

Z14 Reserves and Open Space Zone

~~1. This section contains the rules that apply to activities in the Reserves and Open Space Zone, as defined on the Planning Maps. The Reserves and Open Space Zone also covers protected areas administered by the Department of Conservation. These have a total area of 39,800 hectares in Wanganui District, and include:~~

- ~~a. some major conservation areas (e.g Ahu Ahu, Jean D'Arcy Reserve, Tokomaru East Block);~~
- ~~b. a substantial area of the Whanganui National Park; and~~
- ~~c. some coastal reserves (e.g Whitiiau Scientific Reserve).~~

~~These reserves are administered by DOC under a Conservation Management Strategy prepared under the Conservation Act and, in the case of Whanganui National Park, a management plan prepared under the National Parks Act. In general, this zone does not aim to control development in these areas as this is already controlled in departmental management strategies and plans.~~

~~2. Council seeks to maintain reserve and open space areas with the following characteristics:~~

- ~~a. appropriate and efficient distribution of reserves, open spaces and facilities throughout the district based on population characteristics;~~
- ~~b. facilities on reserves are located and designed in an integrated manner;~~
- ~~c. the scale, vegetation and design of reserves and open spaces contribute to the character of the surrounding area;~~
- ~~d. safe design of reserves, open spaces and accessways;~~
- ~~e. avoidance of nuisance from traffic, noise, glare or other adverse environmental effects;~~
- ~~f. retention of natural and cultural heritage features.~~

~~3. The "Reserves and Open Space Zone" rules aim to:~~

- ~~a. maintain the scale and character of reserves and open space areas;~~
- ~~b. address nuisance from noise, light spill, glare and vibration;~~
- ~~c. address visual amenity and safety problems from advertising signs;~~
- ~~d. manage the effects of structures on reserves.~~

~~Note: Within land administered by the Department of Conservation permitted activities will be considered in the light of section 4 of the Resource Management Act.~~

I53 Effects of Reserves and Open Space

Design and use of reserves and open space can have both beneficial and adverse effects on the surrounding environment:

- a. People will not use areas they perceive as unsafe.
- b. Activities at reserves or open space areas may create noise or other nuisance effects for surrounding residents.

I54 Less private recreational space

Progressively smaller lot sizes, coupled with bigger houses means that people have less private recreation space. Access to public green space will become increasingly important.

O46 Quality reserves and Open Spaces

Parks and open space areas that are safe, accessible and pleasant to use, that meet the varied recreational needs of the community and enhance the amenity values of the surrounding environment.

P78 Ensure adequate provision, and distribution and utilisation of recreational facilities and opportunities, and define reserves and open spaces to ensure the following characteristics are enhanced or maintained:

~~a. appropriate d~~Distribution of reserves, open spaces* and facilities throughout the district based on population characteristics;

b. Implementing CPTED principles to ensure safety in and around parks and open spaces including access ways;

~~b. c . facilities on~~ Ensure reserves are located and designed in an integrated manner and complement the amenity value of the surrounding residential environment;

~~c. the scale, vegetation and design of reserves and open spaces contribute to the character of the surrounding area;~~

d. Ensuring that any buildings, parking facilities and vegetation are integrated into reserve sites and do not compromise the character of the site and surrounding environment.

~~d. safe design of reserves, open spaces and accessways;~~

e. avoidance of nuisance from traffic, noise, glare or other adverse environmental effects on the surrounding environments.

f. retention of natural landscape and ~~cultural~~ historic heritage features

g. A variety of passive and active recreational needs are provided for.

~~Recreation and leisure opportunities contribute to the quality of life of people and communities. Studies undertaken as part of Council's* recreation planning indicate that recreation and leisure activities are becoming more significant in people's lives.~~

~~Reserves and recreation facilities* are a major component of the District's infrastructure. They provide for the leisure and recreation activities of people and communities. They are costly to provide and maintain. For reserves and recreation facilities to be properly utilised, there needs to be a close match between population characteristics and the location and types of facilities provided.~~

~~Implementation of this policy* relies on Council* carrying out investigations and preparing strategies and plans for recreation planning and management of reserves and recreation facilities*. This approach is consistent with Council's* functions and responsibilities under the Resource Management Act 1991 and the Local Government Act 1974.~~

~~This policy* also relies on District Plan rules to set out the circumstances and amounts of contribution by the developer to a special Council fund set aside for the development of recreation facilities* (Facilities Development Fund). This approach is considered appropriate as it provides a clear, consistent and equitable system of user-pays contribution to the development* of reserves and recreation facilities* in the District. It is also provided for in the Resource Management Act 1991.~~

Note: This part of Proposed Plan Change 19 has legal effect from 29 July 2010.

* refer to definitions

R200 Permitted Activities

All activities shall comply with Performance Standards and General Rules where relevant

The following are permitted activities in the Reserves and Open Space Zone:

- a. Recreation facilities and activities.
- b. Temporary commercial activities in Cooks Gardens, Springvale Park, Queens Park, the Race Course, Kowhai Park, Majestic Square, Handley Reserve, Cornmarket Reserve, Aramoho Camping Ground, Mowhanau Camping Ground, Mowhanau Domain, Castlecliff Domain, and Moutoa Gardens only.
- c. Temporary Camping
- d.e. Conservation works.
- e.d. Flood protection works (includes channel maintenance work in respect of the Whanganui River).
- f.e. Tree maintenance provided that
 - i. maintenance of protected trees must comply with the General Rule – Protected Trees (Rule R18)
- g.f. Commercial activities on the Whanganui River for transport or water based recreation purposes excluding houseboats.
- h.g. Network utilities as provided by General Rule – Utilities (Rule R15) which contains some exemptions from the zone rules for network utilities.

Which comply with the relevant zone rules.

Advice Note: works in close proximity to any electricity line can be dangerous. Compliance with the New Zealand Electrical Code of Proactive 34:2001 is mandatory for all buildings, earthworks and mobile plant within close proximity to all electric lines.

Vegetation to be planted within near electricity 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.¹

¹ Submission 3

R201 Performance standard – Noise

Sound emissions (including public address systems) shall not exceed the following limits:

- 7.00am to 10.00pm 50dBA (L10) at or beyond any Residential Zone boundary
- 7.00am to 10.00pm 60dBA (L10) at or beyond any other boundary
- 10.00pm to 7.00am 40 dBA (L10) at or beyond any boundary

Note: This is an existing rule that was made operative on May 25 2012 and is not part of the Phase 2 review. It is included for your information only.

In the defined circumstances the following noise limits will apply to event in Springvale Park:

For up to five days per calendar year, but a maximum of two days consecutively,

<u>8.00am to 12.30am</u>	<u>55dB L_{Aeq} at or beyond any Residential Zone boundary</u>
	<u>65 L_{eq} at 63Hz</u>
	<u>55 L_{eq} at 125Hz</u>
<u>8.00am to 12.30am</u>	<u>60dB L_{Aeq} at or beyond any other zone boundary</u>
	<u>70 L_{eq} at 63Hz</u>
	<u>60 L_{eq} at 125Hz</u>
<u>12.30am to 8.00am</u>	<u>40dB L_{Aeq} at or beyond any zone boundary</u>
	<u>50 L_{eq} at 63Hz</u>
	<u>40 L_{eq} at 125Hz</u>

and for up to 10 days per calendar year

experienced acoustic consultant at the expense of the event organiser. A report detailing the results of noise monitoring for each event shall be provided to the Customer Services Manager, by the event organiser, within one week of the event.

For each venue a list of potentially affected residents shall be identified, with those parties shall be advised at least seven days before any event occurs, and the hours of operation shall be included in addition to contact details of a person responsible for the management of the event.

Crowd noise from people in a park or reserve is considered a reasonable and acceptable effect of the use of recreation reserves, and as such shall not be controlled using rules in this Plan.

The above noise standards shall not apply to *temporary military training activities** as these activities are subject to separate standards contained in General Rule - Temporary Military Training Activities (Rule R23).

These conditions shall be read with and are subject to the provisions of Appendix A4 - Noise.

** refer to definitions*

R202 Performance Standard – Lighting and Glare

Any artificial lighting system shall ensure that its use does not result in an added ~~result in added~~ illuminance, over and above the measured ambient level, in excess of ~~40~~ 8 lux measured in the vertical plane of any Residential, Coastal Residential, Rural or Rural Settlement Zones. at the boundary of any residentially zoned site.²

² Submission 5

No light source shall cause glare which may adversely affect the vision of motorists on a road.

R203 Performance Standard - Vibration

No activity shall cause a vibration considered offensive or objectionable.

In assessing whether vibration is offensive or objectionable, the limits set in NZS 2631: 1985-1989, Parts 1 - 3 shall be used apply.

R204 Air discharge

~~Note: There are no District Plan standards for air discharges. Discharges to air are controlled by regional councils. The Wanganui District Council has been authorised by the Manawatu-Wanganui Regional Council to exercise all powers and functions of Enforcement Officers for the purpose of investigating complaints about the discharge of contaminants to air within the boundary of the Wanganui urban area. Persons responsible for causing discharges to air should consult Wanganui District Council or Manawatu-Wanganui Regional Council staff about provisions in the Regional Air Plan for Manawatu-Wanganui. Furthermore, it should be noted that Section 17 of the Resource Management Act imposes a duty on all persons to avoid, remedy or mitigate adverse effects, including those relating to odour, dust and smoke, regardless of any rules in plans or conditions of resource consents.~~

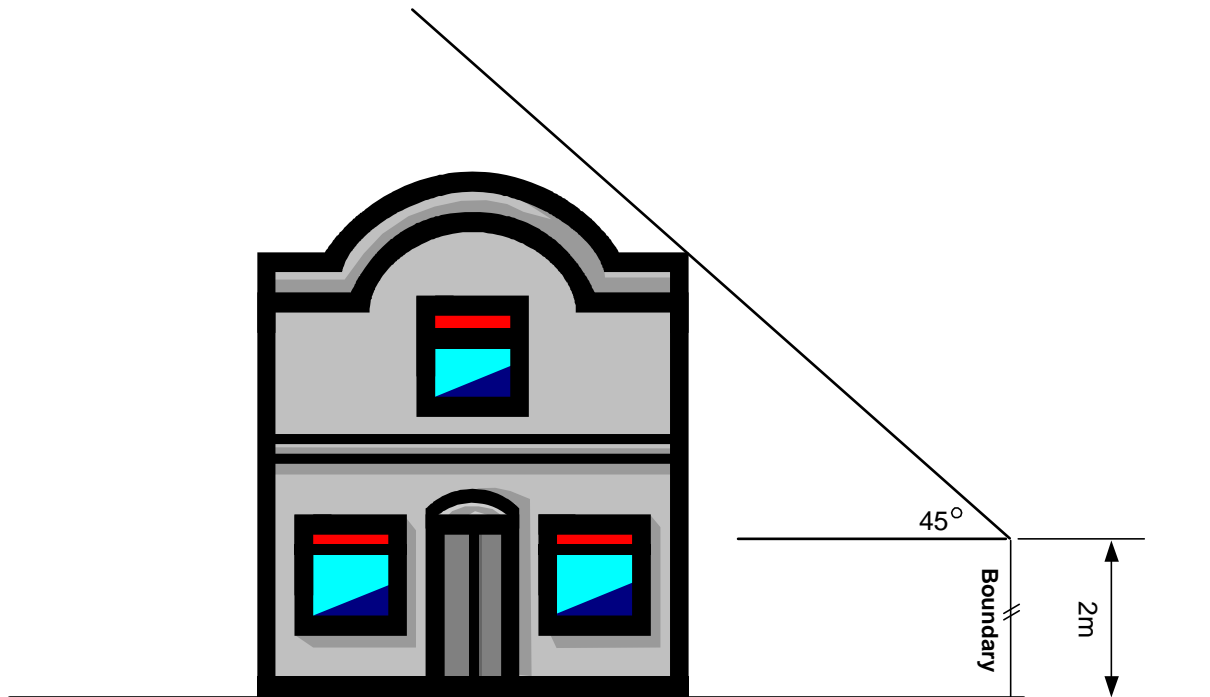
~~Reason~~

~~To ensure that the community is free of nuisance caused by light spill, glare and vibration~~

R205 Performance Standard - Structures

Structures in the Reserves and Open Space Zone shall comply with the following terms and conditions:

- a. Height recession plane
All new buildings and structures, and additions to buildings and structures shall be designed and constructed to fit within a recession plane (or height-to-boundary plane) which commences at 2 metres above the existing ground level at all site boundaries and then projects from this line inwards at a 45 degree angle.
~~This standard also applies to all front boundaries.~~



Reason

~~There is potential for buildings to affect the adjoining properties where these are constructed close to the boundary. This standard will provide flexibility while allowing a reasonable level of amenity for the adjoining property. In particular, the recession plane technique will protect against unreasonable shading, loss of sunlight, and loss of privacy and visual outlook. In relation to the front boundary, the recession plane ensures appropriate setbacks in a flexible manner, to protect streetscape.~~

- b. Height Buildings shall not exceed 10 metres in height.
- c. Antenna dishes - antenna dishes shall not exceed 3 1.2 metres in diameter.

R206 Performance Standard - Advertising

No sign will be erected, constructed or displayed in this zone other than the following, which are to be neither neon nor flashing in type:

- a. One property identification sign identifying the name of the open space or reserve not exceeding 3m².

- b. Any sign inside a sports ground as long as it is not visible from a residential zone.
- c. Any sign serving to direct traffic.
- d. Signs not exceeding 4m² erected in connection with tourist publicity or special public information or denoting places and points of interest.
- e. Any temporary sign advertising an event, provided that:
 - i. signs are located on the site to which they relate,
 - ii. signs are displayed for no longer than 6 weeks before and 2 days after the event.
 - iii. no temporary sign shall exceed 4m² total sign face area
- f. One identification and/or health and safety sign associated with infrastructure not exceeding 0.5m² and attached to the corresponding infrastructure.³
- e. g. The general rules for advertising, General Rule – Advertising (Rule R16) shall apply.

Reason

~~The signs performance standard has been applied to allow signs within the Reserves and Open Space Zone of the District that convey messages or sponsorship about activities located there while minimising the potential for adverse effects on visual amenity, pedestrian and other traffic safety.~~

R207 — Controlled Activities

————— The following activities are controlled activities in the Reserves and Open Space Zone:

³ Submission 3 – Hearings evidence Powerco

~~a. Subdivision.~~

~~Refer to the section on Subdivision for standards, terms and areas of control relating to subdivision in this zone.~~

R208 Restricted Discretionary Activities

The following are restricted discretionary activities in the Reserves and Open Zone ~~where the Council shall restrict the exercise of its discretion:~~

- a. Any permitted ~~or controlled~~ activity which does not comply with the relevant zone rules. In exercising its discretion, the Council shall be limited to the conditions with which that activity fails to comply.

Council restricts its discretion to the following matters:

1. The effect of the particular non-compliance on the environment, including the cumulative or combined effect of non-compliances.

Refer to [Resource Consent Assessment Criteria](#).

b. Subdivision* provided that:

i. Minimum lot size is 450m²:

ii. Each site shall achieve hydrological neutrality⁴

Council restricts its discretion to the following matters:

1. Impact in the amenity values on the surrounding residential area.
2. the ability of sites to:
 - a. be independently serviced for water, wastewater; and
 - b. Comply with subdivision design provisions (Refer to Subdivision Chapter)
 - c. Ability of site to achieve hydrological neutrality

c. Commercial activities*

Council restricts its discretion to the following matters:

1. Impact on the amenity values of the open space or reserve area
2. Impact on the amenity values of the surrounding residential area.
3. Impact on traffic flows and parking provision.

Refer to [Resource Consent Assessment Criteria](#).

~~An application need not be notified if the consent authority is satisfied that the adverse effect on the environment of the activity will be minor and written approval has been obtained from every person whom the Council is satisfied may be adversely affected by the granting of the resource consent, unless the Council considers it is unreasonable in the circumstances to require the obtaining of every such approval.~~

R244 Whanganui River View Shaft - Any activity or development within

⁴ Submission 5

the identified view shaft that modifies the view to the Whanganui River.

Council restricts its discretion to the following matters:

1. the view to the Whanganui River; or

2. the view to Cooks Gardens/Papatuhou and Queens Park/Pukenamu from Maria Place;

e. Maria Place to Cooks Gardens/Papatuhou and Queens Park/Pukenamu View Shaft - Any activity or development within the identified view shaft that modifies the view from any point along Maria Place, to Cooks Gardens/Papatuhou and Queens Park/Pukenamu.

Council restricts its discretion to the following matters:

1. the view to the Whanganui River; or

2. the view to Cooks Gardens/Papatuhou and Queens Park/Pukenamu from Maria Place;

R209 Unrestricted ~~d~~Discretionary activities

The following activities are discretionary activities in the Reserves and Open Space Zone ~~where the exercise of the Council's discretion is unrestricted:~~

a. Network utilities as provided by General Rule – Utilities (Rule R15).

c. Any activity which is not provided for as a permitted, ~~controlled~~ or restricted discretionary activity.

Assessment Criteria for Discretionary Activities are provided in the Resource consent Assessment Criteria section.

M234 To adopt rules for the Reserves and Open Space Zone

To adopt rules for the Reserves and Open Space Zone which:

- a. maintain the scale and character of reserves and open space areas;
- b. address nuisance from noise, light spill, glare and vibration;
- c. address visual amenity and safety problems from advertising signs;
- d. manage the effects* of structures* on reserves.

* refer to definition

M233 Define “Reserves and Open Space Zones” on the District Plan maps, with corresponding rules to maintain the character and scale of these areas.

M235 Carry out studies to assess and monitor the adequacy of provision and rate of utilisation of reserves and recreation facilities and opportunities in the District.

M236 Prepare and implement strategies to rationalise and co-ordinate existing provision and distribution of facilities.

M237 Prepare a work programme for the preparation of Reserves Management Plans

M238 Negotiate with land owners and developers to set aside land with recreation value to be developed and managed for public use and enjoyment.

M239 Develop conditions and terms for resource consents, including financial contributions to develop new reserves and facilities for recreation.

M20 Linked system of open space and reserves

Develop a linked system of open space and reserves.

Temporary Camping

Is camping of temporary and self-contained nature on a reserve or open space in association with a specific event on the same site, where that event may benefit from temporary camping activities for security reasons, this includes campervans and caravans

Temporary Commercial Activities

Is commercial activities of a temporary and/or seasonal nature of a small scale such as of a craft or food and beverage nature this includes car boot sales, gala, or gypsy fair.