

# Section 32 Report

## Whaitua Tākaro/ Open Space and Recreation Zones

prepared for the

### Proposed Waimakariri District Plan

18 September 2021



**WAIMAKARIRI**  
DISTRICT COUNCIL

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# 1. EXECUTIVE SUMMARY

Open space and recreation land is a significant natural and physical resource that makes an important contribution to the well-being of the District, and therefore must be sustainably managed. However, this contribution is not explicitly recognised in the operative District Plan. Existing open space and recreation land in the District is currently zoned either Residential or Rural. This means there are no current provisions that specifically recognise, enable or provide for the activities, facilities and structures that usually occur on such land in the District. As a result, the operative District Plan is not providing for the activities, facilities and structures that usually occur on such land, and accordingly is not providing for the best outcomes for the community.

The key resource management issues that need to be addressed in relation to open space and recreation land are:

- A. Ensuring each area of open space and recreation land is zoned according to its predominant character, amenity values, role and function;
- B. Ensuring actual or potential environmental effects of activities, facilities or structures are able to be managed according to the predominant character, amenity values, role and function of each area of land and the zone as a whole;
- C. Ensuring open space and recreation areas are, as far as practicable, accessible and safe, and provide for amenity and cultural values, recreation, conservation and education.

To address these issues, the following key changes are proposed:

- (a) The provision of a **Natural Open Space Zone**, an **Open Space Zone**, and a **Sport and Active Recreation Zone**, in accordance with the National Planning Standards. In the proposed District Plan these zones generally include only public land;
- (b) The provision of objectives, policies, rules, standards, definitions and matters of control or discretion that specifically enable, provide for or manage the activities, facilities and structures that usually occur on open space and recreation land in the District, while ensuring that any associated effects are managed according to the predominant character, amenity values, role and function of each zone.

The proposed provisions are activities-based, which is a move away from effects-based plans (such as the operative District Plan).

The proposed approach will provide direction and guidance to decision makers regarding the intended outcomes for the **Open Space and Recreation Zones**.

The proposed approach will sustain the potential of open space and recreation land as a natural and physical resource for current and future generations, maintain amenity values and quality of the environment, and achieve Part 2 of the RMA.

In this report, the **Open Space and Recreation Zones** provisions are evaluated as a package.

Within the Open Space and Recreation Zones are 7 privately owned sites containing pre-earthquake residential activity, as identified in Appendix 'App1 Regeneration Area Remaining Private Residences and Alternate Zone' of the proposed District Plan. While these sites lie within the Open Space and Recreation Zones, they are instead subject to the provisions of the General Residential zone. This is in accordance with the Waimakariri Residential Red Zone Recovery Plan 2016 (WRRZRP), with which the District Plan must not be inconsistent.

## 2. OVERVIEW AND PURPOSE

### 2.1 Purpose of Section 32 RMA

The overarching purpose of Section 32 of the Resource Management Act 1991 (RMA) is to ensure that plans are developed using sound evidence and rigorous policy analysis, leading to more robust and enduring provisions.

Section 32 reports are intended to clearly and transparently communicate the reasoning behind plan provisions to the public. The report should provide a record of the evaluation process, including the consultation, technical work, methods, assumptions and risks that informed that process. A robust report can prove highly useful to decision makers, particularly where it clearly communicates the analysis undertaken to identify the most appropriate way to achieve the purpose of the RMA.

The District Council is required to undertake an evaluation of any proposed District Plan provisions before notifying those provisions. The Section 32 report provides the reasoning and rationale for the proposed provisions (including compared to any relevant operative provisions) and should be read in conjunction with those provisions.

### 2.2 Topic Description

The ***Open Space and Recreation Zones*** Chapter contains sections relating to the:

- ***Natural Open Space Zone;***
- ***Open Space Zone;*** and the
- ***Sport and Active Recreation Zone.***

In the proposed District Plan these zones generally include only public land. These zones are outlined below.

In this report, the ***Open Space and Recreation Zones*** provisions are evaluated as a package.

#### 2.2.1 Natural Open Space Zone

The ***Natural Open Space Zone*** contains areas where the natural environment is retained and activities, buildings and other structures are compatible with the characteristics of the zone.

The zone includes open spaces that contain natural, recreation, landscape, cultural and amenity values, and may include ecological linkage reserves.

Large areas of the zone lie in the Puketeraki range in the west of the District, and in the coastal environment in the east of the District, with many smaller areas of the zone in-between.

The portion of the zone in the coastal environment of the District lies from near the mouth of the Waimakariri River in the south to near the Ashley River/Rakahuri estuary in the north. The coastal portion of the zone is of varying width between Mean High Water Springs (MHWS) and varying points inland of the beach and dunes. This coastal portion of the zone is largely based around Tuhaitara Coastal Park, and also includes: Tutaepatu Lagoon and coastal wetlands; estuarine margins; coastal reserve land at Waikuku Beach and Pines-Kairaki Beach; Woodend Beach Domain; existing lifesaving, coastguard, yacht and boating facilities; existing commercial plantation forestry; and existing equestrian and ancillary activities and facilities at Pegasus Bay Coastal Reserve and beach, Waikuku Beach, Woodend Beach and Pines-Kairaki Beach.

### **2.2.2 Open Space Zone**

The **Open Space Zone** contains areas used predominantly for a range of passive and active recreational activities, along with limited associated facilities and structures.

The zone includes parks, playgrounds and informal recreation spaces in a range of sizes, locations, settings and communities. The zone also includes cemeteries, which function as memorial gardens and have a park-like setting.

The zone may include items such as play equipment, outdoor furniture, ornamental landscaping, memorials, heritage items, and various other public amenities, and may also include ecological linkage reserves.

### **2.2.3 Sport and Active Recreation Zone**

The **Sport and Active Recreation Zone** contains areas used predominantly for a range of indoor and outdoor sport and active recreational activities and associated facilities and structures.

The zone provides for, but is not necessarily limited to, the following, in specified locations:

- (a) Sports fields and artificial and/or hard playing surfaces;
- (b) Aquatic centres, sports stadiums and multi-sport facilities, both covered and uncovered;
- (c) Ancillary facilities such as spectator stands and/or seating, club rooms, offices, custodial facilities, sports and recreation fitness and healthcare services, food and beverage and retail outlets, and conference and function rooms;
- (d) Times of potentially higher levels of traffic, noise, and outdoor lighting (including security or flood lighting) and other environmental effects;
- (e) Potentially larger vehicle access, parking and manoeuvring areas;
- (f) Larger amounts of signage including advertising;
- (g) Fencing (including security fencing);
- (h) Landscaping; and
- (i) Various other public amenities.

It is anticipated some facilities may have a capacity for multi-functional use, co-location of compatible activities, and an ability to host local, regional, national or international events which provide entertainment to both residents and visitors.

The zone may also provide for associated commercial activities that support the core facilities though these are secondary to the primary active recreation and sports use.

### **2.2.4 Relationship of the Open Space and Recreation Zones Chapter to other parts of the District Plan**

The structure of district plans mandated by the National Planning Standards (see Section 3.2 below) is based around each topic or zone being in its own stand-alone chapter with its own provisions.

The nature of each open space and recreation zone is outlined above. The **Open Space and Recreation Zones** Chapter provides for open space and recreation land to be managed under zones fit for purpose,

to better enable or provide for the activities, facilities or structures that usually occur in the different types of ***Open Space and Recreation Zones***.

Provisions for other matters of potential relevance to open space and recreation land, such as signs, noise, lighting, transport or other infrastructure, lie within the respective chapters for the specific subject.

When using the ***Open Space and Recreation Zones*** provisions, a check should therefore be made of any relevant District-wide provisions that may apply.

Within the Open Space and Recreation Zones are 7 privately owned sites containing pre-earthquake residential activity, as identified in Appendix 'App1 Regeneration Area Remaining Private Residences and Alternate Zone' of the proposed District Plan. While these sites lie within the Open Space and Recreation Zones, they are instead subject to the provisions of the General Residential zone. This is in accordance with the WRRZRP, with which the District Plan must not be inconsistent.

### 2.3 Significance of this Topic

Open space and recreation land is a significant natural and physical resource that makes an important contribution to the well-being of the District, and therefore must be sustainably managed.

The ***Open Space and Recreation Zones*** are new zones and contain new provisions for the District Plan. The National Planning Standards mandate the use of these zones in new district plans for open space and recreation land.

However, the new zones contain provisions that essentially recognise what has and will continue to actually happen on the ground. In that respect, while the topic is significant, there are no significant consequences that are likely to arise from its implementation.

### 2.4 Current Objectives, Policies and Methods

The operative District Plan does not contain ***Open Space and Recreation Zones***. Existing open space and recreation land in the District is currently zoned either Residential or Rural. This means there are no current provisions that specifically recognise, enable or provide for the activities, facilities and structures that usually occur on open space and recreation land in the District. Any such future activities, facilities and structures on such land may have to be facilitated by resource consent on a case-by-case basis which is piecemeal, uncertain, and potentially time-consuming and costly. As a result, the operative District Plan is not providing certainty or the best outcomes for the activities, facilities and structures that usually occur on open space and recreation land or for the community.

A summary of potentially relevant key objectives, policies and methods in the operative District Plan that may apply to activities, facilities or structures on existing open space and recreation land in the Residential or Rural zones is contained in a table in **Appendix 1** of this report. It is noted that some of these provisions have a tenuous relationship to open space and recreation.

## 2.5 Information and Analysis

District Plan Effectiveness assessment and reporting was undertaken prior to the commencement of the District Plan Review. The District Plan Effectiveness review identified a need for open space and recreation land to be managed under zones fit for purpose, to better enable or provide for the activities, facilities or structures that usually occur there.

## 2.6 Consultation Undertaken

Consultation has been undertaken as part of this District Plan Review process with key internal and external stakeholders and the wider community. The consultation undertaken and nature of involvement and the feedback received is summarised below.

### 2.6.1 Issues and Options

Comments were received from 75 persons or organisations in response to 'District Plan Review Issues and Options' papers in 2017, which included an issues and options paper on 'Heritage and Open Space'. The comments received included support for the provision of zones in a proposed new district plan that managed open space and recreation land specifically for that purpose.

### 2.6.2 WDC Greenspace Unit

The provisions in the **Open Space and Recreation Zones** have been drafted following extensive consultation with the District Council's Greenspace Unit (Greenspace) who are responsible for managing the District Council's public space assets.

Consultation with Greenspace confirmed the activities, facilities or structures to be enabled or provided for in each type of open space and recreation zone.

Greenspace reviewed cadastral information on all public land in the District held for open space and recreation, to determine the type of open space and recreation zone relevant to each area of open space and recreation land. This was based on the predominant character, amenity values, role and function of each area, and the relationship of each area to its surrounds. This was a critical component of the zoning as Greenspace has an intimate knowledge of the areas included in the zones; the types of recreation and community groups and activities that use them; the types of activities, facilities or structures desirable to be enabled or provided for in these areas; and the physical extent of each area to be mapped as a type of open space and recreation zone.

### 2.6.3 Te Kohaka o Tuhaitara Trust

A major external stakeholder with respect to the **Natural Open Space Zone** is Te Kohaka o Tuhaitara Trust (the Trust). The Trust is a registered charity responsible for the rehabilitation and management of Tuhaitara Coastal Park including Tutaepatu Lagoon and coastal wetlands. Nearly all of Tuhaitara Coastal Park is included in the **Natural Open Space Zone** and occupies a large extent of the District's coastal environment. The Trust is a partnership between Te Ngāi Tūāhuriri Rūnanga and the District Council.

The Trust expressed general support for the proposed approach, and in particular considered the draft **Natural Open Space Zone** provisions seemed to largely cater for the interests and activities of the Trust.

A major concern of the Trust was how its planned activities on 'regeneration land' inherited from the Crown and incorporated within Tuhaitara Coastal Park would be catered for. This 'regeneration land'



passed to the Trust was land at Pines Beach-Kairaki that was formerly residentially zoned in the operative District Plan but was red-zoned following the Canterbury earthquakes and mostly vacated. This land lies adjacent to Tuhaitara Coastal Park. The land passed to the Trust is to be incorporated into Tuhaitara Coastal Park. The Trust plans a range of temporary residential, commercial and education activities on this land.

In response, the Trust was advised the District Council did not consider it appropriate to include the 'regeneration land' in the **Natural Open Space Zone**. This was because the **Natural Open Space Zone** contains areas where the natural environment is retained and activities, buildings and other structures are compatible with the characteristics of the zone. It is considered the future activities proposed by the Trust on the 'regeneration land' as outlined above are inconsistent with the purpose of the **Natural Open Space Zone**. The District Council is instead proposing to include the 'regeneration land' passed to the Trust in a **Special purpose (Pines Beach and Kairaki Regeneration) zone** which would include provisions to cater for the future proposed activities of the Trust on that land. This means that while nearly all of Tuhaitara Coastal Park is included in the **Natural Open Space Zone**, that part of Tuhaitara Coastal Park on the 'regeneration land' is included in the **Special purpose (Pines Beach and Kairaki Regeneration) zone**.

It is understood the Trust generally supports the intent of the proposed **Special purpose (Pines Beach and Kairaki Regeneration) zone** and the provisions within it. Consultation regarding the detail of the zone provisions is ongoing.

#### **2.6.4 Department of Conservation**

The Department of Conservation (DoC) is a major stakeholder with particular regard to the **Natural Open Space Zone**, as large areas of that zone lie in the Puketeraki range in the west of the District, on areas of land administered by DoC. DoC staff verbally expressed general support for the proposed zone and provisions.

#### **2.6.5 Canterbury Regional Council**

Another major stakeholder with regards to the **Open Space and Recreation Zones** is Canterbury Regional Council (the Regional Council). One aspect of interest to the Regional Council, is that some areas of land that will be included in these zones incorporate natural hazard mitigation structures such as flood stop banks. (Natural hazards are addressed in the Natural hazards Chapter.)

An overview of the **Open Space and Recreation Zones** provisions and zone mapping was provided to the Regional Council at a meeting at the District Council. The Regional Council verbally expressed general support.

#### **2.6.6 Other WDC Internal Stakeholders**

Other than the District Council's Greenspace Unit (see Section 2.6.2 above), several other parts of the District Council have been consulted as internal stakeholders in the development of the **Open Space and Recreation Zones** provisions.

An overview of the draft provisions was provided to the District Council's Technical Advisory Group. The draft provisions were also provided for technical planning review to the District Council's District Plan Review Internal Review Group and to an External Reviewer. The draft provisions were also provided to the District Council's Plan Implementation Unit (or resource consents team). The District Council's District Planning and Regulation Committee were provided with briefings and the draft provisions.

## 2.7 Iwi Authority Advice

Clause 3(1)(d) of Schedule 1 of the RMA sets out the requirements for local authorities to consult with iwi authorities during the preparation of a proposed plan. Clause 4A requires the District Council to provide a copy of a draft proposed plan to iwi authorities and have particular regard to any advice received. This section summarises the consultation feedback/advice received from the iwi authority relevant to the **Open Space and Recreation Zones**, and the District Council's consideration of, and response to, that feedback/advice (as required by Section 32(4A)(b) of the RMA).

While consultation has been undertaken with Te Ngāi Tūāhuriri Rūnanga regarding a range of District Plan matters, no specific feedback was provided with respect to the **Open Space and Recreation Zones**. Consultation with Te Ngāi Tūāhuriri Rūnanga regarding the wider District Plan Review is ongoing.

## 2.8 Reference to other relevant Section 32 Evaluations

The following other evaluations that may be relevant to this Section 32 report include Section 32 reports for the following chapters of the proposed District Plan:

- (a) **Natural hazards;**
- (b) **Historic heritage;**
- (c) **Subdivision**
- (d) **Sites and areas of significance to Maori;**
- (e) **Ecosystems and indigenous biodiversity;**
- (f) **Natural character;**
- (g) **Natural features and landscapes;**

**With respect to (a) to (g) above,** these matters are relevant with regards any new development on open space and recreation zoned land within District Plan overlays that identify such land as being subject to these matters.

- (h) **Public access;**
- (i) **Coastal environment;**

**With respect to (g) and (h) above,** these matters are relevant with regards any new activities or development on open space and recreation zoned land that may affect public access to fresh water bodies or to or along the coast or enjoyment of the coastal environment.

- (j) **Earthworks;**

This is relevant in terms of the applicable earthworks requirements for any future development on open space and recreation zoned land.

- (k) **Light;**
- (l) **Noise;**
- (m) **Signs;**

**With respect to (j) to (l) above,** these matters are relevant in terms of how any environmental effects of these matters arising from any future activities or development on open space and recreation zoned land will be managed.

- (n) **Temporary activities;**

This is relevant in terms of how any environmental effects of any such activities carried out on open space and recreation zoned land will be managed.

### 3. STATUTORY AND POLICY CONTEXT

#### 3.1 Resource Management Act 1991

Section 5 of the RMA sets out the purpose of the RMA, which is to promote the sustainable management of natural and physical resources. In achieving this purpose, authorities need to recognise and provide for matters of national importance identified in Section 6, have particular regard to other matters listed in Section 7, and take into account the principles of the Treaty of Waitangi (Te Tiriti o Waitangi) under Section 8.

Open space and recreation land is a significant natural and physical resource that makes an important contribution to the well-being of the District, and therefore must be sustainably managed.

##### 3.1.1 Section 6

The Section 6 matters potentially relevant to this topic are:

- (a) the preservation of the natural character of the coastal environment (including the coastal marine area), wetlands, and lakes and rivers and their margins, and the protection of them from inappropriate subdivision, use, and development:*
- (b) the protection of outstanding natural features and landscapes from inappropriate subdivision, use, and development:*
- (c) the protection of areas of significant indigenous vegetation and significant habitats of indigenous fauna:*
- (d) the maintenance and enhancement of public access to and along the coastal marine area, lakes, and rivers:*
- (e) the relationship of Māori and their culture and traditions with their ancestral lands, water, sites, waahi tapu, and other taonga:*
- (h) the management of significant risks from natural hazards.*

These matters are potentially relevant to the **Open Space and Recreation Zones**, to the extent that the zones include, to varying degrees, the environments or features listed in the above Section 6 matters. Overlays in the District Plan for the coastal environment, outstanding natural features and landscapes, natural character, significant natural areas, areas with historic heritage values including sites of significance to Maori, and natural hazards, may overlie parts of the **Open Space and Recreation Zones**. The **Natural Open Space Zone** in particular contains areas where the natural environment is retained and activities, buildings and other structures are compatible with the characteristics of the zone, which relates to a range of aspects of Section 6.

Ensuring that the District Plan provides for the efficient and effective management of activities, facilities or structures within these spaces is important to the environmental, social and cultural well-being of the District. The provisions of the **Open Space and Recreation Zones** will ensure that activities, facilities or structures within these areas are managed carefully to protect and maintain

amenity and cultural values and the quality of the environment whilst ensuring these areas and their use also contribute to the social and cultural well-being of the District.

### 3.1.2 Section 7

The Section 7 matters relevant to this topic are:

- (a) *kaitiakitanga:*
  - (aa) *the ethic of stewardship:*
  - (b) *the efficient use and development of natural and physical resources:*
  - (c) *the maintenance and enhancement of amenity values:*
  - (d) *intrinsic values of ecosystems:*
  - (f) *maintenance and enhancement of the quality of the environment:*
  - (g) *any finite characteristics of natural and physical resources:*
  - (i) *the effects of climate change:*

The areas within the ***Open Space and Recreation Zones*** represent natural and physical resources important to the amenity values, the quality of the environment, and to the social and cultural well-being of the District. These areas and their values are finite, in the sense that although such areas may be added to, should any such areas be lost through matters such as the effects of climate change, built development, economic uses or altered through the characteristics of incompatible activities, facilities or structures allowed to occur within them, these areas and associated values may not be maintained, let alone enhanced.

The provisions of the ***Open Space and Recreation Zones*** will ensure that activities, facilities or structures within these areas are managed carefully to protect and maintain cultural and amenity values and the quality of the environment whilst ensuring these areas and their use also contribute to the social and cultural well-being of the District.

### 3.1.3 Section 8

Section 8 of the RMA requires the District Council to take into account the principles of the Treaty of Waitangi (Te Tiriti o Waitangi). Mana whenua, through iwi authorities have been consulted as part of the district plan review process and the obligation to make informed decisions based on that consultation is noted. Section 74(2A) further requires councils to take into account relevant Iwi Management Plans and their bearing on the resource management issues of the District.

While consultation has been undertaken with Te Ngāi Tūāhuriri Rūnanga regarding a range of District Plan matters, no specific feedback was provided with respect to the ***Open Space and Recreation Zones***. Consultation with Te Ngāi Tūāhuriri Rūnanga regarding the wider District Plan Review is ongoing.

## 3.2 National Instruments

The following national instruments are relevant to this topic.

### 3.2.1 National Planning Standards 2019

The first set of National Planning Standards came into force on 3 May 2019 and minor amendments were incorporated in November 2019. The purpose of the National Planning Standards is to improve consistency in plan and policy statement structure, format and content.

Of particular relevance is Table 13 (zone names and descriptions) of the Zone Framework Standard which directs that the District Plan must, where these zones are used, contain **Open Space and Recreation Zones** consistent with the following descriptions:

***Natural Open Space Zone***

*Areas where the natural environment is retained and activities, buildings and other structures are compatible with the characteristics of the zone.*

***Open Space Zone***

*Areas used predominantly for a range of passive and active recreational activities, along with limited associated facilities and structures.*

***Sport and Active Recreation Zone***

*Areas used predominantly for a range of indoor and outdoor sport and active recreational activities and associated facilities and structures.*

All three of these zones are included in the proposed District Plan and the purpose of each zone is stated in each zone section of the **Open Space and Recreation Zones** Chapter and is consistent with the National Planning Standards.

**3.2.2 National Policy Statement for Freshwater Management 2020 (NPSFM) and Resource Management (National Environmental Standards for Freshwater) Regulations 2020 (NESF)**

The NPSFM and NESF are relevant because of freshwater bodies located in the Open Space and Recreation Zones. In particular, the Natural Open Space Zone contains natural values and ecological linkages, and significant freshwater bodies such as the Tutaepatu Lagoon and coastal wetlands.

The NPSFM uses the concept of Te Mana o te Wai, that recognises that protecting the health of freshwater protects the health and well-being of the wider environment. As part of Te Mana o te Wai, the NPSFM objectives prioritise the health and well-being of water bodies and freshwater ecosystems, over the health needs of people (such as drinking water), which in turn is over the ability of people and communities to provide for their social, economic, and cultural well-being, for now and in the future.

The NESF was released on 5 July 2020. The NESF prescribes national environmental standards in relation to freshwater and set requirements for carrying out certain activities which pose a risk to freshwater and freshwater ecosystems.

The NESF provides temporary standards for farming activities and outlines those activities which are permitted. Where the permitted thresholds cannot be met, the NESF provides standards for discretionary activities, and in some cases non-complying activities.

The NESF prescribes standards for natural wetlands. Activity statuses are provided for vegetation clearance, earthworks or land disturbance, and the taking, use, damming, diversion, or discharge of water in relation to:

- (a) Restoration of wetlands;

- (b) Scientific research;
- (c) Construction and maintenance of wetland utility structures;
- (d) Construction, maintenance and operation of specified infrastructure and other infrastructure;
- (e) Sphagnum moss harvesting;
- (f) Arable and horticultural land use,
- (g) Natural hazard works;
- (h) Drainage of natural wetlands;
- (i) Other activities without a status.

The reclamation of the bed of any river is provided for as a discretionary activity.

The NESF prescribes standards for activities that relate to the passage of fish, particularly the placement, use, alteration, extension or reconstruction of certain structures in, on, over, or under the bed of any river, including culverts, weirs, flap gates, dams and fords. They do not apply to structures which were existing at the close of 2 September 2020 including later alterations or extensions and to customary weirs.

The provisions of the ***Open Space and Recreation Zones*** will ensure that activities, facilities or structures within these areas are managed carefully to protect and maintain amenity and cultural values and the quality of the environment, including the natural values of the freshwater bodies located in these areas, whilst ensuring these areas and their use also contribute to the social and cultural well-being of the District.

### 3.3 Regional policy statement and plans

Under Section 75(3)(c) of the RMA, a District Plan must give effect to the relevant or applicable regional policy statement or plan.

The operative Canterbury Regional Policy Statement (RPS) contains provisions that may be of relevance.

The RPS sets out policy direction for sustainable development (and constraints) with which the District Plan must be consistent.

The following are matters in the RPS that may be of relevance to the establishment of the ***Open Space and Recreation Zones*** and their provisions.

Objective 5.2.1 (2)(a) seeks that development is located and designed so that it functions in a way that enables people and communities, including future generations, to provide for their social, economic and cultural well-being and health and safety.

Objectives 6.2.1 (5) and (7) seek that recovery, rebuilding and development are enabled within Greater Christchurch through a land use and infrastructure framework that protects and enhances public space, and maintains the character and amenity of rural areas and settlements.

The ***Open Space and Recreation Zones*** and their provisions will help protect, maintain and enhance existing open space and recreation land in the District by managing open space and recreation land according to the predominant character, amenity values, role and function of each area, and will specifically enable, provide for or manage the activities, facilities and structures that usually occur on

open space and recreation land in the District. They will therefore contribute positively to the social and cultural well-being of the people and communities of the District, and to the maintenance of the character and amenity of the District and its communities.

Large parts of the **Natural Open Space Zone** lie in the Puketeraki ranges in the west of the District which are identified in the District Plan as an outstanding landscape. Chapter 12 contains objectives and policies for the identification and protection of outstanding and other natural features and landscapes.

The **Natural Open Space Zone** contains areas where the natural environment is retained and activities, buildings and other structures are compatible with the characteristics of the zone. The **Natural Open Space Zone** and its provisions will therefore help protect outstanding landscape in the District.

However, it should be noted that land in the Puketeraki ranges is not necessarily included in the **Natural Open Space Zone** specifically because it has been identified as an outstanding landscape. The land is currently zoned in the operative District Plan as rural, but the predominant functions of it are recreation, conservation, and scenic value. In terms of zoning, a type of **Open space and recreation zone** is more appropriate. Of these zones, the **Natural Open Space Zone** is the most appropriate. The **Natural Open Space Zone** and its provisions will therefore help maintain and enhance the overall quality of the natural environment in the District, including areas of outstanding landscape.

Specific provisions for the protection of outstanding natural features and landscapes are discussed in the **Natural Features and Landscapes** Chapter and in the Section 32 report for that chapter.

Large parts of the **Natural Open Space Zone** also lie in the east of the District and are identified in the District Plan as being in the coastal environment. Objective 8.2.2 and Policy 8.3.3 seeks provision for appropriate activities and their management in the coastal environment. Objective 8.2.4 and Policy 8.3.4 seek preservation, protection and enhancement of the coastal environment.

As mentioned above, the **Natural Open Space Zone** contains areas where the natural environment is retained and activities, buildings and other structures are compatible with the characteristics of the zone. The purpose of the **Natural Open Space Zone** is therefore consistent with these RPS provisions for the coastal environment.

However, it should be noted that land in the east of the District is not necessarily included in the **Natural Open Space Zone** specifically because it has been identified as being in the coastal environment. Tuhaitara Coastal Park occupies most of the coastal margin of the District. This park is on land that is currently zoned in the operative District Plan as rural, but the predominant function of much of this land is recreation, conservation and education. In terms of zoning, a type of **Open space and recreation zone** is more appropriate. Of these zones, the **Natural Open Space Zone** is the most appropriate and the zone includes provisions that will largely cater for the activities undertaken within the park. The **Natural Open Space Zone** and its provisions will therefore help protect, maintain and enhance the coastal environment in the District.

Specific provisions relating to the coastal environment are discussed in the **Coastal Environment** Chapter and in the Section 32 report for that chapter.

Policy 6.3.2 seeks that the establishment of public space gives effect to the principles of good urban design, to the extent appropriate to the context, including: Tūrangawaewae (the sense of place and belonging); integration (between spaces, transport networks, land use and the built environment); connectivity; safety (recognition and incorporation of Crime Prevention Through Environmental

Design (CPTED) principles in the layout and design of developments, networks and spaces); and choice and diversity (in the types of spaces).

The **Open Space and Recreation Zones** contain provisions to manage open space and recreation land according to the predominant character, amenity values, role and function of each zone, contributing to a sense of place and choice and diversity in the types of spaces. The **Open Space and Recreation Zones** objectives, policies and matters of control or discretion provide for consideration of integration and connectivity with surrounding land use, and safety including CPTED, in the design and location of open space and recreation areas.

Objective 8.2.5 and Policy 8.3.5 seek the maintenance and enhancement of appropriate public and Ngāi Tahu access to and along the coast for recreation, access to kaimoana and to exercise tikanga Māori.

The **Open Space and Recreation Zones** Chapter includes objectives and policies that seek to recognise and provide for historic heritage values, and the culture, traditions and relationship of Te Ngāi Tūāhuriri Rūnanga with their ancestral lands, water, sites, wāhi tapu and other taonga; accessibility of open space; customary harvesting; and to minimise adverse effects on mahinga kai.

Specific provisions relating to **Historic Heritage** and **Sites and Areas of Significance to Maori** are discussed in those chapters and in the Section 32 reports for those chapters.

Chapter 9 contains objectives and policies relating to ecosystems and indigenous biodiversity. Objective 9.2.2 concerns restoration or enhancement of ecosystems and indigenous biodiversity. Objective 9.2.3 concerns protection of significant indigenous vegetation and habitats. Policy 9.3.2 sets out priorities for protection. Policy 9.3.4 promotes ecological enhancement and restoration.

As stated above, the **Natural Open Space Zone** contains areas where the natural environment is retained and activities, buildings and other structures are compatible with the characteristics of the zone. Large parts of the **Natural Open Space Zone** lie in the Puketeraki ranges in the west of the District and includes extensive areas of indigenous vegetation. Large parts of the **Natural Open Space Zone** also lie in the east of the District, and include the natural environments of the coast, dunes, wetlands, and estuarine margins. The purpose of the **Natural Open Space Zone** is therefore consistent with these RPS provisions for ecosystems and indigenous biodiversity.

However, it should be noted that land in the east and west of the District is not necessarily included in the **Natural Open Space Zone** specifically because these areas are significant in terms of ecosystems and indigenous biodiversity. These areas are currently zoned in the operative District Plan as rural, but the predominant function of much of this land is recreation, conservation and education. In terms of zoning, a type of **Open space and recreation zone** is more appropriate. Of these zones, the **Natural Open Space Zone** is the most appropriate and the zone includes provisions that will cater for conservation activity. The **Natural Open Space Zone** and its provisions will therefore help protect, maintain and enhance ecosystems and indigenous biodiversity.

Specific provisions relating to **Ecosystems and indigenous biodiversity** are discussed in that chapter and in the Section 32 report for that chapter.

Overall, the establishment of the **Open Space and Recreation Zones** and their provisions will be consistent with the RPS.

There are no regional plans of specific relevance to this topic.



### 3.4 Iwi Management Plan

The Mahaanui Iwi Management Plan 2013 contains the following policies of relevance to the management of open space and recreation land in the District:

*IH8.1 To ensure appropriate and effective involvement of Papatipu Rūnanga in the development and implementation of park and reserve management plans and open space strategies.*

*IH8.2 To require full assessments of historical and contemporary associations and values of importance to tāngata whenua in planning for the future use, management and development of reserves and parks.*

*IH8.3 To require that plans and strategies for the use of public open space include objectives and policies that recognise and provide for tāngata whenua values, including but not limited to:*

*(a) Recognition of the Papatipu Rūnanga;*

*(b) Protection of areas of particular significance from inappropriate activities;*

*(c) Enhancement of cultural landscape values through habitat restoration and planting of native species, including large specimen trees;*

*(d) Incorporation of interpretation, artwork, plantings of particular species or gardens, as visible symbols of Ngāi Tahu association with particular places; and*

*(e) Provision for Ngāi Tahu cultural use, including harvest of mahinga kai species and culturally aligned recreational activities such as waka ama.*

*IH8.4 To require that plans and strategies for the use of public open space include explicit provisions to achieve an improved balance between planting of exotic and indigenous species, and recognise and improve the potential for these areas to improve habitat values for taonga species and enhance habitat connectivity.*

The provisions of the **Open Space and Recreation Zones** will ensure that activities, facilities or structures within these areas are managed carefully to protect and maintain amenity values and the quality of the environment whilst ensuring these areas and their use also contribute to the social and cultural well-being of the District. The provisions of the **Open Space and Recreation Zones** recognise the matters in IH8.2, IH8.3 and IH8.4, as does the management of these areas.

While consultation has been undertaken with Te Ngāi Tūāhuriri Rūnanga regarding a range of District Plan matters, to give effect to the matters in IH8.1, no specific feedback was provided with respect to the **Open Space and Recreation Zones**. Consultation with Te Ngāi Tūāhuriri Rūnanga regarding the wider District Plan Review is ongoing.

### 3.5 Any relevant management plans and strategies

#### 3.5.1 Waimakariri District Development Strategy 2018-2048

Between the 2013 and 2018 census, the population of the District rose from 49,989 to 59,502, a 19 per cent increase. That was on top of a 16.7 per cent lift between 2006 and 2013 from 42,834 people. The Waimakariri District Development Strategy 2018-2048 estimates the population of the District may grow by a further approximately 37,000 people by 2048. An increase in population and

settlement size and density implies a need to protect, maintain and, where necessary or appropriate, enhance (such as through adding to existing or acquiring new) open space and recreation land in the District.

### **3.5.2 Reserve Management Plans and Strategies**

The District Council currently has a number of reserve management plans and strategies for the management of certain open space and recreation areas in the District. The reserve management plans are prepared in accordance with the Reserves Act 1977. These are discussed further in Section 3.6.1 below.

## **3.6 Any other relevant legislation or regulations**

### **3.6.1 Reserves Act 1977**

The Reserves Act contains provisions for the acquisition, control, management, maintenance, development and use of public reserves, specifically historic reserves, nature reserves, recreation reserves, scenic reserves, scientific reserves, government purpose reserves and local purpose reserves. The Reserves Act has three main functions. These are:

- (a) To provide for the preservation and management, for the benefit and enjoyment of the public, areas possessing some special feature or values such as recreational use, wildlife, landscape amenity values or scenic value. For example, the reserve may have value for recreation, education, as wildlife habitat or as an interesting landscape;
- (b) To ensure, as far as practicable, the preservation of representative natural ecosystems or landscapes and the survival of indigenous species of flora and fauna, both rare and commonplace; and
- (c) To ensure, as far as practicable, the preservation of access for the public to the coastline, islands, lakeshore and riverbanks and to encourage the protection and preservation of the natural character of these areas.

The District Council currently has 8 reserve management plans; 15 concept plans; 7 ecological, planting and conservation plans; and 6 strategies for the management of certain open space and recreation areas in the District. The reserve management plans are prepared in accordance with the Reserves Act 1977.

The inclusion of the ***Open Space and Recreation Zones*** in the proposed District Plan is complementary to the functions of the Reserves Act and the District Council's reserve management plans and strategies prepared under it.

However, the Reserves Act and RMA are separate statutes. While these operate in parallel, they serve different purposes. The purpose of the RMA, in summary, is the sustainable management of natural and physical resources, taking into account the social, economic and cultural well-being and health and safety of people, the reasonably foreseeable needs of future generations, the life sustaining capacity of natural resources, and environmental effects. The functions of the Reserves Act are summarised above. While the RMA involves a balance of interests, the focus of the Reserves Act is more specifically focussed on preservation and protection of the areas vested and classified under it.

Furthermore, the open space and recreation areas which are subject to these management plans and strategies are zoned either Residential or Rural under the operative District Plan. The District Plan Effectiveness review identified a need for open space and recreation land to be managed under zones

fit for purpose, to better enable or provide for the activities, facilities or structures that usually occur there. In addition, while many of the District Council owned open space and recreation areas are vested and classified under the Reserves Act, many are not, which creates an inconsistency in how District Council owned open space and recreation land in the District is statutorily managed.

The ***Open Space and Recreation Zones*** are therefore necessary to ensure open space and recreation areas in the District are consistently managed with respect to the RMA, the National Planning Standards, and to help achieve Part 2 of the RMA.

### 3.7 Any plans of adjacent territorial authorities

The District Council is required to have regard to the extent to which the District Plan needs to be consistent with the plans and proposed plans of adjacent territorial authorities under Section 74(2)(c) of the RMA.

For this topic, consistency is not essential as how each council manages open space and recreation land can be flexible, but consistency may nevertheless be desirable, particularly where open space adjoins (such as along the coast).

#### 3.7.1 Christchurch District Plan

The operative Christchurch District Plan (which pre-dates the introduction of the National Planning Standards) contains '*Open Space*' zones. Six types of '*Open Space*' zones are provided, consisting of the following:

- *Open Space Community Parks Zone*
- *Open Space Metropolitan Facilities Zone*
- *Open Space McLeans Island Zone*
- *Open Space Natural Zone*
- *Open Space Water and Margins Zone and Avon River Precinct/Te Papa Ōtākaro Zone*
- *Open Space Coastal Zone*

Regard has been given to the relevant operative Christchurch District Plan '*Open Space*' zones, as follows:

- (a) The Christchurch *Open Space Natural Zone* manages natural, ecological, scenic and outdoor recreation areas, and the *Open Space Coastal Zone* manages areas of the Christchurch coast from Taylors Mistake to the Waimakariri River.

The combination of these zones is similar to the Waimakariri ***Natural Open Space Zone***. This zone contains areas where the natural environment is retained and activities, buildings and other structures are compatible with the characteristics of the zone. Large areas of the zone lie in the Puketeraki range in the west of the District, and in the coastal environment in the east of the District, with many smaller areas of the zone in-between. The zone includes open spaces that contain natural, recreation, landscape, cultural and amenity values, and may include ecological linkage reserves. The part of the Waimakariri ***Natural Open Space Zone*** along the coast effectively adjoins the Christchurch *Open Space Coastal Zone* albeit on opposite banks of the Waimakariri River;

- (b) The Christchurch *Open Space Community Parks Zone* manages formal and informal recreation activities while complementing and enhancing the amenity values of these areas.

This is similar to the Waimakariri **Open Space Zone**. This zone contains areas used predominantly for a range of passive and active recreational activities, along with limited associated facilities and structures. The zone includes parks, playgrounds and informal recreation spaces in a range of sizes, locations, settings and communities. The zone also includes existing cemeteries, which function as memorial gardens and have a park-like setting;

- (c) The Christchurch **Open Space Metropolitan Facilities Zone** accommodates major sports facilities, larger recreation facilities and motorised sports facilities.

This is similar to the Waimakariri **Sport and Active Recreation Zone**. This zone contains areas used predominantly for a range of indoor and outdoor sport and active recreational activities and associated facilities and structures. It is anticipated some facilities may have a capacity for multi-functional use, co-location of compatible activities, and an ability to host local, regional, national or international events which provide entertainment to both residents and visitors. The zone may also provide for associated commercial activities that support the core facilities though these are secondary to the primary active recreation and sports use.

The Waimakariri **Open Space and Recreation Zones** are therefore generally consistent with and complement the relevant 'Open Space' zones in the operative Christchurch District Plan.

### 3.7.2 Proposed Selwyn District Plan

A proposed new Selwyn District Plan was publicly notified on 5 October 2020. Rather than utilise the **Open Space and Recreation Zones** of the National Planning Standards, Selwyn District is designating Council-owned public open space and recreation land for reserve purposes, as is currently the case in the operative Selwyn District Plan. Council-owned cemeteries are also proposed to be designated.

### 3.7.3 Hurunui District Plan

Hurunui District Council recently completed a review of its district plan which became operative on 21 June 2018. The operative Hurunui District Plan contains an Open Space Zone but is relatively limited in scope. However, that plan review just pre-dated the National Planning Standards, and under Section 17 of the National Planning Standards the Hurunui District Council must commence another review of its district plan within the next 7 years.

## 4. KEY RESOURCE MANAGEMENT ISSUES

The District Plan Effectiveness review identified a need for open space and recreation land to be managed under zones fit for purpose, to better enable or provide for the activities, facilities or structures that usually occur there.

Open space and recreation land is a significant natural and physical resource that makes an important contribution to the well-being of the District, and therefore must be sustainably managed. Open space and recreation land in the District adds significant value to amenity values, the community and the environment, and needs to be appropriately managed for the future. Activities, facilities or structures need to be managed in accordance with the type of zone and space, to ensure any actual or potential effects on the natural and physical open space environment does not undermine the community's enjoyment of these spaces, nor the intrinsic values of these spaces.

The key resource management issues that need to be addressed in relation to open space and recreation land are:

- (a) Ensuring each area of open space and recreation land is zoned according to its predominant character, amenity values, role and function;
- (b) Ensuring actual or potential environmental effects of activities, facilities or structures are managed according to the predominant character, amenity values, role and function of each area of land and the zone as a whole;
- (c) Ensuring open space and recreation areas are, as far as practicable, accessible and safe, and provide for amenity values, cultural values, recreation, conservation and education.

## 5. OVERVIEW OF PROPOSED OBJECTIVES, POLICIES AND METHODS

The proposed provisions are set out in the *Open Space and Recreation Zones* of the proposed District Plan. **These provisions should be referred to in conjunction with this evaluation report.** The proposed provisions are summarised below.

### 5.1 Strategic Directions

In the proposed District Plan, Strategic Direction SD-01 seeks, in summary, that people have access to a network of natural areas for open space and recreation, conservation and education, including within riparian areas, the coastal environment, the western ranges, and within urban areas.

Strategic Direction SD-02 seeks, in summary, that there is a good quality urban environment that recognises existing character, amenity and heritage values, and is attractive and functional to residents, businesses and visitors, and that people have access to a network of spaces within urban areas for open space and recreation.

The inclusion and provisions of the *Open Space and Recreation Zones* Chapter will address the key resource management issues in relation to open space and recreation land in the District as identified in Section 4 above, and will therefore be consistent with and give effect to these Strategic Directions.

### 5.2 Zones

The nature and purpose of each of the *Open Space and Recreation Zones* is area specific and is summarised in Sections 2.2 and 3.2.1 above.

### 5.3 Proposed Objectives and Policies

The proposed objectives and policies are shown in tables in **Appendix 2** of this report.

In summary, there is one objective for each zone that sets out what is intended for the predominant character, amenity values, role and function of each zone.

There are two objectives that apply to all three zones. One objective sets out general outcomes intended for the *Open Space and Recreation Zones*. A second objective sets out aspects of open space and recreation land to be managed to achieve the desired character, amenity values, role and function of the *Open Space and Recreation Zones*.

There are two policies that apply to all three zones. One policy sets out a hierarchy for decision makers regarding how to manage activities and structures in the *Open Space and Recreation Zones* to achieve the objective for the predominant character, amenity values, role and function of each of the zones. A second policy relates to the management of environmental effects of activities and structures on the character, amenity values, role and function of the *Open Space and Recreation Zones*.

## 5.4 Proposed Methods

Proposed methods are set out in the *Open Space and Recreation Zones* Chapter. **Those provisions should be read in conjunction with this evaluation report.**

The activities to be provided for by the *Open Space and Recreation Zones* provisions are summarised in the tables in **Appendix 3** of this report.

In summary, a range of permitted, controlled, restricted discretionary, discretionary and non-complying activities are provided for appropriate to the type of zone and the settings in the zone. While there are activities provided for that are common to all zones, the differences in activities provided for between zones reflect differences between the type of zone and the settings in the zone. In all cases the activities provided for reflect activities that either currently occur or are intended to be enabled in the open space and recreation areas to be included in the zones.

Rules are also proposed that enable the continuation of pre-earthquake residential activity on identified privately-owned properties that exist within the *Open Space and Recreation Zones*, which will be determined by an alternative zoning for these sites which will be the *General Residential zone* instead of being subject to the provisions of the *Open Space and Recreation Zones*.

The following built form standards across all three *Open Space and Recreation Zones* are proposed:

- Minimum building setbacks from road and internal boundaries
- Maximum building height
- Height in relation to boundary (recession plane)
- Outdoor storage
- Site coverage

The suite of built form standards in each zone is relatively simple, which reflects that open space and recreation land is meant to be predominantly open space with limited built facilities, except for sites intended to have a higher level of development.

Relevant definitions include definitions for the following:

- Customary harvesting
- Conservation activity
- Recreation activity
- Recreation facility
- Park management activity
- Park management facility
- Emergency service facility
- Public amenities
- Residential activity
- CPTED
- Indigenous biodiversity
- Te Kohaka o Tuhaitara Trust
- Indigenous vegetation
- Community facility
- Community garden
- Visitor accommodation
- Equestrian and ancillary activities and facilities
- Motorised sports facility
- Major sports facility
- Cultural facility
- Cemetery
- Ancillary sport and recreation services
- Outdoor storage area

Matters over which control is reserved or discretion is restricted are proposed to guide the exercise of control or discretion regarding activities, facilities or structures in the *Open Space and Recreation Zones* requiring resource consent.

The *Open Space and Recreation Zones* and provisions provide a framework to manage activities, facilities or structures open space and recreation land while avoiding or mitigating adverse effects. If

proposed activities, facilities or structures fall within relevant definitions, rules and standards, resource consent will not be required.

## 6. SCALE AND SIGNIFICANCE EVALUATION

Section 32 (1)(c) of the RMA requires that a Section 32 report contain a level of detail that corresponds with the scale and significance of the environmental, economic, social and cultural effects that are anticipated from the implementation of the proposed objectives, policies and methods.

**The level of detail undertaken for the subsequent evaluation of the proposed objectives, policies and methods has been determined by this scale and significance assessment.**

In particular, Section 32 (1)(c) of the RMA requires that:

- A. Any new proposals need to be examined for their appropriateness in achieving the purpose of the RMA;
- B. The benefits and costs, and risks of new policies and methods on the community, the economy and the environment need to be clearly identified and assessed; and
- C. All advice received from iwi authorities, and the response to the advice, needs to be summarised.

Further, the analysis has to be documented to assist stakeholders and decision-makers understand the rationale for the proposed objectives, policies and methods under consideration.

In making this assessment regard has been had to a range of scale and significance factors, including whether the provisions:

- (a) *Are of regional or district wide significance:*

The proposed **Open Space and Recreation Zones** will potentially have a District-wide effect. Large areas lie in the Puketeraki range in the west of the District, and in the coastal environment in the east of the District, with many smaller areas in-between. This will potentially affect stakeholders, as well as the wider community, but for the reasons explained in this report the zone provisions will formalise the existing and future use of the zones and contribute positively to the well-being of the District.

- (b) *Involve a matter of national importance in terms of Section 6 of the RMA:*

The zone provisions will achieve relevant Section 6 matters, as outlined in Section 3.1.1 above.

- (c) *Involve another matter under Section 7 of the RMA:*

The zone provisions will achieve relevant Section 7 matters, as outlined in Section 3.1.2 above.

- (d) *Raise any principles of the Treaty of Waitangi (Te Tiriti o Waitangi) under Section 8 of the RMA:*

Consultation has been undertaken with Te Ngāi Tūāhuriri Rūnanga as part of the district plan review process regarding a range of District Plan matters, and is ongoing. Relevant provisions of the Mahaanui Iwi Management Plan 2013 have been considered, as outlined in Sections 3.1.3 and 3.4 above.

- (e) *Address an existing or new resource management issue:*

The **Open Space and Recreation Zones** are new zones. The zone provisions will address the key resource management issues outlined in Section 4 above, and will sustain the potential of open space and recreation land as a natural and physical resource for current and future generations, and maintain amenity values and quality of the environment.

- (f) *Adversely affect people's health and safety:*
- (g) *Adversely affect those with particular interests including Maori:*
- (h) *Adversely affect a large number of people:*
- (i) *Result in a significant change to the character and amenity values of local communities:*
- (j) *Result in a significance change to development opportunities or land use options:*
- (k) *Limit options for future generations to remedy effects:*

**With respect to (f) to (k) above**, the provisions of the **Open Space and Recreation Zones** will better enable, provide for or manage the activities, facilities and structures that usually occur on open space and recreation land in the District, while ensuring that any associated effects are managed, according to the predominant character, amenity values, role and function of each zone. This will sustain the potential of open space and recreation land as a natural and physical resource for current and future generations, maintain amenity values and quality of the environment, and contribute positively to District well-being.

- (l) *Whether the effects have been considered implicitly or explicitly by higher order documents:*

The National Planning Standards mandate the use of **Open Space and Recreation Zones** in new district plans for open space and recreation land, as outlined in Section 3.2.1 above. The establishment of the **Open Space and Recreation Zones** and their provisions will be consistent with the RPS, as outlined in Section 3.3 above.

- (m) *Include regulations or other interventions that will impose significant costs on individuals or communities:*

The changes could result in reduced compliance costs for stakeholders and the wider community as open space and recreation land will be managed under zones fit for purpose, and will better enable or provide for the activities, facilities and structures that usually occur there.

**Policies and methods have been evaluated as a package, as together they address particular issues and seek to meet specific objectives.**

## 6.1 Evaluation of Scale and Significance

	Low	Medium	High
<b>Degree of change from the operative Plan</b>			✓
<p>The proposed zones are new zones for the District Plan. The proposed zones are specifically tailored to different types of open space and recreation land in the District, and the activities, facilities or structures that typically occur there. This represents a significant departure from the current approach of the operative District Plan where open space and recreation land in the District is currently zoned either Residential or Rural.</p> <p>However, the proposed zones and their provisions will better enable, provide for or manage the activities, facilities and structures that usually occur on open space and recreation land in the District and will formalise the existing and future use of the zones, while ensuring that any associated effects are managed according to the predominant character, amenity values, role and function of each zone and will contribute positively to the well-being of the District. The new zones contain provisions that essentially recognise what has and will continue to actually happen on the ground. In that</p>			



	Low	Medium	High
respect, while the topic is significant, there are no significant consequences that are likely to arise from its implementation.			
<b>Extent of effects on matters of national importance</b>	✓		
The proposed zones and their provisions will achieve the relevant parts of Part 2 of the RMA, as discussed in Section 3.1 above.			
<b>Scale of effects geographically (local, district wide, regional, national)</b>		✓	
<b>Scale of effects on people (how many will be affected – single landowners, multiple landowners, neighbourhoods, the public generally, future generations?)</b>	✓		
<b>Scale of effects on those with specific interests, e.g., mana whenua, industry groups, stakeholders</b>		✓	
<p>With regards <b>scale of effects</b>, the proposed <b>Open Space and Recreation Zones</b> will potentially have a District-wide effect. Large areas lie in the Puketeraki range in the west of the District, and in the coastal environment in the east of the District, with many smaller areas in-between. This will potentially affect stakeholders, as well as the wider community.</p> <p>However, as stated in above with regards <b>degree of change from the operative Plan</b>, the proposed zones and their provisions will better enable, provide for or manage the activities, facilities and structures that usually occur on open space and recreation land in the District and will formalise the existing and future use of the zones, while ensuring that any associated effects are managed according to the predominant character, amenity values, role and function of each zone and will contribute positively to the well-being of the District. The new zones contain provisions that essentially recognise what has and will continue to actually happen on the ground. In that respect, while the topic is significant, there are no significant consequences that are likely to arise from its implementation.</p>			
<b>Degree of policy risk – does it involve effects that have been considered implicitly or explicitly by higher order documents? Does it involve effects addressed by other standards/commonly accepted best practice? Is it consistent, inconsistent or contrary to those?</b>	✓		
As discussed in Section 3 above, there is little policy risk as the provisions are in accordance with or give effect to the RMA, National Planning Standards and RPS. The provisions recognise and take into account the Mahaanui Iwi Management Plan 2013. The provisions are generally consistent with the District Plans of adjacent local authorities. In addition, the inclusion of the <b>Open Space and Recreation Zones</b> in the proposed District Plan is complementary to the functions of the Reserves Act and the District Council’s reserve management plans and strategies prepared under it.			
<b>Likelihood of increased costs or restrictions on individuals, communities or businesses</b>	✓		
The changes could result in reduced compliance costs for stakeholders and the wider community as open space and recreation land will be managed under zones fit for purpose, and will better enable or provide for the activities, facilities and structures that usually occur there.			

## 6.2 Summary - Evaluation of Scale and Significance

Overall, the scale and significance of the proposed ***Open Space and Recreation Zones*** and provisions is assessed as **low to medium**. Given this, the level of detail in this report corresponds with the scale and significance of the environmental, economic and cultural effects anticipated from implementation of the proposed provisions.

## 7. EVALUATION OF PROPOSED OBJECTIVES

Section 32(1)(a) of the RMA requires the District Council to evaluate the extent to which the objectives are the most appropriate way to achieve the purpose of the RMA. The level of detail undertaken for the evaluation of the proposed objectives has been determined by the preceding scale and significance assessment.

Below is an evaluation of the proposed objectives that have been identified as the most appropriate to address the resource management issue(s) and achieve the purpose of the RMA, against the relevant objectives in the operative District Plan.

## 7.1 Evaluation of Proposed Objectives

Relevant Existing Objectives	Appropriateness to achieve the purpose of the RMA
<p>A summary of potentially relevant objectives in the operative District Plan that may apply to activities, facilities or structures on existing open space and recreation land in the Residential or Rural zones is contained in a table in <b>Appendix 1</b> of this report.</p>	<p>Relevance:</p> <p>Existing open space and recreation land in the District is currently zoned either Residential or Rural and is subject to relevant objectives for these zones as well as relevant District-wide objectives.</p> <p>This means there are no current objectives that specifically recognise, enable or provide for the activities, facilities and structures that usually occur on open space and recreation land in the District.</p> <p>As a result, the existing approach is less relevant than the proposed approach which directly enables, provides for or manages the activities, facilities and structures that usually occur on open space and recreation land in the District and will formalise the existing and future use of the zones, while ensuring that any associated effects are managed according to the predominant character, amenity values, role and function of each zone and will contribute positively to the well-being of the District.</p> <p>Reasonableness:</p> <p>Based on the above, any such future activities, facilities and structures on such land would likely have to be facilitated by resource consent on a case-by-case basis which is piecemeal, uncertain, and potentially time-consuming and costly.</p> <p>The lack of clearly expressed outcomes for open space and recreation land creates ambiguity and uncertainty. This reduces the utility of the objectives and could lead to unintended social and environmental consequences for open space and recreation areas. This, in turn, could impose unreasonable costs on recreation and community groups and the wider community if consents are required for activities or structures that might otherwise be enabled or provided for, or if zone specific effects are inappropriately managed.</p> <p>Overall, the existing approach is less reasonable than the proposed approach.</p>

Relevant Existing Objectives	Appropriateness to achieve the purpose of the RMA
	<p>Achievability:</p> <p>The existing objectives fail to address the resource management issues relevant to the activities, facilities and structures that usually occur on open space and recreation land in the District. Consequently, the current framework of objectives provides insufficient direction and guidance to decision makers regarding the intended outcomes and specific activities and effects to be managed in relation to open space and recreation land.</p> <p>Although the generic focus of the objectives on overall amenity values and character generally achieves the purpose of the RMA, the contribution open space and recreation land makes towards the well-being of the District is not expressly recognised.</p> <p>The existing objectives do not address the specific values of the differing open space and recreation environments.</p> <p>In light of the above, the existing objectives are not considered appropriate in achieving the purpose of the RMA in relation to open space and recreation land.</p>

Proposed Objectives	Appropriateness to achieve the purpose of the RMA
<p>The proposed objectives are set out in the <i>Open Space and Recreation Zones</i> Chapter. <b>Those provisions should be read in conjunction with this evaluation report.</b></p> <p>The proposed objectives are also shown in <b>Appendix 2</b> of this report.</p> <p>There are 2 objectives common to all <i>Open Space and Recreation Zones</i>, and 1 objective specific to each zone.</p>	<p>Relevance:</p> <p>The proposed objectives clearly set out the outcomes anticipated by the proposed District Plan with respect to the <i>Open Space and Recreation Zones</i>, and address the key resource management issues identified in Section 4 of this report.</p> <p>The proposed objectives are relevant as they specifically recognise, enable or provide for and manage the activities, facilities and structures that usually occur on open space and recreation land in the District.</p> <p>The proposed objectives will provide direction and guidance to decision makers regarding the intended outcomes and specific activities and effects to be managed in relation to open space and recreation land.</p>

Proposed Objectives	Appropriateness to achieve the purpose of the RMA
	<p>The proposed objectives specifically recognise the contribution open space and recreation land makes towards the well-being of the District.</p> <p>Reasonableness:</p> <p>The proposed objectives are generally consistent with approaches adopted for the zoning of open space and recreation land in the District Plans of adjacent local authorities.</p> <p>The changes could result in reduced compliance costs for stakeholders and the wider community as open space and recreation land will be managed under zones fit for purpose, and will better enable or provide for the activities, facilities and structures that usually occur there.</p> <p>Achievability:</p> <p>The proposed objectives specifically address the key resource management issues identified in Section 4 above that are relevant to the activities, facilities and structures that usually occur on open space and recreation land in the District. Consequently, the current framework of objectives will provide direction and guidance to decision makers regarding the intended outcomes and specific activities and effects to be managed in relation to open space and recreation land.</p> <p>The proposed objectives expressly recognise the contribution open space and recreation land makes towards the well-being of the District.</p> <p>The proposed objectives specifically address the specific values of the differing open space and recreation environments.</p> <p>In light of the above, the proposed objectives are considered appropriate in achieving the purpose of the RMA in relation to open space and recreation land.</p>

## 7.2 Summary - Evaluation of Proposed Objectives

The proposed objectives will achieve the purpose of the RMA as they provide clearer statements of intent than the operative District Plan, specifically recognise the value of open space and recreation areas to the community, and better protect them from inappropriate use and development. They define the anticipated environmental outcomes for open space and recreation areas and provide greater certainty about the intended outcomes for decision-makers, plan users and the community.

The proposed objectives are aligned with contemporary planning practice applied elsewhere. The proposed objectives will better sustain the potential of open space and recreation land as natural and physical resources for current and future generations, and better maintain amenity values and quality of the environment.

## 8. EVALUATION OF PROPOSED POLICIES AND METHODS

Section 32 (1)(b) of the RMA requires an evaluation of whether the proposed policies and methods (such as rules, standards, definitions and matters of control or discretion) are the most appropriate way to achieve the proposed objectives by identifying other reasonably practicable options, assessing the efficiency and effectiveness of the proposed policies and methods in achieving the objectives, and summarising the reasons for deciding on the proposed policies and methods.

**The level of detail undertaken for the evaluation of the proposed policies and methods has been determined by the preceding scale and significance assessment.**

The assessment must identify and assess the benefits and costs of environmental, economic, social and cultural effects that are anticipated from the implementation of the proposed policies and methods, including opportunities for economic growth and employment.

The assessment must, if practicable, quantify the benefits and costs and assess the risk of acting or not acting if there is uncertain or insufficient information available about the subject matter.

**Policies and methods have been evaluated as a package, as together they address a particular issue and seek to meet specific objectives.**

### 8.1 Evaluation of Proposed Policies and Methods

An evaluation of the proposed policies and methods is summarised in the following table.

Policy and method options to achieve the District Plan objectives relating to open space and recreation areas in the District	Benefits environmental, economic, social and cultural effects anticipated	Costs environmental, economic, social and cultural effects anticipated	Efficiency and Effectiveness	Risk of acting / not acting if there is uncertain or insufficient information about the subject matter of the provisions
<p><b>Option A: Proposed Approach</b></p> <p>(a) Three specific zones where open space and recreation land is zoned according to its predominant character, amenity values, role and function;</p> <p>(b) Objectives, policies, rules, standards, definitions and assessment matters to ensure actual or potential environmental effects of activities, facilities or structures are managed according to the predominant character, amenity values, role and function of each area of land and the overall zone.</p>	<p>Environmental:</p> <p>(a) The provisions of the zones establish the intended predominant character, amenity values, role and function of each zone;</p> <p>(b) The provisions of the zones specifically recognise, enable, provide for or manage the activities, facilities and structures that usually occur in the different zones;</p> <p>(c) The provisions of the zones specifically manage actual or potential environmental effects according to the predominant character, amenity values, role and function of each zone;</p> <p>(d) The provisions of the zones provide clear direction in terms of the outcomes expected according to the predominant character, amenity values, role and function of each zone;</p>	<p>Environmental:</p> <p>(a) Some open space and recreation activities, facilities and structures, will have some degree of effect on the environment even though policy support is provided;</p>	<p>(a) The costs of the approach are outweighed by the benefits;</p> <p>(b) The approach achieves the proposed objectives in an efficient and effective manner, by enabling or providing for activities, facilities and structures and managing actual or potential environmental effects according to the predominant character, amenity values, role and function of each zone;</p> <p>(c) This approach will be effective, in that it clearly defines for decision makers and the community, the purpose and status of activities, facilities or structures and anticipated environmental effects, according to the predominant character, amenity values, role and function of each zone.</p>	<p>(a) It is considered that there is sufficient information on which to base the proposed provisions;</p> <p>(b) The risk of not acting is that the activities, facilities and structures that usually occur on different types of open space and recreation land in the District might be unduly restricted or additional compliance costs may be incurred;</p> <p>(c) The risk of not acting is that the District Plan will not align with the National Planning Standards with respect to <b><i>Open Space and Recreation Zones</i></b>;</p> <p>(d) The risk of not acting is a lack of clear direction to the community and decision makers in the outcomes expected in respect of the predominant character, amenity values, role and function of different types of open space and recreation land.</p>

Policy and method options to achieve the District Plan objectives relating to open space and recreation areas in the District	Benefits environmental, economic, social and cultural effects anticipated	Costs environmental, economic, social and cultural effects anticipated	Efficiency and Effectiveness	Risk of acting / not acting if there is uncertain or insufficient information about the subject matter of the provisions
	<p>Economic:</p> <p>(e) Provisions tailored to the activities, facilities and structures that usually occur in each type of zone and their anticipated effects, may assist in increased compliance, reduced compliance monitoring; and potential reduction in time/cost of preparing and processing resource consent applications;</p>	<p>Economic:</p> <p>(b) Initial uncertainty through change in the District Plan zone structure, policy and rule framework, may result in higher compliance costs and associated time for a short period of time until familiarity is achieved;</p>		



Policy and method options to achieve the District Plan objectives relating to open space and recreation areas in the District	Benefits environmental, economic, social and cultural effects anticipated	Costs environmental, economic, social and cultural effects anticipated	Efficiency and Effectiveness	Risk of acting / not acting if there is uncertain or insufficient information about the subject matter of the provisions
	Social: Cultural:  (f) Provides the community with increased certainty and well-being in terms of the activities, facilities or structures that can occur in different areas and the type and level of anticipated effects;  (g) Better direction and guidance to decision makers regarding the management of activities and effects according to the predominant character, amenity values, role and function of each zone.	Social: Cultural:  (c) Activity lists, rules and standards may potentially limit activities, facilities and structures;  (d) May potentially impact on the aspirations of some recreational and community groups as some activities, facilities or structures may not be specifically provided for, or the cost of resource consent applications or achieving compliance may be difficult to meet.		
	<b>Opportunities for economic growth and employment</b>			
	There is likely to be increased potential for increased recreational activity in the zones, including the development of ancillary buildings and other structures and facilities. This may generate additional economic activity and employment opportunities, opportunities related to events that may occur in the zones, employment opportunities related to conservation activity and park management activity, and indirect opportunities for the wider district through enhancement of 'liveability' aspects that may stimulate economic growth.			
<p><b>Quantification</b></p> <p>Section 32(2)(b) requires that if practicable the benefits and costs of a proposal are quantified.</p> <p>Given the assessment of the scale and significance of the proposed changes above it is considered that quantifying costs and benefits would add significant time and cost to the Section 32 evaluation process. The evaluation in this report identifies where there may be additional cost(s), however the exact quantification of the benefits and costs discussed was not considered necessary, beneficial or practicable.</p>				

Policy and method options to achieve the District Plan objectives relating to open space and recreation areas in the District	Benefits environmental, economic, social and cultural effects anticipated	Costs environmental, economic, social and cultural effects anticipated	Efficiency and Effectiveness	Risk of acting / not acting if there is uncertain or insufficient information about the subject matter of the provisions
<b>Policy and method options less appropriate to achieve the objective/s</b>				
<p><b>Option B: Status Quo</b></p> <p>(a) Non-specific District Plan policies, rules and standards relating to the current Residential or Rural zoning of open space and recreation land, focused on managing a generic range of activities and associated effects.</p>	<p>Environmental:</p> <p>(a) Although not specific to open space and recreation land, the current plan provisions enable the effects associated with activities, facilities and structures that usually occur on different types of open space and recreation land to be generically managed. This might lead to unintended consequences, such as environmental outcomes inconsistent with the predominant character, amenity values, role and function of the open space;</p>	<p>Environmental:</p> <p>(a) Lack of clear direction to the community and decision makers in the outcomes expected in respect of the predominant character, amenity values, role and function of different types of open space and recreation land. This could also lead to development that is not consistent with Reserve Management Plans;</p> <p>(b) Limited, non- open space and recreation specific range of assessment matters currently available, thereby potentially affecting the relevant matters that the District Council can consider when processing a resource consent.</p>	<p>(a) The costs of the approach outweigh the benefits;</p> <p>(b) The existing rules and standards are largely ineffective as they fail to adequately recognise and explicitly respond to the activities, facilities and structures that usually occur on different types of open space and recreation land in the District. This, in turn, offers reduced clarity and certainty to decision makers as well as the community more generally, and a less effective means of providing for or managing the current and potential future activities, facilities and structures that usually occur on different types of open space and recreation land in the District and their actual or potential adverse</p>	<p>(a) It is considered that there is sufficient information to not maintain this approach;</p> <p>(b) The risk of acting by retaining the status quo, is that is that the activities, facilities and structures that usually occur on different types of open space and recreation land in the District might be unduly restricted, potentially resulting in additional resource consent requirements, delays and uncertainty of outcome or additional compliance costs may be incurred;</p> <p>(c) The risk of acting by retaining the status quo is that the District Plan will not align with the National Planning Standards with respect to <b><i>Open Space and Recreation Zones</i></b>;</p>

Policy and method options to achieve the District Plan objectives relating to open space and recreation areas in the District	Benefits environmental, economic, social and cultural effects anticipated	Costs environmental, economic, social and cultural effects anticipated	Efficiency and Effectiveness	Risk of acting / not acting if there is uncertain or insufficient information about the subject matter of the provisions
	<p>Economic: Social: Cultural:</p> <p>(b) The community and District Council staff are familiar with current provisions, potentially resulting in reduced costs for preparing and processing resource consent applications.</p>	<p>Economic: Social: Cultural:</p> <p>(c) The activities, facilities and structures that usually occur on different types of open space and recreation land in the District might be unduly restricted or additional compliance costs may be incurred;</p> <p>(d) Existing rules and standards do not effectively manage the activities, facilities and structures that usually occur on different types of open space and recreation land in the District and associated</p>	<p>effects. It also fails to recognise the important contribution open space and recreation land makes to the well-being of the District.</p>	<p>(d) The risk of acting by retaining the status quo is a lack of clear direction to the community and decision makers in the outcomes expected in respect of the predominant character, amenity values, role and function of different types of open space and recreation land.</p>

Policy and method options to achieve the District Plan objectives relating to open space and recreation areas in the District	Benefits environmental, economic, social and cultural effects anticipated	Costs environmental, economic, social and cultural effects anticipated	Efficiency and Effectiveness	Risk of acting / not acting if there is uncertain or insufficient information about the subject matter of the provisions
		<p>effects, potentially resulting in additional resource consent requirements, delays and uncertainty of outcome;</p> <p>(e) Potential limitations on benefit to the community due to retention of provisions that are unresponsive or inappropriate or not specific to the activities, facilities and structures that usually occur on different types of open space and recreation land in the District;</p> <p>(f) May potentially impact on the aspirations of some recreational and community groups, as some activities, facilities or structures may not be specifically provided for, or the cost of resource consent applications or achieving compliance may be difficult to meet.</p>		
	<p><b>Opportunities for economic growth and employment</b></p>			
<p>There may be less potential for additional economic activity and employment opportunities, due to undue restrictions on activities, facilities and structures, and additional resource consent requirements, delays, additional compliance costs and uncertainty of outcome.</p>				

Policy and method options to achieve the District Plan objectives relating to open space and recreation areas in the District	Benefits environmental, economic, social and cultural effects anticipated	Costs environmental, economic, social and cultural effects anticipated	Efficiency and Effectiveness	Risk of acting / not acting if there is uncertain or insufficient information about the subject matter of the provisions
<p><b>Option C: Manage all open space and recreation land under the Reserves Act 1977, Conservation Act 1987, and related management plans and strategies</b></p>	<p>Environmental: Economic: Social: Cultural:</p> <p>(a) Has the benefits of Option B;</p> <p>(b) If all District Council owned open space and recreation areas were classified and managed under the Reserves Act this would remove an existing inconsistency in how open space and recreation land is statutorily managed under the Reserves Act. While many of the District Council owned open space and recreation areas are classified under the Reserves Act, many are not and are held as freehold land;</p> <p>(c) Functions of the Reserves Act and related management plans and strategies are broadly complementary to the District Plan and RMA and operate in parallel.</p>	<p>Environmental: Economic: Social: Cultural:</p> <p>(a) Has the costs of Option B;</p> <p>(b) While the Reserves Act and related management plans and strategies are broadly complementary to the District Plan and RMA and operate in parallel, they serve different purposes;</p> <p>(c) Some open space and recreation land in the District may be classified and managed under other non-planning legislation (e.g. land managed by DoC under the Conservation Act), which dilutes the effectiveness of this approach for the District Council and District Plan;</p> <p>(d) Non-RMA or non-planning legislation and related</p>	<p>(a) The costs of the approach outweigh the benefits;</p> <p>(b) This option is partially effective as the effects associated with activities, facilities and structures that usually occur on different types of open space and recreation land would only be able to be generically managed;</p> <p>(c) This option would also be a less efficient method of achieving the proposed objectives as it may not provide a clear direction to the community and decision makers in the outcomes expected in respect of the predominant character, amenity values, role and function of different types of open space and recreation land. This may potentially result in additional information requests, delays and uncertainty of outcome, and may impact on the aspirations of some recreational and community groups;</p>	<p>(a) It is considered that there is sufficient information to not use this approach;</p> <p>(b) The risk of acting is that under this approach the activities, facilities and structures that usually occur on different types of open space and recreation land in the District might be unduly restricted by not being specifically enabled or provided for, potentially resulting in additional resource consent requirements, delays and uncertainty of outcome or additional compliance costs may be incurred;</p> <p>(c) The risk of acting is that under this approach is that non-RMA or non-planning legislation and related management plans and strategies do not address adverse effects on the surrounding environment and can be changed outside the RMA process;</p> <p>(d) This option would not achieve the statutory responsibilities of the</p>

Policy and method options to achieve the District Plan objectives relating to open space and recreation areas in the District	Benefits environmental, economic, social and cultural effects anticipated	Costs environmental, economic, social and cultural effects anticipated	Efficiency and Effectiveness	Risk of acting / not acting if there is uncertain or insufficient information about the subject matter of the provisions
		management plans and strategies do not address adverse effects on the surrounding environment and can be changed outside the RMA process.	(d) This option would also be a less efficient method of achieving the proposed objectives as, while the Reserves Act and related management plans and strategies are broadly complimentary to the District Plan and RMA and operate in parallel, they serve different purposes.	District Council with respect to Part 2 of the RMA.
	<p><b>Opportunities for economic growth and employment</b></p> <p>There may be less potential for additional economic activity and employment opportunities, due to potential restrictions on activities, facilities and structures by these not being specifically enabled or provided for, and additional resource consent requirements, delays, additional compliance costs and uncertainty of outcome.</p>			

Policy and method options to achieve the District Plan objectives relating to open space and recreation areas in the District	Benefits environmental, economic, social and cultural effects anticipated	Costs environmental, economic, social and cultural effects anticipated	Efficiency and Effectiveness	Risk of acting / not acting if there is uncertain or insufficient information about the subject matter of the provisions
<p><b>Option D: Designate public open space and recreation land for open space and recreation purposes</b></p> <p>(a) Public open space and recreation land in the District would be designated for '<i>open space and recreation purposes</i>'. The underlying zoning would be as per Option B above (i.e. no change to existing Residential or Rural zoning).</p>	<p>Environmental:</p> <p>(a) With regards the underlying zoning, has the benefits of Option B;</p> <p>Economic:</p> <p>(b) If the District Council chose to undertake to designate Council-owned open space and recreation land in the District for '<i>open space and recreation purposes</i>', the District Council would be able to undertake anything that was in accordance with the designated purpose, subject to Outline Plans for more substantial facilities or structures, with substantial savings in cost and time. (Other requiring authorities such as Environment Canterbury or Department of Conservation could also designate similar land under their control for similar purposes.);</p>	<p>Environmental:</p> <p>(a) With regards the underlying zoning, has the costs of Option B;</p> <p>Economic:</p> <p>(b) Would cater only for the activities of the authorities that can designate. Realistically public open space and recreation land in the District would likely only be designated by the District Council. (DoC relies on the Conservation Act and other legislation.) Recreational and community groups would still be subject to the provisions of the underlying zoning, therefore would not benefit from the designation in terms of time and cost;</p> <p>(c) Cost to the requiring authority of preparation of</p>	<p>(a) The limitations of Option B would likely only be overcome for the District Council, not for the wider community including recreational and community groups. This option would be highly efficient for the District Council in achieving the proposed objectives for a designation, but for the wider community would be a less efficient method of achieving the proposed objectives compared to (say) Option A.</p>	<p>(a) The risk of acting on this option over all other options is that it would likely only benefit the District Council. Otherwise, the costs and risks of Option B would still apply to the wider community. While this option would be highly efficient for the District Council in achieving the proposed objectives, for the wider community it would be a less efficient method of achieving the proposed objectives compared to (say) Option A. This option would therefore be less effective or efficient in achieving Part 2 of the RMA.</p>

Policy and method options to achieve the District Plan objectives relating to open space and recreation areas in the District	Benefits environmental, economic, social and cultural effects anticipated	Costs environmental, economic, social and cultural effects anticipated	Efficiency and Effectiveness	Risk of acting / not acting if there is uncertain or insufficient information about the subject matter of the provisions
	<p>Social: Cultural:</p> <p>(c) Would provide a clear and strong signal to the community as to what might occur as of right on open space and recreation land designated for this purpose;</p> <p>(d) Full public participation in the planning process is available including appeal rights at the time a Notice of Requirement for a designation is first notified.</p>	<p>Notices of Requirement and any Hearing process.</p> <p>Social: Cultural:</p> <p>(d) Once the designation is confirmed, works are subject to Outline Plans which are non-notified with no opportunity for public input. The only response a territorial authority can make to an Outline Plan is to request changes within 20 working days. Outline Plans are appealable but only by the territorial authority. This is of great benefit to the holder of the designation, but not to the general public. Anything not covered by the designated purpose or not the financial responsibility of the requiring authority may require resource consent, with potential delays, additional costs, and uncertainty of outcome.</p>		



Policy and method options to achieve the District Plan objectives relating to open space and recreation areas in the District	Benefits environmental, economic, social and cultural effects anticipated	Costs environmental, economic, social and cultural effects anticipated	Efficiency and Effectiveness	Risk of acting / not acting if there is uncertain or insufficient information about the subject matter of the provisions
	<b>Opportunities for economic growth and employment</b>			
	<p>For the requiring authority, designation will better enable or provide for the activities, facilities and structures that are anticipated would usually occur in the zones, and could result in reduced compliance costs for the requiring authority. As a consequence, there may be increased potential for increased recreational activity in the zones, including the development of ancillary buildings and other structures and facilities, which may generate additional economic activity and employment opportunities.</p> <p>However, all other parties would be subject to the underlying zone provisions. As a result, for other parties there may be less potential for additional economic activity and employment opportunities, due to potential restrictions on activities, facilities and structures by way of additional resource consent requirements, with resultant delays, additional compliance costs and uncertainty of outcome.</p>			

## 8.2 Summary - Evaluation of Proposed Policies and Methods

The proposed policies and methods (Option A) are the most appropriate option to achieve the objectives relating to open space and recreation land in the District. The costs of Option A are outweighed by the benefits.

This is because the existing regulatory approach to managing this topic under the operative District Plan (Option B) is generic and lacks sufficient specificity and clarity to effectively and efficiently manage activities, structures or facilities that usually occur on such land. The costs of Option B outweigh the benefits.

Management under non-RMA or non-planning legislation, management plans and strategies (Option C) has similar disadvantages to Option B in terms of generic management of activities, structures or facilities that usually occur on open space and recreation land. In addition, such legislation, management plans and strategies do not address adverse effects on the surrounding environment and can be changed outside the RMA process. Option C is therefore less efficient and effective to achieve the objectives relating to open space and recreation land in the District, compared to Option A. The costs of Option C outweigh the benefits.

Designation (Option D) would benefit the requiring authority greatly, but the remainder of the community would remain subject to the underlying zoning (Option B) therefore on balance Option D is only partially effective and less efficient to achieve the objectives relating to open space and recreation land in the District, compared to Option A.

Consequently, an alternative approach is proposed (Option A) that manages open space and recreation land in the District specifically for that purpose, according to the predominant character, amenity values, role and function of each zone. The proposed approach enables, provides for or manages the activities, facilities and structures that usually occur there, while ensuring that any associated effects are managed.

## 9. SUMMARY

This evaluation has been undertaken in accordance with Section 32 of the RMA in order to identify the need, benefits and costs and the appropriateness of the proposed approach having regard to its effectiveness and efficiency relative to other means in achieving the purpose of the RMA. The evaluation demonstrates that the proposed approach is the most appropriate option as:

- (a) The ***Open Space and Recreation Zones*** and provisions are in accordance with or give effect to the RMA, the National Planning Standards, and the RPS. The provisions recognise and take into account the Mahaanui Iwi Management Plan 2013. The zones and provisions are generally consistent with the District Plans of adjacent local authorities. In addition, the inclusion of the zones and provisions in the proposed District Plan is complementary to the functions of the Reserves Act and the District Council's reserve management plans and strategies prepared under it;
- (b) Specific objectives, policies, rules, standards, definitions and matters of control or discretion enable, provide for or manage the activities, facilities and structures that usually occur on open space and recreation land in the District, while ensuring that any associated effects are managed, according to the predominant character, amenity values, role and function of each zone;

- (c) The proposed approach, in particular the objectives and policies, will provide direction and guidance to decision makers regarding the intended outcomes for the ***Open Space and Recreation Zones***;
- (d) The proposed approach will sustain the potential of open space and recreation land as natural and physical resources for current and future generations, maintain amenity values and quality of the environment, and achieve Part 2 of the RMA.

Overall, it is considered that the proposed provisions are the most appropriate given that the benefits outweigh the costs, and there are considerable efficiencies to be gained from adopting the proposed provisions. The risks of acting are also clearly identifiable and limited in their extent.

## APPENDIX 1 Summary of Current Applicable Objectives, Policies and Methods

Operative Plan Section	Objectives	Policies	Rules/Standards
Residential Zones	17.1.1 <i>Residential Zones that provide for residents' health, safety and well-being and that provide a range of living environments with distinctive characteristics.</i>	17.1.1.1 <i>Maintain and enhance the characteristics of Residential Zones that give them their particular character and quality of environment....</i>	<ul style="list-style-type: none"> <li>• Noise</li> <li>• Glare</li> <li>• Hazardous substances</li> <li>• Signs</li> <li>• Density</li> <li>• Height</li> <li>• Setbacks</li> <li>• Recession planes</li> <li>• Access and parking</li> </ul>
		17.1.2.5 <i>Development that addresses any cumulative effects from increased residential density on the open space characteristics of the Residential 2 Zone.</i>	
		17.1.2.6 <i>Building style, scale and materials, open spaces and natural elements that are sympathetic to the neighbourhood in which they are situated and avoid the use of elements such as conspicuous signage, walls, fences or surface treatments that discourage integration with the wider residential area.</i>	
Rural Zones		14.1.2.1 <i>Provide for subdivision and/or dwellinghouse development..whilst...recognising the movement linkages, open space, outlook, rural character and physical separation between contained village areas and more intensive residential development in the Rural Zone</i>	<ul style="list-style-type: none"> <li>• Provision for the development of Pegasus as a new town to be linked to the restoration and</li> </ul>
		14.4.1.1 <i>Maintain and enhance the nature conservation...values of the Pegasus Rural Zone</i>	

Operative Plan Section	Objectives	Policies	Rules/Standards
			<p><i>enhancement of nature conservation...values on land adjoining the town</i></p> <ul style="list-style-type: none"> <li>• <i>Requirements for enhancement works on the eastern parts of the Pegasus Rural Zone</i></li> </ul>
<p><i>Health, Safety and Well-being</i></p>	<p><i>12.1.1</i>  <i>Maintain the amenity values and a quality of environment appropriate for different parts of the District which protects the health, safety and well-being of present and future generations, and ensure that any potential adverse environmental effects from buildings and structures, signs, glare, noise and hazardous substances are avoided or mitigated.</i></p>	<p><i>12.1.1.1 Structures</i>  <i>Maintain and enhance the positive contribution that buildings and structures, and the spaces between them, make to the character and amenity of urban areas where people reside, the neighbourhood and streetscape.</i></p>	<p>In addition to the above:</p> <ul style="list-style-type: none"> <li>• <i>Site coverage</i></li> <li>• <i>Landscaping/screening</i></li> <li>• <i>Noise</i></li> <li>• <i>Asset Management 12.1.1.1.2 - Maintenance of the streetscape and reserve areas and input into the design of new areas for residential development</i></li> <li>- <i>Parks Categories and Levels of Service</i></li> </ul>

## APPENDIX 2 Proposed Objectives and Policies

Objectives		
Natural Open Space Zone	Open Space Zone	Sport and Active Recreation Zone
<b>Predominant character, amenity values, role and function of the zone</b>		
<p><b>NOSZ-O1:</b> A <i>Natural Open Space Zone</i> where the predominant character, amenity values, role and function of the zone is characterised by:</p> <ol style="list-style-type: none"> <li>1. Undeveloped natural open spaces;</li> <li>2. Undeveloped coastal open spaces that include beaches, dunes, water bodies, wetlands, estuary margins, forest and parks;</li> <li>3. Minimal buildings and other structures;</li> <li>4. Activities compatible with the natural environment, location and intended use of the area;</li> <li>5. Natural character;</li> <li>6. Indigenous biodiversity;</li> <li>7. Recreation, lifesaving, coastguard, yacht and boating activities and structures; and</li> <li>8. Park management activities, park management facilities and conservation activities</li> </ol>	<p><b>OSZ-O1:</b> An <i>Open Space Zone</i> where the predominant character, amenity values, role and function of the zone is characterised by:</p> <ol style="list-style-type: none"> <li>1. Parks, playgrounds and informal recreation spaces of varying size and type in a range of locations, settings and communities, that complement and maintain amenity values;</li> <li>2. Compatible passive and active recreation activities;</li> <li>3. Limited built facilities and structures;</li> <li>4. Cemeteries functioning as memorial gardens with a park-like setting;</li> <li>5. Park management activities and park management facilities.</li> </ol>	<p><b>SARZ-O1:</b> A <i>Sport and Active Recreation Zone</i> where the predominant character, amenity values, role and function of the zone is characterised by:</p> <ol style="list-style-type: none"> <li>1. Indoor and outdoor sport and active recreation activities and ancillary activities and structures;</li> <li>2. A larger scale of built development;</li> <li>3. Compatible multi-functional use and co-location of activities and facilities;</li> <li>4. Larger events;</li> <li>5. Times of higher levels of environmental effects;</li> <li>6. Park management activities and park management facilities.</li> </ol>
<b>All Open Space and Recreation Zones</b>		
<p><b>OSRZ-O1: Purpose of Open Space and Recreation Zones</b></p> <p>Open Space and Recreation Zones that:</p> <ol style="list-style-type: none"> <li>1. Provide a range of types and sizes of open space and recreation areas and compatible recreation activities and structures to meet the current and future recreation needs and health and well-being of the District;</li> <li>2. Provide a high quality environment and enhanced opportunities for recreation;</li> <li>3. Are accessible and safe, and maintain and enhance connectivity and access;</li> <li>4. Enable multi-functional uses in specified locations; and</li> </ol>		

Objectives
5. Provide for the continuance of activities on specified remaining privately-owned pre-earthquake residential sites.
<p><b>OSRZ-O2: Character, amenity values, role and function of Open Space and Recreation Zones</b></p> <p>Activities and structures within Open Space and Recreation Zones are of a scale, form, design and location which:</p> <ol style="list-style-type: none"> <li>1. Maintain a predominance of open space, except for sites specifically dedicated to a larger scale of built development of recreation activities and structures, and are compatible with the role and anticipated use of the open space; and</li> <li>2. Maintain and, where possible, enhance amenity values.</li> </ol>

Policies		
Natural Open Space Zone	Open Space Zone	Sport and Active Recreation Zone
<p><b>NOSZ-P1: Activities and structures in the Natural Open Space Zone</b></p> <p>The predominant character, amenity values, role and function of the zone is maintained and, where possible, enhanced, by enabling or managing activities and structures in the zone in accordance with OSRZ-P1 and OSRZ-P2, with regard to achieving the outcomes sought in OSRZ-O1 and OSRZ-O2 and in particular NOSZ-O1.</p>	<p><b>OSZ-P1: Activities and structures in the Open Space Zone</b></p> <p>The predominant character, amenity values, role and function of the zone is maintained and, where possible, enhanced, by enabling or managing activities and structures in the zone in accordance with OSRZ-P1 and OSRZ-P2, with regard to achieving the outcomes sought in OSRZ-O1 and OSRZ-O2 and in particular OSZ-O1.</p>	<p><b>SARZ-P1: Activities and structures in the Sport and Active Recreation Zone</b></p> <p>The predominant character, amenity values, role and function of the zone is maintained and, where possible, enhanced, by enabling or managing activities and structures in the zone in accordance with OSRZ-P1 and OSRZ-P2, with regard to achieving the outcomes sought in OSRZ-O1 and OSRZ-O2 and in particular SARZ-O1.</p>
All Open Space and Recreation Zones		
<p><b>OSRZ-P1: Predominant character, amenity values, role and function of the zones</b></p> <p>In each of the Open Space and Recreation Zones:</p> <ol style="list-style-type: none"> <li>1. Enable activities and structures, including compatible multi-functional uses, compatible with the predominant character, amenity values, role and function of the zone.</li> <li>2. Manage activities and structures potentially incompatible with the predominant character, amenity values, role and function of the zone, only if they can be located, designed and managed with regard to actual or potential environmental effects.</li> <li>3. Avoid activities and structures incompatible with the predominant character, amenity values, role and function of the zone, where these will: <ol style="list-style-type: none"> <li>a. undermine the predominant character, amenity values, role and function of the zone;</li> </ol> </li> </ol>		

## Policies

- b. limit access to or the use of the zone for open space and recreation;
- c. adversely affect amenity values or safety;
- d. result in reverse sensitivity effects for, or lead to conflict with, existing activities within or adjoining the zone; and
- e. do not have a functional need or operational need to locate within the zone.

### OSRZ-P2: Environmental effects

Ensure activities and structures are compatible with the scale, layout, design and intended use of open space and recreation land, and adverse effects on amenity values and the wider community are avoided, remedied or mitigated, including by:

1. providing separation distances and minimising the number, type, bulk and location of structures;
2. ensuring the location, scale, layout, and design of structures within open spaces is consistent with the anticipated role, function and character of the open space;
3. limiting coverage of open space and recreation land by structures;
4. maintaining and enhancing, where practicable, accessibility of open spaces to communities, through the provision of: new parks, playgrounds and recreation spaces within a 500m radius of new residential allotments public entrances and access points; walking, cycling and riding paths; viewing points and bridges; and connectivity with the transport network;
5. designing open spaces and the structures within them to be as safe as practicable, taking into account the principles of CPTED;
6. the application of measures to avoid or mitigate actual or potential adverse environmental effects and to achieve or enhance positive effects;
7. restricting the type, duration, frequency and hours of operation of activities;
8. promoting the planting of indigenous vegetation naturally occurring within the ecological district in which the planting will take place, or of ecologically similar origin, for landscaping, screening, reinstatement purposes or conservation activities, to enhance local or regional indigenous biodiversity;
9. promoting:
  - a. the setback of earthworks or development within open spaces from the margins of water bodies;
  - b. the limiting of development adjacent to water bodies be limited to that which has a functional need or operational need to be located adjacent to water bodies;
  - c. rehabilitating the margins of water bodies including through the planting of indigenous vegetation naturally occurring within the ecological district in which the planting will take place, or of ecologically similar origin;
10. recognising that some infrastructure such as stormwater infrastructure may have a functional need or operational need to locate within the zone, but otherwise discouraging use of the zone as a location or route for infrastructure; and
11. enabling activities on sites in Appendix 'App1 Regeneration Area Remaining Private Residences and Alternate Zone' to continue where those activities and their effects are generally consistent with those anticipated in the Alternate Zone specified in App1, and any relevant District wide provisions.



## APPENDIX 3 Proposed Methods – Activity Rule Summary

Permitted Activities		
Natural Open Space Zone	Open Space Zone	Sport and Active Recreation Zone
Any activity on existing privately-owned remaining pre-earthquake residential sites	Any activity on existing privately-owned remaining pre-earthquake residential sites	Any activity on existing privately-owned remaining pre-earthquake residential sites
Construction or alteration of or addition to any building or other structure	Construction or alteration of or addition to any building or other structure	Construction or alteration of or addition to any building or other structure
Customary harvesting	Non-motorised recreation activities	Non-motorised recreation activities
Conservation activities	Conservation activities	Conservation activities
Non-motorised recreation activities	Park management activities	Park management activities
Park management activities	Park management facilities	Park management facilities
Park management facilities	Recreation facilities	Recreation facilities
Recreation facilities	Office ancillary to the management of a site in the <b>Open Space Zone</b>	Office ancillary to the management of a site in the <b>Sport and Active Recreation Zone</b>
Office ancillary to the management of a site in the <b>Natural Open Space Zone</b>	Residential activity ancillary to the management of a site in the <b>Open Space Zone</b>	Residential activity ancillary to the management of a site in the <b>Sport and Active Recreation Zone</b>
Residential activity ancillary to the management of a site in the <b>Natural Open Space Zone</b>	Public amenities	Public amenities
Public amenities	Food and beverage outlet	Food and beverage outlet
Food and beverage outlet	Grazing	Community facility
Grazing	Community facility	Cultural facility
Community facility	Cultural facility	Equestrian and ancillary activities and facilities
Cultural facility	Equestrian and ancillary activities and facilities	Major sports facility
Equestrian and ancillary activities and facilities	Cemetery	Ancillary sport and recreation services
Surf lifesaving activities		Retail activity (other than Food and beverage outlet)
Use of motor vehicles on beach areas		Conference and function facilities
Planting of vegetation		
Visitor accommodation		

<b>Controlled Activities</b>		
<b>Natural Open Space Zone</b>	<b>Open Space Zone</b>	<b>Sport and Active Recreation Zone</b>
Removal of a building or other structure		

<b>Restricted Discretionary Activities</b>		
<b>Natural Open Space Zone</b>	<b>Open Space Zone</b>	<b>Sport and Active Recreation Zone</b>
	Community garden	

<b>Discretionary Activities</b>		
<b>Natural Open Space Zone</b>	<b>Open Space Zone</b>	<b>Sport and Active Recreation Zone</b>
Emergency service facility	Emergency service facility	Emergency service facility
Any activity not provided for in the <b>Natural Open Space Zone</b> as a permitted, controlled, restricted discretionary, discretionary, non-complying or prohibited activity, except where expressly specified by a district-wide provision	Any activity not provided for in the <b>Open Space Zone</b> as a permitted, controlled, restricted discretionary, discretionary, non-complying or prohibited activity, except where expressly specified by a district-wide provision	Any activity not provided for in the <b>Sport and Active Recreation Zone</b> as a permitted, controlled, restricted discretionary, discretionary, non-complying or prohibited activity, except where expressly specified by a district-wide provision

<b>Non-complying Activities</b>		
<b>Natural Open Space Zone</b>	<b>Open Space Zone</b>	<b>Sport and Active Recreation Zone</b>
Motorised recreation activities or motorised sports facility	Motorised recreation activities or motorised sports facility	Motorised recreation activities or motorised sports facility
Major sports facility	Major sports facility	