NOSZ — Natural Open Space Zone

The Natural Open Space Zone covers areas of public land in Lower Hutt that are dominated by natural landscapes with low levels of built development. This includes the Remutaka Forest Park, East Harbour Regional Park, Belmont Regional Park, Wainuiomata Water Collection Area and other large parks and reserves.

In addition to the natural landscape values, areas within the zone also contain significant indigenous biodiversity and heritage values, and sites and areas of significance to Mana Whenua, and form an edge to the city's urban and rural areas.

Areas in the zone are primarily used for conservation and a range of recreation activities, including walking and tramping, running, mountain biking and picnicking.

Built development within the zone is primarily the development necessary to support conservation and recreation activities as well as infrastructure with a functional or operational need to be in a location within the zone.

While this chapter includes the core objectives, policies, and rules that apply to the Natural Open Space Zone, other district-wide chapters of the District Plan, including those that apply overlays across specified areas, set additional objectives, policies and rules for all or part of the zone. As such, this chapter should be read alongside the district-wide chapters of the District Plan.

Objectives

NOSZ-O1	Purpose and character of the zone
The Natural Open Space Zone consists of areas of high natural, ecological and landscape values that provide opportunities for conservation activities and recreation activities, with low levels of built development that primarily supports conservation activities and recreation activities.	
NOSZ-O2	**Activities in the zone**
The Natural Open Space Zone: a. Predominantly provides for conservation activities and recreation activities that: i. Maintain or enhance the natural, open space character and amenity values of the zone, and ii. Are compatible with the planned character and amenity of adjoining Residential Zones and Rural Zones. b. Provides for other activities that: i. Maintain or enhance the natural, open space character and amenity values of the zone, ii. Are compatible with the planned character of adjoining residential and rural zones, and iii. Are compatible with conservation and recreation activities within the zone.	
NOSZ-O3	**Built character**
The Natural Open Space Zone includes a low level of built development that: a. Retains the natural, ecological and landscape values within the zone, including landscapes with high levels of indigenous vegetation, b. Either provides for conservation activities and recreation activities or are compatible with the provision of recreation activities and community facilities within the zone, and c. Is compatible with the planned character and amenity of adjoining Residential Zones and Rural Zones. This includes visitor centres, shelters, toilet facilities, equipment sheds, and maintenance buildings.	
NOSZ-O4	**Adverse effects**
Adverse effects of activities and development are effectively managed within the zone, and at interfaces with Residential Zones and Rural Zones.	

Policies

NOSZ-P1	Predominant activities
Enable conservation activities and recreation activities as the predominant activities in the Natural Open Space Zone, where they: a. Retain or enhance the natural, open space character and amenity values of the zone, and b. Are compatible the planned character of the adjoining Residential Zones and Rural Zones.	
NOSZ-P2	**Compatible activities**
1. Provide for activities in the Natural Open Space Zone that:	

a. Support the conservation and recreation activities within the zone,
b. Retain or enhance the natural, open space character and amenity values of the zone,
c. Do not limit or constrain the existing and future use of the natural open space for conservation activities and recreation activities,
d. Are compatible with the planned character of adjoining Residential Zones and Rural Zones, and
e. Have a functional or operational need to be in that location.

Potentially compatible activities include visitor centres and commercial activities, including retail activities, associated with recreation within the zone.

NOSZ-P3	Potentially incompatible activities

1. Only allow potentially incompatible activities in the Natural Open Space Zone where they:
   a. Maintain or enhance the natural character and amenity values of the Natural Open Space Zone,
   b. Do not limit or constrain the existing and future use of the natural open space for conservation activities and recreation activities,
   c. Are compatible with the planned character of adjoining Residential Zones, including through managing the effects of built development, noise-generating activities and outdoor storage and carparking areas,
   d. Are compatible with the planned character of adjoining Rural Zones, including through managing reverse sensitivity effects on existing rural activities, and
   e. Have a functional or operational need to be in that location.
2. Potentially incompatible activities include:
   a. Rural activities that are not associated with existing rural operations within the zone,
   b. Industrial activities, and
   c. Other activities, including retail activities, that do not support conservation activities and recreation activities at the site.

NOSZ-P4	Built development

Built development in the Natural Open Space Zone is managed to:
a. Maintain or enhance the natural, open space character and amenity values of the zone,
b. Ensure conservation activities and recreation activities are provided for within the zone,
c. Maintain public access, unless it is necessary to restrict public access to protect of sensitive indigenous habitats, the health or safety of people, sensitive cultural and historic heritage values, or the integrity and security of regionally significant infrastructure, and
d. Ensure adequate privacy and access to daylight for residential activities and other sensitive activities on adjacent sites.

NOSZ-P5	Outdoor storage areas, work areas and carparking areas

Manage impacts of outdoor storage areas, work areas and carparking areas in the Natural and Open Space Zone on the amenity values of the zone and on adjoining sites, including through the location of the areas, screening and landscaping.

Rules

Note:
Resource consent may be required under rules in this chapter as well as other chapters. Unless specifically stated, resource consent is required under each relevant rule. The steps to determine the relevant rules and status for an activity are set out in the General Approach chapter.

The Ecosystems and indigenous biodiversity (ECO) chapter contains provisions which control the removal of indigenous vegetation within the Natural Open Space Zone.

Activities on public land (such as reserves and parks) may also require permission (such as a lease or licence) from the relevant administering body (such as Hutt City Council, Wellington Regional Council or Department of Conservation).

Buildings and structures

NOSZ-R1	Repair and maintenance of buildings and structures

1. **Activity status:** Permitted

NOSZ-R2	Demolition or removal of buildings and structures

1. **Activity status:** Permitted

NOSZ-R3	Construction of new buildings and structures and alterations and additions to existing buildings and structures

1. **Activity status:** Permitted

   Where:
   a. Compliance is achieved with:
      i. NOSZ-S1: Gross floor area,
      ii. NOSZ-S2: Building height,
      iii. NOSZ-S3: Height in relation to boundary, and
      iv. NOSZ-S4: Setbacks.

2. **Activity status:** Restricted discretionary

   Where:
   a. Compliance is not achieved with NOSZ-R3.1.

   Matters of discretion are restricted to:
   1. The matters of discretion for any infringed standard.

Land use activities

NOSZ-R4	Conservation activities

1. **Activity status:** Permitted

NOSZ-R5	Recreation activities

1. **Activity status:** Permitted

   Where:
   a. The activity does not involve any motorised recreation activities, and
   b. For organised recreation activities, compliance is achieved with NOSZ-S5: Hours of operation.

2. **Activity status:** Restricted discretionary

   Where:
   a. Compliance is not achieved with NOSZ-R5.1.

   Matters of discretion are restricted to:
   1. The matters of discretion of NOSZ-S5: Hours of operation.
   2. Effects on character and amenity values of the site and adjacent sites in Open Space and Recreation Zones, Residential Zones, and Rural Zones.
   3. Any positive effects that can only be achieved through non-compliance with the rule.

NOSZ-R6	Public and community gardens

1. **Activity status:** Permitted

NOSZ-R7	Customary activities

1. **Activity status:** Permitted

NOSZ-R8	Park maintenance and repair

1. **Activity status:** Permitted

NOSZ-R9	Walking and cycling tracks

1. **Activity status:** Permitted

NOSZ-R10	Visitor centres

1. **Activity status:** Permitted

   Where:
   a. The visitor centre is not within 40 metres of a site in a Residential Zone or Rural Zone, or
   b. Compliance is achieved with NOSZ-S5: Hours of operation.

2. **Activity status:** Restricted discretionary

   Where:
   a. Compliance is not achieved with NOSZ-R10.1.

   Matters of discretion are restricted to:
   1. The nighttime amenity of sensitive activities in the surrounding area in Residential Zones and Rural Zones.
   2. The matters of discretion of NOSZ-S5: Hours of operation.

3. Any positive effects that can only be achieved through non-compliance with the rule.

Public notification is precluded for applications under this rule.

NOSZ-R11	Visitor accommodation

1. **Activity status:** Permitted

   Where:
   a. The visitor accommodation is for the purpose of accommodating people involved in recreation activities or conservation activities at the site.

2. **Activity status:** Non-complying

   Where:
   a. Compliance is not achieved with NOSZ-R11.1.

NOSZ-R12	Food and beverage activity

1. **Activity status:** Permitted

   Where:
   a. The total gross floor area of buildings for the activity does not exceed 60m^2, and
   b. Compliance is achieved with NOSZ-S5: Hours of operation.

2. **Activity status:** Restricted discretionary

   Where:
   a. Compliance is not achieved with NOSZ-R12.1a.

   Matters of discretion are restricted to:
   1. Effects on character and amenity values of the site and adjacent sites in Open Space and Recreation Zones, Residential Zones, and Rural Zones.
   2. Any positive effects that can only be achieved through non-compliance with the standard.

3. **Activity status:** Restricted discretionary

   Where:
   a. Compliance is not achieved with NOSZ-R12.1b.

   Matters of discretion are restricted to:
   1. The matters of discretion of NOSZ-S5: Hours of operation.

NOSZ-R13	Residential activities

1. **Activity status:** Permitted

   Where:
   a. There are no more than two residential units on the site, and
   b. Residential units are ancillary to provision of recreation activities, conservation activities, or park repair or maintenance on the site.

2. **Activity status:** Restricted discretionary

   Where:
   a. Compliance is not achieved with NOSZ-R13.1a.

   Matters of discretion are restricted to:
   1. Effects on character and amenity values the site and adjacent sites in Open Space and Recreation Zones, Residential Zones, and Rural Zones.
   2. Any positive effects that can only be achieved through non-compliance with the standard.

3. **Activity status:** Non-complying

   Where:
   a. Compliance is not achieved with NOSZ-R13.1b.

NOSZ-R14	Carparking areas

1. **Activity status:** Permitted

   Where:
   a. The carparking area is ancillary to conservation activities or recreation activities on the site,
   b. Compliance is achieved with NOSZ-S4: Setback, and
   c. For outdoor carparking areas, at least 5% of the carparking area is landscaped with grass or plants.

2. **Activity status:** Restricted discretionary

   Where:
   a. Compliance is not achieved with NOSZ-R14.1b.

   Matters of discretion are restricted to:
   1. The matters of discretion of NOSZ-S4: Setback.

   Public notification is precluded for applications under this rule.

3. **Activity status:** Restricted discretionary

   Where:
   a. Compliance is not achieved with NOSZ-R14.1c.

   Matters of discretion are restricted to:
   1. Effects on the character and amenity values of the site.
   2. Effects on the amenity values of adjoining sites.
   3. Any proposed mitigation of adverse effects through design, appearance and siting of the carparking area or landscaping and screening.
   4. Whether the reduced landscaping is necessary to provide for the functional needs and operational needs of activities on the site.
   5. Any positive effects that can only be achieved through non-compliance with the standard.

4. **Activity status:** Non-complying

   Where:
   a. Compliance is not achieved with NOSZ-R14.1a.

NOSZ-R15	Activities not otherwise provided for

1. **Activity status:** Non-complying

General rules

NOSZ-R16	Outdoor storage and work areas

1. **Activity status:** Permitted

   Where:
   a. The stored material is for park maintenance and repair, or
   b. The outdoor storage area is screened by a building or a solid or close-boarded fully opaque fence of at least 1.8m in height above ground level from:
      i. Areas of the site that are accessible to the public,
      ii. Any adjoining site in an Open Space and Recreation Zone, Residential Zone, or Rural Zone, and
      iii. Any public road.

2. **Activity status:** Restricted discretionary

   Where:
   a. Compliance is not achieved with NOSZ-R16.1.

   Matters of discretion are restricted to:
   1. Effects on character and amenity values of the site and adjoining sites in Open Space and Recreation Zones, Residential Zones, and Rural Zones.
   2. Any positive effects that can only be achieved through non-compliance with NOSZ-R16.1.

NOSZ-R17	Servicing

1. **Activity status:** Permitted

   Where:
   a. The servicing is not within 40 metres of a site in a Residential Zone or Rural Zone, or
   b. The servicing occurs only between 7:00am and 10:00pm.

2. **Activity status:** Restricted discretionary

   Where:
   a. Compliance is not achieved with NOSZ-R17.1

   Matters of discretion are restricted to:
   1. The nighttime amenity of sensitive activities in the surrounding area in Residential Zones and Rural Zones.

2. Any positive effects that can only be achieved through non-compliance with the rule.

Public notification is precluded for applications under this rule.

Standards

NOSZ-S1	Gross floor area

1. Buildings and structures must not exceed 100m^2 in gross floor area.

Matters of discretion if the standard is breached:

1. Effects on the character and amenity values of the site.
2. Effects on the amenity values of adjoining sites, including dominance, privacy, and shading effects.
3. Any proposed mitigation of adverse effects through design, appearance and siting of the building or structure or landscaping and screening.
4. Whether the additional gross floor area is necessary to provide for the functional needs and operational needs of activities on the site.
5. Any positive effects that can only be achieved through non-compliance with the standard.

NOSZ-S2	Building height

1. Buildings and structures must not exceed a maximum height above ground level of 8 metres.

Matters of discretion if the standard is breached:

1. Effects on the character and amenity values of the site.
2. Effects on the amenity values of adjoining sites, including dominance, privacy, and shading effects.
3. Any proposed mitigation of adverse effects through design, appearance and siting of the building or structure or landscaping and screening.
4. Whether the additional height is necessary to provide for the functional needs and operational needs of activities on the site.
5. Any positive effects that can only be achieved through non-compliance with the standard.

NOSZ-S3	Height in relation to boundary

1. Where a site adjoins a Residential Zone or Rural Zone, buildings and structures must comply with the height in relation to boundary standard of the adjoining zone.

Matters of discretion if the standard is breached:

1. Effects on the amenity values of adjoining sites, including dominance, privacy, and shading effects.
2. Any proposed mitigation of adverse effects through design, appearance and siting of the building or structure or landscaping and screening.
3. Whether the additional height is necessary to provide for the functional needs and operational needs of activities on the site.
4. Any positive effects that can only be achieved through non-compliance with the standard.

NOSZ-S4	Setbacks

1. Buildings, structures, and outdoor carparking areas must be set back at least 6m from any boundary of adjoining sites with a Residential Zone or Rural Zone.
2. This standard does not apply to fences less than 2 metres in height above ground level.

Matters of discretion if the standard is breached:

1. Effects on the amenity values of adjoining sites, including dominance, privacy, and shading effects.
2. Any proposed mitigation of adverse effects through design, appearance and siting of the building or structure or landscaping and screening.
3. Whether the reduced setback is necessary to provide for the functional needs and operational needs of activities on the site.
4. Any positive effects that can only be achieved through non-compliance with the standard.

NOSZ-S5	Hours of operation

1. Activities must not operate outside the hours of 7:00am and 10:00pm.

Matters of discretion if the standard is breached:

1. The nighttime amenity of sensitive activities in the surrounding area in Residential Zones and Rural Zones.
2. The extent to which the additional hours are necessary to provide for functional needs or operational needs of the activities on the site.
3. Any positive effects that can only be achieved through non-compliance with the rule.