

PART 11

RESERVES AND RECREATION

11.1 INTRODUCTION OF SIGNIFICANT RESOURCE MANAGEMENT ISSUES

- 11.1.1 A feature of the district is the number and type of areas where people can relax or play sport, and where natural or cultural heritage features are actively managed. In some cases this active or passive recreation and the heritage management happens in the same place (eg Kuirau Park, Government Gardens). Many temporary events take place on reserves and are a major contributor to the Rotorua economy. Community assets such as the Rotorua International Stadium and the Energy Events Centre are located on public reserve space. This chapter focuses on land established as reserve under the Reserves Act 1977, and the surface of lakes, rivers and streams outside of the Lakes A Zone.
- 11.1.2 The majority of the land reserves in the district are managed by public entities such as the Rotorua District Council or Department of Conservation. There are a smaller number of private reserves including the Rotorua Hospital, part of the Arawa Racecourse, and a conservation area on Mt Ngongotaha.
- 11.1.3 The management arrangement for water bodies is more complex, as a number of agencies have powers and duties with regard to the management of lakes. Under the Resource Management Act 1991 the Regional Council has responsibilities for the management of lake water quality and quantity, structures on the beds of water bodies and under the Local Government Act 2002 the responsibility to control navigational and safety aspects issues and the ability to write bylaws. Through the District Plan the District Council is able to consider the effects of public safety and the adverse effects of activities on the surface of the water and the impacts of these on surrounding land uses or features.
- 11.1.4 A number of other agencies have a role in the management of lakes in these including Department of Conservation and Land Information New Zealand as landowners. Te Arawa Lakes Trust own and manage the majority of the lake beds through settlement deeds and are involved in consent processes where the lake bed is affected.
- 11.1.5 Many of the Council reserves are subject to Reserve Management Plans established in accordance with the Reserves Act 1977. Many of the Council Reserves are also designated to provide a more streamlined process for the carrying out of public works. The District Plan does not intend to duplicate any controls that currently exist under other legislation and agencies. Instead the intent of the District Plan is to manage the adverse effects generated from the use of reserves on the surrounding environment, along with the acquisition of reserves where required through development that places additional needs on the District's infrastructure. This latter aspect is addressed in Part 15 Financial Contributions.
- 11.1.6 The district has three reserve zones and these are described below:

Zone	Code	Description
Reserve 1Public Reserves	RV1	Publicly owned land administered either by Council or the Crown. Reserves come in a range of sizes and provide for a range of public needs including sports grounds, playgrounds, domains, open public spaces. Temporary events are also a common occurrence and use of these sites. Features that contribute to the amenity of reserves include the high level of green space and low scale buildings.
Privately- owned Reserves	RV2	Privately owned reserves in the district include the racecourse, Rotorua Primary School, the Rotorua Public Hospital site, Waikite Rugby Field and part of Mount Ngongotaha. The type of buildings and range of activities on private reserves do not differ significantly to those on public reserves.

Zone	Code	Description
Reserve 3 Lakes and rivers	RV3	Water bodies include lakes, rivers and streams. While the lakes are a focus, two major rivers cross the district, the Waikato and the Kaituna River . The district has many and varied water bodies that provide the basis for a wide range of recreational opportunities such as recreational activities, swimming, boating, skiing and tourism ventures for which the district is renowned. A number of the lakes are covered by Iwi Settlements and the provisions of these settlements must be recognised.

11.1.7 The issues detailed below have shaped the policy framework for the reserve zones. While many issues have required consideration, and the objectives and policies are comprehensive, most are related to achieving one of the following major outcomes:

- A streamlined regulatory approach where a permissive stance is taken to the establishment of assets and activities that are generally standard and provided for the community to make most use of reserves, such as toilets, playground equipment and club rooms.
- A more considered approach when assessing commercial activities on reserves, to ensure the amenity of adjoining residents are not compromised, nor the commercial viability of the city centre.

Each issue is discussed in turn below.

11.1.8 **RESERVES AS CENTRES FOR RECREATIONAL AND COMMUNITY ACTIVITY**

One of the important functions of reserves is to provide for recreation and community services. A wide range of community facilities are also located on both private and public reserves. A number of potentially negative effects associated with activities that are undertaken on reserves need to be appropriately managed to ensure that the amenity values and character of the reserves are not compromised.

The maintenance and protection of amenity values and character of reserves is of key importance. Signage provides an important function to provide important information to the public, however it necessary to control signage to ensure that the amenity values and character of reserves and adjoining sites are not compromised by adverse visual effects of signage.

11.1.9 **MAINTENANCE OF ADJOINING RESIDENTIAL AMENITY**

The districts reserves provide for a wide variety recreational and commercial activities to occur in the district. The effects of permanent commercial and recreational activities on reserves are required to be managed to ensure that adverse effects on the amenity values and character of the reserve, and adjoining properties are avoided or suitably mitigated. The types of activities undertaken on reserves should be in keeping with the intended purpose of the reserve and should be in keeping with the character of the surrounding environment. Activities can generate adverse effects in terms of the prominence and appearance of buildings and structures, signage noise, traffic generation and parking, lighting and glare that can impact on other activities located on reserves and neighbouring residential areas. It is vital that commercial activities do not impede the publics ability to access the reserve or restrict others ability to undertake recreational activities on the reserve.

11.1.10 **TEMPORARY EVENTS AS KEY ACTIVITIES ON RESERVES**

Temporary events in the district make a significant contribution to the community's social and economic wellbeing. The use of reserves for temporary events is encouraged where the purpose of the reserve is maintained and the effects generated by the activity are managed appropriately so they are of a short duration and create only minor disruptions to adjoining sites and surrounding area. It is also important that the activity is in keeping with the purpose of the reserve, and the wider public's access and enjoyment of the reserve is not compromised.

11.1.11 **SURFACE OF WATER BODIES**

The districts water bodies are a significant resource for recreation in the district. They are of significant value in terms of cultural and historical values, recreational values, habitat values, landscape values and amenity values. Recreational and Commercial activities on the surface of the districts water bodies are encouraged where the adverse effects of these activities are appropriately managed. Effects such as noise and activities that generate speed, wash and vibration need to be managed to ensure values are maintained, with particular regard given to the cumulative effects of these activities. Activities carried out on the surface of the water needs to complement the activities undertaken on the adjoining land to ensure that adverse effects created from reverse sensitivity at the zone interface does not occur.

11.1.12 PUBLIC ACCESS

Reserves have a range of functions such as public access to the districts rivers and lakes, these function described in detail under Part 3 of the District Plan. Activities that require the exclusive use of areas or impede others use and enjoyment of the districts water bodies need to be managed to ensure that the purpose of these reserves and the publics' ability to enjoy the districts water bodies and margins is maintained.

11.1.13 HISTORIC AND CULTURAL SIGNIFICANCE

A number of the reserves cover areas or contain land features, buildings, and monuments that have significant historical and cultural significance. Reserves contain such historic buildings and sites as the Government Gardens, Mokoia Island and Lakes. The significance of these features and sites to Rotorua's cultural and historical identity needs to be considered upon activities being undertaken on the reserves and are further detailed within Part 3 of the District Plan.

DRAFT POLICY FRAMEWORK – FEEDBACK SOUGHT

- 1. There is one major aspect where feedback is sought and that relates to the approach of zoning according to management type – public versus private. The main question is whether zoning according to function is more appropriate?**
- 2. A higher amount of direction has been given to the type of activities intended to be provided for within each sub-zone in comparison to the operative District Plan. In addition to this more specific performance standards have also been included. Is this higher level direction required for this zone?**
- 3. The Draft District Plan has been written in a manner to direct temporary activities to certain zones and to provide for temporary activities in a permissive manner to allow the events and activities to occur within the need for a resource consent other than for amplified music. Is this stance suitable, and taking account of the performance standards, will this result in an increase in issues arising at zone interfaces?**
- 4. A high number of the districts important landscapes and features are located within the Reserve Zone. Has the Plan provided enough of a balance to allow the reserves to be utilised by the public in a manner intended whilst ensuring the qualities of the landscape are maintained? Does this Part need to place more emphasis on these landscapes?**

11.2 OBJECTIVES AND POLICIES

Policy relating to esplanade reserves and natural and cultural heritage areas are located within Part 3 of the District Plan. The below objectives and policies solely relate to the management and environments effects that activities may have on reserves.

Reserves as centres for recreational and community activity

Objective 11.2.1

The reserves of the district providing for community recreation and their unique public space qualities and characteristics maintained.

Objective 11.2.2

Diverse recreational and commercial activities where the character and amenity of neighbouring residential activities is maintained.

Policy 11.2.1.1

Enable a variety of activities that are in keeping with the purpose of reserve, and that complement other activities undertaken on the reserve to occur in a permissive manner.

Policy 11.2.5.2

Encourage activities to be located on reserves that do not impede on the ability of the public to access the reserve, and that do not detract from public enjoyment of the reserve.

Policy 11.2.3.3

Encourage the integrated provision of access, car parking and turning areas so that effects are internalised on the reserve and do not impact the road network and adjoining residential sites.

Policy 11.2.1.4

Provide for the location of public recreation facilities such as playground equipment, barbecue equipment and toilet facilities on reserves in a permissive manner, without compromising the amenity values of neighbouring properties.

Policy 11.2.1.5

Manage the effects of larger scale recreation and event facilities that require large scale buildings, on-site parking and turning areas and that have effects on the roading network.

Policy 11.2.1.6

Manage signs located on reserves to ensure they are appropriate to the context of the reserve and activities that take place on the reserve do not adversely impact adjoining residential activities.

Policy 11.2.5.7

Control activities on reserves to ensure that buildings and structures placed on reserves, and any associated works are remediated to ensure the character and values of the reserve are maintained.

Policy 11.2.2.1

Enable the location of buildings and structures that are consistent with the function of the reserve in a permissive manner, where sufficient space is provided between the buildings and adjoining residential activities.

Policy 11.2.2.2

Control the scale, design and location of buildings,

Reserves as centres for recreational and community activity

noise and lighting associated with commercial activities on the reserve to ensure these are consistent with the level of amenity anticipated in the surrounding environment.

Maintenance of adjoining residential amenity

Objective 11.2.3

Recreational and commercial activities occurring on reserves where the effects of the activities are managed to be consistent with function and purpose of the reserve is maintained and adjoining residential amenity is maintained.

Policy 11.2.3.1

Control separation distances between permanent commercial activities and site boundaries to ensure that adjoining properties are not adversely affected by:

- The prominence and visual appearance of buildings and structures
- Lighting and glare
- Noise, access, parking
- Signage
- Reduction in privacy of adjoining residents.

Temporary events as key activities on reserves

Objective 11.2.4

Temporary events that contribute to the community's social and economic wellbeing, and do not impact the natural or cultural values of the reserve.

Policy 11.2.4.1

Encourage the use of public reserves for temporary activities where:

- The activities are in keeping with the purpose of the reserve
- The effects on neighbouring properties are for a sustained period of time
- Structures and buildings associated with the activity do not adversely impact residential amenity for a sustained period of time
- Glare and light spill are managed
- Noise is kept to manageable levels.

Policy 11.2.4.2

Provide for signage associated with and leading up to temporary events and activities on reserves, where signage more than what is usually permissible is provided for the duration of the activity.

Surface of water bodies

Objective 11.2.5

Recreational activities undertaken in a manner that ensures the following are maintained:

- Cultural and historical values
- Recreational values
- Natural habitat values
- Landscape values and
- Amenity values of adjoining zones.

Policy 11.2.5.1

Enable recreational activities to occur on the surface of waterbodies, where the adverse effects are managed to acceptable levels to ensure that the amenity and character of the water bodies and surrounding areas is protected.

Policy 11.2.5.2

Encourage commercial activities that are undertaken on the surface of water to sufficiently provide for associated land based activities, such as signage, parking, lightspill, noise and associated buildings and activities.

Policy 11.2.5.3

Encourage the co-location of commercial watercraft and aircraft activities associated on the districts water bodies whilst managing the cumulative environmental effects of these activities.

Objective 11.2.6

Acknowledgement of the tangata whenua through recognition of their relationship with the land and associated resources.

Objective 11.2.7

Lake Structures that do not detract from or reduce the amenity values, character and open space of water bodies or surrounding zones and are located in a manner that does not reduce reserve management ability or public access.

Objective 11.2.8

Lake structures that maintain the visual amenity and ecology of important landscapes and features.

Policy 11.2.5.4

Encourage commercial watercraft activities on the surface of lakes and rivers that does not compromise ability for others to use and enjoy the districts lakes and rivers.

Policy 11.2.5.5

Avoid the adverse effects of frequent, large-scale or intrusive activities such as those with high levels of noise, vibration, speed and wash.

Policy 11.2.5.6

Avoid adverse effects of motorised craft in areas of high passive recreational use, significant nature conservation values and wildlife habitat.

Policy 11.2.6.1

Ensure that activities undertaken on the surface of lakes and rivers have regard to the traditional and cultural values that tangata whenua hold for the water body as outlined within Part 2.

Policy 11.2.7.1

Ensure that the location of lake structures does not compromise the ability of Council to effectively manage the reserve, or the ability to acquire esplanade areas to ensure public access to and along water bodies.

Policy 11.2.7.2

Manage lake structures and activities on the surface of the water to avoid adverse effects on:

- Riparian areas;
- Habitats of aquatic indigenous fauna and trout;
- Heritage sites of importance to Maori
- The amenity values and character of water body margins;
- Noise on residents and other river or lake users;
- Privacy of residential activities
- Water quality and Open space.

Policy 11.2.7.3

Manage lake structures and activities on waterbodies to ensure these integrate with and are supported by the infrastructure provided on land.

Policy 11.2.7.4

Control the number of private water body structures and consolidate water body structures to avoid the clutter and proliferation of structures that reduce the open space of the reserves for public use and enjoyment.

Policy 11.2.8.1

Ensure that the location of lake structures do not adversely impact the viability of natural ecosystems and habitat.

Policy 11.2.8.2

Manage the effects of the location, design and use of lake structures blend into the landscape and water body

Surface of water bodies

margins.

Public access to and along water bodies

Objective 11.2.9

Public access to and along the districts rivers, lakes, streams and wetlands which provide for current and foreseeable recreational needs of the public.

Policy 11.2.9.1

Enable public access strips, both pedestrian and vehicular, to lakes and rivers

Policy 11.2.9.2

Provide for vehicle parking at public access points along esplanade reserves, esplanade strips, marginal strips and access strips when the purpose of those reserves and strips is for public access or recreation and are adjacent to a public road.

Policy 11.2.9.3

Acquire where practicable at the time of subdivision or other appropriate opportunity, as detailed under Part 3, esplanade reserves of adequate width to provide for public access and the protection of water quality and nature conservation values.

Historical and Cultural Significance

Objective 11.2.10

Reserves that efficiently function within and complement culturally sensitive sites, significant natural areas and important landscapes and features.

Policy 11.2.10.1

Maintain and enhance indigenous biodiversity, habitats, water quality and natural character within reserves through;

- Maintenance and enhancement of vegetation
- Revegetation of steep land
- Retirement and restoration of riparian areas
- Low scale buildings that are subordinate to the landscape and have low reflectivity
- Low levels of impermeable surfaces

11.3 RULES FOR ACTIVITIES IN THE RESERVE ZONES

Activities undertaken within each Reserve and Recreation Zone of the District are classified in Tables 11.3. The Reserve and Recreation Zones in Table 11.3 are:

Reserve 1	Public Recreation
Reserve 2	Privately-owned reserves
Reserve 3	Lakes and Rivers

11.3.1 The activity types in Table 11.3 are explained below;

P=Permitted activities Where activities in 11.3 are stated as Permitted Activities, **AND** where they comply in all respects with the Performance Standards in 11.4, resource consents will not be required.

C = Controlled activities Where activities are expressly stated in 11.3 as Controlled Activities, or are classed as Controlled Activities in accordance with 11.3(2), they shall comply with the Performance Standards of the relevant Zone. The matters over which Council shall reserve its control are stated in Rule 11.5. Council cannot refuse resource consent for a controlled activity but can grant the resource consent subject to conditions relating to those matters over which Council has reserved control.

RD = Restricted discretionary Where activities are expressly in 11.3 as Restricted Discretionary Activities, or are classed as Restricted Discretionary Activities in accordance with 11.3(3), the Performance Standards stated in 11.4 may be modified by means of resource consent. The matters over which Council shall restrict its discretion are stated in Rule 11.6. Council can choose to grant or refuse a resource consent for a Restricted Discretionary Activity. If Council grants a resource consent for a Restricted Discretionary Activity it can be granted subject to conditions relating only to those matters over which Council has restricted the exercise of its discretion.

D = Discretionary activities Where activities are expressly stated in 11.3 as Discretionary Activities, or are Discretionary Activities in accordance with Rule 11.3(4), 11.3(5), the activity shall be assessed against those matters in Rule 11.7. Council can choose to grant or refuse a resource consent for a discretionary activity. If Council grants a resource consent it can be granted subject to conditions.

NC = Non-complying activities Where activities are expressly stated in 11.3 as Non-complying Activities, or are non-complying Activities in accordance with 11.3(6) they shall be assessed against those matters in Rule 11.8. Council can choose to grant or refuse a resource consent for a non-complying activity. If Council grants a resource consent it can be granted subject to conditions.

Pro = Prohibited activities Where activities are expressly stated as being prohibited and are described in the District Plan no resource consent shall be applied for. Consent to undertake such activities will require a Plan Change to be approved by Council.

NA = Not Applicable Where an activity is stated as being not applicable it indicates that these activities are not likely to occur within that particular zone.

Meanings for the terms used below can be found in **Part 1 Definitions**.

11.3.2 **Table 11.3 Activities in the reserves and recreation zones**

Activity Classes	1	2	3
1. Any activity accessory to a permitted activity where the accessory activity complies with all of the performance standards stated in 11.4 , and are activities not otherwise stated in 11.3 .	P	P	P
2. Any activity accessory to a controlled activity where the accessory activity is not stated as being a restricted discretionary, discretionary, non-complying, or prohibited activity in 11.3 .	C	C	C
3. Any activity stated as a permitted activity that does not meet one of the performance standards for permitted activities stated in 11.4 .	RD	RD	RD
4. Any activity stated as a permitted activity that does not meet more than one of the performance standards for permitted activities stated in 11.4	D	D	D
5. Any activity stated as a controlled activity that does not meet the performance standards for permitted activities stated in 11.4 .	D	D	D
6. Where an activity is not expressly stated in 11.3 , then the activity shall be a Non-Complying Activity.	NC	NC	NC
Airport noise contour controls	1	2	3
7. Notwithstanding any other activity stated in 11.3 , any addition to an existing Activity Sensitive to Aircraft Noise within the Inner Noise Control Area as shown on the Planning Maps and subject to the standards and terms stated in Part 9 .	RD	NA	NA
8. Notwithstanding any other activity stated in 11.3 , any new Activity Sensitive to Aircraft Noise within the Inner Noise Control Area as shown on the Planning Maps and subject to the standards and terms stated in Part 9 .	D	NA	NA
9. Within the Air Noise Area as shown on the Planning Maps and not withstanding any other activity stated in 11.3 , any additions to an existing Activity Sensitive to Aircraft Noise	NC	NA	NA
10. Within the Air Noise Area as shown on the Planning Maps and not withstanding any other activity stated in 11.3 , any new Activity Sensitive to Aircraft Noise	Pro	NA	NA
District wide matters	1	2	3
11. Activities involving the drainage or infilling of wetlands listed in Appendix 2	Please see part 3		
12. Activities located within or adjoining Significant Natural Areas or Outstanding Natural Landscapes	Please see part 3		
13. New buildings, structures or activities requiring earthworks or land clearance within the boundary of a nationally significant natural area (SNA) as shown on 300 and 500 series planning maps	Please see part 3		
14. New buildings, structures or activities requiring earthworks or land clearance on or within the boundary of a regionally or locally significant natural feature (SNA) as shown on the 300 and 500 series planning maps	Please see part 3		
15. Activities requiring the demolition or modification of an historic heritage item, archaeological site or notable tree listed in Appendix 1 and shown on the 300 and 500 series planning maps	Please see part 3		
16. New buildings, structures or activities within 20 metres of a geothermal surface feature.	Please see part 3		
17. New buildings, structures or activities within an active fault buffer as shown on Special Map 107	Please see part 14		
18. New buildings, structures or activities within the Lake Rotorua flood level as shown on Special Map 109	Please see part 14		
19. Any activity that involves the use, storage, transportation or disposal of hazardous substances and/or contaminants	Please see Part 16		

Reserve Activities	1	2	3
20. Recreational activities, unless otherwise stated	P	P	P
21. Outdoor recreation activities, excluding buildings	P	P	P
22. Activities accessory to consented activities located within reserves, and that comply with the performance standards of the Zone.	P	P	P
23. Planting for the purposes of amenity improvement, erosion control and riparian management	P	P	P
24. Notwithstanding rules relating to the removal of vegetation within a SNA, activities can be undertaken to remove exotic vegetation from SNA's.	P	P	P
25. Notwithstanding rules relating to demolition or modification of a notable trees, vegetation including notable trees can be removed or modified if they are diseased, dying or are a hazard to the public.	P	P	P
26. Notwithstanding rules relating to restricting activities within 20 metres of a geothermal surface, vegetation can be removed or modified to maintain existing views shafts to the feature, or for the purposes of pest plant management.	P	P	P
27. Reserve and park amenities and furniture	P	P	NA
28. Art in public places	P	P	NA
29. Sports fields	P	P	NA
30. Buildings associated with outdoor recreational activities	C	C	C
31. Motorsport and firearm activities	D	D	D
Activities on the surfaces of water	1	2	3
32. Any structure or activity essential for the preservation of safety such as navigational aids in accordance with the <i>Harbours Act 1950 and/or Navigation and Safety Bylaw</i> .	P	P	P
33. Structures for the purposes of lake water quality improvement/nutrient reduction.	NA	NA	P
34. Use of craft for aquatic weed management	NA	NA	P
35. Motorised and non motorised water based recreational activities	NA	NA	P
36. Lake structures	NA	NA	D
37. Private boatsheds	NA	NA	NC
38. Works for the avoidance of flooding unless otherwise permitted	D	D	D
39. Buildings and parking areas on land reclaimed from a lake	D	D	NC
40. Houseboats/Vessels	NA	NA	NC
Community Infrastructure	1	2	3
41. Additions to and upgrades of holiday parks	P	P	NA
42. Flood lights	C	C	C
43. Hospitals and associated activities, on the following sites only, having a similar scale, character and having similar environmental effects as those already established on those sites:	NA	C	NA

a. King George V Hospital or Rotorua Public Hospital; Section 14 Part 8 Pukeroa Domain Block LVIII Town of Rotorua.			
44. Sports clubs and clubrooms	C	C	D
45. Holiday Parks	D	D	NA
46. Educational facilities	D	D	NA
47. Daycare centres, including extensions and additions	D	D	NA
48. Helicopter take-off and landing areas	NC	NC	NC
Retail and Commercial	1	2	3
49. Commercial activities	D	D	D
50. Restaurants and cafes	D	D	D
51. Retail activities	NC	NC	NC
Temporary events	1	2	3
52. Non motorised sporting events	P	P	P
53. Temporary buildings, structures meeting the performance standards and required for permitted temporary events as defined in Part 1.	P	P	P
54. Street parades	P	P	NA
55. Expo stalls and markets	P	P	NA
56. Temporary signage meeting the performance standards in R.11.5.4.4 and required for permitted temporary events as defined in Part 1.	P	P	NA
57. Concert involving amplified music	P	D	NC
Primary rural industry	1	2	3
58. Plantation forestry	P	P	NA
Other Activities	1	2	3
59. Navigational aids and beacons and the establishment, operation and maintenance of meteorological services with utilities in accordance with Part 16	P	P	P
60. Stockpiling of fill or other materials not otherwise associated with recreational activities	D	D	NA
61. Remediation of a contaminated Site	C	C	C
62. Activities on a remediated contaminated site without remediation	D	D	D
63. Mining and quarrying	NC	NC	NA
64. Industrial or trade processes	NC	NC	NC
65. Offensive trades	Pro	Pro	Pro

11.4 RESERVE AND RECREATION ZONE PERFORMANCE STANDARDS

The following are the performance standards for activities undertaken in each of the reserve and recreation zones of the district.

11.4.1 RESERVES AND RECREATION 1, PUBLIC RESERVES ZONE PERFORMANCE STANDARDS

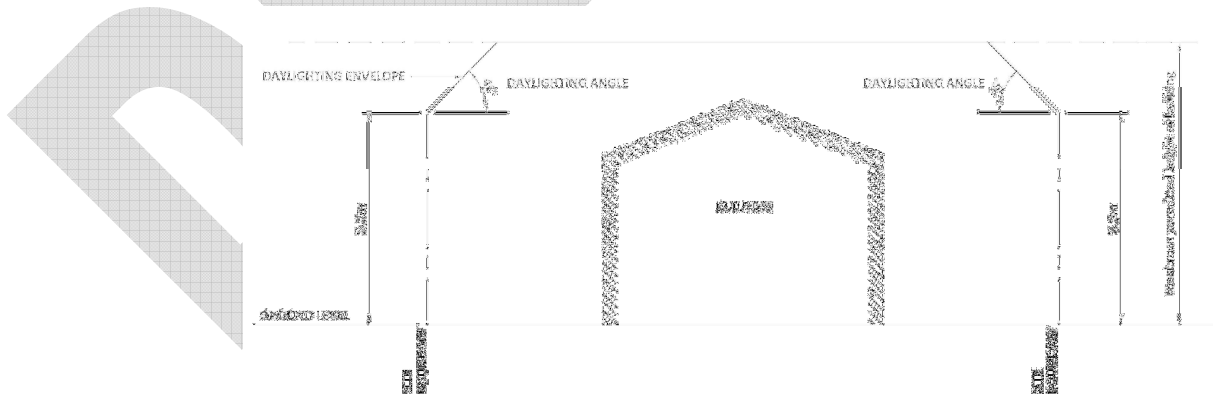
Activities undertaken within the Reserves and Recreation Zone 1 shall comply with all of the permitted activity standards below.

Permitted activity standards

11.4.1.1 1. Height and daylighting

Any building located in the zone shall comply with the standards specified below.

- a. The building or structure shall be 7.5 metres above the natural ground level at that point, provided that the height in relation to the boundary standard outlined below is complied with at all times.
- b. The height in relation to the boundary standard is the maximum height on the boundary of 3.0 metres plus 1.0 metre for every 1.0 metre from that boundary.
- c. Where the structure or building is located within the Rotorua Regional Airport Limited Airport Northern and Southern Approach and Take Off Paths Designation contained in **Part 9**, the maximum height of 5 metres may be impacted, and further analysis in accordance with **Rule 9.3.18 and 9.3.19** will be required.
- d. No building or structure shall penetrate a height of 2.5m below the Obstacle Limitation Surface as defined by Rotorua Regional Airport Limited designation **a3.12** in **Appendix 3**.
- e. Any addition to an existing building or structure, or any new building or structure to be located within the Obstacle Limitation Surface buffer area as stated in Rule **11.4.1.1.1(c)**, shall provide Council with a detailed survey of the building undertaken by a Registered Surveyor. The survey shall include information in relation to:
 - i. building dimension
 - ii. natural ground level
 - iii. finished ground level
 - iv. distance of the maximum height of the building in relation to the Obstacle Limitation Surface, and the Obstacle Limitation Surface buffer.



2. Yard requirements

a. Minimum buffers in the Reserve and Recreation Zone 1:

No buffers apply where the site adjoins another site zoned Reserve and Recreation 1

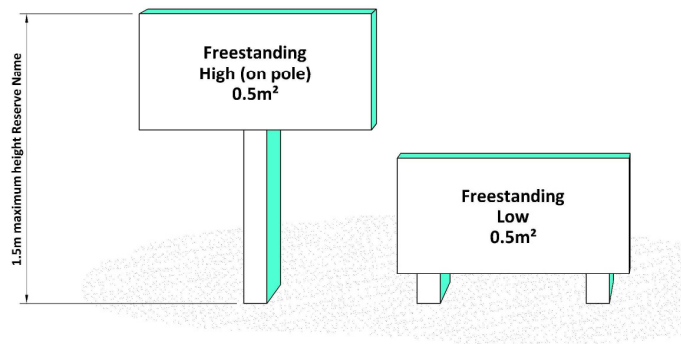
For all other reserves the minimum yards for buildings shall be as follow;

Front yard	5.0 metres
Side yard	5.0 metres
Rear and rear site yard	5.0 metres

3. Site coverage

The maximum site coverage for buildings shall be 10% of the site

4. **Reflectivity**
For buildings that are located visible from the Lake, the finished exterior surfaces, including the roof, shall have reflectivity values of between 0 and 37%.
5. **Management of riparian areas**
Existing vegetation on-site within a minimum distance of 10 metres from a waterbody or geothermal feature shall be retained, except for the purpose of pest weed management.
6. **Noise**
Noise emitted in relation for temporary community and district events shall not exceed the following standards and limits when measured at the boundary of the receiving zone;
Four events per every 12 month period up to 3 hours duration 80 dBL_{Aeq} (1 hour)
Two Events every 12 month period, up to 12 hours per day for two consecutive days 70 dBL_{Aeq} (1 hour)
Octave band levels 85dBL_{Leq} (1 minute) at 63 Hz
75dBL_{Leq} (1 minute) at 125 Hz
- Other than that specified above noise from any activity within any Reserves and Recreation Zone, shall not exceed the following limits when measured at the boundary of the reserve:
Daytime 7am to 10pm, any day except public holidays 50L_{Aeq}
Night-time and at all other times 45L_{Aeq} and 75L_{Amax}
7. **Parking and turning**
The following requirements in relation to parking and turning for activities in the reserves and recreation zones shall be met:
a. Parking and on-site turning of vehicles shall be provided in accordance with the provisions of **Appendix 4.**
8. **Glare and light**
Activities shall be managed so that direct or indirect illumination measures not more than 10 lux on any boundary adjoining an alternative zone.
9. **Works for the avoidance of flooding**
Works for the avoidance of flooding are permitted in all zones provided they:
a. Safeguard existing ecological and habitat values and wetlands outside the beds of rivers or lakes or provide compensatory works; and
b. Do not adversely affect any permanent or ephemeral watercourse flowing into or across land within the Residential zone or land zoned Rural 2, 3 or Residential 4, Industrial 1 or 2, Airport or Airport Protection outside the Residential zone; except where a consent for the same activity has been issued by a regional council and where the Rotorua District Council has been consulted as an affected party.
10. **Signs**
a. The following shall be permitted:
i. Any sign displayed on construction sites denoting owner and professional and construction firms associated with an active building project on that site.
ii. Signs required for or established by official statute, rule or regulation.
iii. Signs displayed for the direction or convenience of the public not exceeding 0.5 square metres and relating to the site on which it is situated.
iv. Signage advertising the name of the reserve and directional information to the public.
b. **Sign Area**
i. Unless provided for under 11.4.4.5.1 the maximum area of signage per site shall not exceed 0.5m² and shall only consist of either a freestanding sign or attached sign.
ii. Any freestanding sign shall not exceed 1.5 metres in height.



c. **Sign location and design**

- i. Attached signs shall not project beyond the confines of the external walls on which the sign is located. Roof signage is not permitted.
- ii. All signs must directly relate to activities undertaken on the site.
- iii. Signs shall be sited such that they do not restrict visibility to and from intersections and property access.
- iv. Signs shall not contain any moving or flashing parts, be illuminated or use electronic screens for displaying digital media.
- v. Freestanding signs that comply with the specified performance standards shall be exempt from the yard and daylighting performance standards.
- vi. Additional provisions relating to signs located on City Gateways and State Highways are listed in Part 16 Infrastructure.

11. **Temporary Activities and Events**

In addition to the above performance standards temporary activities shall be in accordance with the following criteria;

- a. Temporary activities of more than 3 consecutive days of duration unless otherwise specified.
- b. Individual carnivals, fairs, etc shall not remain on site for longer than a period of 7 days in a calendar year.
- c. Any temporary military training activity shall be permitted.
- d. Only 6 events in any 12 month period using amplified sound in the same location are allowed
- e. Any noise from an amplification system shall not be used earlier than 7:00am and shall finish no later than 22:30pm (Sun to Thurs) or 23:00pm (Fridays and Sat). Testing shall not last more than 6 hrs between 7am and 7pm.
- f. Once the activity has ceased, the site (including vegetation and the surface of the ground of the site) is retained or re-instated to its condition prior to the activity commencing;
- g. If the activity is located adjoining a State Highway or has access to the State Highway then New Zealand Transport Agency must be consulted with.
- h. If requiring access onto a state highway parking for the activity must be fully provided on site.
- i. The need for a traffic impact assessment as outlined under **Appendix 4**.

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11.4.2 RESERVES AND RECREATION 2, PRIVATELY-OWNED RESERVES ZONE PERFORMANCE STANDARDS

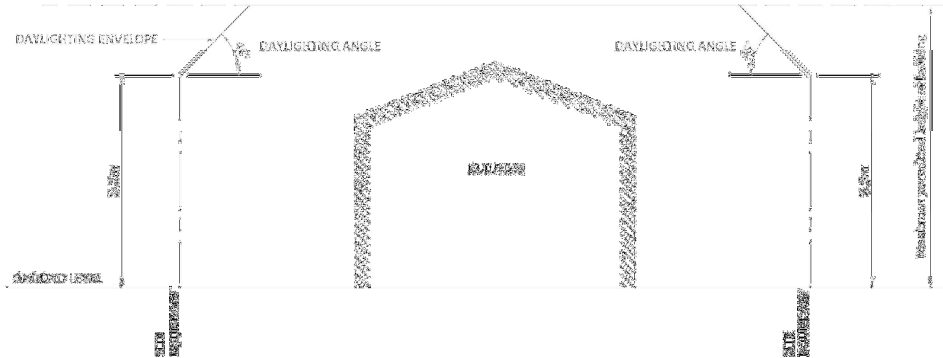
Activities undertaken within the Reserves and Recreation Zone 2 shall comply with all of the permitted activity standards stated below.

Permitted activity standards

11.4.2.1 1. Height and daylighting

Any building located in the zone shall comply with the standards specified below.

- a. The building or structure shall be 7.5 metres above the natural ground level at that point, provided that the height in relation to the boundary standard outlined below is complied with at all times.
- b. The height in relation to the boundary standard is the maximum height on the boundary of 3.0 metres plus 1.0 metre for every 1.0 metre from that boundary.
- c. Where the structure or building is located within the Rotorua Regional Airport Limited Airport Northern and Southern Approach and Take Off Paths Designation contained in **Part 9**, the maximum height of 5 metres may be impacted, and further analysis in accordance with **Rule 9.3.18 and 9.3.19** will be required.
- d. No building or structure shall penetrate a height of 2.5m below the Obstacle Limitation Surface as defined by Rotorua Regional Airport Limited designation **a3.12** in **Appendix 3**.
- e. Any addition to an existing building or structure, or any new building or structure to be located within the Obstacle Limitation Surface buffer area as stated in Rule **11.4.2.1.1(c)**, shall provide Council with a detailed survey of the building undertaken by a Registered Surveyor. The survey shall include information in relation to :
 - i. building dimension
 - ii. natural ground level
 - iii. finished ground level
 - iv. distance of the maximum height of the building in relation to the Obstacle Limitation Surface, and the Obstacle Limitation Surface buffer.



2. Yard requirements

a. Minimum buffers in the Reserve and Recreation Zone 2:

- i. Where a reserve site adjoins another reserve zoned Reserve and Recreation 2 there are no minimum buffer standards.
- ii. For all other reserves the minimum yards for buildings shall be as follow:

Front yard buffers	5.0 metres
Side yard buffers	5.0 metres
Rear and Rear Site yard buffers	5.0 metres

3. Site coverage

The maximum site coverage for buildings shall be 25% of the site

4. Reflectivity

For buildings that are located adjoining lake shores or are able to be viewed from the lake zone, the finished exterior surfaces, including the roof, shall have reflectivity values of between 0 and 37%.

5. **Management of riparian areas**

Existing vegetation on-site within a minimum distance of 10 metres from a waterbody or geothermal feature shall be retained, except for the purpose of pest weed management.

6. **Noise**

Noise from any activity within any Reserves and Recreation Zone, shall not exceed the following limits when measured at the boundary of the reserve:

Daytime	7am to 10pm, any day except public holidays	50L _{Aeq}
Night-time	and at all other times	45L _{Aeq} and 75L _{Amax}

7. **Parking and turning**

The following requirements in relation to parking and turning for activities in the reserves and recreation zones shall be met:

- a. Parking and on-site turning of vehicles shall be provided in accordance with the provisions of **Appendix 4.**

8. **Glare and light**

Activities shall be managed so that direct or indirect illumination measures not more than 10 lux on any reserve site boundary adjoining an alternative zone.

9. **Works for the avoidance of flooding**

Works for the avoidance of flooding are permitted in all zones provided they:

- a. Safeguard existing ecological and habitat values and wetlands outside the beds of rivers or lakes or provide compensatory works; and
- b. Do not adversely affect any permanent or ephemeral watercourse flowing into or across land within the Residential zone or land zoned Rural 2, 3 or Residential 4, Industrial 1 or 2, Airport or Airport Protection outside the Residential zone; except where a consent for the same activity has been issued by a regional council and where the Rotorua District Council has been consulted as an affected party.

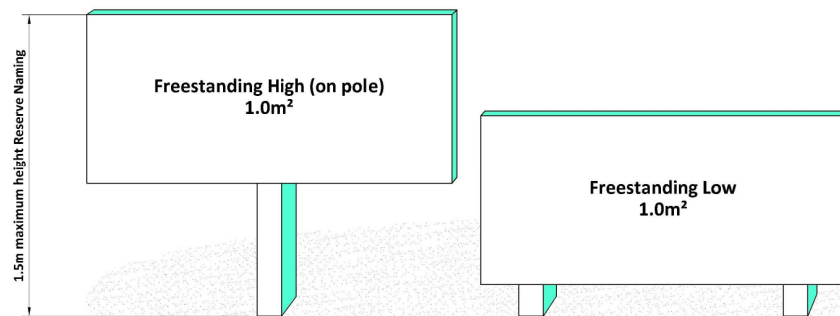
10. **Signs**

- a. The following shall be permitted:

- i. Any sign displayed on construction sites denoting owner and professional and construction firms associated with an active building project on that site.
- ii. Signs required for or established by official statute, rule or regulation.
- iii. Signs displayed for the direction or convenience of the public not exceeding 0.5 square metres and relating to the site on which it is situated.
- iv. Signage advertising the name of the reserve and directional information to the public.

- b. **Sign Area**

- i. The maximum area of signage per site shall not exceed 0.5m² and shall only consist of either a freestanding sign or attached sign.
- ii. Any freestanding sign shall not exceed 1.5 metres in height.



- c. **Sign location and design**

- i. Attached signs shall not project beyond the confines of the external walls or fence on which the sign is located. Roof signage is not permitted.
- ii. All signs must directly relate to activities undertaken on the site.
- iii. Signs shall be sited such that they do not restrict visibility to and from intersections and property access.
- iv. Signs shall not contain any moving or flashing parts, be illuminated or use electronic screens for displaying digital media.
- v. Freestanding signs that comply with the specified performance standards shall be exempt from the yard and daylighting performance standards.
- vi. Additional provisions relating to signs located on City Gateways and State Highways are listed in Part 16 Infrastructure.

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11. **Temporary Activities and Events**

In addition to the above performance standards temporary activities shall be in accordance with the following criteria;

- a. Temporary activities of more than 3 consecutive days of duration unless otherwise specified.
- b. Individual carnivals, fairs, etc shall not remain on site for longer than a period of 7 days in a calendar year.
- c. Any temporary military training activity shall be permitted.
- d. Only 6 events per year using amplified sound in the same location are allowed
- e. Any noise from an amplification system shall not be used earlier than 7:00am and shall finish no later than 22:30pm (Sun to Thurs) or 23:00pm (Fridays and Sat). Testing shall not last more than 6 hrs between 7am and 7pm.
- f. Once the activity has ceased, the site (including vegetation and the surface of the ground of the site) is retained or re-instated to its condition prior to the activity commencing;
- g. If the activity is located adjoining a State Highway or has access to the State Highway then New Zealand Transport Agency must be consulted with.
- h. If requiring access onto a state highway parking for the activity must be fully provided on site.
- i. The need for a traffic impact assessment as outlined under **Appendix 4.**

11.4.3 RESERVES AND RECREATION 3 ZONE PERFORMANCE STANDARDS

Activities undertaken within the Reserves and Recreation 3 Zone shall comply with all of the permitted activity standards stated below;

Permitted activity standards

11.4.3.1 1. **Reflectivity**

For buildings and structure that are located adjoining lake shores, the finished exterior surfaces, including the roof, shall have reflectivity values of between 0 and 37%.

2. **Management of riparian areas**

Existing vegetation on-site within a minimum distance of 10 metres from a waterbody or geothermal feature shall be retained, except for the purpose of pest weed management.

3. **Noise**

Noise from any activity within any Reserves and Recreation Zone, shall not exceed the following limits when measured at the boundary of the reserve:

Daytime	7am to 10pm, any day except public holidays	55L _{Aeq}
Night-time	and at all other times	45L _{Aeq} and 75L _{Amax}

4. **Glare and light**

Activities shall be managed so that direct or indirect illumination measures not more than 10 lux on any reserve site boundary.

5. **Lake structures**

The following activities in relation to Lake Structures are permitted during the life frame of the related resource consent;

- a. Existing public boat launching ramps and adjacent associated jetties and the maintenance or replacement of these boat ramps and jetties.
- b. Buoys, poles, lights, beacons, and safety booms, for navigation, safety or regulatory purposes.
- c. The structure shall:
 - i. not cause erosion to the bank or the bed of the waterbody.
 - ii. not destroy fish habitat or cause the loss of, aquatic plant or animal species beyond the site.
 - iii. not damage or destroy any fish-spawning area, nor impede the free passage of migrating fish.
 - iv. not stop or impede authorised public access to or along the waterbody.
 - v. not be constructed, installed or sited in contravention of any legislation protecting archaeological or historic sites.
 - vi. If located in, on, under or over the bed of the Tarawera River the structure,
 - vii. not obstruct or divert any flood flow and be of a streamlined shape designed to shed flood flow and debris, and avoid scour.
 - viii. not extend over more than 10% of the horizontal component of the wetted bed of the river under mean flow conditions.
 - ix. The structure shall not:
 - x. damage or destroy any other structure.
 - xi. interfere with any activity.
 - xii. restrict the drainage of land without the consent of the landowners.
 - xiii. be a hazard to navigation.
 - xiv. The structure shall be securely connected into the bank or bed of the river to a standard that will withstand a one in 100 year flood flow event.
 - xv. The structure shall be maintained in a structurally sound condition for the purpose for which it was constructed.
 - xvi. The structure shall not be painted with any antifouling coating designed to emit any toxic substance.

6. **Signs**

- a. The following Signs are permitted:
 - i. Signs required for or established by official statute, rule or regulation.

- ii. Signs displayed for the direction or convenience of the public not exceeding 0.5 square metres and relating to the site on which it is situated.
- iii. Signage advertising the name of the reserve and directional information to the public.

b. **Sign Area**

- i. The maximum area of signage per site shall not exceed 0.5m² and shall only consist of a attached sign.

c. **Sign location and design**

- i. Attached signs shall not project beyond the confines of the buildings or vessel on which the sign is located. Roof signage is not permitted.
- ii. Signs shall not contain any moving or flashing parts, be illuminated or use electronic screens for displaying digital media.

d. **Calculation of signage**

- i. All single sided and two dimensional signs whether painted or attached to a structure shall be included.
- ii. The area of a double sided sign shall only be calculated once.
- iii. Support structures including poles shall not be included in the area calculation.

7. **Temporary Activities and Events**

In addition to the above performance standards temporary activities shall be in accordance with the following criteria;

- a. Temporary activities of more than 3 consecutive days of duration unless otherwise specified.
- b. Individual carnivals, fairs, etc shall not remain on site for longer than a period of 7 days in a calendar year.
- c. Any temporary military training activity shall be permitted.
- d. Any noise from an amplification system shall not be used earlier than 7:00am and shall finish no later than 22:30pm (Sun to Thurs) or 23:00pm (Fridays and Sat). Testing shall not last more than 6 hrs between 7am and 7pm.
- e. Once the activity has ceased, the site (including vegetation and the surface of the ground of the site) is retained or re-instated to its condition prior to the activity commencing;
- f. If the activity is located adjoining a State Highway or has access to the State Highway then New Zealand Transport Agency must be consulted with.
- g. The need for a traffic impact assessment as outlined under **Appendix 4**.

11.5 CONTROLLED ACTIVITIES

11.5.1 Where activities in **Part 11.3** are stated as Controlled Activities the matters over which Council shall reserve its control are stated in **Rules 11.5.4 and 11.5.5**.

11.5.2 Activities in **11.3** that are stated as Controlled Activities comprise:

ACTIVITY NUMBER	ACTIVITY	CRITERIA
11.3.2	Any activity accessory to a controlled activity where the accessory activity is not stated as being a restricted discretionary, discretionary, non-complying, or prohibited activity	11.5.4
11.3.30	Buildings associated with outdoor recreational activities	11.5.4
11.3.42	Flood lights	11.5.4, 11.5.5
11.3.43	Hospitals and associated activities, on the following sites only, having a similar scale, character and having similar environmental effects as those already established on those sites: a. King George V Hospital or Rotorua Public Hospital; Section 14 Part 8 Pukeroa Domain Block LVIII Town of Rotorua.	11.5.4
11.3.44	Sports clubs and clubrooms	11.5.4
11.3.60	Remediation of a contaminated Site	11.5.6

11.5.3 Controlled Activities shall comply with the Performance Standards for Permitted Activities in the zone. In accordance with **Rule 11.3(2)** where a Controlled Activity cannot comply with the Performance Standards in **Part 11.4** it shall be a Discretionary Activity and assessed in accordance with **Part 11.7**.

11.5.4 MATTERS OVER WHICH CONTROL IS RESERVED FOR CONTROLLED ACTIVITIES

In order to ensure that buildings and structures maintain and enhance the character and amenity values of reserves and to mitigate the effects of an activity on adjoining sites, the matters over which Council shall reserve control are listed below:

Building design, site layout and associated works

11.5.4.1. Location of activities, where practicable, away from abutting or adjoining activities so as to enable each activity located onsite to operate effectively.

1. Specific requirements in terms of site layout, orientation and design of buildings and structures.
2. Exterior finishing of buildings and structures including light and glare levels and reflectivity values.
3. Vegetative screening, landscaping or hard screening within the site and within the yards.
4. Control of earthworks, landfilling and other soil retention or removal methods and the remediation of the site following earthwork activity.
5. Stormwater disposal methods and minimum floor levels from the ground to ensure buildings and roads will not be subject to inundation or result in inundation of adjoining sites.

Parking, turning and on-site circulation

11.5.4.2 The provisions of **Appendix 4** apply, however other conditions may be imposed to ensure the character and amenity values of reserves and adjoining properties is maintained and include such following measures:

1. The design, location and surfacing of parking and vehicle circulation areas, including limitations on impermeable surface area
2. The provision of adequate site distances to prevent on-street congestion caused by the entry and exit of vehicles to and from sites.
3. The extent to which on-site parking and access is suitably located to avoid potential adverse effects on privacy of adjoining residential sites.
4. The extent to which the proposal triggers the need for a traffic impact assessment as outlined under **Appendix 4**.

Noise and hours of operation

11.5.4.3 Council reserves its control and may impose conditions on the following matters;

1. Potential adverse effects generated from noise associated with the congregation of people and vehicles
2. Restriction on the hours of operation in order to maintain overall quietness, with special consideration given to ensuring compliance with noise levels in the evening.
3. Location of building(s) containing activities in a location on the site that ensures reduced impact of noise on adjoining properties
4. Methods employed to mitigate the adverse effects of noise and vibration.

Occupancy and numbers of persons

11.5.4.4 Restrictions on the occupancy numbers or persons allowed on a site at any one time may be imposed to ensure noise provisions and parking, turning and on-site circulation requirements are met.

11.5.5 ASSESSMENT CRITERIA FOR SPECIFIC ACTIVITIES

The following assessment criteria shall apply to specific activities:

Flood lights

11.5.5.1 Council may grant the application subject to conditions in consideration of the matters stated in **11.5.4**, and also the matters stated below;

1. The location and orientation of the floodlights on site and the area of lightspill for flood lights
2. The duration, timing and frequency of the light emitted from the floodlights.
3. The limitation of the events associated with the use of the floodlights.

11.5.6 REMEDIATION OF CONTAMINATED SITES

11.5.6.1 Conditions may be imposed to avoid, remedy or mitigate adverse effects on the environment and the intended future use of the reserve, in particular in respect of the following matters;

1. Methods of remediation for the entire site, and the ability to require heightened remediation for some parts of the site
2. Restrictions on the future use that the land is able to be put to
3. Duration, timing, and management of potential noise and dust effects arising from the remediation
4. Control and management of the transportation and disposal of contaminated material from the site
5. Re-contouring, re-vegetation, or impermeable surfacing of the site once remediation has occurred

11.6 RESTRICTED DISCRETIONARY ACTIVITIES

11.6.1 Where activities in **11.3** are stated as Restricted Discretionary Activities the matters over which Council shall restrict discretion are stated in Rules **11.6.6**

11.6.2 Activities in **11.3** that are stated as Restricted Discretionary Activities are:

ACTIVITY NUMBER	ACTIVITY	CRITERIA
11.3.3	Any activity stated as a permitted activity that does not meet one of the performance standards for permitted activities stated in Part 11.4	11.6.4
11.3.7	Notwithstanding any other activity stated in Part 11.3 , any addition to an existing Activity Sensitive to Aircraft Noise within the Inner Noise Control Area and subject to the standards and terms stated in Part 9	11.6.5

11.6.3 The assessment criteria for permitted activities that do not meet one performance standard are provided in **11.6.4 and 11.6.5**. Specific assessment criteria for rules **11.3.7** are provided in **Rule 11.6.4**.

11.6.4 MATTERS OVER WHICH DISCRETION IS RESTRICTED FOR RESTRICTED DISCRETIONARY ACTIVITIES

Activities that do not meet one of the performance standards

11.6.4.1 Where a Permitted Activity does not meet one of the Performance Standards for permitted activities in **11.4**, and in accordance with Rule **11.3.3** the activity shall be a Restricted Discretionary Activity, where Council shall restrict the exercise of its discretion to the following matters:

1. The degree, scale, or character of non-compliance and its effect on the surrounding environment,
2. The degree of non-compliance and its impact on the privacy and amenity of adjoining sites
3. The measures undertaken to mitigate the effects of the activity on adjoining sites, and the measures taken to mitigate the impacts of adverse cumulative effects on the amenity of the area
4. The design, location and surfacing of parking and turning areas to ensure safe and efficient vehicle circulation on the site.
5. The provision of adequate sight distances to prevent on-street congestion caused by the ingress and egress of vehicles to and from sites.
6. The extent to which the proposal triggers the need for a traffic impact assessment as outlined under **Appendix 4**.

11.6.4.2 Noise

1. The sensitivity of the receiving environment to the effects of the noise and the effects on the receiver, especially where the affected activity has a component where people need to sleep or concentrate.
2. The nature of the locality or zone and the activities within it (including traffic and pedestrian activity) and level of background noise.
3. The location of the activity in relation to any nearby non- industrial zones and the extent to which the noise generated will affect the amenity values of the surrounding activities.

11.6.4.3 Temporary Events

1. The extent to which the proposed hours of operation for the event would detrimentally affect the amenity of surrounding areas.
2. The extent to which an extension of the permitted duration of the event will have an adverse effect on the amenity of the surrounding area.
3. Whether the scheduling of events and the time elapsed between them adequately avoids or mitigates possible cumulative adverse effects on amenity of the surrounding area.
4. The extent to which vehicular traffic and related parking generated by the activity is accommodated without loss of amenity, safety or causing traffic congestion.
5. The extent to which the siting of structures would result in adverse effects on adjoining properties.

11.6.4.4 **Financial contribution for reserves and heritage purpose**

1. A financial contribution for reserves and heritage purposes shall be taken for those activities specified in **Part 13** and **Part 15**. The contribution shall be taken in accordance with the provisions of **Part 15**, as if the activity was subject to an application for a resource consent.

Where the existing Council services cannot sustain a proposed new activity, the applicant must demonstrate the new activity has the ability to meet its own servicing needs, or a condition may be imposed requiring the applicant to upgrade Council services. To enable this to occur, a condition may be imposed requiring a financial contribution up to the maximum of the actual cost of the necessary works

11.6.5 **ASSESSMENT CRITERIA FOR SPECIFIC ACTIVITIES**

The following assessment criteria shall apply to specific activities:

Any addition to an existing activity sensitive to aircraft noise within the inner noise control area

11.6.5.1 Conditions may be imposed to avoid, remedy or mitigate adverse effects on the environment and the intended future use of the reserve, in particular in respect of the following matters:

1. The nature, size and scale of the proposed additions;
2. The application of the applicable acoustic performance standards listed under **9.4.3.5** and/or **9.4.3.6** to existing parts of the structure housing the activity sensitive to aircraft noise;
3. Whether a covenant should be registered on the title to secure any conditions of consent in accordance with 9.11; and
4. The means of securing any conditions of consent;
5. Whether, having regard to all the circumstances (including location in relation to the Airport, likely exposure of the site to aircraft noise, noise attenuation and ventilation measures proposed, and the number of people to be accommodated) the nature, size and scale of the addition is likely to lead to potential conflict with and adverse effects upon airport activities;
6. Whether it is reasonable to require acoustic treatment measures (including measures for internal air quality purposes) in existing rooms, or whether such measures should be limited to the additions;
7. Any assessment criteria applicable to the activity under any other part of the District Plan.
8. Any particular issues of safety relating to occupants of the site, or aircraft, in relation to any proposed activities or buildings on the site;

11.7 DISCRETIONARY ACTIVITIES: ASSESSMENT CRITERIA AND CONDITIONS

11.7.1 Where activities in Table 11.3 are stated as Discretionary Activities, or are Discretionary Activities in accordance with Rule 11.3(4), 11.3(5), 11.3(8), the activity shall be assessed against those matters in Rules 11.7.4 to 11.7.12. Council can choose to grant or refuse a consent for a discretionary activity. If Council grants consent it can be granted subject to conditions.

11.7.2 Activities in 11.3 that are stated as Discretionary Activities comprise:

ACTIVITY NUMBER	ACTIVITY	CRITERIA
11.3.4	Any activity stated as a permitted activity that does not meet more than one of the performance standards for permitted activities stated in 11.4	11.7.4, 11.7.5
11.3.5	Any activity stated as a controlled activity that does not meet the performance standards for permitted activities stated in 11.4.	11.7.4, 11.7.5
11.3.8	Notwithstanding any other activity stated in 11.3, any new Activity Sensitive to Aircraft Noise within the Inner Noise Control Area as shown on Planning Maps 362, 363, 364, 365, 367, 368 and 369, subject to the standards and terms stated in Part 9.	11.7.4, 11.7.6
11.3.31	Motorsport and firearm activities	11.7.4
11.3.36	Lake structures	11.7.4, 11.7.7
11.3.38	Works for the avoidance of flooding unless otherwise permitted.	11.7.14
11.3.39	Buildings and parking areas on reclaimed land from a lake	11.7.15
11.3.44	Sports clubs and clubrooms	11.7.4, 11.7.8
11.3.45	Holiday Parks	11.7.4
11.3.46	Educational facilities	11.7.4, 11.7.8
11.3.47	Daycare centres, including extensions and additions	11.7.4, 11.7.8
11.3.49	Commercial activities	11.7.4
11.3.50	Restaurants and cafes	11.7.4
11.3.57	Concert involving amplified music	11.7.4
11.3.61	Stockpiling of fill or other materials not otherwise associated with recreational activities.	11.7.9
11.3.62	Activities on a remediated contaminated site without remediation	11.7.13

11.7.3 The general assessment criteria for Discretionary activities are provided in 11.7.4. In addition to the criteria listed in 11.7.4 specific criteria for the each of the activities listed above in 11.7.1 is provided from 11.7.5 to 11.7.13.

11.7.4 MATTERS COUNCIL WILL USE WHEN ASSESSING DISCRETIONARY ACTIVITIES

Council may decline the application, or grant it subject to conditions in consideration of the matters stated below;

Compatibility with the reserve

- 11.7.4.1 1. Consistency with the intended use and purpose of the reserve.

Reserve and recreation amenity and Building design criteria

- 11.7.4.2 1. The extent to which the distances of buildings from site boundaries avoid adverse visual dominance, shadowing and privacy effects on the adjoining private properties and public space, and comply with the performance standards in 11.4 unless otherwise stated.
2. The extent to which the design and architectural detailing of the buildings emphasises the public face of the building, where it relates to a public road, walkway or any other adjoining public open space.
3. The extent to which the building design complements those buildings in the surrounding area and does not detract from the surrounding landscape.
4. The extent to which the building provides surveillance, visual enhancement, variety, and contributes to a positive sense of enjoyment of the public space.
5. Building design should offer visual interest when a building or a group of buildings is viewed from any street and/or any other adjoining public open space, by incorporating design aspects such as varied roof form, articulation in buildings frontage and variation in setback.
6. The extent of measures to mitigate the adverse effects associated with the activity such as noise, parking, lighting, buildings and structures, hardsurfacing and earthworks.

Noise

- 11.7.4.3 1. The proximity to and impact on noise sensitive activities or facilities.
2. The extent of noise impacts from traffic, and operations from the activity on the surrounding environment.
3. The extent of noise mitigation measures proposed to reduce noise levels to a level compliant with Rule **11.4.4.3**.
4. The extent of any noise effects generated from the congregation of people on site and traffic associated with the facilities use.

Servicing

- 11.7.4.4 1. The ability to adequately service the proposal and connect to Council reticulation where available and provide a potable water supply.

Landscaping

- 11.7.4.5 1. The extent to which proposed landscaping will ensure the amenity values and the character of the reserve are maintained and will reduce any adverse effects on adjoining properties which may include noise, the appearance of built form and to protect the privacy of adjoining properties.
2. The extent to which the landscape design enhances the safety of public spaces and the privacy between adjoining private open spaces.

Dust mitigation

- 11.7.4.6 1. The extent to which the proposal mitigates any potential adverse effects of dust on adjoining properties and where the activity is located within proximity to airport and aircraft operations.

Site facilities and accessory structures

- 11.7.4.7 1. The extent to which accessory structures are designed to integrate their visual appearance with the surrounding landscape and complement existing buildings and structures on site.
2. The extent to which accessory structures and site facilities are located for the enjoyment and amenity of the residents without detracting from the visual amenity of the reserve and surrounding area.

Traffic, Access, Parking

- 11.7.4.8 1. The degree of provision that is made to provide for access and parking on the site and the degree in which the activity compromises the ability of the roading network to function accordingly.

2. The extent to which the proposal triggers the need for a traffic impact assessment as outlined under **Appendix 4**.

11.7.5 ADDITIONAL ASSESSMENT CRITERIA FOR SPECIFIC ACTIVITIES

In addition to the criteria specified in Rule **11.7.4** the following assessment criteria shall apply to specific activities;

Permitted and controlled activities that do not meet one or more of the performance standards

11.7.5.1 Council may grant the application subject to conditions in consideration of the matters stated in **11.7.4**, and also the matters stated below;

1. The degree, scale, or character of non-compliance and its effect on the natural environment.
2. The extent to which the activity is consistent with the purpose of the reserve and its compatibility with other activities located on the reserve.
3. The adverse effects of the activity on adjoining site and the measures taken to mitigate the impacts of adverse cumulative effects on the amenity values and character of the site and the surrounding area.
4. The extent to which alternative practical locations are available on the site for the location of the activity have been considered,

Temporary Events

- 11.7.5.1
1. The extent to which the proposed hours of operation for the event would detrimentally affect the amenity of surrounding areas.
 2. The extent to which an extension of the permitted duration of the event will have an adverse effect on the amenity of the surrounding area.
 3. Whether the scheduling of events and the time elapsed between them adequately avoids or mitigates possible cumulative adverse effects on amenity of the surrounding area.
 4. The extent to which vehicular traffic and related parking generated by the activity is accommodated without loss of amenity, safety or causing traffic congestion.
 5. The extent to which the siting of structures would result in adverse effects on adjoining properties.

11.7.6 ANY NEW ACTIVITY SENSITIVE TO AIRCRAFT NOISE, WITHIN THE INNER NOISE CONTROL AREA

Council may grant the application subject to conditions in consideration of the matters stated in **11.7.4**, and also the matters stated below;

1. Whether, having regard to all the circumstances (including location in relation to the Airport, likely exposure of the site to aircraft noise, noise attenuation and ventilation measures proposed, and the number of people to be accommodated) the nature, size and scale of the activity is likely to lead to potential conflict with and adverse effects upon airport activities;
2. Any particular issues of safety relating to occupants of the site, or aircraft, in relation to any proposed activities or buildings on the site;
3. The desirability of reasonably limiting the intensity of development and activities within the Inner Control Area, including in relation to proposed subdivisions and higher density residential development;
4. Whether it is reasonable to require acoustic treatment measures (including measures for internal air quality purposes) in existing rooms, or whether such measures should be limited to the additions;
5. Whether a covenant should be registered on the title to secure any conditions of consent in accordance with **9.11** and;
6. The means of securing any conditions of consent;
7. The extent of compliance with the applicable performance standards in **9.4.3.5 and/or 9.4.3.6** for any new activities.
8. The application of the applicable performance standards in **9.4.3.5 and/or 9.4.3.6** above to existing parts of the structure housing the activity sensitive to aircraft noise.

11.7.7 LAKE STRUCTURES

Council may grant the application subject to conditions in consideration of the matters stated in **11.7.4**, and also the matters stated below;

Amenity

- 11.7.7.1
1. The extent to which the cumulative effects of the proposed structure in relation to other structures in the vicinity has on the visual amenity, landscape and character.
 2. Council will maintain control over the location of the structure on the site, reflectivity values, height, dimensions and the material used to construct the structure.
 3. The extent to which the structure, in conjunction with adjacent structures, has an adverse effect on the natural character of the lake margin.
 4. The extent to which the structure effects on natural character and amenity values, and public and private security and safety:

Dimensions

- 11.7.7.2
1. The extent to which the length or the structure, measured from the mean annual highest lake level shore line into the lake, should be limited to not exceed 12 metres and 1.2 metres in width.
 2. The extent to which the size of the structure, measured as the lake water surface area covered, should be limited to not exceed 15m².

Nature of use

- 11.7.7.3
1. The extent to which a structure that occupies public space and is used as a jetty should be required to remain open for public use at reasonable times without fee, charge or hindrance;
 2. The extent to which a structure that occupies public space and is used as a jetty should be required to be placed or sited so as to facilitate its shared use between neighbours;
 3. The extent to which the lake structure is able to be continuously maintained and the associated required level of maintenance

Public use and safety

- 11.7.7.4
1. The extent to which the structure creates hazards caused to navigation;
 2. The extent of adverse effects caused by the occupation of public space;
 3. The extent of adverse effects caused to public access to rivers and lakes and along their margins;
 4. The extent of adverse effects on any other lawfully-existing structure, or activity

Effects on indigenous vegetation, habitat and historic and/or cultural sites

- 11.7.7.5
1. The extent to the amount of vegetation disturbance associated with the construction or placement of the structure is required.
 2. The extent to which the construction and placement of the structure would have on the aquatic habitats and indigenous vegetation, and habitats of trout.
 3. The extent to which the structure generates adverse effects on the breeding, feeding, and nesting of indigenous birds.
 4. The extent of adverse effects on the habitat of fish, biota, aquatic plants and wildlife;
 5. The extent of adverse effects on any waahi tapu, urupa, or cultural or heritage place or value;
 6. The extent of adverse effects on natural character and amenity values, including recreation;

11.7.8 COMMUNITY FACILITIES AND DAY CARE FACILITIE

Council may grant the application subject to conditions in consideration of the matters stated in **11.7.4**, and also the matters stated below:

Amenity

- 11.7.8.1
1. The extent of which the size of the site is suitable to cater for the type of activity and number of people cared for onsite.
 2. The extent of which the hours of operation and scale of operation will adversely affect the amenity of the surrounding residential environment and reduce the health and social wellbeing of surrounding residents.
 3. Potential future expansion of services provided on site.
 4. The extent of landscaping proposed onsite to mitigate the adverse effects of noise, parking, and outdoor play areas.

Outdoor areas

- 11.7.8.2
1. The frequency and timing of the use of the outdoor areas and facilities and the extent to which these would not conflict with the pleasant use and enjoyment of adjoining properties.

2. The potential alternative locations available for the outdoor activities and facilities, which would be more compatible with the layout and use of the adjoining properties.
3. The extent to which play areas are positioned onsite that minimises any adverse effects on the visual and aural privacy of the adjacent land occupiers.

Traffic, Access, Parking

- 11.7.8.3 1. The degree of provision that is made for the safe and efficient delivery and pick up of children attending the daycare or educational facility

11.7.12 STOCKPILING OF FILL OR OTHER MATERIALS NOT OTHERWISE ASSOCIATED WITH RECREATIONAL ACTIVITIES

Council may decline the application, or grant it subject to conditions in consideration of the matters stated in **11.7.4**, and also the matters stated below;

1. The extent the visual effects will adversely affect the amenity and character of the reserve and the surrounding environment.
2. The extent to which the fill or other materials adversely affects the amenity, character and pleasantness of the reserve.
3. The extent to which any odour adversely affects surrounding residents.
4. The frequency, timing, duration and location of stockpiling on site and the extent to which these would not conflict with the pleasant use and enjoyment of adjoining properties.

11.7.13 ACTIVITIES UNDERTAKEN ON SITES OF POTENTIAL CONTAMINATION WITHOUT REMEDIATION

Council may decline the application, or grant it subject to conditions in consideration of the matters stated in **11.7.4**, and also the matters stated below;

1. The extent of immediate and long term potential damage to property and the health of occupiers and users of the site
2. The nature and suitability of the activity onsite in relation to the levels of contamination present.
3. The proposed mitigation and remediation measures to be undertaken to ensure level of contamination are consistent with those recommended within national legislation for each land use.
4. The proposed mitigation to internalise any adverse effects of contamination and halt any further discharge to the environment.

11.7.14 WORKS FOR THE AVOIDANCE OF FLOODING UNLESS OTHERWISE PERMITTED.

Council may decline the application, or grant it subject to conditions in consideration of the matters stated in **11.7.4**, and also the matters stated below;

1. The extent to which the works detract from the amenity and character of the reserve
2. The extent of earthworks required for the works and the level of sediment control measures located onsite.
3. The extent of stockpiling proposed as part of the works and its location in relation to waterbodies.

11.7.15 BUILDINGS AND PARKING AREAS ON RECLAIMED LAND FROM A LAKE

Council may decline the application, or grant it subject to conditions in consideration of the matters stated in **11.7.4**, and also the matters stated below;

1. The extent to which the submitted geotechnical report details suitable foundation and building design to ensure that the building and to avoid impacts on public safety in the occurrence of a natural hazard.
2. The extent to which the submitted geotechnical report details suitable foundation design to provide for the expected life frame of the building as defined under the Building Act 2004.
3. The extent to which any peer review of the submitted geotechnical report is required.
4. The extent to which the proposed use of building provides for high occupancy numbers and the subsequent increase in potential impacts on public safety in the event of a natural hazard.
5. The extent to which the level of sealed parking area increases the level of stormwater or debris discharged into a waterbody and its subsequent effects on water quality.

11.8 NON-COMPLYING ACTIVITIES

11.8.1 Non Complying activities are considered to create adverse effects that are more than minor and will impact the amenity and character of the reserve and recreation zone. Such activities may be suited to a different zone.

11.8.2 Where activities in **11.3** are stated as Non-complying Activities they shall be assessed against those matters in Rule **11.7.2 to 11.7.5** and the relevant objectives and policies of the district plan in **11.2**. Council can choose to grant or refuse a consent for a non-complying activity. If Council grants a consent it can be granted subject to conditions.

11.8.3 Activities in **11.3** that are stated as Non Complying Activities are:

ACTIVITY NUMBER	ACTIVITY	CRITERIA
11.3.6	Where an activity is not expressly stated in 11.3 , then the activity shall be a Non-Complying Activity.	All activities to be assessed under the Resource Management Act 1991 and 11.8.5 of this Plan.
11.3.9	Within the Air Noise Area as shown on Planning Maps 362, 363, 364, 365, 367, 368 and 369, and not withstanding any other activity stated in 11.3 , any additions to an existing Activity Sensitive to Aircraft Noise	
11.3.39	Buildings and parking areas on land reclaimed from a lake	
11.3.40	Houseboats/Vessels	
11.3.48	Helicopter take-off and landing areas	
11.3.51	Retail activities	
11.3.57	Concert involving amplified music	
11.3.63	Mining and quarrying	
11.3.65	Industrial or trade processes	

11.8.4 Non Complying activities are considered to create adverse effects that are more than minor and will impact the amenity and character of the zone. Such activities may be suited to a different zone.

11.8.5 GENERAL ASSESSMENT CRITERIA WHEN ASSESSING NON COMPLYING ACTIVITIES.

Council may decline the application, or grant it subject to conditions in consideration of the matters stated in **11.7.4**, and also the matters stated below;

1. The extent to which the proposal promotes the Matters of National Importance held within Part 3 of this plan.
2. The extent to which the proposal will detract from the character and amenity of the reserve and surrounding environment.
3. The extent to which the adverse effects generated by the proposal can be reduced to a level consistent with the amenity and character of the reserve and surrounding environment.
4. The extent to which the proposal enforces the objectives and policies of the District Plan.
5. The extent to which the activity is provided for within an alternative Zone, and its detraction from the amenity of this Zone.
6. The extent of cumulative effects generated by the proposal.
7. The extent of adverse effects generated by odour, noise, traffic, lighting and glare on the adjoining residential amenity and character.
8. The extent of reverse sensitivity impacts generated by the proposal on the surrounding residential environment.
9. The extent to which the proposal complies with the assessment criteria listed under **11.7.4** where applicable.

10. The extent to which the proposal triggers the need for a traffic impact assessment as outlined under **Appendix 4**.

11.8.6 **HELICOPTER TAKE-OFF AND LANDING AREAS**

Council may decline the application, or grant it subject to conditions in consideration of the matters stated in **11.7.4**, and also the matters stated below;

1. The type and size of facility to be provided and whether it is a private or commercial operation.
2. The types of machines proposed to be used at the facility and their noise characteristics.
3. Approach paths to and from all helicopter facilities, other than for temporary or emergency purposes. These shall normally be located so that no Residential Zones are flown over at lower than 300m above ground level at that point.
4. Any topographical features and existing buildings and their likely effect on visual and noise impacts of the proposal.
5. The frequency of use with respect to the generation of noise nuisance as a distinct and separate issue from the requirement to meet specified noise performance standards.
6. The submitted proposals for the monitoring and regular audit of noise and other environmental impacts.
7. The proximity to and impact on activities sensitive to aircraft noise.
8. The hours of operation and any associated generated effect from lighting.
9. The extent of any cumulative effect resulting from the location of other helicopter facilities in the general vicinity.
10. The extent of any dust and litter associated with the operation of the facility.

11.9 **SUBDIVISION**

Subdivisions complying with the provisions stated in **11.4** and with the provisions of **Part Thirteen** shall be a Controlled Activity. The criteria on which a subdivision application will be assessed, and any conditions that Council may impose, are included in **Part Thirteen**.

11.10 **OTHER DISTRICT PLAN PROVISIONS**

Reference should also be made the following sections of the plan for other matters that may determine the classification of an activity within the residential areas of the district:

- Part 1** Definitions
- Part 2** Issues of Importance to Maori
- Part 3** Matters of National Importance
- Part 4** Residential
- Part 5** City Centre
- Part 6** Commercial
- Part 7** Industrial
- Part 8** Innovation and Enterprise
- Part 9** Airport
- Part 10** Rural
- Part 12** Infrastructure
- Part 13** Subdivision
- Part 14** Natural hazards
- Part 15** Financial contributions
- Part 16** Hazardous substances

- Appendix 1.** Cultural Heritage Inventory
- Appendix 2.** Natural Heritage Inventory
- Appendix 3.** Designations
- Appendix 4.** Transport
- Appendix 5.** Approved Development Plans