

OPEN SPACE ZONE – LANDSCAPE PROTECTION – RULES **20**

20.2 Open Space Zone – Landscape Protection Rules

20.2.1 Cross Referencing

Attention is drawn to the following District Wide Rules that may apply in addition to any relevant Open Space Zone Rules. If the District Wide Rules are not met then resource consent will be required in respect of that matter:

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| (i) Heritage Protection | - Refer Section 13 |
| (ii) Transport | - Refer Section 14 |
| (iii) Subdivision, Development and Financial Contributions | - Refer Section 15 |
| (iv) Hazardous Substances | - Refer Section 16 |
| (v) Utilities | - Refer Section 17 |
| (vi) Signs | - Refer Section 18 |
| (vii) Relocated Buildings and Temporary Activities | - Refer Section 19 |
| (viii) Earthworks | - Refer Section 22 |

20.2.2 Activities

20.2.2.1 Permitted Activities

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

- i Passive or informal recreation (e.g. walking, running, biking, picnics).
- ii Maintenance activities associated with permitted activities, or those activities that have a resource consent.
- iii Removal/control of weeds and wilding trees.
- iv Fencing of ecologically valued areas.
- v Fencing on the boundary of the Zone where it bounds privately owned land.

20.2.2.2 Controlled Activities

The following shall be **Controlled Activities** provided that they are not listed as a **Prohibited, Non-Complying** or **Discretionary Activity**. The matters in respect of which the Council has reserved control are listed with each Controlled Activity.

i Light Stock Grazing

The grazing of light stock (e.g. Sheep) in respect of all of the following:

- Location of grazing areas
- Type of stock to be grazed
- Intensity and duration of grazing activity

ii Cycling and Walking Trails

See Rule 22.3.2.2(a) and Assessment Matters in Section 22 Earthworks

20.2.2.3 Restricted Discretionary Activities

The following shall be **Restricted Discretionary Activities**. The matters in respect of which Council has reserved discretion are listed with each Restricted Discretionary Activity.

i Picnic and Barbeque Areas

The forming or construction of any picnic or barbeque areas in respect of all of the following:

- Size and location of picnic or barbeque area
- Scale and siting of structures and seating
- Cumulative effect of the number of picnic or barbeque areas within the Zone

ii Car Parking Facilities and Associated Vehicle Access

The construction of car parking facilities up to 200m² in respect of all of the following:

- Location of facility and access
- Number, design and layout of car parks and associated manoeuvring areas
- Surface treatment of parking facility and access
- Landscaping
- Cumulative effect of the number of car parking facilities within the Zone

iii Fencing

Any fencing that is not listed as permitted activities in respect of all of the following:

- Location
- Type or form
- Permanency or temporary nature of the fencing
- Cumulative effect of the amount of fencing within the Zone

iv Stock Yards

The construction and use of any stock yards associated with Light Stock Grazing in respect of all of the following:

- Location
- Type or form
- Permanency or temporary nature of the yards
- Cumulative effect of the number of sets of yards within the Zone

v Vehicle Access

The provision of one vehicle access road through the Central Melt Channel connecting the two areas of Low Density Residential Zone within the Peninsula Bay land, where this road has been identified as necessary through the Outline Development Master Plan approved pursuant to Rule 7.5.3.3(vi) in respect of the following:

- Form and location
- Effects on landscape and visual amenity
- Extent and management of earthworks

- Extent of vegetation removal

20.2.2.4 Discretionary Activities

There are no Discretionary Activities within the Open Space Zone

20.2.2.5 Non-Complying Activities

- Heavy stock grazing (e.g. cattle, deer).**
- Forestry activities (except for the removal of wilding tree species)**
- Buildings and structures that are not listed as Permitted, Restricted Discretionary, Discretionary or Prohibited Activities**

Any other activities not listed as Permitted, Controlled, Restricted Discretionary, Discretionary or Prohibited Activities.

20.2.2.6 Prohibited Activities

- Residential Units, Residential Flats and Accessory Buildings**
- Airports**
- Visitor Accommodation**
- Commercial Buildings**
- Telecommunication Facilities**
- Farm Buildings**
- Planting of any wilding tree species**
- Vehicle Access**

Any vehicle access except:

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- (a) one road through the Central Melt Channel approved pursuant to Rule 20.2.2.3(v), and
- (b) vehicle access associated with car parking facilities as provided for under Rule 20.2.2.3(ii), and
- (c) a road constructed to enable the Riverside Stage 6 development to connect this with Aubrey Road, as provided for in the Structure Plan for Riverside Stage 6.

20.2.3 Assessment Matters

In considering whether or not to grant consent or impose conditions, the Council shall have regard to, but not be limited by, the following assessment matters:

i Controlled Activity – Light Stock Grazing

- (a) Whether the grazing will have an adverse effect on the natural conservation values or ecological values within the Zone.
- (b) Whether the grazing is required as a maintenance measure to reduce weeds and overgrowth.
- (c) Whether the grazing is near water bodies and the extent to which this may contribute to bank erosion and sedimentation of the water body.
- (d) Whether the grazing is to occur on a permanent or continuous basis and the extent to which this may cause adverse effects on adjacent water bodies and ecological values of the Zone.
- (e) Whether the type of stock to be grazed can be contained within low fences and cause low effect on the environment.

ii Restricted Discretionary Activity – Cycling and Walking Trails

- (a) Whether trails, boardwalks and viewing platforms are located so that they do not detract from the open space appearance of the Zone.

- (b) Whether trails, boardwalks and viewing platforms are located so that they do not adversely affect nature conservation values or ecological values within the Zone.
- (c) Whether the trails provide for safe and convenient access for users, including connections to the existing roading network and car parking facilities.
- (d) The extent to which the size of any viewing platform or boardwalk adversely affects the open space character of the Zone.
- (e) The extent to which the volume of earthworks, exposed area, height of any excavations or fill adversely affects nature conservation or ecological values or open appearance of the Zone.
- (f) Whether the earthworks are in close proximity to water bodies and the extent to which this may contribute sedimentation to the water body.
- (g) Whether alternative picnic or barbeque areas are available in close proximity to the proposed site.

iii Restricted Discretionary Activity – Picnic and Barbeque Areas

- (a) The extent of which picnic and barbeque areas adversely affect the open character of the Open Space Zone.
- (b) The extent of which picnic and barbeque areas affect natural conservation values or ecological values within the Zone.
- (c) Whether alternative picnic or barbeque areas are available in close proximity to the proposed site.

iv Restricted Discretionary Activity – Car Parking Facilities and Associated Access

- (a) Whether alternative car parking is available in close proximity to the proposed car park site.

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- (b) Whether the parking will be primarily for the recreational users of the Open Space Zone.
 - (c) Whether the car parking and manoeuvring areas complies with the standards set out in *Chapter 14 – Transport*.
 - (d) The extent to which the car parking facility and access impose on the open character of the Open Space Zone.
 - (e) The extent of which the car parking facility and access affect natural conservation values or ecological values within the Zone.
 - (f) Whether suitable screening will be provided to prevent vehicle lights shining directly onto adjacent properties.
 - (g) Whether any proposed landscaping is in keeping with the scale and character of the site.
- (a) The extent to which the proposed stock yards impose on the open character of the Open Space Zone.
 - (b) The extent to which the proposed stock yards adversely affect natural conservation values or ecological values within the Zone.
 - (c) Whether the stock yards are of a low form that has little effect on the open space character of the Zone.
 - (d) Whether the stock yards will be of a temporary nature.
 - (e) Whether the cumulative effect of the stock yards in the vicinity of the proposed fence detracts from the open character of the Zone.

v Restricted Discretionary Activity – Fencing

- (a) The extent to which the proposed fencing imposes on the open character of the Open Space Zone.
- (b) The extent to which the proposed fencing adversely affects the natural conservation values or ecological values within the Zone.
- (c) Whether the fencing is of post and wire form or other similar type that has little effect on the open space character of the Zone.
- (d) Whether the fencing will be of a temporary nature.
- (e) Whether the fencing is necessary for the control of stock.
- (f) Whether the cumulative effect of fencing in the vicinity of the proposed fence detracts from the open space character of the Zone.

vi Restricted Discretionary Activity – Stock Yards