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## 22.0 RESERVE ZONES

Refer also to Chapter  
13 – Esplanade  
Reserves / Strips.

### 22.1 Introduction

This section of the plan focuses on the sustainable management of reserve lands within the Gisborne District. The majority of this land is generally protected under the Reserves Act 1977 and managed by Council or by the Department of Conservation (DoC).

The sustainable management of reserve land not only enables people to provide for their recreation and leisure needs but also provides visual and psychological relief from the built environment. Conservation values can be protected by the retention of openspace. The continued regional tradition of public access to coastal and river margins, required under the Act enables the community to access the social, health and well-being benefits provided by water experience.

There is a diverse resource of openspace and reserve areas encompassing both publicly and privately owned environments. These range from coastal habitats to the top of Mt. Hikurangi and from bush covered areas to the district's playing fields, and includes such areas as parks and reserves that are available to the public for both passive and active recreational use. Council plays an important role in administering open space on behalf of the public. Much publicly owned land that is held for recreation purposes has reserve status under the Reserves Act 1977 and is administered as such.

Openspace is characterised by the fact that it has few buildings. It can be enjoyed as a visual experience from a distance or on site as the community escapes from the confines of the built environment. The environmental qualities of reserves such as openness, sunlight, tranquillity and lack of inappropriate noise contribute to present and future recreational opportunity and district wide amenity. There are reserves that have heritage and cultural significance, natural character values, and values that maintain and enhance water quality, aquatic habitat and access.

The intention of this chapter is to provide for activities on reserves through the use of zones. The reserve resource has been grouped into four broad zonings based on the level of actual or potential adverse effects that can be sustained by the subject site. The effects must be avoided, remedied or mitigated within the zone or in the environment of an adjoining zone.

Refer 22.5.2 for  
description of reserve  
zones.

Note: Integrated management of the reserve resource includes the provisions of the Conservation Act 1987 and the Reserves Act 1977. In general the types of activities and the acceptable effects of those activities within a reserve area are those indicated by management plans under the appropriate legislation. It is not the intention of this Plan to replicate or duplicate those controls but rather to recognise those plans.

Refer to various Reserve  
Management Plans.

### 22.2 Issues

22.2.1 An inadequate distribution or inappropriate management of reserves can result in a loss of:

- a) residential and district amenity;
- b) present and future recreation opportunity;
- c) public access;
- d) landscape, heritage, conservation, habitat and cultural values.

- 22.2.2 Development and use of reserve land has the potential to create adverse effects on the surrounding environment and the reserve itself.

### 22.3 Objectives

1. Location of reserve areas to maintain or enhance residential and district amenity, present and future recreation opportunity, public access, and conservation values.
2. Development and use of reserve land that does not create adverse effects on the reserve or surrounding environment.

*Principal Reasons (1-2): Within the openspace/reserve resource differing values are embodied. Be they based on the existence of reserve areas, conservation, amenity, or the value for enabling participation in structured or informal sporting or leisure pursuits these objectives seek to facilitate community well-being. Throughout the district there are reserves with distinct characteristics. A wide variety of activities take place on reserves and such activities have the potential to impact adversely on the environment and the reserve itself. These objectives seek to ensure that provision, development and use of reserves promotes the sustainable management of the natural and physical reserve resources.*

### 22.4 Policies

1. To enable community wellbeing by making reserve land available in order to maintain and enhance:
  - residential and district amenity;
  - present and future recreation opportunity;
  - public access;
  - conservation and landscape values;
  - and to maintain and protect the environmental, cultural, visual and/or historical significance of reserves.
2. To ensure that the visual impact of reserve land and facilities maintains and enhances residential amenity and the natural value of the surrounding environment.
3. To avoid, remedy or mitigate the adverse effects of reserve structures on the open space character of the reserve.
4. To protect significant indigenous and exotic trees, areas of bush and other significant areas of indigenous vegetation, significant habitats of indigenous fauna, ecological value, natural character or significant landforms within Reserves.
5. To maintain and enhance access to and along the margins of the District's rivers, lakes and coastline.
6. To ensure that recreational activities that use the river and coastal margins do not create adverse effects such as diminished natural value or increased bank instability or inhibit access to the margins.
7. Particular attention should be given to the following matters when assessing applications for consents to conduct activities on reserves:
  - the **existing character and amenity** of the reserve and the locality in which the site is set;
  - the **location and design** (including colour) of any proposed structure on the reserve itself;
  - the effect of the proposed activity regarding **daylight and shading** on adjoining properties and the reserve itself;

*Refer to 13.6.4 for rivers for which esplanade reserves shall be taken.*

- the effects of **traffic flow** to and from the reserve site and the locality in which the reserve is set;
- **access points** onto the reserve;
- any **historical, conservation, ecological, archaeological or waahi tapu** values associated with the reserve;
- **design and location in terms of** enabling people to provide for their **safety** either at the reserve or on adjoining properties.

*Explanation (1): Where the provision of reserve land and recreation facilities of different types is inadequate, additional areas should be added wherever possible in order to off-set the potential adverse effects of the built environment. It is important that neighbourhood and small sports grounds are spread throughout the city and township communities with reasonable frequency in order that communities be enabled to provide for their health and well-being. Public access, particularly to and along the Coastal Marine Area (CMA), lakes and rivers, is recognised as a matter of national importance and fundamental to the purpose of the Act. Conservation and landscape values would be adversely affected without protection. Principal reason (1): Sections 5, 6(d) and 7(c) and (f) of the Act.*

*Explanation (2): The openspace character of the reserve, amenity, natural and environmental values are protected, maintained and enhanced by appropriate siting and design. Recreational facilities such as clubrooms and associated activities can create the adverse affects such as nighttime noise, late night vehicle manoeuvring, parking and accessing of the reserve and the adjacent roading pattern. When these affects are unable to be avoided, remedied or mitigated the purpose of the Act is not achieved. Principal reason (2): Sections 5, 7 (c)(f) of the Act.*

*Explanation (3): Openspace and reserve land is characterised by the fact that it has few buildings and structures. Principal reason (3): Section 7(f) of the Act.*

*Explanation (5): Public access is a matter of national importance. There is a long held district tradition of public access to the coast lake and river margins which this policy upholds. Principal reason (5): Section 6(d) of the Act.*

*Explanation (6): Some recreational activities can denude the margins of the rivers and coast of natural value by impacting on bank stability, collapsing dunes or interfering with wildlife habitat. These effects should be avoided, remedied or mitigated. The District's river margins and coastline are a valuable resource. They provide recreational opportunities which enable the enhancement of community well-being. Some activities will need to be contained to limit adverse impacts on conservation values. Principal reason (6): Sections 5, 7 (c) and (f) of the Act.*

*Explanation (7): This policy contains criteria against which applications for reserve activities can be considered. It will allow for the components of a proposal to be considered in relation to the particular characteristics of a reserve. Activities and facilities on reserves can impact on the surrounding environmental amenity. The environmental qualities of reserves such as openness, sunlight, tranquillity requires protection. Loss of these qualities on either the reserve and the surrounding environment does not meet the purpose of the Act. Principal reason (7): Section 5 of the Act.*

## 22.5 METHODS OF IMPLEMENTATION

### 22.5.1 Economic Instruments

1. Council uses the Long Term Council Community Plan and Annual Plan processes to plan and fund new reserves and to develop existing reserves.
2. Development contributions are taken for reserves and community infrastructure. Financial contributions may also be used to acquire land for new reserves or to enhance access to reserves. This may be accompanied to compensate the developer for the additional value contributed.

*Principal reason (1-2): Sections 5, 6 (d) and 7(c)(f) of the Act. Where the provision of reserve land and recreation facilities of different types is inadequate, additional areas should be added wherever possible. It is important that neighbourhood and small sports grounds are spread throughout the city and township communities with reasonable frequency in order that communities be enabled to provide for their health and well-being. Reserves may also offset the potential adverse effects of development.*

*Public access is recognised as a matter of national importance and fundamental to the purpose of the Act. Conservation and landscape values would be adversely affected without protection.*

## 22.5.2 Regulation

1. Zoning: The plan identifies the following reserve zones.

*Refer to Urban and Rural planning maps for location of zones.*

- a) Recreation Reserve Zone:

- i) The Recreation Reserve Zone covers those reserve areas that enable active and organised recreation. The Recreation Reserve resource provides for sportsfields, tennis courts, sites catering for indoor recreation and leisure pursuits which have the potential to attract large numbers of people. The potential to attract large numbers of people brings with it the possible loss of amenity. The zone provides for some control on the location, scale and design of structures and buildings and provision for the adverse effects of increased traffic and noise, glare and lighting etc.
- ii) The purpose of the zone is to enable the community to provide for its sports and leisure needs in such a way that the scale and organised nature of such activities does not create adverse effects.

- b) Neighbourhood Reserve Zone:

- i) The Neighbourhood Reserve Zone provides for those reserves generally of limited size which contribute to neighbourhood amenity and provide openspace relief in the built environment. Passive recreation is provided for with an emphasis on children's play equipment, seating and landscaping. It will be necessary for Neighbourhood Reserve Management Plans to be developed to manage the activities provided for in this zone.
- ii) The purpose of this zone is to maintain and enhance amenity in the residential environment.

- c) Heritage Reserve Zone:

- i) Provides for areas of reserve and openspace which are intended to be retained primarily as openspace with limited development. Included in this zone are areas of natural vegetation, natural ecosystems, important habitats eg Esplanade Reserves from Roebuck Road bridge to Campion Road footbridge (Gisborne), and areas of community value.
- ii) This zone also includes commonly identified land of cultural/spiritual significance to tangata whenua and sites of historical/archaeological importance (eg. Titirangi/Kaiti Hill).
- iii) The purpose of this zone is to identify reserve and openspace areas that require added protection because of the significance attached to individual sites.

- d) Amenity Reserve Zone

- i) This zone provides for access to the district's rivers, lakes and coastal margins. This will include the majority of esplanade reserves (although

- some have been zoned as Heritage Reserves due to their conservation value).
- ii) Also included in this zone are reserves that provide scenic and landscape values.
  - iii) The purpose of this zone is to facilitate public access and meet the requirements of Sections 6, 7 and 229 of the Act 1991.
- e) Cemetery Reserves
- i) All activities to comply with the requirements of the Burial and Cremation Act 1964.

*Principal reason (1): The five zonings are applied to the reserves resource to indicate the level/range of acceptable effects from activities in order to protect the resource. Rules intervene in reserve activities in order to address the effects or set limits on them.*

### 22.5.3 Other Legislation and the Recreation Plan

1. Monitor and review the Gisborne District Council Recreation Plan 1998- 2003 to identify likely changes in recreation and leisure preferences.
2. Prepare and administer Reserve Management Plans under the Reserves Act 1977 to achieve community agreement on management of public reserve land. The following Management Plans prepared under this legislation will be a priority:
  - a) Uawa Reserve;
  - b) Waikanae Foreshore;
  - c) Neighbourhood Reserves;
  - d) Kaiti Hill/Titirangi Reserve;
  - e) Waikirikiri Reserve;
  - f) The Adventure Playground;
  - g) Waiteata Park;
  - h) Te Arai Reserve;
  - i) Hatea-a Rangi Reserve.

*Principal reason (1 and 2): Council has a statutory duty under the Reserves Act 1977 to prepare management plans for reserves under its control, management or administration. Reserve Management Plans are the primary method for managing the use, development and protection of public reserves. This plan recognises the community consultation process required by the Reserves Act 1977. The Recreation Plan identifies community needs and preferences for recreation provision with identified goals and objectives for achieving community expectations.*

## 22.6 RULES FOR RESERVE ZONES

### Note

Activities shall comply, where relevant, with the regional or district rules specified in Chapter 3-Cultural Heritage, Chapter 4-Natural Heritage, Chapter 5-Natural Hazards, Chapter 6-Soil Conservation, Chapter 9-Contaminated sites, Chapter 9A-Hazardous Substances and Chapter 10-Signs.

Activities shall also comply, where relevant, with the rules in the Proposed Gisborne Regional Freshwater Plan.

### **General Rules**

The following General Rules shall apply to all permitted activities conducted in reserve zones:

- 22.6.1 All activities must comply with rules specified in Chapter 8 – Infrastructure, works and Services and Chapter 11 - Noise and Vibration.

### **22.6.2 Lighting and Glare**

- a) All exterior lighting shall be directed away from adjacent properties and roads so as to avoid any adverse glare effects on properties or roads.
- b) Between the hours of 1800 and 2200 the limits apply at the boundary of residential or rural zones directly adjoining reserve sites and are measured in a vertical plane parallel to the relevant boundary, to a height equal to the height of the potentially affected dwellings.
- c) Between the hours of 2200 and 0700 hrs limits apply in the plane of the windows of habitable rooms of dwellings on nearby residential properties.
- d) Any welding activities (excluding construction activities) shall be screened so that they are not visible from residential or reserve zones and roads.
- e) Activities shall not emit artificial lighting greater than:
  - i) 10 lux spill (horizontal and vertical) of light as measured at or within the boundary of any site zoned residential or the notional boundary of any rural dwelling;
  - ii) 20 lux spill (horizontal and vertical) of light as measured at or within the boundary of any property zoned commercial.

*Refer Draft Australian Standard No. AS 4282 (Int) 1995.*

### **22.6.3 Recession plane**

- a) On any reserve site having a common boundary with any residential or rural land, buildings, structures or any part thereof excluding chimneys, antennas and their supporting structures and network utility structures shall not project beyond a building envelope constructed by recession planes from points 2.75m above site boundaries. The angle of such recession planes shall be determined for each site by use of the recession plane indicator.

*Refer to Appendix 21 – Recession Plane Indicator.*

*Refer to 8.10 and Appendix 14 for Height Controls relating to the Airport.*

### **22.6.4 Yard Distances**

- a) Buildings and structures shall be set back a minimum of 4.5 metres from road boundaries; 3.0 metres from residential and rural residential zone boundaries.

**22.6.5 Radiofrequency Radiation**

- a) All activities shall comply with the New Zealand Standard NZS2772.1 (1999) Radiofrequency Fields: Part 1 Maximum Exposure Levels - 3KHz - 300GHz and with NZS 6609.2:1990 - Radiofrequency radiation: Part 2: Principles and Methods of Measurements 300khz to 100ghz.
- b) All activities shall comply with the International Commission on Non-ionizing Radiation Protection (ICNIRP) Guidelines (1998).

## **22.7 RECREATION RESERVE ZONE**

### **22.7.1 Permitted Activities**

The following activities shall be permitted activities provided that they meet the General Rules where applicable

- 22.7.1.1 Recreation activities including sportsgrounds**
- 22.7.1.2 Any land use activity carried out in accordance with an approved Management Plan prepared under the Reserves Act 1977**
- 22.7.1.3 Children's play equipment, picnic facilities and seating**
- 22.7.1.4 Public shelters, toilets, and changing rooms**
- 22.7.1.5 Public carparks provided that the carpark is set back from any residential or rural zone adjoining the reserve by no less than 10 m unless written consent to an alternative proposal from the adjoining property owner/s has been obtained and submitted to the Consent Authority at the stage the appropriate consent is sought**
- 22.7.1.6 Lawns, areas of bush, ornamental gardens, other planted areas**
- 22.7.1.7 Implement sheds**
- 22.7.1.8 Monuments**
- 22.7.1.9 Swimming pools or camping grounds**  
*Provided that:*
  - a) The site does not adjoin a residential zone.
  - b) That campgrounds are not located in the Noise Impact Overlay.
- 22.7.1.10 Routes for pedestrians and cyclists, including walkways, footpaths, cycle tracks, and bridges**
- 22.7.1.11 Driveways on the condition that the curb and channelling or borders of the driveway are set back from any residential boundary by 8.5 metres**
- 22.7.1.12 Community facilities including clubrooms or grandstands not provided for in a Management Plan prepared under the Reserves Act 1977 in reserves adjacent to industrial and commercial zones only**  
*Provided that:*
  - a) Structures for the purposes of public assembly are not located within the Noise Impact Overlay.

*Refer to Appendix 19  
– Airport Noise  
Boundaries.*

*Refer to Appendix  
19.*

**22.7.1.13 Vegetation planting and clearance of indigenous and/or exotic trees and areas of bush**

*Refer also to rules relating to vegetation clearance in Chapter 4.*

**22.7.1.14 Fences**

**22.7.1.15 Sports equipment including lighting on the condition that the equipment does not exceed the maximum height allowed in the closest adjoining zone (goal posts may be of any height)**

**22.7.1.16 Maintenance and repair of approved reserve structures, buildings and the reserve itself.**

**22.7.1.17 Meteorological activities**

*Provided that:*

- a) Associated structures shall have a ground coverage of 50m<sup>2</sup> or less; and have a height not exceeding 15 metres;
- b) Site area shall be 500m<sup>2</sup> or less.

**22.7.1.18 Temporary activities**

*Provided that:*

- a) The activity shall be exempt from all the General Rules except noise.
- b) The activity shall comply with rules for noise specified in Rule 11.13.3 (Table 8).
- c) The duration of the activity (excluding military training) shall be a maximum of four days including set-up and dismantling time.
- d) An individual or business may not undertake the same temporary activity more than once in 60 days, on the same site.
- e) Activities shall only be conducted between 0700 - 2200 hours, where the site is located in or adjacent to a residential zone.

Note:

Attention is drawn to the requirements of the Building Act 2004. The necessary consents in terms of health and safety can be obtained from the Environmental Health and Building Inspectorates of Council.

**22.7.2 Restricted Discretionary Activities**

The following activities shall be restricted discretionary activities:

**22.7.2.1 Activities listed as Permitted activities which do not comply with the rules in respect of:**

- a) **Noise and Vibration**
- b) **Lighting and glare**
- c) **Recession plane provided that the height envelope created by the recession plane is not encroached by more than 1.0 metre in any direction**
- d) **Infrastructure, works and services**
- e) **Safety**

- f) Design
- g) Character and amenity
- h) Yards
- i) Access to daylight
- j) Landscape design; site layout
- k) Duration, frequency and hours of operation of the activity
- l) Location of:
  - i) community facilities (including clubrooms) or grandstands not provided for in a Management Plan prepared under the Reserves Act 1977 adjacent to rural zones (excluding Rural Residential and Rural lifestyle Zones);
  - ii) driveways that adjoin residential boundaries on both sides where the curb and channelling or borders of the driveway are not set back by 8.5 metres;
  - iii) campgrounds and structures for the purpose of public assembly located in the Noise Impact Overlay.

Refer to Appendix 19  
– Airport Noise  
Boundaries.

*Provided that:*

1. The activity must comply with all rules (except 22.7.2.1(a) – 22.7.2.1(l) listed above) specified for a Permitted activity.

Council shall restrict its discretion to the matters a) – l) specified above.

#### **22.7.2.2 Swimming pools or camping grounds that do not comply with the General Rules.**

### **22.7.3 Discretionary Activities**

The following activities shall be discretionary activities:

#### **22.7.3.1 Activities listed as Permitted which do not comply with the rules, with respect to noise, and are not provided for as Restricted Discretionary activities**

#### **22.7.3.2 Community facilities, publicly owned or operated places of assembly for recreation, clubrooms or grandstands not provided for in a management plan prepared under the Reserves Act 1977 in reserves adjacent to a residential or rural residential zone on any boundary**

### **22.7.4 Non-Complying Activities**

The following activities shall be non-complying activities:

#### **22.7.4.1 Activities which are not provided for as Permitted, Restricted Discretionary or Discretionary activities**

## **22.8 NEIGHBOURHOOD RESERVE ZONE**

### **22.8.1 Permitted Activities**

The following activities shall be permitted activities provided they meet the General Rules where applicable:

**22.8.1.1 Land use activities carried out in accordance with an approved Management Plan prepared under the Reserves Act 1977**

**22.8.1.2 Passive and outdoor recreation excluding sportsgrounds**

**22.8.1.3 Children's play equipment, picnic facilities and seating**

**22.8.1.4 Lawns, areas of bush, ornamental gardens, other planted areas and landscape features**

**22.8.1.5 Routes for pedestrians, cyclists, including walkways, footpaths, cycle tracks, and bridges**

**22.8.1.6 Fences**

**22.8.1.7 Vegetation planting or clearance**

**22.8.1.8 Maintenance and repair of approved reserve structures, buildings and the reserve itself.**

**22.8.1.9 Meteorological activities**

*Provided that:*

- a) Associated structures shall have a ground coverage of 50m<sup>2</sup> or less; and have a height not exceeding 15 metres;
- b) Site area shall be 500m<sup>2</sup> or less.

**22.8.1.10 Temporary activities**

*Provided that:*

- a) The activity shall be exempt from all the General Rules except noise.
- b) The activity shall comply with rules for noise specified in Rule 11.13.3 (Table 8).
- c) The duration of the activity (excluding military training) shall be a maximum of four days including set-up and dismantling time.
- d) An individual or business may not undertake the same temporary activity more than once in 60 days, on the same site.
- e) Activities shall only be conducted between 0700 - 2200 hours, where the site is located in or adjacent to a residential zone.

Note:

Attention is drawn to the requirements of the Building Act 2004. The necessary consents in terms of health and safety can be obtained from the Environmental Health and Building Inspectorates of Council.

*Refer also to rules for vegetation clearance in Chapter 4.*

## **22.8.2 Restricted Discretionary Activities**

The following activities shall be restricted discretionary activities:

### **22.8.2.1 Activities listed as Permitted activities which do not comply with the rules in respect of:**

- a) Noise and Vibration
- b) Lighting and glare excluding night training lights
- c) Recession plane provided that the height envelope created by the recession plane is not encroached by more than 1.0 metre in any direction
- d) Infrastructure, works and services
- e) Safety
- f) Design
- g) Character and amenity
- h) Yards
- i) Access to daylight
- j) Landscape design - site layout
- k) Duration, frequency and hours of operation of the activity
- l) Location of public shelters, toilets, and changing rooms

*Provided that:*

1. The activity must comply with all rules (except 22.8.2.1(a) – 22.8.2.1(l) listed above) specified for a Permitted activity.

Council shall restrict its discretion to the matters a) – l) specified above.

## **22.8.3 Discretionary Activities**

The following activities shall be discretionary activities:

### **22.8.3.1 Activities listed as Permitted which do not comply with the rules with respect to noise, and are not provided for as Restricted Discretionary activities**

### **22.8.3.2 Activities not carried out in accordance with or provided for in a Management Plan prepared under the Reserves Act 1977 and not provided for elsewhere as a Permitted or Restricted Discretionary activity**

### **22.8.3.3 Community facilities excluding licensed facilities and clubrooms**

### **22.8.3.4 Carparks and driveways**

## **22.8.4 Non-Complying Activities**

The following activities shall be non-complying activities:

### **22.8.4.1 Activities which are not provided for as Permitted, Restricted Discretionary, Discretionary or Prohibited activities**

## **22.8.5 Prohibited Activities**

The following activity shall be a prohibited activity:

### **22.8.5.1 Licensed facilities and clubrooms**

## **22.9 HERITAGE RESERVE ZONE**

### **22.9.1 Permitted Activities**

The following activities shall be permitted activities provided they meet the General Rules where applicable:

**22.9.1.1 Land use activities carried out in accordance with an approved Management Plan prepared under the Reserves Act 1977**

**22.9.1.2 Passive and outdoor recreation excluding the use of animals or vehicles, except on driveways, accessways and carparks**

**22.9.1.3 Habitat conservation including new landscaping, maintenance and enhancement works**

**22.9.1.4 Picnic facilities, seating and fencing**

**22.9.1.5 Children's play equipment**

**22.9.1.6 Maintenance and repair of approved reserve structures, buildings and the reserve itself.**

**22.9.1.7 Meteorological activities**

*Provided that:*

- a) Associated structures shall have a ground coverage of 50m<sup>2</sup> or less; and have a height not exceeding 15 metres;
- b) Site area shall be 500m<sup>2</sup> or less.

Note:

Attention is drawn to the requirements of the Conservation Act 1987 and any subsequent amendments.

### **22.9.2 Restricted Discretionary Activities**

The following activities shall be restricted discretionary activities:

**22.9.2.1 Activities listed as Permitted activities which do not comply with the rules in respect of:**

- a) **Vibration**
- b) **Lighting and glare**
- c) **Recession plane provided that the height envelope created by the recession plane is not encroached by more than 1.0 metre in any direction**
- d) **Infrastructure, works and services**
- e) **Safety**
- f) **Design**
- g) **Character and amenity**

- h) Yards
- i) Access to daylight
- j) Landscape design and layout
- k) Location of:
  - i) public shelters, toilets, and changing rooms;
  - ii) routes for pedestrians, cyclist's tracks including footpaths, walkways, bridges and driveways.

*Provided that:*

1. The activity must comply with all rules (except 22.9.2.1(a) – 22.9.2.1(k) listed above) specified for a Permitted activity.

Council shall restrict its discretion to the matters a) – k) specified above.

### **22.9.3 Discretionary Activities**

The following activities shall be discretionary activities:

**22.9.3.1 Activities listed as Permitted which do not comply with the rules with respect to noise, and are not provided for as Restricted Discretionary activities**

**22.9.3.2 Vegetation clearance of indigenous and exotic trees and areas of bush**

**22.9.3.3 Flood control**

*Refer to Chapter 5.*

### **22.9.4 Non-Complying Activities**

The following activities shall be non-complying activities:

**22.9.4.1 Activities which are not provided for as Permitted, Restricted Discretionary or Discretionary activities**

## **22.10 AMENITY RESERVE ZONE**

### **22.10.1 Permitted Activities**

The following activities shall be permitted activities provided that they meet the General Rules where applicable:

**22.10.1.1 Land Use Activities carried out in accordance with an approved Management Plan prepared under the Reserves Act 1977**

**22.10.1.2 Passive and outdoor recreation including the controlled use of dogs for game bird hunting but excluding the use of horses and vehicles except on driveways, accessways and carparks**

**22.10.1.3 Freedom camping**

*Provided that:*

- a) The activity is carried out in accordance with Gisborne District Council By-Laws Manual regarding specific camping locations.

**22.10.1.4 Children's play equipment**

**22.10.1.5 New landscaping**

**22.10.1.6 Routes for pedestrians, cyclists including footpaths, cycle tracks, bridges and walkways**

**22.10.1.7 Public shelters, picnic facilities, seating**

**22.10.1.8 Lighting**

**22.10.1.9 Maintenance and repair of approved reserve structures, buildings and the reserve itself.**

**22.10.1.10 Meteorological activities**

*Provided that:*

- a) Associated structures shall have a ground coverage of 50m<sup>2</sup> or less; and have a height not exceeding 15 metres;
- b) Site area shall be 500m<sup>2</sup> or less.

### **22.10.2 Restricted Discretionary Activities**

The following activities shall be restricted discretionary activities:

**22.10.2.1 Activities listed as Permitted activities which do not comply with the rules in respect of:**

- a) Vibration
- b) Lighting and glare

- c) **Recession plane provided that the height envelope created by the recession plane is not encroached by more than 1.0 metre in any direction**
- d) **Infrastructure, works and services**
- e) **Safety**
- f) **Design**
- g) **Character and amenity**
- h) **Yards**
- i) **Access to daylight**
- j) **Landscape design and site layout**
- k) **Vegetation clearance of indigenous and/or exotic trees and areas of bush**
- l) **Location of toilets, changing rooms, carparks, fences and driveways**

*Provided that:*

1. The activity must comply with all rules (except 22.10.2.1(a) – 22.10.2.1(l) listed above) specified for a Permitted activity.

Council shall restrict its discretion to the matters a) – l) specified above

### **22.10.3 Discretionary Activities**

The following activities shall be discretionary activities:

#### **22.10.3.1 Activities listed as Permitted which do not comply with the rule in respect of noise**

#### **22.10.3.2 Community facilities including clubrooms**

#### **22.10.3.3 Flood control**

*Refer to Chapter 5.*

### **22.10.4 Non-Complying Activities**

The following activities shall be non-complying activities:

#### **22.10.4.1 Activities which are not provided for as Permitted, Restricted Discretionary or Discretionary activities**

## **22.11 ANTICIPATED ENVIRONMENTAL RESULTS**

- a) A sustainably managed openspace/reserve resource that enables the community to provide for its recreation and leisure needs.
- b) Protection of areas of vegetative, ecological, habitat, cultural or heritage significance.
- c) A distribution of reserve areas that maintains and enhances the reserves, public access and conservation values of surrounding areas.

- d) Objectives, Policies and Rules in the Plan which enable the sustainable management of the reserve environment including the margins of rivers, lakes and the coastline.
- e) Activities and structures on reserve land or on the margins of lakes, rivers and the coastline that occurs in a manner and location which is compatible with the values associated with that reserve area and avoids, remedies and mitigates adverse effects.