

# Section 53 – Open Space Zone

## 53.1 Zone Description

The Open Space Zone has been applied to areas at risk of natural hazards that do not yet have a flood hazard overlay, coastal erosion line or other hazard overlay. As site-specific hazard modelling occurs, some areas within the zone may be rezoned and hazard overlay(s) over it.

The Open Space Zone has other indirect benefits as well as hazard prevention. It can help to retain the natural character of water bodies and their margins and retain view shafts. On public land it provides opportunities for recreation and enjoyment of parks and the natural environment.

The Open Space Zone also covers the existing Matarangi Golf Course as set out in the Matarangi Structure Plan (see Section 28.3).

## 53.2 Zone Purpose

The Open Space Zone manages or prevents, where necessary, the erection of major structures or buildings and land use activities on land, waterways and artificial waterways vulnerable to natural hazards. These buildings and structures would be at risk from natural hazards or may place the use and enjoyment of that land or nearby land and buildings at risk. Constructing them is likely to result in unacceptable public costs in reducing that risk.

The Zone also gives effect to the Matarangi Structure Plan's intention to keep the identified Matarangi Golf Course area as open space. Eventually, a covenant or consent notice on the titles of the Matarangi Golf Course would keep the land as open space in perpetuity. The Matarangi Open Space Zone does not mean that the area must remain a golf course, but that any change in use does not include buildings. For discretionary and non-complying consent applications and plan changes within the Matarangi Structure Plan's Open Space Zone, Plan users should generally refer to the objectives and policies in the Matarangi Structure Plan rather than Section 11 Natural Hazards. Some Open Space Zone areas within the Matarangi Structure Plan also have natural hazard risks where Section 11 applies, for example coastal erosion risk on parts of the western spit end of Matarangi (Lot 19 DP 331131) and Holes 1 and 2 (Lot 36 DPS 72837).

### 53.3 Activity Table and User Information

The Activity Table groups activities under broad headings and provides a rule and section number to go to as a starting point. In the table the following abbreviations are used:

|     |         |
|-----|---------|
| R = | Rule    |
| S = | Section |

The zone rules are part of a hierarchy of rules. There may be overlay rules, district wide rules or special purpose provisions that also apply to the activity and site. Where there is conflict between rules the rule hierarchy applies to the extent of the conflict (see Section 1 Background and How to Use the Plan for more information).

| Activity Table                                       |                 |                 |                |                |
|--|-----------------|-----------------|----------------|----------------|
| Activity   | PER<br>(S 53.4) | DIS<br>(S 53.5) | NC<br>(S 53.6) | Pr<br>(S 53.7) |
| <b>Activities Not Provided For</b>                   |                 |                 |                |                |
| Activities not provided for in <u>the Plan</u>       |                 | R 10            |                |                |
| Activities not provided for in Section 53            |                 |                 | R 11           |                |
| <b>Building Removal</b>                              |                 |                 |                |                |
| Demolition   | R 9             |                 |                |                |
| Partial demolition                                   | R 9             |                 |                |                |
| Removal  | R 9             |                 |                |                |
| <b>Commercial</b>                                    |                 |                 |                |                |
| Commercial recreation/event facility                 | R 3             |                 |                |                |
| <b>Community</b>                                     |                 |                 |                |                |
| Community facility                                   | R 3             |                 |                |                |
| Emergency service training, military training        | R 1             |                 |                |                |
| Festival, event                                      | R 2             |                 |                |                |
| Informal recreation                                  | R 1             |                 |                |                |
| Public amenity                                       | R 3             |                 |                |                |
| Scientific equipment, navigational aid               | R 1             |                 |                |                |
| <b>Earthworks</b>                                    |                 |                 |                |                |
| Earthworks   | R 5             |                 |                |                |
| Earthworks not within a kauri hygiene zone           | R 5             |                 |                |                |
| Earthworks within a kauri hygiene zone               | R 6             |                 |                |                |
| <b>Farming and Forestry</b>                          |                 |                 |                |                |
| Afforestation  | R 4             |                 |                |                |
| Farming  | R 3             |                 |                |                |
| <b>Noise</b>   |                 |                 |                |                |
| Noise not covered by another rule in Section 53      | R 8             |                 |                |                |
| <b>Water, Wastewater, Stormwater and Solid Waste</b> |                 |                 |                |                |
| Other water, wastewater, stormwater infrastructure   | R 7             |                 |                |                |
| Refuse transfer station, recycling operation         |                 |                 |                | R 12           |

| Activity Table  |                 |                 |                |                |
|---|-----------------|-----------------|----------------|----------------|
| Activity  | PER<br>(S 53.4) | DIS<br>(S 53.5) | NC<br>(S 53.6) | Pr<br>(S 53.7) |
| Sanitary landfill   |                 |                 |                | R 12           |
| Wastewater treatment plant, treated waste disposal <u>site</u> (including composting) |                 |                 |                | R 12           |
| Water treatment plant, reservoir  |                 |                 |                | R 12           |
| <b>Non-regulatory method</b>  |                 |                 |                |                |
| Measures to prevent the spread of kauri dieback disease                               | M 1             |                 |                |                |

**Note:**

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 (NZECP 34:2001) is mandatory for all buildings and mobile plant within close proximity to all electricity lines.
2. Vegetation to be planted near electricity lines should be selected and/or managed to ensure that it will not result in the vegetation breaching the [Electricity \(Hazards from Trees\) Regulations 2003](#).

## 53.4 Permitted Activities

### Rule 1: Emergency service training, military training; Informal recreation; Scientific equipment, navigational aid

1. An activity listed in Rule 1 is a permitted activity.

### Rule 2: Festival, event

1. A festival, event, and any noise from it, is a permitted activity provided:
  - a) Electronically amplified noise and vehicle noise at the notional boundary of adjacent sites from 10 pm to 7 am the following day is no louder than 40 dB  $L_{Aeq} (15 \text{ min})$  and 70 dB  $L_{AF \text{ max}}$ ; and
  - b) The noise of any helicopter associated with the festival, event complies with the standards in NZS 6807:1994 Noise Management and Land Use Planning for Helicopter Landing Areas (excluding Section 5: Land Use Planning); and
  - c) No buildings are erected (under this rule) that remain after the festival, event finishes; and
  - d) It lasts no longer than 24 consecutive hours; and
  - e) There are no more than 250 people on the site.
2. A festival, event that is not permitted under Rule 2.1 is a restricted discretionary activity.
3. The Council restricts its discretion to matters 1, 2, 3 and 7-10 in Table 5 at the end of Section 53.

**Note:**

1. After 10 pm, the Council may apply excessive noise provisions under sections 326-328 of the RMA if noise, particularly electronically amplified noise, is excessive for the location and event.
2. The Council recommends event planners contact the Area Manager prior to the festival, event.
3. Where a Festival, event has direct access onto or adjoins a State highway, the event organisers should contact the NZ Transport Agency to determine their traffic management requirements.

**Rule 3: Commercial recreation/event facility; Community facility; Farming; Public amenity**

1. An activity listed in Rule 3 is a permitted activity provided it meets the standards in Table 4 at the end of Section 53; and
2. An activity that is not permitted under Rule 3.1 is a restricted discretionary activity.
3. The Council restricts its discretion to matters 1-6 in Table 5 at the end of Section 53.

**Rule 4: Afforestation**

1. Afforestation is a permitted activity provided:
  - a) It meets the standards in Table 4 at the end of Section 53; and
  - b) It is not in the Coastal Environment; and
  - c) Prior to the afforestation starting, a forest plan is submitted to the Council that details the following information:
    - i) The legal description, location and area of planting; and
    - ii) The approximate age of trees on harvest; and
    - iii) The location of roads, tracks, landings and skid sites, and transport routes from harvest to the state highway; and
    - iv) The location of setbacks based on Table 1; and
    - v) The location of any known archaeological site, sites of significance to Māori or historic heritage site; and
    - vi) The method of removal of all trees of the plantation forest species (whether planted or self-seeded) within the Table 1 setbacks before they reach 10 m in height; and
    - vii) Whether at risk or threatened indigenous fauna (e.g. kiwi, frogs, bats etc.) are present on the site and the steps proposed to safely relocate or protect them; and
  - d) It meets the setback standards in Table 1 and no exotic tree of the plantation species, whether planted or self-seeded, grows more than 10m high in the setback area.
2. Afforestation that is not permitted under Rule 4.1 is a restricted discretionary activity.
3. The Council restricts its discretion to matters 1, 3, 11-13 in Table 5 at the end of Section 53.

**Table 1 - Setback Standards for Afforestation**

1. From any existing off-site dwelling is 40 m.
2. From a Residential Area is 40 m.
3. From the boundary of adjoining land under different ownership without written approval of the adjoining land owner being obtained is 10 m.
4. From an Outstanding Natural Features and Landscapes Overlay is 30 m.
5. From a permanent stream or wetland draining an upstream catchment of 50 ha or less is 5 m.
6. From a permanent stream or wetland draining an upstream catchment of more than 50 ha is 10 m.
7. No trees are to be planted where, at the tree harvest height, they could shade an adjacent sealed road between 10 am and 2 pm on the shortest day of the year.

**Rule 5: Earthworks; Earthworks not within a kauri hygiene zone**

1. Earthworks not within a kauri hygiene zone are a permitted activity provided:
  - a) They are for flood defence installation, maintenance or removal commissioned by the Waikato Regional Council; or
  - b) They are for drainage works installed below ground level where the ground surface is fully restored and planted within 3 months from when work started; or
  - c) They are for cultivation or gardening; or
  - d) They are for utility installation, maintenance, upgrading and/or removal by the Council or a network utility operator; or
  - e) They are part of a Beachcare activity or other beach and dune restoration activity authorised by the Council or the Waikato Regional Council; or
  - f) They are to establish a building platform, and the earthworks are completed, and covered by a building or stabilised, within 3 months from when work started; or
  - g) They are for temporary stream and river gravel extraction and crushing facilities; or
  - h) They meet the following standards:
    - i) The standards in Table 2; and
    - ii) Silt and sediment resulting from the earthworks remain within the site; and
    - iii) Any surplus excavated material is reused on the site or is removed from the site within 3 months from when work started; and
    - iv) The earthworks are stabilised within 3 months from when work started; and
    - v) For fills/cuts to be assessed separately for the purpose of the Table 1 standards, a flat 'terrace' between fills/cuts must have a width perpendicular to the adjoining fill/cut that is more than twice the height of the adjoining fill/cut above the terrace. Otherwise, the earthworks are treated as one fill/cut.
2. Earthworks not within a kauri hygiene zone and are not a permitted activity under Rule 5.1 are a restricted discretionary activity.
3. The Council restricts its discretion for earthworks under Rule 5.2 to matters 1, 2 and 3 in Table 5 at the end of Section 53.

| Table 2 – Earthworks Standards  |  |
|---|--|
| <ol style="list-style-type: none"> <li>Maximum area per <u>site</u> per calendar year is 50 m<sup>2</sup>.</li> <li>Maximum volume per <u>site</u> per calendar year is 50 m<sup>3</sup>.</li> <li>Maximum <u>height</u> of any fill and/or cut is 1.5 m.</li> <li>Maximum <u>height</u> of any cut or fill that is retained by a legally established retaining wall is 2.5 m.</li> <li>Maximum duration of work within any calendar year is 3 months.</li> </ol> |  |
| Minimum Setback Distance of Earthworks  |  |
| 6. From a <u>site</u> boundary, a <u>building</u> foundation, or a cliff (1:2 gradient or steeper) to the <b>toe of a fill</b> (without a legally established retaining wall)   | Equal to the maximum <u>height</u> of the fill.  |
| 7. From a <u>site</u> boundary, a <u>building</u> foundation, or a cliff (1:2 gradient or steeper) to the <b>toe of a cut</b> (without a legally established retaining wall)  | Equal to 1.5 times the maximum depth of the cut (also see 8. below).                         |
| 8. From a <u>site</u> boundary, a <u>building</u> foundation, or a cliff (1:2 gradient or steeper) to the <b>crest of a cut</b> (without a legally established retaining wall)  | 0.3 m (also see 7. above).   |
| 9. From a <u>site</u> boundary, a <u>building</u> foundation, or a cliff (1:2 gradient or steeper) to the <b>top or bottom</b> of a legally established retaining wall supporting a cut or a fill   | Equal to the maximum <u>height</u> of the retaining wall.                                    |
| 10. From buried Council-owned wastewater, stormwater or water pipe  | The depth of the pipe plus the pipe radius (i.e. a 45° setback zone either side of the pipe) |

**Note:**

- For diagrams illustrating the above setback distances, refer to 'Earthworks' in Section 3 Definitions.

### Rule 6: Earthworks within a kauri hygiene zone

- Earthworks within a kauri hygiene zone are a permitted activity provided they are for gardening that:
  - Is within a maximum area surface disturbance of 250m<sup>2</sup> within the kauri hygiene zone; and
  - Is no deeper than 300mm below the ground surface; and
  - Uses only handheld tools; and
  - Avoids disturbance or movement of soil when cutting lawns; and
  - When planting uses either:
    - sterilised seeds; or
    - cuttings free of soil; or
    - accredited *Phytophthora agathidicida* free plants; or
    - plants within the same kauri hygiene zone with root system less than 300 mm deep; and
  - The kauri hygiene zone boundary is readily identifiable; and
  - Retains spoil and organic material within the kauri hygiene zone where it cannot enter any waterbody or flow onto adjoining kauri trees; and
  - The following hygiene procedures are undertaken:

- i) All equipment and footwear used is cleaned of all soil and organic material prior to entry into or exit from the kauri hygiene zone; and
    - ii) Where gardening is being undertaken within a kauri hygiene zone and a specific access point(s) is being used, that access point(s) must include a hygiene station where hand-held equipment, clothing and footwear is cleaned immediately before entering into and exiting from a kauri hygiene zone.
  - i) The hygiene station must include the materials specified in Table 6; and
  - j) All hand-held equipment, clothing and footwear must be cleaned of all soil immediately before entry to the kauri hygiene zone. Any soil or organic material removed during this before-entry cleaning must remain outside the kauri hygiene zone; and
  - k) All hand-held equipment, clothing and footwear must be cleaned of all soil immediately before exit from the kauri hygiene zone. Any soil or organic material removed during this before-exit cleaning must remain inside the kauri hygiene zone in a location where it cannot enter any waterbody or flow to any adjoining kauri trees; and
  - l) The only living plant material that can enter a kauri hygiene zone is either sterilised seeds, or accredited *Phytophthora agathidicida* free plants, or plant cuttings free of any soil; and
  - m) A plant (or plants) with a root system less than 300 mm deep may be shifted around within the same kauri hygiene zone.
2. Earthworks within a kauri hygiene zone for the following activities are a controlled activity provided that a Kauri Dieback Disease Risk Management Plan (“management plan”) is prepared in accordance with Rule 6.4 below and submitted with an application for resource consent:
- a) Installation of fenceposts undertaken with handheld equipment; or
  - b) Drainage works to service a dwelling or minor unit on a single lot; or
  - c) Utility installation, maintenance, upgrading and/or removal by the Council or a network utility operator.
3. The Council reserves its control over matters in the management plan under Rule 6.2 to:
- a) The extent to which a Kauri Dieback Disease Risk Management Plan is prepared and implemented; and
  - b) Monitoring and reporting requirements
4. Earthworks within a kauri hygiene zone that are not a permitted activity under Rule 6.1 or a controlled activity under Rule 6.2 are a restricted discretionary activity, provided that:
- a) A Kauri Dieback Disease Risk Management Plan (“management plan”) is prepared, approved and implemented; and
  - b) The management plan shall include the matters specified in Table 7; and
  - c) A report must be submitted annually to the Council until completion of the consented earthworks using a form provided by the Council, recording all earthworks undertaken in the kauri dieback disease containment zone (including the date, type of equipment and vehicle used, the cleaning procedures followed and the disposal location of all disturbed soil and organic material); and
  - d) The Council will review the annual report and may require amendments to the management plan to ensure the continued effectiveness of the management plan; and
  - e) The consent holder’s annual report shall include any proposed amendment to the management plan. An amendment to the management plan does not take effect until the Council confirms in writing the amendment meets the requirements in Rule 6.4.b) above; and

- f) Until a final annual report is submitted, up to date records of all earthworks undertaken in the kauri dieback disease containment zone, since the earthworks reported in the most recent annual report submitted to the Council, must be made available to the Council as soon as practicable after a request for them is received.
5. The Council restricts its discretion for earthworks under Rule 6.4 to:
  - a) Matters 1, 2 and 3 in Table 5 at the end of Section 53; and
  - b) The extent to which the Kauri Dieback Disease Risk Management Plan is likely to be effective in avoiding the spread of kauri dieback disease; and
  - c) Where cultivation occurs in the kauri hygiene zone:
    - i) The extent of cultivation within the kauri hygiene zone; and
    - ii) Whether monitoring and reporting requirements are included in the Kauri Dieback Disease Risk Management Plan.
6. Earthworks that are not a restricted discretionary activity under Rule 6.4 are a discretionary activity.

**Note:**

1. *Also see Method 1: Measures to prevent the spread of kauri dieback disease at the end of this section.*
2. *Building Act 2004 requirements may be triggered for some earthworks, such as where work is needed because land instability threatens a building and retaining walls.*
3. *All earthworks must comply with Heritage New Zealand Pouhere Taonga Act 2014 which protects recorded, suspected and unrecorded archaeological sites from destruction, damage and modification.*
4. *Consent may be required from the Waikato Regional Council. You are advised to check the Waikato Regional Plan prior to starting the earthworks.*
5. *Guidelines to avoid the discharge of earth material are available in: Erosion and Sediment Control - Guidelines for Soil Disturbing Activities. Waikato Regional Council Technical Report No. 2009/02. January 2009. Available at [www.waikatoregion.govt.nz](http://www.waikatoregion.govt.nz).*
6. *Earthworks in close proximity to any electricity distribution line can be dangerous. The New Zealand Electrical Code of Practice for Electrical Safety Distances (NZECP 34:2001) applies to earthworks and the operation of mobile machinery within close proximity to all electric lines.*
7. *See also the Waikato Regional Plan for permitted activity standards and consent requirements relating to gravel extraction.*
8. *Section 330 of the RMA provides for emergency works for preventative or remedial action.*

**Rule 7: Other water, wastewater, stormwater infrastructure**

1. Other water, wastewater or stormwater infrastructure is a permitted activity provided the ground surface and any vegetation that has been disturbed is reinstated upon completion of works unless covered by a building/structure or landscaping.
2. Other water, wastewater or stormwater infrastructure that is not permitted under Rule 7.1 is a restricted discretionary activity.
3. The Council restricts its discretion to matters 1, 2 and 3 in Table 5 at the end of Section 53.
4. A resource consent application under Rule 7.2 shall be assessed without public or limited notification under Sections 95, 95A and 95B of the RMA.

### Rule 8: Noise not covered by another rule in Section 53

1. Noise not covered by another rule in Section 53 is a permitted activity provided:
  - a) It is from a temporary site or building maintenance activity between 7 am and 8 pm; or
  - b) It is from emergency service training or emergency response activities; or
  - c) It is from military training; or
  - d) It is from the temporary use of an emergency electricity generator; or
  - e) It is from a temporary construction activity that complies with NZS 6803:1999 Acoustics – Construction noise.
  - f) It meets the noise standards in Table 3
2. Noise not covered by another rule in Section 53 that is not permitted under Rule 8.1 is a restricted discretionary activity.
3. The Council restricts its discretion to matter 1 in Table 5 at the end of Section 53.

**Table 3 - Maximum Noise Level Standards**

| Time period                         | L <sub>Aeq</sub> (15 min) | L <sub>AF</sub> max   | Measured at  |
|-------------------------------------|---------------------------|---|--|
| 1. At all times                     | 70 dB                     | For Pedestrian Core Zone only: 70 dB from 10 pm to 7 am the following day | The receiving <u>site</u> at any point within the: <ul style="list-style-type: none"><li>- <u>Airfield</u> Zone</li><li>- Commercial Zone</li><li>- Gateway Zone</li><li>- <u>Industrial</u> Zone</li><li>- Light <u>Industrial</u> Zone</li><li>- Marine Service Zone</li><li>- Recreation Active Zone</li><li>- <u>Road</u> Zone</li></ul> |
| 2. Monday to Saturday 7 am to 10 pm | 50 dB                     | N/A   | At any point within the <u>notional boundary</u> of a <u>site</u> within any other zone not listed above   |
| 3. Sunday 7 am to 6pm               | 50 dB                     | N/A   |  |
| 4. At all other times               | 40 dB                     | 65 dB   |  |

**Note:**

1. Rule 8.1 a) includes noise from lawn mowing, waterblasting, leaf blowing, and similar temporary maintenance activities. It does not include home business activities.
2. Noise will be measured and assessed in accordance with NZS 6801:2008 Acoustics – Measurement of Environmental Sound and NZS 6802:2008 Acoustics – Environmental Noise.
3. Activities may be subject to the excessive noise provisions set out in s326 to s328 of the RMA.

### Rule 9: Demolition; Partial demolition; Removal

1. Demolition, partial demolition or removal of a building is a permitted activity.

## 53.5 Discretionary Activities

### Rule 10: Activities not provided for in the Plan

1. An activity not listed in the Activity Table at the beginning of Section 53, and not in the Activity Summary Table (in Section 1.8) is a discretionary activity.

## 53.6 Non-Complying Activities

### Rule 11: Activities not provided for in Section 53

1. An activity that is not listed in the Activity Table at the beginning of Section 53, but is listed in the Activity Summary Table (in Section 1.8) and is not a district-wide activity is a non-complying activity.

## 53.7 Prohibited Activities

### Rule 12: Refuse transfer station, recycling operation; Sanitary landfill; Wastewater treatment plant, treated disposal site (including composting); Water treatment plant, reservoir

1. An activity listed in Rule 12 is a prohibited activity.

## 53.8 Assessment Standards, Matters and Criteria

**Table 4 – Standards**

If a lot is within the Open Space Zone and another zone, the height, yard, site coverage and lux level standards of the other zone apply instead of the standards below.

1. Front yard is 3 m
2. Maximum building height is 6 m
3. Maximum height in relation to boundary
4. Maximum site coverage is 1%
5. Maximum gross floor area of any building is 50 m<sup>2</sup>
6. Maximum lux level received at any point beyond the site, as measured vertically and horizontally is 1 lux.

**Table 5 – Restricted Discretionary Activities Matters**

**1. Effects of not meeting the standard(s)**

- a) Whether actions (if any) taken to address the adverse effects of not meeting the standard(s) are appropriate and effective.

**2. Utility infrastructure provision and location (including easements) for water, wastewater, solid waste, stormwater, electricity, telecommunications**

- a) Whether the provision and location of utility infrastructure on-site is appropriate given the natural hazard risk/Matarangi Structure Plan provisions.
- b) Whether the activity should be connected to existing reticulation networks.
- c) In Matarangi, the extent to which the utility infrastructure will retain established open space values.
- d) The extent to which the proposed infrastructure improves the resilience and security of the network.
- e) Whether easements are appropriate.
- f) Whether there is technical and practical potential for co-location of utility infrastructure on a site.
- g) The extent to which technical and functional needs require the proposed location of the utility infrastructure.
- h) The extent to which the utility infrastructure contributes to the functioning and well-being of the community.
- i) Whether the extension of existing above-ground utility infrastructure is appropriate.
- j) The extent to which the activity will contribute to central and regional government energy policy objectives and renewable energy targets.

**3. Natural hazard risk**

- a) Whether the activity maintains or decreases the natural hazard risk to a tolerable or acceptable level.
- b) The extent to which actions to avoid or mitigate natural hazard risk are effective.

**4. Space available to the public – Matarangi Structure Plan only**

- a) Within the Matarangi Structure Plan, the extent to which the activity will retain space available to the public, despite possible exclusions for specific "private" activities.

**5. Site layout – Matarangi Structure Plan only**

- a) Whether the proposed location of the activity is a practical and efficient use of the open space within the Matarangi Structure Plan.
- b) Whether the proposed activity is compatible with other recreation activities established in the Open Space Zone within the Matarangi Structure Plan.
- c) The extent to which the location and layout of the activity takes into account the nature of adjoining activities and provides adequate separation from residential activities in Matarangi.

**Table 5 – Restricted Discretionary Activities Matters**

**6. Vehicle parking and access – Matarangi Structure Plan only**

- a) Whether vehicle parking and access within the Matarangi Structure Plan is designed and located to minimise the effect on adjacent residential properties and maintain the open space character.
- b) The extent to which vehicle parking and access within the Matarangi Structure Plan enables joint use by other activities which use the Open Space Zone.

**7. Positive and adverse effects on adjacent sites and the local community**

- a) The extent to which positive effects from the activity contribute to the economic, social and cultural wellbeing of the local community.
- b) Whether the frequency and duration of the activity are tolerable.
- c) Whether these effects are appropriate to occur in the Open Space zone, or in whichever zone they are received.

**8. Rooding, vehicle parking and access**

- a) Whether the site can provide adequate parking for the size of the activity of whether offsite parking arrangements are appropriate.
- b) Whether traffic associated with the activity will have an adverse effect on the safety and efficiency of the roading network.
- c) Whether consultation and approval is needed from the roading authority.
- d) Where the activity involves the use of roads, whether an approved traffic management plan is in place.

**9. New permanent buildings**

- a) Whether the building/s have a viable use beyond the festival, event.
- b) The extent to which the building/s comply with the standards in Table 4.

**10. The suitability of the site for the scale of the proposed activity**

- a) The extent to which the site can accommodate all aspects of the activity without causing adverse effects that are more than minor.
- b) Whether the site is an appropriate location for the activity, and what alternatives have been considered.
- c) The location of noise sensitive activities in relation to the proposed activity and the extent to which they will be affected.
- d) Whether the provision of wastewater, water and solid waste is adequate for the number of people anticipated and the duration of the activity.

**11. Adverse visual effects on the landscape (from plantation forestry activities)**

- a) Whether after harvesting the ground is replanted with trees or other vegetative cover within a reasonable time period (e.g. less than 3 months).
- b) Whether roads, tracks, landings and skid sites are located to minimise adverse visual effects on the landscape.

**Table 5 – Restricted Discretionary Activities Matters**

- c) The extent to which harvesting is staged to mitigate significant adverse visual effects on the landscape.

**12. Buffers from Outstanding Natural Features and Landscapes Overlays, Residential Areas, adjacent sites, streams, wetlands and sealed roads**

- a) Whether appropriately-sized buffers from the Outstanding Natural Features and Landscapes Overlay, Residential Areas, adjacent sites, streams, wetlands and sealed roads are in place and are maintained during plantation forestry operations.

**13. Plantation forestry infrastructure and replanting**

- a) If any threatened or at risk indigenous fauna (kiwi, frogs etc.) are present, the extent of arrangements proposed to safely relocate or protect them.

**Table 6 – The hygiene station must include the following materials:**

- (i) a container to enable the cleaning of hand-held equipment, clothing and footwear; and
- (ii) clean water and spray bottles; and
- (iii) implements capable of removing soil from hand-held equipment, clothing and footwear; and
- (iv) paper towels; and
- (v) clean plastic bags for removed clothing and footwear; and
- (vi) 2% Sterigene or 70% methylated spirits for spraying cleaned hand-held equipment, clothing and footwear; and
- (vii) alcohol wipes for wiping down sensitive electronic equipment.

**Table 7 – The Kauri Dieback Disease Risk Management Plan shall include the following matters:**

1. The purpose of the management plan setting out the procedures that will be followed to avoid the risk of the spread of kauri dieback disease where the soil and organic matter from earthworks within the kauri hygiene zone is proposed to be confined in a larger kauri dieback disease containment zone; and
2. The management plan must contain:
  - a. The objectives of the management plan; and
  - b. A map or maps showing:
    - i. The area that the management plan applies to; and
    - ii. The location of each kauri tree within that area and its associated kauri hygiene zone; and
    - iii. Locations where access to the kauri hygiene zone will be prevented (e.g. by fencing off, covering the soil with a protective surface); and
    - iv. The boundary of the kauri dieback disease containment zone beyond which soil and organic material from a kauri hygiene zone will not be transported; and
    - v. Equipment and vehicle cleaning points (which are to be located within the kauri dieback disease containment zone); and
    - vi. Any water bodies, fences, roads, tracks or structures within the kauri dieback disease containment zone; and
    - vii. Location of any bund(s) or other means to be used if necessary to prevent washdown water entering any stream or flowing to any adjoining kauri trees.

- c. The method by which the boundaries of any kauri hygiene zone and kauri dieback disease containment zone will be clearly marked out; and
- d. The procedures to be followed to ensure that any vehicles, equipment and personnel are cleaned of all soil and organic material prior to entry into or exit from the kauri dieback disease containment zone; and
- e. The procedures to ensure that any soil, sludge or organic material not retained within the kauri hygiene zone is either stored within the kauri dieback disease containment zone or transported in a sealed vehicle to an approved Kauri Dieback Programme landfill; and
- f. The water management procedures to be used:
  - i. Can washdown at this site occur at least 30 m from a water course? Yes/No
  - ii. Can water at this site be drained away from any neighbouring kauri trees? Yes/No

If 'No' to either of the above, the procedures required will be one of the following:

- (a) A bund or bunds will be provided to ensure washdown water does not enter streams or drain toward any neighbouring kauri trees (as shown on the map(s) under b) above; or
  - (b) Washdown will be undertaken at an identified facility where water does not enter the stormwater system; and
- g. The contact details of the person responsible for the implementation of the management plan.

### Method 1: Measures to prevent the spread of kauri dieback disease

Earthworks within three times the maximum radius of the canopy dripline of a New Zealand kauri tree ("kauri hygiene zone") commenced or undertaken after this District Plan comes into effect may require a resource consent from the Council.

Where earthworks within a kauri hygiene zone have existing use rights under section 10 RMA or an Existing Use Certificate issued under section 139A RMA, they may be continued within the limits authorised by section 10 or section 139A RMA. Establishing whether such earthworks are authorised can be a demanding process. Landowners who intend continuing earthworks within a kauri hygiene zone in reliance on section 10 RMA may wish to take professional advice so they are aware of applicable parameters.

Persons undertaking earthworks within a kauri hygiene zone in reliance of section 10 and/or section 139A RMA are also strongly encouraged to make themselves familiar with the kauri dieback disease hygiene disposal procedures - including information on approved disposal sites for soil and organic material – at the following website.

<https://www.kauriprotection.co.nz/resources/best-practice-guides>

Further information on responsible management of earthworks for kauri dieback purposes may be obtained from the Thames-Coromandel District Council, Waikato Regional Council or Department of Conservation.

Where persons proceed in reliance on section 10 and/or section 139A RMA they are strongly encouraged to apply the following checklist.

| <b>Table 8 – Checklist for earthworks undertaken within a kauri hygiene zone</b>  |        |
|---|--------|
| Clearly define <u>kauri hygiene zone</u> , entry and exit points  | YES/NO |
| List all vehicles, machinery and equipment to be used   | YES/NO |
| Has all equipment and footwear been cleaned of soil and organic material and sprayed with Sterigene before entering the <u>kauri hygiene zone</u> ? | YES/NO |
| For washdown on- <u>site</u> define the appropriate washdown facility   | YES/NO |
| Is the washdown facility within the <u>kauri hygiene zone</u> ?   | YES/NO |
| Is the washdown facility at least 30 m away from a water course or waterbody?   | YES/NO |
| Is the wash down facility draining away from any kauri trees?   | YES/NO |
| Will a bund be used because drainage is not practicable?  | YES/NO |
| Will all soils and mud be physically removed by brush or compressed air before washdown?  | YES/NO |
| Will soil and organic material be left on <u>site</u> within the <u>kauri hygiene zone</u> ?  | YES/NO |
| For off- <u>site</u> washdown is the vehicle or trailer to be used to transport machinery sealed?   | YES/NO |
| Will washdown occur in a purpose-built washdown facility?   | YES/NO |
| Does the facility to be used drain its wastewater into the stormwater system?   | YES/NO |
| Will a truck wash facility be used?   | YES/NO |
| Will the washdown water be used to irrigate farmland?   | YES/NO |
| Will a Council depot be used for washdown?  | YES/NO |
| Will the truck or trailer be cleaned and sprayed with Sterigene and will liners be disposed of?   | YES/NO |