

## Natural Open Space Zone

### Introduction

The Natural Open Space Zone is applied to land that is managed by the Council or Department of Conservation for conservation purposes. It is characterised by areas of indigenous vegetation, habitat for indigenous fauna,<sup>1</sup> and a high degree of naturalness.

Section 4 (3) RMA allows certain Crown activity to contravene a District Plan in relation to any work or activity on land held under the Conservation Act 1987 that is consistent with a conservation management strategy, conservation management plan, or management plan and does not have a significant adverse effect beyond the boundary of the land. Accordingly, this chapter does not apply to the Department of Conservation activities that met section 4(3) RMA, but does apply to their activities that do not meet section 4(3) RMA. Appendix 1 contains a list of activities of the Department of Conservation considers meets the requirements of ~~S~~section 4(3) RMA.

### Objectives

#### NOSZ-O1 The purpose of the Natural Open Space Zone

The Natural Open Space Zone primarily provides for the ongoing management of land that has a conservation focus.

#### NOSZ-O2 Character and qualities of the Natural Open Space Zone

The character and qualities of the Natural Open Space Zone are maintained and improved and include areas:

1. with high visual, natural and cultural values; and
2. of indigenous vegetation, habitats for indigenous fauna,<sup>2</sup> wetlands, riparian areas and natural landscapes; and
3. with limited opportunities for walking and cycling; and
4. with very limited built form that is complimentary and consistent with the conservation purpose.

### Policies

#### NOSZ-P1 Appropriate activities and facilities

Enable activities and facilities that:

1. are consistent with the intended purpose, character and qualities of the Natural Open Space Zone; and
2. protect, maintain, and where possible, enhance indigenous vegetation including taoka species, natural values and ecological linkages; and
3. contribute to the health and wellbeing of the community.

#### NOSZ-P2 Planting

Enable the planting of indigenous vegetation and only allow the planting of exotic species where this is consistent with the character and qualities of the specific area.

#### NOSZ-P3 Department of Conservation activities

Enable conservation activities that are consistent with a Department of Conservation plan or strategy for the area and do not generate significant adverse effects on the surrounding area or adjacent sites.

#### NOSZ-P4 Buildings and structures

Provide for small-scale buildings and structures that:

<sup>1</sup> F&B [156.174]

<sup>2</sup> F&B [156.174]

1. are required for park management activities; and
2. do not adversely affect the conservation values of the site; and
3. are of a scale, form, location and design that is compatible with the purpose, character and qualities of the zZone; and
4. do not adversely affect the character and qualities of the surrounding area.

**NOSZ-P5**      **Car parking facilities**

Only allow new car parking facilities where it:

1. has permeable surfacing; and
2. has no marked spaces; and
3. does not adversely impact on the conservation values of the site.

**NOSZ-P6**      **Other activities**

Only allow other activities where they:

1. contribute to the overall health and wellbeing of the community; and
2. do not adversely affect or, are compatible with, the conservation values of the site; and
3. do not adversely affect the character and qualities of the surrounding area; and
4. are compatible with the purpose, character and qualities of the zZone.

**NOSZ-P7**      **Motorsport facilities**

Avoid establishing motorsport facilities in the Natural Open Space Zone.

**Rules**

***Note:** For certain activities, consent may be required by rules in more than one chapter in the District Plan. Unless expressly stated otherwise by a rule, consent is required under each of those rules. The steps plan users should take to determine what rules apply to any activity, and the status of that activity, are provided in Part 1, HPW — How the Plan Works - General Approach.*

<b>NOSZ-R1</b> <b>Recreation <u>activities</u></b>		
<b>Natural Open Space Zone</b>	<b>Activity status: Permitted</b>  <b>Where:</b>  <b>PER-1</b> The recreation activity is limited to walking or cycling within existing tracks.  <del><b>Note: NOSZ-R5 applies to any associated buildings and structures must be constructed in accordance with NOSZ-R5.</b></del>	<b>Activity status when compliance not achieved: Discretionary</b>
<b>NOSZ-R2</b> <b>Park management <u>activities</u></b>		
<b>Natural Open Space Zone</b>	<b>Activity status: Permitted</b>  <b>Where:</b>  <b>PER-1</b> Any building or structure complies with all the standards of this chapter.	<b>Activity status when compliance not achieved: Restricted Discretionary</b>  <b>Matters of discretion are restricted to:</b> <ol style="list-style-type: none"> <li>1. the matters of discretion of any infringed standard.</li> </ol>

	<b>Note:</b> <del>NOSZ-R5 applies to any associated buildings and structures must be constructed in accordance with NOSZ-R5.</del>	
<b>NOSZ-R3</b>	<b>Planting of vegetation</b>	
Natural Open Space Zone	<p><b>Activity status: Permitted</b></p> <p><b>Where:</b></p> <p><b>PER-1</b> The planting is of indigenous species.</p>	<p><b>Activity status when compliance not achieved: Discretionary</b></p>
<b>NOSZ-R4</b>	<b>Tracks</b>	
Natural Open Space Zone	<p><b>Activity status: Permitted</b></p> <p><b>Where:</b></p> <p><b>PER-1</b> The activity is limited to the maintenance of existing tracks.</p> <p><b>Note:</b> <del>NOSZ-R5 applies to any associated buildings and structures must be constructed in accordance with NOSZ-R5.</del></p>	<p><b>Activity status when compliance not achieved: Controlled activity</b></p> <p><b>Matters of control are reserved restricted<sup>3</sup> to:</b></p> <ol style="list-style-type: none"> <li>1. track location, alignment and entry points; and</li> <li>2. impact on conservation values, natural character values and cultural values; and</li> <li>3. track design and formation; and</li> <li>4. track signage; and</li> <li>5. earthworks; and</li> <li>6. associated structures; and</li> <li>7. landscaping; and</li> <li>8. restrictions on use of the track; and</li> <li>9. mitigation measures.</li> </ol>
<b>NOSZ-R5</b>	<b>Buildings and structures including fences</b>	
Natural Open Space Zone	<p><b>Activity status: Permitted</b></p> <p><b>Where:</b></p> <p><b>PER-1</b> The building or structure is associated with or <u>is</u> ancillary to a permitted activity; and</p> <p><b>PER-2</b> The building or structure complies with all the standards of this chapter.</p>	<p><b>Activity status when compliance not achieved with PER-2: Restricted Discretionary</b></p> <p><b>Matters of discretion are restricted to:</b></p> <ol style="list-style-type: none"> <li>1. the matters of discretion of any infringed standard.</li> </ol> <p><b>Activity status when compliance not achieved with PER-1:</b> The same status as the activity the building or structure is associated with or ancillary to.</p>
<b><u>NOSZ-R5A6</u></b>	<b><u>Full or partial demolition of buildings or structures<sup>4</sup></u></b>	

<sup>3</sup> Schedule 1, cl16(2)

<sup>4</sup> NZHHA [184.2]

<u>Natural Open Space Zone</u>	<u>Activity status: Permitted</u>	<u>Activity status when compliance not achieved: Not applicable</u>
<b>NOSZ-R67 Car parking facilities</b>		
Natural Open Space Zone	<p><b>Activity status: Discretionary</b></p> <p><b>Where:</b></p> <p><b>DIS-1</b> The activity is ancillary to a permitted activity in this chapter; and</p> <p><b>DIS-2</b> The activity is limited to that required for patrons using the Natural Open Space Zone; and</p> <p><b>DIS-3</b> The car parking <u>facility</u> has a permeable surface; and</p> <p><b>DIS-4</b> The <u>parking</u> spaces are unmarked.</p>	<b>Activity status when compliance not achieved: Non-complying</b>
<b>NOSZ-RX8 <u>Any activities not otherwise listed in this chapter</u><sup>5</sup></b>		
<u>Natural Open Space Zone</u>	<u>Activity status: Discretionary</u>	<u>Activity status when compliance not achieved: Not applicable</u>
<b>NOSZ-R79 Motorsport facilities</b>		
Natural Open Space Zone	<b>Activity status: Prohibited</b>	<b>Activity status when compliance not achieved: Not applicable</b>

**Standards**

<b>NOSZ-S1 Height of buildings and structures including fences</b>		
Natural Open Space Zone	The maximum height of any building or structure must not exceed 4m above existing ground level.	<b>Matters of discretion <u>are</u> restricted to:</b> <ol style="list-style-type: none"> <li>any impacts on the character and qualities of the <u>Zone</u>; and</li> <li>any impacts on the character and qualities of the surrounding area; and</li> </ol>

<sup>5</sup> TDC [42.58]

		<ol style="list-style-type: none"> <li>3. the ability to retain indigenous vegetation <u>and habitats for indigenous fauna</u><sup>6</sup>; <u>and</u><sup>7</sup></li> <li>4. mitigation measures.</li> </ol>
<b>NOSZ-S2</b>	<b>Scale of buildings and structures excluding fences</b>	
<b>Natural Open Space Zone</b>	<p>The maximum gross floor area of any building or structure does not exceed:</p> <ol style="list-style-type: none"> <li>1. 10m<sup>2</sup> on sites less than <del>2ha</del> <u>hectares</u> in area; <u>or</u></li> <li>2. 50m<sup>2</sup> on sites of <del>2ha</del> <u>hectares</u> or more.</li> </ol>	<p><b>Matters of discretion <u>are</u> restricted to:</b></p> <ol style="list-style-type: none"> <li>1. any impacts on the purpose, character and qualities of the <del>z</del><u>Zone</u>; and</li> <li>2. any impacts on the character and qualities of the surrounding area; and</li> <li>3. any impacts on the public use and enjoyment of the site and surrounding area; and</li> <li>4. any adverse effects of removing indigenous vegetation on ecological values, <u>including habitat for indigenous fauna</u><sup>8</sup>; and</li> <li>5. the consistency of design, materials, and external appearance with the character and qualities of the surrounding area; <u>and</u></li> <li>6. mitigation measures.</li> </ol>
<b>NOSZ-S3</b>	<b>Setback of buildings and structures excluding fences</b>	
<b>Natural Open Space Zone</b>	<p>Buildings or structures must be setback a minimum of 5m from any site boundary.</p>	<p><b>Matters of discretion <u>are</u> restricted to:</b></p> <ol style="list-style-type: none"> <li>1. any impacts on the purpose, character and qualities of the <del>z</del><u>Zone</u>; and</li> <li>2. any impacts on the character and qualities of the surrounding area; and</li> <li>3. the extent to which a reduced setback will minimise the loss of indigenous vegetation <u>and habitats for indigenous fauna</u><sup>9</sup>; and</li> <li>4. any benefits such as a more efficient, practical and better use of the balance of the site; and</li> <li>5. mitigation measures.</li> </ol>
<b>NOSZ-S4</b>	<b>Site coverage</b>	
<b>Natural Open Space Zone</b>	<p>The maximum <del>site coverage combined building and impermeable surface coverage</del> of any site must not exceed 2.5%.</p>	<p><b>Matters of discretion <u>are</u> restricted to:</b></p> <ol style="list-style-type: none"> <li>1. any impacts on the purpose, character and qualities of the <del>z</del><u>Zone</u>; and</li> <li>2. any impacts on the character and qualities of the surrounding area; and</li> </ol>

<sup>6</sup> F&B [156.174]

<sup>7</sup> Clause 16(2) of the RMA

<sup>8</sup> F&B [156.174]

<sup>9</sup> F&B [156.174]

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|  |  | <ol style="list-style-type: none"><li>3. any impact on the site's ecological values, <u>including habitat for indigenous fauna</u><sup>10</sup>; and</li><li>4. mitigation measures.</li></ol> |
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<sup>10</sup> F&B [156.174]