

Section 56 – Recreation Passive Zone

56.1 Zone Description

The Recreation Passive Zone encompasses Council reserves that have a low level of land modification and structures. They cater for a wide range of casual sports, informal recreation, play, amenity enjoyment and community activities. Many are classified as community open space, neighbourhood open space, local area, and other reserves for historic conservation, scenic and cultural purposes within the Council's reserve management plans prepared under the Reserves Act 1977. Some of the reserves have little public usage due to their location, topography or inaccessibility.

56.2 Zone Purpose

The Recreation Passive Zone provides a resource management umbrella under which individual reserves can be developed and used in accordance with their reserve management plans. It enables a range of informal use facilities and lower-scale development of recreation grounds, including picnic areas, playgrounds, community halls and public facilities, landscaping, walking tracks and amenities such as public toilets, carparks and signs. While some of the reserves in this Zone will have very high levels of local use, others will be limited due to their location or specific function under their reserve management plan.

It is important to note that all activities in the Recreation Passive Zone not undertaken by the Council may need permission or approval from the Council as the landowner and reserve manager. The Parks and Reserves 2008 Bylaw may also apply. The Plan user should contact the Council before starting the activity to check if other procedures apply.

56.3 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 the reserve. 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 (S 56.4)	DIS (S 56.5)	NC (S 56.6)
Activities not provided for			
Activities not provided for in the Plan		R 12	
Activities not provided for in Section 56			R 15
Building removal			
Demolition	R 11		
Partial demolition	R 11		
Removal	R 11		
Commercial			
Campground		R 13	
Commercial recreation/event facility	R 4		
General commercial	R 4		
Restaurant	R 4		
Community			
Community facility	R 3		
Emergency service training, military training	R 1		
Festival, event	R 5		
Formal recreation		R 13	
Informal recreation	R 2		
Public amenity	R 2		
Scientific equipment, navigational aid	R 1		
Earthworks			
Earthworks	R 6		
Earthworks not within a kauri hygiene zone	R 6		
Earthworks within a kauri hygiene zone	R 7		
Farming and forestry			
Afforestation	R 9		
Farming	R 4		
Noise			
Noise not covered by another rule in Section 56	R 10		
Residential			
Accessory building		R 13	
One dwelling per lot		R 14	
Temporary living place	R 1		
Water, wastewater, stormwater and solid waste			
Other water, wastewater, stormwater infrastructure	R 8		
Non-regulatory method			
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](#).

56.4 Permitted Activities

Rule 1: Emergency service training, military training; Scientific equipment, navigational aid; Temporary living place

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

Note:

1. Temporary living places are controlled under the Bylaw for Standards of Camping on Private Property 2015.

Rule 2: Informal recreation; Public amenity

1. An activity listed in Rule 2 is a permitted activity provided:
 - a) It meets the standards in Table 4 at the end of Section 56; and
 - b) In the Coastal Environment, it meets the specific standards in Table 5 at the end of Section 56.
2. An activity that is not permitted under Rule 2.1 is a restricted discretionary activity.
3. The Council restricts its discretion to matters 1-11 in Table 6 at the end of Section 56.

Rule 3: Community facility

1. A community facility is a permitted activity provided:
 - a) It meets the standards in Table 4 at the end of Section 56; and
 - b) In the Coastal Environment, it meets the specific standards in Table 5 at the end of Section 56; and
 - c) All the buildings associated with the activity have a combined gross floor area less than 250 m²; and
 - d) The facility is accessible to the public.
2. A community facility that is not permitted under Rule 3.1 is a restricted discretionary activity.
3. The Council restricts its discretion to matters 1-11 in Table 6 at the end of Section 56.

Note:

1. The facility may still charge for public access under Rule 3.1 d), but cannot exclude the public e.g. "members only".
2. Restricting public access for health and safety reasons still complies with Rule 3.1 d).

Rule 4: Commercial recreation/event facility; Farming; General commercial; Restaurant

1. An activity listed in Rule 4 is a permitted activity provided:
 - a) It meets the standards in Table 4 at the end of Section 56; and
 - b) In the Coastal Environment, it meets the specific standards in Table 5 at the end of Section 56; and
 - c) Any buildings erected under this rule are either temporary or all the buildings associated with the activity have a combined gross floor area less than 30 m².
2. An activity that is not permitted under Rule 4.1 a) or b) is a restricted discretionary activity.
3. The Council restricts its discretion to matters 1-11 in Table 6 at the end of Section 56.
4. An activity that is not permitted under Rule 4.1 c) is a discretionary activity.

Rule 5: 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 is no louder than 40 dB L_{Aeq (15 min)} and 70 dB L_{AF max}; and
 - b) It occurs between the hours of 7 am-10 pm Sunday-Thursday and 7 am-12 midnight Friday and Saturday; and
 - c) 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
 - d) No buildings are erected (under this rule) that remain after the festival, event finishes; and
 - e) It lasts no longer than 12 consecutive hours; and
 - f) There are no more than 500 people on the site.
2. A festival, event that is not permitted under Rule 5.1 is a restricted discretionary activity.
3. The Council restricts its discretion to matters 1-3, 6-7, 12 and 13 in Table 6 at the end of Section 56.

Note:

1. *After 10pm, 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 6: 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 for ecosystem protection, rehabilitation or restoration works (e.g. conservation covenants, works involved with pest management) including 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 1; 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 6.1 are a restricted discretionary activity.
3. The Council restricts its discretion for earthworks under Rule 6.2 to matters 1, 8 and 10 in Table 6 at the end of Section 56.

Table 1 - Minimum Setback Distance of Earthworks	
1. From a <u>site</u> boundary, a <u>building</u> foundation, or a cliff (1:2 gradient or steeper) to the toe of a fill (without a legally established retaining wall).	Equal to the maximum <u>height</u> of the fill.
2. From a <u>site</u> boundary, a <u>building</u> foundation, or a cliff (1:2 gradient or steeper) to the toe of a cut (without a legally established retaining wall).	Equal to 1.5 times the maximum depth of the cut (also see 3. below).
3. From a <u>site</u> boundary, a <u>building</u> foundation, or a cliff (1:2 gradient or steeper) to the crest of a cut (without a legally established retaining wall).	0.3 m (also see 2. above).
4. From a <u>site</u> boundary, a <u>building</u> foundation, or a cliff (1:2 gradient or steeper) to top or bottom of a legally established retaining wall supporting a cut or a fill.	Equal to the maximum <u>height</u> of the retaining wall.
5. 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:

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

Rule 7: Earthworks within a kauri hygiene zone

1. Earthworks within a kauri hygiene zone are a permitted activity provided they are for gardening that:
 - a) Is within a maximum area surface disturbance of 250m² within the kauri hygiene zone; and
 - b) Is no deeper than 300mm below the ground surface; and
 - c) Uses only handheld tools; and
 - d) Avoids disturbance or movement of soil when cutting lawns; and
 - e) When planting uses either:
 - (i) sterilised seeds; or
 - (ii) cuttings free of soil; or
 - (iii) accredited *Phytophthora agathidicida* free plants; or
 - (iv) plants within the same kauri hygiene zone with root system less than 300 mm deep; and
 - f) The kauri hygiene zone boundary is readily identifiable; and
 - g) Retains spoil and organic material within the kauri hygiene zone where it cannot enter any waterbody or flow onto adjoining kauri trees; and
 - h) 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 7.
 - 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 7.4 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 7.2 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 7.1 or a controlled activity under Rule 7.2 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 8; 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 7.4.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 7.4 to:
- a) Matters 1, 8 and 10 in Table 6 at the end of Section 56; 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 7.4 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.
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 8: Other water, wastewater, stormwater infrastructure

1. Other water, wastewater, 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, stormwater infrastructure that is not permitted under Rule 8.1 is a restricted discretionary activity.
3. The Council restricts its discretion to matters 1-3 and 10 in Table 6 at the end of Section 56.
4. A resource consent application under Rule 8.2 shall be assessed without public notification under Sections 95 and 95A of the RMA.

Rule 9: Afforestation

1. Afforestation is a permitted activity provided:
 - a) It is not in the Coastal Environment; and
 - b) It meets the standards in Table 4 at the end of Section 56; and
 - c) It meets the setback standards in Table 2; and
 - d) The forest is managed and operated as a continuous cover forest to maintain the forest canopy at one or more levels without clear felling; and
 - e) Prior to the afforestation starting, a forest plan is submitted to the Council's resource consent manager that details the following information:
 - i) The legal description, location and area of planting; and
 - ii) Species choice; and
 - iii) The location of roads, tracks, landings and skid sites, and transport routes from harvest to the state highway; and
 - iv) Proposed post-harvest replanting or regeneration; and
 - v) The method of removal of all trees of the plantation forest species (whether planted or self-seeded) within the Table 2 setbacks before they reach 10 m in height.
2. Afforestation that is not permitted under Rule 9.1 is a restricted discretionary activity.
3. The Council restricts its discretion to matters 1-11, 14 and 15 in Table 6 at the end of Section 56.

Table 2 - Setback standards for afforestation

1. From any existing dwelling on an adjoining site is 20 m
2. From a Residential Area is 20 m
3. From the boundary of an adjoining site under different ownership without written approval of the adjoining land owner being obtained is 10 m
4. 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.

Note:

1. *To avoid doubt, a forest under a Sustainable Forest Management Permit from the Ministry for Primary Industries or its predecessors meets the standard in Rule 9.1 d).*

Rule 10: Noise not covered by another rule in Section 56

1. Noise not covered by another rule in Section 56 is a permitted activity provided:
 - a) It is from a recreational activity, including informal recreation, excluding electronically amplified noise; 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 site or building maintenance activity between 7 am and 8 pm; or
 - f) It is from a temporary construction activity that complies with NZS 6803:1999 Acoustics – Construction noise; or
 - g) It meets the noise standards in Table 3.
2. Noise not covered by another rule in Section 56 that is not permitted under Rule 10.1 is a restricted discretionary activity.
3. The Council restricts its discretion to matters 1 and 3 in Table 6 at the end of Section 56.

Table 3 – Maximum noise level standards

Time period	L _{Aeq} (15 min)	L _{AF max}	Measured at
1. At all times	70 dB	For Pedestrian Core 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"> - <u>Airfield</u> Zone - Commercial Zone - Gateway Zone - <u>Industrial</u> Zone - Light <u>Industrial</u> Zone - Marine Service Zone - Pedestrian Core Zone - Recreation Active Zone - <u>Road</u> Zone
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 6 pm	50 dB	N/A	
4. At all other times	40 dB	65 dB	

Note:

1. Rule 10.1 a) includes temporary noise from voices, playground equipment and similar recreational activities.
2. Rule 10.1 e) includes noise from lawn mowing, waterblasting, leaf blowing, and similar temporary maintenance activities. It does not include home business activities.
3. Noise will be measured and assessed in accordance with NZS 6801:2008 Acoustics – Measurement of Environmental Sound and NZS 6802:2008 Acoustics – Environmental Noise.

Rule 11: Demolition; Partial demolition; Removal

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

56.5 Discretionary Activities

Rule 12: Activities not provided for in the Plan

1. An activity not listed in the Activity Table at the beginning of Section 56, and not in the Activity Summary Table (in Section 1.8) is a discretionary activity.

Rule 13: Accessory building; Campground; Formal recreation

1. An activity listed in Rule 13 is a discretionary activity.

Rule 14: One dwelling per lot

1. One dwelling per lot is a discretionary activity provided:
 - a) There is only one dwelling on the reserve; and
 - b) It is solely used as a residence by people who work on the reserve.
2. One dwelling per lot that is not a discretionary activity under Rule 14.1 is a non-complying activity.

56.6 Non-Complying Activities

Rule 15: Activities not provided for in Section 56

1. An activity that is not listed in the Activity Table at the beginning of Section 56, but is listed in the Activity Summary Table (in Section 1.8) and is not a district-wide activity is a non-complying activity.

56.7 Assessment Standards, Matters and Criteria

Table 4 - Standards

General
<ol style="list-style-type: none">1. <u>Front yard</u> and other yard of the entire reserve, excluding public amenities and street facilities is 5 m2. Maximum <u>building height</u> is 6 m3. Maximum <u>height</u> of public amenities in the <u>front yard</u> is 3 m4. Maximum <u>height</u> in relation to boundary of the entire reserve is 2 m and 45°5. Maximum reserve coverage is 15 %6. Maximum lux level received at any point beyond the entire reserve, as measured vertically and horizontally is 3 lux

Note:

1. *The standards apply to the whole reserve area rather than individual lots.*

Table 5 – Specific Standards			
Standard	Roof	Exterior Walls	Windows
1. Colour	Exterior <u>building</u> colours are selected from the British Standard BS5252 numbers 00-24 in Appendix 5.	Exterior <u>building</u> colours are selected from the British Standard BS5252 numbers 00-24 in Appendix 5; OR Are a natural timber material.	N/A
2. Reflectivity	Has a reflective value no greater than 25%.	Have a reflective value no greater than 35%.	Must have a reflective value no greater than 15%.

Table 6 – Restricted Discretionary Activity Matters
<p>1. Effects of not meeting the standard(s)</p> <p>a) Whether actions (if any) taken to address the adverse effects of not meeting the standard(s) are appropriate and effective.</p> <p>2. Utility infrastructure provision and location (including easements) for water, wastewater, solid waste, stormwater, electricity, telecommunications</p> <p>a) Whether the provision and location of utility infrastructure on the reserve is appropriate.</p> <p>b) The extent to which cumulative adverse visual effects of additional infrastructure has on the existing character of the area.</p> <p>c) The extent to which the activity may impact on the capacity or integrity of reticulation networks.</p> <p>d) Whether the activity should be connected to existing reticulation networks.</p> <p>e) The extent to which the proposed infrastructure improves the resilience and security of the network.</p> <p>f) Whether easements are appropriate.</p> <p>g) Whether there is technical and practical potential for co-location of utility infrastructure on a reserve.</p> <p>h) The extent to which technical and functional needs require the proposed location of the utility infrastructure.</p> <p>i) The extent to which the utility infrastructure contributes to the functioning and well-being of the community.</p> <p>j) Whether the extension of existing above ground utility infrastructure is appropriate.</p> <p>k) The extent to which the activity will contribute to central and regional government energy policy objectives and renewable energy targets.</p> <p>l) Whether the proposed network utility could practically be located underground.</p> <p>3. Consistency with the Council's reserve management plan</p> <p>a) Whether the activity is consistent with the operative reserve management plan for the reserve prepared under the Reserves Act 1977.</p>

Table 6 – Restricted Discretionary Activity Matters

4. Building design and layout

- a) The extent to which the building is required to support the sporting and leisure activities undertaken on the reserve.
- b) Whether building windows overlook the reserve area but do not overlook dwellings close by.
- c) The extent to which landscaping will assist with retention and enhancement of the open space character of the reserve.
- d) The extent to which the building design is consistent with existing buildings and structures.
- e) The extent to which the design of buildings and structures incorporate noise attenuation measures to ensure achievement of the noise limits set by the Plan.

5. Space available to the public

- a) The extent to which available public space will be reduced by the proposed building or exclusive use by groups within the community as a result of the development or lease arrangement.

6. Reserve layout

- a) Whether the proposed location of the activity is a practical and efficient use of the open space available on the reserve.
- b) Whether the proposed activity is compatible with other recreation activities established on the reserve.
- 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.

7. Vehicle parking and access

- a) Vehicle parking and access should be designed and located to minimise the effect on adjacent properties and maintain the open space character of the reserve area. In doing this consideration should be given to:
 - i) Separation distances; and
 - ii) Landscaping; and
 - iii) Fences.
- b) The extent to which vehicle parking has been planned to enable joint use by other activities which use or occupy the reserve area.
- c) Whether the site can provide adequate parking for the size of activity or whether offsite parking arrangements are appropriate.
- d) Whether consultation and approval is needed from the roading authority.
- e) Whether the activity involves use of roads, whether an approved traffic management plan is in place.

8. Off-site effects from earthworks

- a) Whether existing infrastructure and utilities are protected.
- b) The extent to which changes in water drainage to and from adjacent sites because of the earthworks may cause adverse effects, such as ponding, erosion, drainage or flooding.

Table 6 – Restricted Discretionary Activity Matters

- c) Whether mitigation measures are implemented to avoid earthwork debris being carried into adjacent properties, waterways, estuaries and harbours, also taking into account cumulative effects.

9. Protection and enhancement of biodiversity, water bodies, landscapes and natural character

- a) The extent to which indigenous habitat, landscape and natural character features, or historic heritage, cultural, scientific or scenic areas are protected and enhanced and incorporated into reserve management.
- b) Whether the activity creates or retains linkages between indigenous ecosystems.
- c) The extent to which the activity does not adversely affect aquatic ecosystems and natural processes.

10. Effects on Sites of Significance to Māori and the cultural/traditional relationship of Māori with their ancestral land

- a) Whether the activity adversely affects a site of significance to Māori.
- b) Whether consultation is needed to assess the effects on the relationship of Māori with their ancestral land, and who should be consulted.

11. Colour and reflectivity

- a) Whether the selected colour palette integrates with the surrounding landscape.
- b) Whether the building will be visually recessive and have low reflectivity.

12. 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, including the proposed hours, of the activity are tolerable.
- c) Whether these effects are appropriate to occur in the Recreation Passive Zone, or in whichever zone they are received.

13. 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, and Table 5 if in the Coastal Environment.

14. 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.
- c) The extent to which harvesting is staged to mitigate significant adverse visual effects on the landscape.

Table 6 – Restricted Discretionary Activity Matters

15. 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.

Table 7 – 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 8 – 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 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

Table 8 – The Kauri Dieback Disease Risk Management Plan shall include the following matters:

- 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 Rule 9.4 b) ii) 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 on 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.

Table 9 – Checklist for earthworks undertaken within a kauri hygiene zone	
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-site 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 site within the <u>kauri hygiene zone</u> ?	YES/NO
For off-site 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