



## ACTIVE RESERVE ZONE - RULES

### AR3.1 Rule Statement

The following rules, shall apply to all land shown as being within the Active Reserve Zone in the District Plan Maps. These include the following reserves:

- (a) Taumarunui Domain.
- (b) Manunui Domain.
- (c) Cherry Grove (Taumarunui).
- (d) Raetihi Recreational Ground.
- (e) Rochfort Park, Ohakune.
- (f) Christie Park, Ohakune.
- (g) Parapara Road Reserve, Raetihi.
- (h) Jubilee Park, Ohakune (including the Swimming Pool).
- (i) Ohakune Rugby Grounds.

These rules shall be read in conjunction with all other rules in the plan and, in particular:

- (a) Transportation – Rules.
- (b) Signage – Rules.
- (c) Financial Contributions – Rules.
- (d) Hazardous Substances – Rules.
- (e) Relocated Buildings – Rules.
- (f) Special Activities – Rules.
- (g) Heritage – Rules.

Consideration shall also be made to all Objectives and Policies which may be relevant to any proposed activity subject to this section, and in particular those outlined in the Protected Areas Zone – Policy.

### AR3.2 Rules

#### AR3.2.1 Permitted Activities

The following activities are Permitted Activities provided they comply with the General Conditions outlined in Section AR3.3 below.

- (a) Informal Recreation and Ancillary Buildings.
- (b) Recreation and Community Activity.
- (c) Serving of food and refreshments in conjunction with a permitted activity.
- (d) Earthworks Activity.
- (e) Domestic Scale Renewable Energy Generation Activity.
- (f) Where land is classed as a Reserve under the Reserves Act 1977, all activities or land uses in accordance with the Reserves Act 1977 approved by the administering body, and the Minister of Conservation where required.

**AR3.2.2 Discretionary Activities**

The following activities are Discretionary Activities.

Applications will be assessed against but not limited to, the relevant Assessment Criteria outlined in Section AR3.4.

- (a) Any activity that is provided for as a Permitted Activity by Rule AR3.2.1 but fails to meet one or more of the General Conditions outlined in section AR3.3.  
Relevant Objectives and Policies – AR2.2

**AR3.2.3 Non-Complying Activities**

The following activities are Non-Complying Activities.

- (a) Any activity that is not listed within Rule AR3.2.1 or AR3.2.2.  
Relevant Objectives and Policies – AR2.2

**AR3.3 General Conditions**

Compliance with the following general conditions is required for all Permitted Activities as outlined in Rule AR3.2.1 above.

**AR3.3.1 Height**

- (a) The maximum height of any building or part of a building shall be 7.5m or 2m plus the horizontal distance from the nearest site boundary, whichever is less.  
Relevant Assessment Criteria: AR3.4.1(a) (ii) and (iii) and AR3.4.1(b).

**AR3.3.2 Building Setbacks**

- (a) Buildings shall be setback a minimum of 5m from the boundary of any Residential or Urban Settlement Zone.  
(b) Buildings shall be setback a minimum of 4.5m from any road boundary.  
Relevant Assessment Criteria: AR3.4.1(a) (ii) and (iii) and AR3.4.1(c).

**AR3.3.3 Site Coverage**

- (a) Maximum amount of a park that can be covered by buildings shall be 5% of the park area or 350m<sup>2</sup>, whichever is the greater.  
Relevant Assessment Criteria: AR3.4.1(a) (ii) and (iii) and AR3.4.1(b)(i).

**AR3.3.4 Transportation**

- (a) All activities shall demonstrate compliance with the relevant provisions of the "Transport Infrastructure and Car Parking - Rules" section of the District Plan.  
Relevant Assessment Criteria: Refer "Transport Infrastructure and Car Parking - Rules" section.



## AR3.3.5 Screening

- (a) All storage, service areas shall be screened from view from adjoining sites.  
Relevant Assessment Criteria: AR3.4.1(a) (ii) and (iii) and AR3.4.1(d).

## AR3.3.6 Noise

- (a) The  $L_{eq}$  noise level and maximum noise level ( $L_{max}$ ) arising from any activity measured at the boundary of the Residential or Urban Settlement Zone, shall not exceed the following limits:
- (i) Monday to Saturday 7.00am to 10.00pm inclusive – 55  $dB_{LAeq (15 min)}$
  - (ii) All other times and on public holidays - 45  $dB_{LAeq (15 min)}$
  - (iii) 10.00pm to 7.00am and on public holidays: maximum noise 75dB  $L_{AFmax}$
- (b) Measurement and assessment of noise levels shall be in accordance with New Zealand Standards NZS 6801:2008 Acoustics – Measurement of Environmental Sound and NZS 6802:2008 Acoustics – Environmental Noise  
Relevant Assessment Criteria: AR3.4.1(e).

## AR3.3.7 Lighting and Glare

- (a) At no time between the hours of 10.00pm and 7.00am shall any outdoor lighting be used in a manner that causes:
- (i) An added illuminance in excess of 3 lux measured horizontally or vertically at any point along any residential zone boundary or at any window of any visitor accommodation.
- (b) Street lights are exempt from the requirements of this Condition.  
Relevant Assessment Criteria: AR3.4.1(f).

## AR3.3.8 Earthworks Activities

- (a) Noise
- (i) Noise from earthworks shall comply with Condition AR3.3.6.
  - (ii) Earthworks shall only occur between 7:00am and 8:00pm Monday to Saturday inclusive, excluding public holidays.
- (b) Appearance
- (i) All earthworks sites shall be kept tidy and shall be reinstated as soon as practically possible so as to avoid a prolonged visual change in the character of the area.
- (c) Separation
- (i) No earthworks activity, including stockpiling, shall occur within 20m of the banks of a waterway.
- (d) Volume
- (i) No more than 500m<sup>3</sup> of material measured in its non-compacted form, within one certificate of title, shall be removed from the site or shall be relocated on the site, in any calendar year unless the earthworks are identified in and provided for through and approved subdivision or land use consent.
- (e) Vegetation Removal
- (i) Where vegetation clearance occurs in association with earthworks, and exposed areas shall be re-vegetated within 12 months of the earthworks being undertaken.

**Advice Note:**

*Consent may be required from the Regional Council for earthworks and/or vegetation clearance.*



- (f) Standard
- (i) All earthworks shall comply with the requirements of NZS 4431:1989 "Code of Practice for earth fill for residential development".

*Advice Note:*

*Any person undertaking earthworks also needs to comply with the requirements of the New Zealand Electrical Code of Practice (NZECP) 34:2001.*

*The New Zealand Electrical Code of Practice provides for statutory safe separation distances from electrical lines. The code sets out the minimum separation distances for excavation and construction near conductors and their support structures (towers and poles). The primary purpose of these distances is to protect persons and property from harm caused by electrical hazards, such as flashovers.*

Relevant Assessment Criteria: AR3.4.1(g).

### AR3.3.9 Domestic Scale Renewable Energy

- (a) Shall not exceed the height limit for the Zone by more than 3m.
- (b) Limited to two mini wind turbines per site.
- (c) No turbine shall have a generating capacity of more than 10kW.

Relevant Assessment Criteria: AR3.4.1(a)(iii) and (e)

*Advice Note: Archaeological*

*If it is possible that archaeological sites may be affected by the proposed work then the site is subject to a consenting process under the Historic Places Act 1993.*

*Evidence of archaeological sites may include burnt and fire cracked stones, charcoal, rubbish heaps including shell, bone and/or glass and crockery, ditches, banks, pits, old building foundations, artefacts of Māori and European origin or human burials.*

*If any activity associated with this proposal, such as earthworks, fencing or landscaping may modify, damage or destroy any archaeological site(s) an authority (consent) from the New Zealand Historic Places Trust must be obtained for the work prior to commencement. It is an offence to modify, damage or destroy a site for any purpose without an authority. The Historic Places Act 1993 contains penalties for unauthorised site damage. The applicant is advised to contact the New Zealand Historic Places Trust for further information.*

*Should any human remains or archaeological items be exposed while undertaking works, all activity shall cease immediately. The New Zealand Historic Places Trust and Kaumatua representing the local Tangata Whenua shall be contacted and work shall not recommence in the affected area until any necessary statutory authorisations or consents have been obtained. The NZ Police shall be contacted also when human remains are exposed*

## AR3.4 Assessment Criteria

### AR3.4.1 Discretionary and Non-Complying Activities

Discretionary and Non-Complying Activities will be assessed against, but not limited to, the assessment criteria below.



- (a) General
  - (i) The extent to which a proposed retail activity may reduce the amenity of the park and/or the public's use and enjoyment of the park.
  - (ii) The extent to which the recreational potential and/or open space character of the site is maintained.
  - (iii) The extent to which the siting and design, external appearance and location of any building, structure, or road access, in terms of its scale, relationship to any other buildings on the park, form, materials and colour, is compatible with the primary functions of the park and complementary to the existing amenity of the park and surrounding residential area.
- (b) Height
  - (i) Whether the development has been designed to minimise any adverse effects on adjoining residential activities, especially visual privacy, access to sunlight and daylight.
  - (ii) Whether the intensity of the development is compatible with surrounding activity and takes account of amenity, and sense of place.
  - (iii) Whether any adjoining neighbours have been consulted with and the outcome of that consultation.
- (c) Building Setbacks
  - (i) Whether the development has been designed to minimise any adverse effects on adjoining residential activities, especially visual privacy, access to sunlight and daylight.
  - (ii) Whether potential conflicts between adjoining land uses will be avoided by buildings and activities being sufficiently separated from one another.
  - (iii) Whether any affected adjoining neighbours have been consulted with and the outcome of that consultation.
- (d) Screening
  - (i) Whether appropriate landscaping has been implemented where practicable to mitigate adverse visual effects and to avoid conflicts of use.
  - (ii) The extent to which the storage area is visible to the public.
  - (iii) Whether any affected adjoining neighbours have been consulted with and the outcome of that consultation.
- (e) Noise
  - (i) Whether noise mitigation measures are to be implemented and the potential effectiveness of those measures.
  - (ii) The extent to which the location of the proposed activity will mitigate adverse noise effects.
  - (iii) Whether any affected adjoining neighbours have been consulted with and the outcome of that consultation.
- (f) Glare
  - (i) Whether mitigation measures are to be implemented and the potential effectiveness of those measures.
  - (ii) The extent to which the location and design of the proposed activity will mitigate adverse glare effects.
  - (iii) Whether any affected adjoining neighbours have been consulted with and the outcome of that consultation.
- (g) Earthworks
  - (i) Whether earthworks can be undertaken in a manner that will ensure:
    - (1) Access to and along watercourses and water bodies is maintained.
    - (2) Visual impacts, effects on surface drainage patterns, any likely sedimentation or dust nuisance, or adverse effects on adjoining buildings and properties are avoided.