



# SECTION 32 REPORT

## Open Space and Recreation Zones

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## **1 Executive Summary**

New Plymouth District's open space environments encompass a wide range of topography, uses and activities. They range from large recreational infrastructure sites such as the TSB Stadium to neighbourhood parks, to predominantly natural environments environments along rivers and streams.

Open space land is important in urban areas, providing relief from the built environment and opportunities for the community to interact with the landscapes that they value within the District. Development within these areas needs to be managed carefully to ensure that any effects on the natural and physical open space environment does not undermine the community's enjoyment of these spaces, nor the intrinsic value of the space itself.

The Operative District Plan acknowledges the importance of recognising and protecting open space assets for the community. The Plan manages open space land through four subzones: Open Space A, B and C Environment Areas and the Taranaki Port Open Space Environment Area. The different environment areas reflect different uses: organised sport and recreation; informal recreation (e.g. walking trails); high value natural heritage (e.g. the Sugar Loaf Islands). The Port Taranaki Open Space Zone recognises the cultural and recreational values associated with Ngāmotu Beach.

The open space provisions have been effective in achieving the overall existing District Plan objectives of ensuring activities do not adversely affect the environmental and amenity values of open space areas. There are several minor implementation issues that have been addressed through the District Plan Review and resulted in refinements to the zoning of specific sites and the strengthening of controls on out-of-zone activities and bulk and location standards.

The key resource management issues relating to open space are:

- Providing adequate land for each type of open space use, being a range of passive and active leisure and recreational activities.
- Ensuring open space zoned land is prioritised for open space uses.
- Ensuring open space areas are accessible and connected to other networks such as roads, cycleways and along waterbodies and the coast.

The key changes from the Operative District Plan include:

- The application of three Open Space sub-zones, in accordance with the National Planning Standards.
- Mapping corrections to a number of sites to accurately reflect their use.
- The listing of activities within the proposed Open Space Zones as opposed to relying totally on effects-based standards to control all activities.
- Tighter effects standards for buildings, permeable surfaces and setbacks from sensitive zones.

The Proposed Plan will provide better outcomes by delivering a range of open space environments for the community that reflect clear uses, limiting built development in the natural open space zone and restricting out of zone activities in all open space zones.

## **2 Introduction and Purpose**

This report contains a summary section 32 evaluation of the objectives, policies, and methods relating to open space in the Proposed New Plymouth District Plan. It is important to read this report in conjunction with the section 32 overview report which contains further information and evaluation about the overall approach and direction of the District Plan review and Proposed District Plan.

This report sets out the statutory and policy context for open space, the key resource management issues, specific consultation and approach to evaluation on this topic to decide on the proposed provisions. The report also includes a review of the existing plan provisions and an evaluation of alternative methods to achieve the purpose of the Resource Management Act (RMA) in relation to the open space topic.

The Proposed Plan also contains a Natural Environments Values section, and a Historic and Cultural Values section, and their subsequent chapters are related to and have some overlap with the open space topic. The evaluations for these chapters are set out in the Section 32 evaluation report specific to each topic.

## **3 Statutory and Policy Context**

### **3.1 Resource Management Act**

The Resource Management Act (RMA) sets out the functions of territorial authorities in Section 31. The key function for the district council is the integrated management of the use, development, or protection of land and associated natural and physical resources of the district. "*Natural and physical resources*" includes natural landforms, buildings and structures.

Section 6 of the RMA specifically requires that the Council recognise and provide for matters of national importance. The Section 6 matters of national importance relevant to the proposed open space provisions 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:*
- (g) the protection of protected customary rights.*

Section 7 of the RMA requires the Council to have particular regard to the following matters:

- (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:*
- (h) *the protection of the habitat of trout and salmon:*

The above matters are relevant when considering open space issues. Ensuring that the District Plan provides for the efficient and effective functioning of activities within these spaces is vital to the social and cultural wellbeing of the district.

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

### **3.2 National Planning Standards**

Released in April 2019, the purpose of the National Planning Standards (planning standards) is to improve consistency in plan and policy statement structure, format and content.

The standards were introduced as part of the 2017 amendments to the Resource Management Act 1991 (RMA). Their development is enabled by sections 58B–58J of the RMA. They support implementation of other national direction such as national policy statements and help people to comply with the procedural principles of the RMA.

As discussed in the Overview Report, the Proposed District Plan will give effect to the planning standards. Of particular relevance to the open space topic is the application of the planning template Open Space and Recreation Zones. The three zones use the following standardised definitions:

- **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.

### **3.3 Taranaki Regional Policy Statement (2010)**

Under Section 75(3)(c) of the RMA, the District Plan must give effect to the Regional Policy Statement. The Taranaki Regional Policy Statement (RPS) does not provide specific direction on the provision, protection or management of open space areas. However, it has a significant focus on maintaining and enhancing amenity values and contains the following policy that is highly relevant to the open space topic:

- **AMY POLICY 1**  
*The adverse effects of resource use and development on rural and urban amenity values will be avoided, remedied or mitigated and any positive effects on amenity*

*values promoted. Any positive effects of appropriate use and development will be fully considered and balanced against adverse effects.*

*Those qualities and characteristics that contribute to amenity values in the Taranaki region include:*

*(b) scenic, aesthetic, recreational and educational opportunities provided by parks, reserves, farmland, and other open spaces, rivers, lakes, wetlands and their margins, coastal areas and areas of vegetation;*

### **3.4 Iwi Environmental Management Plans**

For the purposes of the District Plan Review, Iwi Environmental Management Plans must be taken into account under Section 74 (2A) of the RMA. At the time of writing, there is one Iwi Environment Management Plan that has been lodged with the Council - Taiao, Taiora: An Iwi Environmental Management Plan for the Taranaki Rohe (2018).

Taiao, Taiora is a document for Taranaki Iwi to guide and inform decision making by the Iwi. It is structured into five sections, reflecting the interrelated natural systems. Taiao, Taiora sets out issues, objectives and policies and the section on Papatuanuku (the land) that includes the following relevant issue and objective:

*Issue 9.*

*Poorly designed subdivision and development can lead to unsustainable and inefficient land use, destruction of wahi tapu and other important sites, loss of access to areas ...*

*Objective 5.*

*The whenua will be cared for by Taranaki Iwi and others for mutual, reciprocal benefit for the whole community. Taranaki Iwi are seen as leaders in sustainable living and sustainable land management on our whenua;*

Taiao, Taiora clearly states that the Taranaki Iwi will not support any subdivision and development that adversely impacts the important cultural values associated with landscapes of importance to Taranaki Iwi (hapū, marae/pā).

The following Iwi Management Plans are in various stages of preparation and have been considered in the preparation of this report:

#### **3.4.1 Ko Tā Maniapoto Mahere Taiao, the Maniapoto Iwi Environmental Management Plan (2016). Under revision.**

Ko Tā Maniapoto Mahere Taiao (Draft) outlines the iwi's vision for environmental sustainability. The Plan describes issues, objectives, policies and actions, to protect, restore and enhance the relationship of Maniapoto with the environment; and also the social, cultural, spiritual and economic relationships. The Plan includes a section on Land (Part 18) which describes objectives, policies and actions.

The people of Maniapoto consider that they have disproportionately contributed to commercial development and the public good within the Maniapoto rohe and sacrificed lands, clean waterways, indigenous habitats and species to benefit community and economic development. The Plan notes a number of matters that are relevant to open space land:

- Concerns regarding negative impact of tourism activities, including freedom camping on reserve land;
- The potential for joint management of reserves in partnership with local government;
- Encouragement of the use of indigenous plants for public spaces, parks and reserves, including incorporate native riparian planting on esplanade reserves and strips in new and existing subdivisions.

#### 3.4.2 Ngāti Mutunga Iwi Environmental Management Plan (2016 update). Final draft provided; still under revision.

Ngāti Mutunga Iwi Environmental Management Plan has a goal to provide for sustainable management of the environment for the social, cultural, economic, and environmental wellbeing of the iwi. The Plan contains the following policies that are relevant to open space zoned land:

- Require the recognition of Ngāti Mutunga ownership of reserves by involving the Rūnanga as a partner in all decision making and planning relating to Ngāti Mutunga owned reserves;
- Require, as a condition of consent, any activity on a reserve to include suitable methods to protect wāhi tapu on or near reserves.

#### 3.4.3 Te Kotahitanga o Te Ātiawa, 2019, Tai Whenua, Tai Tangata, Tai Ao: Te Ātiawa Iwi Environmental Management Plan. Council has provided comments on the Draft.

Tai Whenua, Tai Tangata, Tai Ao is a document for Te Ātiawa Iwi reaffirming the iwi's role as kaitiaki. Its secondary role is to guide and assist councils and other agencies in understanding issues of significance to Te Ātiawa. It sets out the iwi's framework for engagement, guiding principles and issues and objectives relating to eight domains; guardianship; inland and coastal whenua; freshwater; coastal and marine environment; air and atmosphere; flora and fauna; wahi taonga, urupa and sites of significance to Māori; Taranaki maunga. The section on inland and coastal whenua contains the following policies that relate to open space zoned land:

- Use of indigenous species as street trees, in open space and reserves.
- Urban and landscape design should encourage and support a sense of community within developments, including the position of houses, appropriately designed fencing, sufficient open spaces, and provisions for community gardens.
- Sufficient open space is essential to community and cultural wellbeing, and the realisation of indigenous biodiversity objectives, and effective stormwater management.

### 3.5 Other Legislation, Guidance and Policy Documents

Other legislation and regulations that are relevant to open space and have been considered in preparing the Proposed Plan, are:

#### 3.5.1 The 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:

- 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 or scenic value. For example, the reserve may have value for recreation, education, as wildlife habitat or as an interesting landscape.
- 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.
- 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.

### 3.5.2 Marine and Coastal Area (Takutai Moana) Act (2011)

The Act recognises the rights of free public access over and through the common marine and coastal area and that the right of coastal navigation is recognised and protected.

### 3.5.3 Walking Access Act (2008)

The Act also influences public access around New Zealand, which was created to enhance and extend walking access throughout the country. The Walking Access Act sits alongside and does not duplicate existing RMA provisions. The New Zealand Walking Access Commission implements the Act and provides leadership on walking access issues. The Commission maps walking access routes, provides information to the public, has developed a code of responsible conduct, assists with dispute resolution and negotiates new walking access.

### 3.5.4 Regional Walkways and Cycleways Strategy for Taranaki (2007)

The Regional Walkways and Cycleways Strategy for Taranaki is a Taranaki Regional Council strategy to promote walking and cycling activities in the region, including access to freshwater and the coast. The strategy identifies priority locations for improving public access, and lists current and potential routes that would form a network offering access to the region's natural attractions and centres.

## 3.6 Local Policies, Plans and Strategies

### 3.6.1 New Plymouth District Strategic Framework

The vision for the New Plymouth Strategic Framework is Building a Lifestyle capital (He Whakatutu Haupū Rawa Hei Ahua Noho). The community outcomes this will achieve are: Putting people first (Aroha kit e Tangata), Caring for our place (Manaaki whenua, manaaki tangata, haere whakamua) and Supporting a prosperous community (Awhi mai, Wāhi atu, tatou katoa).

### 3.6.2 The New Plymouth District Blueprint

The Blueprint is a 30-year spatial plan for the district first adopted in June 2015. The key directions and associated high-level initiatives in the Blueprint relevant to the Open Space and Recreation Section and considered during the review of the provisions are:

- Environment – enhance the natural environment with biodiversity links and clean waterways.

- Communities – strengthen and connect local communities.
- Citizens – enable engaged and resilient citizens.
- Growth – direct a cohesive growth strategy that strengthens the city and townships.
- Economy – secure and strengthen the rural economy, industry, the port and airport.
- Talent – grow new economies that attract and retain entrepreneurs, talented workers, and visitors.
- City Centre – champion a thriving central city for all.
- Destination – become a world class destination.

### 3.6.3 Regional Economic Development – Tapuae Roa

Tapuae Roa–Make Way for Taranaki: *Taranaki Regional Economic Development Strategy*, August 2017 (Tapuae Roa) is a culmination of work undertaken by the district councils and regional council of Taranaki in partnership with Ngā Iwi o Taranaki. It is designed to feed into the Long-Term Plans of all the councils in the region, and influence public and private sector investment decision-making on future activities.

Tapuae Roa identifies the values of environmental sustainability, preparedness for future generations, liveability and resilience. A key theme running through the document is that lifestyle is recognised as a key factor in population attraction and retention. Goals to note in the document are the values around lifestyle and liveability; namely:

1. Talented people: “Taranaki is a place where talented people want to live.”
2. Attractive lifestyles: “The Taranaki lifestyle offering retains and attracts people.”

### 3.6.4 Open Space, Sport and Recreation Strategy (2015)

The Open Space, Sport and Recreation Strategy provides a strategic framework to plan for open space, sport and recreation for the community for the next 30 years. The Strategy has the following strategic goals:

1. Our spaces are appropriately located
2. Our spaces make it easy to exercise, play, socialise and relax
3. Recreation and open space contributes to community identity, vibrancy and sense of place
4. Facilities encourage ease of participation and maximise spectator enjoyment
5. The delivery of sport and recreation is supported
6. Our biodiversity and cultural heritage is protected and valued as an experience.

The strategy identifies New Plymouth District Council’s level of service for providing open space and recreation facilities that meet community recreational needs and working collaboratively with tangata whenua and heritage organisations. It includes criteria to guide decision making for buying or disposing of open space and identifies opportunities for improving and enhancing recreational opportunities.

The work done as part of the Strategy has informed the District Plan Review insofar as it identified gaps and oversupply in areas of the District, provided criteria for use in the Zone Audit and contributed to an understanding of the state of the environment

regarding open space provision. The Proposed District Plan is consistent with the Open Space, Sport and Recreation Strategy.

### 3.6.5 New Plymouth District Council General Policies for Reserves (2006)

This non-statutory Policies Document has been prepared to consolidate policies that apply to all reserves owned and/or administered by the Council. The document contains principles for reserve management:

- Parks and reserves will be managed to provide a diverse range of leisure opportunities that meet the formal and informal recreational needs of the community at large.
- Suitable infrastructure and ancillary services will be provided to enhance the experience of using reserves.
- Each reserve in the district will be managed to maintain or enhance its distinct set of amenity, recreational and/or natural values, as reflected in reserve management plans.
- Public health and safety is a paramount consideration in the planning and management of parks and reserves.
- Provision of access for all sectors of the community is a key consideration in the planning and management of council parks and reserves.
- Since reserves are a public resource, it is important to consult the public and consider their views when making decisions on matters that significantly affect reserves and their use.
- Tangata whenua have a distinct physical, historical and cultural relationship with reserve lands within their rohe which must be respected and considered through consultation.
- Management decisions related to reserves will consider the interests of reserve neighbours as well as reserve users.
- In managing its reserve estate, the council will seek to derive solutions that are of maximum benefit to the community as a whole.
- Reserves will be managed in an environmentally sustainable manner and to avoid, minimise and remedy damage to ecological values as a result of public access and use.

### 3.6.6 New Plymouth District Green Spaces Management Plan (2019)

The recently-adopted Green Spaces Management Plan is a management document for Council-owned reserves located on river and stream banks, which have been categorised into four major groups:

- Reserves located in New Plymouth and Bell Block. They are developed, with walking tracks and some with wide open spaces. These reserves include popular parks near rivers like Audrey Gale and the Te Henui Walkway.
- Reserves in New Plymouth City. These reserves have not been included in any other reserve management plan written in the last 12 years. This Plan has provided the opportunity for their inclusion.
- Reserves along stream banks in Bell Block and Inglewood as well as the Pukeho Domain and Uruti Domain.
- Isolated riverbank reserves that generally have no public access. They are managed by the neighbouring land owner, included in the land owner's farm,

industrial or residential activity as per prior to the transfer of land ownership. These reserves are not developed for public use.

### 3.6.7 Let's Go Project

In June 2010 the Council was one of two councils (the other being Hastings) awarded a combined \$7 million over two years to develop walking and cycling initiatives. The Council branded its project "Let's Go." Let's Go is all about getting the community to choose walking, cycling or the bus for short trips, instead of the car. It also aims to encourage people out of their cars and onto the district's spectacular shared pathways and streetscapes by making walking and cycling the easiest transport options. Initiatives have included improvements to roads, footpaths, walkways and bridges plus community programmes and travel planning. A further \$5 million has been awarded to further develop our on and off road networks and support community initiatives around the district.

## **4 Context, Research and Trends**

### **4.1 Operative District Plan Approach**

#### 4.1.1 Context

The Operative District Plan's approach to managing open space land is through four distinct sub-zones, or "Open Space Environment Areas". The intention behind creating Open Space A, B, C and Port Taranaki Open Space Environment Areas was to recognise the differing character of open space, and to manage the use and development within these spaces.

Open Space A is intended for organised sport and recreation, Open Space B for informal recreation (e.g. walking trails) and Open Space C comprises areas of high value natural heritage (e.g. the Sugar Loaf Islands). The Port Taranaki Open Space Environment Area recognises the cultural and recreational values associated with Ngāmotu Beach but signals that surrounding Port activities may be further developed in the future.

The Operative District Plan includes a chapter that is specific to the Open Space Environment Area and this zone group is managed through rules and standards.

The Open Space Environment Area differs from the other zones as it is not generally intended for building activities or accommodating residential development nor commercial or industrial enterprise. The Operative District Plan, places an emphasis on the main elements the community values and provides a mechanism for protecting that value.

Geographically, the Open Space Environment Areas are located within the District's urban areas and are predominantly on public land, with only a small percentage on privately-owned land.

#### 4.1.2 Operative District Plan Provisions

The Operative District Plan was created as an effects-based plan. This means that the Plan is based around environmental effects rather than the activities that generate them. The 'Management Strategy' of the Operative District Plan contains the

framework to manage open space in the District. The relevant Objectives and Policies are detailed below:

<b>Zone</b>	<b>Objectives</b>	<b>Policies</b>
<i>All</i>	Obj 1 To ensure activities do not adversely affect the environmental and amenity values of areas within the district or adversely affect existing activities.	1.1 Activities should be located in areas where their effects are compatible with the character of the area.
<i>All</i>	Obj 5 To maintain and enhance the character and coherence of the urban areas of the New Plymouth District.	5.1 The importance of open space areas to the community and the values associated with these areas should be recognised and provided for.
<i>Open Space Environment Areas</i>	Obj 8 To recognise and provide for differing open space requirements in the district in an integrated manner that ensures the character of open space areas are maintained.	8.1 Activities within OPEN SPACE ENVIRONMENT AREAS should not detract from or reduce the spatial amenity of those areas, having regard to the primary function of each area.

The Open Space provisions aim to enable appropriate development and associated activities to locate within the Open Space Environment Areas that are of a scale and intensity as to not undermine the function and amenity of these areas.

The Operative District Plan rules generally provide for limited development within the Open Space Environment Areas as a Permitted activity and where development does not meet relevant conditions for a Permitted activity, it is considered as a Restricted Discretionary or Discretionary activity. The bulk and location controls include height, site coverage and setbacks.

## **4.2 State of the Environment**

New Plymouth District is unique for its diversity of recreation and open spaces including beaches, walkways, rivers and streams, recreational trails, neighbourhood parks, swimming pools, playgrounds, skate parks, sports parks, bike parks, the mountain and cemeteries. The access that is available to these recreation and open spaces, to Mount Taranaki and to the sea forms part of the district's identity. These are important features that attract people to New Plymouth District.

Open spaces contribute positively to social, physical and mental wellbeing. They also have positive benefits for the local economy and help preserve and enhance the natural environment. Open spaces are used every day, both formally and informally, for organised markets and festivals, sports competitions, commuting to work and school, and general recreational use such family picnics. These spaces contribute to great lifestyle opportunities that attract people to the district and make them want to stay. Open spaces in the New Plymouth District hold a special place in the heart of residents and looking after these spaces enhances community pride.

The economic benefits that open space areas contribute to the district are significant. Use of the Bowl of Brooklands for concerts and the internationally-recognised WOMAD Festival is the premier example. The annual stone symposium on the Coastal Walkway, and the triathlons held at Port Taranaki are other examples. These temporary events

are subject to specific controls in the Proposed District Plan and are discussed in the Temporary Activities Section 32 Report.

The Coastal Walkway along the waterfront in New Plymouth is a major strategic open space asset that contributes to the region's identity. It is both a recreation space and one used by many in their daily commutes. Use and demand of the walkway continues to grow and planning is underway to extend the walkway to Waitara. The Coastal Walkway and the many other open space areas that perform a public access role to and along the coast and waterbodies are discussed further in the Public Access Section 32 Report.

The population of the New Plymouth District is increasing and is likely to continue to do so; it is important to ensure that there are adequate areas of zoned open space land to provide for the recreational and wellbeing needs of the population.

Over the last decade, there have been very few resource consent applications on open space land. This is due to the fundamental purposes of the environment areas as open space, recreation and leisure, with a corresponding lack of built development. Therefore, the state of the environment assessment has come from the Open Space Strategy research, the Zone Audit project, a recent survey of residents and the experience of those working within areas of the Council that are directly involved with the management of open space.

The Open Space, Sport and Recreation Strategy identified that over 89% of dwellings in the New Plymouth District are within 500m of a Council-owned open space. This suggests the accessibility to open space is very high, and the connectivity to the transport network is effective. There are some gaps identified in the Strategy where residential areas do not have a neighbourhood reserve in close proximity. One of these areas is western side of New Plymouth; however, the Strategy notes that the grounds of Spotswood Primary School and Francis Douglas College meet this gap. The Strategy identifies finite areas of oversupply and a proposal for their divestment from the Council's Property Portfolio is underway.

A community survey was carried out in March 2019 to gauge public perception of council services<sup>1</sup>. This survey concluded that the majority of New Plymouth residents are happy with the District's parks, green spaces and the Coastal Walkway. The phone survey of more than 400 residents found 94% were very or fairly satisfied with the quality of the District's parks and reserves, while 94% were also happy with how easy it is to access the district's natural environment.

As part of the District Plan Review, Council officers undertook a monitoring exercise that analysed the functionality of New Plymouth District's open space land by reviewing land uses, zone integrity, recent developments and containment. The aim of this Zone Audit was to gain a better understanding of how the overall environments were functioning and to identify areas where the functioning of the environment area could be improved through rezoning. Officers used methods including desktop analysis, discussions with Council's Park and Property departments and fieldwork observations.

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<sup>1</sup><https://www.newplymouthnz.com/en/Council/Council-Documents/News-and-Notices/2019/07/04/Parks-walkways-a-big-contributor-to-high-quality-of-life-in-New-Plymouth-District-survey-reveals>

The aim of these fieldwork visits was to observe:

- The characteristics of the area as a whole (i.e. connectivity, character and interface with other adjoining areas)
- The characteristics of sites contained within the area (i.e. use and utilisation design, condition)
- Whether there are any interface issues occurring.
- Containment issues were accessed by looking at the wider area to uncover whether inappropriate activities have located 'out of zone'.

Key findings relevant to the open space environment areas were:

- Generally, open space environment areas have maintained their integrity.
- There continues to be some risk of zones adjoining open space areas undermining the character and amenity of the open space environment areas.
- There is a very limited amount of open space zoned land that needs to be considered for rezoning.
- Some areas have important features or characteristics that add to the amenity or uniqueness of the place. Consideration needs to be given whether these can be better recognised or managed in the Proposed District Plan.

The Zone Audit noted there is limited evidence of out of zone activities establishing in the open space environment areas. An example of this is a recent 18 lot coastal subdivision on a privately owned parcel of Open Space B Environment Area land. In the absence of activity based controls within the zone, irrespective of the zone's intended use as a recreational space, this residential development was granted through the resource consent process.

The Zone Audit also noted that the Operative Plan includes sites that have multiple open space environment areas affecting the one land parcel. This split-zoning method has been particularly useful where sportsgrounds are within a general reserve area; the cricket ground at Pukekura Park is one such example. However, there are some instances when the multiple zonings have added confusion to a site and don't reflect the established use on the ground. This is highlighted in sites that have multiple open spaces zones assigned to an overall area, but the public use of the overall site only reflects one of the specific zones. Access strips between properties that remain public accesses, but have historically been zoned residential, have been noted and proposed for rezoning to open space through the District Plan Review. Furthermore, there are a finite number of sites for which the open space environment area was the closest zoning to their purpose. The WITT campus in New Plymouth and the Inglewood Oxidation Ponds are two such examples that would benefit from open space zoning being removed and replaced with a more appropriate zoning.

Based on this state of the environment monitoring and research, it is proposed to rezone approximately 80 land parcels throughout the District to an Open Space Zoning. The sites are almost all council owned or administered and are functioning as open space land already. Most of these sites are in the Residential and Rural zones. There are three sites that are in private ownership:

- 9 Saltash Street, New Plymouth. This is an industrial site with a Significant Natural Area (SNA) at the rear; the gully between the industrial component and the SNA is proposed as Open Space Zone.

- 9 Armstrong Avenue, Waitara. The site is currently rural land and is part of the planned urban expansion of Waitara. It is proposed for rezoning to General Residential with a Sport and Active Recreation zone component.
- 2 Paraita Road, Bell Block. This industrial site has road reserve at the end of Paraita Road Stump. It is proposed that this small portion of the site is zoned to Open Space zone.

### 4.3 Effectiveness of the Operative District Plan Approach

Overall the Operative District Plan's approach to the Open Space Environment Area has worked well. Open space activities have generally established in the areas zoned for open space and have reflected activities appropriate to the sub zone. There are several issues that have arisen during implementation of the Plan. These are summarised in the table below:

Issue	Comment	Response
Issue 1: Out of zone activities have the potential to undermine the purpose and function of the zones.	<p>New out of zone activities can reduce the opportunity for recreational activities and compromise open space values.</p> <p>With only several examples over the life of the Operative Plan, this is an issue of low probability but high impact if not addressed.</p>	Provision of greater direction through the District Plan, e.g. activity-based provisions.
Issue 2: The scale of development occurring on open space land is incompatible with the objective for the Environment Areas.	<p>The Operative District Plan permits up to 30% site coverage and does not stipulate a maximum gross floor area. The result of these controls is that a reasonably large scale development can occur without planning input as to the sensitivities both on and off site.</p> <p>As with Issue 1, this is an issue of low probability but high impact if not addressed.</p>	Review and update of all bulk and location controls, particularly gross floor area, permeability controls and setbacks controls from neighbouring residential zones.
Issue 3: Some Open Space Environment Areas do not reflect the use on the ground.	<p>There are instances of reserves with multiple open space zones, but only one type of use.</p> <p>There are instances of open space zoning on land that is not for open space purpose.</p>	<p>Appropriate zoning for land currently within the Open Space Environment Areas that better reflects the use of the spaces.</p> <p>Use of National Planning Standards zonings to ensure all land is appropriately zoned.</p>

#### **4.4 Effectiveness of Other Methods**

The management of open space is a broad issue and the Council has obligations under various pieces of legislation. All open space management cannot be adequately delivered through a single strategy, plan or programme. While, the resource management response to open space is contained in the District Plan, the Open Space, Sport and Recreation Strategy, the Green Spaces Management Plan and reserve management plans all play critical roles. In combination, they deliver a comprehensively planned, developed and maintained open space asset for the community.

### **5 Consultation**

#### **5.1 General Consultation**

Extensive consultation has been undertaken as part of this District Plan Review process with key stakeholders and the local community. Refer to the General Overview Section 32 Report for details on the methods that were used to carry out that consultation.

The Draft District Plan was first released for public comment in 2016, then again in 2018 through the 'feedback' process. Comments from the general community were received on the open space topic and are summarised below:

- Comments made about the need to open up further open space areas for passive recreational uses, for example, walking trails through some of the smaller natural open space areas.
- Suggestions made that some of the coastal open space areas need to be further developed to make them more accessible to elderly and people with prams and small children. The example given was some of the coastal open spaces areas in Fitzroy and that they lack infrastructure to make them accessible.
- Comments were noted that all hard surfaces in high use open space areas, such as recreational areas, need to be developed to ensure that all hard surfaces are permeable where possible. Overall, consideration should be given to the management and treatment of storm water during rain events to ensure it is adequately controlled/ catered for and waste (including general rubbish) is not transferred into water courses and sensitive features during these events.
- Feedback was given suggesting that the Council needs to consider the centralisation of recreational infrastructure. An example of this was shifting the Waiwhakaiho Netball courts to the TSB Stadium to ensure that traffic and transport can cater to the activity without adversely affecting the surrounding environment.
- Some specific feedback was received around features in the environment and the lack of specific sporting infrastructure. For example, more protection needs to be afforded to the Waiwhakaiho river mouth for its cultural significance and to more of the notable surf breaks. The absence of an equestrian facility was noted.
- Port Taranaki raised concerns that the Ngāmotu Beach area does not fit well into any of the open space zones proposed with the draft District Plan. The Port is privately owned and being used by the public as a finite measure until such time as it is required for Port Activities.
- The Department of Conservation noted the need to direct the management of the potential adverse effects to ensure natural open space remains compatible with the main function of the space.

- The Friends of Pukekura Park have made comment that it is important to not try to facilitate more events in the park than the park can accommodate. If 'wear and tear' from events gets too great, the park will lose its appeal.

The feedback from general consultation was considered during re-drafting of the objectives and policies, and consequent amendments to the provisions were made. In particular, feedback regarding the specific needs of the Port, providing for both of active and passive recreation, the need to restrict permeable surfaces and the need for greater protection of natural open space have led to redrafting and refinement of provisions. It is noted that some of the comments are beyond the scope of the District Plan, and are better addressed through mechanisms such as reserve management plans and events management.

## **5.2 Consultation with Iwi Authorities**

In addition to the general community feedback, Ngā Kaitiaki provided feedback on the Draft District Plan (2016) open space topic. The comments from Ngā Kaitiaki on the Draft Plan are summarised below:

- A recommendation was made that Council must better understand the history of each reserve, both how they came to be acquired and the cultural history, in order to ensure that these values underpin the decision making managing these reserves and that all relevant documents that play a part in this management are co-ordinated.
- The need to create sub-zone specific objectives to better reflect the desired outcomes of each open space zone. At the time of consultation the objectives were shared across the three sub zones.
- A recommendation was made that an objective be included, for all open space zones, to read that design and development should reflect the values of tangata whenua.
- Ngā Kaitiaki questioned objective OSZ-O2 whereby it states that public access needs to be maintained to open space, including the maintenance to allow for this access, yet the values, including cultural, are to be retained. They are of the belief that these are two different outcomes within the same objective.
- It was requested that Pa/Marae and Papakainga, when referred to in the Plan, be referred to as Māori Purpose Activities, to be consistent with the rest of the Plan. Furthermore it was suggested that clarity needs to be given to Māori Purpose Activities in the Open Space Zone as living activities are to be avoided in the wording of the policies, but presumably this does not include Māori Purpose Activities.
- Finally it was recommended that the policies reflect the relationship that tangata whenua have with reserve land and the need to be involved with the design, development and operation of activities on these lands.

The feedback from Ngā Kaitiaki was considered during re-drafting of the objectives and policies, and consequent amendments to the provisions were made. In particular, the values in the objectives and policies include reference to incorporating and reflecting mātauranga māori principles, providing opportunities for tangata whenua to use open spaces for customary and cultural activities, and providing opportunity for historic heritage to be experienced.

In addition to changes/additions to the objectives, policy changes were made to exclude Pa/marae and papakainga activities from 'living activities' which are incompatible with the role, function and predominant character of the Natural Open Space Zone.

## **6 Key Resource Management Issues**

Open Space areas within the District add significant value to the community and need to be managed, enhanced and protected for future generations. Amenity levels within open space areas are very high and maintaining these levels is a fundamental element in the management and protection of these areas. Development within open space areas needs to be managed carefully to ensure that any effects on the natural and physical open space environment does not undermine the community's enjoyment of these spaces, nor the intrinsic value of the space itself.

The key resource management issues facing open space in the New Plymouth District are:

- Providing adequate land for each type of open space use, being a range of passive and active leisure and recreational activities.
- Ensuring open space zoned land is prioritised for open space uses.
- Ensuring open space areas are accessible and connected to other networks such as roads, cycleways and along waterbodies and the coast.

## **7 Proposed District Plan Provisions (Objectives, Policies and Methods/Rules)**

### **7.1 Strategic Objectives**

The applicability/relevance of all the proposed Strategic Objectives will need to be considered for all development proposals requiring resource consent under the Proposed District Plan: Strategic Objectives HC-1 to HC-3 in relation to Historic and Cultural Matters, Strategic Objectives NE-4 to NE-7 in relation to Natural Environment Matters, Strategic Objectives TW-8 to TW-12 in relation to Tangata Whenua matters and Strategic Objectives UFD-13 to UFD-24 in relation to Urban Form and Development Matters are all of relevance to the open space provisions.

### **7.2 Zone Structure**

The Proposed District Plan seeks to rename three open space areas in the District from Open Space A, B or C to either Natural Open Space, Open Space or Sport and Active Recreation Open Space. This aligns with the National Planning Standards. While these open spaces areas in the District are subject to a change in name of the zone, they are not generally considered "rezoned" for the purposes of this s32 report. To be clear, a "rezoned" site is when the current Operative District Plan Environment Area (e.g. Residential or Industrial) is to be changed to another zone with an entirely different role and function, in this case Open Space.

The Port Taranaki Open Space Environment Area has been similarly rezoned. Through the proposed changes to the zoning of major industrial facilities, the entire Port area is proposed to be rezoned from a mix of zones (one of which was open space) to a single Special Purpose Zone, with an associated Port Precinct Map. That Precinct Map

includes an area described as “Ngāmotu Beach Area” that largely corresponds to the former Port Taranaki Open Space Environment Area in the Operative District Plan. This open space area holds a lot of cultural, historical and social value within the community and the Special Purpose Zone contains provisions to reflect these values. The Port Zone Section 32 Report provides analysis on the proposed provisions for that Zone.

As identified through state of the environment monitoring, there are a number of sites that require genuine rezoning to reflect their land use and better align with the zonings offered by the Proposed District Plan.

The Proposed District Plan includes the following amount of open space land throughout the District:

<b>Zone</b>	<b>Area (ha)</b>
Natural Open Space Zone	215
Open Space Zone	633
Sport And Active Recreation Zone	342
Total	1190

This is a considerable amount of land to provide for a range of passive and active leisure and recreational activities, without the need to rezone further areas of open space. The recent survey of residents, discussed in Section 4.2, further reinforces the quality and accessibility of the District’s open space land.

### **7.3 Objectives and Policies**

The main driver for the objectives and policies of the open space zones is the desire to document, with greater clarity and precision, what the Plan is seeking to achieve in each zone and how it expects those objectives to be met. More consistent interpretation of the Plan is expected to occur as a result of the revised objectives and policies. The proposed provisions are set out in three Open Space and Recreation Zone Chapters of the Proposed New Plymouth District Plan. These provisions should be referred to in conjunction with this evaluation report. In summary, the proposed Objectives and Policies comprise:

#### **7.3.1 Natural Open Space Zone**

- Undeveloped open areas and expanses of land containing minimal buildings.
- Natural open space areas are available to the public to use and enjoy, for leisure and cultural activities.
- The role, function and character and amenity of the Zone is not compromised by incompatible activities or built form.
- Open spaces incorporate and reflect mātauranga māori principles.

#### **7.3.2 Open Space Zone**

- Open space areas are predominantly used by the public for sport and recreation and cultural activities.
- The role, function, character and amenity values of the Zone is not compromised by incompatible activities or built form.

- Open space land is used efficiently and the number and scale of buildings is limited.
- Open spaces incorporate and reflect mātauranga māori principles.

### 7.3.3 Sport and Active Recreation Zone

- Sport and recreation areas are predominantly used by the public for leisure, sport and recreation, community and cultural activities.
- The role, function and character and amenity values of the Zone is not compromised by incompatible activities or built form.
- Open space land is used efficiently and the number and scale of buildings is limited.
- Open spaces incorporate and reflect mātauranga māori principles.

## 7.4 Rules

7.4.1 Permitted activity rules provide for the following activities, subject to standards:

<b>Natural Open Space</b>	<b>Open Space</b>	<b>Sport and Active Recreation</b>
<ul style="list-style-type: none"> <li>• Leisure activities</li> <li>• Conservation activities</li> <li>• Customary activities</li> </ul>	<ul style="list-style-type: none"> <li>• Sport and recreation activities</li> <li>• Leisure activities</li> <li>• Conservation activities</li> <li>• Camping grounds</li> <li>• Māori cultural activities</li> <li>• Building activities</li> <li>• Relocation of a building</li> <li>• Any other activity not otherwise listed in the Chapter</li> </ul>	<ul style="list-style-type: none"> <li>• Sport and recreation activities</li> <li>• Leisure activities</li> <li>• Conservation activities</li> <li>• Community activities</li> <li>• Ancillary activities</li> <li>• Customary activities</li> <li>• Building activities</li> <li>• Relocation of a building</li> <li>• Any other activity not otherwise listed in the Chapter</li> </ul>

7.4.2 Restricted Discretionary activity rules manage the following activities:

<b>Natural Open Space</b>	<b>Open Space</b>	<b>Sport and Active Recreation</b>
<ul style="list-style-type: none"> <li>• Pa/Marae</li> <li>• Papakaianga</li> <li>• Kohanga reo, cultural education and research facilities</li> <li>• Building activities</li> <li>• Relocation of a building</li> </ul>	N/A	N/A

7.4.3 Discretionary activity rules manage the following activities:

<b>Natural Open Space</b>	<b>Open Space</b>	<b>Sport and Active Recreation</b>
<ul style="list-style-type: none"> <li>• Education facilities</li> <li>• Community facilities</li> <li>• Medical and health activities</li> <li>• Commercial activities</li> <li>• Commercial service activities</li> <li>• Camping grounds</li> <li>• Any other activity not otherwise listed in the Chapter</li> </ul>	<ul style="list-style-type: none"> <li>• Education activities</li> <li>• Community facilities</li> <li>• Medical and health activities</li> <li>• Commercial activities</li> <li>• Commercial service activities</li> </ul>	<ul style="list-style-type: none"> <li>• Camping grounds</li> <li>• Visitor accommodation</li> <li>• Pa/marae</li> <li>• Papakaianga</li> <li>• Medical and health service activities</li> <li>• Education facilities</li> <li>• Commercial activities</li> <li>• Commercial service activities</li> </ul>

7.4.4 Non-complying activity rules manage the following activities:

<b>Natural Open Space</b>	<b>Open Space</b>	<b>Sport and Active Recreation</b>
<ul style="list-style-type: none"> <li>• Living activities (except pa/marae and papakaianga housing)</li> <li>• Rural industry activities</li> <li>• Industrial activities</li> </ul>	<ul style="list-style-type: none"> <li>• Living activities (except pa/marae and papakaianga housing)</li> <li>• Rural industry activities</li> <li>• Industrial activities</li> </ul>	<ul style="list-style-type: none"> <li>• Living activities (except pa/marae and papakaianga housing)</li> <li>• Rural industry activities</li> <li>• Industrial activities</li> </ul>

## 7.5 Effects Standards

The effects standards listed below cover a range of parameters, including height, site coverage and setbacks. In most cases the Operative District Plan standard has been tightened to promote better outcomes. This includes greater controls on site coverage and gross floor area, as well as setbacks from sensitive zones. The Effects Standards across all three Open Space zones cover the following matters:

- Maximum building height.
- Maximum site coverage.
- Maximum gross floor area.
- Height in relation to boundary.
- Minimum building setbacks.
- Minimum landscaped permeable surface area.

## 8 Approach to Evaluation

The Act requires that this 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 this proposal.

The section of the RMA requires that:

- New proposals must be examined for their appropriateness in achieving the purpose of the RMA.
- The benefits and costs, and risks of new policies and rules on the community, the economy and the environment need to be clearly identified and assessed.
- All advice received from iwi authorities and the response to the advice needs to be summarised.
- The analysis must be documented, so stakeholders and decision-makers can understand the rationale for policy choices.

### 8.1 Evaluation of Scale and Significance

	Minor	Low	Medium	High
Degree of change from the Operative Plan.		✓		
Effects on matters of national importance			✓	
Scale of effects – geographically (local, district wide, regional, national).		✓		
Scale of effects on people (how many will be affected – single landowners, multiple landowners, neighbourhoods, the public generally, future generations?).		✓		
Scale of effects on those with specific interests, e.g., Tangata Whenua.			✓	
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?		✓		
Likelihood of increased costs or restrictions on individuals, communities or businesses.		✓		

### 8.2 Explanation Summary

Overall, it is considered that the scale and significance of the proposed open space provisions are low to moderate. The level of detail in this report corresponds with the scale and significance of the environmental, economic and cultural effects that are anticipated from the implementation of the proposed open space provisions.

In summary:

- Due to the location of much of the open space zoned land, particularly, the Natural Open Space Zone, the proposal relates to many section 6 RMA matters of national

importance. The zoning itself is a means of recognising and protecting the following matters of national importance:

- (f) 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:
  - (g) the protection of outstanding natural features and landscapes from inappropriate subdivision, use, and development:
  - (h) the protection of areas of significant indigenous vegetation and significant habitats of indigenous fauna:
  - (i) the maintenance and enhancement of public access to and along the coastal marine area, lakes, and rivers:
  - (j) the relationship of Māori and their culture and traditions with their ancestral lands, water, sites, waahi tapu, and other taonga:
  - (h) the protection of protected customary rights.
- The proposal will assist the Council in achieving its obligations under section 7 of the RMA by setting out a policy framework for the efficient use, development and management of the open space areas of the District whilst maintaining the amenity and quality of the environment and enabling the benefits to be derived from the use, protection and development of the area.
  - The proposal does not affect any section 8 RMA matters.
  - The open space zones follow the zoning standard and definitions set out in the National Planning Standards 2019.
  - The proposal introduces a revised regulatory framework for activities, which is a focused approach across the Proposed District Plan.
  - The policy framework in relation to the management of open space-based activities will be of interest to some individuals, community groups, sports groups and organisations, many of whom have an express interest in the open space area of the District for personal, community and/or cultural reasons.
  - The technical standards such as height, site coverage, setbacks are generally being retained (albeit in some cases tightened, simplified and streamlined).
  - The wider community and tangata whenua are likely to be affected positively by the proposed changes as they are expected to result in improved outcomes, creating high quality open space environments for people to live, work and play.
  - The proposal is consistent with current practice adopted in other recent second generation plans by other local authorities managing similar issues.
  - Aside from some minor rezoning to reflect existing land uses, there is little spatial change. The geographic scale of change is low.

## 9 Evaluation of Objectives

Existing Objective(s)	Appropriateness to achieve the purpose of the Act
<p>Objective 1: To ensure activities do not adversely affect the environmental and amenity values of areas within the district or adversely affect existing activities.</p> <p>Objective 5: To maintain and enhance the character and coherence of the urban areas of the New Plymouth District.</p> <p>Objective 8: To recognise and provide for differing open space requirements in the district in an integrated manner that ensures the character of open space areas are maintained.</p>	<p>Objective 1 is an overarching objective of the Operative District Plan which aims to protect amenity throughout the District. The value perceived in Open Space is heavily reliant on maintaining amenity both within the Open Space zones and in and in relation to zone adjoining Open Space. As protecting and maintaining amenity is a core function of the RMA, This objective needs to be retained in some form, through the revision of the District Plan.</p> <p>Objective 5 aims to ensure that Open Space maintains its role with the urban areas of the New Plymouth District as an added value to the District as a whole, while Objective 8 aims to manage the onsite effects of activity and development within the Open Space environments of the District.</p> <p>Overall, the objectives of the Operative District Plan are addressing some of the relevant resource management issues. They provide generally for the Open Space environment as a whole with the aim of maintaining amenity and character without adversely affecting the wider environment nor the values that held by the community and the cohesion of the District.</p> <p>The existing objectives do not however address the specific values of the differing Open Space environments and how to balance these values throughout the District. For example, ensuring that development within an Open Space environment is consistent with the primary purpose of that open space.</p> <p>Furthermore that existing objectives do not consider and support the aspirations and values of tangata whenua.</p>

Proposed Objective(s)	Appropriateness to achieve the purpose of the Act
<p>There are four Proposed Objectives for each of the three Open Space Zones and they can be grouped as follows:</p> <p><u>Predominant Use:</u></p> <p><b>Natural Open Space:</b> Natural open space areas are available to the public to use and enjoy for leisure and cultural activities.</p> <p><b>Open Space:</b> Open space areas are predominantly used by the public for, and characterised by leisure, sport and recreation and cultural activities.</p> <p><b>Sports and Active Recreation:</b> Sport and active recreation open space areas are predominantly used by the public for, and characterised by, leisure, sport and recreation, community and cultural activities.</p> <p><u>Role, Function and Character:</u></p> <p><b>All three zones</b> The role, function and predominant character and amenity of the Zone is not compromised by incompatible activities and/or built form.</p> <p><u>Built Development:</u></p> <p><b>Natural Open Space</b> Undeveloped open areas and expanses of land containing minimal buildings are the predominant characteristic of the Natural Open Space Zone.</p> <p><b>Open Space, Sports and Active Recreation</b> Land is used efficiently and the number and scale of buildings is limited.</p>	<p>The purpose of the RMA is to promote the sustainable management of natural and physical resources by managing the use, development and protection of physical resources in a way which enables people and communities to provide for their social, economic and cultural well-being.</p> <p>The objectives specifically and clearly set out the outcomes anticipated by the Proposed District Plan in relation to Open Space, and addresses the resource management issues identified in Section 6 of this report. In particular, the delivery of a range of open space options to the community for their leisure and recreational needs, the protection of those open space functions from other alternative land uses establishing in the zone and the imperative that open space areas are accessible and connected.</p> <p>These objectives apply district-wide and give specific recognition to open space as a necessity for the District which need to be planned for and maintained in a way that enables the growth, development and economic well-being of the district. The objectives balance the management of these spaces with the principle/overarching goal of minimising adverse effects on the environment.</p> <p>The proposed objectives provide plan users and decision makers with certainty as to the outcomes that are appropriate under the District Plan provisions, and are considered reasonable and achievable, and consistent with the objectives of other similar 2<sup>nd</sup> generation district plans.</p> <p>The objectives will sustain the potential of physical resources for current and future generations, and maintains and enhances amenity values and quality of the environment. The objectives will achieve the purpose of the RMA.</p>

Proposed Objective(s)	Appropriateness to achieve the purpose of the Act
<p>Cultural (tangata whenua) values:</p> <p><b>All three zones</b></p> <p>Open spaces incorporate and reflect mātauranga māori principles and provide opportunities for tangata whenua to use open spaces for customary and Māori cultural activities and opportunities for residents and visitors to experience and appreciate Māori historic heritage.</p>	

Evaluation of Alternative Options	Appropriateness to achieve the purpose of the Act
<p>Do not include objectives for open space environments.</p>	<p>This option would hinder decision makers when assessing resource consent applications as they would have little guidance on what outcomes are expected for open space areas. It would also fail to properly recognise the community, amenity, historical or cultural (including tangata whenua) values that open space areas can contribute to the district, including community identity. This option would not deliver on the requirements of section 6 of the RMA or the National Planning Standards.</p>

<p><b>Summary</b></p> <p>The proposed objectives will achieve the purpose of the RMA as they provide clear statements of intent that recognise the value of open space areas to the community and protect them from inappropriate subdivision, use and development. They define the anticipated environmental outcomes for the open space environment and provide certainty about those outcomes for decision-makers, plan users and the community. The proposed objectives are aligned with best practice throughout New Zealand.</p>
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## 10 Evaluation of Options to Achieve the Objectives

Options to achieve the District Plan objectives relating to Open Space	Benefits	Costs	Efficiency and Effectiveness	Risks of acting/ not acting
<p><b>Option A: Proposed approach</b></p> <ul style="list-style-type: none"> <li>• Three Open Space chapters in the District Plan, reflecting different use and values.</li> <li>• Objectives and Policies that emphasise and address zone integrity by reinforcing the role and function of the Open Spaces zones</li> <li>• Clear lists of activities that are compatible or incompatible with the character of each zone.</li> <li>• The retention and/or tightening of the bulk and location effects standards for buildings, permeable surfaces and setbacks.</li> </ul>	<ul style="list-style-type: none"> <li>• Maintain and protect the value place on the open space environment by the community.</li> <li>• Clear direction in the policy framework of outcomes expected in respect of amenity and character of each Open Space Zone.</li> <li>• Standards provide certainty in terms of the level of effects that can be generated. This also benefits neighbours in relation to unreasonable impacts.</li> <li>• The provisions identify those activities which have the potential to create reverse sensitivity effects and minimises the potential for these to occur.</li> <li>• It is anticipated that there will be similar compliance and regulatory costs to the status quo.</li> </ul>	<ul style="list-style-type: none"> <li>• Some open space activities, including buildings, will have some degree of effect on the environment even though policy support is provided where they are managed through resource consent processes and conditions.</li> <li>• May potentially impact on some open space landowners' individual land use plans as the proposed provisions are less liberal than the Operative Plan.</li> <li>• Activity lists with rules/standards may potentially limit some activities and development, particularly if they are not anticipated in the open space environment.</li> </ul>	<ul style="list-style-type: none"> <li>• The costs of the approach are outweighed by the benefits. Overall the policy and method approaches are efficient.</li> <li>• This approach addresses current issues, in particular providing appropriate assessment criteria to enable a complete assessment of possible environmental effects based on experience. The approach achieves the proposed objectives in an efficient and effective manner by providing a balance between management of adverse effects and enabling appropriate activities to occur.</li> <li>• This approach will be effective in that it clearly defines the purpose and uses</li> </ul>	<ul style="list-style-type: none"> <li>• The risk of not acting is that the open space environment provisions will not align with the rest of the Proposed District Plan to include activity status and will retain risk in relation to inappropriate development and or activities and development not aligning with the values community place on these areas.</li> <li>• The risk of not acting is therefore high.</li> <li>• Overall, it is considered that there is sufficient information to act.</li> </ul>

Options to achieve the District Plan objectives relating to Open Space	Benefits	Costs	Efficiency and Effectiveness	Risks of acting/not acting
	<ul style="list-style-type: none"> <li>• Clear direction means that users of the Proposed District Plan will have upfront understanding of the provisions thus reducing the need for monitoring and compliance determination, which reduces further compliance costs.</li> <li>• Streamlined, simplified rules/standards that are easier for plan users to interpret and apply. The reduction in ambiguity is expected to result in increased compliance and effective compliance monitoring.</li> <li>• Approach is in accordance with the comments from Ngā Kaitiaki.</li> </ul>	<ul style="list-style-type: none"> <li>• Initial uncertainty through change in the District Plan structure and policy framework for the Open Space zones, may result in higher compliance costs and associated time for a short period of time until familiarity is achieved.</li> <li>• A slightly more regulatory approach to the open space environment will not increase the social or cultural costs on the community.</li> </ul>	<p>provided for in the Open Space zones for decisions makers, investors and residents and enables appropriate assessment of environmental effects of the proposal.</p> <ul style="list-style-type: none"> <li>•</li> <li>• The approach is streamlined through simplified rules that are easier for the Proposed District Plan users to interpret and apply.</li> </ul>	
<p><b>Option B: Status quo regulatory approach</b></p> <ul style="list-style-type: none"> <li>• Retention of Operative District Plan approach set out in Section 4 of this report, with four open space environment areas and</li> </ul>	<ul style="list-style-type: none"> <li>• Plan users know and understand the existing provisions of the Operative District Plan.</li> <li>• Potential for lower regulatory costs to the customer due to absence of onerous effects standards, such as gross floor area and</li> </ul>	<p>A potential for a loss of value within the Open Space environment with ongoing potential for alnd buildings and/or out of zone activities</p>	<p>This approach has been proven to be effective and efficient, but this Review has identified refinements that will better deliver on the resource management issues and increase the effectiveness through streamlining and focused effects standards.</p>	<ul style="list-style-type: none"> <li>• The risk of acting on these status quo provisions is that:</li> <li>• The current policy framework lacks detail and specific direction on management of Open Space assets and</li> </ul>

Options to achieve the District Plan objectives relating to Open Space	Benefits	Costs	Efficiency and Effectiveness	Risks of acting/not acting
associated rules and standards.	permeability controls and less restrictive controls in relation to zone boundary setbacks.	The values held by tangata whenua are not provided for.		<p>the protection of community values;</p> <ul style="list-style-type: none"> <li>• The current planning framework could be enhanced to reflect best practice.</li> <li>• It is considered that the risk of acting on these provisions outweighs the risk of not acting. There is sufficient information not to act on this approach.</li> </ul>
<p><b>Quantification</b> 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 s32 evaluation processes. 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>				
<p><b>Summary</b> The above table demonstrates that Option A is the most appropriate method for ensuring that open space development and activities results in a well-managed and accessible open space sector with a clearly defined role and function whilst maintaining the predominant character and amenity of the area and minimising adverse effects on the environment. Therefore, a revised approach as set out in Option A and Section 7 is proposed.</p>				

## **11 Summary**

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

- The objective and policies provide direction and certainty to plan users on the outcomes expected in the open space environment.
- There is a focus on reinforcing the role and function of open space land to ensure that these resources continue to be recognised and protected for the value they add to the community.
- Zone integrity is maintained through a framework to enable appropriate discretion to be placed on out of zone activities to ensure that built development is limited.

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