

## 5.16 RESERVE (ACTIVE) ZONE

### 5.16.1 BACKGROUND

The zone provides for active recreation and social needs of the local and wider community. These reserves provide a community focal point, as well as a range of organised indoor/outdoor team and individual sports. Some reserves also serve a regional function and act as tourist attractions, particularly the Goldfields Historic Railway, Paeroa Racecourse, Waihi A & P Association grounds and the Ngatea Domain (hockey facilities in particular).

A policy of promoting the multi-purpose use of reserves is encouraged by providing for a range of recreational activities, which are secondary to the active and passive recreation uses.

Performance standards are designed to ensure buildings are of a scale appropriate to the zone and to safeguard the amenities of surrounding properties. The social and commercial aspects of some recreation activities need to be provided for as these are an integral component of many recreation activities.

### 5.16.2 RESOURCE MANAGEMENT ISSUES

(Refer to Reserve Zones Section 5.14.2 for general issues).

### 5.16.3 ANTICIPATED ENVIRONMENTAL RESULTS

The intended environmental result of this zone is to assist in providing the active recreation and reserve needs of both the local and wider community, in a way that sustains the functional efficiency of the reserve to cater for a number of passive and active reserve activities.

Due to the scale and type of activities that are existing and likely to locate on these reserves, the potential negative impacts for adjoining activities need to be avoided, remedied or mitigated to an acceptable level.

### 5.16.4 OBJECTIVES AND POLICIES

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

#### **Objective 1**

*To provide for a variety of active recreational and social uses compatible with both the functions of the reserve, and the amenities of the reserve and adjoining areas.*

#### **Policies**

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

1. Providing for buildings or structures to be used for multiple use recreation activities where that is possible and practicable.
2. Recognising that social and commercial activities are an integral part of larger scale recreation activities.
3. Encouraging both active and passive reserve activities.

#### **Objective 2**

*To conserve those natural features which contribute significantly to the amenities of the reserve.*

#### **Policies**

Objective 2 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 detrimental modification.

#### **Objective 3**

*To ensure the reserve activities do not detrimentally affect other activities within the zone or within adjoining zones.*

#### **Policies**

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

1. Providing assessment criteria, which allow consideration of and give effect to protecting the function and amenity of the reserve.
2. Ensuring that buildings, activities and structures do not dominate the open space function that reserves also have.
3. Ensuring building development is compatible in scale with the particular amenities of the reserve and adjoining land activities.
4. Providing a listing of activities and performance standards which are suitable for the zone.

#### **Reasons**

1. Refer to reasons for objectives and policies in the Reserve (Passive) zone.
2. The range and type of activities existing and likely to establish in the Reserve (Active) zone, require flexible provisions.
3. Performance Standards are necessary to control the potential for detrimental effects of activities and buildings on the amenity of adjoining areas.

### 5.16.5 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 (Active) 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.

In the Reserve (Active) zone, the activities and performance standards reflect the function that these reserves are designed to carry out. At the same time, the amenity within the zone and in adjoining zones needs to be protected.

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).

The development and use of reserve management plans is seen as an essential mechanism to complement the use of the Reserve (Active) zone under 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.

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

Refer to Section 2.2.5 - Extractive Industries.

### 5.16.6 ACTIVITIES

#### 5.16.6.1 Permitted Activities

The following are permitted activities and shall comply with the Performance Standards specified in Rule 5.16.7 below:

1. Any permitted activity specified in the Reserve (Passive) zone.
2. Indoor and outdoor recreation of all types, excluding motor sports and firearm sports.
3. Serving of food and refreshments in conjunction with the foregoing activities.
4. Shops for the sale or hire of goods associated with any permitted activity.
5. Excavations of up to 20m<sup>3</sup> 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.
6. Placement of clean fill not undertaken as part of an approved subdivision or building consent:
  - ✍ Up to 30m<sup>3</sup> of clean fill comprising topsoil and subsoil may be placed on a property at an average depth not exceeding 1m.
  - ✍ From 30m<sup>3</sup> - 100m<sup>3</sup> of clean fill comprising topsoil, subsoil and any demolition rubble (up to 100m<sup>3</sup>) 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
7. Prospecting and exploration involving not more than 20m<sup>3</sup> of excavation per allotment in any one year.

#### 5.16.6.2 Controlled Activities

The following are controlled activities, shall comply with the Performance Standards specified in Rule 5.16.7, and shall be assessed in relation to the criteria specified in Rule 5.16.6.2 **A** below:

1. Any controlled activity specified in the Reserve (Passive) zone.
2. Buildings associated with any permitted or controlled activity.
3. Shops for the sale or hire of goods associated with any controlled activity.

#### 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 criteria in the Reserve (Passive) zone shall apply.
2. Site Layout
  - (a) The criteria in the Reserve (Passive) zone shall apply.
  - (b) To what extent has the layout of activities (particularly noise generating activities) associated with the development taken into account the nature of adjoining land activities and provided adequate separation distances and visual and aural screening from residential boundaries.
  - (c) Whether the vehicle access has been suitably located to minimise the effect of traffic on the street network and surrounding areas.
3. Landscape Design
  - (a) The criteria in the Reserve (Passive) zone shall apply.

#### 5.16.6.3 Discretionary Activities

The following are discretionary activities and shall be assessed in relation to the criteria specified in Rule 5.16.6.3 **A** below:

1. Any permitted or controlled activity that does not meet the performance standards specified in Rule 5.16.7.
2. Motor sports and firearm sports.
3. Any discretionary 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
4. Prospecting and exploration not provided for as a permitted activity.

#### 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 5.16.7
2. The assessment criteria for controlled activities set out in Rule 5.16.6.2 **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.
4. In the case of prospecting and exploration activities, whether proposals for the rehabilitation of any site are appropriate to ensure that the land is capable of being used for the range of activities permitted in the zone.

**5.16.6.4 Non Complying Activities**

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

**5.16.6.5 Prohibited. Activities**

Surface mining (Refer to Section 2.2.5 – Extractive Industries).

**5.16.7 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.

**5.16.8 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, ESPLANADE RESERVES AND ESPLANADE STRIPS