

42.0 District Recreation Zone

42.1 Permitted Activities

42.1.1 Unless expressly limited elsewhere and subject to compliance with the conditions applying to Permitted Activities the activities listed below shall be permitted without a resource consent.

- Any land use activity carried out in accordance with an approved Management Plan prepared under the Reserves Act 1977.
- Outdoor recreation activities including sports grounds.
- Children's play equipment, picnic facilities, public shelters, toilets, changing rooms and seating.
- Public carparks and walkways.
- Lawns, areas of bush, ornamental gardens, other planted areas.
- Garden and implement sheds, greenhouses, nurseries.
- Historic buildings and monuments.
- Places of assembly for recreation, stands, or swimming pools or camping grounds.
- Routes for pedestrians and cyclists.
- Discharges.
- Pest management carried out in accordance with a National or Regional Pest Strategy.
- Application of agrichemicals.
- Special events not exceeding seven days duration.
- Specifically identified activities listed as permitted on sites scheduled in Appendix G.

Conditions for Permitted Activities

42.1.2 Infrastructure and Services

42.1.2.1 Parking and Access

Refer to Rule 27.2.3.

42.1.3 Amenities

42.1.3.1 Siting Requirements

42.1.3.1.1 Buildings and structures shall be set back a minimum of 4.5 metres from road boundaries.

42.1.3.1.2 Buildings and structures shall be set back 20 metres from the bank of any river, the margin of any lake or wetland, and where applicable the mark of Mean High Water Springs.

42.1.3.2 Sunlight and Privacy for Neighbours

42.1.3.2.1 No part of any building shall exceed a height equal to the recession plane angle determined by the application of Figures 2 and 3 of the Definitions Chapter. To determine the maximum permitted height in relation to boundaries on the site the diagram in Figure 2 (Recession Plane Indicator) must be viewed within the site, and orientated north. The angle of inclination relative to a particular boundary is determined by the angle on the diagram in Figure 3 adjacent to that boundary.

42.1.3.2.2 Within the District Recreation Zone the angle shall be measured from a starting point 1.8 metres above ground level ($x = 1.8$ m).

42.1.3.2.3 Except where a site boundary abuts the street or road, no part of any building should exceed a height limit imposed by a line drawn at an angle of 55° from the horizontal and originating and drawn at right angles from a point 2 metres above the boundary of the site where it abuts the street or road.

42.1.3.3 Noise

Noise arising from activities shall not exceed the following noise limits at any point on the boundary of the Zone.

55 dBA L_{10}	0700 hrs - 2200 hrs Monday to Friday and 0700 hrs - 2000 hrs Saturday
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45 dBA L_{10} , and 70 dBA L_{max}	At all other times including any public holiday
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Provided on any day between 0700 hrs - 2200 hrs the L_{max} limit shall not apply.

Provided these noise limits shall not apply to activities of a normal recreation nature, such as sporting events, that do not involve motorsport, or amplified music.

42.1.4 Discharges

42.1.4.1 Domestic Effluent Disposal

Provision must be made for the satisfactory disposal of all effluent and greywater in accordance with the requirements of this Plan. The requirements of this Plan are deemed to have been met where all domestic effluent and greywater is connected to a public system expressly designed for this purpose or the standards for on-site sewage disposal (Rule 42.1.4.2) are met.

42.1.4.2 On Site Sewage Disposal

The discharge of any contaminant from any domestic on-site wastewater treatment system onto or into land is a Permitted Activity subject to the following conditions:

- 42.1.4.2.1 A public sewer is not located within 60 metres of the lot boundary.
- 42.1.4.2.2 A public sewer does not exist within 60 metres of the closest building on the lot to be serviced.
- 42.1.4.2.3 The discharge is not within any catchment classed NS as defined in Appendix J.
- 42.1.4.2.4 Where discharges are to soil absorption systems (drainage fields) these shall include the following functions:
- a) The effluent must be able to infiltrate the soil.
 - b) The effluent must be able to percolate through a sufficient distance of soil such that it is 'renovated' to have no measurable impact on any surface or ground water body, or any coastal water.
 - c) Any effluent directed to the drainage fields should be of a consistent high quality and meet the following standards:

Faecal coliforms	< 10,000/100 ml
BOD ₅	< 100 g/m ³
Suspended solids	< 60 g/m ³

and not be subject to episodic high values of suspended solids and BOD.
 - d) No stormwater shall enter the treatment system.
 - e) The system shall be maintained in a functional condition at all times.
 - f) The rate of discharge shall not exceed 2 m³/d, averaged over any one week period.
 - g) The discharge shall not be within 30 metres of any surface water body or drainage channel.
 - h) There shall be no surface ponding of any effluent, nor runoff of any contaminant either directly or indirectly into a surface water body.
 - i) The discharge shall be no less than 600 mm above the ground water table at all times.
 - j) The discharge shall not be within 30 metres of any bore drawing ground water from an unconfined aquifer.
 - k) No objectionable odours shall be able to be detected at or beyond the legal boundary of the area of land on which the contaminants are discharged.
 - l) The effluent treatment unit shall be located in a manner that can be readily accessed for periodic servicing.
- 42.1.4.2.4.1 In the case of a septic tank being utilised that it:
- a) Shall have a minimum design life of fifteen years. (Note: The Building Act 1991 deals with other matters relating to construction and performance.)
 - b) The septic tank shall have provisions for 24 hour minimum retention time of average daily flow after three years sludge/scum accumulation at full loading, i.e. sludge/scum accumulation at a rate of 80 litres per person per year as a three year average.

Note:

Sludge accumulation during the first year of operation will be at a higher rate as the biomass of digesting sludge establishes.

42.1.4.2.5 Where discharges are to a surface field (e.g. an irrigation system) the field:

- a) Must not be located in a catchment used for collecting drinking water.
- b) Must be fenced off in a manner to preclude accidental access.
- c) The effluent being discharged shall comply with the standards set out for effluent quality suitable for surface irrigation contained in Appendix O.
- d) The area of the irrigation field shall comply with the manufacturers specifications.
- e) The discharge shall not be within 30 metres of any surface water body or drainage channel.
- f) There shall be no surface ponding of any effluent, nor runoff of any contaminant either directly or indirectly into any surface water body.
- g) The discharge shall not be within 30 metres of any bore drawing ground water from an unconfined aquifer.
- h) No objectionable odours shall be able to be detected at or beyond the legal boundary of the area of land on which the contaminants are discharged.
- i) The effluent treatment unit shall be located in a manner that can be readily accessed for periodic servicing.

42.1.4.3 Stormwater Drainage

The collection of water for the purpose of the disposal of stormwater and land drainage water, and the discharge by gravity into any natural water of that stormwater and land drainage water, consequent upon the construction of a drain or a drainage system, shall be a Permitted Activity provided that:

- a) The discharge shall not worsen or cause any significant erosion or inundation of land.
- b) The discharge shall not have any significant adverse effect on water quality.
- c) The discharge shall not have any adverse effect on any fisheries, wildlife habitats or recreational values of any water body.
- d) The above provisions do not apply to the drainage of naturally occurring bodies of standing water, including swamps, bogs, marshes, ponds and lakes.

42.1.4.4 Discharge of Electro Magnetic Radiation (EMR)

The discharge of EMR (Electric Magnetic Radiation) is a Permitted Activity, provided the level of discharge meets the requirement/limitations of NZS 6609.

42.1.4.5 Application of Agrichemicals

The discharge of a contaminant or contaminants into land or air in connection with the spray application of agrichemicals on reserves by the administering agency, or by any person authorised by the administering agency to carry out the activity, or by any

other agency carrying out statutory powers in relation to the activity, or in domestic quantities on industrial and trade premises is a Permitted Activity, provided that the following conditions are met:

- 42.1.4.5.1 The person responsible for the activity shall:
- a) Ensure that adequate public notification of the intention to spray is provided at least seven days prior to the commencement of the activity, and that the sprayed area is appropriately labelled following the activity for a duration that is appropriate with respect to the effects of the chemical used.
 - b) Be a Growsafe Registered Chemical Applicator.
 - c) Give due regard to:
 - Wind speed and direction in the method of application of spray.
 - The selection of nozzle size and pressure of spray units to prevent or minimise the potential for spray drift, and
 - The dilution of spray solutions to the proper concentration for application.
 - Adopt the best practicable option to minimise the actual or potential effects of spray drift beyond the area of application.
 - d) Keep specific records of the type of each spray applied, the volume of spray used, the date, and the locality.
 - e) Apply sprays strictly in accordance with the manufacturer's instructions.
 - f) Notify the Council immediately in the case of accidental discharge into a waterbody.
 - g) Apply sprays in a manner which does not cause or is not likely to cause significant deposition into surface water.

42.1.4.5.2 Nothing in this rule shall authorise the discharge of any contaminant onto or into a flowing surface water or bed of any river or lake.

42.1.4.6 Swimming Pool

The discharge of swimming pool waste water into natural water is permitted subject to the following:

42.1.4.6.1 The discharge shall contain no algaecides.

42.1.4.6.2 That:

- a) The rate of discharge shall not exceed 5 litres per second.
- b) The discharge shall not have an adverse effect on the water quality of the receiving environment.
- c) The discharge of swimming pool waste water shall not have any effect on fisheries, wildlife habitats, or recreational values of any water body.
- d) The total residual chlorine should not exceed 2.0 micrograms per litre (0.002 gm³).

42.1.4.7 Incineration

The discharge of contaminants to air from incineration of untreated wood, vegetation, newspapers, magazines and cardboard shall be a Permitted Activity provided that:

42.1.4.7.1 The waste is generated on the property where incineration occurs.

42.1.4.7.2 Any vegetative matter is dry.

42.1.4.7.3 The waste being incinerated shall not include:

- a) Car tyres;
- b) Plastic agrichemical containers;
- c) Hazardous substances or containers of hazardous substances;
- d) Oil based products;
- e) Food scraps;
- f) Aerosol cans;
- g) Foam products;
- h) Paper, unless there is a fly ash guard.

42.1.4.7.4 Weather conditions are such that any nuisance effects from smoke are minimised.

42.1.5 Heritage

42.1.5.1 Scheduled Heritage Resource

Refer to Rule 27.3.

42.1.5.2 Other Sites of Historical, Archaeological or Iwi Significance

Note:

Notwithstanding any permitted activity status herein, an authorisation from the New Zealand Historic Places Trust is required before any person may destroy, damage or modify the whole or part of any historical, cultural or archaeological site.

42.2 Limited Discretionary Activities

42.2.1

Minor non-compliance with the conditions for Permitted Activities may be allowed to the extent specified below. Application must be made for a resource consent for a Limited Discretionary Activity for the following:

- Buildings or structures intruding into the front yard by up to 100%.
- Buildings encroaching the height envelope created by recession plane angles by a maximum of 1 metre in any direction.
- Parking requirements where site circumstances make it impracticable to comply with standards.

42.2.2 Limits to the Council's Discretion

42.2.2.1 In each of the above cases the Council's discretion shall be limited to a consideration of the adverse effects expected to directly result from the proposed non-compliance; together with such matters listed in Rule 42.2.3 below as are relevant to the non-compliance.

42.2.2.2 All applications for minor non-compliance shall be non-notified, however, the Council may require the written approval of every person who may in the Council's judgement be adversely affected by the granting of the consent for non-compliance unless it is considered unreasonable in the circumstances to require such approval.

42.2.3 Matters to which the Council has Restricted the Exercise of its Discretion

In considering any application for minor non-compliance the Council will in the exercise of its discretion have regard to the following matters:

- a) The non-compliance should not diminish the existing character of the locality in which the reserve is set.
- b) The non-compliance should not adversely affect the privacy enjoyed on adjoining residential properties.
- c) The non-compliance should not significantly diminish the daylight available to adjoining properties or cause shading of outdoor living areas, service courts, open space or habitable rooms on adjoining properties.
- d) The non-compliance should not adversely affect on-site vehicle manoeuvring or car parking areas or affect the safe flow of traffic on adjoining roads.

42.2.4 Conditions

42.2.4.1 Any resource consent may include conditions relating to any one or more of the following in addition to those matters contained in Section 108 of the Act:

- a) The bulk and location of buildings and structures, including fences.
- b) The protection of public and private amenity values.
- c) The design and appearance of any buildings or structures.
- d) Landscape design and appearance of any buildings or structures.
- e) Landscape design and appearance and site layout.
- f) The protection of the roading network and any traffic impacts.
- g) Bonds or covenants to secure the performance of consent conditions.

42.3 Discretionary Activities

42.3.1 Application must be made for a resource consent for a Discretionary Activity for the following:

- Activities listed as Permitted Activities which do not comply with standards and/or conditions or with the provisions for minor compliance dealt with as Limited Discretionary Activities. Except that this provision shall not apply to activities listed as Non-Complying or Prohibited Activities.
- Community facilities, places of assembly, clubrooms not a Permitted Activity and not provided for in a Management Plan prepared under the Reserves Act 1977.
- Lighting including night training lights not provided for in a Management Plan prepared under the Reserves Act 1977.
- Emergency service activities.

42.3.2 General Assessment Criteria (Pursuant to Sections 67(1)(k) and 75(1)(k) of the Resource Management Act 1991)

Any application for a Discretionary or Non-Complying Activity shall generally comply with the conditions for Permitted Activities. In addition they shall be considered in terms of the following assessment criteria:

42.3.2.1 Matters the Subject of Assessment

- a) Any relevant objective, policies and rules of this Plan.
- b) Any relevant objectives, policies and rules of the New Zealand Coastal Policy Statement.
- c) Any relevant objectives, policies and rules of any other plan having jurisdiction over the District Recreation Zone.
- d) The requirements of sections 104, 105 and the Fourth Schedule of the Resource Management Act 1991.
- e) The likely effects of the proposed activity on the amenities enjoyed by any adjoining property.
- f) The likely effects of the proposed activity on traffic movement and road safety.

42.4 Non-Complying Activities

42.4.1 In considering any application for minor non-compliance the Council will in the exercise of its discretion give consideration to the following matters:

- Any activity not provided for as a Permitted, Limited Discretionary, Discretionary, or Prohibited Activity shall be deemed to be a Non-Complying Activity.
- Within any area identified as a Flood Hazard on the Planning Maps the following are Non-Complying Activities:
 - Any building.
 - Construction of stopbanks, modification of existing stopbanks or deposition of material in ephemeral channels.

- Construction of impermeable walls, fences or similar structures which would divert water.
- Any excavation.

42.5 Prohibited Activities

42.5.1 The following are Prohibited Activities for which no resource consent shall be granted:

- The disposal of hazardous waste substances to land or water.
- The combustion of:
 - Materials associated with the recovery of metals from insulated electrical cables in the open; or
 - Materials and metals used in motor vehicles in the open; or
 - Any other PVC plastic, or rubber tyres, waste oils, treated timber, or agricultural chemical wastes in the open.

Note:

In the open means other than in an enclosed incineration device with a chimney.

