

NFL - Natural Features and Landscapes

Overview

This chapter aims to protect Outstanding Natural Features (ONF) and Outstanding Natural Landscapes (ONL) from inappropriate subdivision, use and development. It does this by managing the effects of land use and development on Outstanding Natural Features and Outstanding Natural Landscapes both within and outside the coastal environment. The District Plan Planning Maps show the Outstanding Natural Features and Outstanding Natural Landscapes in the Kaipara District, ~~and~~ Schedule 4 - Outstanding Natural Features and Schedule 5 - Outstanding Natural Landscapes identify the specific characteristics, qualities and values of these landscapes and features, ~~and the methodologies used to map them. The maps are adopted from the Northland Regional Policy Statement 2016 (NRPS) and the mapping criteria are outlined in Appendix 1 of the NRPS (Appendix 1 – Mapping methods).~~¹

In keeping with their "natural" description, Outstanding Natural Features and Outstanding Natural Landscapes comprise mainly undeveloped rural and coastal land. These areas are generally sensitive to subdivision, use and development, but there may be individual sites where it is possible to demonstrate lesser sensitivity to subdivision, use and development proposals.

Landowners play a critical role in the preserving the values of Outstanding Natural Features and Outstanding Natural Landscapes by retaining elements that contribute to those values (such as leaving large tracts of indigenous vegetation intact) and actively enhancing these elements (for example through pest control and native plantings).

Protection of outstanding natural features and landscapes from inappropriate subdivision, use and development is a matter of national importance under the RMA. This chapter gives effect to the NRPS and New Zealand Coastal Policy Statement 2010 (NZCPS) requirements for protecting and managing these features and landscapes.

Objectives

NFL-O1	Protection of Outstanding Natural Features and Outstanding Natural Landscapes
The characteristics, qualities and values of Outstanding Natural Features and Outstanding Natural Landscapes are identified and ² protected from inappropriate subdivision, use and development.	
NFL-O2	Maintenance and enhancement of Outstanding Natural Features and Outstanding Natural Landscapes
The maintenance and enhancement of the characteristics, qualities and values of Outstanding Natural Features and Outstanding Natural Landscapes is promoted.	

Policies

<u>NFL-PX</u>	<u>Characteristics, qualities and values of ONL and ONF³</u>
<u>Identify Outstanding Natural Features and Outstanding Natural Landscapes through an assessment of the characteristics, and qualities and values using the criteria in Schedule 4 (ONF) and Schedule 5 (ONL)</u>	
NFL-P1	Activities that maintain, restore or enhance characteristics, qualities and values

¹ CI 16 change – correcting a statement of fact.

² DOC [304.88]

³ EDS [265.5]

Enable activities that **protect**⁴, maintain, restore or enhance the characteristics, qualities and values of Outstanding Natural Features and Outstanding Natural Landscapes ~~as set out in Schedule 4 and Schedule 5~~⁵, including conservation activities and the removal of redundant buildings and structures.

NFL-P2 Existing **subdivision**⁶, use and development

Recognise that lawfully established **subdivision**⁷, land use and development are located within Outstanding Natural Features and Outstanding Natural Landscapes and allow them to continue without undue restriction.

NFL-P3 Adverse effects within the coastal environment

Within the coastal environment, avoid adverse effects from **subdivision**⁸, land use and development on the characteristics, qualities and values **that make of**⁹ Outstanding Natural Features and Outstanding Natural Landscapes **outstanding**¹⁰ ~~as set out in Schedule 4 and Schedule 5~~.¹¹

NFL-P4 Adverse effects outside the coastal environment

Outside the coastal environment:

1. Avoid significant adverse effects of **subdivision**¹², land use and development on the characteristics, qualities and values **that make of**¹³ Outstanding Natural Features and Outstanding Natural Landscapes **outstanding**¹⁴ ~~as set out in Schedule 4 and Schedule 5~~¹⁵; and
2. Avoid, remedy or mitigate other adverse effects (including cumulative adverse effects) of **subdivision**¹⁶, land use and development on the characteristics, qualities and values of Outstanding Natural Features and Outstanding Natural Landscapes including by:
 - a. In Outstanding Natural Features, **requiring ensuring**¹⁷ that the scale and intensity of earthworks and built development is appropriate taking into account the scale, form and vulnerability to modification of the feature;
 - b. In Outstanding Natural Landscapes, **requiring ensuring**¹⁸ that the location and intensity of subdivision, use and built development is appropriate having regard to, natural elements, landforms and processes, including vegetation patterns, ridgelines and freshwater bodies and their margins; and
 - c. ~~Having regard to:~~
 - i. ~~Integration of development into the Outstanding Natural Feature or Outstanding Natural Landscape, maintenance of low development density, and retention of predominant vegetation cover;~~
 - ii. ~~The location, design, scale, prominence and visibility of any buildings, structures, access, earthworks and indigenous vegetation clearance;~~
 - iii. ~~Methods and timelines for restoring or reinstating earthworks and revegetating land; and~~
 - iv. ~~The finish of any buildings or structures, including materials, reflectivity and colour; and landscaping and fencing.~~¹⁹

⁴ Piroa Conservation Trust [257.5],

⁵ Consequential as a result on new policy NFL-PX - EDS [265.5]

⁶ Daytona Trust [263.19]

⁷ Daytona Trust [263.19]

⁸ DOC [304.89]

⁹ Daytona Trust [263.16]

¹⁰ Daytona Trust [263.16]

¹¹ Consequential as a result on new policy NFL-PX - EDS [265.5]

¹² Piroa Conservation Trust [257.6]

¹³ Daytona Trust [263.16]

¹⁴ Daytona Trust [263.16]

¹⁵ Consequential as a result on new policy NFL-PX - EDS [265.5]

¹⁶ Piroa Conservation Trust [257.6]

¹⁷ Piroa Conservation Trust [257.6]

¹⁸ Piroa Conservation Trust [257.6]

¹⁹ Federated Farmers [136.82]

NFL-P5	Regionally significant infrastructure²⁰
<p>Enable the operation, maintenance and upgrading of regionally significant infrastructure in Outstanding Natural Features or Outstanding Natural Landscapes where:</p> <ol style="list-style-type: none"> 1. There is an operational need or functional need to be in that particular location; and 2. Adverse effects on the characteristics, qualities and values of Outstanding Natural Features and Outstanding Natural Landscapes are avoided, remedied or mitigated in accordance with NFL-P3 and NFL-P4. 	

NFL-P6	Assessment of resource consents
<p>Have regard to the following matters when assessing and managing the effects of resource consent applications for²¹ subdivision²², land use and development on in²³ Outstanding Natural Features and Outstanding Natural Landscapes:</p> <ol style="list-style-type: none"> 1. The physical and visual integrity and any fragmentation of the landscape or feature, and its sensitivity or vulnerability to change; 2. Adverse and positive effects on identified characteristics, qualities and values of the landscape or feature²⁴; 3. The existing context, including the intensity, scale, and characteristics of the land use and development in the locality and the characteristics, qualities and values of the landscape or feature. The intensity of buildings, structures or infrastructure in the locality and the landscape values of surrounding land and established activities²⁵; 4. The location, scale and design of the proposed development including in relation to ridgelines, skylines and prominent headlands, existing land use and development, and its the values of surrounding land and established activities and visibility from roads and public places²⁶; 5. Integration of the building, structure, access or activity into the landscape or feature, including materials, reflectivity, colour, landscaping, and fencing, lighting²⁷ and development density²⁸; 6. The need for²⁹, extent, design, location and visibility of earthworks and vegetation clearance; and 7. Historical or cultural associations with the feature or landscape; 8. The retention of predominant indigenous vegetation cover in the landscape;³⁰ 9. Methods and timelines for restoring or reinstating earthworks and revegetating land³¹; 10. The operational or functional need for the proposed development to be located in the landscape or feature; and³² 11. The degree to which the proposal has already been anticipated through a previous resource consent process, including development on and access to building platforms approved through subdivision³³. 	

Rules

Notes:

1. The rules in this chapter apply to land in the Outstanding Natural Features and Outstanding Natural Landscapes overlays, described in Schedule 4 and Schedule 5 and shown on the Planning Maps.
2. For certain activities, consent may be required by rules in more than one chapter in the District Plan. See Part 1 - General Approach.
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 NFL-R3 and NFL-R4 do not to apply earthworks and indigenous vegetation clearance regulated by

²⁰ CI 16 – addressed in the Infrastructure chapter

²¹ Federated Farmers [136.82]

²² Piroa Conservation Trust [257.7]

²³ Federated Farmers [136.83]

²⁴ Clause 16 clarification

²⁵ Piroa Conservation Trust [257.7]

²⁶ Piroa Conservation Trust [257.7]

²⁷ Horizon Surveying & Land Development [315.32] and Federated Farmers [136.82]

²⁸ Federated Farmers [136.83]

²⁹ Piroa Conservation Trust [257.7]

³⁰ Piroa Conservation Trust [257.6] and Federated Farmers [136.82]

³¹ Federated Farmers [136.83]

³² Federated Farmers [136.83]

³³ Daytona Trust [263.20]

the NES-F.

4. The National Environmental Standards for Commercial Forestry 2017 (NES-CF) regulates commercial forestry and Regulation 6 of the NES-CF allows plan rules to be more stringent to protect Outstanding Natural Features and Outstanding Natural Features and to manage afforestation. This chapter contains more stringent rules for commercial forestry related earthworks, vegetation clearance and afforestation in ONL and ONF in some circumstances. These rules are in addition to the NES-CF regulations (not instead of).

NFL-R1	External additions and alterations to existing buildings or structures	
ONL and ONF	<p>1. Activity status: Permitted</p> <p>Where:</p> <ol style="list-style-type: none"> a. The alteration or addition of any existing building or structure shall not exceed the height of the existing building or structure; and b. The activity complies with the following standards: <ol style="list-style-type: none"> i. NFL-S2 Gross Floor Area; and ii. NFL-S3 Exterior Colour and Reflectivity. 	<p>23.³⁴ Activity status when compliance not achieved: <u>Restricted</u> Discretionary</p> <p>3 Matters over which discretion is restricted:</p> <ol style="list-style-type: none"> a. <u>The matters in NFL-P6; and</u> b. <u>The positive effects of the activity.</u>³⁵
NFL-R2	New buildings and structures	
ONL and ONF outside the coastal environment ³⁶	<p>1. Activity status: Permitted</p> <p>Where:</p> <ol style="list-style-type: none"> a. The building or structure is: <ol style="list-style-type: none"> i. Ancillary to an existing lawfully established activity; or ii. On a building platform identified in an existing approved subdivision consent and/or land use consent lodged with Council prior to 30 April 2025; and³⁷ b. The building or structure complies with the following standards: <ol style="list-style-type: none"> i. NFL-S1 Building and Structure Height; ii. NFL-S2 Gross Floor Area; and iii. NFL-S3 Exterior Colour and Reflectivity; <u>or</u> c. <u>It is a temporary building or structure for military training purposes permitted under TEMP-R2.</u>³⁸ <p>2. This rule does not apply to:</p> <ol style="list-style-type: none"> a. The defined Exclusive Use Areas shown on the Survey Plan for lots 1-29, 32,34,40,41 	<p>3. Activity status when compliance not achieved with NFL-R2.1: Controlled</p> <p>Where:</p> <ol style="list-style-type: none"> a. <u>The building is a residential unit or a minor residential unit on a defined building platform, where the building platform has been identified through an expert landscape assessment and approved as part of an existing subdivision consent.</u> <p>4. The matters of control:</p> <ol style="list-style-type: none"> a. <u>The location, scale and design of buildings, and associated accessways and infrastructure, having regard to their visual prominence;</u> b. <u>The means of integrating the building, structure or activity into the</u>

³⁴ Clause 16 change to fix numbering error

³⁵ Federated Farmers 136.84

³⁶ Daytona Trust [263.22]

³⁷ Daytona Trust [263.22]

³⁸ NZ Defence Force [284.19]

	<p>and 45-DP-348513 consented by RM050086 (Bream Tail) provided that the other conditions of the Consent Notices (dated 2 February 2004) on these titles are complied with, which shall rely on Rule 12.10.3c.2 in Chapter 12 of the Kaipara Operative District Plan.³⁹</p>	<p>landscape, including through planting;</p> <p>c. <u>The height of retaining walls, their colour and whether planting is necessary to mitigate their visual effects; and</u></p> <p>d. <u>Measures to mitigate adverse effects on the characteristics, qualities and values that make ONL and ONF outstanding.</u>⁴⁰</p> <p>5. 3. Activity status when compliance not achieved with NFL-R2.3: : Restricted Discretionary</p> <p>Where</p> <p>a. <u>The building or structure is outside the coastal environment</u>⁴¹</p> <p>6. 4. Matters over which discretion is restricted:</p> <ul style="list-style-type: none"> • The matters in NFL-P6; and • The positive effects of the activity. <p>7. Activity status when compliance not achieved with NFL-R2.5: Discretionary</p> <p>Where</p> <p>a. <u>The building or structure is associated with regionally significant infrastructure</u></p> <p>8. Activity status when compliance not achieved with NFL-R2.7: Non-complying⁴²</p>
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³⁹ Evolve Planning and Landscape Architecture [50.26]

⁴⁰ Daytona Trust [263.22]

⁴¹ Daytona Trust [263.22]

⁴² Transpower [262.68]

<p>ONL and ONF outside the coastal environment</p>	<p>5. Activity status: Restricted-Discretionary⁴³</p> <p>Where:</p> <p>a. For the erection of a dwelling exceeding 50m² but not exceeding 350m² gross floor area on Lots 1-4 and 6-14 as shown on the Survey Plan consented by RM090103 for Lot 2 DP 316176 (Mangawhai Heads Holdings Limited)</p> <p>b. A dwelling on a relevant lot exceeds the 50m² gross floor area limit specified in Rule 12.10.3c(1)(b)(i) in Chapter 12 of the Kaipara Operative District Plan (but does not exceed 350m² gross floor area), Council has restricted its discretion to the matter specified in Condition 1(p) of consent RM090103, dated 17 April 2015.</p> <p>Note 1: The restricted discretionary activity opportunity provided by this Rule applies subject to the following provisions:</p> <p>a. It expressly applies only to the 13 identified building locations within Lots 1-4 and 6-14 shown on a Survey Plan consent by RM090103 for Lot 2 DP 316176 (or as shown on any subsequent DP replacing 316176); or to one dwelling on the existing Lot 2 DP 316176 (or any subsequent DP replacing 316176) providing that the dwelling is in one of the 13 identified building locations and is designed in accordance with the controls specified in condition 1(p). A certificate of title must have been issued for the lot concerned, subject to a consent notice relating to the continuing requirements of condition 1(p) of consent RM090103.</p> <p>c. If consent RM090103 lapses without being implemented, then this rule shall cease to apply (Rule 12.10.3c would then apply as normal), except as provided in respect of one dwelling in (a.) above.</p> <p>Note 2: An application for restricted discretionary activity resource consent pursuant to this Rule will be considered on a non-notified basis.</p> <p>Note 3: a. The restricted discretionary activity opportunity provided by this Rule applies only to the performance standard in Rule 12.10.3c(1)(b)(i) of the Operative Kaipara District Plan. The remaining performance standards specified in Rule 12.10.3c(1) of the Operative Kaipara District Plan continue to apply to any dwelling on the relevant lots as normal. In addition, any dwelling exceeding 350m² gross floor area is a discretionary activity.</p>	
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⁴³ M Fyson [224.1]

<p>ONL and ONF within the coastal environment</p>	<p>6. Activity status: Permitted⁴⁴</p> <p>Where:</p> <p>a. The building or structure is associated with regionally significant infrastructure.</p>	<p>7. Activity status when compliance not achieved with NFL-R2.64: Non-Complying</p>
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<p>NFL-R3</p>	<p>Indigenous vegetation clearance</p>	
<p>ONL outside the coastal environment⁴⁵</p>	<p>1. Activity status: Permitted</p> <p>Where:</p> <p>a. The activity complies with NFL-S5 Indigenous vegetation clearance; or</p> <p>b. Clearance for the operation, repair or maintenance of the following activities where they have been lawfully established:</p> <ul style="list-style-type: none"> i. Fences; ii. Infrastructure, including effluent disposal systems⁴⁶; iii. Buildings and swimming pools; <u>and</u> iv. <u>Tracks⁴⁷</u> driveways, parking areas and access; v. Walking Tracks; vi. Cycling tracks; vii. Farming and forestry tracks;⁴⁸ and viii. Farm drains⁴⁹; or <p>c. <u>The indigenous vegetation clearance is for the following purposes:</u></p> <ul style="list-style-type: none"> i. <u>To address an immediate risk to public safety or damage to property;⁵⁰</u> ii. <u>The formation of walking tracks less than 1.5m wide;⁵¹</u> iii. <u>The construction of a new fence where the purpose of the new fence is to exclude stock and/or pests from the area of indigenous vegetation, provided that the clearance does not exceed 3.5m in width;⁵²</u> iv. <u>To remove pest species in accordance with any approved pest management plan or biosecurity operational plan;⁵³</u> v. <u>To create or maintain a 20m setback from an area of indigenous vegetation to a residential unit (excluding accessory buildings);⁵⁴</u> vi. <u>To maintain firebreaks to manage</u> 	<p>2. Activity status when compliance not achieved: Restricted Discretionary</p> <p><u>Where:</u></p> <p><u>The clearance is outside the coastal environment⁵⁹</u></p> <p>3. Matters over which discretion is restricted:</p> <ul style="list-style-type: none"> a. The matters in NFL-P6; and b. The positive effects of the activity. <p>4. <u>Activity status when compliance not achieved with NFL-R3.2: Discretionary</u></p> <p><u>Where:</u></p> <p><u>The clearance is associated with regionally significant infrastructure</u></p> <p>5. <u>Activity status when compliance not achieved with NFL-R3.4: Non-complying⁶⁰</u></p>

⁴⁴ Evolve Planning and Landscape Architecture [50.24 and 50.25],

⁴⁵ Daytona Trust [263.23]

⁴⁶ Federated Farmers [136.1]

⁴⁷ NRC [332.28]

⁴⁸ Consequential as a result of addition of "Tracks"

⁴⁹ Federated Farmers [136.1]

⁵⁰ Daytona Trust [263.69]

⁵¹ Daytona Trust [263.69]

⁵² Daytona Trust [263.69]

⁵³ Daytona Trust [263.69]

⁵⁴ Daytona Trust [263.69]

	<p><u>fire risk;</u> ⁵⁵</p> <p><u>vii. To remove indigenous vegetation as directed by Fire and Emergency New Zealand due to fire risk;</u> ⁵⁶</p> <p><u>viii. For the, operation, maintenance, repair or removal of infrastructure;</u> ⁵⁷</p> <p><u>or</u></p> <p><u>ix. For the minor upgrading of regionally significant infrastructure.</u> ⁵⁸</p>	
ONL within the coastal environment	<p>4. Activity status: Permitted ⁶¹</p> <p>Where:</p> <p>a. The indigenous vegetation clearance is associated with regionally significant infrastructure.</p>	<p>5. Activity status when compliance not achieved with NFL-R3.4: Non-Complying</p>

NFL-R4	Earthworks	
ONL and ONF outside the coastal environment ⁶²	<p>1. Activity status: Permitted</p> <p>Where:</p> <p>a. The earthworks complies with NFL-S4 Earthworks; or</p> <p>b. The earthworks is for the <u>operation, repair or maintenance of the following activities where they have been</u> lawfully established⁶³:</p> <p><u>i. roads;</u> ⁶⁴</p> <p><u>ii. fences,</u></p> <p><u>iii. utility connections,</u></p> <p><u>iv. parking areas,</u></p> <p><u>v. effluent disposal systems,</u></p> <p><u>vi. swimming pools,</u></p> <p><u>vii. Tracks, driveways, and accessways;</u> ⁶⁵</p> <p><u>viii. Infrastructure</u> ⁶⁶</p> <p><u>-walking or cycling tracks, or farm and forestry tracks;</u> ⁶⁷ or</p> <p>c. <u>The earthworks is for:</u></p> <ul style="list-style-type: none"> <u>The construction of a new fence in an ONL where the purpose of the new fence is to exclude stock and/or pests from the area of indigenous vegetation, provided that the clearance does not exceed 3.5m in width;</u> ⁶⁸ or 	<p>2. Activity status when compliance not achieved: Restricted Discretionary</p> <p><u>Where:</u></p> <p><u>The earthworks is outside the coastal environment</u> ⁷⁰</p> <p>3. Matters over which discretion is restricted:</p> <p>a. The matters in NFL-P6; and</p> <p>b. The positive effects of the activity.</p> <p>4. <u>Activity status when compliance not achieved with NFL-R4.3: Discretionary</u></p> <p><u>Where:</u></p> <p>a. <u>The earthworks is associated with</u></p>

⁵⁹ Daytona Trust [263.23]

⁶⁰ Transpower [292.83]

⁵⁵ Daytona Trust [263.69]

⁵⁶ Daytona Trust [263.69]

⁵⁷ Northpower [283.160]

⁵⁸ Chorus 26.72

⁶¹ Evolve Planning and Landscape Architecture [50.24 and 50.25],

⁶² Daytona Trust [263.24]

⁶³ Northpower [283.161]

⁶⁴ Consequential as a result of adding "infrastructure" which includes roads.

⁶⁵ NRC [332.28]

⁶⁶ Northpower [283.161]

⁶⁷ Consequential change as a result of adding "Tracks"

⁶⁸ Federated Farmers [136.87]

	<ul style="list-style-type: none"> <u>The minor upgrade of regionally significant infrastructure.</u>⁶⁹ 	<p><u>regionally significant infrastructure</u>⁷¹</p> <p>5. Activity status when compliance not achieved-with NFL-R4.4: Non-complying⁷²</p>
ONL and ONF within the coastal environment	<p>4. Activity status: Discretionary⁷³</p> <p>Where:</p> <p>a. The earthworks is associated with regionally significant infrastructure.</p>	<p>5. Activity status when compliance not achieved-with NFL-R4.4: Non-Complying</p>

NFL-R5	<u>Additions and alterations to Maintenance and upgrading of existing network utilities, parks and community infrastructure</u> ⁷⁴	
ONL and ONF	<p>1. Activity status: Permitted</p> <p>Where:</p> <p>a. The activity complies with the following standards:</p> <ul style="list-style-type: none"> i. NFL-S1 Building and Structure Height;⁷⁵ ii. NFL-S2 Gross Floor Area;⁷⁶ iii. NFL-S3 Exterior Colour and Reflectivity; and iv. NFL-S6 Minor Upgrading.⁷⁷ <p>b. <u>The addition or alteration:</u></p> <ul style="list-style-type: none"> i. <u>Does not exceed 20% of the gross floor area of the existing building or structure; or</u> ii. <u>Complies with NFL-S2 Gross Floor Area; and</u> <p>c. <u>The height of the addition or alteration:</u></p> <ul style="list-style-type: none"> i. <u>Does not exceed the height of the existing building or structure above ground level; or</u> ii. <u>Complies with NFL-S1 Building and Structure Height</u>⁷⁸ <p>2. NFL- R1 to NFL-R2 do not apply to the activities provided for in this rule.</p>	<p>3. Activity status when compliance not achieved: <u>Restricted</u>⁷⁹ discretionary</p> <p>4. Matters over which discretion is restricted:</p> <ul style="list-style-type: none"> a. The matters in NFL-P6; and b. The positive effects of the activity.

⁷⁰ Daytona Trust [263.24]

⁶⁹ Northpower [283.161]

⁷¹ Transpower [292.84]

⁷² Clause 16 change – moved from below.

⁷³ Transpower [292.84] and Environmental Defence Society [265.5]

⁷⁴ Northpower [283.162],

⁷⁵ CI 16 change – to address relationship with NFL-R1

⁷⁶ CI 16 change – to address relationship with NFL-R1

⁷⁷ Clause 16 – moved from NFL-S6

⁷⁸ Northpower [283.162]

⁷⁹ Northpower [283.163]

NFL-R6	Afforestation for commercial forestry	
ONL and ONF outside the coastal environment	1. Activity status: Discretionary	2. Activity status when compliance not achieved: Not Applicable
ONL and ONF within the coastal environment	3. Activity status: Non-Complying	4. Activity status when compliance not achieved: Not Applicable
NFL-R7	Indigenous vegetation clearance and earthworks associated with conservation activities	
ONL and ONF	<p>1. Activity status: Permitted</p> <p>Where:</p> <p>a. The activity complies with the following standards:</p> <p style="padding-left: 40px;"><u>i.</u> NFL-S4 Earthworks; and</p> <p style="padding-left: 40px;"><u>ii.</u> NFL-S5 Vegetation clearance.</p> <p>2. NFL-R3 to NFL-R4 NFL-R1 to NFL-R2⁸⁰ do not apply to the activities provided for in this rule.</p>	<p>3. Activity status when compliance not achieved: Restricted Discretionary</p> <p>4. Matters over which discretion is restricted:</p> <p>a. The matters in NFL-P6; and</p> <p>b. The positive effects of the activity.</p>
NFL-R8	Mining activities and quarrying activities	
ONL and ONF	1. Activity status: Non-Complying	2. Activity status when compliance not achieved: Not Applicable

Outstanding Natural Features and Landscapes standards

NFL-S1	Building and structure height	
<p>The height of any building, or structure, or alteration or addition to an existing building shall not exceed 5.5m above ground level, <u>excluding:</u></p> <p>a. <u>Chimney structures not exceeding 1.2m in width and 1m in height on any elevation⁸¹.</u></p> <p>b. <u>Solar and water heating components provided these do not exceed the height by more than 0.5m on any elevation.⁸²</u></p> <p>c. <u>Satellite dishes and aerials that do not exceed 1m in height and/or diameter on any elevation⁸³</u></p> <p>d. <u>Antennas attached to existing buildings not exceeding the highest point of the roof by more than 5m.⁸⁴</u></p> <p>e. <u>Telecommunications poles and attached antennas in formed roads not exceeding 20m in height and a diameter including all antennas of 1.2m.⁸⁵</u></p>		<p>2. Activity status when compliance not achieved: Refer to relevant rule.</p>

⁸⁰ Clause 16 change to correct the relevant rules.

⁸¹ Daytona Trust 263.26

⁸² Daytona Trust 263.26

⁸³ Daytona Trust 263.26

⁸⁴ Chorus [26.69]

⁸⁵ Chorus [26.69]

NFL-S2	Gross floor area	
<p>1. The gross floor area of any new building or existing building plus addition must not exceed:</p> <ul style="list-style-type: none"> a. 100m² for any accessory building; and b. 150m² for any residential unit. a. <u>50m² in ONL and ONF category 'A' and 'D', in the coastal environment.</u> b. <u>100m² in ONL outside the coastal environment</u> c. <u>25m² in ONF category B, C, and E</u> d. <u>100m² in category ONF 'A' and 'D', outside the coastal environment⁸⁶</u> 	<p>2. Activity status when compliance not achieved: Refer to relevant rule.</p>	

NFL-S3	Exterior colour and reflectivity <u>and lighting⁸⁷</u>	
<p>1. The building and structure exteriors must:</p> <ul style="list-style-type: none"> a. Not utilise mirror glazing; and b. Be coloured or painted with a colour with a reflectance value no greater than 35% (provided that 2% of each exterior elevation is exempt) and with a roof colour with a reflectance value no greater than 30%; and c. <u>If the exterior surface is painted, have an exterior finish within Groups A, B or C as defined within the BS5252 standard colour palette in Appendix X or equivalent⁸⁸</u> <p>2. <u>All lighting must comply with the following:</u></p> <ul style="list-style-type: none"> a. <u>All exterior lighting shall be directed downward and away from the adjacent sites and roads;</u> b. <u>No activity on any site shall result in greater than a 3.0 lux spill (horizontal or vertical) of lights onto any other site measured at any point inside the boundary of the other site.⁸⁹</u> 	<p>3.-2.⁹⁰ Activity status when compliance not achieved: Refer to relevant rule.</p>	

NFL-S4	Earthworks														
<p>1. The earthworks must not exceed <u>the following:</u></p> <table border="1" data-bbox="226 1379 1062 1814"> <thead> <tr> <th data-bbox="226 1379 663 1429"><u>Location</u></th> <th data-bbox="663 1379 1062 1429"><u>Per site</u></th> </tr> </thead> <tbody> <tr> <td data-bbox="226 1429 663 1473"><u>ONL in coastal environment</u></td> <td data-bbox="663 1429 1062 1473"><u>50m³ in any 12-month period</u></td> </tr> <tr> <td data-bbox="226 1473 663 1518"><u>ONL outside coastal environment</u></td> <td data-bbox="663 1473 1062 1518"><u>150m³ in any 12-month period</u></td> </tr> <tr> <td data-bbox="226 1518 663 1592"><u>ONF category B, C, and E in the coastal environment</u></td> <td data-bbox="663 1518 1062 1592"><u>0m³</u></td> </tr> <tr> <td data-bbox="226 1592 663 1666"><u>ONF category A and D in the coastal environment</u></td> <td data-bbox="663 1592 1062 1666"><u>50m³ in any 12-month period</u></td> </tr> <tr> <td data-bbox="226 1666 663 1740"><u>ONF category B, C, and E outside the coastal environment</u></td> <td data-bbox="663 1666 1062 1740"><u>50m³ in any 10-year period</u></td> </tr> <tr> <td data-bbox="226 1740 663 1814"><u>ONF category A and D outside the coastal environment</u></td> <td data-bbox="663 1740 1062 1814"><u>150m³ in any 12-month period</u></td> </tr> </tbody> </table> <p>150m³ in any 12-month period per site⁹¹; and</p>	<u>Location</u>	<u>Per site</u>	<u>ONL in coastal environment</u>	<u>50m³ in any 12-month period</u>	<u>ONL outside coastal environment</u>	<u>150m³ in any 12-month period</u>	<u>ONF category B, C, and E in the coastal environment</u>	<u>0m³</u>	<u>ONF category A and D in the coastal environment</u>	<u>50m³ in any 12-month period</u>	<u>ONF category B, C, and E outside the coastal environment</u>	<u>50m³ in any 10-year period</u>	<u>ONF category A and D outside the coastal environment</u>	<u>150m³ in any 12-month period</u>	<p>3. Activity status when compliance not achieved: Refer to relevant rule.</p>
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<u>ONF category B, C, and E outside the coastal environment</u>	<u>50m³ in any 10-year period</u>														
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⁸⁶ J & C Hawley [272.12] and Daytona Trust [263.27]

⁸⁷ Horizon Surveying & Land Development [315.36]

⁸⁸ Evolve Planning and Landscape Architecture [50.23]

⁸⁹ Horizon Surveying & Land Development [315.36]

⁹⁰ Consequential change (addition of new standard)

⁹¹ Daytona Trust [263.24], Forest and Bird [149.62] and DOC [304.93]

<p>2. The maximum cut height or fill depth must not exceed 2m.</p>	
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NFL-S5	Indigenous vegetation clearance
<p>1. The indigenous vegetation clearance must not exceed</p> <ul style="list-style-type: none"> a. <u>In the coastal environment - 50m² in any 12-month period per site⁹²</u> b. <u>Outside the coastal environment - ⁹³150m² in any 12-month period per site.</u> 	<p>2. Activity status when compliance not achieved: Refer to relevant rule.</p>

NFL-S6	Minor upgrading ⁹⁴
<p>1. Any addition to a lawfully established building or structure must not exceed 20% of the gross floor area of the existing building or structure; and</p> <p>2. The height of any addition to a lawfully established building or structure does not exceed the height of the existing building or structure above ground level.</p>	<p>3. Activity status when compliance not achieved: Refer to relevant rule.</p>

⁹² Forest and Bird [149.63]

⁹³ Forest and Bird [149.63]

⁹⁴ CI 16 – moved to NFL-R5