

5.15 RESERVE (PASSIVE) ZONE

5.15.1 BACKGROUND

The zone provides for passive types of recreation, such as walking, kite flying, picnic facilities and playgrounds. In general, structures and buildings are limited.

Some reserves will have very limited recreation use, as their purpose is to protect vegetation, landforms, historic/archaeological sites and buildings or have a specific function which excludes recreation use (eg drainage, plantation, segregation).

The Reserve (Passive) zone has also been used to indicate those situations where esplanade reserves are already in existence or where Council will be looking to obtain esplanade reserves. (Refer to Section 10.3 - ESPLANADE RESERVES AND ESPLANADE STRIPS)

Therefore, the range of activities and the performance standards in this zone are "narrow", which reflects the purposes of the zone.

5.15.2 RESOURCE MANAGEMENT ISSUES

(Refer to Reserve Zones 5.14.2 for general issues).

5.15.3 ANTICIPATED ENVIRONMENTAL RESULTS

The environmental result of this zone is to provide for the passive recreation and reserve needs of the community in a way that sustains the reserve and its environmental qualities for use by future generations.

5.15.4 OBJECTIVES AND POLICIES

(Refer to Reserve Zones 5.14.4 for general objectives and policies).

Objective 1

To provide for passive recreation and reserve activities that enhance the function of the reserve itself and contribute to its amenity.

Policies

Objective 1 will be achieved by implementation of the following policies:

1. Identifying, protecting and conserving all trees, bush, landscape, scientific, wildlife, botanical, historic or scenic features of value.
2. Protecting the topography and landforms within the reserve from inappropriate modification.

Objective 2

To limit physical structures to those which either add to the public's enjoyment of the reserve or enhance the environment of the reserve.

Policies

Objective 2 will be achieved by implementation of the following policies:

1. Controlling the design, appearance, number and location of buildings and structures on the reserves.
2. Ensuring that buildings do not dominate the open space function of the reserve.

Objective 3

Land use activities in the zone will not detract from the enjoyment of the environmental qualities of the reserve.

Policies

Objective 3 will be achieved by implementation of the following policies:

1. Providing a listing of activities and performance standards, which are considered to be suitable within a passive reserve.
2. Using the resource consent process to assess the effects of activities on the reserve.

Reasons for Objectives 1, 2 and 3

1. Refer to reasons in Reserve Zone (Section 5.14.4) for Objectives 1, 2 and 3.
2. Due to the "passive" nature of activities permitted in the zone, careful assessment of the effects of activities and buildings needs to be given.

5.15.5 METHODS TO IMPLEMENT OBJECTIVES AND POLICIES

The principal method by which Council will implement the above objectives and policies is by the use of the Reserve (Passive) zone (both the physical limits shown on the planning maps and the rules) to control the location, type and scale of land use activities. The Rules act as an "envelope" within which activities can operate without intervention from outside agencies.

The development of reserve management plans is seen as an essential mechanism to complement the Rules of the District Plan. The management plan process is similar to that of the District Plan process in terms of consultation and involvement with the community.

Monitoring of activities in terms of resource consent conditions and the need to undertake enforcement action to achieve compliance with conditions and performance standards will indicate whether or not the conditions and standards require amendment (either because they are too stringent or because they are not achieving the desired outcome).

Prohibited activity status has been given to surface mining activities. Council has resolved that the appropriate process and assessment of such activities is by means of a private request for a plan change (refer section 2.2.5 – Extractive Industries for a description and reasons).

Reasons

1. Refer to Section 2.0 which sets out Council's main reasons for adopting a zone and rule based approach to the achievement of the objectives and policies.
2. Monitoring is the method proposed to be used for assessing the effectiveness of the District Plan.
3. Refer to section 2.2.5 – Extractive Industries.

5.15.6 ACTIVITIES

5.15.6.1 Permitted Activities

The following are permitted activities and shall comply with the Performance Standards specified in Rule 5.15.7 below:

1. Passive recreation.

2. Planted areas and stands of trees.
3. Seating and tables.
4. Children's playgrounds.
5. Pedestrian walkways and jogging tracks.
6. Soil conservation and water control works.
7. Excavations of up to 20m³ of material in any one year for transportation off the property of source where such works are not part of an approved subdivision or building work.
8. Placement of clean fill not undertaken as part of an approved subdivision or building consent:
9.
 - ☞ Up to 30m³ of clean fill comprising topsoil and subsoil may be placed on a property at an average depth not exceeding 1m.
 - ☞☞ From 30m³ - 100m³ of clean fill comprising topsoil, subsoil and any demolition rubble (up to 100m³) may be placed on a property where Council is **informed** of the fill action before the activity is carried out. The details to be provided are:
 - ☞ legal description and street address of property
 - ☞ nature and source of fill
 - ☞ location of fill on site
 - ☞ depth of fill
 - ☞ compaction of fill
9. Prospecting and exploration involving not more than 20m³ of excavation per allotment in any one year.
10. Any permitted activity specified in Sections:
 - ☞ 7.1 - Heritage Features
 - ☞ 7.4 - Recognition and Protection of Significant Urban/Township Trees
 - ☞ 8.1 - Provision for Network Utilities
 - ☞ 8.7 - Signs
 - ☞ 8.10 - Surface of Water in Lakes, Rivers and Streams
 - ☞ 10.1 - Subdivision

5.15.6.2 Controlled Activities

The following are controlled activities, shall comply with the Performance Standards specified in Rule 5.15.7, and shall be assessed in relation to the criteria specified in Rule 5.15.6.2 A below:

1. Reserve maintenance equipment rooms/sheds.
2. Public shelters and toilets.
3. Any accessory building associated with a permitted or controlled activity.
4. Any controlled activity specified in Sections:
 - ☞ 7.1 - Heritage Features
 - ☞ 7.4 - Recognition and Protection of Significant Urban/Township Trees
 - ☞ 8.7 - Signs
 - ☞ 8.10 - Surface of Water in Lakes, Rivers and Streams
 - ☞ 10.1 - Subdivision

A. Assessment Criteria for Controlled Activities

The following criteria will be used to assess a controlled activity.

1. Design and Appearance of Buildings
 - (a) The extent to which the scale, design and appearance of the building is sensitive to the character and landscape of the reserve and the amenities of surrounding properties.
 - (b) The degree to which the exterior finish (colour and cladding) is complementary to the colours found in the surrounding landscape.
 - (c) Whether the buildings have been well integrated with each other in design and appearance, not necessarily to look the same, but to be complementary in terms of scale, shape, colour and exterior materials.
2. Site Layout
 - (a) The degree to which landscaping overcomes any negative visual effects of buildings.
 - (b) To what extent do buildings obscure or detract from the features (particularly trees, landscape and views) that are of value within the reserve.
 - (c) Whether buildings, activities and features are required to be located in close proximity to each other to make for ease of access between them.
 - (d) Do buildings, structures, access, parking and turning areas need to be located in a manner which requires minimal disturbance to vegetation, landscape or features of the reserve.
3. Landscape Design
 - (a) Whether landscaping complements and enhances the existing types, form and location of trees and vegetation.
 - (b) Are the visual effects of buildings, access and parking areas reduced by landscaping.

5.15.6.3 Discretionary Activities

The following are discretionary activities and shall be assessed in relation to the criteria in Rule 5.15.6.3 A below:

1. Any permitted or controlled activity that does not meet the performance standards specified in Rule 5.15.7.
2. Prospecting and exploration not provided as a permitted activity.
3. Surface mining, underground mining, and mining operations on the land shown on the Planning Maps as being between the notation "Extended Martha Mine" and the zone boundary of the Martha Mineral Zone.
4. Any discretionary activity specified in Sections:
 - ☞ 7.1 - Heritage Features
 - ☞ 7.2 - Natural Areas of Ecological Significance
 - ☞ 7.3 - Protection of Outstanding Natural Features

- ✍ 7.4 - Recognition and Protection of Significant Urban/Township Trees
- ✍ 8.1 - Provision for Network Utilities
- ✍ 8.7 - Signs
- ✍ 8.10 - Surface of Water in Lakes, Rivers and Streams
- ✍ 10.1 - Subdivision

- ✍✍ The visual appearance of rehabilitated areas.
- ✍✍ Public access and safety.
- ✍✍ Structural engineering and environmental integrity.
- ✍✍ The provision of community and/or recreational facilities.

A. **Assessment Criteria for Discretionary Activities**

The following criteria will be used to assess a discretionary activity:

1. The performance standards, assessment criteria and environmental results for permitted activities specified in Rule 5.15.7
2. The assessment criteria for controlled activities set out in Rule 5.15.6.2 A. above.
3. The provisions of an operative or proposed reserve management plan and the classification of the reserve under the Reserves Act 1977 or the Conservation Act 1987.

B. **Assessment Criteria for Prospecting, Exploration, Mining Operations, Surface and Underground Mines**

The following assessment criteria will be used to assess a discretionary activity for prospecting, exploration, and underground mining in both the Reserve (Passive) Zone and the extended Martha Mine area, and will be used to assess a discretionary activity for surface mining in the Extended Martha Mine area only.

1. The assessment criteria in Rule 5.15.6.3.A above. With respect to the performance standards, Council will have regard to them for assessment purposes, in particular where either the activity or the adverse effects of the activity is in close proximity to the boundary between Reserve (Passive) Zone and the Extended Martha Mine area. However, Council recognises that because of the nature of the mining activities and the existing mining licence conditions, the performance standards may not always be relevant or appropriate.
2. Whether landscaping can avoid, remedy or mitigate the adverse effects of mining operations and mines. In particular, whether the landscaping provides a visual buffer with respect to:
 - ✍ screening unsightly and disturbed areas from other land beyond the Extended Martha Mine Area
 - ✍ providing a visually attractive outlook without blocking intermediate and distant views
 - ✍ softening any hard or bleak surfaces

The Assessment Criteria in Rule 9.3.12.4 shall also be considered.

3. Whether adequate public safety measures (eg fencing and bunds) have been provided, particularly with respect to the open pit.
4. Whether the methods proposed to avoid, remedy or mitigate the adverse effects of the activities are practical and effective.
5. Whether the proposed rehabilitation of the site and adjacent areas during and following the cessation of mining activities (including open pit, conveyor, waste disposal areas and surface infrastructure eg roads, plant and equipment) is undertaken and results in a landscape, features and facilities that are appropriate within the context of the environment they are located within.

With respect to proposed post-mining landscapes and features (lakes, reserves, recreation areas), their appropriateness within the environment they are located in, will be considered in relation to such matters as:

5.15.6.4 **Non Complying Activities**

Any activity not provided as a permitted, controlled, discretionary or prohibited activity.

5.15.6.5 **Prohibited Activities**

Surface mining (Refer section 2.2.5 – Extractive Industries).

5.15.7 **PERFORMANCE STANDARDS**

The performance standards listed in Rule 9.5 - MATRIX OF PERFORMANCE STANDARDS and as detailed throughout Section 9.0 - PERFORMANCE STANDARDS FOR DEVELOPMENT AND SUBDIVISION shall be met by permitted and controlled activities.

5.15.8 **GENERAL PROVISIONS**

Section 3.0	-	MONITORING AND EVALUATION	
Section 7.0	-	CONSERVATION AND HERITAGE	
Section 8.1	-	PROVISION FOR NETWORK UTILITIES OPERATIONS	
Section 8.2	-	PROVISION FOR PUBLIC WORKS	
Section 8.3	-	EXTRACTIVE INDUSTRY	
Section 8.4	-	EXCAVATION AND FILL	
Section 8.5	-	AIR QUALITY	
Section 8.7	-	SIGNS	
Section 8.8	-	HAZARDOUS SUBSTANCES	
Section 8.10	-	SURFACE OF WATER	
Section 10.0	-	SUBDIVISION, FINANCIAL CONTRIBUTIONS, RESERVES AND ESPLANADE STRIPS	ESPLANADE