NATURAL OPEN SPACE ZONE – NOSZ

Overview and Purpose

The purpose of the Natural Open Space zone is to ensure the natural *environment* is retained, and activities, *buildings* and other *structures* are compatible with the characteristics of the zone. It is applied to *land* that is managed by the Council or the Department of Conservation for a conservation purpose, which is characterised by areas of *indigenous vegetation* and a high degree of naturalness. The Natural Open Space zone will comprise both Dolamore Park and Croydon Bush.

Dolamore Park is a large Scenic Reserve of 95 hectares, administered by the Gore District Council and adjoins the greater Croydon Bush Scenic Reserve of 874 hectares which is administered on behalf of the Crown by the Department of Conservation. A specific Reserve Management Plan (RMP) has been prepared for Dolamore Park, and this will be subject to review over time. The RMP refers to in excess of 10,000 visitors per year for a range of outdoor recreational and leisure activities including walking, climbing, running, mountain biking, nature study, passive recreation, camping, photography, active recreation, bus tours, picnicking, and concerts.

The purpose of the zone is to provide for the existing level of activity and protect the underlying relationship Ngāi Tahu have with the natural *environment*, as well as enabling further development, provided adverse *effects* can be appropriately mitigated.

Objectives

NOSZ-O1 Natural character, biodiversity and *amenity values* and Ngāi Tahu cultural values are retained. Undeveloped open areas and expanses of *land* containing minimal *buildings* are the predominant characteristic of the Natural Open Space Zone.

NOSZ-O2 Natural open space areas are available to the public to use and enjoy for leisure and cultural activities.

NOSZ-O3 The purpose and predominant character and amenity of the Natural Open Space Zone is not compromised by incompatible activities and/or built form.

Policies

NOSZ-P1 Enable recreational, sporting and community activities, limited *commercial activities* and rural activities that are compatible with the character and amenity of the *site* and surroundings.

NOSZ-P2 Manage the establishment of *buildings* and *structures* within natural open space zone to minimise adverse *effects* by:

1. ensuring the scale, design and materials of the *building* and/or *structure* are appropriate in the location;
2. integrating new *buildings* and *structures* with existing built form, including walkways, cycleways and *pedestrian access* points;

3. protecting rivers and streams from inappropriate built form;
4. limiting the prominence or visibility of built form, including by integrating it into the landscape and through the use of naturally occurring *building* platforms;
5. minimising adverse visual amenity and natural space character *effects* through appropriate design, use of sympathetic materials and landscaping; and
6. reinstating land subject to *earthworks*.

NOSZ-P3 Manage education activities that are potentially compatible with the role, function and predominant character of the Natural Open Space Zone, and ensure it is appropriate for such activities to establish in the Natural Open Space Zone, having regard to whether:

1. the purpose of the activity is compatible with activities that are permitted in the Natural Open Space Zone and will enhance natural open space values and social connection;
2. the activity will limit or constrain the establishment and operation of permitted, consented or otherwise lawfully established activities in the Open Space Zone or restrict public *access* to and use of open space;
3. the scale, design and layout of the activity and any associated built form is compatible with the character, Ngāi Tahu cultural values, and amenity of the natural open space area the activity is proposing to locate in;
4. any adverse *effects* on natural, indigenous biodiversity, ecological, landscape, cultural and/or *historic heritage* values, or Ngāi Tahu values can be appropriately avoided, remedied and/or mitigated;
5. any conflict with and/or adverse *reverse sensitivity effects* on adjacent *sensitive activities* can be appropriately avoided, remedied and/or mitigated; and
6. there is adequate existing and/or planned *infrastructure* to service the activity.

NOSZ-P4 Enable the use of *reserve land* where the activity and/or development is consistent with the relevant Reserve Management Plan.

NOSZ-P5 Avoid activities that are incompatible with the character, qualities and purpose of the Natural Open Space Zone.

Notes

Note 1	Provisions in Other Chapters
	The provisions in this chapter apply in addition to the provisions of the other chapters in the District Plan and the plan should be read as a whole. This chapter also implements other chapters in the District Plan that do not have specific rules such as Sites and Areas of Significance to Māori and Mana Whenua.

Rules

NOSZ-R1	*Community Facility*	
All areas	**Activity status:** Permitted Where: 1. The hours of operation are between 7am and 10pm.	**Activity status where compliance is not achieved:** Restricted Discretionary **Matters of discretion:** 1. The compatibility with existing activities in the surrounding area. 2. Nuisance effects including noise, light spill and traffic generation.

NOSZ-R2	*Sport and Recreation Activity*	
All areas	**Activity status:** Permitted Where: 1. The hours of operation of organised sports, tournaments or sports education are between 7am and 10pm.	**Activity status where compliance is not achieved:** Restricted Discretionary **Matters of discretion:** 1. The compatibility with existing activities in the surrounding area. 2. Nuisance effects including noise, light spill and traffic generation.

NOSZ-R3	***Conservation Activity***	
NOSZ-R4	***Park Management Activity***	
NOSZ-R5	***Agricultural, horticultural and pastoral activities***	
All areas	**NOSZ-R3 to NOSZ-R5** **Activity status:** Permitted	
NOSZ-R6	***Visitor Accommodation* Activity**	
All areas	**Activity status:** Permitted Where: 1. The activity shall be located at least 25m from the zone *boundary*; and 2. The *visitor accommodation* is undertaken in a temporary structure, e.g. tents, motorhomes, caravans.	**Activity status where compliance is not achieved:** Restricted Discretionary **Matters of discretion:** 1. The *effects* on natural character and amenity, ecological landscape, Ngāi Tahu cultural values, *historic heritage*, or other cultural values of the surrounding *environment.* 2. The compatibility with existing activities in the surrounding area. 3. Whether the activity creates pressure on existing *infrastructure* or gives rise to any *infrastructure* requirements.

NOSZ-R7	***Rural Commercial Recreation Activity***	
All areas	**Activity Status:** Permitted Where: 1. The activity is undertaken on *land*, outdoors; and 2. The hours of operation must be between 7am and 10pm; and 3. The activity does not involve more than 12 persons in any one group.	**Activity status where compliance is not achieved:** Restricted Discretionary **Matters of discretion:** 1. The *effects* on natural character and amenity, ecological landscape, Ngāi Tahu cultural values, *historic heritage*, or other cultural values of the surrounding *environment.* 2. The compatibility with existing activities in the surrounding area. 3. Nuisance effects including noise, light spill and traffic generation.

NOSZ-R8	***Commercial Activity***	
All areas	**Activity status:** Permitted Where: 1. The activity is limited to a restaurant, café or mobile food offering; and 2. The activity is ancillary to a permitted activity; and 3. The hours of operation are between 7am and 10pm; and 4. The total *gross floor area* of any building does not exceed 250m^2. *Note: new buildings require consent under NOSZ-R11*	**Activity status where compliance not achieved with:** **NOSZ-R8(1) and NOSZ-R8(2):** Non-complying **NOSZ-R8(3) and NOSZ-R8(4):** Restricted Discretionary **Matters of discretion:** 1. The extent and *effect* of the activity on the *amenity values* of the *site* and surrounding properties. 2. The *effects* on natural, ecological, landscape, Ngāi Tahu cultural values, *historic heritage*, or other cultural values of the surrounding *environment*.

		3. The compatibility with existing activities in the surrounding area. 4. Whether the activity creates pressure on existing roading and *infrastructure* or gives rise to any additional *infrastructure* requirements. 5. The matters of discretion of any infringed standard.
NOSZ-R9	***Residential Activity***	
All areas	**Activity status:** Permitted Where: 1. The activity is limited to a single *residential unit* within the zone, exclusively used by a caretaker or manager of activities on site or the grounds. *Note: new buildings require consent under NOSZ-R11*	**Activity status where compliance is not achieved:** Non-complying
NOSZ-R10	**Use of *Reserve Land***	
All areas	**Activity status:** Permitted 1. All *land* use activities in areas administered under the Reserves Act 1977 are permitted where they comply with a Management Plan that has been approved by the Minister under that Act	**Activity status where compliance is not achieved:** Discretionary
NOSZ-R11	***Building* Activity**	
All areas	**Activity status:** Restricted Discretionary Where:	**Activity status where compliance is not achieved:** Discretionary

1. Any new *building* or *structure* or alteration or addition is for the purposes of a permitted activity.
2. Any new *building* or *structure* or alteration or addition complies with NOSZ-S1, NOSZ-S2, NOSZ-S3, NOSZ-S4 and NOSZ-S5

Matters of discretion:

1. External appearance, impervious surfaces and landscaping.
2. The extent to which the location, bulk and scale of *building*s impacts on the natural, ecological, landscape, cultural and/or *historic heritage* values of the zone.
3. The ability to integrate *buildings* with existing walkways, cycleways and *pedestrian access* points within the zone.
4. *Maintenance* of on-site and neighbouring site amenity.
5. The cumulative *effects* of *buildings* within the zone.
6. *Earthworks.*
7. *Access.*
8. Services, including the positive effects low impact design.
9. Integration of the unique Ngāi Tahu cultural identity of the area in design; and

	10. Impacts on Ngāi Tahu cultural values, including those listed in the MW2.3.	
NOSZ-R12	***Education Facility***	
All areas	**Activity status:** Restricted Discretionary Where: 1. The hours of operation must be between 7am and 10pm; and 2. Any new *building* or *structure* or alteration or addition complies with NOSZ-S1, NOSZ-S2, NOSZ-S3, NOSZ-S4 and NOSZ-S5. **Matters of discretion:** 1. External appearance, impervious surfaces and landscaping 2. The extent to which the location, bulk, scale of *building*(s) impacts on the natural, ecological, landscape, cultural and/or *historic heritage* values of the zone. 3. The ability to integrate *buildings* with existing walkways, cycleways and *pedestrian access* points within the zone. 4. *Maintenance* of on-site and neighbouring site amenity. 5. The cumulative *effects* of buildings within the zone. 6. *Earthworks.*	**Activity status where compliance is not achieved:** Discretionary

	7. *Access.* 8. Services including the positive effects of low impact design. 9. Integration of the unique Ngāi Tahu cultural identity of the area in design. 10. Impacts on Ngāi Tahu cultural values, including those listed in the MW2.3.	
NOSZ-R13	**All other activities**	
All areas	**Activity status:** Non-Complying 1. Any activities, including associated buildings, not otherwise provided for in the list of rules.	**Activity status where compliance not achieved:** N/A

Standards

NOSZ-S1	***Height***	
All activities	1. The maximum height of any *building* or *structure* is 6 metres above *ground level*. Excluding roof mounted *structures* such as: panels, architectural features, satellite dishes or antennas, aerials, flues, not more than 1m above *height* limit and not more than 1m in width or length.	**Activity status where compliance is not achieved:** Restricted Discretionary **Matters of discretion:** 1. The adverse *effects* on the amenity and character of the locality, including open character of the zone. 2. Impacts on Ngāi Tahu cultural values, including those listed in the MW2.3. 3. The adverse *effects* on *sites* adjoining the zone, including outlook, privacy, shading and sense of openness. 4. Whether the *structure* can be more appropriately located to minimise adverse visual amenity *effects.* 5. The reason for the increase in *height.*
NOSZ-S2	***Setbacks* from side and rear *boundaries***	
All activities	1. Any *building* or *structure*, excluding fencing, must be setback a minimum of 25 metres from any side or rear *boundary.*	**Activity status where compliance is not achieved:** Restricted Discretionary **Matters of discretion:** 1. The adverse *effects* on the amenity and character of the locality, including *effect* on the open character of the zone. 2. The adverse *effects* on *sites* adjoining the zone, including outlook, privacy, shading and sense of openness.

		3. Whether the *structure* can be more appropriately located to minimise adverse visual amenity *effects.* 4. The extent to which the reduction in the *setback* is necessary due to the shape or natural and physical features of the *site.*
NOSZ-S3	***Setbacks* from *road boundaries***	
All activities	1. Any *building* or *structure*, excluding fencing, must be setback a minimum of 10 metres from any road boundary.	**Activity status where compliance is not achieved:** Restricted Discretionary **Matters of discretion:** 1. The adverse *effects* on the amenity and character of the locality, including *effect* on the open character of the zone. 2. Whether the *structure* can be more appropriately located to minimise adverse visual amenity *effects.* 3. The safety and efficiency of the *road* network.
NOSZ-S4	***Setbacks* from *rivers* and streams**	
All activities	1. Any *building* or *structure* is set back from the top of the closest bank of any *stream* or *river* the minimum distance as follows: (a) 20m for high order rivers or streams (order 5 and above) (b) 10m for middle order rivers or streams (order 3 and 4) (c) 5m for low order rivers or streams (order 1 and 2). Refer to Appendix 3 for river and stream orders	**Activity status where compliance is not achieved:** Restricted Discretionary **Matters of discretion:** 1. Whether there is a *functional need* for the *building* or *structure* to locate in a riparian margin, and the extent to which alternative practicable options have been considered and their feasibility. 2. The *effects* on *water* quality and the stability and health of the stream *bed* and banks, including erosion and *sedimentation control measures*.

		3. The nature of existing riparian vegetation and the *effects* of proposed planting or modification on indigenous *biodiversity* and /or habitats. 4. The natural character of the riparian margin and the *effects* of the activity on landscape values and the ability to restore, rehabilitate or enhance riparian areas. Refer to Natural Features and Landscapes – Appendix 5 in regard to the Mataura River. 5. Impacts on Ngāi Tahu cultural values, including those listed in MW-2.3. 6. The *effects* on public and customary *access* to the stream or *river*. 7. The potential for flooding and to create new or exacerbate existing *natural hazards*, impact natural drainage patterns, redirect overland flow paths or flood flows, including on to other *sites*.
NOSZ-S5	***Building coverage***	
All activities	1. The total building coverage across the site must not exceed 2.5 percent.	**Activity status where compliance is not achieved:** Restricted Discretionary **Matters of discretion:** 1. The *effects* on natural, ecological, landscape, cultural and/or *historic heritage* values of the surrounding *environment*. 2. The adverse *effects* on nearby *sites*, including outlook and sense of openness. 3. The *effects* on *stormwater* management.