

Natural Open Space Zone (NOSZ)

Issues

The Natural Open Space Zone (NOSZ) identifies areas of open space [land](#) primarily managed for the conservation and protection of [natural resources](#). The [land](#) is generally in Council or Department of Conservation ownership. Examples of such [land](#) include: bush reserves, headlands, natural wetlands and parts of the coastline. The Natural Open Space Zone provides for the natural, ecological, landscape, cultural and heritage values of these open spaces.

Identifying these areas helps to preserve and define Whangārei’s natural character and provides a connection to our natural heritage. These open spaces play a special role in educating residents and visitors and providing recreational opportunities. Often the natural elements and unmodified nature of these areas gives them a sense of wilderness and isolation.

The Natural Open Space Zone consists of the following New Zealand Reserve Association Park Categories:

- Unmanaged natural park areas.
- Unmanaged recreation and ecological linkages.
- Unmanaged green space.

The Natural Open Space Zone often has high ecological/biodiversity values and it is therefore appropriate to limit the scale and intensity of activities and development to ensure there are minimal adverse [effects](#) and as little modification to the [environment](#) as possible.

The Natural Open Space Zone is characterised by minimal [buildings](#) and [structures](#), largely undeveloped areas and open expanses of [land](#). [Land](#) may have limited public [access](#) and [infrastructure](#) such as car parks, walking tracks and camp grounds.

Where [buildings](#) and improvements are proposed, they should generally relate to conservation and [land](#) management, recreation, education, and visitor information. The Natural Open Space Zone seeks to achieve a high quality [built form](#) and signage that responds to the surrounding natural [environment](#) resulting in an attractive and vibrant area for residents and visitors. [Commercial activities](#) are restricted in the Natural Open Space Zone to protect the high-quality [amenity values](#) of the natural [environment](#).

Objectives

NOSZ-O1 – Natural Environment	Protect and enhance the natural, ecological, landscape, cultural and heritage values of the Natural Open Space Zone.
NOSZ-O2 – Activities and Buildings	Buildings associated with recreational, educational, cultural and conservation activities, complement and do not compromise the values and qualities of the Natural Open Space Zone.
NOSZ-O3 – Kauri dieback disease	Avoid the spread of plant pathogens including <i>Phytophthora Agathidicida</i> (kauri dieback disease).

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Policies	
NOSZ-P1 – Open Spaces	To identify and protect open spaces that are managed primarily for conservation and have high natural, ecological, landscape, cultural and heritage values.
NOSZ-P2 – Adverse Effects	To manage adverse effects on the values and qualities of the Natural Open Space Zone by limiting the use, location, scale, and design of buildings .
NOSZ-P3 – Enable Appropriate Structures	To enable structures and platforms in appropriate locations to enhance visitors understanding and experience of natural, cultural and heritage values.
NOSZ-P4 – Limiting Inappropriate Activities	To avoid, remedy and mitigate adverse effects on the values and qualities of the Natural Open Space Zone by managing the scale and nature of activities.
NOSZ-P5 – Manage Activities	To avoid adverse effects on amenity and character of the Natural Open Space Zone by managing activities to ensure that they support ongoing conservation.
NOSZ-P6 – Subdivision	To avoid the fragmentation of Natural Open Space Zone land where subdivision would not protect high natural, ecological, landscape, cultural and heritage values.
NOSZ-P7 – Subdivision Design and Layout	To protect the natural, cultural and heritage values of the Natural Open Space Zone by managing the design and layout of subdivision .
NOSZ-P8 – Kauri dieback disease	To discourage vegetation clearance within the vicinity of New Zealand Kauri tree (<i>Agathis Australis</i>) and to ensure that vegetation clearance is undertaken in a way to avoid the spread of plant pathogens including <i>Phytophthora Agathidicida</i> (Kauri Dieback Disease).

Rules

NOSZ-R1	Any Activity Not Otherwise Listed in This Chapter
	<p>Activity Status: Permitted</p> <p>Where:</p> <ol style="list-style-type: none"> Resource consent is not required under any rule of the District Plan. The activity is not prohibited under any rule of the District Plan.
NOSZ-R2	Any Activity
	<p>Activity Status: Permitted</p> <p>Where:</p>

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	1. The activity is in accordance with Section 4(3) of the Resource Management Act 1991.	
NOSZ-R3	Minor Buildings	
	Activity Status: Permitted	
	Note:	
	1. Minor buildings are exempt from rules NOSZ-R4 – R7.	
NOSZ-R4	Building and Major Structure Height	
	Activity Status: Permitted	Activity Status when compliance not achieved: Discretionary
	Where:	
	1. The maximum building height and major structure height is 5.5m above ground level .	
NOSZ-R5	Building and Major Structure Setbacks	
	Activity Status: Permitted	Activity Status when compliance not achieved: Discretionary
	Where:	
	1. All buildings and major structures comply with the minimum building and major structure setback rule of the adjoining zone closest to the building or major structure .	
	2. All buildings and major structures are set back at least 27m from Mean High Water Springs or the top of the bank of any river that has a width exceeding 3m (excluding bridges, culverts and fences).	
	<i>Rule Exemption:</i>	
	1. NOSZ-R5.1 does not apply where the adjoining zone is an Open Space and Recreation Zone .	
NOSZ-R6	Building and Major Structure Height in Relation to Boundary	
	Activity Status: Permitted	Activity Status when compliance not achieved: Discretionary
	Where:	
	1. All buildings and major structures comply with the minimum height in relation to boundary rule of the adjoining zone closest to the building or major structure .	
	<i>Rule Exemption:</i>	

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1. NOSZ-R6 does not apply where the adjoining zone is an Open Space and Recreation Zone.

NOSZ-R7	Building Gross Floor Area	
	<p>Activity Status: Permitted</p> <p>Where:</p> <ol style="list-style-type: none"> 1. The maximum <u>gross floor area</u> of any <u>building</u> is 50m². 2. The total cumulative <u>gross floor area</u> of all <u>buildings</u> is no more than 15% of the <u>site</u> area. 	<p>Activity Status when compliance not achieved: Discretionary</p>
NOSZ-R8	Outdoor Areas of Storage or Stockpiles	
	<p>Activity Status: Permitted</p> <p>Where:</p> <ol style="list-style-type: none"> 1. The outdoor area of <u>storage</u> or stockpile: <ol style="list-style-type: none"> a. Complies with rules NOSZ -R4 – R7. b. Is screened from view from adjacent <u>public places</u> and surrounding Local Centre Zone , Mixed Use Zone, <u>Residential Zone</u> or <u>Open Space and Recreation Zones</u>, except for construction materials to be used on-site for a maximum period of 12 months within each 10-year period from 15 July 2020. 	<p>Activity Status when compliance not achieved: Discretionary</p>
NOSZ-R9	Indigenous Vegetation Clearance	
	<p>Activity Status: Permitted</p> <p>Where:</p> <ol style="list-style-type: none"> 1. The clearance of <u>indigenous vegetation</u>: <ol style="list-style-type: none"> c. Does not exceed 250m² per <u>site</u> within each 10 year period from 15 July 2020. d. Is not undertaken within 20m of a <u>water</u> body. e. Do not occur within three times the maximum radius of the canopy dripline of a New Zealand Kauri tree (<i>Agathis Australis</i>). <p>OR</p> <ol style="list-style-type: none"> a. Is associated with: <ol style="list-style-type: none"> i. Routine maintenance within 7.5m of the <u>eaves</u> of existing <u>buildings</u>: <ol style="list-style-type: none"> a) Including the removal of any tree where 	<p>Activity Status when compliance not achieved: Discretionary</p>

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	<p>any part of the trunk is within the 7.5m distance.</p> <p>b) Excluding damage to the roots or removal of any tree where the trunk is outside the 7.5m distance.</p> <p>ii. Operation, maintenance and repair of existing tracks, lawns, gardens, fences, drains, drainage <u>infrastructure</u>, new walking tracks and other lawfully established activities. Except that no <u>indigenous vegetation</u> clearance shall occur within three times the maximum radius of the canopy dripline of a New Zealand Kauri tree (<i>Agathis Australis</i>).</p> <p>iii. Pest plant removal and biosecurity works.</p> <p>iv. Vegetation removal for customary rights.</p> <p>v. Conservation planting, including planting for ecological restoration purposes.</p> <p><i>Note:</i></p> <p>1. See the <i>TREE Chapter</i> for rules relating to <i>Notable Trees</i>.</p>
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NOSZ-R10	Farming
	<p>Activity Status: Permitted</p> <p>Where:</p> <p>1. The activity is a primary activity or <u>ancillary activity</u>.</p>

NOSZ-R11	Residential Unit
NOSZ-R12	General Retail
NOSZ-R13	Commercial Services
NOSZ-R14	Food and Beverage Activity
NOSZ-R15	Visitor Accommodation
NOSZ-R16	Place of Assembly
NOSZ-R17	Recreational Facilities
NOSZ-R18	Educational Facility
NOSZ-R19	General Community

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	<p>Activity Status: Discretionary</p> <p>Where:</p> <ol style="list-style-type: none"> 1. The activity is a primary activity or <u>ancillary activity</u>. 2. Any combination of activities listed in rules NOSZ-R11 to NOSZ-R19 have: <ol style="list-style-type: none"> a. A cumulative <u>gross floor area</u> of less than 300m² per <u>site</u>. b. A cumulative outdoor area less than 500m². 	<p>Activity Status when compliance not achieved: Non-Complying</p>
NOSZ-R20	Plantation Forestry	
	<p>Activity Status: Discretionary</p> <p>Where:</p> <ol style="list-style-type: none"> 1. The activity is a primary activity or <u>ancillary activity</u>. 	
NOSZ-R21	Intensive Livestock Farming	
NOSZ-R22	Farm Quarrying	
NOSZ-R23	Industrial Activities	
NOSZ-R24	Supported Residential Care	
NOSZ-R25	Retirement Village	
NOSZ-R26	Trade Retail	
NOSZ-R27	Drive Through Facilities	
NOSZ-R28	Service Station	
NOSZ-R29	Funeral Home	
NOSZ-R30	Grocery Store	
NOSZ-R31	Entertainment Facilities	
NOSZ-R32	Care Centre	
NOSZ-R33	Emergency Services	
NOSZ-R34	Hospital	
NOSZ-R35	General Commercial	
	Activity Status: Non-Complying	

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Where:

1. The activity is a primary activity or [ancillary activity](#).