

Section 5 - Reserves Zone

5.1 Introduction

- 5.1.1 There is a significant amount of land in the District that has been classified (into various categories) as a reserve under the Reserves Act, as well as fee simple and endowment land administered by Council that are used as reserves.
- 5.1.2 Activities on reserves that have been classified under the Reserves Act 1977 are controlled by the classification of the reserve and the requirements in the relevant Reserve Management Plan. Reserve Management Plans are developed under a public process prescribed in the Reserves Act 1977. Historically, there has been some tension between District Plan and Reserve Management Plan requirements, and the resulting duplication of regulation has caused operational difficulties.
- 5.1.3 This Plan acknowledges that Reserve Management Plans are the main management document for classified reserves. The intention is to not unduly duplicate functions of, or approvals under other legislation unless there is potential for significant adverse effects to occur.
- 5.1.4 In order to manage unclassified reserves, 'Reserve Concept Plans' developed under the Local Government Act (LGA) via a process involving formal community consultation will have the same status as a Reserve Management Plan under this Plan. These Reserve Concept Plans must have gone through a public process before they are approved. Unclassified reserves are generally more associated with passive recreational use, including walkways, cycleway and bridle paths.
- 5.1.5 Council reserves have traditionally been the location of community based temporary events such as fairs, circuses, and other large scale public events. Such events can have potential adverse effects that necessitates the location of the events to be on sites that are better placed and equipped to cope with larger crowds. This Plan identifies reserves appropriate for such large scale temporary events in Appendix O3. Temporary events of shorter duration may occur on other reserves, as provided for in the Reserve Management Plans or Reserve Concept Plans. Sporting events are anticipated to occur on reserves associated with the particular sport, and should also be acknowledged.
- 5.1.6 Commercial activities other than those associated with fundraising or temporary events are not envisaged to establish on reserve land.
- 5.1.7 A number of National Grid transmission lines traverse the Reserves Zone of Waipā District. The subdivision, use and development of land is controlled within a defined National Grid Corridor to ensure potential adverse effects are appropriately addressed. The greatest level of restriction on landowners is within the National Grid Yard (particularly the support structures) which is the area that is closest to the transmission line and where there is the greatest potential for adverse effects to occur. The restrictions recognise that the greatest potential effects are generated by sensitive activities and intensive development. Notwithstanding such restrictions, any lawfully established activities within the National Grid Corridor can continue as long as they meet the criteria for existing use rights in the Act or are a permitted activity.
- 5.1.8 The management of subdivision within the National Grid Corridor is addressed in Section 15 (Infrastructure, Hazards, Development and Subdivision).

- 5.1.9 Te Ture Whaimana o Te Awa o Waikato – The Vision and Strategy for the Waikato River arises from the Waikato-Tainui Raupatu Claims (Waikato River) Settlement Act 2010 and the Ngāti Tūwaharetoa, Ruakawa and Te Arawa River Iwi Waikato River Act 2010 (Upper River Act). The purpose of the Vision and Strategy is to restore and protect the health and well-being of the Waikato River for future generations, while providing for specific customary activities. This is of particular relevance to the Reserves in close proximity to the Waikato River. Reserves in close proximity to rivers and the public facilities they provide enable community connections with the River. Increased community connection with the River is a key strategy in the Waikato River Vision and Strategy.

5.2 Resource Management Issues

- 5.2.1 Reserve Management Plans prepared under the Reserves Act 1977 are historically not well integrated with District Plan provisions for activities on reserves.
- 5.2.2 Temporary events can adversely affect people living on adjacent properties through noise, traffic and visual effects; but they also contribute to the economic and social well-being of the community.
- 5.2.3 Retail activities ancillary to primary use or temporary events provide social and economic benefits to the community, but more substantive retail activities have potential adverse effects on the functioning of the Commercial Zone.
- 5.2.4 The cost of resource consents for minor works or activities associated with reserve purposes can affect the viability of community based activities.
- 5.2.5 Activities taking place on reserves and the placement, condition and size of buildings can have adverse environmental effects on the surrounding environment.
- 5.2.6 Views across reserves add to a neighbourhood's character, and can be compromised by the scale, design and location of buildings on reserves.
- 5.2.7 Reserves are a limited resource that need to be managed in a way that meets the diverse and changing needs in the District.
- 5.2.8 Public safety on reserves or at events on reserves can be compromised by poor design and planning.
- 5.2.9 Activities on reserves can affect public access to lakes and water bodies.
- 5.2.10 Development within the Reserves Zone has the potential to adversely affect the health and well-being of the Waikato and Waipā Rivers. Careful consideration should be given to the following: (but not limited to) potential impacts of vegetation clearance, earthworks and facilities development within river catchments.

National Grid transmission lines for the conveyance of electricity

- 5.2.11 National Grid transmission lines for the conveyance of electricity are considered to be a resource of national and regional significance that requires protection. The location of activities within National Grid Corridors have the potential to result in adverse effects, including reverse sensitivity effects, on the operation, maintenance, upgrading and future development of the National Grid network and result in sensitive activities locating where they are most vulnerable to the effects, including risks, associated with the line.

5.3 Objectives and Policies

Please also refer to the objectives and policies of Parts C, Part E and Part F, as relevant.

Objective - Management of Council Reserves

- 5.3.1 Reserve Management Plans, Reserve Concept Plans and the District Plan are aligned to permit a range of recreation and social uses, (including associated buildings) that:
- (a) Are compatible with the values, purpose, amenities and heritage of the individual reserve; and
 - (b) Meet the immediate and foreseeable future needs of the community; and
 - (c) Maintain or enhance amenity values in and around reserves; and
 - (d) Avoid adverse effects on the environment; and
 - (e) Do not detract from the value of heritage items.

Policy - Reserve Management Plans and Reserve Concept Plans

- 5.3.1.1 To align District Plan provisions with Reserve Management Plans developed under the Reserves Act, and Reserve Concept Plans developed under the Local Government Act 2002.

Policy - Buildings and activities on reserves

- 5.3.1.2 Buildings and activities on reserves are developed and managed in a manner which retains the reserve's environmental, heritage and/or cultural values, and supports the purpose of the reserve.

Policy - Height of buildings

- 5.3.1.3 The height of buildings shall not result in loss of privacy, cause over shadowing on adjoining sites; or detract from the amenity of the area.

Policy - Development on sites adjoining heritage items

- 5.3.1.4 Development on sites adjoining heritage items shall not detract from the character and values of the heritage item.

Policy - Joint use

- 5.3.1.5 To encourage cooperative use of buildings on reserves to lessen visual effects of additional buildings, and enable more efficient use of the reserve.

Policy - Visual amenity

- 5.3.1.6 The open space character and amenity of reserves is maintained by controlling the effects of activities and the scale and location of buildings on reserves.

Policies - Signs

- 5.3.1.7 The number, size, design and location of signs is limited in order to maintain public safety, and the amenity and character of the Reserves Zone.
- 5.3.1.8 Signs not related to the site, including billboards are not consistent with the character of the Reserves Zone and shall be avoided.

Policy - Safety

- 5.3.1.9 Buildings, activities, events, and functions on reserves are designed, located and operated in a manner that enhances personal, pedestrian and vehicular safety.

Policy - Relocated buildings

- 5.3.1.10 Relocated buildings shall not detract from the amenity of the area they are located within by ensuring that exterior maintenance and painting is undertaken.

Objective - Retail and commercial activities on reserves

- 5.3.2 Commercial and retail activities on reserves are ancillary and subordinate to the primary purpose of reserves.

Policy - Retail and commercial activities

- 5.3.2.1 To restrict the scale, type and extent of retail and commercial activities on reserves to those ancillary to the reserve's primary use, and to those which support and are ancillary to temporary events.

Objective - Temporary events

- 5.3.3 Temporary events are enabled on those reserves which are located, and of a size sufficient to ensure adverse effects on adjacent properties are avoided or minimised through mitigation; and where the events are compatible with the reserves purpose, or relevant classification under the Reserves Act 1977, or provided for in a Reserve Concept Plan developed under the Local Government Act 2002.

Policy - Temporary events on reserves in Appendix O3

- 5.3.3.1 To enable large scale or longer duration temporary events to occur on the reserves specified in Appendix O3, provided that adverse effects are avoided, remedied or mitigated.

Policy - Temporary events on reserves NOT in Appendix O3

- 5.3.3.2 To restrict temporary events on any reserve not specified in Appendix O3 to those of short duration and lesser cumulative frequency; provided that the events are compatible with the reserves purpose and are provided for within the relevant Reserve Management Plan or Reserve Concept Plan.

Objective - Views and vistas

- 5.3.4 Vistas through reserves (as identified on Planning Maps) are protected from the effects of new or relocated buildings.

Policies - Buildings within vistas on reserves

- 5.3.4.1 New and/or relocated buildings should not be erected within vistas over reserves as identified on the Planning Maps.
- 5.3.4.2 To encourage the relocation of existing buildings from vistas on reserves identified on the Planning Maps.

Objective - Public access to lakes and water bodies

5.3.5 Reserves adjoining lakes and water bodies should facilitate public access.

Policy - Public access

5.3.5.1 Activities providing improved public access to esplanade areas and reserves are enabled.

Policy - Esplanade Reserves

5.3.5.2 To enable passive recreation use and conservation uses on Esplanade Reserves.

Objective - National Grid transmission networks

5.3.6 To recognise and provide for the ongoing operation, maintenance and development of the National Grid electricity transmission network.

Policies - Management of activities within National Grid Corridors

5.3.6.1 To recognise the importance of the National Grid network in enabling communities to provide for their economic and social well-being and to provide for the ongoing operation, maintenance and development of the Grid through the management of activities within identified setbacks and corridors.

5.3.6.2 To ensure safe and efficient use and development of the National Grid and to protect the National Grid from the adverse effects of activities adjacent to it.

5.3.6.3 To avoid inappropriate land use and development within the National Grid Yard to ensure that the operation, maintenance, upgrading and development of the electricity transmission network is not compromised and to minimise the potential for nuisance effects.

5.3.6.4 To avoid the establishment of new sensitive activities within the National Grid Yard in order to minimise adverse effects on and from the National Grid, including adverse effects on health and safety, amenity and nuisance effects, and reverse sensitivity effects.

5.3.6.5 To not foreclose operation or maintenance options or, to the extent practicable, the carrying out of routine and planned upgrade works.

5.4 Rules

The rules that apply to activities are contained in:

- (a) The activity status tables and the performance standards in this zone; and*
- (b) The activity status tables and the performance standards in Parts E District Wide Provisions and Part F District Wide Natural and Cultural Heritage of the Plan.*

Notwithstanding any other rules in the District Plan activities in accordance with a Conservation Management Strategy under the Conservation Act 1987 and provided for under Section 4(3) of the Resource Management Act 1991 are permitted activities.

Development within a structure plan area identified on Planning Maps is required to be in general accordance with an approved structure plan. Refer to Rule 15.4.2.65 Infrastructure, Hazards, Development and Subdivision.

Advice Notes:

1. Works in close proximity to any electricity line can be dangerous. Compliance with the New Zealand Electrical Code of Practice for Electrical Safe Distances 34:2001 is mandatory for all buildings, earthworks and mobile plant within close proximity to all electric lines. Compliance with the Plan does not ensure compliance with the Code.

2. Vegetation to be planted within or near electric lines should be selected and/or managed to ensure that it will not result in that vegetation breaching the Electricity (Hazards from Trees) Regulations 2003. To discuss works, including tree planting, near any electrical line, contact the line operator.

5.4.1 Activity Status Tables

5.4.1.1	Permitted activities The following activities must comply with the performance standards of this zone
(a)	Activities and buildings, including relocated buildings, as provided for in a: <ul style="list-style-type: none"> (i) Reserve Management Plan under the Reserves Act 1977 that are in accordance with the reserve classification and purpose; or (ii) Reserve Concept Plan developed with community consultation under the Local Government Act 2002.
(b)	Buildings, other than floodlighting and goal posts, less than 40m ² GFA, and ancillary to the principal activity on the reserve, but not provided for in a Management Plan under the Reserves Act 1977 or a Reserve Concept Plan developed under the Local Government Act 2002.
(c)	Passive recreational use where consistent with the reserve gazetted purpose.
(d)	Conservation activities.
(e)	Earthworks
(f)	Temporary events on reserves specified in Appendix O3.
(g)	Signs
(h)	Temporary events and activities on reserves (other than that Appendix O3) as provided for in a Reserve Management Plan under the Reserves Act 1977, and adopted after May 2012 or in a Reserve Concept Plan developed under the Local Government Act 2002.
(i)	Any sporting activity on recreation reserves leased for that purpose and where consistent with the classified reserve purpose.
(j)	Demolition and removal of buildings and structures, except those listed in Appendix N1 - Heritage Items.
(k)	Earthworks within the National Grid Yard that comply with Rule 5.4.2.7.

Advice Note: Functions, temporary events or activities will require lease agreements or permission from the relevant management authority (e.g. Council).

5.4.1.2	Controlled activities The following activities must comply with the performance standards of this zone
(a)	There are no controlled activities.

5.4.1.3	Restricted discretionary activities The following activities must comply with the performance standards of this zone
(a)	Buildings over 100m ² GFA or additions and alterations that result in an increase in GFA of the building to 100m ² or greater, where it is provided for in an operative Reserve Management Plan under the Reserves Act 1977 or a Reserve Concept Plan developed under the Local Government Act 2002. Assessment will be restricted to the following matters: <ul style="list-style-type: none"> ▪ The location of the building with respect to vistas identified on Planning Maps; and ▪ Visual and amenity effects on surrounding properties; and ▪ Potential for reverse sensitivity effects; and ▪ Safety; and ▪ Landscaping; and ▪ The need for the additional building or extension, and whether or not the opportunities for joint use of facilities has been investigated and provided for. These matters will be considered in accordance with the assessment criteria in Section 21.

5.4.1.3	Restricted discretionary activities The following activities must comply with the performance standards of this zone
(b)	Any building that fails to comply with Rule 5.4.2.3(a) – Height. Assessment will be restricted to the following matters: <ul style="list-style-type: none"> ▪ Visual effects including bulk, scale and location of the building; and ▪ Effects on the reserve and adjoining zone character and amenity; and ▪ Effects on surrounding properties; and ▪ Loss of daylight to adjoining sites. These matters will be considered in accordance with the assessment criteria in Section 21.
(c)	Any permitted activity, or controlled activity that does not comply with any performance standards in 5.4.2, except for those specified in Rule 5.4.1.4(c), or as specified in 5.4.2.

5.4.1.4	Discretionary activities
(a)	Flood lighting, goal posts, or buildings over 40m ² GFA, ancillary to the principal activity on the reserve, not provided for in a Management Plan under the Reserves Act 1977 or a Reserve Concept Plan developed with community consultation under the Local Government Act 2002.
(b)	Construction of new buildings on a site that adjoins a Category A listed heritage item in Appendix N1 where the building(s) is within 20m of the common boundary.
(c)	Any building or activity that fails to comply with: <ul style="list-style-type: none"> (i) Rule 5.4.2.5 - Buildings within vistas (ii) Rule 5.4.2.6 - Earthworks (iii) Rules 5.4.2.8 to 5.4.2.11 - Temporary events on reserves identified in Appendix O3 (iv) Rules 5.4.2.12 to 5.4.2.14 - Temporary events on reserves NOT identified in Appendix O3 (v) Rule 5.4.2.15 - Noise (vi) Rule 5.4.2.19 - Retail and commercial activities ancillary to principal recreation use (vii) Rules 5.4.2.20 to 5.4.2.21 - Signs
(d)	Buildings located within a vista from Cambridge and Leamington as marked on the Planning Maps.
(e)	Any floodlights which fail to comply with Rule 5.4.2.3(b) – Height.

5.4.1.5	Non-complying activities
(a)	Commercial and retail activities not ancillary to the classification or principal recreational use of the reserve.
(b)	Any building which fails to comply with Rule 5.4.2.1 - Minimum building setback from road boundaries.
(c)	All other activities or buildings not included in activity status table Rules 5.4.1.1 to 5.4.1.4 above and not listed as a prohibited activity.
(d)	Within the National Grid Yard: <ul style="list-style-type: none"> (i) Any building; (ii) Any change of use to a national grid sensitive activity or the establishment of a new national grid sensitive activity; (iii) Any earthworks which fails to comply with Rule 5.4.2.7.

5.4.1.6	Prohibited activities The following activities are prohibited and no resource consent will be approved
(a)	There are no prohibited activities.

5.4.2 Performance Standards

The following rules apply to activities listed as permitted, controlled and restricted discretionary activities.

Where rules are not complied with resource consent will be required in accordance with the rules in the activity status table or as identified in the performance standards, and will be assessed against the relevant objectives and policies. In the case of controlled and restricted discretionary activities, the assessment will be restricted to the matters over which control or discretion has been reserved, in accordance with the relevant assessment criteria contained in Section 21. For discretionary activities Council shall have regard to the assessment criteria in Section 21. The criteria in Section 21 are only a guide to the matters that Council will consider and shall not restrict Council's discretionary powers.

Rule - Minimum building setback from road boundaries

5.4.2.1 The minimum building setback from road boundaries shall be 15m, except for:

- (a) Playground equipment, where the minimum building setback is 5m
- (b) Temporary buildings associated with a permitted temporary event which have no minimum setback from a road boundary.

Advice Note: See also Rule 25.4.2.1 Building setback from road boundaries within identified viewshafts

Activities that fail to comply with this rule will require a resource consent for a non-complying activity.

Rule - Minimum building setback from internal site boundaries

5.4.2.2 The minimum building setback from internal site boundaries is 10m

Activities that fail to comply with this rule will require a resource consent for a restricted discretionary activity with the discretion being restricted over:

- The provision of daylight and sunlight into neighbouring buildings; and
- The general appearance/effect on the openness and character of the reserve and adjoining zone; and
- The safety and efficiency of pedestrian, cyclists and traffic flow; and
- Effects on surrounding properties; and
- Potential reverse sensitivity effects on any adjoining residential or rural activities.

These matters will be considered in accordance with the assessment criteria in Section 21.

Rule - Height

5.4.2.3 The maximum height shall be:

- (a) Buildings 8m
- (b) Floodlights 15m

Provided that there is no maximum height for rugby goal posts.

Activities that fail to comply with Rule 5.4.2.3(a) will require a resource consent for a restricted discretionary activity with the discretion being restricted over:

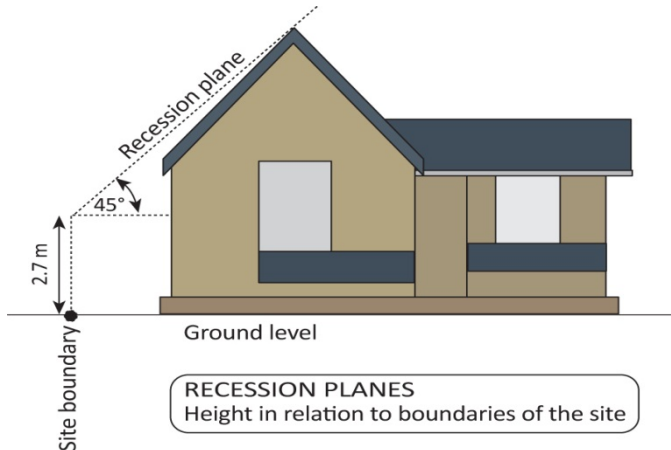
- Visual effects including bulk, scale and location of the building; and
- Effects on the reserve and adjoining zone character and amenity; and
- Effects on surrounding properties; and
- Loss of daylight to adjoining sites.

Activities that fail to comply with Rule 5.4.2.3(b) will require a resource consent for a discretionary activity.

These matters will be considered in accordance with the assessment criteria in Section 21.

Rule - Daylight control

- 5.4.2.4 No building (excluding floodlighting and goal posts) shall penetrate a recession plane at right angles to a boundary included inwards and upwards at an angle of 45° from 2.7m above the ground level of the front, side or rear boundaries of a site.



Activities that fail to comply with this rule will require a resource consent for a restricted discretionary activity with the discretion being restricted over:

- Visual effects including bulk, scale and location of the building; and
- Effects on reserve and adjoining zone character and amenity; and
- Effects on surrounding properties; and
- Loss of daylight to adjoining sites.

These matters will be considered in accordance with the assessment criteria in Section 21.

Rule - Buildings within vistas

- 5.4.2.5 New or relocated buildings shall not be located in a vista identified on the Planning Maps.

Activities that fail to comply with this rule will require a resource consent for a discretionary activity.

Rules - Earthworks

- 5.4.2.6 Earthworks shall comply with the following:

- (a) Earthworks are associated with the maintenance and upgrading of sports fields, the formation and maintenance of public walkways or tracks; or
- (b) Earthworks shall not exceed a total volume of 1000m³ in a single activity or in cumulative activities in any calendar year, provided that this rule shall not apply to earthworks incidental to an approved resource consent or building consent.

Advice Notes:

1. Earthworks complying with permitted activity standards or subject to resource consent requirements under the National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health Regulations 2011, are exempt from additional resource consent requirements.
2. Earthworks within 23m of a lake or water body require resource consent. Refer Section 26 - Lakes and Water bodies.

3. In the event that any artefacts, human remains or evidence of historic human activity are discovered, there is a procedure under the Heritage New Zealand Pouhere Taonga Act 2014 that must be followed.
4. There are additional restrictions in Section 25 - Landscapes and Viewshafts on earthworks on properties within an identified landscape.

Activities that fail to comply with this rule will require a resource consent for a discretionary activity.

5.4.2.7 Any earthworks within a National Grid Yard must:

- (a) Around National Grid pole support structures:
 - (i) Be no deeper than 300mm within 2.2m of a National Grid pole support structure or stay wire; and
 - (ii) Be no deeper than 750mm between 2.2m to 5m from a National Grid pole support structure or stay wire.

Provided that vertical holes not exceeding 500mm in diameter beyond 1.5m from the outer edge of pole support structure or stay wire are exempt from (i) and (ii) above.

- (b) Around National Grid tower support structures:
 - (i) Be no deeper than 300mm within 6m of the outer visible edge of a National Grid tower; and
 - (ii) Be no deeper than 3m between 6m to 12m from the outer visible edge of a National Grid tower.
- (c) Anywhere within the National Grid Yard:
 - (i) Not create an unstable batter that will affect a transmission support structure; and
 - (ii) Not result in a reduction in the ground to conductor clearance distances below what is required by Table 4 of NZECP34.

Provided that the following are exempt from Rule 5.4.2.7(a) and (b) above:

- (i) Earthworks undertaken by a network utility operator; or
- (ii) Earthworks undertaken as part of agricultural or domestic cultivation, or repair, sealing or resealing of a road, footpath, driveway or farm track.

Activities that fail to comply with this rule will require a resource consent for a non-complying activity.

Rules - Temporary events on reserves identified in Appendix O3

5.4.2.8 All temporary buildings and works associated with the temporary event shall be removed and the site returned to its original condition within three days after the event has ceased.

5.4.2.9 A temporary event that is likely to attract more than 200 vehicles will require a Traffic Management Plan. The Traffic Management Plan shall be submitted to, and approved by the relevant road controlling authority no less than one month prior to the event commencing.

5.4.2.10 Temporary events on reserves identified in Appendix O3 shall not:

- (a) Exceed six consecutive days duration either individually or in combination; and/or
- (b) Involve motorised sport; and/or

- (c) Occur outside of the hours of 7.00am to 10.00pm, except for overnight accommodation for event staff.

- 5.4.2.11 Temporary events lasting more than two days shall not exceed a maximum total cumulative frequency of 12 times per year on any site within a reserve listed in Appendix O3, provided that for the Cambridge Town Belt the maximum frequency of events applies to each lease area.

Advice Note: Refer to the New Zealand Building Code – G1 – Personal Hygiene for the minimum number of toilets that should be provided, and for rubbish disposal provisions.

Activities that fail to comply with Rules 5.4.2.8 to 5.4.2.11 will require a resource consent for a discretionary activity.

Rules - Temporary events on reserves NOT identified in Appendix O3

- 5.4.2.12 All temporary buildings and works associated with the temporary event shall be removed and the site returned to its original condition within three days after the event has ceased.
- 5.4.2.13 A temporary event that is likely to attract more than 200 vehicles will require a Traffic Management Plan. The Traffic Management Plan shall be submitted to, and approved by the relevant road controlling authority no less than one month prior to the event commencing.
- 5.4.2.14 Temporary events shall be provided for in the relevant Reserve Management Plan or Reserve Concept Plan, and, in combination, shall not exceed a maximum total cumulative frequency of two times per calendar year on any one site; and shall not:
- (a) Exceed one days duration (excluding preparation time); and/or
 - (b) Involve motorised sport, amplified outdoor musical concerts; and/or
 - (c) Occur outside of the hours of 7.00am to 10.00pm.

Advice Note: Rubbish collection and disposal, and toilet facilities for the event must be provided sufficient to meet the requirements of all event attendees and staff.

Activities that fail to comply with Rules 5.4.2.12 to 5.4.2.14 will require a resource consent for a discretionary activity.

Rule - Noise

- 5.4.2.15 Activities and/or events shall be conducted, and buildings located, designed and used to ensure that noise levels do not exceed the following limits at the site boundary where a reserve adjoins the Residential Zone or the notional boundary of any dwelling in any other adjoining zone:
- (a) Monday to Saturday - 7.00am to 10.00pm 55dBA (Leq)
 - (b) Sunday and Public Holidays - 8.00am to 8.00pm 50dBA (Leq)
 - (c) At all other times 40dBA (Leq)
 - (d) No single noise event between 10.00pm to 7.00am shall exceed the following: 70dBA (Lmax)

The noise levels shall be measured and assessed in accordance with the requirements of NZS 6801:2008 – Acoustics – Environmental Sound and assessed in accordance with NZS 6802:2008 – Acoustics – Environmental Noise.

Activities that fail to comply with this rule will require a resource consent for a discretionary activity.

Rule - Vibration

5.4.2.16 Vibration emanating from a site shall meet the limits recommended in and be measured and assessed in accordance with New Zealand Standard NZS 4403:1996 - Code of Practice for Storage, Handling, and Use of Explosives.

Activities that fail to comply with this rule will require a resource consent for a restricted discretionary activity, with the discretion being restricted over:

- Safety; and
- Time and duration of effect; and
- Effects on buildings and structures, either on site or on surrounding properties.

These matters will be considered in accordance with the assessment criteria in Section 21.

Rule - Construction noise

5.4.2.17 Construction noise emanating from a site shall meet the limits recommended in and be measured and assessed in accordance with New Zealand Standard NZS 6803:1999 Acoustics – Construction Noise.

Activities that fail to comply with this rule will require a resource consent for a restricted discretionary activity with the discretion being restricted over:

- Time and duration of effect; and
- Effects on surrounding properties.

These matters will be considered in accordance with the assessment criteria in Section 21.

Rule - Noise: temporary military training activities

5.4.2.18 Noise from temporary military training activities measured from a line 20m from and parallel to the façade of any dwelling or the legal boundary where this is closest to the dwelling shall not exceed the following limits:

Time (any day)	Noise Limits		
	L10	L95	Lmax
0630 - 0730	60	45a	70
0730 - 1800	75	60	90
1800 - 2000	70	55	85
2000 - 0630 (except as provided for below)	35	-	65
For no more than 5 days in any 4 week period:			
2000 - 0630	40	-	65

Provided that noise resulting from the use of explosives shall not exceed 122dBA during daylight hours 6.30am to 8.00pm. No noise resulting from the use of explosives shall be generated outside of these times.

All noise levels shall be measured and assessed in accordance with the requirements of NZS 6801:2008 – Acoustics – Environmental Sound and assessed in accordance with NZS 6802:2008 – Acoustics – Environmental Noise.

Activities that fail to comply with this rule will require a resource consent for a restricted discretionary activity with the discretion being restricted over:

- Noise; and
- Vehicle access.

These matters will be considered in accordance with the assessment criteria in Section 21.

Rule - Retail and commercial activities ancillary to principal recreation use

- 5.4.2.19 Retail and commercial activities ancillary to an activity provided for in a Management Plan under the Reserves Act 1977 shall occupy no more than 20m² GFA of any building; provided that this rule does not apply to retail or commercial activities directly associated with an authorised temporary event.

Activities that fail to comply with this rule will require a resource consent for a discretionary activity.

Rules - Signs

- 5.4.2.20 The following signs are permitted:

- (a) Signs giving information such as the name of the reserve, the activity carried on, and names of group responsible for premises. No such sign shall exceed 1.6m² visible in any one direction.
- (b) Signs within reserves for orientation and direction of traffic and/or pedestrians.
- (c) A sign erected on a construction site giving details of the project. The maximum total area of the sign shall be no more than 2m² and no more than one sign is permitted on a site at any one time.
- (d) Any sign erected by Council, New Zealand Transport Agency, or the Automobile Association for the direction and control of traffic.
- (e) Health and Safety at Work Act 2015 related signs.

Provided that in all cases:

- (i) Signs shall relate to activities authorised under the Plan, and shall be located on the site to which they relate; and
- (ii) Signs shall not be internally illuminated, flashing, incorporate fluorescent or moving materials such as flags or be painted in colours that are used on traffic signals; and
- (iii) All signs shall be placed so that, where attached to a building, no part protrudes above the eaves or parapet, or where attached to a fence or wall, no part protrudes above the top of the fence or wall; and
- (iv) A freestanding sign shall be placed so that no part is more than 2m above ground level; and
- (v) Signs shall be placed so that they do not block sight distances at entranceways and shall be no closer than 20m to a road intersection; and
- (vi) Signs shall be removed where the activity or use to which the sign relates are no longer available, or no longer relevant to that site or building.

- 5.4.2.21 Signs giving information on forthcoming cultural, religious, educational or sporting events and displayed not more than 90 days before and three days after the event are permitted.

Provided that in all cases:

- (a) Signs shall not be internally illuminated, flashing, incorporate fluorescent or moving materials such as flags or be painted in colours that are used on traffic signals; and
- (b) All signs shall be placed so that, where attached to a building, no part protrudes above the eaves or parapet, or where attached to a fence or wall, no part protrudes above the top of the fence or wall; and
- (c) A freestanding sign shall be placed so that no part is more than 2m above ground level; and
- (d) Signs shall be placed so that they do not block sight distances at entranceways and shall be no closer than 20m to a road intersection; and
- (e) Signs shall be removed within three days of the conclusion of the event.

Provided that relevant the zone based or district wide rules apply where they are more restrictive. Refer to Section 22 - Heritage and Archaeology and Section 25 - Landscapes and Viewshafts.

Activities that fail to comply with Rules 5.4.2.20 and 5.4.2.21 will require a resource consent for a discretionary activity.

Rule - Relocated buildings

5.4.2.22 A relocated building over 40m² GFA provided for in an operative Reserve Management Plan or Reserve Concept Plan shall meet the following requirements:

- (a) A Building Relocation Inspection Report shall accompany an application for a building consent. The Building Relocation Inspection Report shall be prepared by one of the following suitably qualified and experienced people:
 - (i) A Waipa District Council Building Compliance Officer (or equivalent); or
 - (ii) A member of the New Zealand Institute of Building Surveyors; or
 - (iii) A licensed building practitioner (carpenter or design category); or
 - (iv) A building inspector from the local authority where the building is being relocated from; and
- (b) If the Building Relocation Inspection Report has been prepared by a person other than a Waipa District Council Building Compliance Officer (or equivalent position), the accuracy and completeness of the Building Relocation Inspection Report must be confirmed by a Waipa District Council Building Compliance Officer (or equivalent position) by undertaking an on-site inspection of the relocated building once it has been relocated; and should the Waipa District Council Building Compliance Officer determine that the relocated building requires external repair works in addition to that identified in the submitted Building Relocation Inspection Report in order to achieve a tidy and workmanlike external appearance, then:
 - (i) The owner of site to which the building is to be relocated will be contacted and must agree in writing to the additional works within 2 weeks of notification of the requirement for additional works. The additional works then become part of the Building Relocation Inspection Report.
- (c) All required repairs and maintenance identified in the Building Relocation Inspection Report to reinstate the exterior of the relocated building, including painting, if required,

shall be completed within 6 months of the relocated building being delivered to the site;
and

- (d) The owner of site to which the building is to be relocated must supply a signed declaration to Council that the reinstatement work required by the Building Relocation Inspection Report will be completed within 6 months of the relocated building being delivered to the site.

Provided that this rule shall not apply to new buildings which are designed for or intended to be used on a site which are erected off the site either in whole or in parts and transported to the site.

Advice Notes:

1. Relocated buildings less than 40m² are not required to comply with this rule but are required to comply with the relevant rules in 5.4.2.
2. Information requirements for a Building Relocation Inspection Report are detailed in Section 21.2.27.
3. The onsite inspection by a Waipa District Council Building Compliance Officer (or equivalent position) shall occur at the time of foundation inspection for the Building Consent process, and will not incur additional costs.

Activities that fail to comply with this rule will require a resource consent for a restricted discretionary activity, with the discretion being restricted over:

- Condition of the exterior of the building; and
- Repairs and works identified for action in Council approved or certified Building Relocation Inspection Report; and
- Reinstatement works; and
- Timing for completing any required works.

These matters will be considered in accordance with the assessment criteria in Section 21.

5.5 Assessment Criteria

5.5.1 Controlled activities and Restricted Discretionary activities

For controlled and restricted discretionary activities the assessment will be restricted to the matters over which control or discretion has been reserved, in accordance with the relevant assessment criteria contained in Section 21. Resource consent conditions can only be imposed over the matters which control or discretion has been reserved.

5.5.2 Discretionary activities

For discretionary activities Council shall have regard to the assessment criteria in Section 21. The criteria in Section 21 are only a guide to the matters that Council will consider and shall not restrict Council's discretionary powers.