

## Part 34 Recreation Zone

For the avoidance of doubt, and notwithstanding the rules which follow, all activities (or applications for consent for such activities) must also comply with such other provisions as may affect the activity or site and which are specified in Parts 7, 8, 10, 11, 12, 15, 26, 50, 51, 52 and 53 of this plan. Where the activity involves the use of a SIGN erected on private property, the SIGN shall be consistent with matters set out in Rule 15.4.

### 34.1 Permitted Activities

The activities listed below are Permitted, and do not require a resource consent, if they comply in all respects with Rule 34.4 (PERFORMANCE STANDARDS).

- Any activity which complies with Rule 34.4 provided that where any BUILDING is involved, it must be in accordance with the clauses which follow;
- BUILDINGS in accordance with approved Reserve Management Plans;
- BUILDINGS not provided for in Reserve Management Plans which do not exceed 50 m<sup>2</sup> in GROSS FLOOR AREA;
- Alterations/extensions to existing BUILDINGS provided that this does not increase the GROSS FLOOR AREA, which exists at the date of notification of this Plan, by more than 40 per cent.
- On land which has been acquired for reserve purposes, any activity that complies with all of the performance standards applying to the Recreation Zone Rule 34.1 Permitted activities, shall be a Permitted activity, irrespective of the zone shown on the plan.

### 34.2 Restricted Discretionary Activities

- (i) Restricted Discretionary activities require a resource consent, and the consent may be granted or refused. An application must be submitted in the prescribed format (available from the Council).
- (ii) Applications will be assessed primarily in terms of the matters set out in [Rule 34.5](#), and any conditions of consent will only relate to those matters.
- (iii) The information submitted with the application must be in terms of [Part 52](#) but only to the extent needed to enable a thorough assessment in terms of [Rule 34.5](#). The application must also clearly demonstrate compliance with the stated performance standards applicable to the activity.
- (iv) An application for a Restricted Discretionary activity may be considered without public notification where Council so determines in terms of Section 94 of the Act. (This is a non-notified application in terms of the Act).
- (v) The activities listed below are Restricted Discretionary activities in the Recreation Zone.

(NOTE: Within the list, the words in CAPITALS are defined in [Part 50](#).)

- Activities that do not meet the prerequisites for or the performance standards for Permitted activities ([Rule 34.4](#)).

### 34.3 Discretionary Activities

- (i) Discretionary activities require a resource consent, and the consent may be granted or refused. An application must be submitted in the prescribed format (available from the Council).
- (ii) Applications will be assessed in terms of the matters set out in [Part 53](#), and where consent is granted, conditions of consent may be imposed.
- (iii) The information submitted with the application must be in terms of [Part 52](#).
- (iv) The activities below are Discretionary activities in the Recreation Zone.

- Any activity not provided for under Rules [34.1](#) and [34.2](#)

### 34.4 Performance Standards

The following standards are to apply unless an approved Reserve Management Plan specifies or provides otherwise:

#### 34.4.1 HEIGHT AND SETBACKS

- Maximum height: 9 metres (except goal posts and floodlighting);
- Yards: 6 metres in respect of any boundary which abuts a site in the Residential or Residential 2 Zone; and  
3 metres from any other boundary, provided that no building may exceed a height equal to 3 metres plus the shortest horizontal distance between that part of the building and the site boundary. This standard shall not apply where all adjoining, potentially affected landowners have given their written consent to any deviation from the standard.

#### 34.4.2 NOISE

The following sound levels as measured at or within any boundary of an adjoining site zoned Residential, Residential 2, Rural-Residential or Village Zone, for the hours specified, shall not be exceeded:

Time/hours	L <sub>10</sub> (defined Part 50)	L <sub>max</sub> (defined Part 50)
0700 to 1800	50 dBA	75 dBA
1800 to 2200	45 dBA	65 dBA
2200 to 0700	40 dBA	65 dBA

[Note: NZS 6802 provides for the reduction of these performance standards by 5 dBA where the measured noise has a special audible characteristic.]

#### 34.4.3 PARKING

- Parking areas and internal vehicular access and egress routes shall be sited a minimum of 5 metres from the boundary of any site zoned Residential, Residential 2 or Rural-Residential. They shall be landscaped and/or screened so that these areas blend in with the natural environment or with the amenities of the area;
- Sufficient sealed parking shall be available for every activity on the site, and the standards of Part 51 shall be used as minimum where the activity is sufficiently similar to one or more in that rule.

#### 34.4.4 HOURS OF OPERATION FOR LIQUOR LICENSED ACTIVITIES

Where a building such as clubrooms, hall or any other structure, or part thereof, is within 100 metres of a site zoned Residential, Residential 2 or Rural Residential then the following hours of operation shall apply to use of it for activities which require a liquor licence:

## Waikato District Plan - Waikato Section

Monday to Thursday, and Sunday: 7.00 am to 10.30 pm

Friday and Saturday: 7.00 am to 1.00 am

### **34.4.5 ILLUMINATION**

- (a) All exterior lighting shall at all times be so located, directed or screened as to ensure that:
- no direct light rays fall onto any site zoned Residential, Residential 2 or Rural-Residential, and reflected light from any such fittings shall be minimised;
  - all reticulation to any fittings is underground and all wiring and control equipment enclosed;
  - direct light rays or illumination do not create a hazard to motorists.
- (b) The use of exterior lighting, except security lighting, shall be restricted to within the hours of 7.00 am to 11.00 pm.

### **34.4.6 EARTHWORKS**

#### **34.4.6.1 General**

Bare ground arising from EARTHWORKS shall be revegetated as soon as practicable.

#### **34.4.6.2 In development setbacks**

EARTHWORKS in the Coastal Marine Area development setback and the Lakes and Rivers development setback shall not exceed a total volume of 25 cubic metres or a total area of 250 square metres.

#### **34.4.6.3 Affecting outstanding natural features**

No EARTHWORKS shall be carried out to or on landforms or any other physical feature identified in [Schedule 5A](#).

### 34.5 Assessment Criteria for Restricted Discretionary Activities

In assessing an application for a Restricted Discretionary activity the Council will assess the activity primarily in terms of the following matters over which it has restricted the exercise of its discretion, and conditions of consent will only relate to these matters (or such other matters as the Act provides):

- The height and the location, design and external appearance of buildings and other structures, including signs;
- Traffic and parking, including the location and design of vehicular and pedestrian access to and from the site and motor vehicle parking and loading and its effect on the amenities of the area.
- Landscape design and general site layout;
- Effluent and stormwater treatment and/or disposal;
- Any relevant Reserve Management Plan provisions;
- Cumulative effects on the amenity of the immediate vicinity;
- Noise, odour, dust and illumination;
- Hours of operation;
- The extent to which any earthworks would affect the ecological, landscape or landform values of the area, or the natural character of the coast or of the margins of lakes and rivers; whether they would increase any risk of land instability or erosion; whether the proposed activity includes any proposals to revegetate land disturbed or prevent siltation or other adverse effects of stormwater runoff.

#### 34.6 Subdivision

All subdivision activities shall be Discretionary and shall be assessed in terms of the zoning provisions, the objectives and policies for recreation, and the intended uses of the site/s. Where appropriate the Council shall apply the standards of [Rule 26](#) (Urban Subdivision) to the proposal, and such matters in Parts [52](#) and [53](#) that may be relevant.

*(Note: Any subdivision of land which is classified under the Reserves Act 1977 must comply in all respects with the requirements of that Act).*