

**OSZ**

---

# Open Space Zone

DRAFT  
WAITAKI DISTRICT PLAN

---



**Waitaki**

DISTRICT COUNCIL  
TE KAUNIHERA Ā ROHE O WAITAKI

## Open Space Zone

### Introduction

The purpose of the Open Space Zone is to provide open space for a range of passive and active recreational activities, along with limited associated facilities and structures.

This zone applies to both public and private open spaces that may contain high natural environment and historical and cultural heritage values. The District's open spaces include a variety of public parks and the Waitaki lakes where people can enjoy activities such as walking and cycling, swimming, fishing, picnicking, boating and customary activities, like gathering mahinga kai. Some open spaces are located in urban areas and others are located in rural areas, or near waterbodies and the coast.

The Open Space Zone is characterised as being generally more open with less built features. It often contains areas of value to the community because of its high natural, ecological, landscape and historical heritage.

Land zoned under the Open Space Zone may be subject to reserve management plans prepared under the Reserves Act 1977, and are managed by either Waitaki District Council, or the Department of Conservation. Reserve management plans determine what type of land uses are appropriate for public open spaces that are classified as reserves. Reserve management plans and the District Plan are complimentary in protecting and managing the use of reserve land.

Some areas of the Open Space Zone fall within the Ōamaru Harbour Precinct. Additional objectives, policies and rules contained in the Ōamaru Harbour Precinct chapter also apply to areas of Open Space Zone within the Precinct.

## Objectives

### **OSZ-O1 Purpose of the Open Space Zone**

The Open Space Zone supports a range of recreational activities within the Waitaki District.

### **OSZ-O2 Character and amenity values of the Open Space Zone**

Protect the predominant character and amenity values of open space to ensure:

1. the role, function, predominant character and amenity is not compromised by incompatible activities and/or built form; and
2. the character of open space with high natural, ecological, landscape and historical and cultural heritage values are maintained and where possible enhanced; and
3. the efficient use of open space to ensure that the scale and number of buildings is limited to supporting passive and active recreational activities.

## Policies

### **OSZ-P1 Enabling activities and use in the Open Space Zone**

Enable activities, buildings and structures which are compatible with the role, function and character of the Open Space Zone.

### **OSZ-P2 Maintaining character and amenity values**

Maintain the character and amenity values of the Open Space Zone by enabling use and development that:

1. avoids, remedies or mitigates any adverse effects on indigenous biodiversity, ecological, landscape and/ or historical and cultural heritage values; and
2. provides for areas of openness; and
3. provides a bulk, height, scale, form and location that is compatible with the character and function of the open space; and
4. integrates new buildings and structures within the existing built environment; and
5. minimises hard surfacing.

### **OSZ-P3 Commercial activities**

Enable temporary commercial activities where these are ancillary to a sport and recreation activity and/or community facility.

### **OSZ-P4 Inappropriate subdivision, use and development**

Avoid subdivision, use and development that is not compatible with the role, function and character of the Open Space Zone.

## Rules

Note: For certain activities, a resource consent may be required by rules in more than one chapter in the District Plan. Unless expressly stated otherwise by a rule, resource consent is required under each of those rules. The steps to determine the status of an activity are set out in the General Approach Chapter.

### PERMITTED ACTIVITIES

OSZ-R1 Sport and recreation activities		
Open Space Zone	Activity status: Permitted	Activity status when compliance is not achieved: Not Applicable
OSZ-R2 Recreational activities		
Open Space Zone	Activity status: Permitted	Activity status when compliance is not achieved: Not Applicable
OSZ-R3 Ancillary commercial activities		
Open Space Zone	<p>Activity status: Permitted</p> <p><b>Where:</b>            PER-1            With the exception of the sites listed below, any ancillary retail sales are limited to the sale of food and beverages in temporary structures or mobile vehicles, and the sale of admission tickets for a recreational activity.</p> <ul style="list-style-type: none"> <li>Oamaru Public Gardens</li> </ul> <p>PER-2            The ancillary commercial activity, including those at the exempt sites listed above, complies with OSZ-S6.</p> <p><i>Note: Temporary activities, such as wine and food events, gypsy fairs and circuses would fall under the Temporary Activities Chapter and do not need additional requirements in this chapter.</i></p>	<p>Activity status when compliance is not achieved: Restricted Discretionary</p> <p><b>Where:</b>            RDIS-1            Compliance is not achieved with PER 2</p> <p><b>Matters of discretion are restricted to:</b>            1. the matters of discretion of any infringed standard.</p> <p>Activity status when compliance is not achieved: Discretionary</p> <p><b>Where:</b>            DIS-1            Compliance is not achieved with PER 1</p>

<b>OSZ-R4 Conservation activities</b>		
<b>Open Space Zone</b>	<b>Activity status: Permitted</b>	<b>Activity status when compliance is not achieved: Not Applicable</b>
<b>OSZ-R5 Customary activities</b>		
<b>Open Space Zone</b>	<b>Activity status: Permitted</b>	<b>Activity status when compliance is not achieved: Not Applicable</b>
<b>OSZ-R6 Parks management activity</b>		
<b>Open Space Zone</b>	<b>Activity status: Permitted</b>  <b>Where:</b> PER-1 Where for any associated earthworks EW-S1, EW-S2, EW-S3, EW-S4 and EW-S5 are complied with.	<b>Activity status when compliance is not achieved: Restricted Discretionary</b>  <b>Where:</b> RDIS-1 Compliance is not achieved with PER 1  <b>Matters of discretion are restricted to:</b> 1. the matters of discretion of any infringed standard.
<b>OSZ-R7 Parks facilities</b>		
<b>Open Space Zone</b>	<b>Activity status: Permitted</b>	<b>Activity status when compliance is not achieved: Not Applicable</b>
<b>OSZ-R8 Parks furniture</b>		
<b>Open Space Zone</b>	<b>Activity status: Permitted</b>	<b>Activity status when compliance is not achieved: Not Applicable</b>
<b>OSZ-R9 Community facilities</b>		
<b>Open Space Zone</b>	<b>Activity status: Permitted</b>	<b>Activity status when compliance is not achieved: Not Applicable</b>

OSZ-R10 Educational facilities		
Open Space Zone	Activity status: Permitted	Activity status when compliance is not achieved: Not Applicable

OSZ-R11 Building activity		
Open Space Zone	<p>Activity status: Permitted</p> <p><b>Where:</b> PER-1 OSZ-S1, OSZ-S2, OSZ-S3, OSZ-S4 and OSZ-S5 are complied with.</p> <p><i>Notes:</i> <i>NH-R13 applies to buildings containing habitable rooms near potential wildfire risk areas</i> <i>NATC-R1 applies to structures within a riparian margin.</i></p>	<p>Activity status when compliance is not achieved: Restricted Discretionary</p> <p><b>Where:</b> RDIS-1 Compliance is not achieved with PER 1</p> <p><b>Matters of discretion are restricted to:</b></p> <ol style="list-style-type: none"> <li>1. the matters of discretion of any infringed standard.</li> </ol>

## DISCRETIONARY ACTIVITIES

OSZ-R12 Residential activities		
Open Space Zone	Activity status: Discretionary	Activity status when compliance is not achieved: Not Applicable

OSZ-R13 Commercial activities		
Open Space Zone	<p>Activity status: Discretionary</p> <p><i>Note: This does not apply to commercial activities that are part of temporary activities and events, as provided for by OSZ-R2 and any provisions in the TEMP Chapter.</i></p>	Activity status when compliance is not achieved: Not Applicable

OSZ-R14 Visitor accommodation		
Open Space Zone	Activity status: Discretionary	Activity status when compliance is not achieved: Not Applicable

<b>OSZ-R15 Recreation facility</b>		
<b>Open Space Zone</b>	<b>Activity status: Discretionary</b>	<b>Activity status when compliance is not achieved: Not Applicable</b>

<b>OSZ-R16 Any activity not provided for as a permitted, restricted discretionary or non-complying activity</b>		
<b>Open Space Zone</b>	<b>Activity status: Discretionary</b>	<b>Activity status when compliance is not achieved: Not Applicable</b>

#### NON-COMPLYING ACTIVITIES

<b>OSZ-R17 Industrial activity</b>		
<b>Open Space Zone</b>	<b>Activity status: Non-Complying</b>	<b>Activity status when compliance is not achieved: Not Applicable</b>

## OSZ STANDARDS

<b>OSZ-S1 Buildings and structures height</b>	
<ol style="list-style-type: none"> <li>1. Any buildings and structures must not exceed a maximum height of 5m measured from ground level.</li> <li>2. OSZ-S1 (1) does not apply to antennas, aerials, satellite dishes (less than 1m in diameter), chimneys and flues, provided these do not exceed the height limit by more than 3m, measured vertically.</li> </ol>	<p><b>Matters of discretion are restricted to:</b></p> <ol style="list-style-type: none"> <li>1. the effect on the streetscape and the open space character of the zone; and</li> <li>2. the design and siting of buildings and structures; and</li> <li>3. screening, planting and landscaping; and</li> <li>4. effects on amenity values of adjoining residential properties, including privacy and shading.</li> </ol>
<b>OSZ-S2 Building coverage</b>	
<ol style="list-style-type: none"> <li>1. The combined total area of all buildings on the site must not exceed 15%.</li> <li>2. Rainwater tanks less than 5,000 litres are exempt from OSZ-S2(1).</li> <li>3. OSZ-S2 (1) does not apply to playground equipment.</li> </ol>	<p><b>Matters of discretion are restricted to:</b></p> <ol style="list-style-type: none"> <li>1. the effect on the streetscape and the open space character of the zone; and</li> <li>2. the design and siting of buildings; and</li> <li>3. screening, planting and landscaping; and</li> <li>4. effects on amenity values of adjoining residential properties, including privacy and shading.</li> </ol>
<b>OSZ-S3 Minimum building and structure setbacks</b>	
<p>Any building or structure must be setback:</p> <ol style="list-style-type: none"> <li>1. from a road boundary: the building or structures must comply with the road boundary setback standard for the adjoining zone. Where the OSZ has differing adjoining zones, the greater setback of the two shall be required.</li> <li>2. 5m from an internal boundary that adjoins a Residential, General Rural, Rural Lifestyle or Settlement zone.</li> <li>3. Playground equipment must not be located within a 1.5m setback from an internal boundary that adjoins any Residential, Rural, Rural Lifestyle or Settlement Zone.</li> </ol>	<p><b>Matters of discretion are restricted to:</b></p> <ol style="list-style-type: none"> <li>1. the effect on the streetscape and the open space character of the zone; and</li> <li>2. the design and siting of buildings and structures; and</li> <li>3. screening, planting and landscaping; and</li> <li>4. effects on amenity values of adjoining residential properties, including privacy and shading.</li> </ol>



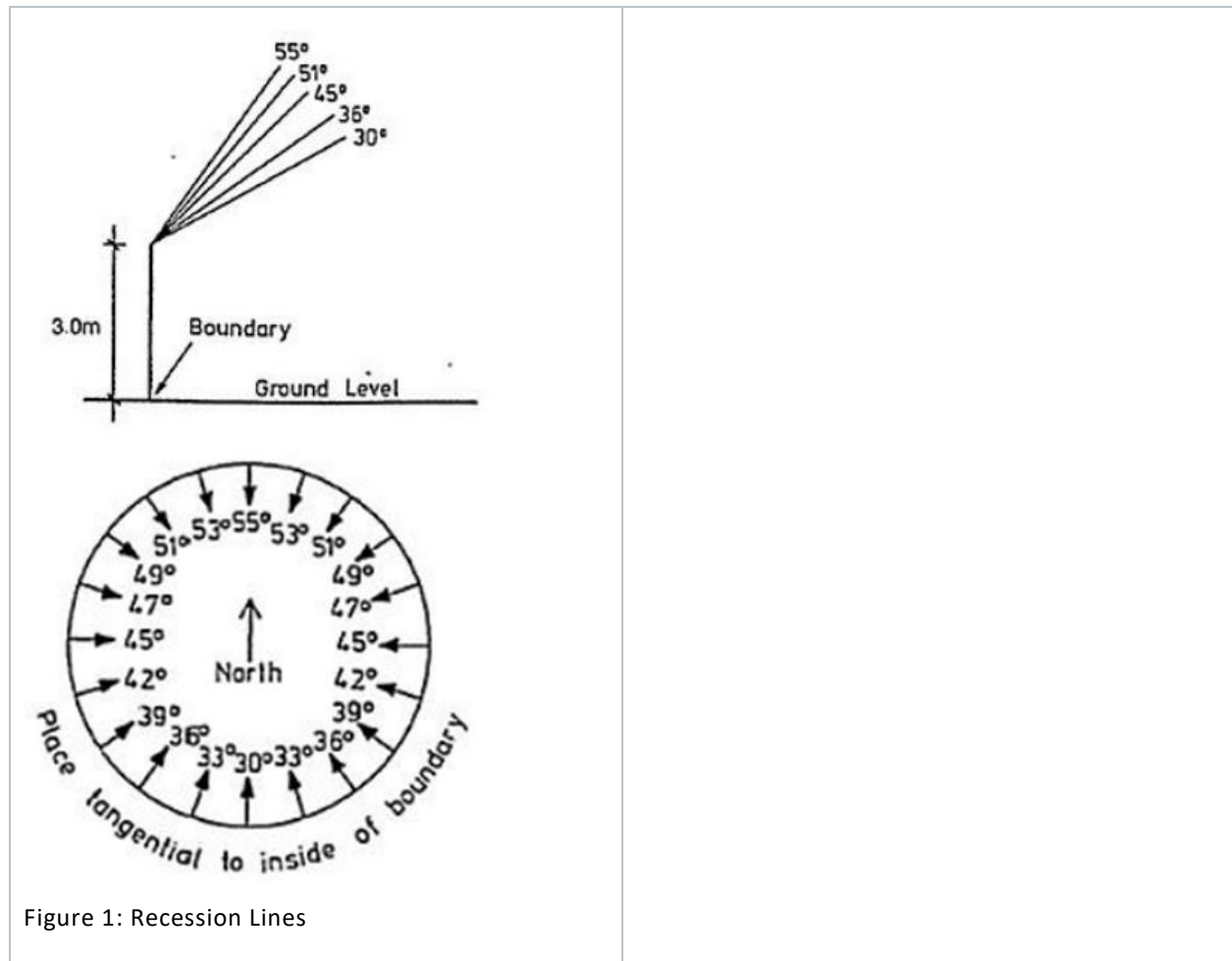
**OSZ-S4      Height in relation to boundary**

1. No part of any building shall project beyond the height in relation to boundary recession lines from any point 3m vertically above ground level along the site boundaries when the site boundary adjoins a Residential Zone.
2. OSZ-S4 (1) does not apply to:
  - a) road boundaries; or
  - b) buildings on adjoining sites that have a common wall along an internal boundary for the length of that common wall; or
  - c) boundaries abutting an access lot or right of way, in which case the furthest boundary of the access lot or right of way may be used; or
  - d) lines, wires or support structures for utilities; or
  - e) flagpoles or antennas, other than dish antennas over 1.0m in diameter; or
  - f) lightning rods, chimneys, ventilation shafts, solar heating devices, roof water tanks, lift and stair shafts, provided these do not exceed the height in relation to boundary by more than 3m as measured vertically; or
  - g) architectural features such as steeples, towers and finials, provided these do not exceed the height in relation to boundary by more than 3m as measured vertically; or
  - h) a gable end, dormer or roof where that proportion beyond the height in relation to boundary is no greater than 1.5m<sup>2</sup> in area and no greater than 1m in height.

*Note: See Figure 1 below for the height in relation to boundary recession lines.*

**Matters of discretion are restricted to:**

1. the effect on the streetscape and the open space character of the zone; and
2. the design and siting of buildings and structures; and
3. screening, planting and landscaping; and
4. effects on amenity values of adjoining residential properties, including privacy and shading.



#### OSZ-S5 Scale of buildings and structures

1. An individual building and/or structure on a site must not exceed a maximum gross floor area (GFA) of 100m<sup>2</sup> or 150m<sup>2</sup> of total GFA for the site, whichever is the greater.
2. OSZ-S5 (1) does not apply to playground equipment.

#### Matters of discretion are restricted to:

1. the effect on the streetscape and the open space character of the zone; and
2. the design and siting of buildings; and
3. screening, planting and landscaping; and
4. shading and privacy impacts on adjoining sites; and
5. the extent to which the breach of the gross floor area is necessary due to natural or physical restraints of the sites; and
6. the contribution to recreational values.

<b>OSZ-S6 Hours of operation</b>	
<p>The hours of operation of any commercial activity must not operate outside the following hours:</p> <p>7:00am to 10:00pm Sunday to Thursday; and 7:00am to 11:30pm Friday and Saturday.</p>	<p><b>Matters of discretion are restricted to:</b></p> <ol style="list-style-type: none"><li>1. any impact on the character and qualities of the surrounding area; and</li><li>2. any impact on the character and qualities of the zone; and</li><li>3. any benefits, such as the continued operation of existing facilities, and financial or social benefits.</li></ol>