

NOSZ - Natural Open Space Zone

The Natural Open Space Zone comprises sites which are generally in a highly natural state, and often comprise very large areas of land — for example, Kāpiti Island and Tararua Forest Park. Landscape and conservation values are of particular importance in the *zone*; however there are several opportunities for active and passive recreation within these sites as well. Natural Open Space zoned land typically contains very low *building coverage of buildings* relative to land area.

The *zone* also includes several areas of land currently or historically used for production forestry. These uses which have been lawfully established prior to 29 November 2012 will be able to continue to operate in the *zone* under existing use rights subject to compliance with section 10 of the RMA; however future *plantation forestry* activities will need to be assessed in terms of the potential effects the activity will have on landscape and ecological values, transport networks and land stability.

A feature of the *zone* is that it covers most of the immediate coastal margin. The *Council* has prepared the document *Kāpiti Coast: Choosing Futures — Coastal Strategy* (2006). The strategy is not a detailed plan of action but a high level guidance document for management of the coast. It will be referred to where relevant, when making decisions on consent applications required by the District Plan. The District Plan is a major tool for implementing the strategy.

Strategic Context

The Primary Objectives that this chapter implements are:

- DO-01 - Tāngata Whenua;
- DO-02 - Ecology and Biodiversity;
- DO-03 - Development Management;
- DO-04 - Coastal Environment;
- DO-08 - Strong Communities; and
- DO-017 - Open Spaces / Active Communities.

DO-01 Tāngata Whenua

To work in partnership with the *tangata whenua* of the District in order to maintain *kaitiakitanga* of the District’s resources and ensure that decisions affecting the natural *environment* in the District are made in accordance with the principles of Te Tiriti o Waitangi (Treaty of Waitangi).

DO-02 Ecology & Biodiversity

To improve indigenous biological diversity and ecological resilience through:

1. protecting areas of *significant indigenous vegetation, and significant habitats of indigenous fauna*;
2. encouraging restoration of the ecological integrity of indigenous ecosystems;
3. enhancing the health of terrestrial and aquatic ecosystems; and
4. enhancing the *mauri of waterbodies*.

DO-03 Development Management Amended 01 Sep 23 PC2

To maintain a consolidated urban form within existing urban areas and a limited number of

identified growth areas, and to provide for the *development* of new urban areas where these can be efficiently serviced and integrated with existing townships, delivering:

1. urban areas which maximise the efficient end use of energy and integration with infrastructure;
2. a variety of living and working areas in a manner which reinforces the function and vitality of centres;
3. an urban environment that enables more people to live in, and more businesses and community services to be located in, parts of the urban environment:
 - a. that are in or near a *Centre Zone* or other area with many employment opportunities; or
 - b. that are well serviced by existing or planned public or active transport; or
 - c. where there is high demand for housing or for business land relative to other areas within the urban environment;

while accommodating *identified qualifying matters* that constrain development;

4. resilient communities where development does not result in an increase in risk to life or severity of damage to property from natural hazard events;
5. higher residential densities in locations that are close to centres and public open spaces, with good access to public transport;
6. management of development in areas of special character or amenity in a manner that has regard to those special values;
7. sustainable natural processes including freshwater systems, areas characterised by the productive potential of the land, ecological integrity, identified landscapes and features, and other places of significant natural amenity;
8. an adequate supply of housing and areas for business/employment to meet the needs of the District's anticipated population which is provided at a rate and in a manner that can be sustained within the finite carrying capacity of the District;
9. management of the location and effects of potentially incompatible land uses including any interface between such uses; and
10. urban environments that support reductions in greenhouse gas emissions and are resilient to the current and future effects of climate change.

DO-O4 Coastal Environment

To have a coastal environment where:

1. areas of outstanding natural character and high natural character, outstanding natural features and landscapes, areas of *significant indigenous vegetation, and significant habitats of indigenous fauna* are identified and protected;
2. areas of outstanding natural character and high natural character are restored where degraded;
3. the effects of inappropriate subdivision, use and development are avoided, remedied, or mitigated;
4. public access to and along the coast to facilitate active and passive recreational use is maintained and enhanced while managing inappropriate vehicle access; and
5. Inappropriate development does not result in further loss of coastal dunes in the area mapped as the coastal environment.

DO-O8 Strong Communities

To support a cohesive and inclusive community where people:

1. have easy access and connectivity to quality and attractive public places and local social and community services and facilities;
2. have increased access to locally produced food, energy and other products and resources;

3. have improved health outcomes through opportunities for active living or access to health services; and
4. have a strong sense of safety and security in public and private spaces.

DO-O17 Open Spaces/Active Communities

To have a rich and diverse network of *open space* areas that:

1. is developed, used and maintained in a manner that does not give rise to significant adverse *effects* on the natural and physical *environment*;
2. protects the District’s cultural, ecological and *amenity values*, while allowing for the enhancement of the quality of *open space* areas;
3. supports the identity, health, cohesion and resilience of the District’s communities; and
4. ensures that the present and future recreational and *open space* needs of the District are met.

Provisions in other chapters of the Plan may also be relevant.

In addition to the above objectives, Policies UFD-P7 — UFD-P15 in the Urban Form and Development chapter are relevant to the Natural Open Space zone.

Policies

NOSZ-P1	Reserve Contributions
Reserve contributions will be used for acquisition, protection and enhancement of areas of cultural, ecological or <i>amenity value</i> .	
NOSZ-P2	Recreational Activities
<i>Subdivision, use and development of land</i> in the <i>Natural Open Space Zone</i> will recognise and provide for the community’s wide range of recreational needs.	
NOSZ-P3	Activities (General)
Activities in the <i>Natural Open Space Zone</i> that may result in adverse environmental <i>effects</i> will be avoided unless: <ol style="list-style-type: none"> 1. the activities meet the recreational or open space needs of the community; and 2. the associated effects will be remedied or mitigated. <p>Where such activities are proposed in the <i>Natural Open Space Zone</i>, specific consideration will be given to:</p> <ol style="list-style-type: none"> 1. the extent to which the activity provides a recreational or open space value (including cultural values) that is not available or which is underprovided within the identified catchment area for the activity; 2. the appropriateness and effectiveness of any mitigation or remediation measures proposed, including the need (if any) for ongoing or regular management; 3. the appropriateness of the particular <i>open space</i> in which the activity is proposed, including whether it is better suited to an alternative location; 4. whether or not the activity would preclude future adaptive uses of the open space area; and 5. whether or not the activity would unduly limit or preclude public access. 	
NOSZ-P4	<i>Buildings and Structures</i>

New *buildings* and *structures* will be designed, located and constructed in a manner which does not reduce the overall quality of the District's *Natural Open Space Zone*, while recognising that some *buildings* and *structures* can enhance recreational and open space values.

Where new *buildings* or *structures* are proposed in the *Natural Open Space Zone*, specific consideration will be given to:

1. the appropriateness — including the relationship to the surrounding *environment* — of the purpose, number, size and location of new *buildings* and *structures*;
2. the extent to which any *building* or *structure* — including its design and appearance — positively contributes to, or detracts from, recreational and open space amenity, and cultural, ecological and landscape values;
3. whether any proposed *building* or *structure* unduly precludes or limits public access; and
4. any cumulative effects, including from proliferation of *buildings* and *structures* in a given *open space area*.

NOSZ-P5	Safety
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Subdivision, use and *development* in the *Natural Open Space Zone* will provide for the safety of users and neighbouring communities, including through consideration of the principles in Appendix 6 - Crime Prevention Through Environmental Design (CPTED) Guidelines.

NOSZ-P6	Indigenous Biodiversity
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Opportunities to enhance indigenous biodiversity will be identified and implemented through the *subdivision*, use and *development* of the *Natural Open Space Zone*.

NOSZ-P7	Food Production
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Opportunities for food production may be developed in the *Natural Open Space Zone* in a manner which does not significantly affect the core ecological, recreational, cultural and other *amenity values* associated with *open spaces*.

Rules

NOSZ-R1	Any activity that is a <i>permitted activity</i> under the rules in this chapter.
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<p>Permitted Activity</p>	<p>Standards</p> <p>Fences and walls</p> <p>1. The maximum <i>height</i> of any fence or wall (above <i>original ground level</i>) shall be:</p> <ul style="list-style-type: none"> a. 1.2 metres if less than 50% visually permeable; and b. 1.8 metres if more than 50% visually permeable. <p>Note: Visually permeable in the context of this rule means the ability to see through the fence or wall, and is determined by a comparison of the solid portion of the fence or wall against any gaps provided within the <i>structure</i> or between fence or wall.</p> <p>2. For the purposes of calculating maximum <i>height</i> under standard 1 above where a fence is erected atop a retaining wall, the <i>height</i> shall be the combined distance measured vertically from the base of the retaining wall to the top of the fence.</p> <div data-bbox="389 734 1249 1122" style="text-align: center;"> <p>The diagram illustrates a cross-section of a fence and retaining wall. The retaining wall is shown as a multi-layered structure with a brick-like pattern. On top of the retaining wall, a fence is constructed with vertical slats. A vertical double-headed arrow on the right side of the diagram indicates the total height from the base of the retaining wall to the top of the fence, which is the height used for standard 1.</p> </div> <p>3. For the purposes of this rule, any safety fencing shall not be subject to standards 1 and 2 above.</p> <p>Lighting</p> <p>4. Any lighting must be directed so that spill of light will be contained within the <i>boundaries</i> of the <i>site</i>. Light level from the activity on the <i>site</i> must not exceed 10 lux, measured 1.5 metres inside the <i>boundary</i> of any adjoining <i>site</i>. This standard does not apply to streetlighting on <i>roads</i>.</p> <p>5. Light levels for pedestrian/cycleways and <i>carparks</i> must be lit at a minimum of 10 lux.</p> <p>General</p> <p>6. The activity complies with all other relevant <i>permitted activity</i> rules and <i>permitted activity</i> standards in all other Chapters (unless otherwise specified).</p>
<p>NOSZ-R2</p>	<p>Any activities which are not specified as <i>permitted, controlled, restricted discretionary, discretionary or non-complying activities</i> in the rules in this chapter.</p>
<p>Permitted Activity</p>	<p>Standards</p> <p>1. The activity complies with all <i>permitted activity</i> standards in this chapter.</p>

NOSZ-R3	Recreation, community and cultural activities.
Permitted Activity	<p>Standards</p> <p>Note: while recreation, community and cultural activities are provided for as a <i>permitted activity</i>, these land use activities are also subject to all other <i>permitted activity</i> rules in the Plan that apply across the District (for example, in relation to noise, <i>historic heritage</i>, the natural environment, and so on).</p>
NOSZ-R4	Activities on Kāpiti Island and off shore islands.
Permitted Activity	<p>Standards</p> <p>1. Any activity must comply with the <i>permitted activity</i> standards under GRUZ-R7.</p>
NOSZ-R5	Harvesting activities associated with <i>plantation forestry</i> .
Permitted Activity	<p>Standards</p> <p>1. Each <i>site</i> containing a <i>plantation forest</i> activity must have a <i>vehicle access</i> designed and built for the entry and exit of fire fighting vehicles and shall meet the following minimum requirements:</p> <ol style="list-style-type: none"> a. 2.5 metres in width; and b. 2.8 metres in <i>height</i> clearance (i.e. clear from vegetation, <i>buildings</i> and <i>structures</i>). <p>2. A fire plan must be completed for all forestry blocks prior to harvesting by the forest owner or harvesting company and certified by the Council's Rural Fire Officer prior to commencing any <i>plantation forest</i> harvesting.</p> <p>Note: Council will accept, as compliance with this standard, activities which are demonstrated to be consistent with the New Zealand Environmental Code of Practice for Plantation Forestry.</p>
NOSZ-R6	<p>The erection of any new <i>building</i> or <i>structure</i> and any <i>addition</i> or <i>alteration</i> to any lawfully established <i>building</i> or <i>structure</i>.</p> <p>The following exceptions shall apply:</p> <ol style="list-style-type: none"> 1. <i>Minor buildings</i> 2. For the purposes of calculating maximum <i>height</i> Standard 3 play equipment (such as goalposts and playground features) shall be exempted. For the avoidance of doubt, these <i>structures</i> must still be subject to the <i>height in relation to boundary</i> clause under Standard 5. <p><i>Height measurement criteria</i>, and <i>measurement criteria</i> apply to activities under this rule.</p>
Permitted Activity	<p>Standards</p> <ol style="list-style-type: none"> 1. Maximum <i>building coverage</i>: 2% 2. Maximum <i>gross floor area</i> (expressed in square metres [m²]) of any <i>building</i>: 350m² 3. Maximum <i>height</i> of any <i>building</i> or <i>structure</i> (as measured by the <i>height measurement criteria</i> and expressed in metres [m]): 6m

4. Minimum yard setback (expressed in metres [m] measured horizontally) for any *building* or *structure*:

- a. Residential Zone (excluding legal road boundaries): 5m minimum setback
- b. All other *zones* and along *legal road* boundaries: 3m minimum setback

5. All *buildings* and *structures* must fit within a *height in relation to boundary* envelope which is made up of recession planes which commence at a point 2.1 metres above *original ground level* at the *site boundary* and incline inward at an angle of 45 degrees. Refer to the definition of the *height in relation to boundary*.

Measurement Criteria:

When measuring *building coverage*, include:

- a. any part of the *site* subject to a designation that may be taken or acquired under the Public Works Act 1981.

Exclude:

- a. any section of any buildings that extends out beyond the ground floor level limits of the building and overhangs the ground.
- b. The footprint of any *minor building*

When measuring *gross floor area*, include:

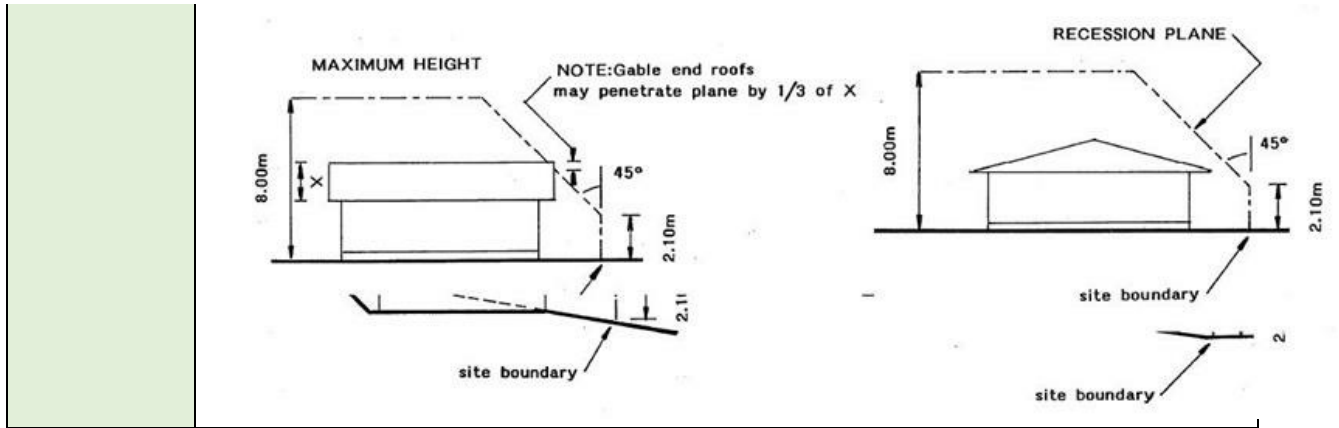
- a. covered yards and areas covered by a roof but not enclosed by walls

Exclude:

- a. uncovered stairways;
- b. floor space in terraces (open or roofed), external balconies, breezeways or porches;
- c. roof *car parking*, lift towers and machinery rooms on the roof having a floor area of not more than 200m²;
- d. *car parking* areas; and
- e. floor space of interior balconies and mezzanines not used by the public.

When measuring the *height in relation to boundary* envelope:

- a. The *height in relation to boundary* envelope must be measured from a point above the *original ground level* at the boundary (including restrictive covenant areas of cross lease properties).
- b. Residential chimneys, electricity transmission towers, masts, radio, television and telecommunication antenna and aerials are excluded from the *height in relation to boundary* envelope.
- c. Where there is a right-of-way or an access strip/leg adjoining the allotment boundary, the *height in relation to boundary* envelope shall be measured from a point 2.1 metres above a point midway across the right-of-way or access strip/leg.
- d.



NOSZ-Table 1	Maximum coverage	
	Zone / Precinct	Maximum Coverage
	Open Space Recreation Precinct	5%
	Open Space Local Parks Precinct	5%
	Natural Open Space Zone	2%
	Open Space Private Recreation and Leisure Precinct	5%
	Maximum gross floor area (expressed in square metres [m²]) of any building	
	Zone / Precinct	Maximum Area
	Open Space Recreation Precinct	500m ²
	Open Space Local Parks Precinct	100m ²
	Natural Open Space Zone	350m ²
	Open Space Private Recreation and Leisure Precinct	3000m ²
	<ul style="list-style-type: none"> • Paraparaumu Beach Golf Course Development Precinct • All other locations 	500m ²
	Maximum height of any building (expressed in metres [m])	
	Zone / Precinct	Maximum Height
Open Space Recreation Precinct	8m	
Open Space Local Parks Precinct	4m	
Natural Open Space Zone	6m	
Open Space Private Recreation and Leisure Precinct	12m	
<ul style="list-style-type: none"> • Paraparaumu Beach Golf Course Development Precinct • All other locations 	8m	
Minimum yard setback (expressed in metres [m] measured horizontally) for any building in any Open Space Zone or the Open Space Private Recreation and Leisure Precinct		

	Boundary	Minimum Setback
	Residential Zone (excluding <i>legal road</i> boundaries)	5m
	All other zones and along <i>legal road</i> boundaries	3m
<p>Maximum height in relation to boundaries for any building in any Open Space Zone or the Open Space Private Recreation and Leisure Precinct</p> <p>All buildings must fit within a <i>height in relation to boundary envelope</i> which is made up of recession planes which commence at a point 2.1 metres above <i>original ground level</i> at the <i>site boundary</i> and incline inward at an angle of 45 degrees. Refer to the definition of <i>height in relation to boundary</i> and Rule NOSZ-R6 above.</p> <p>Note: Please refer to NH-Natural Hazards chapter for standards relating to setbacks from <i>waterbodies</i>.</p>		
NOSZ-R7	Any alteration undertaken on any building or structure (excluding minor buildings).	
Permitted Activity	<p>Standards</p> <p>1. The alteration must not result in any increase in the height, bulk, or area of any building or structure on any site.</p>	
NOSZ-R8	The demolition (including partial demolition) or removal of any building or structure (which is not an historic heritage feature).	
Permitted Activity	Standards	
NOSZ-R9	Species protection and conservation management works, including associated trapping, restoration and re-vegetation work, noxious plant and pest control, and scientific research.	
Permitted Activity	Standards	
NOSZ-R10	Landscaping.	
Permitted Activity	Standards	
NOSZ-R11	Any activity listed as a permitted activity or a controlled activity which does not comply with one or more of the associated standards, unless otherwise specified.	
Restricted Discretionary Activity	Standards	Matters of Discretion <ol style="list-style-type: none"> 1. The effects of non-compliance of the relevant standards. 2. Measures to avoid, remedy or mitigate adverse effects. 3. Cumulative effects.
NOSZ-R12	Any new plantation forestry activity or any harvesting activity associated with plantation forestry which does not comply with any one or more of the permitted activity standards under NOSZ-R5.	
Restricted Discretionary	Standards	Matters of Discretion

Activity	<p>1. A forestry management plan must be prepared for any <i>plantation forestry</i> activity and submitted to <i>Council</i> for certification. Any forestry management plan will have regard to the New Zealand Environmental Code of Practice for Plantation Forestry and must describe and identify (as a minimum):</p> <p>a. means by which to manage <i>vehicle movements</i> associated with the activity, including proposed access point(s) and <i>road(s)</i> (including indicative location of haul roads within the <i>site boundary</i>) to be used by logging vehicles; and</p> <p>b. the name and contact details of the plantation operator.</p>	<p>1. Sufficiency of the information provided within the forestry management plan.</p> <p>2. Traffic <i>effects</i>, including (but not limited to) design and location of internal haul routes.</p> <p>3. The imposition of <i>financial contributions</i> in accordance with the Financial Contributions chapter.</p> <p>4. Proposed mitigation, remediation or on-going management measures.</p> <p>5. Any positive <i>effects</i> to be derived from the activity.</p> <p>6. Any cumulative <i>effects</i>.</p> <p>Note: Where <i>subdivision</i> or <i>land use</i> consent is required under other rules in the Plan which are associated with an activity considered under this rule, additional matters of discretion may also apply.</p>
NOSZ-R13	Any activity listed as a <i>restricted discretionary activity</i> in that does not comply with one or more of the associated standards, unless otherwise stated.	
Discretionary Activity		
NOSZ-R14	Any <i>retail, industrial or commercial activity</i> .	
Non-Complying Activity		
NOSZ-R15	Any <i>intensive farming activity</i> .	
Non-Complying Activity		
NOSZ-R16	The parking or placing of any motor vehicle, boat, caravan or material for the purposes of sale or lease other than in areas specified by resolution of the <i>Council</i> .	
Non-Complying Activity		