

D11. Outstanding Natural Character and High Natural Character Overlay

D11.1. Background

These provisions give effect to Policy 13 of the New Zealand Coastal Policy Statement 2010, and to the Regional Policy Statement objectives and policies in B8.2 Natural character.

The objectives and policies in this chapter apply to all activities undertaken in areas identified in the Outstanding Natural Character or High Natural Character Overlay, both above and below mean high water springs.

The factors in Policy B8.2.2(1) have been used to determine the areas of outstanding or high natural character value. Areas of outstanding natural character and high natural character value are shown on the Plan maps and identified in Schedule 8 Outstanding Natural Character and High Natural Character Overlay Schedule.

The objectives and policies that apply to areas identified as outstanding natural landscapes are contained in D10 Outstanding Natural Features Overlay and Outstanding Natural Landscapes Overlay. The rules that apply to use and development in areas scheduled as outstanding natural landscapes are contained in this section.

D11.2. Objectives [rcp/dp]

- (1) The natural characteristics and qualities of areas with outstanding natural character, or high natural character values are preserved and protected from inappropriate subdivision, use and development.
- (2) Where practical areas with outstanding natural character or high natural character values in the coastal environment, including areas in the Waitākere Ranges Heritage Area and the Hauraki Gulf/To Moana Nui o Toi/Tīkapa Moana, are enhanced.

D11.3. Policies [rcp/dp]

- (1) Subdivision, use and development in areas scheduled in Schedule 8 Outstanding Natural Character and High Natural Character Overlay Schedule must:
 - (a) avoid adverse effects on the natural characteristics and qualities that contribute to the natural character values of outstanding natural character areas;
 - (b) avoid significant adverse effects, and avoid, remedy or mitigate other adverse effects, on the characteristics and qualities that contribute to the natural character values of high natural character areas;
 - (c) maintain significant landforms and indigenous vegetation and habitats that are significant natural characteristics and qualities in outstanding natural character and high natural character areas, to protect the visual and biophysical linkages between areas, while taking into account:

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- (i) the location, scale and design of the proposed subdivision, use or development;
 - (ii) the extent of anthropogenic changes to landform, vegetation, coastal processes and water movement;
 - (iii) the presence or absence of structures, buildings or infrastructure;
 - (iv) the temporary or permanent nature of any adverse effects;
 - (v) the physical and visual integrity of the area, and the natural processes of the location;
 - (vi) the intactness of any areas of significant vegetation and vegetative patterns;
 - (vii) the physical, visual and experiential values that contribute significantly to the wilderness and scenic value of the area;
 - (viii) the integrity of landforms, geological features and associated natural processes, including sensitive landforms such as ridgelines, headlands, peninsulas, cliffs, dunes, wetlands, reefs, freshwater springs, streams, rivers and surf breaks;
 - (ix) the natural characteristics and qualities that exist or operate across mean high water spring and land in the coastal environment, including processes of sediment transport, patterns of erosion and deposition, substrate composition and movement of biota, including between marine and freshwater environments; and
 - (x) the functional or operational need for any proposed infrastructure to be located in the area.
- (2) Promote land use practices and restoration activities that will enhance the values of outstanding natural character and high natural character areas.

D11.4. Activity table

Table D11.4.1 Activity table specifies the activity status of use and development on land above mean high water springs for areas identified in Schedule 7 Outstanding Natural Landscapes Overlay Schedule and Schedule 8 Outstanding Natural Character and High Natural Character Overlay Schedule pursuant to section 9(3) of the Resource Management Act 1991.

The objectives and policies for scheduled outstanding natural landscapes are contained in D10 Outstanding Natural Features Overlay and Outstanding Natural Character Overlay.

The rules that apply to subdivision, use and development activities on land below mean high water springs in scheduled outstanding natural landscape, outstanding natural

character and high natural character areas, pursuant to section 12(1), (2), (3) of the Resource Management Act 1991, are contained in F Coastal.

The rules that apply to vegetation management in scheduled outstanding natural landscape, outstanding natural character and high natural character areas are contained in E15 Vegetation Management and biodiversity.

The rules that apply to land disturbance activities in scheduled outstanding natural landscape, outstanding natural character and high natural character areas are contained in E12 Land disturbance – District.

The rules that apply to use and development for infrastructure in scheduled outstanding natural landscape, outstanding natural character and high natural character areas are contained in E26 Infrastructure.

Table D11.4.1 Activity Table

Activity		Activity Status		
		High Natural Character	Outstanding Natural Character	Outstanding Natural Landscape
Use				
(A1)	Temporary activities, including construction and safety structures	P	P	P
(A2)	Demolition of buildings or structures	P	P	P
(A3)	Existing farming as at 30 September 2013	P	P	P
(A4)	Existing forestry as at 30 September 2013	P	P	P
(A5)	New forestry up to 2 hectares in area	P	NC	P
(A6)	New forestry over 2 hectares in area	RD	NC	RD
(A7)	Viticulture, including supporting structures for vines	P	P	P
(A8)	Landfills, managed fills and cleanfills	PR	PR	PR
Development				
(A9)	Buildings and structures accessory to pastoral farming, cropping and other non-intensive forms of land production (excluding dwellings) that meet Standard D11.6.2	P	P	P
(A10)	Buildings and structures existing at 30 September 2013, and additions to existing buildings or	P	P	P

	structures, provided the addition is limited to one addition that meets Standard D11.6.2			
(A11)	Buildings and structures, including any additions that do not meet meet Standard D11.6.2	RD	D	RD
(A12)	Buildings and structures including dwellings not provided for as a permitted activity	D	NC	D
(A13)	Antennas and aerials with a cross-sectional dimension that does not exceed 300mm	P	P	P

D11.5. Notification

- (1) Any application for resource consent for an activity listed in Table D11.4.1 Activity table will be subject to the normal tests for notification under the relevant sections of the Resource Management Act 1991.
- (2) When deciding who is an affected person in relation to any activity for the purposes of section 95E of the Resource Management Act 1991 the Council will give specific consideration to those persons listed in Rule C1.13(4).

D11.6. Standards

Activities listed as a permitted activity in Table D11.4.1 Activity table must comply with the following standards.

D11.6.1. Temporary activities, including construction and safety structures

- (1) Temporary activities, including construction and safety structures, must comply with the permitted activity standards in E40 Temporary activities and the provisions of any licence or permit required under the relevant bylaws.

D11.6.2. Buildings and structures accessory to pastoral farming, cropping and other non-intensive forms of land production (excluding dwellings) and additions to a building or structure existing at 30 September 2013

- (1) Buildings and structures accessory to pastoral farming, cropping and other non-intensive forms of land production (excluding dwellings) and additions to a building or structure existing at 30 September 2013, must not exceed a total gross floor area of:
 - (a) 50m² in areas scheduled in the High Natural Character Overlay;
 - (b) 25m² in areas scheduled in the Outstanding Natural Character Overlay; and
 - (c) 50m² in areas scheduled in the Outstanding Natural Landscape Overlay.

- (2) Buildings and structures accessory to pastoral farming, cropping and other non-intensive forms of land production (excluding dwellings) and additions to a building or structure existing at 30 September 2013, must not exceed a maximum height of 5 metres.
- (3) No maximum height applies to road lighting, traffic and direction signs, road name signs, traffic safety and operational signals or traffic monitoring equipment, or the support structures for these activities.
- (4) Buildings and structures accessory to pastoral farming, cropping and other non-intensive forms of land production (excluding dwellings) and additions to a building or structure existing at 30 September 2013, must have an exterior finish that has:
 - (a) a reflectance value of up to 30 per cent; and
 - (b) be within Groups A, B or C as defined within the BS5252 standard colour palette.
- (5) No exterior finish applies to traffic and direction signs, road name signs or traffic safety and operational signals, aerials operated by a network utility operator and associated fixtures, galvanised steel poles, and GPS antennas.

D11.7. Assessment – controlled activities

There are no controlled activities in these overlays.

D11.8. Assessment – Restricted discretionary activities

D11.8.1. Matters of discretion

The Council will restrict its discretion to the following matters when assessing a restricted discretionary resource consent application.

- (1) Effects on the characteristics and qualities that contribute to the natural character and/or landscape values of the area.
- (2) The setback from mean high water springs.
- (3) Architectural elements and design, including height, bulk, colour, reflectivity and materials.
- (4) The cumulative effects of subdivision, use and development.
- (5) Landscape, visual and amenity effects.
- (6) Land instability, coastal erosion, coastal hazards and sea level rise.
- (7) Earthworks and modification to landform.
- (8) Vegetation clearance.
- (9) Mana Whenua values.

(10) The mitigation of effects.

D11.8.2. Assessment criteria

The Council will consider the relevant assessment criteria below for restricted discretionary activities.

- (1) Whether there are practicable alternative locations for the activity, building or structure outside of the overlay area.
- (2) Whether, taking into account the characteristics and qualities of the site, the activity, building or structure is located within an area that has the greatest potential to absorb change and minimise adverse effects on the landscape and/or natural character values.
- (3) Whether the proposed mitigation measures will ensure that there will be no more than minor effects on all of the following:
 - (a) amenity values or views, both from land and sea;
 - (b) landscape and natural character values; and
 - (c) people's experience and values associated with an area, including the predominance of nature and wilderness values.
- (4) Whether the siting of the activity, building or structure adversely affects the line and form of the landscape with particular regard to ridgelines, headlands and promontories.
- (5) Whether the activity, building or structure will be visually obtrusive from any public road or public place, including from beaches and the sea.
- (6) The extent to which the location, scale, height, design, external appearance and overall form of the building or structure is appropriate to the rural and coastal context, and the colours and material used for roofs, walls and windows is of low reflectivity and merges with the surrounding landscape.
- (7) Whether the activity, building or structure will result in adverse cumulative effects, having regard to other activities, buildings or use and development.
- (8) The extent of adverse visual or ecological effects from any earthworks, landform modification or vegetation removal associated with creating a building platform, driveways or other servicing requirements.
- (9) The extent to which the proposed building or structure will impact on Mana Whenua values.
- (10) Whether, having had regard to the objectives and policies in E20 Māori Land the building or structure is appropriate to provide for Mana Whenua, mātauranga and tikanga values.

(11) New forestry over 2 hectares in area:

- (a) whether new forestry over 2 hectares in area will create adverse effects on the characteristics and qualities that contribute to the values of the landscape.

D11.9. Special information requirements

There are no special information requirements for these overlays.