

## PART 2 – DISTRICT-WIDE MATTERS / NATURAL ENVIRONMENT VALUES / Natural character

### Natural Character

#### Overview

This chapter addresses the natural character of wetlands, lakes and rivers. The focus is on buildings, structures, earthworks and indigenous vegetation clearance in wetland, lake and river margins. The natural character of the coastal environment is addressed in the Coastal Environment chapter.

The Far North District has a number of many wetlands, lakes and rivers, some many of which are located within and on the periphery of urban centres. ~~While the NRC is responsible for the waterbodies themselves, the District Plan manages their margins and the activities that can occur in these areas.~~ The margins of these waterbodies are areas of important and valued natural character and support public and customary access, recreation and hazard management. ~~When managed well the margins also promote ecological benefits including on receiving water bodies.~~

A range of land use activities can have adverse effects on the natural character of wetlands, lakes and rivers, including the construction and alteration of buildings or structures, earthworks, vegetation clearance and farming within their margins. ~~Some activities have a functional need to be located within wetland, lake and river margins.~~ This chapter seeks to manage ~~these activities to ensure that the characteristics and qualities, and values~~ that contribute to the natural character values are preserved. Further, these provisions encourage land use activities that look to enhance natural character, such as ~~the~~ restoration planting.

Natural character includes a wide range of matters such as ecological aspects, natural processes and natural landforms. For more information about the full range of matters contributing to the natural character of wetland, lake and river margins, refer to APP1- Mapping methods and criteria of the District Plan.

~~The regional mapping project undertaken by the Regional Council for the RPS identified the natural character of the coastal environment, which is a requirement of the NZCPS. While the NZCPS is not concerned with natural character outside of the coastal environment it does list matters (in policy 13.2) which may be part of or contribute to natural character. These matters can be found in APP1- Mapping methods and criteria of the District Plan.~~

~~Provisions relating to the natural character of the coastal environment are located in the Coastal Environment chapter.~~

Objectives	
<b>NATC-O1</b>	<del>The natural character of wetland, lake and river margins are managed to ensure their long-term preservation and protection for future generations.</del>  <u>The natural character of wetland, lake and river margins is preserved and protected from inappropriate land use and subdivision.</u>
<b>NATC-O2</b>	<del>Land use and subdivision is consistent with and does not compromise the characteristics and qualities of the natural character of wetland, lake and river margins.</del>

Policies	
<b>NATC-P1</b>	Avoid significant adverse effects and avoid, remedy or mitigate other adverse effects of land use and subdivision on the <u>characteristics, qualities and values of the</u> natural character of wetland, lake and river margins.
<b>NATC-P2</b>	Identify or assess the natural character of wetland, lake and river margins in accordance with the natural character <u>of wetland, lake and river margins</u> assessment criteria in APP1- Mapping methods and criteria.
<b>NATC-P3</b>	<del>Enable</del> <u>Provide for</u> indigenous vegetation removal and/or earthworks within wetland, lake and river margins where <u>it is the minimum necessary for:</u> a. <del>it is for</del> the repair or maintenance of lawfully established activities; <del>or</del> b. <del>it is for</del> safe and reasonable clearance for existing overhead powerlines; <del>or</del> c. <del>it is for</del> health and safety of the public; <del>or</del> d. <del>it is for</del> biosecurity reasons; <del>and</del> or e. it is for the sustainable non-commercial harvest for rongoā Māori. f. <u>the harvesting of indigenous timber approved under the Forests Act 1949 via either a registered sustainable forest management plan, a registered sustainable forest management permit or a personal use approval for the harvesting and milling of indigenous timber from the Ministry of Primary Industries.</u>

<b>NATC-P4</b>	<p>Provide for <del>Enable</del> Provide for buildings or structures, and extensions to existing buildings or structures on wetland, lake and river margins where:</p> <ul style="list-style-type: none"> <li>a. there is a functional or operational need for a building or structures location; <del>and</del></li> <li>b. public access, customary access and recreational use can be protected or enhanced; <del>and</del></li> <li>c. <u>the effects on natural character are in accordance with policy NATC-P1, the protection of natural character is preserved;</u> and</li> <li>d. natural hazard risk will not be increased, taking into account the likely long term effects of climate change.</li> </ul>
<b>NATC-P5</b>	<p>Encourage the restoration and enhancement of wetland, lake and river margins where it will achieve improvement in natural character values.</p>
<b>NATC-P6</b>	<p><u>Consider the following matters where relevant when assessing the effects of land use and subdivision on the characteristics, qualities and values of natural character:</u></p> <p><del>Manage land use and subdivision to preserve and protect the natural character of wetland, lake and river margins, and address the effects of the activity requiring resource consent, including (but not limited to) consideration of the following matters where relevant to the application:</del></p> <ul style="list-style-type: none"> <li>a. the presence or absence of buildings, structures or infrastructure;</li> <li>b. the temporary or permanent nature of any adverse effects, <u>including cumulative effects;</u></li> <li>c. the location, scale and design of any proposed development;</li> <li>d. any means of integrating the building, structure or activity <u>into the wider landscape;</u></li> <li>e. the ability of the environment to absorb change;</li> <li>f. the need for and location of earthworks or <u>indigenous</u> vegetation clearance and <u>proposed mitigation measures;</u></li> <li>g. the operational or functional need of any <del>regionally significant</del> infrastructure to be sited in the particular location;</li> <li>h. any viable alternative locations for the activity or development;</li> <li>i. any historical, spiritual or cultural association held by tangata whenua, with regard to the matters set out in Policy TW-P6;</li> <li>j. the likelihood of the activity exacerbating natural hazards;</li> <li>k. the opportunity to enhance public access and recreation;</li> <li>l. the ability to improve the overall water quality; <del>and</del></li> <li>m. <u>effects on the indigenous biodiversity values of riparian areas, including linkages with other habitats and ecosystems; and</u></li> <li>n. any positive contribution the development has on the characteristics, <del>and</del> qualities and values <u>of natural character.</u></li> </ul>

**Rules**

**Notes:**

- 1.** There may be rules in other District-Wide Matters and the underlying zone in Part 3- Area Specific Matters that apply to a proposed activity, in addition to the rules in this chapter. These other rules may be more stringent than the rules in this chapter. Ensure that the underlying zone chapter and other relevant District-Wide Matters chapters are also referred to, in addition to this chapter, to determine whether resource consent is required under other rules in the District Plan. Refer to the *how the plan works* chapter to determine the activity status of a proposed activity where resource consent is required under multiple rules.
- 2.** The Earthworks and Ecosystems and Indigenous Biodiversity chapter rules apply ‘in addition’ to the earthworks and indigenous vegetation clearance rules in this chapter, not instead of. ~~In the event of a conflict between the earthworks chapter and this chapters earthworks rules, the most stringent rule will apply.~~
- 3.** Earthworks and indigenous vegetation clearance in the margins of wetlands are controlled by the Resource Management (National Environmental Standards for Freshwater) Regulations 2020 (NES-F). Rule NATC-R3 does not apply to earthworks and indigenous vegetation clearance regulated by the NES-F.
- 4.** Earthworks and indigenous vegetation clearance associated with commercial forestry are controlled by the National Environmental Standards for Commercial Forestry 2017 (NES-CF). Rule NATC-R3 does not apply earthworks and indigenous vegetation clearance regulated by the NES-CF.

<b>NATC-R1</b>	<p>New buildings or structures <u>and relocated buildings or extensions or alterations to existing buildings or structures</u></p>
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<p><b>Natural character</b></p>	<p><b>Activity status: Permitted</b></p> <p><b>Where:</b></p> <p><b>PER-4</b>  <del>The building or structure, or extension or alteration to an existing building or structure on wetland, lake and river margins is not located within an ONL or ONF.</del></p> <p><b>PER-21</b>                  The building or structure, <u>and relocated buildings</u> or extension or alteration to an existing building or structure on wetland, lake and river margins <u>where it is required for:</u></p> <ol style="list-style-type: none"> <li>1. for restoration and enhancement purposes; or</li> <li>2. <u>for natural hazard mitigation undertaken by, or on behalf of, the local authority; or</u></li> <li>3. <del>for park management activity in the Open Space or Sport and Active Recreation zones</del> <u>or in the Waitangi Estate zone – Te Pitowhenua (treaty grounds) or Papa Rehia (Recreations) subzones;</u>                      or</li> <li>4. a post and wire fence for the purpose of protection from farm stock; <del>or</del></li> <li>5. <u>a river crossings, including but not limited to, fords, bridges, stock crossings and culverts crossings; or</u></li> <li>6. <del>activities</del> <u>related to the construction of a river crossings; or</u></li> <li>7. <del>a pumphouses</del> <u>utilised for the drawing of water provided they cover less than 25m<sup>2</sup> in area, or</u></li> <li>8. <u>infrastructure less than 10m high within a road corridor provided any pole:</u> <ol style="list-style-type: none"> <li>a. <u>is a single pole (monopole); and</u></li> <li>b. <u>is not a pi-pole or a steel-lattice tower; or</u></li> </ol> </li> <li>9. a lighting pole by, or on behalf of the local authority, <del>or</del></li> <li>10. <del>a footpath and or paving no greater than 2m wide, or</del></li> <li>11. <u>an upgrade of an existing above ground network utility, provided it:</u> <ol style="list-style-type: none"> <li>a. <u>it is no greater than 40m 12.5m high or the height of the existing structure; and</u></li> <li>b. <u>if it is a building, is no the upgraded building is no greater than 20% of the GFA of the existing lawfully established building or structure; and</u></li> <li>c. <u>it does not involve replacing a pole with a pi pole;</u></li> </ol> </li> <li>12. <u>a maimai not exceeding 10m<sup>2</sup>; or</u></li> <li>13. <u>the harvesting of indigenous timber approved under the Forests Act 1949 via either a registered sustainable forest management plan, a registered sustainable forest management permit or a personal use approval for the harvesting and milling of indigenous timber from the Ministry of Primary Industries.</u></li> </ol> <p><b>PER-32</b>                  The building or structure and relocated building on wetland, lake and river margins is no greater than 300m<sup>2</sup>.</p> <p><b>PER-43</b>                  The building or structure and relocated building or extension or alteration to an existing building or structure on wetland, lake and river margins complies with standard NATC-S1 Maximum height.</p>	<p><del>Activity status where compliance not achieved with PER-1: Non-complying</del></p> <p>Activity status where compliance not achieved with PER-21, PER-32 and PER-43: <b>Restricted Discretionary</b></p> <p><b>Matters of discretion are restricted to:</b></p> <ol style="list-style-type: none"> <li>a. <u>effects on the characteristics, qualities and values of natural character</u></li> <li>b. <u>the matters in NATC-P6</u></li> <li>c. <u>the positive effects of the activity</u></li> </ol>
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<b>NATC-R2 Repair or maintenance</b>		
<b>Natural character</b>	<b>Activity status: Permitted-</b>  <b>Where:-</b>  <b>PER-1</b> The repair or maintenance within wetland, lake and river margins of the following activities where they have been lawfully established and where the size, scale and materials used are like for like: <ol style="list-style-type: none"> <li>1. roads</li> <li>2. fences</li> <li>3. network utilities</li> <li>4. driveways and access</li> <li>5. walking tracks</li> <li>6. cycling tracks</li> <li>7. farming tracks</li> </ol>	<b>Activity status when compliance not achieved with PER-1: Discretionary</b>

<b>NATC-R3 Earthworks or indigenous vegetation clearance</b>		
<b>Natural character</b>	<b>Activity status: Permitted</b>  <b>Where:</b>  <b>PER-1</b> The earthworks or indigenous vegetation clearance within wetland, lake and river margins <u>and is the minimum necessary is:</u> <ol style="list-style-type: none"> <li>1. <u>required for the repair or maintenance permitted under NATC-R2; or for the operation, repair or maintenance of existing lawfully established:</u> <ol style="list-style-type: none"> <li>a. <u>fences</u></li> <li>b. <u>network utilities</u></li> <li>c. <u>tracks, driveways, roads and access ways,</u></li> <li>d. <u>formed carparks,</u></li> <li>e. <u>board walks,</u></li> <li>f. <u>boat ramps, or</u></li> </ol> </li> <li>2. <u>required to provide for safe and reasonable clearance for existing overhead power lines; or</u></li> <li>3. <u>to address an immediate necessary to address a risk to public the health and safety of the public, or</u></li> <li>4. <u>clearance for the control pests when necessary for biosecurity reasons and to control unwanted organisms as a response to directions of a person authorised under the Biosecurity Act 1993, or</u></li> <li>5. <u>for the sustainable non-commercial harvest of plant material for rongoā Māori, or</u></li> <li>6. <u>to maintain firebreaks to manage fire risk; or</u></li> <li>7. <u>to remove vegetation as directed by Fire and Emergency New Zealand due to fire risk, or</u></li> <li>8. <u>to maintain a 20m setback from a building used for a vulnerable activity (excluding accessory buildings) to the edge of the indigenous vegetation area, or</u></li> <li>9. <u>for the upgrading of existing above ground network utilities permitted by NATC-R1, or</u></li> <li>10. <u>for establishing, operating, maintaining and repairing infrastructure in a road corridor.</u></li> </ol>  <b>PER-2</b> Earthworks or indigenous vegetation clearance not provided for within NATC-R3 PER-1 but it complies with standard NATC-S2 Earthworks or indigenous vegetation	<b>Activity status when compliance not achieved with PER-1 and PER-2: Restricted Discretionary</b>  <b>Matters of discretion are restricted to:</b> <ol style="list-style-type: none"> <li>a. <u>effects on the characteristics and quality of natural character</u></li> <li>b. <u>the matters in NATC-P36</u></li> <li>c. <u>the positive effects of the activity</u></li> </ol>  <b>Activity status when compliance not achieved with PER-2: Non-complying</b>

	clearance.	
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**Standards**

**NATC-S1 Maximum height**

<b>Natural character</b>	<p>1. The maximum height of a building or structure, or extension or alteration to an existing building or structure is <del>5m</del> <u>5.5m</u> above ground level; or</p> <p>2. where a building or structure is lawfully established, any extension does not exceed the height of the existing building or structure above ground level.</p> <p><b>This standard does not apply to:</b></p> <p>a. <u>Solar and water heating components not exceeding 0.5m in height on any elevation;</u></p> <p>b. <u>Chimney structures not exceeding 1.2m in width and 1m in height on any elevation;</u></p> <p>c. <u>Satellite dishes and aerials not exceeding 1m in height and/or diameter on any elevation; or</u></p> <p>d. <u>Architectural features (e.g. finials, spires) not exceeding 0.5m in height on any elevation.</u></p>	<b>Where the standard is not met, matters of discretion are restricted to: Not applicable</b>
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**NATC-S2 Earthworks or indigenous vegetation clearance**

<b>Natural character</b>	<p><del>1. Any earthworks or indigenous vegetation clearance on a site within a wetland, lake and river margins must:</del></p> <p><del>a. 1. not exceed a total area of <u>50</u> <u>400m<sup>2</sup></u> <u>within any calendar year</u> <u>for 10 years from the notification of the District Plan, unless a control in 4-5. below applies;</u></del></p> <p><del>b. 2. not exceed a cut height or fill depth of 1m; <u>and</u></del></p> <p><del>c. 3. screen exposed faces <u>visible from public places.</u> <u>and</u></del></p> <p><del>comply with Ecosystems and indigenous biodiversity chapter, NFL S3 Earthworks or indigenous vegetation clearance and CE S3 Earthworks or indigenous vegetation clearance.</del></p> <p><b>Note:</b> The NESF requires a 10m setback from any natural wetland in respect of earthworks or vegetation clearance and may require consent from the Regional Council.</p> <p><del>2. <u>Any vegetation clearance on a site within a wetland, lake and river margins must not exceed a total area of 400m<sup>2</sup> within any 10 year period.</u></del></p>	<b>Where the standard is not met, matters of discretion are restricted to: Not applicable</b>
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