and amenity	<p>The original landscape character and amenity values of Te Mata te Tipuna are recognised in its ONFL status. The construction of the track across the prominent eastern face has adversely affected the landscape character and amenity values.</p> <p>The implementation of the first stage of the remedial works has sought to provide a level of immediate mitigation and to establish a process that will further enhance landscape character and visual amenity towards what it was previously.</p> <p>The installation of the Biocoir coconut matting has had a moderate adverse level of visual effect because can accentuated the track alignment given its visual contrast with the surrounding pasture. However, this is considered only a short-term effect. As the pasture grasses establishes on the matting and the matting itself breaks down the level of visibility and visual effects of the matting will decrease.</p>	<p>Moderate adverse short term</p> <p>Positive long term effect</p>
ONFL	<p>Te Mata te Tipuna is a significant landscape icon in Hawke's Bay, having District, Regional and National significance. It is the most prominent landmark in the eastern Heretaunga Plains with a distinctive silhouette skyline. It is a source of identity for hapu, Ngati Kahungunu, and the Districts' residents.</p> <p>Te Mata te Tipuna is an Outstanding Natural Feature (ONF) and Outstanding Natural Landscape (ONL), with the lower flanks of the range recognised as an Amenity Landscape Area.</p>	<p>Positive, a step to restore the mana and ONFL status.</p>

EARTHWORKS	EXPLANATION	EFFECT OF REMEDIAL WORKS
Scale, especially on prominent ridgelines	<p>The eastern flank of Te Mata te Tipuna is highly visible with a wide viewing catchment. The grazed hillslopes sweep up to the ridgeline punctuated by prominent limestone outcrops along the skyline. Construction of the track from the valley bottom to the ridge has adversely affected the legibility that existed previously. The jagged ridgeline of limestone outcrops flanked by well grazed pasture across the eastern face has adversely disrupted this legibility.</p> <p>Although the first stage of the remedial works has further disrupted the legibility and scale with placement of the coconut matting has accentuating the alignment and form of the</p>	<p>Moderate adverse short term, positive long term.</p>

EARTHWORKS	EXPLANATION	EFFECT OF REMEDIAL WORKS
	track, the effects are short term and will result in a positive outcome long term.	
Cuttings across hill faces	<p>Construction of the track has not only zigzagged across the eastern slope, but it extends from valley bottom to the ridgetop. It is a poor example of track alignment and construction and has been designed and built with no regard to landform or landscape pattern.</p> <p>The remedial work will in time ameliorate the impact of the cut faces. The removal of the side-cast material on to the track bench and grassing will help to fix the damage and approximate the original slope and landscape and drainage patterns.</p> <p>Removal of stock and allowing pasture growth, which are also part of the remediation process has also helped to reduce the visibility of the earthworks and the prominence of the track alignment.</p>	<p>Very low adverse short term.</p> <p>Positive long term.</p>
Relationship to natural contour	<p>Construction of the track has cut across the natural contour as it zigzagged up the eastern face. The remedial works are focused on the track itself and have endeavoured to restore the relationship to the natural contour by removing the side-cast material on to the track bench to tie together the upper and lower edges of the track. Once the pasture grasses have established it will visually strengthen the relationship between the disturbed area and the adjoining natural contour.</p>	Positive and beneficial
Visual mitigation	<p>Superficial and ineffective measures were proposed as part of the visual mitigation of the track construction (e.g. minimising the height of cuts, treatment of the track surface). The alignment of the track across the hill face and its poor construction offset the mitigation proposed.</p> <p>The remedial works focus entirely on repairing the landscape and visual effects of the track.</p>	Positive and beneficial

8.0 Recommendations

- 8.1 To ensure the remediation process progresses as planned stock will need to be excluded for around 12 months. Site and pasture management is likely to be an issue. Allowing grass to establish fully through the coconut matting and to prevent damage to the coconut matting during this period will require further land management consideration. The formation of the track, growth and establishment of weeds that has already occurred, together with no stock grazing will create potential risks (e.g. fire, establishment and spread of weeds, etc).
- 8.2 Another management issue that will need attention is dealing with adverse climate events as the coconut matting breaks down or is dislodged. Bi-monthly monitoring will be required over a period of 2 years to monitor the biodegrading and adherence of the BioCoir to the surface.
- 8.3 Weed control and maintenance of the grassed surfacing will be required in accordance with the technical specification set out in Appendices 2 and 4. It is important that once grass is established into the site and the BioCoir matting biodegraded that the site continues to weather with the surrounding landscape. Avoidance of 'isolated' pasture management will be required to avoid 'highlighting' the track pasture from the surrounding pasture cover.
- 8.4 To ensure the viability of the tracks gradual remediation it is important that the management of the site during the first 12 months avoids any disturbance to the surface by human and stock movement. It is recommended stock is excluded from the upper sections of the track (the remediated section) and maintenance is undertaken manually. At the end of 12 months a review of the stability of the remediated surface should be undertaken to determine if stock exclusion should be continued to minimise risk of erosion along the track surface.

9.0 Conclusion

- 9.1 The focus of the proposed works is to address and repair the damage undertaken to the slope of Te Mata te Tipuna. The landscape and visual effects of the installed track are considered significant and resulted in significant interest from the community. The removal of the track is focused on remediating these effects and those associated health and safety risks associated with a dangerous track condition.
- 9.2 The temporary effects of the track will have a moderate adverse visual effect, largely associated with the installation of the coconut matting. Recognising the matting will biodegrade at about 6 months and a full grass cover established in 12 months the temporary effects will be recognised as part of a remediation action, rather than a permanent visual effect. Over the first 12-month period the visibility of the track will diminish and integrate with the surrounding grass cover. It is also recognised that there will be a period of 'bedding in' for the surface whereby the soils will weather and the species mix of grass and weeds along the surface of the track will increase. It is expected that the medium (12month plus) and long term (5years plus) **will generate a positive landscape and visual effect**, particularly when compared to the track's earlier condition, pre remediation.

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Appendix 1 – Methodology



Introduction

The landscape and visual effects assessment process provides a framework for assessing and identifying the nature and level of likely effects that may result from a proposed development. Such effects can occur in relation to changes to physical elements, the existing character of the landscape and the experience of it. In addition, the landscape assessment method may include an iterative design development processes which includes stakeholder involvement. The outcome of any assessment approach should seek to avoid, remedy or mitigate adverse effects (see **Figure 1**). A separate assessment is required to assess changes in natural character in coastal areas and other waterbodies.

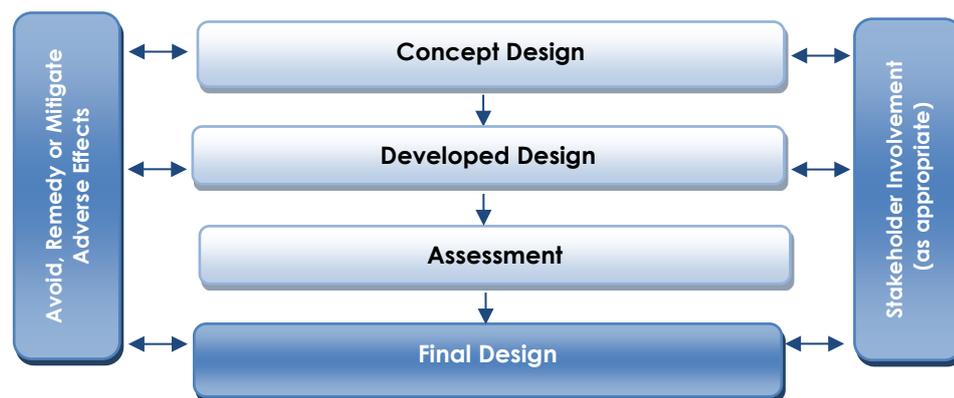


Figure 1: Design feedback loop

When undertaking landscape and visual effects assessments, it is important that a structured and consistent approach is used to ensure that findings are clear and objective. Judgement should always be based on skills and experience, and be supported by explicit evidence and reasoned argument.

While landscape and visual effects assessments are closely related, they form separate procedures. The assessment of the potential effect on the landscape forms the first step in this process and is carried out as an effect on an environmental resource (i.e. landscape elements, features and character). The assessment of visual effects considers how changes to the physical landscape affect the viewing audience. The types of effects can be summarised as follows:

Landscape effects:

Change in the physical landscape, which may change its characteristics or qualities.

Visual effects:

Change to views which may change the visual amenity experienced by people.

The policy context, existing landscape resource and locations from which a development or change is visible all inform the 'baseline' for landscape and visual effects assessments. To assess effects, the landscape must first be described, including an understanding of the key landscape characteristics and qualities. This process, known as landscape characterisation, is the basic tool for understanding landscape character and may involve subdividing the landscape into character areas or types. The condition of the landscape (i.e. the state of an individual area of landscape or landscape feature) should also be described alongside a judgement made on the value or importance of the potentially affected landscape.

This outline of the landscape and visual effects assessment methodology has been undertaken with reference to the Quality Planning Landscape Guidance Note¹ and its signposts to examples of best practice which include the UK guidelines for landscape and visual impact assessment² and the New Zealand Landscape Institute Guidelines for Landscape Assessment³.

¹ <http://www.qualityplanning.org.nz/index.php/planning-tools/land/landscape>

² Landscape Institute and Institute of Environmental Management and Assessment (2013) Guidelines for Landscape and Visual Impact Assessment, 3rd Edition (GLVIA3)

³ Best Practice Note Landscape Assessment and Sustainable Management 10.1, NZILA

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Landscape Effects

Assessing landscape effects requires an understanding of the nature of the landscape resource and the magnitude of change which results from a proposed development to determine the overall level of landscape effects.

Nature of the landscape resource

Assessing the nature of the landscape resource considers both the susceptibility of an area of landscape to change and the value of the landscape. This will vary upon the following factors:

- Physical elements such as topography / hydrology / soils / vegetation;
- Existing land use;
- The pattern and scale of the landscape;
- Visual enclosure / openness of views and distribution of the viewing audience;
- The zoning of the land and its associated anticipated level of development;
- The value or importance placed on the landscape, particularly those confirmed in statutory documents; and
- The scope for mitigation, appropriate to the existing landscape.

The susceptibility to change takes account of both the attributes of the receiving environment and the characteristics of the proposed development. It considers the ability of a specific type of change occurring without generating adverse effects and/or achievement of landscape planning policies and strategies.

Landscape value derives from the importance that people and communities, including tangata whenua, attach to particular landscapes and landscape attributes. This may include the classification of Outstanding Natural Landscape (RMA s.6(b)) based on important biophysical, sensory/ aesthetic and associative landscape attributes, which have potential to be affected by a proposed development.

Magnitude of Landscape Change

The magnitude of landscape change judges the amount of change that is likely to occur to existing areas of landscape, landscape features, or key landscape attributes. In undertaking this assessment, it is important that the size or scale of the change is considered within the geographical extent of the area influenced and the duration of change, including whether the change is reversible. In some situations, the loss /change or enhancement to existing landscape elements such as vegetation or earthworks should also be quantified.

When assessing the level of landscape effects, it is important to be clear about what factors have been considered when making professional judgements. This can include consideration of any benefits which result from a proposed development. **Table 1** below helps to explain this process. The tabulating of effects is only intended to inform overall judgements.

Contributing Factors		Higher	Lower
Nature of Landscape Resource	Susceptibility to change	The landscape context has limited existing landscape detractors which make it highly vulnerable to the type of change which would result from the proposed development.	The landscape context has many detractors and can easily accommodate the proposed development without undue consequences to landscape character.
	The value of the landscape	The landscape includes important biophysical, sensory and associative attributes. The landscape requires protection as a matter of national importance (ONF/L).	The landscape lacks any important biophysical, sensory or associative attributes. The landscape is of low or local importance.
Magnitude of Change	Size or scale	Total loss or addition of key features or elements. Major changes in the key characteristics of the landscape, including significant aesthetic or perceptual elements.	The majority of key features or elements are retained. Key characteristics of the landscape remain intact with limited aesthetic or perceptual change apparent.
	Geographical extent	Wider landscape scale.	Site scale, immediate setting.
	Duration and reversibility	Permanent. Long term (over 10 years).	Reversible. Short Term (0-5 years).

Table 1: Determining the level of landscape effects

Visual Effects

To assess the visual effects of a proposed development on a landscape, a visual baseline must first be defined. The visual 'baseline' forms a technical exercise which identifies the area where the development may be visible, the potential viewing audience, and the key representative public viewpoints from which visual effects are assessed.

The viewing audience comprises the individuals or groups of people occupying or using the properties, roads, footpaths and public open spaces that lie within the visual envelope or 'zone of visual influence' of the site and proposal. Where possible, computer modelling can assist to determine the theoretical extent of visibility together with field work undertaken to confirm this. Where appropriate, key representative viewpoints should be agreed with the relevant local authority.

Nature of the viewing audience

The nature of the viewing audience is assessed in terms of the susceptibility of the viewing audience to change and the value attached to views. The susceptibility of the viewing audience is determined by assessing the occupation or activity of people experiencing the view at particular locations and the extent to which their interest or activity may be focussed on views of the surrounding landscape. This relies on a landscape architect's judgement in respect of visual amenity and reaction of people who may be affected by a proposal. This should also recognise that people more susceptible to change generally include: residents at home, people engaged in outdoor recreation whose attention or interest is likely to be focussed on the landscape and on particular views; visitors to heritage assets or other important visitor attractions; and communities where views contribute to the landscape setting.

The value or importance attached to particular views may be determined with respect to its popularity or numbers of people affected or reference to planning instruments such as viewshafts or view corridors. Important viewpoints are also likely to appear in guide books or tourist maps and may include facilities provided for its enjoyment. There may also be references to this in literature or art, which also acknowledge a level of recognition and importance.

Magnitude of Visual Change

The assessment of visual effects also considers the potential magnitude of change which will result from views of a proposed development. This takes account of the size or scale of the effect, the geographical extent of views and the duration of visual change which may distinguish between temporary (often associated with construction) and permanent effects where relevant. Preparation of any simulations of visual change to assist this process should be guided by best practice as identified by the NZILA⁴.

When determining the overall level of visual effect, the nature of the viewing audience is considered together with the magnitude of change resulting from the proposed development. **Table 2** has been prepared to help guide this process:

Contributing Factors		Higher	Lower
Nature of the Viewing Audience	Susceptibility to change	Views from dwellings and recreation areas where attention is typically focussed on the landscape.	Views from places of employment and other places where the focus is typically incidental to its landscape context. Views from transport corridors.
	Value attached to views	Viewpoint is recognised by the community such as an important view shaft, identification on tourist maps or in art and literature. High visitor numbers.	Viewpoint is not typically recognised or valued by the community. Infrequent visitor numbers.
Magnitude of Change	Size or scale	Loss or addition of key features in the view. High degree of contrast with existing landscape elements (i.e. in terms of form scale, mass, line, height, colour and texture). Full view of the proposed development.	Most key features of view retained. Low degree of contrast with existing landscape elements (i.e. in terms of form scale, mass, line, height, colour and texture). Glimpse / no view of the proposed development.
	Geographical extent	Front on views. Near distance views; Change visible across a wide area.	Oblique views. Long distance views. Small portion of change visible.
	Duration and reversibility	Permanent. Long term (over 15 years).	Transient / temporary. Short Term (0-5 years).

Table 2: Determining the level of visual effects

⁴ Best Practice Guide: Visual Simulations BPG 10.2, NZILA

Nature of Effects

In combination with assessing the level of effects, the landscape and visual effects assessment also considers the nature of effects in terms of whether this will be positive (beneficial) or negative (adverse) in the context within which it occurs. Neutral effects can also occur where landscape or visual change is benign.

It should also be noted that a change in a landscape does not, of itself, necessarily constitute an adverse landscape or visual effect. Landscape is dynamic and is constantly changing over time in both subtle and more dramatic transformational ways, these changes are both natural and human induced. What is important in managing landscape change is that adverse effects are avoided or sufficiently mitigated to ameliorate the effects of the change in land use. The aim is to provide a high amenity environment through appropriate design outcomes.

This assessment of the nature effects can be further guided by **Table 3** set out below:

Nature of effect	Use and Definition
Adverse (negative):	The proposed development would be out of scale with the landscape or at odds with the local pattern and landform which results in a reduction in landscape and / or visual amenity values
Neutral (benign):	The proposed development would complement (or blend in with) the scale, landform and pattern of the landscape maintaining existing landscape and / or visual amenity values
Beneficial (positive):	The proposed development would enhance the landscape and / or visual amenity through removal of restoration of existing degraded landscapes uses and / or addition of positive elements or features

Table 3: Determining the Nature of Effects

Cumulative Effects

During the scoping of an assessment, where appropriate, agreement should be reached with the relevant local authority as to the nature of cumulative effects to be assessed. This can include effects of the same type of development (e.g. wind farms) or the combined effect of all past, present and approved future development⁵ of varying types, taking account of both the permitted baseline and receiving environment. Cumulative effects can also be positive, negative or benign.

Cumulative Landscape Effects

Cumulative landscape effects can include additional or combined changes in components of the landscape and changes in the overall landscape character. The extent within which cumulative landscape effects are assessed can cover the entire landscape character area within which the proposal is located, or alternatively, the zone of visual influence from which the proposal can be observed.

Cumulative Visual Effects

Cumulative visual effects can occur in combination (seen together in the same view), in succession (where the observer needs to turn their head) or sequentially (with a time lapse between instances where proposals are visible when moving through a landscape). Further visualisations may be required to indicate the change in view compared with the appearance of the project on its own.

Determining the nature and level of cumulative landscape and visual effects should adopt the same approach as the project assessment in describing both the nature of the viewing audience and magnitude of change leading to a final judgement. Mitigation may require broader consideration which may extend beyond the geographical extent of the project being assessed.

⁵ The life of the statutory planning document or unimplemented resource consents.

Determining the Overall Level of Effects

The landscape and visual effects assessment concludes with an overall assessment of the likely level of landscape and visual effects. This step also takes account of the nature of effects and the effectiveness of any proposed mitigation.

This step informs an overall judgement identifying what level of effects are likely to be generated as indicated in **Table 4** below. This table which can be used to guide the level of landscape and visual effects uses an adapted seven-point scale derived from NZILA's Best Practice Note.

Effect Rating	Use and Definition
Very High:	Total loss of key elements / features / characteristics, i.e. amounts to a complete change of landscape character.
High:	Major modification or loss of most key elements / features / characteristics, i.e. little of the pre-development landscape character remains. <u>Concise Oxford English Dictionary Definition</u> <i>High: adjective- Great in amount, value, size, or intensity.</i>
Moderate- High:	Modifications of several key elements / features / characteristics of the baseline, i.e. the pre-development landscape character remains evident but materially changed.
Moderate:	Partial loss of or modification to key elements / features / characteristics of the baseline, i.e. new elements may be prominent but not necessarily uncharacteristic within the receiving landscape. <u>Concise Oxford English Dictionary Definition</u> <i>Moderate: adjective- average in amount, intensity, quality or degree</i>
Moderate - Low:	Minor loss of or modification to one or more key elements / features / characteristics, i.e. new elements are not prominent or uncharacteristic within the receiving landscape.
Low:	No material loss of or modification to key elements / features / characteristics. i.e. modification or change is not uncharacteristic and absorbed within the receiving landscape. <u>Concise Oxford English Dictionary Definition</u> <i>Low: adjective- 1. Below average in amount, extent, or intensity.</i>
Very Low:	Little or no loss of or modification to key elements/ features/ characteristics of the baseline, i.e. approximating a 'no change' situation.

Table 4: Determining the overall level of landscape and visual effects

Determination of "minor"

Decision makers determining whether a resource consent application should be notified must also assess whether the effect on a person is less than minor⁶ or an adverse effect on the environment is no more than minor⁷. Likewise, when assessing a non-complying activity, consent can only be granted if the s104D 'gateway test' is satisfied. This test requires the decision maker to be assured that the adverse effects of the activity on the environment will be 'minor' or not be contrary to the objectives and policies of the relevant planning documents.

These assessments will generally involve a broader consideration of the effects of the activity, beyond the landscape and visual effects. Through this broader consideration, guidance may be sought on whether the likely effects on the landscape resource or effects on a person are considered in relation to 'minor'. It must also be stressed that more than minor effects on individual elements or viewpoints does not necessarily equate to more than minor effects on the wider landscape resource. In relation to this assessment, moderate-low level effects would generally equate to 'minor'.

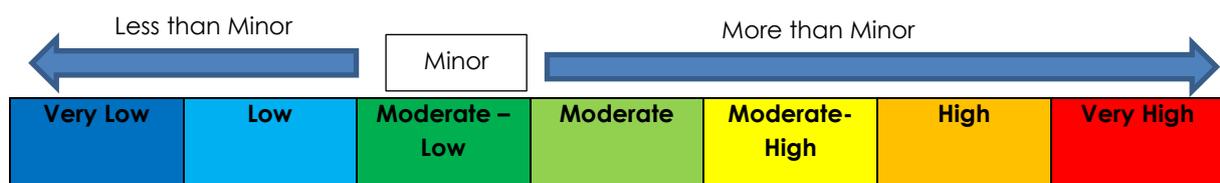


Table 5: Determining minor effects for notification determination and non-complying activities

⁶ RMA, Section 95E

⁷ RMA Section 95D

Appendix 2 - The Frame Group Limited Technical Specification

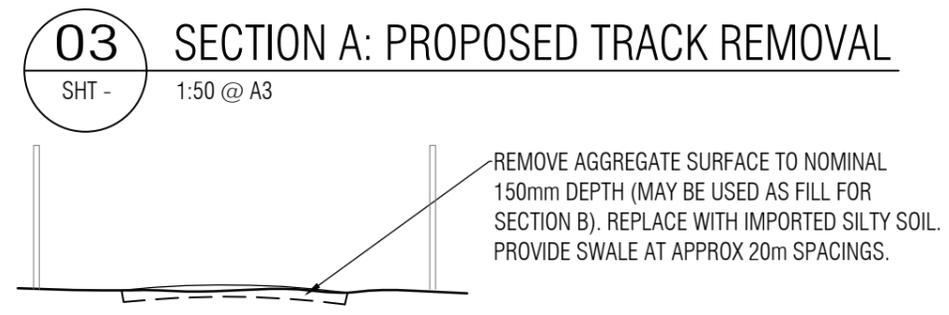
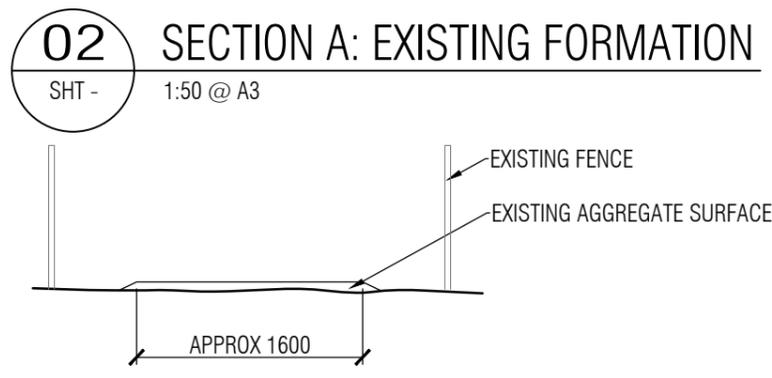
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01 SECTION A - PLAN
SHT - 1:1000 @ A3

Rev	Date	Amendment



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PREPARED FOR
HASTINGS DISTRICT COUNCIL

PROJECT
**Craggy Range Track - Te Mata Peak
Partial Track Removal Works**

TITLE
**SECTION A - LOCATION PLAN
AND SECTIONS**

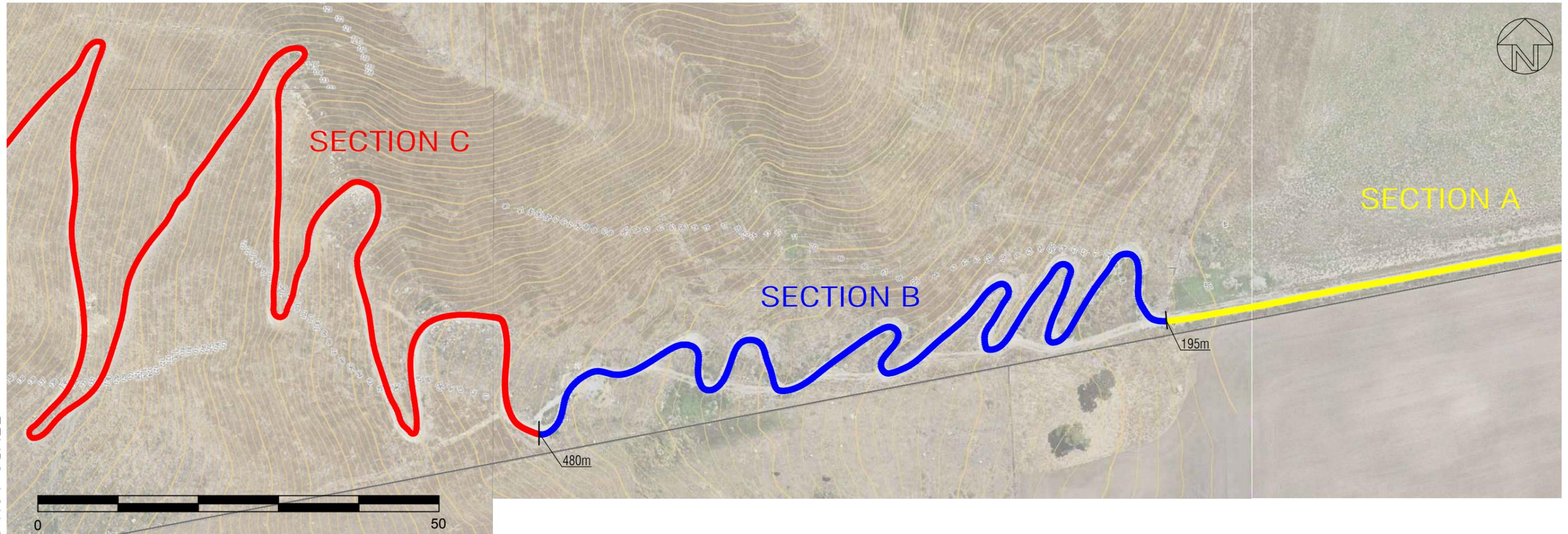
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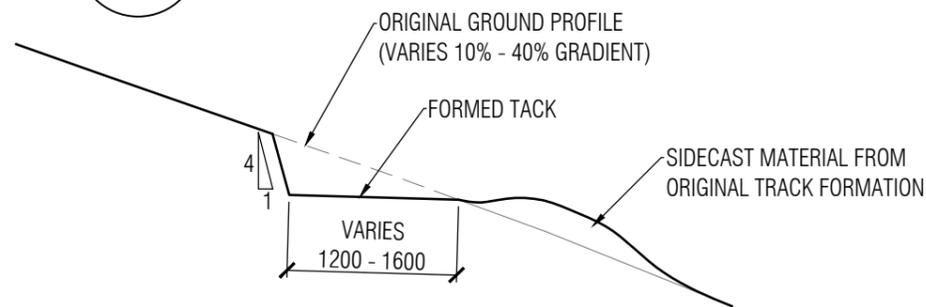
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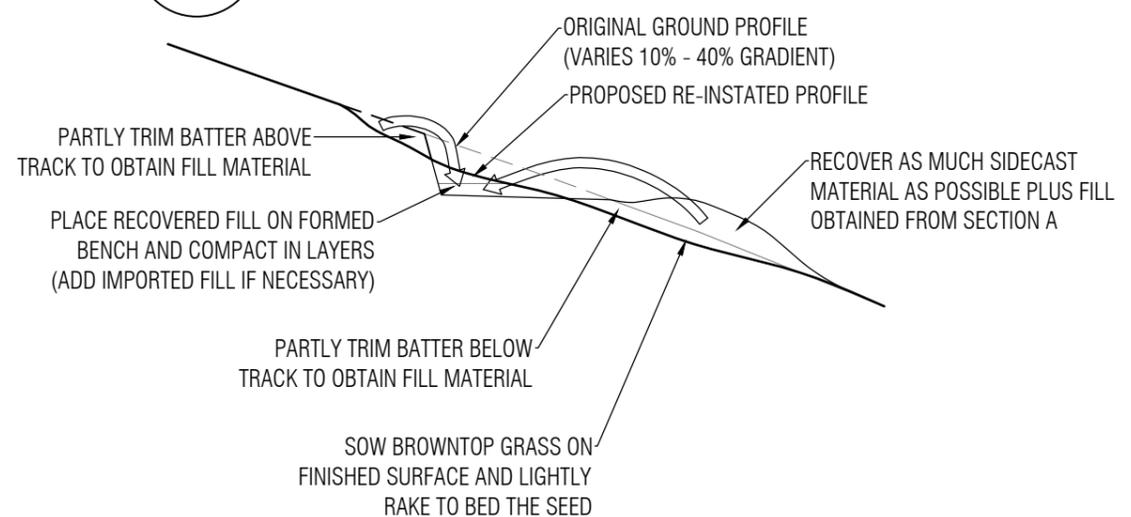
02 SECTION B: EXISTING FORMATION

SHT - 1:50 @ A3



03 SECTION B: PROPOSED TRACK REMOVAL

SHT - 1:50 @ A3



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HASTINGS DISTRICT COUNCIL

PROJECT
**CRAGGY RANGE TRACK - TE MATA PEAK
 PARTIAL TRACK REMOVAL WORKS**

TITLE
**SECTION B - LOCATION PLAN
 AND SECTIONS**

SCALE	AS SHOWN	DATE	JANUARY 2019
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APPROVED		DRAWING	18/033/01 SHT 03
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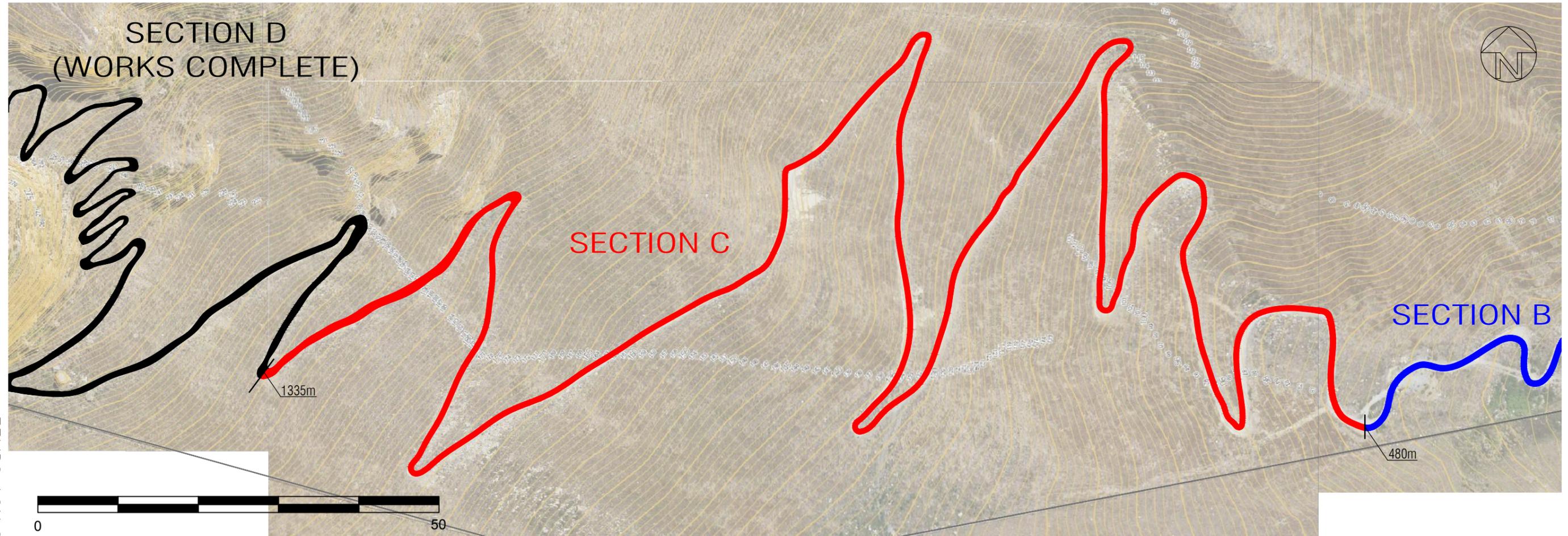
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Rev	Date	Amendment

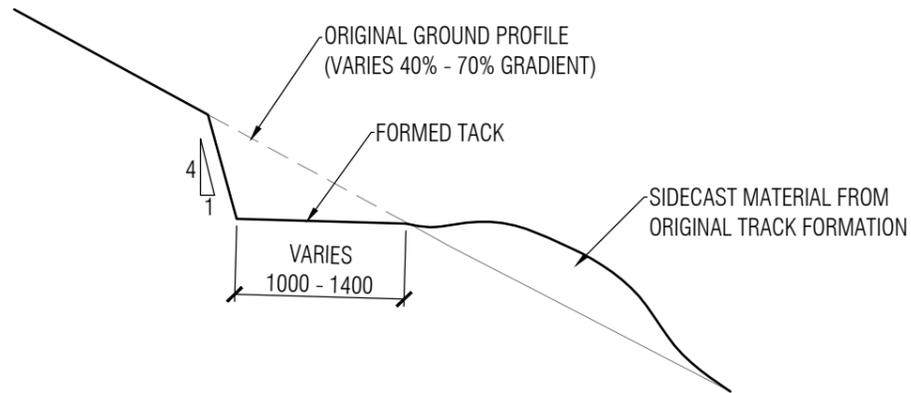


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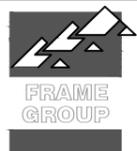
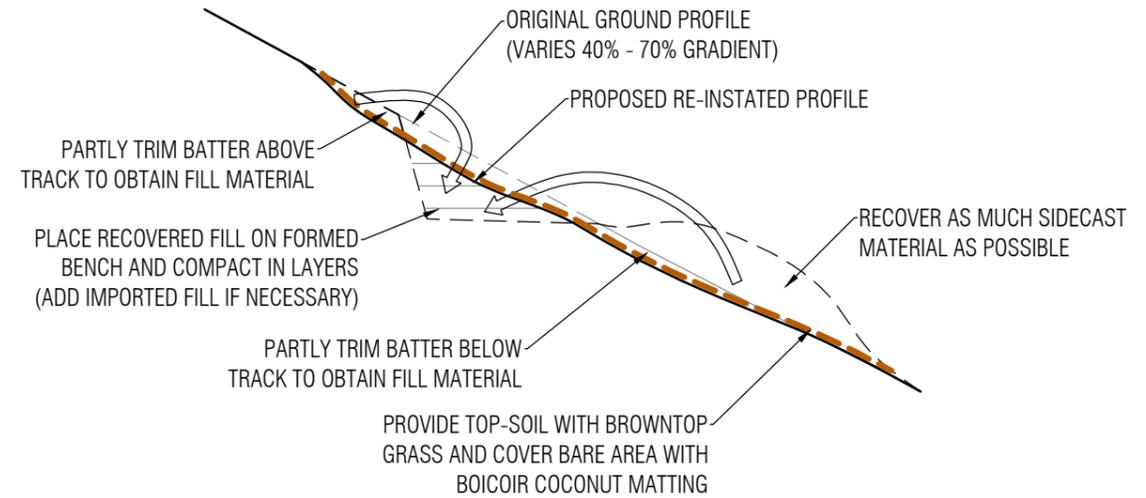


03

SECTION C: PROPOSED TRACK REMOVAL

SHT -

1:50 @ A3



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HASTINGS DISTRICT COUNCIL

PROJECT

Craggy Range Track - Te Mata Peak
PARTIAL TRACK REMOVAL WORKS

TITLE

SECTION C - LOCATION PLAN
AND SECTIONS

SCALE AS SHOWN

DATE JANUARY 2019

DRAWN JR

DESIGNED

FGL JOB 18/033/01

APPROVED

DRAWING 18/033/01 SHT 04
REV



TECHNICAL SPECIFICATION

Client

HASTINGS DISTRICT COUNCIL

Project Title

**Craggy Range Track – Te Mata Peak
Track Removal Works - Stage 2**

Specification No

FGL 18/033/01B

January 2019

Prepared by



Frame Group Limited

PO BOX 147211, PONSONBY, AUCKLAND 1144
LEVEL 2, 16 COLLEGE HILL, AUCKLAND, NZ

PHONE: 09 638 7221 FAX: 09 376 0531

TECHNICAL SPECIFICATION

1.0 SCOPE OF WORK

1.1. Project Outline

- 1.1.1. This specification covers remedial work required to decommission and remove the remaining 1335m length of walking track on the eastern face of Te Mata Peak, Hawkes Bay. The track to be removed is in three portions, consisting as follows:
- Section A – Ch 0-195m. From road boundary to base of hill
 - Section B – Ch 195-480m. From base of hill to Craggy Lookout
 - Section C – Ch 480-1335m. From Craggy Lookout to Sheeps Rest
- 1.1.2. The removal of this track is proposed together with remedial work to return the site to as near as possible the original site appearance and ground profile.

1.2. Location and Access

- 1.2.1. The sections of track to be removed and the remedial work details are shown on drawings as follows:
- Drawing 18/033/02 – Section A – Location Plan and Sections
 - Drawing 18/033/03 – Section B – Location Plan and Sections
 - Drawing 18/033/04 – Section C – Location Plan and Sections
- 1.2.2. The track to be removed is on land owned by Jeffery John Drabble and Felicity Caroline Dobell-Brown. Permission will be granted to enter the site off Waimarama Rd to access along the track corridor.
- 1.2.3. Any fences breached to obtain access to the site shall be fully re-instated at the completion of the work. Fences shall be kept stock-proof during the execution of the work to prevent livestock entering the site.
- 1.2.4. Access for small trucks, power barrows and construction machinery along the lower sections of the track is permitted provided the equipment use does not cause adverse effects to the adjacent ground.

1.3. Required Work

- 1.3.1. The work involves the replacement of soil on the previously formed track bench to dis-establish the benched track. Specifically, this includes the following:
- Recovery of as much of the original track formation side-cast soil as possible, and placing this in compacted layers on the constructed track bench to re-instate the original ground profile.
 - Minor trimming of the batter edge above the track and the batter edge below the track in order to obtain additional material for filling the cut track bench.
 - Carting material supplied by the Principal from stockpile, placing and compacting this imported fill where this is necessary to provide sufficient material to re-instate the approximate original ground slope profile across the track.

- Supply and installing Biocoir coconut matting over the strip of exposed earthworks on track Section C, covering the restored track corridor including the areas where batters have been trimmed.
- Placing limestone rock armouring at potential water flow crossing areas to protect from possible scour.

2.0 GENERAL REQUIREMENTS

2.1. Preliminary

- 2.1.1. Refer to the terms and conditions of the Contract which shall be equally binding on all trades. All sections of the specification shall be read in conjunction with all other sections.

2.2. Materials and Labour

- 2.2.1. The Contractor shall supply the whole of the materials, plant and labour necessary for the Contract. Work shall be carried out according to best trade practice by skilled and experienced personnel to the standards hereinafter specified.
- 2.2.2. The Contractor is to arrange his own access for plant and materials and all necessary transportation of plant and materials to the site.

2.3. Work Area

- 2.3.1. The work shall be confined to the immediate site only, which consists of the corridor of the track to be removed, including the access track from Waimarama Rd, and the imported soil stockpile area.
- 2.3.2. The Contractor shall be responsible for security of the site and shall make allowance in the tender price for the erection and maintenance of appropriate temporary barriers to prevent inadvertent access by the public onto the work site.
- 2.3.3. The Contractor shall be responsible for locating and avoiding services such as power cables, communication lines and water lines at the site and on access routes. If any of these services are damaged during construction, the Contractor shall reinstate these at his own expense.

2.4. Site Establishment

- 2.4.1. The Contractor shall ensure that no damage beyond fair wear and tear is caused to entrances, existing tracks and roads used for access and any other existing facilities at the site.
- 2.4.2. Upon completion the Contractor is to remove all establishment facilities, rubbish and surplus materials.

2.5. Public Interference

- 2.5.1. Any enquiries from members of the public who want to discuss or debate the work shall be referred to the Supervisor. The contractor shall not enter into debate with members of the public or make any publicity statements or releases without gaining prior approval from the Supervisor.
- 2.5.2. In the case of any trespassing onto the work site, obstruction of the works or any other malicious activities by members of the public; the Contractor shall advise the Police, and contact the Supervisor as soon as practicable.

2.6. Requirements from Other Parties

- 2.6.1. Any instructions that are communicated to the Contractor by other parties, council inspectors, archaeologists, or Heritage NZ personnel shall not be taken by the Contractor as an instruction under the contract.
- 2.6.2. If such a communication is received; prior to actioning any instructions, the Contractor shall contact the Supervisor for confirmation and subsequent issue of a contract instruction if appropriate.
- 2.6.3. Where other parties enforcing Acts of Parliament and Regulations (e.g. HSAW Act, Heritage Act, RMA) instruct the Contractor to stop work immediately, the Contractor shall comply with the instruction and advise the Supervisor as soon as possible.

2.7. Public Access

- 2.7.1. The site is on private land and is closed to public access.
- 2.7.2. The Contractor shall utilize temporary rigid barriers (minimum 1.8 metres height with solid top and bottom rail and with durable infill) to prevent members of the public from entering the work site on formed tracks.
- 2.7.3. The Contractor shall install warning signs at all points of pedestrian access to the site. The signs shall be formed from suitable durable materials and shall clearly indicate the areas where public access is prohibited.

2.8. Helicopter Operations

- 2.8.1. The Contractor shall obtain prior approval from the Supervisor before each and every helicopter operation.
- 2.8.2. The Contractor is responsible for obtaining all required Civil Aviation and other permits necessary for helicopter operations.
- 2.8.3. The Contractor's site and job specific Risk & Safety Management Plan shall include procedures for such operations and the proposed measures to ensure public safety during the operations.
- 2.8.4. Any materials dropped by a helicopter operator, either by accident or on purpose outside of approved sites must be reported to the Supervisor as soon as possible and any such materials shall be removed as soon as possible. Site restoration work must be carried out to the satisfaction of the Supervisor in the event of any damage from dropped items.

3.0 ENVIRONMENTAL AND HERITAGE ISSUES

3.1. General

- 3.1.1. While undertaking any works the Contractor shall at all times comply with the obligations, provisions and requirements of the Resource Management Act.
- 3.1.2. A Resource Consent shall be obtained by Hastings District Council for the work and a copy shall be provided to the Contractor. The Contractor shall comply with all conditions of the Consent.

3.2. Protection and Reinstatement of Area

- 3.2.1. The Contractor's activity shall be confined to the track zone. Damage to the vegetation or ground beyond the track zone shall be rectified at the Contractor's expense.
- 3.2.2. The Contractor shall not disturb, modify or remove any items or materials at the site other than that necessary to carry out the work.
- 3.2.3. Particular care shall be taken not to damage or modify any natural rock formations on the site.
- 3.2.4. The Contractor shall not bring any dog, cat or other animal on to the site without the express approval of the Supervisor.

3.3. Sediment and Erosion Control Measures

- 3.3.1. The Contractor shall prevent sediment from leaving the work site by maintaining and stabilising the entry points for equipment to the site.
- 3.3.2. The Contractor shall take all practicable steps to ensure that all storm water run-off from the track remediation work site is managed so that sediment is retained on site and any discharge does not cause adverse effects on the environment by entering a natural watercourse.
- 3.3.3. Silt traps, silt fences and other sediment control measures are to be installed and maintained wherever silt arising from earthworks is likely to be washed off the work site.
- 3.3.4. The control measures must be maintained until the site has been adequately stabilised against erosion and sediment run-off.
- 3.3.5. The Contractor shall ensure that mud is not tracked off-site onto the public road beyond the site entrances, and shall, if necessary, clean road surfaces of silt and other spilt material.

3.4. Imported Fill Material

- 3.4.1. Imported soil fill shall be supplied by the Principal to a stockpile site near the entrance to the track on Waitemarama Rd.
- 3.4.2. All materials shall be transferred from the stockpile by the Contractor, and on completion, the stockpile site shall be returned to original condition.

3.5. Removal of Waste Material

- 3.5.1. Waste is defined as all foreign material on the site. This includes offcuts and surplus materials.
- 3.5.2. All waste is to be removed from the site at the completion of the work.
- 3.5.3. Waste or rubbish being held at the site prior to removal is to be stored in such a fashion that it cannot be blown about by the wind.

3.6. Archaeological Discovery Protocol

- 3.6.1. If Taonga (treasure or prized possession, including a natural resource, having tangible or intangible value) or archaeological evidence is discovered in any area, the Contractor shall notify the Supervisor. The Supervisor will contact the appropriate iwi and Heritage New Zealand. The Contractor shall immediately cease all work in the area of discovery until approval is given by the Supervisor to resume work.
- 3.6.2. Work in the vicinity where Taonga or archaeological evidence is uncovered shall not re-commence until the Supervisor gives approval (after the Supervisor has received approval from all of the necessary parties).
- 3.6.3. Damage to archaeological sites caused by the Contractor may be subject to prosecution under the Resource Management Act and/or Heritage New Zealand Pouhere Taonga Act 2014.

4.0 TRACK REMOVAL

4.1. General

- 4.1.1. The track to be removed shall be filled with compacted soil as shown on the specific drawing for each section.
- 4.1.2. The track formation over the whole work section length of 1335m shall be removed as per the drawings.

4.2. Earthworks on Track Sections B & C

- 4.2.1. Earthworks may be undertaken with light mechanical equipment or by hand. It is the Contractor's responsibility to ensure that any equipment proposed for use on the work, can be safely operated on the sloping site during the expected weather conditions.
- 4.2.2. The Contractor shall not undertake any rock breaking or damage any rock formations on site. Rock for armouring of water discharges shall be imported to the site, or may be recovered from the disturbed side-cast soil below the track bench. Scavenging of rock from the general area is strictly prohibited.
- 4.2.3. The natural slope shall be re-instated on completion of the track removal as best as possible with the available soil. Additional fill from the supplied stockpile shall be used for supplementing the available material on site where this is necessary. It is acceptable for the re-instated slope line to have a minor depression across the track alignment from the overall original slope line, but it

must never be dished to the extent that it could act as a collector drain. For clarity, the restored slope percentage shall at no point within the restoration area be less than half the natural slope grade percentage of the slopes above and below the work area.

- 4.2.4. Fill batter slopes in the restored area shall be no steeper than 10% greater than the natural slope percentage of the adjacent natural slope.
- 4.2.5. Material for filling the track formation shall be recovered from the side cast material from the original track construction, and from minor trimming of the upper and lower edges of the formation.
- 4.2.6. Additional fill for track bench filling will be supplied by the Principal to a stockpile on the site, near Waimarama Road.
- 4.2.7. Fill material shall be placed in level layers not exceeding 250mm loose depth and compacted using appropriate equipment. Where the existing track bench slopes at greater than 30%, a 300mm wide bench shall be formed on the ground before placing fill to key in the fill material into the slope and to facilitate compaction.
- 4.2.8. All formation fill shall be compacted by suitable mechanical compaction equipment. This shall be a plate compactor or tamping rammer.
- 4.2.9. Any fill material shall where practicable, be at a moisture content that is near the plastic limit so that compaction can achieve densification of the soil. If the moisture content of material to be used as fill is greater than the plastic limit, efforts shall be made to reduce the moisture content by covering with tarpaulins during rains and by exposing the soil to air and light during dry periods. Site drainage should be arranged to keep the fill free from saturation.
- 4.2.10. If necessary to achieve satisfactory compaction, the moisture content of soil material for fill shall be increased by watering.
- 4.2.11. Fill slopes shall be left in a tidy condition. It shall remain the Contractor's responsibility to make good any slumping or minor subsidence which occurs during the operation of this Contract.

4.3. Earthworks on Track Section A

- 4.3.1. On track Section A, the existing aggregate surfacing shall be removed by stripping with an excavator the top nominal 150mm depth of surface and removing this from this section of track alignment. This stripped material may be used as track bench fill material on Sections B and C, provided the aggregate content of this material is fully buried below the finished restored surface so that it does not inhibit grass growth.
- 4.3.2. Silt material from the stockpile of supplied fill material shall be applied at a 150mm nominal thickness layer over the stripped surface, and shaped to match the adjacent ground.
- 4.3.3. Shallow swales shall be formed across the placed silt material on the original track alignment at approximately 20m intervals, each having a fall to one side

to intercept and dispose of any surface water that may flow down the restored alignment.

4.4. Grassing

- 4.4.1. Where the restored slope surface consists of bare limestone derived soil, a nominal 50mm layer of organic soil shall be spread over the surface. This organic soil may be recovered from side-cast material or trimming, and may contain vegetation.
- 4.4.2. On completion of restoration earthworks, the soil shall be seeded with Browntop grass at a rate of 5-7gm per square metre.
- 4.4.3. After seeding, the exposed soil on track Section A and B shall be lightly raked to bed the seed.
- 4.4.4. After seeding, the exposed soil in track Section C shall be covered with BioCoir B300JR coconut matting, fixed in place with wire pins at 0.5m centres along edges and with three pins per square metre elsewhere. The matting shall be laid to closely fit the soil surface without air cavities and shall be overlapped by 100mm at the edges.

4.5. Drainage

- 4.5.1. Where natural stormwater drainage channel flows are likely to intercept the restored soil slope, swales shall be provided in the restored slope and these shall be armoured with limestone rock, placed to protect the swale from scour.
- 4.5.2. Rock armouring shall be stacked from a stable base and interlocked to ensure it remains in place during stormwater flows.

Appendix 3 – Extract of Planning Provisions

The relevant visual and landscape assessment criteria are:

27.1.7B VISUAL IMPACT

(a) The visual effects of the activity will be assessed in terms of its potential effect on:

(i) The residential or recreational (including tourism) use of land in the vicinity of the activity.

(ii) The existing character of the locality and amenity values.

(iii) Whether the land is covered by Outstanding or Significant Landscape Areas will be assessed under the Assessment Criteria 27.1.7F.

(b) In making that assessment regard shall be had to:

(i) Planting, screening and other amenity treatment to minimise visual impact.

(ii) Site location including locality, topography, geographical features, adjoining land uses.

(iii) Height of soil stockpiles and cuttings.

(iv) Rehabilitation of the site, including contouring, landscaping and re-vegetation.

(v) Duration, rate and extent of extraction.

(vi) Lighting - intensity, direction and positioning of lighting in relation to the effects of glare on the surrounding environment and adjacent land uses.

27.1.7F EARTHWORKS WITHIN OUTSTANDING NATURAL LANDSCAPES (ONFL)

Earthworks within an ONFL will be designed and located to minimise adverse visual effects. In particular, the extent to which any such development will:

(a) Where practicable, minimise the location of large scale earthworks on prominent rural ridgelines, hill faces and spurs.

(b) Be designed to minimise cuttings across hill faces and spurs.

(c) Where practicable, minimise the number of finished contours that are out of character with the natural contour

(d) Demonstrate what visual mitigation is proposed to minimise the visual intrusion of the work, including proposals to ensure the successful establishment of any plantings.

On this basis, the assessment of the application is limited to those assessment criteria together with the non-visual and landscape ones. To provide context of the activities involved in the remedial works, the relevant objectives and policies to be considered are:

EARTHWORKS SECTION 27.1

OBJECTIVE EMO1 *To enable earthworks within the Hastings District while ensuring that the life-supporting capacity of soils and ecosystems are safeguarded and adverse effects on landscapes and human health and safety are avoided, remedied or mitigated.*

POLICY EMP5 Control earthworks, exploration and mining activities to ensure that any adverse effects on the natural and physical environment, and the amenity of the community, adjoining land uses and culturally sensitive sites are avoided, remedied and mitigated.

Explanation

Large scale earthworks, exploration and mining activities are recognised as having the potential to cause significant adverse effects on the environment, including the safety of people and property, and on the visual amenity and character of the area where it occurs.

OBJECTIVE EMO5 To ensure that earthworks and mineral extraction do not compromise outstanding natural features, historic heritage and cultural heritage features (including archaeological sites).

POLICY EMP13 Permanent visual scars resulting from earthworks and mineral extraction will be restricted on identified Outstanding Natural Landscapes throughout the District.

Explanation

The impact of earthwork activities on the Outstanding Landscapes and Natural Features identified in Appendix 43 will vary depending on both the ability of the activity to integrate into the receiving landscape and the sensitivity of that landscape.

NATURAL FEATURES AND LANDSCAPES SECTION 17.1

OBJECTIVE LSO1 The factors, values and associations that define the District's Outstanding Natural Features and Landscapes are identified, and are protected from inappropriate subdivision, use, and development.

POLICY LSP2 Protection of the present landscape qualities of Te Mata Peak shall be afforded the highest priority through the District Plan.

Explanation

Te Mata Peak is a significant landscape icon in Hawke's Bay, having District, Regional and National significance. It is the most prominent landmark in the eastern Heretaunga Plains with a distinctive silhouette skyline. It is a source of identity for hapu, Ngati Kahungunu, and the Districts residents.

In order to ensure the protection and integrity of the landscape, the Plan prohibits buildings associated with residential activities and visitor accommodation above and including the 240 metre contour line of the Peak. In addition, it requires that resource consent for a Non-Complying activity be obtained for all other buildings above and including the 240 metre contour line, and for all buildings greater than 50m², network utilities, earthworks and plantations within ONFL1. The Prohibited and Non-Complying activity status of these activities provides a clear signal to the community and Council that the present landscape qualities of Te Mata Peak will be afforded the highest levels of protection.

POLICY LSP3 Buildings, Plantations, Earthworks and Network Utilities will be regulated on identified Outstanding Natural Features and Landscapes throughout

the District taking into account the ability of the activity to integrate into the receiving landscape and the sensitivity of that landscape.

Explanation

The impact of different activities on the Outstanding Natural Features and Landscapes identified in Appendices 43 will vary depending on both the ability of the activity to integrate into the receiving landscape and the sensitivity of that landscape. The Plan addresses each activity differently for each of the landscape features in the District.

The scale, location, and effects of existing network utilities on outstanding natural features and landscapes are recognised, and work to mitigate these effects should be considered when the opportunity arises.

Appendix 4 – Grass Specification

SPECIFICATION

of work to be done and materials to be used in carrying out the works shown on the accompanying drawings

Pasture Seeding and Maintenance Spec

Project Specification

Te Mata ti Tipuna - Track Remediation

Project Ref: T18057

Printed: 11 January 2019

TABLE OF CONTENTS

8333 TURF LAYING & LAWN SEEDING
8380 LANDSCAPE MAINTENANCE

3
6

8333 TURF LAYING & LAWN SEEDING

1 GENERAL

This section relates to the seeding of grass areas.
It includes, fertilizer and initial mowing

Requirements

1.1 QUALIFICATIONS

Workers to be experienced, competent trades people familiar with the materials and techniques specified.

1.2 ACCEPTABLE PRODUCT/MATERIAL SUPPLIERS

Where a product or material supplier is named in SELECTIONS, the product/material must be provided by the named supplier. Where more than one named supplier, any one of the named suppliers will be acceptable.

1.3 NO SUBSTITUTIONS

Substitutions are not permitted to any of the specified systems, components and associated products listed in this section.

Quality control and assurance

1.4 INSPECTIONS

Contract Administrator to inspect the works following:

- cultivation and preparatory work prior to seeding
- completion of respreading topsoil prior to final levelling and seeding
- completion of turf establishment

2 PRODUCTS

Materials - Seed

2.1 PASTURE SEED MIX

All seed shall be certified and less than 12 months old at the time of sowing. Ryegrass component (if used) to be certified as having greater than 80% live entophyte content.

All seed label analysis data shall comply with trade standards. Germination tests must have occurred within the past six months. The germination capacity of each constituent of the mixture should be not less than 80%, and the purity of the mixture not less than 90%.

2.2 WEED FREE

Ensure seed is free of noxious weeds. Other crop not to exceed 10%. Weed seed shall not exceed 10%.

3 EXECUTION

Conditions

3.1 PRE-INSTALLATION REQUIREMENTS -SEEDING

Topsoiled areas to be grassed shall be cultivated to a depth of 100 - 150mm, clod free to provide a suitable tilth for seed distribution and grass growth. Remove weeds, root material, stones, rubble and any other debris exposed during cultivation.

Installation/application

3.2 SOIL PH LEVEL

Target a soil pH level of between 5.5 and 6.0. Dress with agricultural lime, applied at the rate of 150gms/m², and thoroughly 'work in' during cultivation (unless soil tests prove otherwise).

3.3 STANDARDS AND TOLERANCES - SEEDING & TURFING

Completed topsoil shall be 15mm above paths, paving and tops of kerbs, manhole covers and catchpit aprons, and free draining. It shall not have depressions capable of ponding.

Grassed surfaces shall be deemed to be in an acceptable condition when;

- fully established with vigorous growth
- no ponding of surface water occurs
- grass covers 95% of the grassed areas
- single areas of exposed soil are less than 100mm diameter in any one location
- broad leafed weeds visible by eye through 360 degrees from any location, are limited to 4 plants/m².
- Kikuyu grass is not present

Lawn Seeding

3.4 SOWING

Sow the seed mix by broadcasting in two directions, in suitable calm weather, at a rate of 30 gm/m² using a mechanical spreader.

Lightly brush soil to cover seeds, and lightly roll to ensure a good moisture content.

Water immediately after sowing and then as often as necessary to keep it moist until germination and grass is well established.

3.5 TIMING

Carry out sowing from 1st April to 31st May, or from 1st September to 30th November. When sowing takes place outside this period, when the weather changes, or when silt control requires its use, mulch the seeding area using hay.

3.6 FERTILISER

Apply a dressing of fertiliser and work into the top 50mm of soil immediately prior to sowing. Refer to SELECTIONS.

3.7 FENCING

Install "Pigs Tails" and warning tape fencing around the perimeter of the sown area to prevent damage from unauthorised access.

3.8 WEED CONTROL

Control weeds, which affect the establishment of the grassed surface during the establishment period.

Spray weeds with spot spray or selective herbicide applied to the manufacturers specifications.

Over sow areas rendered with inadequate grass plants following weed control, to re-establish the specified grassed surface species. Apply a fine layer of topsoil or straw mulch over these areas to promote germination and protect the grass.

Prior to Practical Completion, remove all weeds within grassed areas and re-sow as necessary.

3.9 FAILURE TO ESTABLISH A SUCCESSFUL GRASS SURFACE

Make good the grass areas that fail to establish successfully.

Generally

3.10 ROUTINE CLEANING

Carry out routine trade cleaning of this part of the work including periodic removal of all debris, unused materials and elements from the site.

3.11 DEFECTIVE OR DAMAGED ELEMENTS

Replace damaged elements.

3.12 PROTECTION

Provide the following temporary protection of the finished work:
Prevent pedestrian traffic during establishment

4 SELECTIONS

Substitutions are not permitted to the following, unless stated otherwise.

Materials

4.1 SEED

Species	Variety	Rate/ha
Ryegrass	Governor	12
Cocksfoot	Safin	3
White Clover	Apex	3.5
Plantain	Tonic	1.5

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4.2 FERTILISER

Location: All areas
Contractor to Specify

Type	%

8380 LANDSCAPE MAINTENANCE

1 GENERAL

This section relates to Landscape Maintenance.

It includes:

- Grass

1.1 ABBREVIATIONS AND DEFINITIONS

Refer to the general section 1232 INTERPRETATION & DEFINITIONS for abbreviations and definitions used throughout the specification.

The following abbreviations apply specifically to this section:

NPK The labelling of fertiliser based on the relative content of Nitrogen (N), Phosphorus (P), and Potassium (K).

Requirements

1.2 QUALIFICATIONS

Workers to be experienced, competent landscape people familiar with the materials and techniques specified.

1.3 PERIOD

Undertake maintenance of the landscaping works regularly for:
36 months From Practical completion of the Landscape Work.

The degree required and frequency is detailed in these specifications.

Quality control and assurance

1.4 NOTIFICATION OF MAINTENANCE VISITS

Supply to the Contract Administrator a maintenance schedule detailing the dates of proposed visits and work to be undertaken. In addition, notify the Contract Administrator immediately prior to those visits being made.

2 MAINTENANCE

2.1 GENERAL

Maintenance shall include watering, weed removal, insect and disease control and other accepted horticultural operations to ensure normal and healthy plant establishment and growth.

Ensure that the plants installed will survive and grow. Water the plants installed as frequently as necessary.

Inspect the landscaping works no less than monthly to confirm the health of the plants, existence of pests, diseases, or vandalism.

3 EXECUTION

3.1 NOXIOUS PESTS AND DISEASES

Monitor the works for insect and plant disease problems. If present, identify the problem and apply appropriate remedy by accepted horticultural practices including chemical or biological methods. Take all suitable precautions for the safe handling and application of herbicides, fungicides and insecticides and use these strictly in accordance with the manufacturer's specifications. In all cases, apply sprays on windless days. If the site is in a public area, the public shall be advised by signage that spraying is occurring and shall be directed away from the spray area. Avoid damage to neighbouring properties caused by spraying.

Grass

3.2 GRASSED AREAS

If necessary top dress the turf with clean screened soil to eliminate minor hollows. Applications shall be less than 15mm at any one time, preferably applied in spring or autumn.
Protect and maintain all grassed areas by watering, mowing and spraying to maintain a good quality turf with a neat appearance.

Completion

3.3 PROTECTION

Provide the following temporary protection of the finished work:
Prevent pedestrian and stock traffic during establishment for a minimum of 12 months

4 SELECTIONS

4.1 MAINTENANCE SCHEDULE - GRASS

Weed inspection and cleaning monthly

Appendix C – Archaeological Assessment

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19 December 2018

RE: Te Mata Zig Zag Remediation

Kia ora Rowan

Thank you for your phone call (Friday 30 Nov) to discuss the proposed remediation of the 'Te Mata Zig Zag Track'. As we discussed, Hastings District Council (HDC) requested archaeological advice with respect to the potential requirement for an Archaeological Authority in order to undertake the proposed remediation work. This letter summarises the results of my site visit (7 Dec 2018), and briefly considers the risk posed by the remediation work in the light of evidence from historic aerial imagery and the recorded sites currently listed within the NZAA ArchSite database.

Site Visit

The 'Zig Zag' track was visited by myself on Friday 7 December and walked from the gated entrance to the first return corner that has been hessian-covered approaching the summit. Prior to commencing the survey, *karakia* was observed with Marei Apatu (Te Taiwhenua –o- Heretaunga). Conditions on the day were overcast to clearing, and the paddock itself was in long grass (often > 500 mm high). During this pedestrian survey I looked for any evidence within the exposed track bank cuts for potential archaeological features or materials such as pit profiles, shell midden and burnt (potential hangi) stone. I also observed the wider landscape within which the track sits, looking for archaeological features such as pits and potential occupation areas.

Within the track bank cuts several potential archaeological profiles were noted. These were of a size and shape that would be consistent with pits (see photograph below). Unfortunately the extreme long grass made identifying further evidence of these potential pits in the ground surface difficult. Further, the location of these potential features on apparent gully slopes could be considered unusual for pits, however they have been identified in similar locations in other areas in Hawke's Bay so cannot be ruled out on this basis alone.



Example of a potential pit profile identified in track cut as highlighted by red dash.

Fragments of as yet unidentified bone were also noted in the track cut near the base of the track. These were embedded deeply within the subsoil. No feature profile was evident however, the bank was significantly re-vegetated. It would appear that these bones were likely in a secondary deposition position, having been moved, e.g. through land slip, down the hill from an origin upslope. Whilst it is entirely likely that these particular bones are of sheep or other domestic animal origin, the possibility of *koiwi tangata* having become dislodged through natural or human induced events from upslope and being deposited within the soil matrix down-slope cannot be discounted. As there was no remit to investigate further, these bones remain in-situ. It is possible that an archaeo-osteologist might be able to rule them in or out as human in origin based on photographs of the exposed fragments. However, I could not conclusively identify them as sheep (the most likely animal based on size) from what was visible.

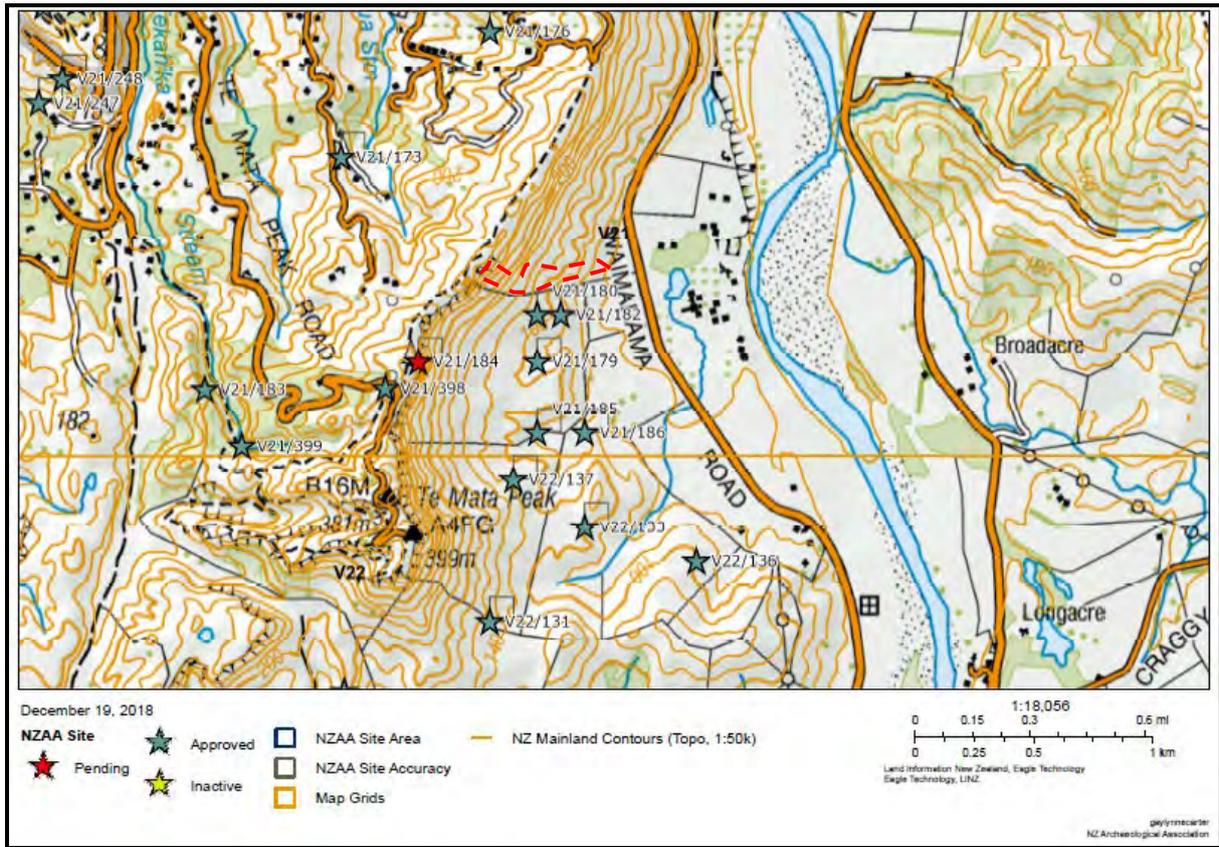
Observing the wider landscape it was evident that there was a large area immediately adjacent to the track that would have lent itself to occupation. Despite the long grass obscuring the ground, it did appear that there were several potential pit clusters in this area, along with possible terracing on several of the ridge spurs. This area lies within < 50 m of the 'Zig Zag' track, a distance that *kainga* and their associated features are understood to frequently have extended from any observable surface evidence.



Location identified as represented by recorded sites V21/180 and V21/182 location in relation to the track (red arrow).

Recorded sites: ArchSite

There are numerous recorded archaeological sites in the wider area, including V21/180 and V21/182, the ArchSite polygons of which lie between 0 m and < 50 m of the track cut. Recorded site V21/180 refers to a single raised rim pit, whilst V21/182 refers to an occupation area featuring numerous pits, drains and house sites. This is the *kainga* site that was noted during the site visit.



ArchSite recorded site distribution in relation to 'Zig Zag Track' broadly indicated by red dash polygon.

Historic Aerial Images

The aerial imagery accessed to date commences in 1963. Unfortunately the recorded pits associated with V21/180 and V21/182 are not particularly clear in these or later images, making it unlikely that less well preserved pits elsewhere in the landscape would clearly show up. However, there are some anomalies that might represent archaeological features in the general vicinity of the track. These could not be absolutely confirmed during the site visit due to the long grass.

Google Earth Pro images from 2014 exhibited ground moisture conditions that were favourable for identifying subsurface anomalies. These do show a number of features both in the vicinity of V21/182 and in the area of the track that are potentially consistent with pits, albeit in somewhat unusual locations, according to our current knowledge base.

Conclusion & Recommendation

The site inspection undertaken on 7 December 2018 demonstrated that there are anomalous profiles present in the track bank cuts that could represent pit cuts, albeit in slightly unexpected locales. There was also evidence that bone material, which potentially could include *koiwi tangata* has been transported from the upper slopes into the lower reaches and re-deposited.

There are two recorded archaeological sites whose polygon extents are within 0 - < 50 m of the track cut. Unfortunately the historic aerial imagery in this case has not been particularly informative, but in at least two images (1980 & 2014) there are potential archaeological features that correspond to the types of location in which the soil profiles in the track cuts were observed.

Whilst the weather conditions on the visit day were good, unfortunately the long grass hindered visual assessment of the area beyond the exposed and over-growing track cut banks.

Given the extreme proximity of V21/180 and V21/182, which of themselves would in most cases be sufficient to trigger an Archaeological Authority application recommendation, in conjunction with the anomalous soil profiles and aerial imagery, it is recommended that an Archaeological Authority is sought from HNZPT for any invasive earthwork associated with the track remediation work.

I suggest that the Assessment of Effects currently being prepared by myself for the proposed Gulley Track could be amended to meet the Assessment of Effects requirement of the Authority application process.

I also suggest that the landowner of the Gulley Track and 'Mad Mile' areas proposed to be visually inspected by myself and Amber Aranui between 8 – 13th Jan 2019, be approached re the possibility of ensuring the grass at the time of the visit is short cropped, ideally by sheep. This will enable Amber and I to see surface anomalies much more clearly. Unfortunately, if the grass in that paddock is in a similar state to that in the Zig Zag paddock at the time of visit we will be greatly hindered in our ability to identify or reject potential archaeological features.

I trust that this summary letter meets your requirements with regard the remediation of the 'Zig Zag Track'.

If you have any questions about the recommendations as presented here, please contact me by e-mail or phone.

Ngā mihi



Gaylynnne

Archaeologist & Heritage Consultant

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