

5.5. Natural Environments Character Area

5.5.1. Introduction

- 5.5.1.1. The Natural Environments Character Area covers those parts of the District that are national park (part of the Paparoa National Park and proposed Kahurangi National Park) and ecological areas.
- 5.5.1.2. The broad purpose of the Natural Environments Character Area is to reflect the high overall conservation values present, while recognising that there are also a number of other uses and/or values attributable to this land, such as recreation, tourism, mining, hydroelectric generation and cultural and aesthetic values.
- 5.5.1.3. The rules and standards recognise that the sensitivity of the receiving environment is the critical determining factor in assessing what activities are appropriate.
- 5.5.1.4. As the land within the Natural Environments Character Area is public conservation land, permission is required from the Department of Conservation to carry out any trade, business or occupation on that land. To this end the Department requires that a tourism or recreation concession or resource use licence be obtained in order to carry out activities on public conservation land. Such licences can be granted on a temporary or trial basis, for one-off activities or for a specified period of time.
- 5.5.1.5. Under Section 4 of the Act, certain activities of the Crown on land held or managed under the Conservation Act are not subject to the Resource Management Act such as defence works or works and activities within the boundaries of any area of land held or managed under the Conservation Act which are:
- (a) consistent with a conservation management strategy or management plan;
 - (b) do not have significant adverse effects beyond the boundary of the area of land.
- 5.5.1.6. Where these criteria are not met, a resource consent may be sought under the Resource Management Act to avoid, remedy or mitigate adverse effects. However, in other cases, there is potential for duplication of information where both a concession or licence and a resource consent are both required. The preferred procedure for dealing with such situations is specified in Section 2.9 of the Plan.

5.5.2. Permitted Activities

- 5.5.2.1. Recreational activities and agricultural activities, reserves, maintenance of recreational facilities and tracks, and natural hazard mitigation measures which comply with the standards in Table 5.11 except for those specified as controlled activities.
- 5.5.2.2. Indigenous forest replanting.
- 5.5.2.3. Exotic forestry harvesting.
- 5.5.2.4. Network utilities, subject to compliance with Part 6 (Infrastructure) and Part 7 District Wide Rules.
- 5.5.2.5. Any earthworks to be incidental to a permitted or controlled activity.
- 5.5.2.6. No activity to be carried out within 100m of the Mean High Water Springs Mark.

5.5.3. Controlled Activities

- 5.5.3.1. Any commercial recreational activity or agricultural activity, which complies with the standards for controlled activities and which involves any of the following activities:
 - 5.5.3.1.1. The erection of or addition to any building or structure.
 - 5.5.3.1.2. The construction/formation of any vehicle track or accessway.
- 5.5.3.2. Indigenous forest harvesting in compliance with an approved Sustainable Management Plan.
- 5.5.3.3. Any clearance of indigenous vegetation to be incidental to a permitted or controlled activity.
- 5.5.3.4. No activity may be carried out within 100m of the Mean High Water Spring mark.
- 5.5.3.5. Matters over which the Council reserves control on controlled activities:
 - 5.5.3.5.1. The external finish of buildings.
 - 5.5.3.5.2. Any earthworks or construction for any building, accessways and parking places. Financial contributions may be required in accordance with Part 8.
 - 5.5.3.5.3. Clearance of indigenous vegetation.

5.5.3.5.4. The imposition of financial contribution conditions as provided for in Part 8 of the Plan.

5.5.3.5.5. Creation or maintenance of roading and access to harvesting sites.

5.5.4. Discretionary Activities

5.5.4.1. Any earthworks to be incidental to a discretionary activity.

5.5.4.2. Any commercial operation carried out on the surface of the Buller River or its tributaries, and the Karamea River.

5.5.4.3. Any other land use activity which complies with the standards for discretionary activities.

5.5.4.4. Discretionary activities will be assessed according to the criteria in Part 9.

5.5.4.5. Financial contributions may be required in accordance with Part 8.

Table 5.11 Natural Environments Character Area Standards

| ITEM | PERMITTED | CONTROLLED | DISCRETIONARY |
|-------------------------|--|--|--|
| Access | Refer to Part 7.4. | Refer to Part 7.4. | Refer to Part 7.4. |
| Boundaries | <p>Front Yard Setback from road 10m.</p> <p>Side/Rear Yards 2m</p> <p>Coastal Marine Area No activity to be carried out within 100m of the Mean High Water Spring Mark.</p> | <p>Front Yard Setback from road 10m.</p> <p>Side/Rear Yards 2m</p> <p>Coastal Marine Area No activity to be carried out within 100m of the Mean High Water Spring Mark.</p> | <p>Front Yard Setback from road 8m.</p> <p>Side/Rear Yards 1.5m.</p> <p>Coastal Marine Area No activity to be carried out within 50m of the Mean High Water Springs Mark.</p> |
| Building Height | Maximum building height is 6m. | Not applicable. | Maximum building height is 8m. |
| Developments | Refer to Part 8 | Refer to Part 8 | Refer to Part 8 |
| Esplanade Strips | Refer to Part 7.9.6 | Refer to Part 7.9.6 | Refer to Part 7.9.6 |
| General | Refer to Part 7.9.1 | Refer to Part 7.9.1 | Refer to Part 7.9.1 |
| Glare | Refer to Part 7.9.4 | Refer to Part 7.9.4 | Refer to Part 7.9.4 |

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|---|---|---------------------|---|
| Ground Floor Area | <p>The maximum gross ground floor area of a single building is 50m² and no addition of greater than 20m² to any existing building or structure.</p> <p>No addition of any size to an existing building or structure where a 20m² or greater addition to the gross floor area has already been undertaken since 15 March 1995.</p> <p>The total floor area of all buildings per site is 100m².</p> | Not applicable. | <p>Maximum gross ground floor area of a single building is 100m² and any addition of greater than 50m² to any existing building or structure.</p> <p>No addition of any size to an existing building or structure where a 50m² or greater addition to the gross floor area has already been undertaken since 15 March 1995.</p> <p>Not applicable.</p> |
| Historic/Cultural Items | Refer to Part 7.9.7 | Refer to Part 7.9.7 | Refer to Part 7.9.7 |
| Noise | Refer to Part 7.8 | Refer to Part 7.8 | Refer to Part 7.8 |
| Notable Trees | Refer to Part 7.9.8 | Refer to Part 7.9.8 | Refer to Part 7.9.8 |
| Parking | Refer to Part 7.5 | Refer to Part 7.5 | Refer to Part 7.5 |
| Planting | Refer to Part 7.9.3 | Refer to Part 7.9.3 | Refer to Part 7.9.3 |
| Recession Planes | Refer to Part 7.6 | Refer to Part 7.6 | Refer to Part 7.6 |
| Riparian Margins Natural Wetlands (>0.5ha) | No modification within 25m of the wetland except as provided in 5.5.5.6 | Not applicable | Activities within 25m of the wetland except as provided for in 5.5.5.6 |
| Lakes | No modification within 20m of the lake except as provided in 5.5.5.6 | Not applicable | Activities within 20m of the lake except as provided for in 5.5.5.6 |
| Rivers and Streams with an average bed width of >3m adjacent to the proposed activity | No modification within 10m of the riverbank or streambank except as provided in 5.5.5.6 | Not applicable | Activities within 10m of the riverbank or streambank except as provided for in 5.5.5.6 |
| | Note: 'No modification' as used in this table is clarified in explanation 5.5.5.6 | | |
| Signs | Refer to Part 7.7 | Refer to Part 7.7 | Refer to Part 7.7 |
| Stormwater Disposal | Refer to Part 7.9.2 | Refer to Part 7.9.2 | Refer to Part 7.9.2 |
| Subdivision | Refer to Part 7.3 | Refer to Part 7.3 | Refer to Part 7.3 |

5.5.5. Explanation/Reasons

5.5.5.1. The standards aim to ensure that small scale, and/or low impact activities can locate or operate in the Natural Environments Character Area with minimum inconvenience. Generally however, it is recognised that the range of activities on land within this character area will be limited and applications are required where

there will be disturbance to the land and vegetation. Controls (in the form of standards) allow a specified level of effects considered acceptable in the character area. All permitted and controlled activities must in addition comply with the District Wide Rules set out in Part 7 of the Plan.

- 5.5.5.2. Floor area controls are necessary to prevent large buildings and/or structures locating in a visually intrusive manner. Height controls ensure that any building or structure is not visually intrusive or dominates the surrounding landscape or natural features. The 6 metre height limit for permitted activities ensures that buildings will generally be less than 2 stories high and shall be discretionary activities if over one storey in height.
- 5.5.5.3. Indigenous vegetation clearance controls ensure that indigenous trees and shrubs are not cleared unless needed for the establishment of an activity. The standard is in recognition of high visual values of the Character Area and also the important habitat/wildlife role of natural vegetation in Buller District.
- 5.5.5.4. Activities which involve buildings or vehicle accesses are controlled in respect of finish, earthworks, clearance of indigenous trees and shrubs and financial contributions. The external finish of buildings should be complementary to the features and form of the surrounding landscape. Earthworks should be carried out so as to cause minimum ground disturbance to the character or landform of the site and the surrounding area. Vegetation should not be removed indiscriminately. The retention of visually and ecologically important vegetation is encouraged. Financial contributions such as those relating to servicing may be required.
- 5.5.5.5. It is unlikely that many activities within the Natural Environments Area will require signs, and when proposals are made, careful consideration will be required. Signs which comply with minimum standards are discretionary. If these standards are not met they will be considered as non-complying activities. Also see Part 7.7 for further explanation and reasoning of signage standards.
- 5.5.5.6. No modification of riparian margins excludes the following activities:
 - Rivers and Streams: Fencing, pest and weed control, the retrieval and removal of unavoidable logging and the removal of other logging debris, cable suspension logging, construction of access points to water on the basis of either one per site or one every 400m of linear measure for stock and vehicles, structures such as whitebait stands.
 - Lakes: Fencing, pest and weed control.
 - Natural Wetlands: Fencing, pest and weed control.

A streambank or riverbank is defined as the edge of the defined channel or riverbed or where this is not obvious, the point at which terrestrial vegetation (eg: grassland, shrubland or forest) commences.

The boundary of a natural wetland margin is where indigenous wetland plants (ie: those indigenous plants such as sedges and rushes adapted to living in wet conditions) give way to other species. The boundary of a tidal wetland is defined as the point of Mean High Water Spring (MHWS).

Other stream side management controls include esplanade strips obtained at the time of subdivision or resource consent and managed by the Department of Conservation.

- 5.5.5.7. Also see Part 7.2 for explanation and reasoning of specific standards.