

NATURAL FEATURES AND LANDSCAPES - NFL

Overview

The Natural Features and Landscapes chapter contains provisions in response to section 6(b) of the RMA, which requires that outstanding natural features and landscapes be protected from inappropriate *subdivision*, use and development. In relation to Natural Character, section 6a of the RMA, this is addressed within the provisions relating to stream *setbacks* included within the zones. Part of the protection of these areas requires the identification and management of these areas as a matter of national importance.

The Landscape of the Gore District can largely be characterised as pastoral and arable farmland with two prominent natural landscapes / features - the Hokonui Hills and the Te Au Nui Pihapiha Kanakana Mataura Falls. These areas have been assessed and identified in accordance with the Southland Regional Policy Statement 2017 criteria as having high levels of biophysical, sensory or associative landscape values, which makes them either Outstanding Natural Landscapes (ONL) or Outstanding Natural Features (ONF).

The District's Outstanding Natural Features and Landscapes are identified on the District Plan Maps and described in Appendix 5. Note there are other provisions relevant to Outstanding Natural Features and Landscapes within the Infrastructure and Subdivision Chapters.

Objectives

- NFL-O1 To protect the values and characteristics of the Outstanding Natural Features and Landscapes of the Gore District from inappropriate *subdivision*, use and development.

Policies

- NFL-P1 Avoid adverse *effects* on the values and characteristics of identified outstanding natural features and landscapes described within Appendix 5 by:
1. Avoiding development and land use that results in significant adverse *effects* on landscape values and avoiding or appropriately mitigating other adverse *effects* on landscape values.
 2. Recognising the existence of working pastoral farms and their contribution to the openness and landform legibility of outstanding natural features and landscapes;
 3. Demonstrating how development can be visually integrated into the landscape by:
 - (a) remedying or mitigating the impacts on the visual continuity of the Hokonui Hills Skyline and visually prominent hillslopes;
 - (b) ensuring *buildings* and *structures* are appropriately sited, designed, finished, and if required, mitigated by appropriate plantings, to have minimal impact on the landscape values.
 - (c) ensuring that *building* density and form maintains the identified landscape values.

PROPOSED DISTRICT PLAN PROVISIONS

4. Avoiding activities that are incompatible with the identified values, including *plantation forestry* and mineral extraction,
5. Recognising and providing protection for Ngāi Tahu cultural values as they relate to natural features and landscapes.

- NFL-P2 Provide for and encourage the restoration and/or enhancement of the natural character of the Te Au Nui Pihapiha Kanakana Mataura Falls where:
1. Restoration and/or enhancement will achieve long-term improvement in natural character, landscape and associated Ngāi Tahu cultural values; and/or
 2. It will assist in the restoration of indigenous *biodiversity* or ecosystems and angling fisheries species; and/or
 3. It will enhance the taonga species and mahinga kai and the ability to exercise kaitiakitanga; and/or
 4. It will support improved health and abundance of taonga species, and the ability for mana whenua to engage in mahinga kai activities; and/or
 5. Riparian margins provide a buffer from activities that may adversely affect the natural character values of the *river*; and/or
 6. Riparian margins provide spawning or other significant habitats for at risk or threatened species and/or
 7. Public access is restored or improved and/ or
 8. Activities are an expression of mana whenua kaitiakitanga responsibilities.
- NFL-P3 Avoid the placement of critical infrastructure within identified outstanding natural features and landscapes, unless
1. There is no reasonable alternative due to the operational or functional need for the location; and
 2. Adverse effects on landscape values can be avoided or appropriately mitigated.
- NFL-P4 When assessing resource consents within Outstanding Natural Features and Landscapes, consider the following matters;
1. The extent to which adverse effects on landscape values can be managed, avoided or appropriately mitigated; and
 2. The extent to which the proposed activity recognises and provides for Ngāi Tahu cultural values, rights and interests; and
 3. The operational or functional need for the activity to be undertaken within an Outstanding Natural Feature or Landscape.

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.

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Rules

NFL-R1 <i>Buildings and Structures (excluding fences) within an identified ONF/L</i>		
All zones	Activity status: Permitted Where: - The <i>building</i> or <i>structure</i> is for farming purposes, excluding residential use; - Does not exceed 30m² in area; and - Height shall not exceed 3m; - Buildings or structures for non-farming purposes; - The maximum <i>height</i> does not exceed 2m; and - The maximum <i>gross floor area</i> is no more than 5m² - All <i>buildings</i> and <i>structures</i> must be finished in materials with a maximum reflectance value of 30%	Activity status where compliance is not achieved: Discretionary
NFL-R2 <i>Tree planting, other than <i>plantation forestry</i> within an identified ONF/L</i>		
All zones	Activity status: Permitted Where: The tree planting is of indigenous species and for restoration, conservation, or hazard prevention measures.	Activity status where compliance is not achieved: Restricted Discretionary Matters of discretion: <i>Effects</i> on the values as listed in NFL-APP Appendix 5. - Impacts on Ngāi Tahu cultural values, including those listed in MW-2.3.

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NFL-R3	Land disturbance and Earthworks within an identified ONF/L	
All zones	Activity status: Permitted Where: 1. The depth of the earthworks shall not exceed 1m below the original surface of the ground; and 2. the depth of fill shall not exceed 1m above the original surface of the ground; and 3. the area of the earthworks shall not exceed 100m² in any 12 month period; 4. the width of land disturbance for fencing shall not exceed 1m; and 5. the ground for fencing related land disturbance is reinstated to original levels within 48 hours of work being completed.	Activity status where compliance is not achieved: Restricted Discretionary Matters of discretion: 1. <i>Effects</i> on the values as listed in NFL-APP Appendix 5. 2. Impacts on Ngāi Tahu cultural values, including those listed in MW-2.3. 3. The extent of any earthworks or land disturbance and: (a) Whether the works are undertaken in accordance with Earthworks Standards EW-S2, EW-S3, EW-S4, EW-S5, EW-S6 and EW-S7 and consideration of the matters of discretion for any infringed standard.
NFL-R4	Maintenance of <i>critical infrastructure, existing roads, farm tracks</i> , walking and cycling trails within an identified ONF/L	
All zones	Activity status: Permitted Where: 1. The scale of the <i>critical infrastructure, road, farm</i> or trail is not increased.	Activity status where compliance is not achieved: Restricted Discretionary Matters of discretion: 1. <i>Effects</i> on the values as listed within NFL-APP Appendix 5. 2. Impacts on Ngāi Tahu cultural values, including those listed in MW-2.3.

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NFL-R5	Fences within an identified ONF/L	
All zones	Activity status: Permitted Where: 1. The fence is a post and wire fence; <i>Note: fences are a structure and therefore subject to the river setback rules</i>	Activity status where compliance is not achieved: Restricted Discretionary Matters of discretion: 1. <i>Effects</i> on the values as listed within NFL-APP Appendix 5. 2. Impacts on Ngāi Tahu cultural values, including those listed in MW-2.3.
NFL-R6	Indigenous Vegetation Clearance within an identified ONF/L	
All Zones	Activity status: Permitted Where: 1. The clearance is within the Hokonui Hills ONL; and 2. The clearance is necessary for a permitted, consented or otherwise legally established activity; and 3. Clearance does not exceed 20m² over a 12 month period; or 4. The clearance is for the construction of a fence associated with stock exclusion under national regulations or regional rules.	Activity status where compliance is not achieved: Restricted Discretionary Matters of discretion: 1. Effects on the values as listed within NFL-APP Appendix 5. 2. Impacts on Ngāi Tahu cultural values, including those listed in MW-2.3.

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NFL-R6	New Roads, farm tracks, walking and cycling tracks within an identified ONF/L	
All zones	Activity status: Restricted Discretionary Matters of discretion: 1. <i>Effects</i> on the values as listed within NFL-APP Appendix 5. 2. Impacts on Ngāi Tahu cultural values, including those listed in MW-2.3. 3. The necessity of what is proposed and any alternatives. 4. Mitigation measures proposed.	Activity status where compliance is not achieved: N/A
NFL-R7	Mining and Quarrying within an identified ONF/L	
	Activity status: Non-complying	Activity status where compliance is not achieved: N/A
NFL-R8	Plantation Forestry within an identified ONF/L	
	Activity status: Non-complying	Activity status where compliance is not achieved: N/A