



Te Kaunihera o
Te Awa Kairangi ki Uta
Upper Hutt City Council

Proposed Plan Change 49

Open Spaces

SECTION 32 REPORT | AUGUST 2021





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Open Spaces

Section 32 Evaluation Report

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Prepared By: Owen Jeffreys (Intermediate Policy Planner)

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Part 1: Introduction and Overview to s32 evaluation

1.0 Introduction

- 1.1** Upper Hutt City Council (UHCC) has prepared Proposed Plan Change 49 to the Upper Hutt District Plan (the District Plan) for notification under the Resource Management Act 1991 (the RMA). This report provides an analysis of the plan change, in accordance with Section 32 of the RMA.
- 1.2** Plan Change 49 is a review of the Open Space Zone and associated provisions within the operative District Plan. The objective of the plan change is to appropriately zone the open spaces of Upper Hutt and develop a provisions framework which enables appropriate activities. In addition, the provisions appropriately control development within open spaces, aligning with the Councils Open Space Strategy and the requirements of the RMA. Under Plan Change 49 the existing Open Space Zone will be split into the Natural Open Space Zone, the Open Space Zone, and the Sport and Active Recreation Zone.
- 1.3** Upper Hutt City Council is currently undergoing a rolling review of the Operative District Plan. As such, there are several plan changes currently in development, including:
- Plan Change 47- Natural Hazards
 - Plan Change 48- Significant Natural Areas and Landscapes
 - Plan Change 50- Rural and Residential review
 - Plan Change 53- Heritage Review
 - Plan Change 54- Mixed Use and Commercial
 - Plan Change 55- Noise
- 1.4** Part 1 of this s32 evaluation report provides an overarching introduction to the purpose of a s32 evaluation, the legislative requirements and an overview of the process that the Council has undertaken to date through this plan change process. Part 2 of the evaluation report contains an evaluation of the issues identified and the plan change response.
- 1.5** For the purposes of preparing this plan change, the Council has chosen to use the standard Schedule 1 process as opposed to the optional streamlined or collaborative alternatives now available under sections 80B – 80C of the RMA. The reasons for selecting this approach include:
- The collaborative approach has not been undertaken for this plan change as the overall scale and complexity of the proposed change is not considered sufficient to warrant the need for extensive consultation at the start of the process. Instead, pre-consultation has been undertaken with selected statutory parties and stakeholders before the notification of the plan change.
 - The streamlined process has not been used for this plan change as the entry criteria, as detailed in section 80C of the RMA, have not been met. As the proposed plan change does not meet these criteria, the streamlined process is not an available option.

2.0 Section 32

- 2.1** The overarching purpose of s32 of the Resource Management Act 1991 is to ensure that any proposed District Plan provisions are robust, evidence-based and the best means to achieve the purpose of the Act. To that end, the Council is required to undertake an evaluation of any proposed District Plan provisions before notifying those provisions. The s32 evaluation report provides the reasoning and rationale for the proposed provisions and should be read in conjunction with those provisions.
- 2.2** Section 32(1) of the RMA requires that, before the Council publicly notifies a proposed change to a district plan, it must examine:
- (a) the extent to which the objectives of the proposal being evaluated are the most appropriate way to achieve the purpose of this Act; and*
 - (b) whether the provisions in the proposal are the most appropriate way to achieve the objectives by—*
 - (i) identifying other reasonably practicable options for achieving the objectives; and*
 - (ii) assessing the efficiency and effectiveness of the provisions in achieving the objectives; and*
 - (iii) summarising the reasons for deciding on the provisions;”.*
- 2.3** The evaluation report must also contain a level of detail that:
- (c) corresponds to the scale and significance of the environmental, economic, social, and cultural effects that are anticipated from the implementation of the proposal.*
- 2.4** When assessing efficiency and effectiveness of the provisions in achieving the objectives of the proposed plan the report must under s32(2):
- (a) identify and assess the benefits and costs of the environmental, economic, social, and cultural effects that are anticipated from the implementation of the provisions, including the opportunities for—*
 - (i) economic growth that are anticipated to be provided or reduced; and*
 - (ii) employment that are anticipated to be provided or reduced; and*
 - (b) if practicable, quantify the benefits and costs referred to in paragraph (a); and*
 - (c) assess the risk of acting or not acting if there is uncertain or insufficient information about the subject matter of the provisions.”*
- 2.5** Additionally, under s32(4A), the report must also:
- (a) summarise all advice concerning the proposal received from iwi authorities under the relevant provisions of Schedule 1; and*
 - (b) summarise the response to the advice, including any provisions of the proposal that are intended to give effect to the advice.”*

3.0 Statutory framework

- 3.1** The purpose of the RMA is to promote the sustainable management of natural and physical resources. Sustainable management means:
- “Managing the use, development and protection of natural and physical resources in a way, or at a rate, which enables people and communities to provide for their social, economic, and cultural well-being and for their health and safety while –*
- (a) Sustaining the potential of natural and physical resources (excluding minerals) to meet the reasonably foreseeable needs of future generations; and*
 - (b) Safeguarding the life-supporting capacity of air, water, soil and ecosystems; and*
 - (c) Avoiding, remedying, or mitigating any adverse effects of activities on the environment.”*

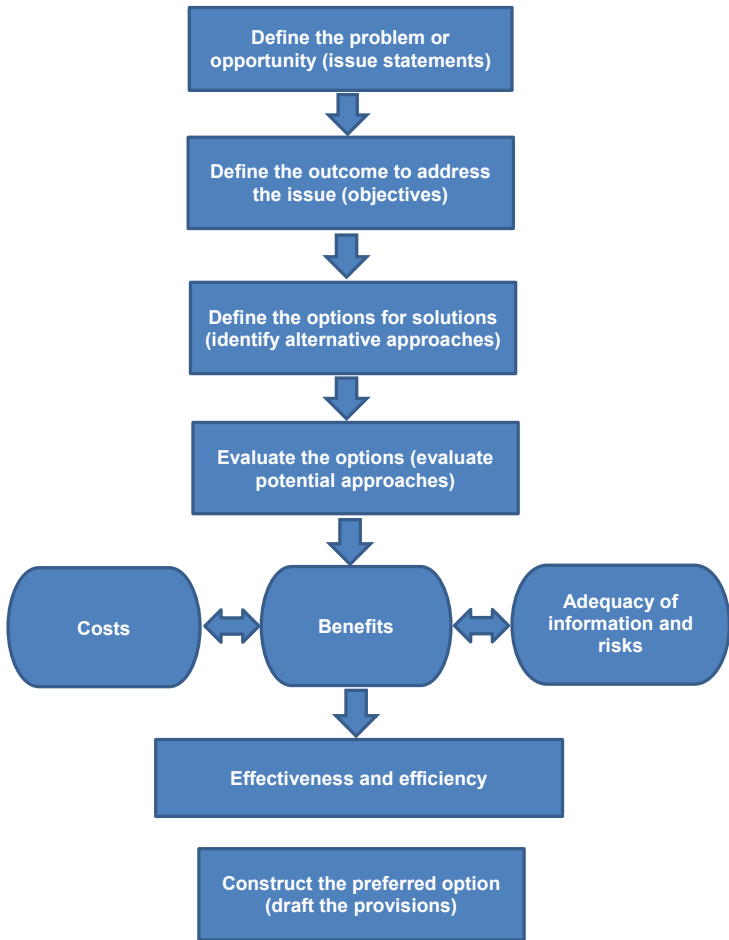
- 3.2** Under ss73 and 74 the Council is also required to have a district plan that is in accordance with its functions under s31 and Part 2 of the Act, including:
- to achieve integrated management of the effects of the use, development or protection of land and associated natural and physical resources;
 - to ensure that there is sufficient development capacity in respect of housing and business land to meet the expected demands of the city;
 - the control of the effects of the use, development, or protection of land; including in respect of natural hazards, contaminated land and maintaining indigenous biodiversity;
 - the control of noise; and
 - the control of effects of activities in relation to the surface of water in rivers and lakes.
- 3.3** Under s73(4), the Council must amend a district plan to give effect to a regional policy statement if:
- “(a) the statement contains a provision to which the plan does not give effect; and
(b) one of the following occurs:
(i) the statement is reviewed under section 79 and not changed or replaced; or
(ii) the statement is reviewed under section 79 and is changed or replaced and the change or replacement becomes operative; or
(iii) the statement is changed or varied and becomes operative.”*
- 3.4** Under s73(5) the Council must comply with subsection (4)-
- “(a) within the time specified in the statement, if a time is specified; or
(b) as soon as reasonably practicable, in any other case.”*
- 3.5** Under s74, when preparing or changing a plan, a territorial authority is required to have regard to:
- “(b) any –
(i) management plans and strategies prepared under other Acts,”*
- 3.6** Under s74(2A) the Council:
- “must take into account any relevant planning document recognised by an iwi authority and lodged with the territorial authority, to the extent that its content has a bearing on the resource management issues of a region”.*
- 3.7** Section 75(3) of the RMA requires that district plans must give effect to –
- (a) “any national policy statement; and
(b) any New Zealand coastal policy statement; and
(ba) a national planning standard; and
(c) any regional policy statement”*
- 3.8** Under s75(4), district plans must not be inconsistent with –
- “(b) a regional plan for any matter specified in section 30(1)”.*
- 3.9** Under s79, the Council must commence a review of a provision of a district plan, if the provision has not been subject to a review or change during the previous 10 years. It is noted that a district plan is only one means for a council to undertake its functions under s31 of the RMA and to achieve the purpose of the RMA.

4.0 Methodology and approach to evaluation

4.1 Introduction

4.1.1 The following flow chart outlines the step-by-step methodology that the Council has followed in undertaking its evaluation. The methodology is further explained in each Part of this evaluation but broadly comprises the following elements:

- An analysis of the relevant regulatory and policy context, including national planning instruments, regional policies and plans and non-statutory strategies and plans;
- Identification and analysis of the relevant issues relating to the topic, including the associated research commissioned, consultation undertaken and information compiled, along with advice received from iwi authorities;
- An assessment of the scale and significance of the anticipated environmental, economic, social and cultural effects of the proposed provisions;
- An evaluation of the proposed objectives to determine their appropriateness in achieving the purpose of the RMA; and
- An evaluation of the proposed policies and rules and reasonably practical alternatives to achieve the proposed objectives, including the costs, benefits, effectiveness and efficiency of the approach and the risk of acting or not acting.



4.2 Evidence Base - Research, Consultation, Information and Analysis undertaken

4.2.1 The Council has reviewed the relevant chapters of the Operative District Plan, commissioned assistance from internal and external experts and utilised this, along with internal workshops, iwi engagement and landowner feedback to assist with setting the plan framework. This work has been used to inform the identification and assessment of the environmental, economic, social and cultural effects that are anticipated from the implementation of the provisions.

4.3 Consultation

4.3.1 Throughout the development of the proposed provisions the Council undertook a process of consultation and engagement. Consultation has been focused on consulting with affected landowners and occupying groups. An extensive consultation process was undertaken as part of the development of the Open Space Strategy which provided the plan change with a strong evidence base for understanding the needs of the community, and their future aspirations for the open space network. As such, a targeted consultation approach was undertaken for the plan change.

4.3.2 Initial pre-consultation discussions with affected landowners (July-October 2020)

- This initial consultation phase was designed to engage with the landowners of the existing Open Space Zone, and landowners of sites which were under consideration for the suitability of zoning as open space.
- These meetings generally involved an overview of the research for the plan change undertaken so far, and the overview of the proposal to split the existing zone into the three new proposed zones.
- This consultation allowed us to better understand the plans of landowners for their own sites and how this could affect the open space zoning.

4.3.3 Feedback on Draft Zoning and Provisions (December 2020-February 2021)

- This stage of consultation involved circulating the draft provisions and zoning to affected landowners, stakeholders, and occupying parties and groups. This feedback exercise was aimed at gaining understanding from those consulted with the proposals of the plan change, and whether the provisions proposed were appropriate for the activities they expected to undertake.

4.3.4 Continued consultation (January 2021- July 2021)

- During this time consultation continued with several landowners whose sites were still in consideration and who were providing feedback on the proposed provisions framework, as well as consulting with relevant requiring authorities.

4.4 Engagement with Ngāti Toa Rangatira

4.4.1 Ngāti Toa Rangatira have been contacted by email several times during the consultation periods. This included requesting feedback on the initial scope, in an email, sent in July 2020, with an associated document detailing the project proposal. No response was received. In December 2020 Ngāti Toa Rangatira were once again contacted, to seek feedback on the proposal of the plan change, as well as feedback on the draft provisions and zoning. An email

was received from Ngāti Toa Rangatira in January 2021 stating that they did not currently have the resourcing to provide any feedback on this plan change.

4.5 Engagement with Taranaki Whānui ki te Upoko o te Ika

4.5.1 Taranaki Whānui have been contacted by email several times during the consultation period. This included requesting feedback on the initial scope, in email sent in July 2020 with an associated document detailing the projects proposal. No response was received. In December 2020 Taranaki Whānui were once again contacted, to seek feedback on the proposal of the plan change, as well as feedback on the draft provisions and zoning. In January 2021 a separate email was sent relating to the zoning of a site under the ownership of Taranaki Whānui, but no response was received.

4.6 Stakeholder and sector engagement

Who	When	What
Neighbouring Councils		
Hutt City Council	<ul style="list-style-type: none"> December 2020-February 2021 	<ul style="list-style-type: none"> Consultation with Hutt City was limited to consulting over the proposal to zone Akatarawa Cemetery, which Hutt City jointly owns with Upper Hutt City Council, as open space. Hutt City were consulted on the provisions and zoning related to this site.
South Wairarapa District Council	<ul style="list-style-type: none"> December 2020-February 2021 	<ul style="list-style-type: none"> Several parcels (primarily Regional Parks) located on the border of Upper Hutt and South Wairarapa, are proposed to be zoned as Natural Open Space. As such, the Council were consulted on the proposed zoning of these sites and the associated provisions.
Directly affected parties		
Forest and Bird	<ul style="list-style-type: none"> July-September 2020 December 2020-February 2021 	<ul style="list-style-type: none"> Forest and Bird own a small amount of land in Upper Hutt which is currently within the Open Space Zone. They were consulted at an early stage to review the proposal to introduce the new zones and were subsequently consulted on the proposed zoning and provisions.
Wellington Speedway	<ul style="list-style-type: none"> July-September 2020 	<ul style="list-style-type: none"> Wellington Speedway were consulted early in the process. This was to explain the concept that the speedway would be removed from the Open Space Zone, and would instead be zoned as Special

Who	When	What
		Activity, with the existing provisions relating to the speedway remaining the same.
Royal Wellington Golf Club	<ul style="list-style-type: none"> • July-September 2020 • December 2020-February 2021 	<ul style="list-style-type: none"> • The Golf Club were contacted originally to discuss the proposal of zoning their site and the scope of the plan change, as well as understanding their plans for the site. • They were further consulted on the proposed provisions and zoning.
Te Marua Golf Club	<ul style="list-style-type: none"> • July-September 2020 • December 2020-February 2021 	<ul style="list-style-type: none"> • The Golf Club were contacted originally to discuss the proposal of zoning their site and the scope of the plan change, as well as understanding their plans for the site. • They were further consulted on the proposed provisions and zoning.
Department of Conservation	<ul style="list-style-type: none"> • July-September 2020 • December 2020-February 2021 	<ul style="list-style-type: none"> • The Department of Conservation own several sites within Upper Hutt which are within the scope of the plan change. They were consulted on the scope and proposal of the plan change, and any specific issues they wished considered • They were further consulted on the proposed provisions and zoning.
Hutt Valley Clay Target Club	<ul style="list-style-type: none"> • July-September 2020 • December 2020-February 2021 	<ul style="list-style-type: none"> • The Club were contacted to provide an overview of the plan change, discuss the new zones, the proposal to include their site in the Sport and Active Recreation Zone and understand any issues they wished to raise. • They were further consulted on the proposed provisions and zoning.
Heritage New Zealand	<ul style="list-style-type: none"> • July-September 2020 • December 2020-February 2021 	<ul style="list-style-type: none"> • Heritage New Zealand currently own a small site with a Listed Building present and is Open Space Zoned. As such, they were contacted early on about the plan change proposal. • They were further consulted on the proposed provisions and zoning.
Hutt Valley Riding for the Disabled Association	<ul style="list-style-type: none"> • March- May 2021 	<ul style="list-style-type: none"> • The site is proposed to be rezoned as Sport and Active Recreation, and they were consulted on this proposed rezoning and the associated provisions for this zone.

Who	When	What
Presbyterian Church Property Trustees	<ul style="list-style-type: none"> April-May 2021 	<ul style="list-style-type: none"> The Church operate a graveyard which is within the scope of the open spaces zoning extent, and they were consulted on the proposed rezoning and the associated provisions.
Ōrongomai Marae	<ul style="list-style-type: none"> April-May 2021 	<ul style="list-style-type: none"> The Marae was contacted due to some partial open space zoning present on the site which was within the rezoning scope.
Occupying parties and groups (specific parties and groups detailed in Appendix 2)	<ul style="list-style-type: none"> December 2020-February 2021 	<ul style="list-style-type: none"> There are a wide range of land use activities within the parks and reserves of Upper Hutt. Although the landowners were consulted early in the process, we also wanted to seek feedback from the different clubs and groups who occupy those spaces for their various recreational, educational and community activities. The clubs and occupying groups were contacted when the proposed zoning and provisions had been finalised. Feedback was sought on the suitability of the provisions and proposed zoning.
Other landowners (Specific landowners detailed in Appendix 2)	<ul style="list-style-type: none"> February 2021 	<ul style="list-style-type: none"> Landowners whose sites were identified as within the scope of being removed from the open space zoning were also consulted.
Requiring Authorities		
Transpower	<ul style="list-style-type: none"> March 2021 	<ul style="list-style-type: none"> Transpower were sent the draft provisions and mapping extents for feedback.
Greater Wellington Regional Council (GWRC)	<ul style="list-style-type: none"> July-October 2020 December 2020-February 2021 	<ul style="list-style-type: none"> GWRC own a significant amount of publicly accessible land in Upper Hutt, including 3 Regional Parks. As such they were consulted early in the process to provide an overview of the plan change scope, our proposal to introduce new zones, and better understand GWRCs proposals for their own sites. The Regional Parks are proposed to be rezoned to be included in the Natural Open Space Zone. Further consultation with GWRC was undertaken once the draft zoning and provisions had been

Who	When	What
		finalised. These were circulated for feedback from GWRC.
Upper Hutt City Council Parks Department	<ul style="list-style-type: none"> July-September 2020 December 2020-February 2021 	<ul style="list-style-type: none"> The Upper Hutt Parks Department are responsible for managing and maintaining the parks and reserves of Upper Hutt. They were consulted early in the process to understand the scope of the plan change, existing issues to address, and the proposal of splitting the existing zoning into three zones. Several sessions then followed of categorising the existing Open Space Zone into the three new zones The department were then consulted on the proposed provisions and rule framework, and the final draft zoning.
Government Departments and National Agencies		
New Zealand Transport Agency (NZTA)	<ul style="list-style-type: none"> July-September 2020 	<ul style="list-style-type: none"> NZTA were consulted early on to discuss the removal of zoning along SH2, which would rely on the underlying designation instead.
Ministry for the Environment (MfE)	<ul style="list-style-type: none"> December 2020-February 2021 	<ul style="list-style-type: none"> MfE were sent the draft zoning extent and provisions for feedback
Defence Force New Zealand	<ul style="list-style-type: none"> July-September 2020 	<ul style="list-style-type: none"> Defence Force New Zealand were initially consulted to inform them on the plan change and identify whether there was any suitability of zoning their land as open space. They were not consulted further as it was decided that open space zoning was not appropriate for their land.

Part 2: Issue based s32

5.0 Overview and Purpose

5.1 Introduction to the resource management issue

- 5.1.1** This section 32 evaluation report is focussed on open spaces, specifically the Open Space Zone and provisions within the Upper Hutt District Plan. The Open Space Zone in Upper Hutt is focused on protecting open spaces for community use and allowing for recreational activities to occur. Included in the zone are neighbourhood parks, reserves, play areas, and sports facilities. The extent of the existing zone is mainly within the urban area of the district, with limited open space zoned land present in the rural environments. The current zone also includes several River Corridors, including the Hutt River, and several privately owned and operated sites which are used for recreation purposes, such as the speedway and Te Marua Golf Club. In addition, some residential and rural lots contain open space zoning where no recreation activities are occurring.
- 5.1.2** The Open Space Zone positively contributes to the mental and physical wellbeing of local communities. The zone comprises spaces which are accessed by members of the public to undertake a variety of recreational activities, both passive and active, but are also used for customary, conservation and educational activities. These spaces also provide amenity benefits for neighbourhoods, and the zones provisions emphasise retaining greenspaces which are valued by communities. Open spaces also provide natural benefits through the retention, maintenance and enhancement of the natural environment.
- 5.1.3** Open spaces are managed by both the Resource Management Act and the Reserves Act. Under the Reserves Act, reserves are managed by the creation of Reserve Management Plans, which manage activities within the associated reserve. The Reserves Act considers activities within the open spaces, whilst the RMA considers the environmental effects arising from activities and development within the spaces. As such, it is recognised that the District Plan under the RMA is not the only legislation or planning document affecting open spaces in Upper Hutt. The Walking Act (2008) is also relevant as it enables walking access to public spaces.
- 5.1.4** The existing Open Space Zone provisions for the District Plan have not been comprehensively reviewed since 2004, with the only review of the open space provisions in this period being targeted to review subdivision standards. Since this time there has been significant introduction of both national policy direction for planning documents and the adoption of relevant strategies at the district level which have an influence on open space areas.
- 5.1.5** The existing Open Space Zone and its associated provisions have been relatively successful in both protecting the character of the Open Space Zone and managing development and land use activities in the zone. However, Upper Hutt is a growing City, and the district plan needs to take into the consideration the future needs of the community with regards to open space provision. Furthermore, Upper Hutt City Council adopted the Open Space Strategy in 2018, and the open space provisions within the district plan need to be aligned with the strategy. This strategy identified the changes in recreational activities that communities are undertaking within open space areas, potential future enhancements of the open space network, and a neighbourhood level assessment of open space provision.

5.1.6 This plan change proposes to divide the existing Open Space Zone into three distinct zones which are detailed within the National Planning Standards (2019). These zones are shown in the table below, with their description from the National Planning Standards.

Zone	Description
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.

5.1.7 The table below shows those aspects which are within the scope of Plan Change 49, and those matters which are considered out of scope and will be considered within separate plan changes as part of the rolling review of the District Plan.

In Scope	Out of Scope
<ul style="list-style-type: none"> Objectives, Policies and Rules for the Open Space Zone under Part 3 - Open Space and Recreation Zones. Open space zoning extents Definitions under Chapter 3 Rules for Reserve Contributions under Part 2 - Development Contributions Any other necessary updates to other chapters where open spaces are referred to 	<ul style="list-style-type: none"> Noise controls under Part 2 - Noise Special Activity Zone provisions under Part 3 – Special Purpose Zones The provision framework for Wellington Speedway Provisions relating to heritage under Part 2 - Historical and cultural values Provisions relating to temporary events under Part 2 - Temp Rules for activities on the surface of water bodies under Part 2 - ASW

6.0 Regulatory and policy direction

6.1 Relevant sections

6.1.1 In carrying out a s32 analysis, an evaluation is required of how the proposal achieves the purpose and principles contained in Part 2 of the RMA. Section 5 sets out the purpose of the RMA, which is to promote the sustainable management of natural and physical resources.

Sustainable management *‘means managing the use, development, and protection of natural and physical resources to enable people and communities to provide for their social, economic and cultural wellbeing and for their health and safety, while:*

- sustaining the potential of natural and physical resources (excluding minerals) to meet the reasonably foreseeable needs of future generations; and*
- safeguarding the life-supporting capacity of air, water, soil, and ecosystems; and*
- avoiding, remedying, or mitigating any adverse effects of activities on the environment’.*

- 6.1.2** In achieving this purpose, authorities need also to recognise and provide for the matters of national importance identified in s6, have particular regard to other matters referred to in s7 and take into account the principles of the Treaty of Waitangi referred to in s8.

6.2 Section 6 Matters

Section	Relevant Matter
6d	the maintenance and enhancement of public access to and along the coastal marine area, lakes, and rivers
6e	the relationship of Maori and their culture and traditions with their ancestral lands, water, sites, waahi tapu, and other taonga
6f	the protection of historic heritage from inappropriate subdivision, use, and development
6g	the protection of protected customary rights

- 6.2.1** The above section 6 matters have been identified as relevant to this plan change. The Open Space Zone focuses on areas which are accessible by the public for the undertaking of a range of recreational, customary and conservation-based activities. This includes access to rivers within Upper Hutt, specifically the Hutt River, and therefore 6d is relevant.
- 6.2.2** Open spaces allow for the undertaking of customary activities and will have associations for Maori, such that sections 6e and 6g are relevant in this instance. Open spaces in Upper Hutt also have heritage features present, and therefore the plan change needs to consider the protection of these historic features in line with section 6f.

6.3 Section 7 Matters

Section	Relevant Matter
7a	kaitiakitanga
7aa	the ethic of stewardship
7b	the efficient use and development of natural and physical resources
7c	the maintenance and enhancement of amenity values
7f	maintenance and enhancement of the quality of the environment
7i	the effects of climate change

- 6.3.1** Section 7 matters of relevance include kaitiakitanga and the ethic of stewardship, both of which are important considering the public nature of most open spaces and their environmental value. Open spaces also contribute strongly towards the amenity values of neighbourhoods, and the quality of the environment for local residents, such that matters 7c and 7f are relevant.
- 6.3.2** The natural values of open spaces have the potential to provide mitigation against the effects of climate change by retaining natural vegetation and protecting ecosystems, which can have positive effects for biodiversity as well as acting as carbon sinks, and therefore 7i is relevant.

6.4 Section 8 Matters

- 6.4.1** Section 8 requires that the principles of the Treaty of Waitangi be taken into account when undertaking functions and powers under the Act. Council has met its statutory consultation requirements for iwi under the Act and did not receive any feedback on the proposed plan change.

- 6.4.2** Through the development of this plan change we have taken into account the fact the spaces within the zone could hold importance to iwi, especially considering the Hutt River being within the Natural Open Space Zone and the importance this holds specifically to Taranaki Whānui.
- 6.4.3** The provisions framework for the Open Space and Recreation Zones allows for cultural activities as a permitted activity, and this includes activities which provide for the special relationship between tangata whenua and places of customary importance. Cultural activities in these spaces can vary, from allowing for Mahinga Kai to potentially using community gardens to grow medicinal plants for Rongoā.
- 6.4.4** The proposed plan change is therefore considered to be consistent with the Treaty of Waitangi and section 8 of the Act.

6.5 National Instruments

- 6.5.1** There are five National Policy Statements (NPSs) currently in force:
- New Zealand Coastal Policy Statement 2010
 - NPS for Electricity Transmission 2008
 - NPS for Renewable Electricity Generation 2011
 - NPS for Freshwater Management 2014
 - NPS on Urban Development 2020
- 6.5.2** There are also eight National Environmental Standards (NESs) currently in force:
- NES for Air Quality 2004
 - NES for Sources of Drinking Water 2007
 - NES for Telecommunication Facilities 2008
 - NES for Electricity Transmission Activities 2009
 - NES for Assessing and Managing Contaminants in Soil to Protect Human Health 2011
 - NES for Plantation Forestry 2017
 - NES for Freshwater 2020
 - NES for Marine Aquaculture 2020
- 6.5.3** Due to the specific nature of open spaces the majority of the NPS and NES controls do not apply. However, the zone extents do include rivers, as such the NPS Freshwater Management (2020) and the NES Freshwater (2020) are further examined for reference.
- 6.5.4** Although the District Plan can zone river corridors and manage activities on the surface of waterbodies, under the RMA regional councils are responsible for managing water quality and quantity and discharges of contaminants to water bodies. The NPS Freshwater Management and the NES Freshwater both seek to protect freshwater quality, through controlling discharges, protecting wetlands, setting water quality standards, and managing water allocation levels. The provision within the District Plan, and the matters that are controlled through the District Plan in reference to freshwater are not considered to be within the scope of the NPS and NES.
- 6.5.5** With regards to the NPS for Urban Development (NPS-UD), open spaces are highlighted as a factor contributing to well-functioning urban environments, with open space also considered as a qualifying matter for the modification of any building height or densities as required by the NPS. However, the NPS-UD does not provide any direction about open space location or provision.

6.5.6 The National Planning Standards were introduced in 2019 and they provide a uniformed approach to the structure and format of Plans, as well as improving the consistency within the content of the plans. The Council implemented most of these standards without formality in June 2021. Further changes as a result of the National Planning Standards will be considered through this plan change, specifically the introduction of new Open Space and Recreation Zones.

6.5.7 These new zones which are made available for use through the National Planning Standards are the:

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

6.5.8 Also introduced through the National Planning Standards are specific Special Purpose Zones. This includes a Stadium Zone. The Stadium Zone is purposed for the operation and development of large-scale sports and recreation facilities. This zone is considered to be relevant for this plan change due to the proposed removal of the Wellington Speedway from the Open Space Zone to the Special Activity Zone.

6.6 National Guidance Documents

Document	Relevant provisions
New Zealand Urban Design Protocol (2005)	The Urban Design protocol seeks to enhance towns and cities through the promotion of quality of urban design. The protocol identifies 7 design qualities for achieving quality urban design. The qualities include consideration of connectivity to open spaces.

6.7 Regional Policy and Plans

Plan / Strategy	Organisation	Relevant Provisions
Regional Policy Statement (2013)	Greater Wellington Regional Council	The Regional Policy Statement does not contain any specific direction for open space areas, with the context limited to ensuring access and maintaining an integrated public open space network. <ul style="list-style-type: none"> • Policy 53 - Public access to and along the coastal marine area, lakes and rivers • Objective 22 - A compact well designed and sustainable regional form that has an integrated, safe and responsive transport network and: <ul style="list-style-type: none"> (h) integrated public open spaces
Regional Plans <ul style="list-style-type: none"> • Regional Freshwater Plan for the Wellington Region, 1999 • Regional Coastal Plan for the 	Greater Wellington Regional Council	The Regional Plans are in the process of being replaced by the Proposed Natural Resources Plan. There is limited direction for open spaces within the existing Regional Plans. <p>The Regional Freshwater Plan (1999) has the following relevant provisions:</p> <ul style="list-style-type: none"> • 4.1.8 The quality of lawful public access to and along river and lake beds is maintained and, where appropriate, enhanced.

<p>Wellington Region, 2000</p> <ul style="list-style-type: none"> • Regional Air Quality Management Plan for the Wellington Region, 2000 • Regional Soil Plan for the Wellington Region, 2000 • Regional Plan for discharges to the land, 1999 		<ul style="list-style-type: none"> • 4.2.16 and 4.17 policies relate to maintaining and promoting public access to waterways.
<p>Greater Wellington Proposed Natural Resources Plan – Decision Version</p>	<p>Greater Wellington Regional Council</p>	<ul style="list-style-type: none"> • Objective O9 - The recreational values of the coastal marine area, rivers and lakes and their margins and natural wetlands are maintained and enhanced • Objective O10 - Public access to and along the coastal marine area and rivers and lakes is maintained and enhanced • Policy P9 - Public access to and along the coastal marine area and the beds of lakes and rivers

6.7.1 The Regional Policy Statement (RPS) contains limited objectives and policies for open spaces. The RPS has a Policy to ensure public access to rivers is maintained, which is of relevance to this plan change as the existing Open Space Zone includes the Hutt River, and the Open Space Zone considers the ability of people to access these areas. The RPS also includes an Objective relating to well-designed urban forms, which take into consideration the integration of public open spaces.

6.7.2 The Regional Plans also contains limited direction for open spaces, with the Regional Freshwater Plan the only relevant Policy Statement with its provision relating to public access to rivers and lakes. The Proposed Natural Resources Plan also contains provisions related to public access to waterbodies.

6.7.3 The Parks Network Plan is an important consideration for this plan change, as the Regional Parks are being incorporated into the open space zoning extent. The outcomes sought and the activities controlled through the Parks Network Plan need to be carefully considered through the associated provisions framework within the District Plan.

6.8 Iwi Management Plan(s)

6.8.1 There are currently no iwi Management Plans within the Upper Hutt District.

6.9 Any relevant plans or strategies

Plan / Strategy	Organisation	Relevant Provisions
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Open Space Strategy (2018)	Upper Hutt City Council	<p>The Open Space Strategy was adopted in 2018 and provides an overarching framework and strategic direction for public parks and open spaces in Upper Hutt.</p> <p>The strategy provides 5 strategic goals for the open space network, which are:</p> <ul style="list-style-type: none"> • Our open spaces are appropriately located. • Our open spaces meet the needs of the community and more people benefit from regularly using them. • Our open spaces are accessible and well connected, making it easier for people to exercise, play, socialise and relax outdoors. • Our open spaces are enhanced to provide benefits for the environment and recreational experience. • Our open spaces contribute to community identity, vibrancy and sense of place. <p>The strategy also provides a gap analysis for open spaces in Upper Hutt, using factors such as walkability to assess the accessible open space provisions for different Upper Hutt neighbourhoods. Furthermore, the strategy provides guidelines for new open spaces, to ensure they are positively contributing to the open space network.</p>
Land Use Strategy (2016)	Upper Hutt City Council	<p>The Land Use Strategy was adopted by Upper Hutt in 2016 and details the Council's response to predicted land use needs over the next 30-year period.</p> <p>The Strategy includes a goal to:</p> <ul style="list-style-type: none"> • Maintain and enhance our open space network • Support healthy and vibrant communities for people of all ages and lifestyles <p>The Strategy proposed the Open Space Strategy, which was then formally adopted in 2018. Overall, the Land Use Strategy envisages a well-connected open space network that is accommodating of local needs, including the predicted future growth in Upper Hutt</p>
Long Term Plan (2021)	Upper Hutt City Council	<p>The Long-Term Plan sets out the projects and budgeting for what Council will invest in over the next decade. This includes several projects which are of relevance to open spaces, including:</p> <ul style="list-style-type: none"> • Regional Cycle Trails • Walking and Cycling Network • Maidstone Max Upgrade • Maidstone Sports Hub • City Centre Open Space

Sustainability Strategy (2020)	Upper Hutt City Council	<p>The Sustainability Strategy details Council's approach to addressing identified sustainability issues for Upper Hutt. The Strategy identifies opportunities for improving sustainability, as well as detailing eight Sustainability Goals, which includes the Council becoming a carbon neutral organisation by 2035.</p> <p>Goal 2 (We will prioritise protecting and enhancing our natural environment) and Goal 8 (We will encourage low carbon transport) both have elements which need to be considered through this plan change. Goal 2 will be factored in when considering the use of the Natural Open Space Zone, whilst considering a well-connected open space network will help address Goal 8.</p>
Toitū Te Whenua Parks Network Plan (2020)	Greater Wellington Regional Council	<p>The Parks Network Plan has been developed by Greater Wellington Regional Council to manage their parks. There are three Regional Parks within Upper Hutt which encompass a significant portion of the district.</p> <p>The Plan details the characteristics of each of the parks, as well as the priority actions which GWRC have identified for that park. The Plan is very detailed, with a significantly detailed rules framework for activities within the park areas.</p> <p>The provisions for the Regional Park zoning will seek to align with the Parks Network Plan, ensuring the District Plan does not constrain appropriate activities within the Parks.</p>
Reserve Management Plans	Upper Hutt City Council	Reserve Management Plans fall under the Reserves Act and seek to manage the activities occurring within the reserves of Upper Hutt.

6.10 Any other relevant legislation or regulations

Legislation / Regulation	Relevant Provisions
The Reserves Act 1977	<p>The Reserves Act has the following purpose:</p> <p><i>(a) providing, for the preservation and management for the benefit and enjoyment of the public, areas of New Zealand possessing—</i></p> <ul style="list-style-type: none"> <i>(i) recreational use or potential, whether active or passive; or</i> <i>(ii) wildlife; or</i> <i>(iii) indigenous flora or fauna; or</i> <i>(iv) environmental and landscape amenity or interest; or</i> <i>(v) natural, scenic, historic, cultural, archaeological, biological, geological, scientific, educational, community, or other special features or value:</i> <p><i>(b) ensuring, as far as possible, the survival of all indigenous species of flora and fauna, both rare and commonplace, in their natural communities and habitats, and the preservation of representative samples of all classes of natural ecosystems and landscape which in the aggregate originally gave New Zealand its own recognisable character</i></p>

	<p><i>(c) ensuring, as far as possible, the preservation of access for the public to and along the sea coast, its bays and inlets and offshore islands, lakeshores, and riverbanks, and fostering and promoting the preservation of the natural character of the coastal environment and of the margins of lakes and rivers and the protection of them from unnecessary subdivision and development.</i></p> <p>This plan change is reviewing existing open spaces in Upper Hutt as part of the Open Space Zone, including recreational use. Alongside the District Plan, the Reserves Act is the key piece of legislation in managing open spaces in Upper Hutt.</p>
Walking Access Act 2008	<p>The Acts purpose is to:</p> <p><i>(a) to provide the New Zealand public with free, certain, enduring, and practical walking access to the outdoors (including around the coast and lakes, along rivers, and to public resources) so that the public can enjoy the outdoors; and</i></p> <p><i>(b) to establish the New Zealand Walking Access Commission with responsibility for leading and supporting the negotiation, establishment, maintenance, and improvement of—</i></p> <p style="padding-left: 40px;"><i>(i) walking access (including walkways, which are one form of walking access) over public and private land; and</i></p> <p style="padding-left: 40px;"><i>(ii) types of access that may be associated with walking access, such as access with firearms, dogs, bicycles, or motor vehicles.</i></p> <p>The Act does not conflict with the RMA, with the Act being implemented by the New Zealand Walking Access Commission.</p>

7.0 Resource Management Issues Analysis

7.1 Background

- 7.1.1** The current Open Space Zone of Upper Hutt contains some of the primary spaces where the Upper Hutt community can undertake recreational activities. The zone also allows for a range of other activities through the nature of the fact that the zone is dominated by spaces which are largely publicly accessible and free to access. This enables communities to utilise the Open Space Zone for a diverse range of activities, and the spaces provide a positive contribution to the health and wellbeing of local communities. Furthermore, these spaces have secondary benefits for the environment, including through hazard mitigation, vegetation retention, and landscape amenity. There are three regional parks in Upper Hutt which are currently zoned rural but provide significant open space within the district.
- 7.1.2** The Open Space Zone seeks to ensure these spaces are sufficiently protected from development and inappropriate activities to maintain their open character and allows for appropriate activities, whilst managing the effects of those activities to ensure open space character residential amenity is maintained.
- 7.1.3** Under the RMA, District Plans need to be reviewed every 10 years. The existing Open Space Zone within the Upper Hutt District Plan has not been fully reviewed since 2004. The Upper Hutt District Plan is currently undergoing a rolling review process. Due to the extended period of time since the Open Space Zone was last reviewed, it is necessary to review this zone to understand whether the existing objectives, policies and rules are having the desired

effect in managing the open space areas, and meeting the needs of the community, as well as giving effect to and aligning with relevant higher order plans and policies.

7.1.4 Furthermore, Upper Hutt is a growing city, and with a nationwide movement to utilise development potential within urban areas (as seen through the National Policy Statement for Urban Development), open spaces and their protection are a key issue which needs to be considered. Alongside this growth is the need to ensure that new open space is being provided, so as not to overly constrain the existing open space provision, resulting in potential negative effects for the utilisation of these areas for community benefit.

7.2 Evidence Base - Research, Consultation, Information and Analysis undertaken

7.2.1 The Council has reviewed the current District Plan, commissioned advice from various internal experts and utilised this, along with internal workshops and community feedback to assist with setting the plan framework. This work has been used to inform the identification and assessment of the environmental, economic, social and cultural effects that are anticipated from the implementation of the provisions.

7.2.2 The Council has gathered the following information and advice that is relevant to this topic:

- District Plan comparison assessment (Appendix 3);
- Resource consent and compliance assessment (Appendix 4);
- An audit of parks and their infrastructure (Appendix 5); and
- Economic assessment of rezoning (Appendix 6)

7.3 Current best practice

7.3.1 Current practice has been considered in respect of this topic, with a review undertaken of the following District Plans (refer Appendix 3):

Plan	Local Authority	Description of approach
New Plymouth Proposed District Plan	New Plymouth District Council	<ul style="list-style-type: none"> • The Proposed New Plymouth Plan adopts all of the open space and recreation zones from the National Planning Standards. • The Plan allows for activities of a appropriate scale in the zones based on the characteristics of the zone. • Effects are managed to ensure open space character is protected whilst allowing recreation activities and other facilities where effects are of an appropriate scale.
Porirua Proposed District Plan	Porirua City Council	<ul style="list-style-type: none"> • The Proposed Porirua Plan uses the Open Space Zone and the Sport and Active Recreation Zone but does not use the Natural Open Space Zone available in the National Planning Standards. • The associated provisions allow for recreational activities and other supporting activities but aim to ensure activities are appropriate for the zone character.
Hutt City District Plan	Hutt City Council	<ul style="list-style-type: none"> • The Hutt City Plan has 4 different zones for recreation activities, identifying the diverse

		<p>range of activities occurring and specialist nature of certain recreation areas.</p> <ul style="list-style-type: none"> • The provisions take into account the different characteristics of the identified zones and the most appropriate activities for those zones, including where specialist activities are occurring. • The Plan also includes a specific zone for river recreation, which includes consideration of activities on the surface and margins of rivers.
Waipa District Plan	Waipa District Council	<ul style="list-style-type: none"> • The Waipa District Plan has a Reserves Zone, and then 2 specific zones for Lake Karapiro and Mystery Creek, both of which have recreation considerations. • The Waipa Reserves Zone has similar considerations for activities and development that the other district plans considered have.

7.3.2 These plans were selected because:

- The New Plymouth and Porirua Proposed Plans have both implemented the National Planning Standards, including the new Open Space and Recreation Zones introduced, and therefore were selected as PC49 will also be considering the potential to use these proposed zones within Upper Hutt.
- The Hutt City Plan was selected as a neighbouring authority, whilst the Waipa District Plan was selected as an authority of similar size to Upper Hutt.

7.3.3 A summary of the key findings from the comparison assessment are as follows:

- The New Plymouth and Porirua Proposed Plans take differing approaches to the utilisation of the zones provided through the National Planning Standards. Whilst New Plymouth uses all of the available zones, Porirua uses the Open Space Zone and the Sport and Active Recreation Zone, with the Open Space Zone also containing consideration of the natural and ecological elements. The Hutt City District Plan uses 4 different zones, whilst the Waipa Plan only uses a single Reserves Zone for open spaces, with two other zones used for specific sites which have known recreational use. However, the general approach for recreation-based zones among the plans assessed is to have multiple zones for different recreational areas based on the different characteristics of these open space areas, which the current Upper Hutt Plan does not do.
- The definitions used by the different district plans relating to recreational activities also vary. This includes the definition of the different zones, and the activities undertaken within those zones. There is increased conformity within the New Plymouth and Porirua Proposed Plans, and these have largely utilised the definitions from the National Planning Standards where applicable.
- The Objectives and Policies across the plans are highly similar in restricting development and managing activities within the different zones to ensure they are appropriate for the characteristics of that zone. Although some of the District Plans assessed used an approach

which utilised heavily similar objectives and policies across the zones, most of the Plans tailor objectives and policies to specific zones or activities within those zones.

- All Plans consider recreation and sporting activities as appropriate, whereas other potential activities including commercial activities and visitor accommodation have a more restricted activity status based on the potential effects arising from these activities on the open spaces. Building standards, including size and height, are varied across the different zones based on the likely activities and the character of those zones. Overall there is a good level of consistency across the Plans relating to the activities considered and their activity statuses.

7.4 Resource Consents and Compliance Assessment

- 7.4.1** An assessment of resource consents within the Open Space Zone was completed at the start of the information gathering process and can be seen in Appendix 3. The consents assessment looked at consents dating back to 2001, with the assessment undertaken in 2019. Overall, 46 applications were received during this period, a reasonably low number for the period of time considered. The applicants were largely comprised of local government organisations and public bodies, whilst a small number of private groups and businesses also applied for resource consent. A number of these submissions relate to areas where the Open Space Zone extends into private land which has no recreational use, which is generally a zoning error this plan change will seek to correct.
- 7.4.2** None of the applications submitted were declined. The majority of the applications related to land use activities, with a small number in relation to subdivision. Close to a third of all consents were for a restricted discretionary activity. Overall, the consents assessment did not show any significant issues with the existing rule framework, with no overall pattern of resource consents being onerously required for small scale activities.
- 7.4.3** The compliance assessment sought to analyse complaints relating to planning matters within the Open Space Zone. Due to the public nature of the zone, a large number of complaints are received which relate to matters outside of the District Plan control, including issues with dog control and anti-social behaviour. However, these did not form part of the assessment as they are not controlled by the District Plan.
- 7.4.4** The assessment found that there were only a small number of complaints received for the Open Space Zone, and the majority of these were noise complaints in relation to the Wellington Speedway. However, the overall number was still low, and demonstrates that the existing provisions are not overly constraining to result in breaches of the associated provisions.

7.5 Parks Audit

- 7.5.1** An audit of the existing parks and reserves in Upper Hutt owned and maintained by Upper Hutt City Council was completed to understand the size of the established open space network. This information collected included the typical use of the park, and any features present such as play areas or picnic areas, and any active deeds of lease on the site.
- 7.5.2** The information gathered informed our understanding of the infrastructure present at the parks and reserves, and the activities occurring therein.

7.5.3 This information provided data that informed the categorisation of the parks and reserves into the new proposed Open Space and Recreation Zones. It also provided information on what activities are occurring in these spaces and the potential effects arising from these activities. This information was beneficial to understand what the rule framework would need to consider for the different proposed zones. Furthermore, the audit provided information regarding the different occupying clubs who we could consult with through the process, and who could be impacted by the proposed changes. The audit is available in appendix 5.

7.6 Economic Cost Benefit Analysis

7.6.1 An economic cost benefit analysis was commissioned for this plan change. The assessment was undertaken by Sense Partners. The findings of this high-level assessment of costs and benefits as detailed in Section 10 of this report, are that the risks and significance were sufficiently low that a quantification of the costs and benefits were not necessary. The land considered through this plan change is predominantly publicly owned land, and the provisions are not a significant change from the status quo. As such, the overall risk is considered low enough as to not require a quantification of the costs.

7.6.2 However, as the plan change is proposing to rezone several privately owned sites, either by removing the existing open space zoning or by rezoning as one of the Open Space and Recreation Zones, the effect of this rezoning is more likely to have an economic effect. Therefore, the commissioned report assessed the potential economic impact arising from the rezoning of these individual sites in more detail.

7.6.3 The assessment looked at the role which open space provides to local communities, and how the privately owned and operated clubs fit into the wider open space network. The assessment also considered how the addition or removal of open space zoning from a site would impact the ability to subdivide, which is inherently where a lot of the value resides for these sites.

7.6.4 The assessment found that for the privately owned and operated sports clubs, which are proposed to be zoned as Sport and Active Recreation, the ability to subdivide is an option which can provide future financial security for the club's operation. These clubs operate on a membership basis, and this membership is likely to seek retention of recreational activities, therefore subdivision is only likely to be sought when the club is financially constrained.

7.6.5 The effect of rezoning is considered to be negligible for normal operation, but if there is a future financial constraint, the option to subdivide is important. Under the proposed provisions, there is a subdivision pathway for these sites as a non-complying activity. Therefore, the economic effects of the rezoning, considering that the existing activities are able to continue under the provisions, is considered to be restricted to a limited ability to subdivide.

7.6.6 For those sites which are privately owned with no recreation use, and which we are proposing to remove any existing open space zoning from, the effect of the rezoning is considered to be economically positive. By removing open space zoning, a less restrictive zoning will be used based on the activity of the site. These sites are still limited by some

existing constraints, including flood hazard and reverse sensitivity issues, therefore the ability to develop these sites has not been fully quantified within the supporting report.

7.6.7 Overall, the findings of the report confirm that the rezoning of the sites as proposed through this plan change are not considered to result in significant economic effects for landowners. The assessment can be seen in Appendix 6.

7.7 Advice from Ngāti Toa Rangatira and Taranaki Whānui ki te Upoko o te Ika

7.7.1 Under Clause 4A of Schedule 1 of the RMA local authorities are required to:

- provide a copy of any draft policy statement or plan to any iwi authority previously consulted under clause 3 of Schedule 1 prior to notification;
- allow adequate time and opportunity for those iwi authorities to consider the draft and to supply advice; and
- have particular regard to any advice received before notifying the plan.

7.7.2 As an extension of this s32(4A) requires evaluation reports prepared in relation to proposed policy statements and / or plans to include summaries of:

- all advice received from iwi authorities concerning the proposal; and
- the response to that advice, including any proposed provisions intended to give effect to the advice.

7.7.3 No specific advice has been received from Ngati Toa Rangatira or Taranaki Whānui regarding these proposed provisions or the plan change in general. There will be further opportunities for iwi to provide comments on the proposal in the Schedule 1 process.

7.8 Consultation undertaken to date

7.8.1 The following is a summary of the primary consultation undertaken in respect of this topic:

Who	What	When	Relevant Issues Raised
Councillors	Workshops	<ul style="list-style-type: none"> • 13 February 2020 • 30 June 2020 • September 2020 • 2 March 2021 	<ul style="list-style-type: none"> • The scope of the plan change, the identified issues for consideration, and the need to undertake the review were covered in early workshops. • The justification for adopting the Open Space and Recreation Zones was also discussed. • In later workshops, the proposed zoning extent and the proposed provisions were discussed, as well as looking at site specific issues. • Feedback received from Councillors was

			incorporated into the plan change development.
Iwi (Ngāti Toa Rangatira and Taranaki Whānui)	Information sent for review and feedback	<ul style="list-style-type: none"> • June-September 2020 • December 2020 	<ul style="list-style-type: none"> • The plan change proposal, as well as draft zoning and provisions, have been circulated to iwi, however no feedback has been received.
Upper Hutt Parks Department	Meetings and reviews	Continuous	<ul style="list-style-type: none"> • The department were contacted at the start of the processes to gain an understanding of any existing issues the plan change needed to address, as well as gaining an insight regarding different activities and the future of the open space network. • The proposed zoning for each of the parks and reserves owned by UHCC was discussed with the department. • Proposed provisions were circulated with the department to seek feedback on, with comments incorporated into the development of the provisions.
Landowners (As detailed in section 4.7 and Appendix 2)	Meetings, phone calls and emails	Continuous	<ul style="list-style-type: none"> • Landowners were engaged to understand site specific uses and potential issues, as well as to inform them of the proposed plan change direction. • These discussions helped inform the zoning extent and the provisions framework, which were then circulated to the landowners for feedback.
Occupying clubs (As detailed in section 4.7 and Appendix 2)	Email information sent for review	January 2021	<ul style="list-style-type: none"> • The clubs and groups which have active deeds of lease for the different parks and reserves of Upper Hutt were consulted on the proposed zoning and

			provisions, with feedback received incorporated.
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7.8.2 Further detail of the consultation undertaken is contained in Appendix 2 of this evaluation report. In summary, the findings from the consultation undertaken are:

- The consultation undertaken was a targeted consultation, and in general the landowners consulted were supportive of the proposed zoning of the different sites as one of the Open Space and Recreation Zones.
- Consultation allowed for appropriate consideration of the current and potential future state and uses of the different park and reserves within the open space network, and this helped inform the proposed zoning extents.
- Feedback received during the consultation phase on the draft provisions and zoning extent was incorporated based on the suitability of the feedback.

7.9 Summary of the Issues Analysis

New Open Space provision

7.9.1 The Open Space Strategy identified that recreation is changing, with a growing preference for informal recreation and lower levels of participation in formal recreation. As well as an increase in the inclusion of environmental values within recreation areas, open spaces are being utilised by domestic and international tourists increasingly. Alongside these changes to the way open spaces are utilised, the population demographics of Upper Hutt are changing. The Land Use Strategy identifies that Upper Hutt has an ageing population, but also a growing population, with the Housing and Business Development Capacity Assessment (HBA) (2019) for the Wellington Region projecting an increase of between 9,000 to 12,800 people between by 2047, and a requirement of between 4,900 and 5,600 dwellings to accommodate the projected growth. The HBA is currently undergoing a residential update which is required to be released by the end of July 2021, which will include a revision of the numbers detailed above.

7.9.2 The benefits of open spaces to communities are numerous, and it is important to ensure that as Upper Hutt grows, there is an appropriate provision of open space land for the community to access for recreation, customary and cultural purposes. Therefore, the open space provisions need to address any need for future open space land with criteria to enable the delivery of appropriate new open spaces.

7.9.3 The existing ability to acquire new open space land alongside new development is in the form of the Reserves Contribution Policy, which allows the Council to take a contribution either in the form of money or in the form of land, with the specific criteria for these values shown in the Plan. The plan change is not proposing to change the thresholds for financial or land contributions as this mechanism is considered effective and appropriate.

7.9.4 However, the Policy does not allow for the specification of the quality of open space provided. As such, the land which can be given to Council through this Policy does not always positively contribute to the open space network of Upper Hutt due to the quality of the land provided, an issue raised through the internal consultation with the Upper Hutt Parks Team. Therefore, this plan change will seek to ensure that the District Plan is able to ensure that

any new open space provided alongside growth meets the quality framework provided in the Open Space Strategy for new open spaces.

7.9.5 The table below shows the aspects for consideration within the new criteria. These have been taken from the Open Space Strategy, which classed them as factors for consideration for evaluating the strengths and weaknesses of existing or proposed open space areas. These considerations have been appropriately condensed and clarified to aid decision making within the context of the Reserves Contribution Policy.

Criteria for new open space delivery	
Accessibility and visibility	Ease of physical access for people of all abilities, multiple and generous entrances, good passive surveillance from adjoining street(s). There should be road frontage across at least one boundary to ensure the park is visually accessible and contributes to the surrounding environment
Adaptability and resilience	Flexible space that can change with the seasons, recreation trends, demographic trends within the neighbourhood and climate change to support the community. If the neighbourhood park is a sportsground, it will also enable flexible, casual sports and recreation use
Amenity	Provides a good level of amenity values, open spaces are attractive, comfortable and enhance the liveability of neighbourhood through providing visual relief and borrowed views
Choice	adds to the diversity of open space types and functions within the open space network
Equity	A balance of quality open spaces and facilities for all, based on housing and population density, income and health measures and demographic considerations
Identity and sense of place	Provides for cultural, historical heritage, natural features, and ecological features and values to be protected and/or opportunities to enhance
Landscape character	Contributes to the character of the neighbourhood and /or wider setting, landform, natural setting and orientation for good solar access and shade
Location and linkages	Consider immediate adjoining land use and the influence of adjacent activities. Consider gap analysis within the residential catchment (300m) and connectivity opportunities to the transport network, waterways and ecological corridors
Purpose of space	Define target user group within the community, open space type, size, function, and values

Open Space Strategy Alignment

7.9.6 A subsequent issue which this plan change will address is the alignment of the District Plan with the Open Space Strategy. Through this strategy, five Strategic Objectives were included which are:

Open Space Strategic Objectives	
Objective 1	Our open spaces are appropriately located
Objective 2	Our open spaces meet the needs of the community, and more people benefit from regularly using them.
Objective 3	Our open spaces are accessible and well connected, making it easier for people to exercise, play, socialise and relax outdoors.

Objective 4	Our open spaces are enhanced to provide benefits for the environment and recreational experience
Objective 5	Our open spaces contribute to community identity, vibrancy and sense of place

7.9.7 The open space provisions need to be aligned with these strategic objectives, as these represent the desired end state for the open space network of Upper Hutt. The provisions need to align with the outcomes sought by the Open Space Strategy, but also ensure they are giving effect to the requirements of the RMA.

7.9.8 Furthermore, the change in community uses of open spaces need to be reflected in the activity consideration within the proposed rule frameworks. The current rule framework for open spaces is fairly limited in its consideration of other activities which may be occurring within the open space zones. The new provisions consider a wider range of activities and development occurring within the Open Space and Recreation Zones, addressing the changes within these spaces which could be expected based on the findings of the Open Space Strategy.

Approach to Open Space Zoning

7.9.9 The District Plan is the tool to ensure that the open space land within Upper Hutt is appropriately zoned for anticipated recreation and leisure uses. Without specific zoning there is the potential that open space land could be developed for other uses, resulting in the loss of open space provision for communities in the district. However, if there is private land zoned as open space, which is not used for recreation activities, this can hinder the development of land for other appropriate purposes, such as residential or business use. This plan change seeks to ensure that open space zoning is reflective of land tenure and use within the district. This issue was identified as part of the analysis of the existing Open Space Zone, which highlighted that the existing Open Space Zone contains some residential sites which are currently zoned as open space.

7.9.10 This also brings into consideration the potential new zoning choices through the National Planning Standards. The standards allow for the use of three Open Space and Recreation Zones, although it only mandates the use of the Open Space Zone, with the other two being optional. The zone options are as follows:

- Natural Open Space Zone
- Open Space Zone
- Sport and Active Recreation Zone

7.9.11 Pan Change 49 proposes that all these zones be adopted for Upper Hutt. These zones provide an opportunity to more accurately control the unique activities for which these spaces are utilised for. The alignment of the types of open spaces within Upper Hutt, identified through the Open Space Strategy, and the proposed zones, was undertaken. This is shown in the table below:

Space	Zone
Neighbourhood Park	Open Space Zone
Community Park	Open Space/Sport and Active Recreation Zone
Destination Park	Sport and Active Recreation Zone
Nature Reserves	Natural Open Space Zone

Connections	Natural Open Space Zone
Pocket Parks	Natural Open Space Zone
Stormwater Reserves	Natural Open Space Zone/Open Space Zone

7.9.12 A brief reasoning for the adoption of the different zones is provided below.

Natural Open Space Zone

7.9.13 Upper Hutt has three Regional Parks (Akatarawa Forest Park, Kaitoke Regional Park, Pakuratahi Forest park), all of which are characterised by being heavily vegetated with minimal development. Furthermore, Upper Hutt has many smaller reserves and parks which are characterised by natural vegetation and a lack of recreational infrastructure. PC49 acknowledges that the purpose of the Natural Open Space Zone is not to protect indigenous vegetation, and that the rules associated with Significant Natural Areas will provide this protection.

7.9.14 Instead, the Natural Open Space Zone is dominated by areas where people undertake predominantly passive recreational activities, or specialised active recreational activities which have a high degree of nature interaction. These areas do not generally have an ‘open’ character, and do not have a wide range of buildings or specialised equipment to support recreation use. Although there are some specialist facilities within the Regional Parks, when seen in the wider scale of the parks, these parks are still dominated by their natural character. As such, using the Natural Open Space Zone allows for a rule framework which focuses on more passive recreation with a strong focus on nature interaction. Several River Corridors are also included within this zone, as they are largely accessible by the public and are regularly used for different recreational activities.

Open Space Zone

7.9.15 The open spaces of Upper Hutt provide a wide range of opportunities for the public to undertake recreation and leisure activities. The most diverse spaces are located within the urban environment, where they are easily accessible for various community groups and members of the public to utilise.

7.9.16 These spaces generally are characterised by an open character, with walkways, cycleways, picnic benches, playgrounds, and some sporting infrastructure present. These spaces provide an opportunity for community events, temporary events, conservation activities, and cultural activities. They also positively contribute to the amenity of residential neighbourhoods.

Sport and Active Recreation Zone

7.9.17 The Upper Hutt community undertake a wide range of sporting recreation activities, and there are several sites within Upper Hutt which are characterised by their specialist sporting facilities. These sites provide the opportunity for sporting recreation activities, and for sports clubs to operate, as well as temporary sporting events to occur.

7.9.18 This zone is proposed to be used for these sites as the development expected to accommodate organised sports is considered to be of a larger size than the buildings and structures in other two zones, to account for the infrastructure needed to support sporting use. The potential effects arising from these larger buildings and structures is also considered to be different from the other two zones, with more chance of noise, light and traffic effects

arising which can affect neighbouring residential uses. As such, a provisions framework tailoring to this specific use is considered appropriate in this zone.

Private Land Zoning

- 7.9.19** Currently several sites within Upper Hutt are privately owned but zoned as open space, some of which are not accessible or used for recreation purposes. This zoning is largely a remnant of the zone being utilised as a development control for natural hazard risk, as well as subdivision occurring within the zone without alterations to the underlying zoning.
- 7.9.20** Overall, the approach taken for this plan change has been to avoid zoning private land as open space, unless it is used for recreation activities on a regular basis, such as golf courses. Legal advice was sought regarding the legality of zoning private land as open space, with the advice concluding that if the land use was consistent with the purpose of the zone, there was no legal barrier to zoning the land as such.
- 7.9.21** Our methodology for considering an open space or recreation zoning, for private land, has been that the Open Space and Recreation Zones should be predominantly publicly accessible areas where recreation activities occur, or publicly owned parcels which are associated with natural spaces such as rivers. The alternative option of zoning private sites which are not publicly accessible or used for as recreation is not considered appropriate, as it would give the impression that these privately owned areas can be used for recreational purposes or should be acquired by Council for that purpose.
- 7.9.22** However, some privately owned spaces, including several privately operated sports grounds, such as golf courses and other club facilities, have been included within the Open Space and Recreation Zoning, as we believe these sites fit into the Sport and Active Recreation category. Although these operate on a club basis, they are utilised by members of the public for recreational purposes, and as such align with the purpose of the Open Space and Recreation Zones.
- 7.9.23** An exception to the above approach is certain privately owned river parcels along the Hutt and Akatarawa Rivers. These areas are currently zoned Open Space and the proposal is to zone these as Natural open Space in line with the rest of the river. This is to apply a consistent zone to the rivers where it is clearly defined.
- 7.9.24** One site with a form of recreational use, the Wellington Speedway, has been proposed to be removed from the Open Space Zone. The site has an individual rule framework within the current District Plan and is currently zoned as open space. However, the nature of the activity is somewhat unique, as it is used for ticketed events on a regularly scheduled basis. The effects generated by these events (such as noise, traffic and light spill) can be more significant than other activities occurring within the open space network. The use is most similar to the activities at the Trentham racecourse, which is zoned special activity. As such, the Speedway is proposed to be zoned as Special Activity Zone, with the intention of the site to be considered alongside other special activities (including the racecourse) in a future Special Activity Zone review plan change.
- 7.9.25** An economic cost benefit analysis was commissioned for the plan change with a specific lens of assessing the effect of zoning private land as open space. This included looking at the economic effects of the zoning of sites owned by private sports clubs and removing non-

recreational private sites from the Open Space Zone. The conclusion of this assessment was that the zoning of privately operated sports clubs was not considered to have significant costs, with costs focused on the ability for any club to subdivide in the future which could be required under specific circumstances. However, there is a consenting pathway for subdivision activities for these sites. The removal of open space zoning on private sites with no recreation use was not identified to have significant costs. This report can be seen in Appendix 6.

Future Growth Areas

- 7.9.26** The Upper Hutt Land Use Strategy identifies several sites for future growth within Upper Hutt. The proposal for these growth areas is that they be comprehensively developed via a development plan with specific requirements for each area. The potential Open Space and Recreation Zoning within these sites is also a necessary consideration, but while these areas will provide open space within the development plan, the specific location for most of these sites is not known. Therefore, these areas are out of scope of this plan change.
- 7.9.27** Of particular relevance is the Southern Growth Area within Pinehaven, which has also been identified within the Open Space Strategy. At this point in time, there is uncertainty over the future development form of this area, and how the growth area will be addressed. Due to the uncertainty over this area and the direction from Council, the zoning of this area is considered to be out of scope and will be considered in a future plan change.
- 7.9.28** Another area which is being considered relevant to address through this plan change is the St Patricks Estate Area, which is not included within the Land Use Strategy. During the development of Plan Change 49 St Patricks Estate lodged and received consent for earthworks to raise the site and remove it from the flood risk extent associated with the adjacent Hutt River.
- 7.9.29** The development of the St Patricks site will be considered through Plan Change 50. However, at this stage there is a reasonably clear indication as to the extent of development based on the earthworks consent, and a large area of the site is not proposed to be developed but would be used as an area for flood control. This area is most appropriate to be zoned as open space, considering its potential future use. Although this is privately owned land, the zoning of the area of the site has been agreed with the landowner and therefore is appropriate. It is likely that little development will be able to occur in this area due to the flood hazard, and therefore the most appropriate zoning is the Open Space Zone.

Open Space Uses

- 7.9.30** The Open Space Strategy highlights the changing trends in open space use, which are not just occurring in Upper Hutt but across the globe. These trends include an increase in commercial use of open spaces, the domestic and international tourism benefits of open spaces, the utilisation of open spaces for small scale production (community gardens), and the growing trend of environmental protection within recreation areas.
- 7.9.31** These changes reflect how people view open spaces, and this is likely to continue to evolve as the population of Upper Hutt grows. It is important the provisions for the Open Space and Recreation Zones consider the more diverse range of activities that these trends highlight we can anticipate occurring within the open space network. These different activities need to be

carefully considered, allowing these activities and any associated development in the appropriate zones whilst ensuring open space amenity and character is maintained.

Managing Open Space effects and protecting character

- 7.9.32** The diverse range of activities which occur within the open space network of Upper Hutt have the potential for a wide range of adverse effects on surrounding predominantly residential land uses. This can range from noise effects arising from sporting activities to light spill from floodlighting, or traffic effects from use of the open space areas. This is considered more significant for the Open Space and Sport and Active Recreation Zone, where larger structures, larger group activities and more active recreation activities occur, and which are located in closer proximity to residential activities.
- 7.9.33** Furthermore, incompatible activities or development of an inappropriate scale within the open space network can detract from the open space quality and characteristics of a site. Activities and development need to be appropriate for the type of open space they are located in, to both ensure the amenity of any neighbouring land use amenity is protected, as well as maintaining the character of the specific Open Space and Recreation Zoned site. Incompatible activities can have negative effects for established and potential future activities occurring at the site.
- 7.9.34** As such the provisions consider appropriate matters of discretion for restricted discretionary activities to ensure such effects are well managed, whilst permitting activities which are considered to be of an appropriate scale for the zones such that significant adverse effects do not occur.

Issues Summary Table

Issue	Comment	Response
Issue 1: New Open Space Provision	Upper Hutt as a City is growing. It is important that new open space areas are delivered alongside growth, and that the open space provided is of the right scale and type for the residing community.	Introduction of additional criteria within the existing Reserves Contribution Policy provide increased discretion on Council's part to ensure new open space makes a positive contribution to the overall open space network.
Issue 2: Open Space Strategy Alignment	The Open Space Strategy outlines the aspirations for the open space network of Upper Hutt. This includes several strategic objectives, and the open space zoning and provisions need to align with this strategy.	The objectives, policies and rules for the different zones will be considerate of the outcomes sought by the open space strategy, ensuring there is alignment between the District Plan and the Open Space Strategy where possible. This includes proposed strategic objectives for the Open Space and Recreation Zones.
Issue 3: Open Space Zoning	The existing open space zoning is not necessarily reflective of the actual extent of land which can be open space, and there are several areas where private	Revise zoning extent to appropriately identify areas which meet the open space criteria and exclude those areas which are inappropriately zoned as open space, including areas which are not

	residential land has open space zoning present. Furthermore, the utilisation of the new Open Space and Recreation Zones made available through the National Planning Standards will be considered.	used for recreational purposes and are not publicly accessible. Categorise the open space network into the three new Open Space and Recreation Zones to accurately reflect open space land use, whilst also considering the suitability of privately owned recreation areas for open space zoning.
Issue 4: Open space use change	The Open Space Strategy highlights how open space usage is changing, including a decline in some activities and a diversification and increase of other activities.	The provisions framework will ensure these activities are provided for, as well as a consideration of the potential effects from these activities.
Issue 5: Protecting the characteristics and uses of specific open space areas	The existing Open Space Zone is comprised of a variety of different spaces which have different characteristics, and these in turn dictate how the spaces are used. The character of these spaces and their current uses need to be maintained where possible.	The utilisation of the three new Open Space Zones will make understanding the roles of different open spaces clearer for members of the public. It also allows for a rule framework for each zone that can manage activities and land uses which will ensure the maintenance of distinct open space characteristics.
Issue 6: Managing effects from open space land use activities.	Most open space areas are located within the urban environment, and in reasonable proximity to residential development. As such, there is the potential for adverse effects on the amenity of neighbouring land uses through the activities which occur within the Open Space Zone.	The three proposed new Open Space and Recreation Zones each have provisions which are tailored for the characteristics of land in that zone. This will include rules which will control potential adverse effects resulting from the activities we would expect to occur within that zone.

8.0 Scale and Significance Evaluation

8.1 The level of detail undertaken for this evaluation has been determined by an assessment of the scale and significance of the environmental, economic, social and cultural effects anticipated from introducing and implementing the proposed provisions (i.e. objectives, policies and rules). Key considerations that informed this assessment included whether the provisions:

- Involve a matter of national importance;
- Are the subject of a NPS or the RPS;
- Are consistent with national or regional direction through plans, other strategies or guidance;
- Are required resolve an issue or problem particularly to protect life and property
- Involve a minor or major change to the current provisions;

- Are controversial or will affect groups with specific interests or a large number of residents;
- Will significantly reduce development opportunities or land use options; and
- Are likely to have a major financial impact on landowners, developers or businesses due to compliance and or administrative costs.

8.2 Based on this assessment the scale and significance of the proposed provisions is considered to be low for the following reasons:

Consideration	Reasoning
S6 and S7 matters, Treaty of Waitangi principles	Although the open space review does touch on matters contained within S6 and S7, specifically public access to waterbodies, the plan change is not proposing to create or change any access to waterways and is not proposing to restrict access through the associated provisions. The plan change does not affect the Treaty of Waitangi principles. Overall, the significance of the plan change on these is considered to be low.
Subject of an NPS or RPS	The plan change is not the subject of a NPS, and is not comprehensively addressed within the RPS, and therefore the significance is considered to be low.
Are consistent with national or regional direction through plans, other strategies or guidance	There is limited national or regional direction for open spaces. As such the significance is considered to be low.
Are required to resolve an issue or problem particularly to protect life and property	The plan change is not resolving an issue of this level of significance, and therefore the overall significance is considered to be low.
Involve a minor or major change to the current provisions	Although the addition of two new zones is a major change, the provisions are not considered to be a major change to the status quo. Generally, the provisions have just been refined to better reflect the different characteristics of the different zones and anticipate a more diverse range of activities that could occur within open spaces. As such, the significance is considered to be medium.
Are controversial or will affect groups with specific interests or a large number of residents	As the plan change effects predominantly public land, or land used by members of the public for recreation purposes, which is regularly used by a large number of people, the plan change has the potential to affect a wide range of groups and a large number of residents. However, the topic is not considered to be controversial and therefore the significance is only considered to be a medium.
Will significantly reduce development opportunities or land use options	The provisions will not significantly decrease development opportunities, as the existing land is predominantly comprised of reserves and parks, or club grounds for specific recreation clubs, which are not considered as land with development potential within the HBA assessment. The zoning of private sites as open space is likely to restrict subdivision opportunity, however considering the findings of the CBA report, significance is considered to be low.

Are likely to have a major financial impact on landowners, developers or businesses due to compliance and or administrative costs	The provisions are not significantly different to the existing provisions, and therefore the overall cost of compliance and administrative costs are considered to be low. This is further supported for the zoning of private sports clubs through the supporting CBA in Appendix 6.
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9.0 Quantification of Benefits and Costs

9.1 Section 32(2)(b) requires that, where practical, the benefits and costs of a proposal are to be quantified. The assessment table below seeks to guide the decision making for whether the quantification of costs and benefits is practical for this plan change.

Consideration	Assessment		Comment
	Low	High	
The proposal would result in a more restrictive regime than the status quo	x		Because a new set of provisions have been developed for the new zones, some existing areas of open space will have more restrictive provisions in terms of building and potentially some land use activities, whilst other sites may have less restrictive provisions. However, those with more restrictive provisions are unlikely to be significantly more restricted than the status quo, and as such the impact is assessed to be low.
Evidence demonstrates that the status quo is resulting in significant adverse effects	x		The evidence gathered does not suggest that significant adverse effects are resulting from the existing status quo. Only a small number of complaints have been received, and the overall number of consents is low for the period assessed, suggesting that the existing rules are managing resources appropriately.
The proposal would result in a significant loss of development opportunity / potential above the status quo	x		The majority of the land within the zones is not intended for significant development. It is comprised of parks and reserves which are primarily used for recreation and social activities and are also managed under the Reserves Act. As such, the plan change is not removing land which would otherwise have been considered as developable for housing or business activities.
The proposal is likely to result in loss of employment opportunities	x		The proposal is not considered to result in any loss of employment, as the existing land uses will remain. Furthermore, the consideration of tourism and commercial activities within the provisions is likely to

			be beneficial for future employment opportunities.
The introduction of a more permissive regime that could result in significant adverse effects on s6 matters	x		Although there are certain provisions which are more permissive for some sites, the overall provisions are not changing significantly and are not expected to result in a significant effect on any s6 matters.
Likelihood of significant indirect or flow-on effects	x		These are considered to be low, considering the specialised nature of the zones.
The proportion of the city that is likely to be affected		x	The proposed Open Space and Recreation Zones will be the largest zones in the district. However, the vast majority of this is the regional parks, with only a small proportion affecting the urban area and the rural area, which is mostly the Hutt River corridor.
The level of uncertainty around the proposal, its effects, and the availability of relevant information	x		As the proposal is not a significant difference to the status quo, it is expected that the effects will be reasonably similar to the existing effects, and therefore the level of uncertainty is low.
The level of base economic information available within the Council	x		The most substantial economic information available to Council is the completed Housing and Business Capacity Assessment. However, with regards to open spaces economic information is not readily available.
Access to a suitably qualified economic resource within the available timeframe	x		For the plan change we were able to utilise an economic resource to assess the economic effect of rezoning several private sites as open space, or the removal of open space zoning from several sites.

9.2 Given the assessment in section 8 on the scale and significance of the proposed provisions, specific quantification of the benefits and costs in this report is considered neither necessary, beneficial nor practical in relation to this topic. Instead, this report identifies more generally where any additional costs or benefits may lie.

9.3 However, it was considered that for several privately owned clubs which are proposed to be zoned as an Open Space and Recreation Zone, and several privately owned sites where open space zoning is to be removed, further economic information on the potential economic costs and benefits of this rezoning would be appropriate. As such, a report was commissioned, that can be seen in appendix 4 of this report.

10.0 Strategic Directions

10.1 There are no existing strategic directions within the District Plan which are of relevance to this plan change, however the plan change is proposing to introduce three strategic objectives for the Open Space and Recreation Zones. The proposed strategic objectives are shown below:

- **Objective 1:** Upper Hutt has a well-connected and accessible open space network which meets the current and future recreational, conservation, and cultural needs of the district, and supports economic wellbeing through tourism destination opportunities.
- **Objective 2:** Sport, recreation, leisure activities, and development within Open Space and Recreation Zones is enabled, whilst ensuring the amenity, environmental and cultural values of the open space network are protected.
- **Objective 3:** Sufficient additional open space capacity is located and designed to meet the future recreational, sports and leisure needs of the Upper Hutt community.

11.0 Assessment of current Objectives and Policies

11.1 The current District Plan, with a single Open Space Zone, has a set of Objectives and Policies which are considered necessary to assess as part of this Section 32.

Operative Objectives	
OSZ-O1	The promotion of a range of open spaces, maintained and enhanced to meet the present and future recreation, conservation, visual amenity and hazard management needs of the city.
OSZ-O2	The protection of the life supporting capacity of the environment and amenity values by avoiding, remedying or mitigating the adverse effects of activities in the City's open spaces.
OSZ-O3	The continued use and development of the Te Marua Speedway site, while limiting its adverse effects on adjoining properties.

11.2 Objective OSZ-O1 is a wide-ranging objective which seeks to ensure that open spaces are maintained and enhanced, but it also accounts for the current and future recreation needs of these spaces, as well as considering hazard management. This is the key objective in considering how open spaces should be beneficial for communities, and how these spaces contribute to recreation and conservation activities. However, the objective is limited in its consideration of activities which are appropriate to occur within the space, for example it does not consider customary activities.

11.3 Furthermore, whilst the objective specifies that the zone will contribute to the visual amenity and hazard management for the city, the Open Space Zone is no longer considered to be the most appropriate method for managing natural hazard. Instead, there are provisions within the Plan which manage flood risk, which should be relied upon, rather than the underlying open space zoning.

11.4 Objective OSZ-O2 specifically considers how adverse effects will be avoided, remedied or mitigated. This is a clear objective in that it focuses on ensuring how both the environment and amenity values will be protected from the potentially diverse range of activities that can occur within the zone. Overall, this objective is broad in its outcome, potentially lacking specificity and nuance which can aid in understanding what specific values will be maintained.

- 11.5** The third objective is very location specific, focusing on the Te Marua Speedway. This objective essentially recognises that the activity occurring at the Speedway is likely to result in effects beyond what generally occur in other open space areas based on the activities occurring there. However, the objective also recognises that the Speedway is a space which benefits the community, and therefore the Speedway site should be continually used and developed appropriately. The specificity of this objective is a good example of how the speedway is a unique activity that has a level of effects that rezoning the site as a Special Activity Zone is the most appropriate approach. This objective is proposed to be added to the Special Activity Zone provisions as part of rezoning the Speedway to Special Activity Zone.
- 11.6** Overall, the objectives are not considered to have resulted in negative effects for the Open Space Zone or are unachievable or ineffective with regards to their management of the open space network in Upper Hutt. However, they are somewhat limited in their consideration of how different spaces will be used, as well as limited in supporting or enhancing the positive effects of activities within the open space network.
- 11.7** The proposed objectives for the Open Space and Recreation Zones, as detailed in Section 12, are not significantly different from the existing objectives. However, they are more specific in outlining the character and amenity values of different spaces, as well as the different activities occurring within these spaces. Therefore, the objectives are more directed than the current objectives.

Operative Policies	
OSZ-P1	To acquire and protect land for open spaces in those parts of the city where a deficiency in the range or distribution of open spaces has been identified, or where there is a particular recreational need, or where an area has significant landscape, ecological values or character.
OSZ-P2	To recognise and protect the amenity values of open space areas.
OSZ-P3	To enable a range of activities to be undertaken in open spaces that will not adversely affect the character and function of the open space.
OSZ-P4	To manage activities in open spaces to ensure that adjoining land uses receive adequate daylight and sunlight and maintain visual and aural amenity.
OSZ-P5	To allow a range of motor sports and other organised events to be undertaken on the Speedway site while mitigating their adverse effects on the environment.
OSZ-P6	To incorporate in the Plan appropriate noise controls and hours of operation that have been accepted by the surrounding residents.

- 11.8** The existing Open Space Zone policies can be split into two separate components. Policies OSZ-P1 to OSZ-P4 are relevant for the zone as a whole, whereas OSZ-P5 and OSZ-P6 are focused specifically for the Speedway. The Speedway policies are proposed to be relocated, without amendments, as part of rezoning the Speedway to Special Activity.
- 11.9** Policy OSZ-P1 focuses on acquiring new open space provision, as well as protecting the existing open space provision. In general, the success of this policy in delivering new open space is questionable, as new open space is predominantly delivered via the Reserves Contribution Policy. The Open Space Strategy contains assessment criteria to be used where there is an existing deficiency of open space, however as Policy OSZ-P1 is an Open Space Zone policy, it is difficult to see how it would have managed to ensure new open space land

is acquired as new open space would result from development in other zones. However, the policy has been successful in protecting open spaces within Upper Hutt, as these spaces have generally been maintained and protected from inappropriate development and activities.

- 11.10** Policy OSZ-P2 seeks to maintain amenity values within open spaces, but the policy itself does not detail what amenity values are to be maintained. Policy OSZ-P3 seeks to ensure that activities do not affect amenity values and character of open space areas. These policies can be considered together as seeking to mitigate any effects of activities within the zone.
- 11.11** The policies rely on supporting text to specify what values and character is to be maintained, however the supporting text holds no legal weight. Furthermore, the policies are not detailed regarding what activities would be appropriate or inappropriate within these areas to achieve the aim of maintaining amenity, character and function. As such, the effectiveness of these policies is limited in how they can ensure open space amenity and character is maintained.
- 11.12** Policy OSZ-P4 considers how the activities and development within the zone will affect amenity values for neighbouring land uses. This is an important policy to consider, as with the potential diverse activities occurring within the zone, any neighbouring land uses could have amenity values affected, especially considering noise and light spill associated with those activities. Once again, the consideration of the effects is not specified, which limits the effectiveness of the policy.
- 11.13** Policy OSZ-P5 considers the activities which are allowed at the Speedway, whilst mitigating adverse effects on the environment. Policy OSZ-P6 introduces specific noise controls and hours of operation for the speedway. These policies, being site specific, are aimed at ensuring the speedway can continue to operate, whilst considering that the effects arising from the activity are significant enough that a tailored framework for noise an operation control is required.
- 11.14** This Policy provides strong recognition of the potentially significant effects which arise from the activities occurring at the speedway, with these effects being specifically focused on residential amenity for neighbouring land uses. It is arguable that the open space character of the speedway site is limited. These Speedway policies are proposed to be relocated, without amendments, as part of rezoning the Speedway to Special Activity Zone.

12.0 Proposed Provisions (Objectives, Policies and Rules)

- 12.1** The proposed provisions are set out in Appendix 1 of this report. These provisions should be referred to in conjunction with this evaluation report.

Strategic Objectives

- 12.2** There are no existing strategic directions within the District Plan which are of relevance to this plan change, however the plan change is proposing to introduce three strategic objectives for the Open Space and Recreation Zones. The proposed strategic objectives are shown below:
- **OSRZ-O1:** Upper Hutt has a well-connected and accessible open space network which meets the current and future recreational, conservation, and cultural needs of the district, and supports economic wellbeing through tourism destination opportunities.

- **OSRZ-O2:** Sport, recreation, leisure activities, and development within Open Space and Recreation Zones is enabled, whilst ensuring the amenity, environmental and cultural values of the open space network are protected.
- **OSZ-O3:** Sufficient additional open space capacity is located and designed to meet the future recreational, sports and leisure needs of the Upper Hutt community.

12.3 OSRZ-O1 is an objective focused on ensuring the open space network of Upper Hutt is providing wellbeing benefits for the communities of Upper Hutt by ensuring that the spaces within the network meet current and future needs of the community. This objective seeks to ensure that the network has a sufficient diversity of spaces to provide for the range of activities which occur within the open space network. Each of the proposed zones will contribute to this requirement through their unique spaces. The objective also highlights how tourism opportunities in the open space network can contribute to the economic wellbeing of the district.

12.4 OSRZ-O2 recognises that whilst the zones will be utilized for a range of activities by the community, the qualities and amenity values of the spaces and the surrounding area need to be protected from any adverse effects that could occur as a result of these activities being undertaken.

12.5 OSZ-O3 addresses the need for additional open space. As mentioned earlier in this report, Upper Hutt is a growing city, and it is expected that there could be additional pressure on open spaces associated with an increase in usage. Therefore, this objective seeks to ensure that additional open space is provided in appropriate locations and is designed to meet the future needs of the community.

12.6 These strategic objectives are applicable to the entire open space network and therefore apply to each of the Open Space and Recreation Zones. They take a holistic approach to the open spaces of Upper Hutt, including the range of activities occurring within these spaces. This is acknowledging that although the new zoning approach recognises the different characteristics and uses that the open space areas in Upper Hutt have, they all contribute to a wide network of open space areas, where linkages between these spaces and ensuring there is a sufficient supply of a diversity of spaces is key. These three objectives also align with the Strategic Objectives from the Open Space Strategy.

Subdivision

12.7 The existing Open Space Zone provisions are restrictive on subdivision. The intention of this is to protect existing open spaces within the city, only permitting subdivision in certain instances. The existing provisions are considered to have been effective in their prevention of unwanted subdivision of open space areas. The consents and compliance assessment (Appendix 3) did not highlight any significant issues with the current provisions associated with subdivision for open spaces.

12.8 As such, this plan change is proposing to predominantly retain the existing subdivision provisions. The subdivision controls relating to the speedway will be removed and relocated to the relevant special activity chapter without amendment.

12.9 Policy SUB-OSRZ-P1 is the overarching policy for the subdivision rules. The Policy seeks to protect open space land by avoiding inappropriate subdivision, ensuring that a sufficient provision of open space land is maintained within the district.

12.10 Subdivision within the Open Space and Recreation Zones will be a controlled activity in the following instances:

- Subdivision around any existing lawfully established commercial activity, community facility, education facility or tourism facility which does not result in the creation of any new undeveloped site that contains no commercial facility, community facility, education facility or tourism facility.
- Subdivision of land for utilities, reserves or conservation purposes.
- Subdivision which is a unit title subdivision or an alteration to a company lease, unit title or cross lease title to include a building extension or alteration or accessory building on the site (excluding an additional residential unit) that has been lawfully established.

12.11 The above subdivision is considered to be appropriate for the Open Space Zone as it focuses on subdivision for purposes which are aligned with the purpose of the Open Space and Recreation Zones (e.g. recreation or conservation), and which won't result in the subdivision of open space land resulting in the fragmentation of the open space network. All of the above subdivision categories are required to meet the relevant access standard for the subdivision to be a controlled activity.

12.12 Any subdivision which is a Controlled activity but does not meet the access standard is classed as a Restricted Discretionary activity. Any other subdivision is non-complying, to ensure open space provision is maintained.

12.13 The subdivision standards will apply to all of the three Open Space and Recreation Zones. It is not considered necessary to vary the subdivision rules based on the different open space zoning as the outcomes sought from the subdivision controls is identical across the three zones.

Natural Open Space Zone

Objectives

12.14 The Natural Open Space Zone contains spaces which have a strong natural character and are used for predominantly passive recreational activities. The Zone includes the Regional Parks, densely vegetated reserves and parks, and river corridors. The Natural Open Space Zone has three objectives which focus on three key areas:

- Outlining which activities are appropriate within the zone;
- Expressing the amenity and character of the zone; and
- Recognising the unique contribution that the Regional Parks make to the open space network.

12.15 NOSZ-O1 ensures appropriate recreation and conservation activities, focused on enjoying the natural environment and development are enabled within the zone. This helps to guide the purpose of the zone and its wider role within the open space network.

12.16 NOSZ-O2 defines the amenity values and character of the zone. By defining these qualities, it allows for consideration of how these can be maintained and enhanced through the different activities and development occurring and are an important consideration through any resource consent applications as the matters of discretion consider these values.

12.17 NOSZ-O3 is a more specific objective for the Regional Parks. The Regional Parks are the largest sites within the Natural Open Space Zone. They also have a much more diverse array of

activities occurring within them then the other Natural Open Space Zone sites, and this objective seeks to recognize the contribution that these spaces make to the zone as well as enabling the diverse activities which occur in these spaces.

12.18 These Objectives are considered to be appropriate to meet the purpose of the zone.

Policies

12.19 The Natural Open Space Zone (NOSZ) has 5 policies. NOSZ-P1 and NOSZ-P2 focus on activities and development which are considered appropriate within the zone and link to the permitted rules within the zone. NOSZ-P3 considers activities and development inappropriate within the zone based on their effects and potential loss of amenity and character for the zone. Ensuring that inappropriate development and activities are suitably controlled are important for achieving NOSZ-O2. This is further reinforced through NOSZ-P4 which seeks to protect those values identified through NOSZ-O2.

12.20 NOSZ-P5 considers primary production activities which are appropriate within the zone, limited to the regional parks. Primary Production has been limited to those activities which are considered through the Greater Wellington Parks Network Plan. The Policy is intended to give clear indication of those activities which are considered appropriate within the regional parks but are not associated with recreation activities within the zone.

12.21 Through this policy framework it is intended to ensure those activities and development within the zone which are complimentary to the purpose of the zone are enabled, whilst also ensuring those activities and development which are not complimentary to the purpose of the zone are avoided, and any adverse effects are managed. The result of these policies is that the amenity values and character of the zone are maintained, but the zone is able to be utilized for appropriate activities.

Rules

Permitted	<ul style="list-style-type: none"> • Building and Structures (subject to standards) • Minor Structures • Passive Recreation • Sport and Active Recreation • Customary Activity • Conservation • Community Facilities • Parks Facilities and Management • Removal of a building from a site • Primary Production (in Regional Parks) • Motorised Recreation (in specified areas only)
Restricted Discretionary	<ul style="list-style-type: none"> • Tourism Facilities
Discretionary	<ul style="list-style-type: none"> • Educational Facilities • Residential Activity • Residential Activity for Caretaker Purposes • Commercial Activity (Permitted within the Regional Parks) • Visitor Accommodation (Permitted within the Regional Parks) • All other activities
Non- Complying	<ul style="list-style-type: none"> • Industrial Activity • Motorised Recreation (outside of specialised areas) • Primary Production (outside of Regional Parks)

- 12.22** The permitted activities within the zone consider a range of activities which we can expect to occur in these spaces. As the Natural Open Space Zone is predominantly publicly accessible, several activities can occur in these spaces, but these should align with the natural character of the zone. Due to the lack of buildings and structures present in these sites any recreation is likely to be focused on the more passive side, but some sport and active recreation can occur within the Regional Parks, and as such it is proposed as a permitted activity. This is restricted by management in the Regional Parks by their permit system.
- 12.23** Other permitted activities include customary and conservation activities, both of which are likely to be occurring in the Natural Open Space Zone where the natural environment is retained. The effects from these activities are considered to be overall positive for the zone and will not significantly affect character or amenity values. Park Facilities and Management is considered to be a key permitted activity to facilitate the maintenance of open spaces. This is an encompassing definition that allows for spaces to be maintained which will protect open space character and amenity values, facilitating the enjoyment of these spaces.
- 12.24** Community facilities are considered to be complimentary to the purpose of the zone, and are therefore permitted, but would be required to meet the associated building standards to ensure natural character is maintained by managing built form.
- 12.25** Primary production and Motorised Recreation are permitted within specific locations in the regional parks subject to standards for the specific activities as detailed in the relevant rules. These activities are not considered compatible with the recreational nature of other sites due to their impact on amenity and recreational opportunities in the Regional Parks which are of a large enough size that the effects from these activities are localized and do not result in significant effects on the NOSZ purpose and amenity.
- 12.26** Tourism Facilities have the potential to be compatible with other recreation activities occurring within the zone, but they can also result in effects which are not compatible with the purpose of the zone, including effects from ancillary buildings and structures which may impact natural character by introducing a higher level of built form to a site. As such a restricted discretionary status is considered appropriate. Tourism Facilities are likely to be focused within the Regional Parks rather than the smaller scale reserves within the city.
- 12.27** Discretionary activities as they are considered have the potential to be incompatible with the purpose of the zone, and are considered to be incompatible with the natural character of the zone. Residential activities are less compatible with the openness of the zone and the use of the zone as a public space, and therefore a discretionary activity status is applied.
- 12.28** Commercial and Visitor Accommodation were carefully considered, especially in the Regional Parks, where there are examples of both activities already established. They have been considered a permitted activity within these areas based on the fact that these activities will be controlled through the relevant park management plans, and are less likely to affect character and amenity values based on the location and size of the regional parks. These activities are considered inappropriate within the smaller natural open space areas where they would conflict with the natural character and amenity values of the zone.

- 12.29** Other activities, including Industrial and Mining activity, are considered to be incompatible with the anticipated activities and with the natural character of the zone, and as such they are proposed to be non-complying.
- 12.30** Standards for buildings and structures focus on:
- Building height
 - Gross floor area
 - Site coverage
- 12.31** Where a permitted activity standard is not met, the activity becomes restricted discretionary. These standards are restrictive in terms of the scale of buildings and structures, as the Natural Open Space Zone seeks to retain a natural character with a low level of development. However, careful consideration was given to how these standards would work within the larger regional parks, and how these areas would be managed through the Greater Wellington Parks Network Plan.
- 12.32** Due to the size of the regional parks it is proposed that the parks be exempt from the building and structure standards, as the likely result of applying these standards would be unnecessary resource consents, or an inappropriate outcome for built development within the parks. It is not considered that by making the parks exempt from the standards inappropriate environmental effects will result due to the existing controls and outcomes sought in the Greater Wellington Parks Network Plan.
- 12.33** Flood management activities, including structures, will be considered in the Natural Hazards plan change.

Open Space Zone

Objectives

- 12.34** The Open Space Zone is characterised by spaces where both passive and active recreational activities occur, but where spaces are also utilized by a wide range of other community activities. The Open Space Zone predominantly comprises parks and reserves within the urban environment of Upper Hutt.
- 12.35** The OSZ has two objectives, which are focused on:
- Enabling appropriate recreation activities within the zone
 - Maintaining the amenity and character values of the zone
- 12.36** OSZ-O1 outlines the purpose of the zone and enables those activities which are considered appropriate within the zone. The Objective also highlights the linkages between the zone and residential amenity, which is an important consideration as the sites within the Open Space Zone are predominantly located within the urban environment and surrounding residences, and therefore activities within the zone can impact residential amenity within adjoining neighbourhoods.
- 12.37** OSZ-O2 focuses on maintaining the amenity and character of the zone. Once again, these features are an important consideration for matters of discretion in any resource consents and therefore ensure unanticipated activities and development can be considered against these qualities which characterise the zone.

Policies

- 12.38** The OSZ has five policies. These policies are similar to policies for the other Open Space and Recreation Zones. OSZ-P1 highlights those activities which are appropriate as permitted activities within the zone, and links to the permitted activity rules. OSZ-P2 focuses on enabling appropriate development within the zone, which is focused on development that supports activities highlighted in OSZ-P1 which is appropriately scaled and located.

- 12.39** OSZ-P3 considers those activities and development which are considered to be inappropriate within the zone, including a consideration of how those activities and development interact with permitted activities. OSZ-P4 is a consideration of how activities within the zone relate to residential amenity outside of the zone itself. This includes specific effects to be considered and seeks to ensure that residential amenity will be maintained.

- 12.40** OSZ-P5 is a specific consideration for commercial activities within the Open Space Zone. It is considered that due to the location of the parks and reserves, and the more community-based activities within the zone, there is likely to be some commercial activities occurring. However, commercial activities need to be of an appropriate scale to ensure they do not conflict with the recreation activities for the zone.

- 12.41** This policy framework it is intended to ensure that activities and developments within the zone which are complimentary to the purpose of the zone are enabled, whilst ensuring those activities and developments which are not complimentary to the purpose of the zone with adverse effects are managed. The result of these policies is that the amenity values and character of open spaces are maintained, but the zone is able to be used for a wide range of recreation and cultural activities.

Rules

Permitted	<ul style="list-style-type: none"> • Building and Structures (subject to standards) • Recreation • Sport and Active Recreation • Customary Activities • Conservation • Community facilities • Community Gardens • Parks facilities and management • Burials & cremations associated with Akatarawa Cemetery and the Presbyterian Cemetery • Removal of a building from a site • At The Blockhouse, Blockhouse Lane Upper Hutt (Sec 723 Hutt District), Community and educational activities, where the activities are limited to meetings of community groups, and educational/interpretative activities relating to the history of the site.
Restricted Discretionary	<ul style="list-style-type: none"> • Commercial activity • Educational facilities • Visitor accommodation • Tourism Facilities
Discretionary	<ul style="list-style-type: none"> • Residential activity • Residential Activity for Caretaker Purposes • Any other activity not listed
Non- Complying	<ul style="list-style-type: none"> • Motorised Recreation

	<ul style="list-style-type: none"> • Industrial activity • Primary production • Mining activity • Quarrying activity
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- 12.42** The permitted rules for the OSZ allow for the range of recreation, conservation and customary activities in line with the other Open Space and Recreation Zones. These activities are appropriate for the zone, and are complimentary to the character and amenity values, with effects considered to be of an appropriate scale. Some of these activities are likely to be dictated by the presence or absence of certain features or facilities within these spaces, which will help to manage activities occurring within those spaces. Parks Facilities and Management is also a permitted activity, once again allowing for the management of parks and reserves to ensure usability and amenity values are maintained.
- 12.43** However, there are several further permitted activities within this zone which have been introduced due to the more diverse community use of this zone compared to the Natural Open Space Zone. Community gardens have been introduced as a permitted activity, with community gardens already established in certain parks, and as an activity highlighted within the Open Space Strategy. These gardens have multiple benefits for local communities, and a definition has been introduced to the plan for Community Gardens.
- 12.44** There are two cemetery areas within the Open Space Zone, and activities within these areas which are associated with burials and cremations are a permitted activity. Any development would have to align with the associated building standards. It is noted that the existing designation for the Akatarawa Cemetery and the cemetery expansion area allows for all activities associated with the designation purpose as well.
- 12.45** The heritage listed Blockhouse building is used for community and educational activities and these activities have been recognized within the provision's framework as permitted activities in this zone. This was an addition arising from consultation with Heritage New Zealand. The activities occurring at the Blockhouse are considered to consistent with the character of the zone, and the effects are considered to be acceptable.
- 12.46** Overall, the permitted rules are more varied than the Natural Open Space Zone based on the activities occurring within the zone, but it is anticipated that the adverse effects arising from these activities are all appropriate and in line with the outcomes for the zone.
- 12.47** There are several activities which are proposed to be restricted discretionary activities within the Open Space Zone. These activities have the potential to positively contribute to the open space network, however their effects on the open space character and amenity values of the zone, as well as neighboring amenity and the ability for permitted activities to be undertaken can vary depending on the scale and location of the activity. Furthermore, these activities will not be appropriate within every site of the Open Space Zone, as they vary in scale.
- 12.48** Therefore, a Restricted Discretionary status is considered to be appropriate. This allows for any consent application to be suitably considered for potential effects open space character and amenity values, neighboring residential amenity values, and the ability to undertake permitted activities. As these activities and facilities are generally rare within the zone, the cost of a resource consent is not considered to significantly constrain any future use of sites for these purposes. Furthermore, this is in line with the existing rule framework within the District Plan.

- 12.49** Discretionary activities are limited to residential activities, including caretaker accommodation within the zone. Residential activities are less compatible with the openness of the zone and the use of the zone as a public space, and therefore a discretionary activity status is applied.
- 12.50** Non-complying activities include activities whose effects would lead to the degradation of the character, purpose and amenity of the Open Space Zone. This includes motorized recreation which would result in noise effects and disturbance to other permitted activities to such an extent that the activity is not considered to be appropriate for the zone. Other non-complying activities, including Industrial, Mining and Quarrying activities, are not compatible with the purpose, character or amenity values of the zone.
- 12.51** Standards for buildings and structures focus on
- Building height
 - Site coverage
 - Gross floor area
 - Recession Plane
 - Setbacks
- 12.52** The permitted activity standards allow for larger buildings and structures than the Natural Open Space Zone, and include several exclusions, such as for play equipment. Setbacks are only applicable to the road boundary and any residential or special activity boundaries, as it is not considered that negative effects on any business zone would arise as a result of a setback absence.
- 12.53** Where the building or structure does not meet the permitted standard, then a restricted discretionary status is applied, and the matters of discretion are focused on ensuring any breach in the standards do not significantly affect the character or amenity values of the zone, any neighboring land uses, or the activities which are permitted within the zone.
- 12.54** There are no height limits proposed for play equipment. Play structures are not considered to result in significant adverse effects. The zone also allows for lightpoles and floodlights up to 18m as a permitted activity. 18m is a common height for such structures nationally. Although the Open Space Zone is not primarily used for active recreation, there may be a desire to establish such infrastructure in the future. The existing artificial light emissions provisions will still apply, and these will be reviewed through a separate plan change.

Sport and Active Recreation Zone

- 12.55** The Sport and Active Recreation contains sites which have specialist sporting use, or equipment to support organized sporting activities. This zone is mostly focused within the urban area and comprised of larger sites which are generally occupied by clubs who undertake organised sporting activities.

Objectives

- 12.56** The three Sport and Active Recreation Zone objectives focus on:
- Outlining the role and purpose of the zone
 - Defining the amenity and character of the zone
 - Recognising the contribution that the privately owned and operated clubs make to the zone and the wider open space network.

12.57 SARZ-01 focuses on the purpose of the zone, and the zone’s contribution to the open space network. SARZ-02 defines the amenity values and character of sites in the zone. Once again, these features and values are an important consideration for any resource consents application and therefore will ensure activities and development can be considered against these features and values.

12.58 SARZ-03 is a specific objective acknowledging the role of the privately owned and operated clubs within the zone. These sites make a significant contribution to the open space network of Upper Hutt, providing for sporting activities which are not available within the publicly owned space. As such, this Objective seeks to recognise this contribution.

Policies

12.59 The zone has five policies. SARZ-P1 and SARZ-P2 detail appropriate activities and appropriate development within the zone. SARZ-P3 is a consideration of the effects which can arise from the activities and development within the zone. The scale of activities within this zone has the potential to result in adverse effects on residential amenity, if not carefully managed.

12.60 SARZ-P4 focuses on ensuring activities and development within the zone are compatible with the purpose and character of the zone and avoiding development and activities which are not. SARZ-P5 identifies privately owned and operated sports clubs, specifically listing those sites and enabling activities and development where they are aligned with the zones character.

Rules

Permitted	<ul style="list-style-type: none"> • Building and Structures (subject to standards) • Recreation • Sport and Active Recreation • Customary activities • Conservation • Community facilities • Parks facilities and management • Removal of a building from a site • Organised fireworks display at Trentham Memorial Park • Residential Activity for Caretaker Purposes • Clay Target Club Shooting Days
Restricted Discretionary	<ul style="list-style-type: none"> • Commercial activity • Visitor accommodation • Educational facilities
Discretionary	<ul style="list-style-type: none"> • Tourism facilities • Residential activity • Catch all
Non- Complying	<ul style="list-style-type: none"> • Motorised recreation • Industrial Activity • Primary Production • Mining Activity • Quarrying Activity

- 12.61** Permitted activities within the zone are similar to the Natural Open Space Zone and Open Space Zone. Passive and Active Recreation are both permitted within the zone. The activities carried out by the specialist clubs within this zone fall within the definition of Sport and Active Recreation, and as such it is not considered to be necessary to include specific rules for each of the private sites. However, there are some specific standards provided for specialist requirements on these sites.
- 12.62** Opportunities for customary and conservation activities are likely to be more limited within this zone, several larger parks still retain a level of natural character which could enable the undertaking of conservation and customary activities. As such, as a permitted activity this is considered to be appropriate.
- 12.63** Park Facilities and Management is considered to be a key permitted activity to facilitate the maintenance of sporting grounds and facilities. This is an encompassing defined activity to allow for spaces to be maintained to a high standard for the relevant sporting activities and protect open space character and amenity values, facilitating the enjoyment of these spaces. Community facilities are considered to be complimentary to the purpose of the zone, and are therefore permitted, but would be required to meet the associated building standards.
- 12.64** Permitted rules also include fireworks at Trentham Memorial Park, which is an existing rule within the plan. Considering the site-specific nature of this activity, it was decided to retain this rule within the zone provisions rather than to relocate it to the temporary events provisions. There is an associated standard for the fireworks event, which is the retained standard from the existing plan, with no information to suggest this standard was not effective in its application
- 12.65** Hutt Valley Clay Target Club currently operate for 80 shooting days (daylight hours) per calendar year using a Certificate of Compliance. The club is not currently zoned as open space and Council has not received any complaints about gun club shooting activities.
- 12.66** Under the proposed Sport and Active Recreation Zone rules shooting is a permitted sport activity. Therefore it is proposed to introduce a rule to manage the number of days the club can shoot, limiting shooting to 100 days (during daylight hours), alongside other standards to ensure residential amenity is maintained within the surrounding rural environment. The increase to 100 days provides the club with more flexibility over shooting days, but is not considered to have a significant effect on residential amenity. The existing noise controls within the District Plan will still apply.
- 12.67** Considering the activities and infrastructure at the privately owned sports clubs within this zone, there is some justification for caretaker accommodation to manage these areas. As such it considered as a permitted activity where it complies with the relevant standard. The standard restricts any caretaker accommodation to be ancillary to the sporting use, controls the size and height, and ensures the accommodation cannot be subdivided from the site. This ensures that the accommodation remains ancillary to the club use of the site and associated with the club, preventing caretaker accommodation which is not used for this purpose. Where this standard is not met, the activity is considered as Restricted Discretionary.
- 12.68** Restricted Discretionary activities are focused on Commercial Activities and Visitor Accommodation. These activities have the potential to support the sporting activities occurring within the zone. Commercial Activities (excluding those associated with temporary

events) can support sports clubs in their operation and can be appropriate as associated with some activities in these spaces. However, if these activities are an inappropriate scale or type then they can restrict permitted activities and be unsuitably compatible with those activities.

- 12.69** Visitor accommodation can also potentially be appropriate within the zone, most specifically at those sites which may have sport facilities which are an attraction for the wider region, and includes those sites under private ownership. However, these activities need to be carefully considered to ensure they are compatible with the amenity values and character of the zone, as well as a consideration of how such an activity would relate to neighbouring amenity. As such, a restricted discretionary status is considered appropriate.
- 12.70** Discretionary activities include tourism facilities, educational facilities and residential activities. Tourism facilities are considered to be less compatible with the sporting nature of the zone considering these areas are utilised for sporting activities and therefore have specialist infrastructure to support this, with tourism facilities
- 12.71** Educational facilities and residential activity are not considered to be compatible with the character and purpose of the zone and are considered to be incompatible with the permitted activities within the zone.
- 12.72** Non-complying activities include activities whose effects would lead to the degradation of the character, purpose and amenity of the Sport and Active Recreation Zone. This includes motorized recreation which will result in noise effects and disturbance to other permitted activities to an extent that the activity is not considered to be appropriate for the zone. Other non-complying activities, including Primary Production, Industrial, Mining and Quarrying activities, are not compatible with the purpose, character or amenity values of the zone.
- 12.73** Standards for buildings and structures focus on
- Building height
 - Site coverage
 - Gross floor area
 - Recession Plane
 - Setbacks
- 12.74** The standards allow for larger buildings and structures than the Natural Open Space and Open Space Zones. The standards also allow for specialised infrastructure including light poles and throwing towers, to support the specific sporting activities occurring within the different sites.
- 12.75** Where the building or structure does not meet the permitted standard, then a restricted discretionary status is applied, and the matters of discretion are focused on ensuring any breach in the standards does not significantly adversely affect the character or amenity values of the zone, any neighbouring land uses, or the activities which are permitted within the zone.
- 12.76** There are no height limits proposed for play equipment. Play structures are not considered to result in significant adverse effects. The zone also allows for lightpoles and floodlights up to 18m as a permitted activity. 18m is a common height for such structures nationally. The existing artificial light emissions provisions will still apply, and these will be reviewed through a separate plan change.

13.0 Objectives Evaluation

13.1 Introduction

13.1.1 This section of the report evaluates the proposed objectives as to whether they are the most appropriate to achieve the purpose of the Act.

13.1.2 For the purposes of this evaluation the following criteria form the basis for assessing the appropriateness of the proposed objectives:

1. Relevance [*i.e. Is the objective related to addressing resource management issues and will it achieve one or more aspects of the purpose and principles of the RMA?*]
2. Usefulness [*i.e. Will the objective guide decision-making? Does it meet sound principles for writing objectives?*]
3. Reasonableness [*i.e. What is the extent of the regulatory impact imposed on individuals, businesses or the wider community? Is it consistent with identified tangata whenua and community outcomes?*]
4. Achievability [*i.e. Can the objective be achieved with tools and resources available, or likely to be available, to the local authority?*]

13.2 Evaluation of Objectives

13.2.1 While not specifically required under s32 of the RMA, it is appropriate to also consider alternative objectives to those currently included in the Proposed District Plan, to ensure that

Proposed Strategic Objectives:	
Open Space and Recreation Zone Objective 1: Upper Hutt has a well-connected and accessible open space network which meets the current and future recreational, conservation, and cultural needs of the district, and supports economic wellbeing through tourism destination opportunities.	
Open Space and Recreation Zone Objective 2: Sport, recreation, leisure activities, and development within Open Space and Recreation Zones is enabled, whilst ensuring the amenity, environmental and cultural values are protected.	
Open Space and Recreation Zone Objective 3: Sufficient additional open space capacity is located and designed to meet the future recreational, sports and leisure needs of the Upper Hutt community.	
General intent:	
These objectives are the strategic objectives which apply to all of the proposed Open Space and Recreation Zones. These objectives take a holistic consideration of how the three zones contribute to the open space network as a whole. They consider what the network should allow for in terms of activities and outline the intended outcome for the network. The strategic objectives also consider how new open space will need to be provided alongside growth. Overall, these objectives seek to ensure that the network as a whole has diverse spaces which allow for a range of activities where effects are appropriately managed.	
Other potential objectives	
There are no existing strategic directions for the plan, and therefore the proposed objectives are the only ones assessed.	
	Preferred objective
<i>Relevance:</i>	
Addresses a relevant resource management issue	The Objectives relate to resource management issues identified in the assessment above. The objectives address the need for open spaces to be useable and accessible for the communities who use them. They also consider the protection of amenity, environmental and cultural values within the open space network. Addressing new open space provision alongside growth in Upper Hutt is also considered within the strategic objectives.
Assists the Council to undertake its functions under s31	The Objectives help address the responsibility of the Council in the control of any actual or potential effects of the use, development, or protection of land.
Gives effect to higher level documents	The objectives are aligned with the relevant sections of the RMA. Furthermore, by considering the open space network as a whole, the objectives are aligned with the RPS. As the open space network includes the Hutt River

	and a number of adjacent parks and reserves, and the proposed objectives consider accessibility, the objectives are aligned with ensuring access to rivers and lakes in line with the regional natural resources plan.
<i>Usefulness:</i>	
Guides decision-making	The objectives are important in guiding decision making as they consider how each of the individual Open Space and Recreation Zones should contribute to the network as a whole. Furthermore, they will guide decision making with regards to the delivery of new open space. It is recognised that these objectives sit above the individual objectives for each zone, however they will still be able to guide higher level decision making.
Meets best practice for objectives	The objectives are worded to ensure they are outcome orientated and clear in their purpose and are considered to be in line with best practice.
<i>Reasonableness:</i>	
Will not impose unjustifiably high costs on the community / parts of the community	The objectives do not result in high costs. The focus is on ensuring the open space network is meeting community needs and ensuring the effects of activities within the zone are managed. The costs of these on the community are not considered to be high. The provision of new open space is also not considered to be overly costly to the community, as new open space can be acquired through the existing Reserves Contribution Policy.
Acceptable level of uncertainty and risk	Overall, the level of risk is considered to be low considering the history of resource consents applied for, and the other legislation which manages open space areas.
Consistent with identified tangata whenua and community outcomes	By protecting open space areas for appropriate activities and ensuring accessibility, as well as managing the potential adverse effects, the proposed objectives are considered to be consistent with the community outcomes. This is further confirmed as the strategic objectives align with the Strategic Objectives from the Open Space Strategy. No feedback was received from tangata whenua on the objectives, but they are considered to be consistent with sought outcomes.
<i>Achievability:</i>	
Realistically able to be achieved within the Council's powers, skills and resources	Council's skills, powers and resources are considered sufficient to achieve the intended outcomes, based on the current resourcing levels, Council knowledge, and the history of Councils administration of the Open Space Zone.
<i>Summary:</i>	
The proposed objectives are strategic in their consideration of the open space network. These objectives are considered important to recognise that the three Open Space and Recreation Zones all make a contribution to the network. Overall, these objectives are closely linked to the Strategic Objectives from the Open Space Strategy. The objectives are aligned with the relevant higher order documents and will be effective in guiding decisions across the three different zones. Furthermore, these objectives are considered to be reasonable in their lack of high costs and their anticipated outcomes for the community.	

Proposed Zone Objectives:

Natural Open Space Zone (NOSZ- O1):

The Natural Open Space Zone allows for the undertaking of recreational, customary and conservation activities with appropriate supporting buildings and structures within the natural environment.

Open Space Zone (OSZ-01):

The Open Space Zone provides spaces for social and family recreation of an appropriate scale whilst positively contributing to the open space network and residential amenity values.

Sport and Active Recreation Zone (SARZ-O1):

The Sport and Active Recreation Zone provides for a diverse range of indoor and outdoor sports activities, with infrastructure to support a range of sporting activities at a local and regional level.

General intent:

The purpose of these objectives is to set out the role and purpose of each zone and the anticipated activities. These objectives are tailored for each zone and describe the activities which characterise the zone. These Objectives generally focus on the sort of recreational activities we can expect to occur within the zones. Secondary within the objectives is the consideration of the sensitivities of the character of the zone itself. This includes the natural environment for the Natural Open Space Zone and the adjacent residential areas of the Open Space Zone.

Other potential objectives

Status quo:

OSZ-O1- The promotion of a range of open spaces, maintained and enhanced to meet the present and future recreation, conservation, visual amenity and hazard management needs of the city.

	Preferred objective	Status quo
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Relevance:

Addresses a relevant resource management issue	The Objectives relate to resource management issues identified in the assessment above. Specifically, the issues relating to ensuring open space is appropriately zoned; enabling recreational activities within the district; and protecting open space characteristics.	The existing Objectives address issues relating to managing the effects from open space activities; enabling recreational activities within the district; and protecting open space characteristics. The objective also seeks to address natural hazard issues which is no longer considered to be appropriate.
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Assists the Council to undertake its functions under s31	The Objectives help address the responsibility of the Council in the control of any actual or potential effects of the use, development, or protection of land.	The Objectives help address the responsibility of the Council in the control of any actual or potential effects of the use, development, or protection of land
Gives effect to higher level documents	The Objectives give effect to the Regional Policy Statement and Proposed Natural Resources Plan by allowing for access to rivers (specifically the Natural Open Space Zone). The Objectives also give effect to the RMA, including through considering amenity values, the quality of the environment and customary activities.	The Objective gives effect to Regional Policy Statement and Proposed Natural Resources Plan by allowing for access to rivers.
<i>Usefulness:</i>		
Guides decision-making	The Objectives are useful in decision making as they state the nature of activities which are considered appropriate for the zone, as well as the open space character or other characteristics which are of consideration.	The objectives guide decision making at a higher level, with less definition of the different type of activities that are considered appropriate across different open spaces. The objectives provide strong support for avoiding adverse effects from activities.
Meets best practice for objectives	Each of the objectives are tailored for the zone's specific characteristics and is in line with best practice.	The objective is clear in its intent and is therefore in line with best practice.
<i>Reasonableness:</i>		
Will not impose unjustifiably high costs on the community / parts of the community	The objectives are not considered to be at a level of restrictiveness which places high costs on the community. The objectives state the nature of activities which can be anticipated in each zone, providing clarity for plan users.	The existing objectives do not currently result in overly restrictive cost for land users.
Acceptable level of uncertainty and risk	Overall, the level of risk is considered to be low considering the history of resource consents applied for, and the other legislation which manages open space areas.	Overall, the level of risk is considered to be low considering the history of resource consents applied for, and the other legislation which manages open space areas.
Consistent with identified tangata whenua and community outcomes	The objectives clearly differentiate between the different community aspirations for different zones,	The status quo is less aspirational about the different needs of the community.

	based on the different activities which occur in those spaces. As such, it is considered that the objectives are consistent with the outcomes sought by the community based on the activities within the different zones.	
<i>Achievability:</i>		
Realistically able to be achieved within the Council's powers, skills and resources	Council's skills, powers and resources are considered sufficient to achieve the intended outcomes, based on the current resourcing levels, Council knowledge, and the history of Councils administration of the Open Space Zone.	There is no evidence that the existing objectives cannot be achieved by Council.
<i>Summary:</i>		
With regards to relevance, the proposed objectives and the status quo are not vastly different, however the proposed objectives are considering a wider range of resource management issues which have been highlighted, and as such are considered to be of more relevance than the status quo policies. The proposed objectives and the status quo are of similar usefulness and achievability. The proposed objectives will be more effective at guiding decision making. The proposed objectives are considered more reasonable by matter of the fact that the objectives are more diverse in their consideration of community needs, having three different objectives based on the different zones to meet community aspirations and the different purposes of the zones.		

Proposed Zone Objectives:

Natural Open Space Zone (NOSZ- O2):

Activities and development within the Natural Open Space Zone maintain amenity values and natural character of the Natural Open Space Zone by ensuring that they are of a appropriate scale, including:

1. A low scale and level of development and built form which is purposed to support appropriate activities;
2. Indigenous vegetation is retained with associated natural and ecological value; and
3. Spaces are accessible and positively contribute to health and wellbeing of communities.

Open Space Zone (OSZ-02):

Activities and development within the Open Space Zone maintain the amenity values and character of the Open Space Zone including ensuring that:

1. A sense of openness is maintained through a low level and density of development;
2. Buildings and structures support the community use of the Open Space Zone; and
3. Spaces are accessible and positively contribute to the health and wellbeing of communities.

Sport and Active Recreation Zone (SARZ-02):

Activities and development within the Sport and Active Recreation Zone ensure amenity values and character of the Sport and Active Recreation Zone are maintained including:

1. Built form retains openness through appropriate location and scaling of buildings;
2. Infrastructure to support different sports and active recreation activities; and
3. Spaces are accessible and positively contribute to health and wellbeing of communities.

General intent:

These objectives seek to maintain the amenity values and character of the different zones. It is important to establish what each of these values are, as these values will be a key consideration for the different zones, as the matters of discretion to be considered for each of the sites place emphasis on these characteristics being maintained and enhanced.

Other potential objectives

Status quo:

OSZ-02- The protection of the life supporting capacity of the environment and amenity values by avoiding, remedying or mitigating the adverse effects of activities in the City's open spaces.

	Preferred objective	Status quo
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Relevance:

Addresses a relevant resource management issue	The objectives help define the differences and applicable character and amenity values between the different Open Space and Recreation Zones, and thus help to ensure these are maintained when considering appropriate activities and development within the zones, and when considering any resource consents within the zones. This is in line	The existing status quo objective focuses on protecting the life supporting capacity and amenity of open space areas, but the objective lacks specificity about the amenity values to be protected.
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	with the resource management issue of ensuring open space character is maintained.	
Assists the Council to undertake its functions under s31	The Objectives help address the responsibility of the Council in the control of any actual or potential effects of the use, development, or protection of land.	The Objectives help address the responsibility of the Council in the control of any actual or potential effects of the use, development, or protection of land.
Gives effect to higher level documents	The objectives are aligned with the RMA through considering issues including amenity values, natural character, and quality of the environment.	The objective gives effect to the RMA, specifically the life supporting capacity of the environment.
<i>Usefulness:</i>		
Guides decision-making	The objectives are considered to be very beneficial for guiding decision-making. By explicitly stating the different amenity and character values of the zones, the consideration of the suitability of different development and activities can be aligned with the criteria outlined in these objectives, and any potential adverse effects on these criteria will help guide decision making.	The existing objective is limited in its ability to guide decision making. The amenity values of the Open Space Zone are not described in further detail within the objective itself, which provides less clarity on what effects need to be considered.
Meets best practice for objectives	Identifying those amenity values which characterise each zone and which should be considered through resource consent applications is in line with best practice.	In general, the Objective is in line with best practice by seeking to maintain environmental quality and amenity values but is less defined in those amenity values which is not in line with best practice, as the objective relies heavily on supporting text.
<i>Reasonableness:</i>		
Will not impose unjustifiably high costs on the community / parts of the community	The objectives only outline those values which will be maintained through appropriate control of development and activities, and do not result in unjustifiably high costs for the community.	The objective is not considered to result in unjustifiably high costs to the community.
Acceptable level of uncertainty and risk	Overall, the level of risk is considered to be low considering the history of resource consents applied for, and the other legislation which manages open space areas.	Overall, the level of risk is considered to be low considering the history of resource consents applied for, and the other legislation which manages open space areas.

Consistent with identified tangata whenua and community outcomes	Aligns with the outcomes sought through the Open Space Strategy and is therefore considered to be aligned with community outcomes.	The objective still seeks to maintain amenity within the Open Space Zone and is therefore somewhat aligned with the community outcomes
<i>Achievability:</i>		
Realistically able to be achieved within the Council's powers, skills and resources	Council's skills, powers and resources are considered sufficient to achieve the intended outcomes, based on the current resourcing levels, Council knowledge, and the history of Councils administration of the Open Space Zone.	There is no evidence that the existing objectives cannot be achieved by Council.
<i>Summary:</i>		
<p>The introduction of the new Open Space and Recreation Zones allows the difference in character and amenity values of open space to be defined within these objectives. The amenity values and character will guide decision makers considering resource consents. Effects on these values are considered to be likely to lead to a loss of open space character and amenity values for the different zones. The existing objective is less specific on the amenity values or character of the zone, but still seeks to ensure that amenity is maintained. Therefore, the proposed provisions are considered to be clearer and will be able to guide decision making more successfully. There is not considered to be a high-cost or high uncertainty for the new objectives, or for the existing. The key difference between the existing objective and the new objectives is the more descriptive nature of the amenity values and character for the zones.</p> <p>As such the proposed objectives are considered to be more relevant and useful by being more explicit in the character and amenity values which will aim to be maintained than the status quo objective. They are also considered to be reasonable and achievable based on the information available.</p>		

Proposed Zone Objectives:

Natural Open Space Zone (NOSZ-03)

Enable a diverse range of activities within Regional Parks, which are compatible with the purpose, natural character and amenity values of the Natural Open Space Zone, that recognise their contribution to the open space network of Upper Hutt.

Sport and Active Recreation Zone (SARZ-03)

Enable a diverse range of sport and active recreation activities within privately owned and operated sports club sites, which are compatible with the purpose and amenity values of the Sport and Active Recreation Zone that recognise their contribution to the open space network of Upper Hutt.

General intent:

The Natural Open Space Zone and the Sport and Active Recreation Zone both contain sites for specific activities which make a significant contribution to the availability of diverse activities occurring within these zones and may have a wider variety or more specialised activities occurring than other spaces within the zone with the potential for more diverse effects. These policies recognise the contribution these spaces make to the individual zones and the wider open space network as a whole, whilst also considering that these activities should still be compatible with the zones.

Other potential objectives

No other potential objectives have been identified and there is no relevant status quo currently.

Proposed objective

Relevance:

Addresses a relevant resource management issue

The objectives clearly recognise how the specific spaces contribute to the zones and the wider open space network, and therefore contribute to ensuring open spaces are recognised and retained for recreation uses. Furthermore, through ensuring the activities and development are still compatible with the purpose and character of the zones, open space character is protected.

Assists the Council to undertake its functions under s31

The Objectives help address the responsibility of the Council in the control of any actual or potential effects of the use, development, or protection of land. Specifically, these objectives help consider land use within these specific areas of the Open Space and Recreation Zones.

Gives effect to higher level documents

There is no higher-level document which requires recognition of these spaces, but the objectives align with the Open Space Strategy and the Greater Wellington Parks Network Plan.

Usefulness:

Guides decision-making

The Objectives are beneficial for guiding decision making within these areas, as they recognise the important role of providing for specific activities within open spaces, and therefore development and activities within these areas should be supported where appropriate, while considering the character and amenity values of the zones as well.

Meets best practice for objectives	The objectives are clearly worded and location specific and therefore are considered to be in line with best practice.
<i>Reasonableness:</i>	
Will not impose unjustifiably high costs on the community / parts of the community	The objectives are not considered to result in high costs for any parts of the community.
Acceptable level of uncertainty and risk	Overall, the level of risk is considered to be low considering the history of resource consents applied for, and the established nature of these spaces within Upper Hutt.
Consistent with identified tangata whenua and community outcomes	Aligns with the outcomes sought through the Open Space Strategy and are therefore considered to be aligned with sought outcomes.
<i>Achievability:</i>	
Realistically able to be achieved within the Council's powers, skills and resources	Generally, the objectives are only recognising the contributions that these sites make to the open space network, and therefore are in line with the ability of the council to achieve these outcomes.
<i>Summary:</i>	
<p>The Objectives are focused on recognising the contribution that specific sites make to the applicable zones. There is no equivalent within the existing plan, however as these sites are considered in the proposed policies and rule frameworks, an objective which recognises these sites is considered appropriate. The objectives align with the recognition of these sites within the Open Space Strategy and are therefore considered to align with community outcomes. There is not considered to be an unreasonably high cost on communities and due to the reasonably simple nature of the objectives, there is no consideration that it is beyond Council's powers to achieve this. The objectives are considered to be useful and relevant for guiding decision making.</p>	

14.0 Policies and Rules Assessment

14.1 Introduction

14.1.1 This section of the report evaluates the proposed policies and rules, as they relate to the associated objective(s). Along with the proposed provisions, the Council has also identified an additional alternative reasonably practicable option for achieving the objectives.

14.1.2 The technical and consultation input that has informed the evaluation of the proposed provisions is set out in section 3 of this report, above.

14.2 Evaluation method

14.2.1 For each potential approach an evaluation has been undertaken relating to the costs, benefits and the certainty and sufficiency of information (as informed by section 4 of this report) in order to determine the effectiveness and efficiency of the approach, and whether it is the most appropriate way to achieve the relevant objective(s). This evaluation is contained in the sections that follow.

14.3 Provisions to achieve Open Space and Recreation Objectives

14.3.1 For the purpose of this evaluation, the Council has considered the following potential options:

1. The proposed provisions
2. The status quo

This analysis relates to the provisions designed to achieve the following objectives:

- OSRZ-O1, OSRZ-O2 and OSRZ-O3
- NOSZ-O1, NOSZ-O2 and NOSZ-O3
- OSZ-O1 and OSZ-O2
- SARZ-O1, SARZ-O2 and SARZ-O3

Proposed approach to provisions	Costs	Benefits	Risk of Acting / Not Acting if there is uncertain or insufficient information about the subject matter of the provisions
<p>Three Open Space Zones are proposed which have various characteristics and values. The provisions for these zones are assessed against the relevant costs and benefits.</p> <p>Policies: NOSZP1-P5: Policies focus on enabling appropriate activities (recreation, conservation, customary), avoiding inappropriate activities, outlining development that is appropriate for the zone, ensuring primary production can occur in Regional Parks, and ensuring values of open spaces are maintained and enhanced.</p> <p>OSZ P1-P5: Policy 1 focuses on ensuring appropriate activities are enabled. Policies 2 and 3 detail development which is appropriate and those activities and development which are inappropriate. Policy 4 protects residential amenity through the consideration of potential affects, and Policy 5 allows commercial and tourism activities where compatible with the zones character and amenity values.</p> <p>SARZ P1-P5: Policy 1 enables appropriate activities. Policy 2 details appropriate development, and Policy 3 seeks to manage the effects of activities on amenity values. Policy 4 seeks to avoid inappropriate activities and development, and Policy 5 allows for specific sport club activities.</p> <p>Rules: Rules NOSZ-R1 to R24</p>	<p>Environmental Overall costs will be low for the environment. The District Plan and Proposed Natural Resources Plan have existing provisions to protect environmental quality. Furthermore, the consents and complaints assessment did not reveal any significant issue with the existing rules and their outcomes. There may be some small effect to the environment based on activities occurring and potential development, but these will be expected to be minor based on the standards within the rule framework.</p> <p>Economic There will be an inherent cost for any landowner who wishes to undertake development or activities which require a resource consent under the conditions.</p> <p>There will be a cost to Council as the changes will involve a plan change process with a potential hearing, and a cost as the Council adopt the new chapters and make the necessary changes to the District Plan and mapping services.</p> <p>Occupiers of the sites may also incur a cost if their group or club wishes to enhance infrastructure present to support their activity. New groups or clubs who may want to occupy a space may require resource consent before they can, which would result in a cost to them.</p> <p>The addition to the Reserves Contribution Policy may have an increase in costs for developers in terms of providing land, however no changes to the monetary contributions is proposed, and as such the overall change is small and the effects are minor.</p> <p>Social Generally social costs are not expected to arise from this plan change, outside of the costs to occupiers potentially needing resource consent to undertake some activities and development.</p>	<p>Environmental There are multiple identified benefits for the environment as a result of these provisions. The provisions contain standards to protect the environmental character of the three different zones. This includes the restriction of development to protect the open space character of the zones, which will in turn provide benefits for the environment through retention of natural elements, such as vegetation and waterways.</p> <p>The rule framework for each zone ensures that the effects of any activities or development are suitably considered such that adverse effects are not considered to occur for the environment.</p> <p>Furthermore the overall approach of protecting and maintaining open spaces will have environmental benefits through the retention of open space land. Activities such as conservation, customary and community gardens will also have associated positive environmental benefits for these areas and the wider community.</p> <p>Economic As the proposed rule framework for the new zones is not significantly different to the existing rules, and the majority of parks and reserves which are Council or Regional Council owned and are under recreation designations, a significant change in the cost of consenting is not expected.</p> <p>The consideration of commercial and tourist based activities have the potential to have positive economic benefits through the support of these industries within the Upper Hutt economy. Furthermore, their development could provide employment opportunities within the local community and help develop Upper Hutt as a tourism destination. This in turn could have additional economic benefits from spending in the wider community.</p>	<p>It is considered that there is certain and sufficient information on which to base the proposed policies and methods as:</p> <ul style="list-style-type: none"> • The Open Space Strategy and its consultation process has provided a strong basis for understanding the open space network of Upper Hutt, including the direction for the future state of the network and any existing issues. • Further research undertaken through the plan change work and detailed in section 3 of this report has also provided sufficient evidence base to inform the proposed policy direction. • The new provisions, although more expansive in their consideration of activities within the open space network, are not vastly different from the status quo.

<ul style="list-style-type: none"> • R1-R13 are permitted activities including recreational, conservation and park management. • R14-R15 are restricted discretionary activities. • R16-R20 are discretionary activities, including a catch-all. • R21-R23 are non-complying activities, relating to mining, quarrying, and development in proximity to transmission lines. <p>Rules OSZ-R1 to R27</p> <ul style="list-style-type: none"> • R1-R12 are permitted activities, and these include community gardens, cemetery activities, and fireworks at Trentham Memorial Park. • R13-R17 are restricted discretionary activities that include commercial activities, visitor accommodation and educational facilities. • R18-R20 are discretionary activities. • R21-R26 are non-complying, including motorised recreation activities, industrial activities and quarrying activities. <p>Rules SARZ-R1 to SARZ-R21</p> <ul style="list-style-type: none"> • R1-R11 are permitted activities, and this includes buildings and structures complying with the specified standards, and sports activities. • R12-R13 are restricted discretionary activities for visitor accommodation and commercial activities. • R14-R17 are discretionary activities including educational facilities and tourism facilities • R18-R22 are non-complying activities, including motorised recreation. <p>Other Methods: Reserves Contribution Policy: There are specific requirements added to the</p>	<p>Cultural Cultural cost is not considered to be significant. Cultural activities are permitted within the three zones so there should be limited need for any cultural groups to require a resource consent, outside of the need to develop.</p>	<p>Social The positive effects associated with this plan change are considered to be widespread due to the nature of the land which is in consideration being predominantly publicly accessible.</p> <p>The use of the new three zones will provide positive social effects by giving a clearer indication to clubs, groups, and members of the public who may want to utilise those spaces, what the appropriate activities are for those spaces.</p> <p>Furthermore, with a clear rule framework for each of the zones, the potential effects of development and land use activities are considered to be suitably considered such that residential amenity and the amenity of any other neighbouring land uses are sufficiently protected and maintained.</p> <p>Through ensuring the open space character of these areas are protected there will be long term social benefits for the community who will be able to continue using these spaces for activities which benefit their health and wellbeing, both physical and mental.</p> <p>The additions to the existing Reserves Contribution Policy will ensure new open space areas provided alongside new development are of appropriate quality such that they will make a positive contribution to Upper Hutt. This will provide social benefits for the community as the open space network is enhanced with new opportunities and spaces for recreation, sport, cultural and community activities.</p> <p>Cultural Cultural activities are permitted across all of the proposed zones with benefits for cultural groups who wish to undertake such activities.</p>	
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reserves contribution policy to ensure the quality of open spaces delivered through that policy are sufficient to positively contribute to the open spaces network.			
Effectiveness and efficiency	<p>Effectiveness</p> <p>The provisions are not a significant change from the status-quo, but instead generally modify and clarify the existing provisions to better suit the characteristics of the different sites which have been identified through the use of the new zones. The above assessment demonstrates that the proposed provisions have a range of benefits across the 4 considered topics, with associated limited costs. As such, these proposed provisions are considered to be the most effective method for achieving the objectives for each of the zones.</p> <p>The provisions for each of the zones is considered to work towards not only the objective for that zone, but the strategic objectives as well, and in total they will have a holistic effect on managing the open space network of Upper Hutt. As such this is considered to be an effective method of protecting the unique characteristics of each zone whilst achieving overall positive outcomes for the Upper Hutt open spaces network.</p>	<p>Efficiency</p> <p>The provisions are expected to result in the desired outcomes for the different zones through permitting those activities which are appropriate for each zone and restricting those where effects have been identified. This rule framework is expected to be efficient and effective, with the costs limited to those activities which require resource consent due to their activity status. Therefore, the proposed provisions are the most efficient method to achieve the objectives for the different zones.</p>	
Overall evaluation	<p>Overall, the benefits of the draft provisions are considered to be significantly greater than the costs which have been identified above. The provisions have been devised to cater for the wide-ranging activities which we expect to be occurring within the open space network and ensure these can be undertaken with minimum costs, whilst also meeting the aims of the RMA by managing resources sustainably. The provisions will achieve the proposed objectives by permitting appropriate activities of an appropriate scale, whilst protecting the character and amenity values of the zones. The policies provide clear direction over appropriate activities and development within the zones, and which effects will be managed. Furthermore, the changes to the Reserves Contribution Policy will allow Council to ensure additions to the open apace network will be of appropriate quality. Based on the above assessment the provisions are the most effective and efficient method to achieve the objectives.</p>		

Alternative approach to provisions	Costs	Benefits	Risk of Acting / Not Acting if there is uncertain or insufficient information about the subject matter of the provisions
<p>Retain the operative district plan approach by retaining the existing Open Space Zone and its associated provisions.</p> <p>Make no changes to the Reserves Contribution Policy.</p>	<p>Environmental</p> <p>Based on the assessment of the existing provisions there is not significant evidence that these provisions are not sustainably managing the environment.</p> <p>However, with more diverse activities expected to occur within the open space areas of Upper Hutt following the trends outlined in the Open Space Strategy, the existing provisions may not sufficiently achieve environmental outcomes.</p>	<p>Environmental</p> <p>Based on the assessment of the existing provisions there is not significant evidence that these provisions are not sustainably managing the environment.</p> <p>Economic</p> <p>Economic benefits include the absence of cost and time associated with undertaking the plan change process.</p> <p>Social</p> <p>There will continue to be benefits for the community through the restrictive rule framework associated with</p>	<p>It is considered that there is certain and sufficient information on which to base the proposed policies and methods as:</p> <ul style="list-style-type: none"> • The Open Space Strategy and its consultation process has provided a strong basis for understanding the open space network of Upper Hutt, including the direction for the future state of the network and any existing issues. • Further research undertaken through the plan change work and detailed in section 3 of this report has also provided sufficient evidence base to inform the proposed policy direction.

	<p>This could include not sufficiently considering the effects off new development and activities which are not considered within the existing rule framework.</p> <p>Economic The status quo largely bears economic costs through its requirement for Resource Consent for a number of activities. The existing provisions also do not take into account the potential for tourism and visitor accommodation within open spaces, which could cause economic uncertainty about whether these activities will be allowed to continue or be established.</p> <p>The existing presence of designations on most of the parks and reserves in Upper Hutt mean costs are limited for the Council to undertake necessary works in these areas, however those open space areas not covered by designations still require resource consent.</p> <p>Social The provisions in the existing District Plan do not consider the wide range of activities that occur within the open space network. They are limited in scope, and as such could result in more uncertainty from land users on what activities they can undertake. The existing provisions do not take into account the changing nature of open space areas and has limited consideration of future diversification of these areas.</p> <p>The provision of new open space within the existing provisions is limited within the existing Reserves Contribution Policy, and so any new open space land provided may not make a significant positive improvement on the open space network.</p> <p>Cultural The existing provisions do not make any reference to cultural activities occurring within the Open Space Zone. As such there may be uncertainty around the status of undertaking customary activities within these areas, which could lead to unnecessary consenting time and processes.</p>	<p>the Open Space Zone which protects open spaces for community benefits.</p> <p>The lack of change to the plan will also have some benefits for the public and practitioners who use the plan for ease of use for the Plan.</p> <p>Cultural Cultural benefits are expected to be limited as the existing provisions do not expressively provide for cultural activities. However, the protection of open spaces will still provide an opportunity for cultural activities to occur.</p>	<ul style="list-style-type: none"> • The new provisions, although more expansive in their consideration of activities within the open space network, are not vastly different from the status quo.
<p>Effectiveness and efficiency</p>	<p>Effectiveness</p> <p>The existing provisions are not considered to be significantly failing in their management of open space areas, and as such the existing status quo is somewhat effective. However, it is limited in the consideration of the different activities which could occur within open spaces, which limits the status quo's ability to provide for future benefits for the open space areas of Upper Hutt. Therefore the existing</p>	<p>Efficiency</p> <p>There is an inherent efficiency in retaining the status quo as no plan change would be required. However, the existing provisions are not considered to be the most efficient as the existing framework is likely to result in costs as the open space area becomes more diversified with different uses based on changing recreational undertakings. Therefore the status quo is not the most efficient method for achieving the set objectives.</p>	

	<p>provisions are not considered to be effective at considering the changing nature of open spaces, and the future state of the open space network.</p> <p>Furthermore, the existing provisions approach to providing new open space has not always yielded the best results for the open space network. As such this is not considered to be the most effective method for providing new open space alongside growth which positively contributes to the open space network. Therefore the status quo provisions are not considered to be the most effective method for achieving the proposed objectives.</p>	
<u>Overall evaluation</u>	<p>The option of retaining the status quo is not considered to be the best way to achieve the objectives for the open space network. The existing provisions have limited consideration for the different activities which we could expect to occur within the Open Space Zone based on the findings of the Open Space Strategy and the changing uses of these spaces. Although they have not been found to have significant negative costs, the benefits they provide are limited in scope, and therefore not effective.</p>	

15.0 Zoning Assessment

15.1 Introduction

15.1.1 This section of the report evaluates the proposed zoning approach for the plan change. Under Section 32 of the RMA it is necessary to examine the objectives and the provisions and their appropriateness, which has been undertaken in sections 13 and 14 of this report. For this plan change it was considered appropriate to also assess the approach to zoning as the existing proposal will result in the introduction of two new zones.

15.2 Evaluation method

15.2.1 For each zoning approach an evaluation has been undertaken relating to the costs, benefits and the certainty and sufficiency of information (as informed by section 4 of this report) in order to determine the effectiveness and efficiency of the approach. This evaluation is contained in the sections that follow.

Zoning approach	Costs	Benefits	Risk of Acting / Not Acting if there is uncertain or insufficient information about the subject matter of the provisions
<p>This assessment considers the general approach to zoning for the Open Space and Recreation Zones. The reasoning for the adoption of these zones is detailed in Section 7 of this report. This assessment is focused on the overall costs and benefits of using three zones for the open space network.</p> <p>Natural Open Space Zone: Areas where the natural environment is retained and development and activities are of an appropriate scale. Included within this zone are the Regional Parks, the Hutt River and smaller ecological reserves.</p> <p>Open Space Zone: Areas which provide for a range of active and passive recreation and community activities, with associated facilities. This zone is predominantly comprised of parks and reserves within the urban area which have limited ecological value and have limited associated sporting or recreational facilities. This zone also includes the Akatarawa Cemetery and the Presbyterian Cemetery.</p> <p>Sport and Active Recreation Zone: Areas which provide for active recreation and have facilities to support indoor and outdoor sporting activities. Parks which have specialist sporting pitches and are leased by sports clubs are included in this zone.</p>	<p>Environmental</p> <p>Overall, the environmental costs of utilising three zones for the open space network is considered to be minimal. Although there are differences in the permitted baselines for the different zones, which includes variations in building and structure bulk and location, the provisions are considered sufficient to manage any adverse effects on the environment.</p> <p>Economic</p> <p>Economic costs are also considered to be low. Although there is the inherent cost with progressing a plan change, this is considered to be minimal. The utilisation of the three zones is not considered to have an effect on current or future employment opportunities.</p> <p>Social</p> <p>Social costs could occur from communities not being able to undertake certain activities within open space areas if the provisions framework for these areas restricted some activities to maintain character and amenity values. However, the rule frameworks have been tailored to ensure that communities can still utilise the spaces within the zone for the appropriate activities, and therefore the effect of this is negligible.</p> <p>Cultural</p> <p>No cultural costs have been identified for this approach.</p>	<p>Environmental</p> <p>The utilisation of three zones which each have a tailored provisions framework is considered to be beneficial for environmental outcomes. Each zone has a specific characteristic. For example, with the Natural Open Space Zone there is a higher degree of natural character present and therefore the provisions will be more tailored than single zoning, with associated environmental outcomes. Through minimising development and controlling appropriate activities within this zone, there will be benefits through the protection of natural character.</p> <p>Further beneficial environmental outcomes are considered for the other two zones based on their management of activities and development, which is different across all three zones due to their different character.</p> <p>Economic</p> <p>Economic benefits for the plan change will be realised more through the proposed provisions framework than the zoning approach. However, the certainty that the zoning approach provides translates into economic certainty for surrounding landowners about the continuation of open space and the utilisation of that space. This can also be considered as a social benefit.</p> <p>Social</p> <p>The proposed zoning approach will provide a range of social benefits. There will include greater clarity for the general public over the purpose of the different spaces within the open space network and their uses based on their zoning. This will also translate into an ease of use for plan users by understanding the outcomes of the different zones.</p> <p>There will also be social benefits for the occupying clubs and groups who operate in these spaces by providing a greater certainty of their activities based on the zoning.</p> <p>Cultural</p>	<p>It is considered that there is certain and sufficient information on which to base the method as:</p> <ul style="list-style-type: none"> • It is consistent with best practice within other District Plans to utilise different zones within the open space network to manage open space activities and development. • The Open Space Strategy and its consultation process has provided a strong basis for understanding the open space network of Upper Hutt, including the direction for the future state of the network and any existing issues.

		The environmental protection provided through open space zoning is considered to have cultural benefits. This includes the zoning of the Hutt River as Natural Open Space.	
Effectiveness and efficiency	Effectiveness The approach is considered to be an effective approach to zoning the open space network of Upper Hutt. Based on the findings of the District Plan comparison report, it is an established practice to utilise different zones to manage activities and development within open space areas. The effectiveness of this approach is focused on ensuring that the character and amenity values of different areas are maintained based on the provisions framework for that zone.	Efficiency The approach is considered to be the most efficient approach to zoning, and the most efficient approach to ensuring that the proposed objectives are met.	
Overall evaluation	The utilisation of three different zones to manage the open space network is considered to provide a range of environmental, economic and social benefits as stated above. This zoning approach will allow for greater environmental protection based on the different zone characteristics. There were not any significant identified costs for this approach to zoning, with the major cost being associated with the cost of the plan change itself. Overall, with the benefits outweighing the costs as detailed in the above assessment, the proposed zoning approach is considered to be the most effective and efficient approach		

Zoning approach	Costs	Benefits	Risk of Acting / Not Acting if there is uncertain or insufficient information about the subject matter of the provisions
<p>The assessment in the table above considers the general zoning approach for the plan change which includes the three proposed zones.</p> <p>This assessment considers the proposal to zone privately owned and operated sites with established recreational activities occurring as the Sport and Active Recreation Zone. This includes:</p> <ul style="list-style-type: none"> • Royal Wellington Golf Club • Te Marua Golf Club • Hutt Valley Clay Target Club • Riding for the Disabled 	<p>Environmental Zoning private land as open space is not considered to result in negative effects on the environment, as the restrictive nature of the zoning results in a level of environmental protection through restricting development and managing the scale of activities.</p> <p>Potential negative effects on the environment can still occur from recreational activities of an inappropriate scale occurring in these areas, as well as development of an inappropriate scale, however the provisions framework is anticipated to be sufficient to ensure these effects are no more than minor.</p> <p>Economic Due to the Open Space and Recreation Zone provisions being restrictive on development and activities occurring within the zone, it limits the ability for privately operated sites to diversify, for example including housing on a golf course.</p> <p>This does not make it impossible, but a resource consent may be required for certain activities to occur. However, based on the findings of the economic cost benefit analysis in Appendix 4, the effects of this zoning are not considered to be significant as they are limited to the ability to subdivide which is already a resource consent requiring activity.</p>	<p>Environmental Zoning private recreation spaces as open space will result in benefits for the environment through the provisions associated with the levels of development within the zone.</p> <p>The maintenance of open space character and the type of activities occurring within the zone are not considered to result in significant adverse effects on environmental quality.</p> <p>These effects are likely to be long lasting, allowing for these areas to be protected for the future.</p> <p>Economic The zoning of privately operated sites can provide some economic certainty for landowners by recognising the activity which is occurring as established.</p> <p>Social Social benefits are considered to be numerous for this zoning approach, as these private sites are utilised by a wide range of community members. By zoning these sites as open space we recognise the contribution they make to the social network of Upper Hutt and help safeguard the use of these sites.</p> <p>A number of these sites also have associated flood risk, and therefore zoning these sites as open space, which is</p>	<p>It is considered that there is certain and sufficient information on which to base the method as:</p> <ul style="list-style-type: none"> • Legal advice has been provided on the suitability of zoning private land as open space, and the approach proposed is in line with that advice • It is in line with best practice examined within other District Plans to zone private recreation sites as open space where appropriate • An economic assessment was undertaken for the rezoning of these sites, and this can be seen in Appendix 6.

	<p>Social Zoning private recreation areas as open space is not considered to result in negative social effects.</p> <p>Cultural The cultural effects of zoning private land are considered to be negligible.</p>	<p>restrictive on development, could have associated benefits through managing natural hazard risk.</p> <p>Cultural Cultural effects are limited as this is private land with no known cultural sites.</p>	
Effectiveness and efficiency	<p>Effectiveness Zoning privately operated sites as open space is considered to be an effective approach to ensuring the open space network is holistically considering the range of open space activities within Upper Hutt. The zoning of these sites is effective in meeting the proposed strategic objectives. Furthermore, zoning of these sites is a recognition of the part they play in providing recreation opportunities to the wider community.</p>	<p>Efficiency Based on the analysis above, there are limited costs to zoning the sites as open space, whereas there are numerous benefits to this zoning approach. The most likely effect will be on any limit to diversify for these sites; however the consultation process has clarified that these sites wish to continue operation, and therefore will not be affected by the more restrictive zoning as it aligns with their aspirations. Furthermore, a number of these sites are already at least partially zoned as open space, and therefore the overall change is considered to be minimal.</p>	
Overall evaluation	<p>Zoning privately owned and operated sites which are used for recreational purposes and Open Space and Recreation is considered to be the most appropriate direction. The cost/benefit analysis did not highlight significant costs to the approach, whereas the benefits were numerous and more diverse. These spaces make a significant contribution to the recreational opportunities of the Upper Hutt community, and the wider recreational opportunities of the region. As such, the acknowledgement of these within the Open Space and Recreation Zones are an appropriate approach.</p>		

Zoning approach	Costs	Benefits	Risk of Acting / Not Acting if there is uncertain or insufficient information about the subject matter of the provisions
<p>Removing private land from the existing Open Space Zone. This includes the following areas to be removed:</p> <ul style="list-style-type: none"> Wellington Speedway Areas which are privately owned and where the Open Space Zone has previously been used to manage flood hazard. Areas where the Open Space Zone is located on private property with no recreational use. 	<p>Environmental The open space zoning currently present on the sites provides environmental protection through restricting development and activities. Removing this zoning allows more diverse development to occur, which could result in more effects on the environment. However, the amount of land removed from the Open Space Zone is not of significant quantity to result in a significant loss of environmental value, and these sites generally have existing uses established.</p> <p>Furthermore, any environmental effects as a result of development will be managed by the provisions framework for the associated zoning. The provisions associated with managing flood risk will ensure no significant risk from flood risks occurs for sites where that is a consideration.</p> <p>As the provisions are not proposed to change for the Speedway, the environmental effect is considered to be neutral for a change of the underlying zoning.</p> <p>Economic</p>	<p>Environmental The environmental benefits of the zone removal are limited.</p> <p>Economic There is the potential for economic benefits for the owners of residential sites where open space zoning is present, as it will remove a potential need for unnecessary resource consents due to the provisions of the open space zoning.</p> <p>Furthermore, removing open space zoning from sites where there is no recreational use can allow for development where appropriate, which inappropriate open space zoning could constrain, with associated benefits.</p> <p>The commissioned economic assessment for zoning change (Appendix 4) further details how the rezoning has the potential to allow for development where possible and the associated economic benefits.</p> <p>Social</p>	<p>It is considered that there is certain and sufficient information on which to base the method as:</p> <ul style="list-style-type: none"> Legal advice has been provided on the suitability of zoning private land as open space, and the approach proposed is in line with that advice It is in line with best practice examined within other District Plans to zone private recreation sites as open space where appropriate An economic assessment was undertaken for the rezoning of these sites, and this can be seen in Appendix 6.

	<p>The open space zoning removal is not considered to have any significant economic effects on the sites. Although the open space zoning may have an impact on rates, based on the absence of any change of land use activity at the sites, no significant rates change is anticipated for these sites.</p> <p>The zoning removal will not affect the continued operation of the speedway, as the tailored provisions for the speedway will be retained, there is not considered to be any more restrictive measures for the speedway in terms of consenting costs and therefore it is considered that the economic effects on the speedway will be neutral.</p> <p>The commissioned economic assessment for zoning change (Appendix 4) further details how the rezoning is not considered to have negative economic effects for those sites considered.</p> <p>Social The social costs of the open space zoning removal of these sites are considered to be negligible based on the absence of recreation opportunities occurring within these areas.</p> <p>Cultural The cultural effects of removing open space zoning from the sites considered are likely to be limited, as these areas are privately owned and therefore existing cultural activities are considered to be limited.</p>	<p>The removal of open space zoning for the private landowners is unlikely to provide significant social benefits, as most of these sites have no known recreational use with the exception of the Speedway, which is regionally wide recognised as a recreation space. However, although this is being removed from the Open Space Zone, the site is still being recognised as important through the Special Activity Zoning.</p> <p>The zoning changes proposed will provide more clarity for the plan users as to those spaces which are appropriate for recreational activities, by removing the open space zoning from private sites with no recreational uses.</p> <p>If any of these areas are able to be developed for residential purposes (overcoming any existing site level constraints), there could be wider social benefits for housing provision within the local community.</p> <p>Cultural The cultural effects of removing open space zoning from the sites considered are likely to be limited.</p>	
Effectiveness and efficiency	<p>Effectiveness</p> <p>Overall, the aim is to have an open space network which is accurately reflective of land use, being land that is used for recreation purposes or which is publicly owned and could provide future recreational benefits. The removing of open space zoning on these private sites is an effective way of achieving this, as it removes areas from the zone with no known recreational use and which is not publicly owned.</p> <p>The removal of the speedway from the Open Space Zone is an effective way of ensuring the specialised nature of the site is recognised, including recognising its regional significance, within the Special Activity Zone.</p>	<p>Efficiency</p> <p>The cost/benefit analysis undertaken above shows that the zoning removal is considered to have limited costs, especially when considering the protection provided by the provisions frameworks within the District Plan.</p> <p>However, the benefits are considered to be strong enough that the proposal is the most efficient way to address the issue as identified.</p>	
Overall evaluation	<p>This is considered to be the best approach to ensuring the Open Space and Recreation Zones for Upper Hutt are accurately reflecting land use. The zoning change is generally minor and will only affect a handful of sites, but there are benefits for the landowners and for plan users which justify the proposed change.</p> <p>The removal of the Speedway from the zone is a recognition that the activity is specialised in nature, and that the effects which can arise from this activity are generally more appropriate for the Special Activity Zone. Due to the Speedway having an existing rule framework within the District Plan, the zoning change is considered to be minor with the provisions remaining the same.</p>		

16.0 Conclusion

- 16.1** 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 proposal having regard to its effectiveness and efficiency relative to other means in achieving the purpose of the RMA.
- 16.2** The existing Open Space Zone is required to be reviewed and needs to be responsive to the wider legislative and statutory context. Upper Hutt has a diverse range of open spaces which cater for a wide variety of recreation and other community activities. As such, the adoption of the three open space zones through the National Planning Standards is considered to be an appropriate approach to the management of open spaces within Upper Hutt. The plan change is consistent with the relevant provisions of the RMA and higher-level documents, including the Regional Policy Statement.
- 16.3** Furthermore, through the consideration of private land zoning, the zoning extent of the Open Space and Recreation Zones is considered to accurately reflect the extent of the existing open space network within Upper Hutt.
- 16.4** Through the adoption of these zones Plan Change 49 has developed a provisions framework which aims to enable compatible activities and development within the zones whilst maintaining character and amenity values by managing adverse effects and avoiding inappropriate activities and development.
- 16.5** Although the existing zoning and provisions approach has been successful in managing open spaces to a degree, as the Open Space Strategy has identified the use of our public open spaces is changing. Therefore, the District Plan needs to take this into account, anticipating potential land use changes and the effects arising from these activities. Therefore, although the provisions are not significantly different to the existing provisions, they are considered to be more efficient and effective at managing development and activities to achieve the open space networks outcomes.
- 16.6** Overall, the provisions for the Open Space and Recreation Zones ensure the Upper Hutt community can utilise the open space network for recreation, sporting, customary and conservation activities where appropriate, whilst ensuring the characteristics and amenity values of the open space network are maintained.
- 16.7** Based on the findings of this report, it is considered that the proposed measures are the most effective and efficient approach for Council to meet its statutory requirements.

Appendix 1- Proposed Open Space and Recreation Zone Provisions

Term	Definition
Buildings National Planning Standards (NPS)	Building means a temporary or permanent movable or immovable physical construction that is: (a) partially or fully roofed; and (b) fixed or located on or in land ; but excludes any motorised vehicle or other mode of transport that could be moved under its own power.
Commercial Activity NPS	means any activity trading in goods, equipment or services. It includes any ancillary activity to the commercial activity (for example administrative or head offices).
Community Facility NPS	means land and Buildings used by members of the community for recreational, sporting, cultural, safety, health, welfare, or worship purposes. It includes provision for any ancillary activity that assists with the operation of the community facility .
Community Garden PC49 added	means land used as a garden on privately or publicly held land, used by a group or collective, for the purpose of growing fruit, vegetables and flowers on a not for profit basis.
Conservation NPS	the maintenance or enhancement of environmental and heritage values.
Customary Activity PC49 added	means the use of land or Buildings for Maori cultural activities that provide for the special relationship between tangata whenua and places of customary importance.
Educational Facilities NPS	means land or Buildings used for teaching or training by child care services, schools, or tertiary education services, including any ancillary activities .
Minor Structure NPS	means any structure of less than 5m ² in area with a height of less than 1.2m. <ul style="list-style-type: none"> • Any fence or wall with a height of less than 2m. • Any retaining wall with a height of less than 1.5m above the finished ground level. • Any tank or pool, and any structural support: <ul style="list-style-type: none"> • Which has a capacity of less than 25,000 litres and is supported directly by the ground. • Which has a capacity of less than 2,000 litres and is supported at a height of less than 2.0 metres from the base of its structure. Which has a capacity of less than 500 litres and is supported at a height of less than 4.0 metres from the base of its supporting structure
Motorised Recreation PC49 added	Motorised recreation include vehicles, quad bikes, motorbikes, SUV, petrol/ other volatile fuel powered bicycle and highly powered e-bikes with power outputs exceeding that of the Land Transport Act definition of a bicycle, which are used for purposes other than access.

	<p>Light Utility Vehicles (LUVs), also known as side by sides, go karts and larger LUVs are considered the same category as 4WD's for access and management purposes.</p> <p>This excludes motorised recreation associated with temporary events and miniature railways.</p>
<p>Open Space and Recreation Zones PC49 added</p>	<p>means the zones which comprise the open space network of Upper Hutt, including the Natural Open Space Zone, Open Space Zone and the Sport and Active Recreation Zone.</p>
<p>Park Facilities & Management PC49 added</p>	<p>means land, structures or activities that facilitate the management, use and enjoyment of a public open space and that are mostly for the convenience and amenity of the public.</p>
<p>Passive Recreation PC49 added</p>	<p>means the use of land and/or buildings for passive recreation and leisure activities which are informal, including walking, running, and cycling. Excludes motorised activities.</p>
<p>Primary Production NPS</p>	<p>means:</p> <p>(a) any aquaculture, agricultural, pastoral, horticultural, mining, quarrying or forestry activities; and</p> <p>(b) includes initial processing, as an ancillary activity, of commodities that result from the listed activities in a);</p> <p>(c) includes any land and Buildings used for the production of the commodities from a) and used for the initial processing of the commodities in b); but</p> <p>(d) excludes further processing of those commodities into a different product.</p>
<p>Sport & Active Recreation PC49 added</p>	<p>means the use of land and/or Buildings for organised and informal sports activities, tournaments and sports education, on both land and water. It includes ancillary activities to sport and recreation activities, but excludes temporary events or motorised activities.</p>
<p>Structure NPS</p>	<p>Structure has the same meaning as in section 2 of the RMA, means any Building, equipment, device, or other facility, made by people and which is fixed to land; and includes any raft.</p>
<p>Tourism Facilities NPS</p>	<p>land and/or structures used for ventures, features, events and services primarily intended to attract tourists, visitors and travellers.</p>
<p>Visitor Accommodation NPS</p>	<p>means land and/or Buildings used for accommodating visitors, subject to a tariff being paid, and includes any ancillary activities</p>

PART 2 – DISTRICT-WIDE MATTERS

STRATEGIC DIRECTION

Open Space & Recreation Zones

OSRZ-01 **Open Space Network**

Upper Hutt has a well-connected and accessible open space network which meets the current and future recreational, conservation, and cultural needs of the district, and supports economic wellbeing through tourism destination opportunities.

OSRZ-02 **Protecting Values**

Sport, recreation, leisure activities, and development within Open Space and Recreation Zones is enabled, whilst ensuring the amenity, environmental and cultural values of the open space network are protected.

OSRZ-03 **Open Space Provision**

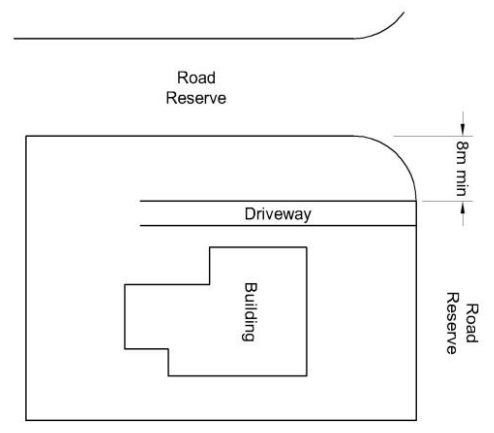
Sufficient additional open space capacity is located and designed to meet the future recreational, sports and leisure needs of the Upper Hutt community.

OSRZ- Subdivision	
SUB-OSRZ-P1	Subdivision
To protect open space land by avoiding inappropriate subdivision to maintain an appropriate provision of open space land which provides a diverse contribution to the recreational, conservation and cultural needs of the community.	
SUB-OSRZ-R1	<p>Subdivision around any existing lawfully established commercial activity, community facility, education facility or tourism facility which does not result in the creation of any new undeveloped site that contains no commercial facility, community facility, education facility or tourism facility.</p> <p>1. Activity Status: CON</p> <p>Where:</p> <p>a) Compliance is achieved with:</p> <p>i. SUB-OSRZ-S1.</p> <p>Council may impose conditions over the following matters:</p> <ol style="list-style-type: none"> 1. Design, appearance and layout of the subdivision. 2. Landscaping. 3. Provision of and effects on network utilities and/or services. 4. Earthworks. 5. Provision of esplanade reserves and strips. 6. Protection of any special amenity feature. 7. Financial contributions. 8. The outcome of consultation with the owner or operator of regionally significant network utilities (excluding the National Grid) located on or in proximity to the site. 9. The outcome of consultation with the owner or operator of consented or existing renewable energy generation activities located on or in proximity to the site. <p>2. Activity Status: RDIS</p> <p>Where:</p> <p>a) Compliance is not achieved with:</p> <p>i. SUB-OSRZ-S1.</p>

	<p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. The extent to which the activity will adversely affect traffic and pedestrian safety. 2. The extent to which the activity will adversely affect the efficient functioning of the roading network. 3. Design, appearance and layout of the subdivision.
SUB-OSRZ-R2	<p>Subdivision of land for utilities, reserves or conservation purposes.</p>
	<p>1. Activity Status: CON</p> <p>Where:</p> <ol style="list-style-type: none"> a) Compliance is achieved with: <ol style="list-style-type: none"> i. SUB-OSRZ-S1. <p>Council may impose conditions over the following matters:</p> <ol style="list-style-type: none"> 1. Design, appearance and layout of the subdivision. 2. Landscaping. 3. Provision of and effects on network utilities and/or services. 4. Earthworks. 5. Provision of esplanade reserves and strips. 6. Protection of any special amenity feature. 7. Financial contributions. 8. The outcome of consultation with the owner or operator of regionally significant network utilities (excluding the National Grid) located on or in proximity to the site. 9. The outcome of consultation with the owner or operator of consented or existing renewable energy generation activities located on or in proximity to the site.
	<p>2. Activity Status: RDIS</p> <p>Where:</p> <ol style="list-style-type: none"> a) Compliance is not achieved with: <ol style="list-style-type: none"> i. SUB-OSRZ-S1.

	<p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. The extent to which the activity will adversely affect traffic and pedestrian safety. 2. The extent to which the activity will adversely affect the efficient functioning of the roading network. 3. Design, appearance and layout of the subdivision.
<p>SUB-OSRZ-R3</p>	<p>Subdivision which is a unit title subdivision or an alteration to a company lease, unit title or cross lease title to include a building extension or alteration or accessory building on the site (excluding an additional residential unit) that has been lawfully established.</p>
	<p>1. Activity Status: CON</p> <p>Where:</p> <ol style="list-style-type: none"> a) Compliance is achieved with: <ol style="list-style-type: none"> i. SUB-OSRZ-S1. <p>Council may impose conditions over the following matters:</p> <ol style="list-style-type: none"> 1. Design, appearance and layout of the subdivision. 2. Landscaping. 3. Provision of and effects on network utilities and/or services. 4. Earthworks. 5. Provision of esplanade reserves and strips. 6. Protection of any special amenity feature. 7. Financial contributions. 8. The outcome of consultation with the owner or operator of regionally significant network utilities (excluding the National Grid) located on or in proximity to the site. 9. The outcome of consultation with the owner or operator of consented or existing renewable energy generation activities located on or in proximity to the site.
	<p>2. Activity Status: RDIS</p> <p>Where:</p> <ol style="list-style-type: none"> a) Compliance is not achieved with:

	<p>i. SUB-OSRZ-S1.</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. The extent to which the activity will adversely affect traffic and pedestrian safety. 2. The extent to which the activity will adversely affect the efficient functioning of the roading network. 3. Design, appearance and layout of the subdivision.
SUB-OSRZ-R4	<p>Subdivision within the Open Space Zone that is not listed as a controlled, restricted discretionary or discretionary activity.</p> <p>Activity Status: NC</p>
SUB-OSRZ-S1	<p>Access standards for subdivision</p> <ol style="list-style-type: none"> 1. All accessways and manoeuvring areas shall be formed and surfaced in accordance with the Code of Practice for Civil Engineering Works. Exemption – the requirement for accessways serving sites solely occupied by unstaffed utilities shall be that the accessway shall be surfaced with permanent all weather surfacing for a minimum length of 5m from the edge of the road carriageway seal. 2. All sites shall have practical vehicle access to car parking and loading spaces, in accordance with the Code of Practice for Civil Engineering Works. This requirement does not apply to sites solely occupied by unstaffed utilities, provided that vehicles associated with utilities shall not obstruct the footpath or create a traffic hazard on the road. 3. Vehicular access to a corner allotment shall be located no closer than 8m from the street corner. Where a site is located on an intersection of a primary or secondary arterial traffic route (identified in the Transport and Parking (TP) Chapter) the siting of the vehicular access shall be located as far as practicable from the corner of the street. The 8 metre setback shall be measured from where the two front boundaries of the site (refer to the definition of a corner allotment) join, or in accordance with the diagram below.



4. Where a **corner allotment** is located at an intersection of a national, primary or secondary arterial traffic route, as identified in the Transport and Parking (TP) Chapter, no **building**, fence or other **structure** is to be erected and no vegetation allowed to grow so as to obstruct a traffic sight line.
5. At the intersection of a **road** or rail level crossing, no **building**, fence or other obstructions which block sight lines for trains shall be erected, placed or grown in the hatched area marked in Diagram 1 in the Transport and Parking (TP)-Chapter.
6. **Subdivision** with direct access to a State Highway shall comply with the access and visibility standards set out in Diagrams 2 to 9 in the Transport and Parking (TP) Chapter.

NOSZ – Natural Open Space Zone

Background

Upper Hutt has a diverse and varied natural environment which are a key characteristic and asset of the district as a whole. Within the open space network for Upper Hutt are a large amount of natural spaces which are open and available for the public to undertake recreational activities, as well as a range of other community **activities** which contribute to the social and physical health of the community.

The purpose of the Natural Open Space Zone is to allow for **activities** and development of an appropriate scale to occur in spaces where there is a strong natural character with associated ecological and landscape values. The Natural Open Space Zone is predominantly located within the rural environment due to the three

large **Regional Parks**, however within the zone are also several nature and recreation reserves within the urban area, and river corridor and esplanade reserves distributed throughout the district.

These spaces provide a valuable contribution to the wellbeing of the Upper Hutt community, allowing them to undertake recreation, **customary** and **conservation activities** in a natural setting. These activities can include walking, cycling, tramping, dog walking, picnicking and gathering mahinga kai.

Overall, the natural character of the zone is to be maintained through a low level of development, with **structures** and development focused on enabling and facilitating the use of these spaces for appropriate **activities**.

Activities and uses on publicly owned land are required to obtain permission (such as a lease or a licence) from the relevant administering authority where necessary. This is in addition to any requirements under the District Plan and the Act. All **activities** will also have regard to any relevant reserve management plans and legislation (Reserves Act 1977).

Objectives

NOSZ-O1	Purpose of the Natural Open Space Zone
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The Natural Open Space Zone enables a range of **passive recreation, customary** and **conservation activities** with ancillary **structures** which occur within the natural **environment** and have a high degree of interaction with natural features.

NOSZ-O2	Character and Amenity Values of the Natural Open Space Zone
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Activities and development within the Natural Open Space Zone maintain the **amenity values** and natural character of the Natural Open Space Zone by ensuring that they are of an appropriate scale, including:

1. A low scale and level of development and built form which is purposed to support appropriate **activities**;
2. **Indigenous vegetation** is retained with associated natural and ecological value; and
3. Spaces are accessible and positively contribute to health and wellbeing of communities.

NOSZ-O3	Recognising Regional Parks
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Enable a diverse range of **activities** within Regional Parks, which are compatible with the purpose, natural character and **amenity values** of the Natural Open Space Zone, that recognise their contribution to the open space network of Upper Hutt.

Policies

NOSZ-P1	Compatible Activities
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Enable Informal sports and **passive recreation activities, conservation, and customary activities**, which are of a appropriate scale within the Natural Open Space Zone that are compatible with the natural character **and amenity values** of the **site**.

NOSZ-P2	Appropriate Development
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Provide for built development including:

1. **Buildings & structures;**
2. Walking and cycling tracks;
3. bridleways;
4. Parking areas; and
5. **Parks Facilities,**

designed, located and at a scale, to support informal sports and recreation **activities, conservation, and customary activities** that do not adversely affect the natural character and **amenity values** of the Natural Open Space Zone.

NOSZ-P3	Inappropriate activities and development
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Avoid **activities** or developments which are incompatible with the natural character and **amenity values** of the Natural Open Space Zone, including avoiding:

1. **Motorised recreation** outside of specified areas in NOSZ-R11;
2. **Activities** or development which inhibit recreational, **conservation** or **customary activities**; and
3. **Activities** which result in large scale development and a loss of natural character within the zone.

NOSZ-P4	Protecting Purpose, Amenity and Character
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Maintain and enhance recreational, cultural, and **amenity values**, through the management of adverse effects, by:

1. Controlling the scale and location of **buildings and structures**;
2. Improving the access to and the connections between Open Space and Recreation Zones; and
3. Manage adverse **effects** from **activities**, such as **noise** and light overspill, to maintain open space **amenity values**.

NOSZ-P5	Primary Production within Regional Parks
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Enable the following **primary production activities** within the Greater Wellington **Regional Parks**:

1. **Plantation forestry**;
2. Stock Grazing;
3. Bee Keeping; and
4. **Quarrying activities** where the works are for the management of park roads or tracks.

Rules

Note: There may be a number of Plan provisions that apply to an **activity, building or structure** and **site**. In some cases, consent may be required under rules in this Chapter as well as rules in other chapters in the Plan. In those cases, unless otherwise specifically stated in a rule, consent is required under each of those identified rules. Details of the steps plan users should take to determine the status of an activity is provided in

Each **activity** in the Natural Open Space Zone shall comply with the relevant permitted **activity** standards in the district-wide matters of the Plan as listed below.

District-wide matters
TEMP - Temporary Activities
SIGN - Signs
EW - Earthworks
NATC – Natural Character
DC – Development Contributions
HH - Historical Heritage
TREE - Notable Trees
UTG - Urban Tree Groups
ECO - Ecosystems and Indigenous Biodiversity
NFL - Natural Features and Landscapes
PA – Public Access
ASW - Activities on the Surface of Water
NU – Network Utilities
REG - Renewable Energy Generation
TP – Transport and Parking
NOISE - Noise

NH - Natural Hazards
CL – Contaminated Land
HS - Hazardous Substances
WM – Waste Management
SUB - Subdivision
AIR - Air
LIGHT - Light

Activities Tables

NOSZ-R1	Buildings and structures including alterations, additions and relocated buildings
	<p>1. Activity Status: PER</p> <p>Where:</p> <p>a) Compliance is achieved with:</p> <ul style="list-style-type: none"> i. NOSZ-S1; ii. NOSZ-S2; and iii. NOSZ-S3.
	<p>2. Activity Status: RDIS</p> <p>Where:</p> <p>a) compliance is not achieved with</p> <ul style="list-style-type: none"> i. NOSZ-S1 ii. NOSZ-S2; and iii. NOSZ-S3 <p>Matters of discretion are restricted to:</p> <p>b) The matters of discretion in any infringed standard</p>

NOSZ-R2	Minor Structures
	1. Activity Status: PER
NOSZ-R3	Passive Recreation
	1. Activity Status: PER
NOSZ-R4	Sports and Active Recreation
	1. Activity Status: PER
NOSZ-R5	Customary Activity
	1. Activity Status: PER
NOSZ-R6	Conservation
	1. Activity Status: PER
NOSZ-R7	Community Facilities
	1. Activity Status: PER
NOSZ-R8	Parks Facilities and Management
	1. Activity Status: PER
NOSZ-R9	Removal of a building from a site
	1. Activity Status: PER
NOSZ-R10	Commercial Activity
	1. Activity Status: PER
	Where:
	a) The activity occurs within:
	i. Akatarawa Forest Regional Park ;
	ii. Kaitoke Regional Park ; or

	<p>iii. Pakuratahi Forest Regional Park.</p> <p>2. Activity Status: DIS</p> <p>Where:</p> <p>a) Compliance is not achieved with NOSZ-R10-ai, NOSZ-R10-a ii, NOSZ-R10-a iii</p>
NOSZ-R11	<p>Visitor Accommodation</p> <p>a) Activity Status: PER</p> <p>Where:</p> <p>b) The activity occurs within:</p> <p>i. Akatarawa Forest Regional Park;</p> <p>ii. Kaitoke Regional Park; or</p> <p>iii. Pakuratahi Forest Regional Park.</p> <p>1. Activity Status: DIS</p> <p>Where:</p> <p>a) Compliance is not achieved with NOSZ-R11-ai, NOSZ-R11-a ii, NOSZ-R11-a iii</p>
NOSZ-R12	<p>Primary production</p> <p>1. Activity Status: PER</p> <p>Where:</p> <p>a) the activity is enabled in NOSZ- P5 and undertaken within:</p> <p>i. Akatarawa Forest Regional Park;</p> <p>ii. Kaitoke Regional Park; or</p> <p>iii. Pakuratahi Forest Regional Park.</p> <p>2. Activity Status: NC</p> <p>Where:</p> <p>a) Compliance is not achieved with NOSZ-R12-ai, NOSZ-R12-a ii, NOSZ-R12-a iii</p>

NOSZ-R13	Motorised recreation
	<p>1. Activity Status: PER</p> <p>Where:</p> <ul style="list-style-type: none"> a) The activity is undertaken within: <ul style="list-style-type: none"> i. Akatarawa Forest Regional Park; ii. at Kartsport Wellington in Pakuratahi Forest Regional Park; or iii. at Upper Hutt Valley Gliding Club in Pakuratahi Forest Regional Park
	<p>2. Activity Status: NC</p> <p>Where:</p> <ul style="list-style-type: none"> a) compliance is not achieved with NOSZ-R13-ai, NOSZ-R13-a ii or NOSZ-R13-a iii
NOSZ-R14	Tourism Facilities
	<p>1. Activity Status: RDIS</p> <p>Matters of discretion are restricted to:</p> <ul style="list-style-type: none"> a) Effects of the facility and associated activity on the Natural Open Space Zones natural character and amenity values; b) The impact of the operation of the tourism facility on the ability for recreational, sporting, customary and conservation activities to occur at the site; c) The operational effects of the tourism activity on any neighbouring amenity values, including consideration of mitigation in relation to noise, traffic and light effects. d) The integration of the facility within any existing built form and the consideration of the cumulative effects of buildings on the Natural Open Space Zones natural character and amenity values. e) Able to be serviced with adequate on-site infrastructure and services.
NOSZ-R15	Buildings or structures within 12-32m of high voltage (100kV or greater) electricity transmission lines as shown on the Planning Maps *(refer to the definition of transmission line)
	<p>1. Activity Status: RDIS</p>

	<p>Council will restrict its discretion to, and may impose conditions on:</p> <ul style="list-style-type: none"> a) Compliance with the New Zealand Electrical Code of Practice for Electrical Safe Distances 2001 (NZECP 34:2001). b) The location, height, scale and orientation and use of buildings and structures to ensure the following are addressed: <ul style="list-style-type: none"> i. The risk to the structural integrity of the transmission line. ii. The effects on the ability of the transmission line owner to operate, maintain and upgrade the transmission network. iii. The risk of electrical hazards affecting public or individual safety, and risk of property damage. iv. The extent of earthworks required, and use of mobile machinery near the transmission line which may put the line at risk. v. Minimising the visual effects of the transmission line. vi. The outcome of any consultation with the affected utility operator. <p>Restriction on notification Subject to sections 95A(2)(b), 95A(2)(c), 95A(4) and 95C of the Act, a resource consent application under this rule will be precluded from public notification under section 95A, and limited notification will be served on Transpower New Zealand Limited as the only affected party under section 95B.</p>
NOSZ-R16	Educational Facilities
	1. Activity Status: DIS
NOSZ-R17	Residential Activity
	1. Activity Status: DIS
NOSZ-R18	Residential Activity for Caretaker Purposes
	1. Activity Status: DIS
NOSZ-R19	Any activity not provided for as a permitted, restricted discretionary or non-complying
	1. Activity Status: DIS
NOSZ-R20	Buildings or structures within 12m of high voltage (110kV or greater) electricity transmission lines as shown on the Planning Maps *(refer to the definition of transmission line)
	1. Activity Status: NC
NOSZ-R21	Industrial Activity

	1. Activity Status: NC
NOSZ-R22	Mining Activity
	1. Activity Status: NC
Standards for Permitted Activities	
Unless otherwise specified, all permitted activities within the Natural Open Space Zone shall comply with the standards specified below.	
NOSZ-S1	<p>The maximum height above ground level of any building or structure shall not exceed 5m.</p> <p>Exemptions:</p> <ol style="list-style-type: none"> 1. This standard does not apply to chimneys, flue, aerials, and solar panels where they do not exceed the height limit by 3m vertically; or 2. any historic structures within Regional Parks. <p>Matters of discretion where this standard is not met are restricted to:</p> <ol style="list-style-type: none"> a) The extent of the effect of the height breach on the Natural Open Space Zones natural character and amenity values; b) The extent of the effect of the height breach on the amenity values of any adjacent neighbouring land uses; c) The contribution the building or structure makes to the recreational, sporting, customary or conservation use of the site; d) Siting, landscaping and screening of the building or structure, taking into consideration the topography of the site and potential other appropriate locations for siting which provide mitigation for any identified adverse effects; and e) The design of the building or structure and its integration with any existing built character and form of the site.
NOSZ-S2	<p>The total site coverage of all buildings is no more than 5% of the total site area.</p> <p>Exemptions:</p> <ol style="list-style-type: none"> 1. This is not applicable to the Akatarawa Forest Regional Park, Pakuratahi Forest Regional Park, or Kaitoke Regional Park. <p>Matters of discretion where this standard is not met are restricted to:</p> <ol style="list-style-type: none"> a) The extent of the effect of the site coverage breach on the Natural Open Space Zones natural character and amenity values; b) The extent of the effect of the site coverage breach on the amenity values of any adjacent neighbouring land uses; c) The contribution the building makes to the recreational, sporting, customary or conservation use of the site;

	<ul style="list-style-type: none"> d) Siting, landscaping and screening of the building, taking into consideration the topography of the site and potential other appropriate locations for siting which provide mitigation for any identified adverse effects; e) The design of the building and its integration with any existing built character and form of the site; and f) The extent of any hard surfacing associated with the building.
NOSZ-S3	<p>Buildings and structures shall not exceed a maximum gross floor area of 60m²</p> <p>Exemptions:</p> <ol style="list-style-type: none"> 1. This is not applicable to the Akatarawa Forest Regional Park, Pakuratahi Forest Regional Park or Kaitoke Regional Park <p>Matters of discretion where this standard is not met are restricted to:</p> <ul style="list-style-type: none"> a) The extent of the effect of the gross floor area breach on the Natural Open Space Zones natural character and amenity values; b) The extent of the effect of the gross floor area breach on the amenity values of any adjacent neighbouring land uses; c) The contribution the building or structure makes to the recreational, sporting, customary or conservation use of the site; d) Siting, landscaping and screening of the building or structure, taking into consideration the topography of the site and potential other appropriate locations for siting which provide mitigation for any identified adverse effects; e) The design of the building or structure and its integration with any existing built character and form of the site; and f) The extent of any hard surfacing associated with the building or structure.

OSZ – Open Space Zone
<p>Overview</p> <p>The Open Space Zone provides for spaces that allow for community activities including passive and informal sports activities, customary and conservation activities. These spaces also provide the opportunity to hold community events and other activities which can benefit the wider community, including community gardens. Activities expected to be occurring in these spaces include walking, cycling, informal sports, temporary events, and skateboarding.</p>

The spaces within this zone include community parks, neighbourhood parks, and recreation reserves. The Open Space Zone is largely located within the urban area. These spaces are closely associated to residential uses and contribute to the streetscape and living **environment** of the urban area. Also included within this zone are cemetery areas, which allow a passive form of recreation as well as providing an important contribution to the **historic heritage** of Upper Hutt.

The zone is characterised by having a predominant open character with a low level of development. **Buildings** and **structures** present support appropriate recreation **activities**, including parks furniture, playgrounds, small scale sports equipment, and picnic facilities.

Activities and uses on publicly owned land are required to obtain permission (such as a lease or a licence) from the relevant administering authority where necessary. This is in addition to any requirements under the District Plan and the Act. All **activities** will also have regard to any relevant reserve management plans and legislation (Reserves Act 1977).

Objectives

OSZ-01	Purpose of the Open Space Zone
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The Open Space Zone provides spaces for social and family recreation **activities** and facilities whilst positively contributing to the open space network and residential **amenity values**.

OSZ-02	Character and Amenity Values of the Open Space Zone
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Activities and development within the Open Space Zone maintain the **amenity values** and character of the Open Space Zone including ensuring that:

1. A sense of openness is maintained through a low level and density of development;
2. **Buildings** and **structures** support the community use of the Open Space Zone; and
3. Spaces are accessible and positively contribute to the health and wellbeing of communities.

Policies

OSZ-P1	Compatible Activities
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Enable **activities** and facilities within the Open Space Zone, close to or within residential neighbourhoods, which meet the needs of the community, in particular providing for:

1. **Passive recreation**;
2. Informal sports activities;
3. **Customary activities**;
4. **Conservation**;
5. **Community gardens**; and

6. Cemetery activities .	
OSZ-P2	Appropriate Development
Provide for development in the Open Space Zone which is well designed and located, and at a scale that is compatible with the size, purpose and character of the Open Space Zone. Development should: <ol style="list-style-type: none"> 1. Be suitably located to maintain an open character for the site; 2. Be suitably scaled with regards to the size of the site; 3. Support the activities detailed in OSZ-P1; and 4. Be well connected to pedestrian access points and walkways or cycle ways to ensure appropriate access. 	
OSZ-P3	Inappropriate activities and development
The adverse effects of inappropriate activities are managed to ensure the Open Space Zone character and amenity values are maintained, by ensuring activities and development are of an appropriate scale and type. Inappropriate activities or development include: <ol style="list-style-type: none"> 1. Activities or development which prevent the undertaking of recreational, sporting, conservation and customary activities; and 2. Activities which result in large scale development and a loss of open space character. 	
OSZP4	Residential Amenity
The Open Space Zone positively contributes to the residential amenity values of surrounding areas, with activities of an appropriate scale to ensure adverse effects on residential amenity values are appropriately managed. Residential amenity values are maintained through consideration of: <ol style="list-style-type: none"> 1. Visual effects; 2. Noise; 3. Light Spill; and 4. Traffic effects. 	
OSZ-P5	Commercial and Tourism Activities
Provide for commercial activities and tourism activities within the Open Space Zone where activities, buildings and structures are appropriately scaled to be compatible with the permitted activities within the Open Space Zone.	

Rules

Note: There may be a number of Plan provisions that apply to an **activity, building or structure** and site. In some cases, consent may be required under rules in this Chapter as well as rules in other chapters in the Plan. In those cases, unless otherwise specifically stated in a rule, consent is required under each of those identified rules. Details of the steps plan users should take to determine the status of an activity is provided in

District-wide matters

Each **activity** in the Open Space Zone shall comply with the relevant permitted **activity** standards in the district-wide matters of the Plan as listed below.

District-wide matters
TEMP - Temporary Activities
SIGN - Signs
EW - Earthworks
NATC – Natural Character
DC – Development Contributions
HH - Historical Heritage
TREE - Notable Trees
UTG - Urban Tree Groups
ECO - Ecosystems and Indigenous Biodiversity
NFL - Natural Features and Landscapes
PA – Public Access
ASW - Activities on the Surface of Water
NU – Network Utilities
REG - Renewable Energy Generation

TP – Transport and Parking
NOISE - Noise
NH - Natural Hazards
CL – Contaminated Land
HS - Hazardous Substances
WM – Waste Management
SUB - Subdivision
AIR - Air
LIGHT - Light

Activities Tables

OSZ-R1	Buildings and structures including alterations, additions and relocated buildings
	<p>1. Activity Status: PER</p> <p>Where:</p> <p>a) Compliance is achieved with:</p> <ul style="list-style-type: none"> i. OSZ-S1; v. OSZ-S2; vi. OSZ-S3; vii. OSZ-S4; and viii. OSZ-S5.
	<p>2. Activity Status: RDIS</p> <p>Where:</p> <p>a) compliance is not achieved with</p>

	<ul style="list-style-type: none"> i. OSZ-S1 ii. OSZ-S2; iii. OSZ-S3; iv. OSZ-S4; and v. OSZ-S5 <p>Matters of discretion are restricted to:</p> <ul style="list-style-type: none"> b) The matters of discretion in any infringed standard
OSZ-R2	Minor Structures
	1. Activity Status: PER
OSZ-R3	Passive Recreation Activity
	1. Activity Status: PER
OSZ-R4	Sports and Active Recreation
	1. Activity Status: PER
OSZ-R5	Customary Activity
	1. Activity Status: PER
OSZ-R6	Conservation
	1. Activity Status: PER
OSZ-R7	Community Facilities
	1. Activity Status: PER
OSZ-R8	Community Gardens
	1. Activity Status: PER
OSZ-R9	Parks Facilities and Management
	1. Activity Status: PER

OSZ-R10	Removal of a building from a site
	1. Activity Status: PER
OSZ-R11	Burials & cremations at Akatarawa Cemetery and Wallaceville Presbyterian Church Cemetery
	1. Activity Status: PER
OSZ-R12	At The Blockhouse, Blockhouse Lane Upper Hutt (Sec 723 Hutt District), Community and educational activities, where the activities are limited to meetings of community groups, and educational/interpretative activities relating to the history of the site
	1. Activity Status: PER
OSZ-R13	Commercial activity. This does not apply to commercial activities that are in support of a temporary event.
	<p>1. Activity Status: RDIS</p> <p>Matters of discretion are restricted to:</p> <ul style="list-style-type: none"> a) Effects of the commercial activity on the Open Space Zones character and amenity value; b) The contribution the commercial activity makes to the recreational, sporting, customary or conservation use of the site; c) The effects of the commercial activity on neighbouring amenity values, including consideration of mitigation in relation to noise, traffic and light effects; d) Any potential constraint or prevention of the current and future activities enabled in OSZ-P1 and any effects on the accessibility of the Open Space Zone; e) Consideration of mitigation provided through appropriate siting, landscaping and screening of any building or structure, taking into consideration the topography of the site; and f) Able to be serviced with adequate on-site infrastructure and services.
OSZ-R14	Visitor accommodation
	<p>1. Activity Status: RDIS</p> <p>Matters of discretion are restricted to:</p> <ul style="list-style-type: none"> a) Effects of the visitor accommodation on the Open Space Zones character and amenity values; b) The contribution the visitor accommodation makes to the recreational, sporting, customary or conservation use of the site; c) The effects of the visitor accommodation on neighbouring amenity values, including consideration of mitigation in relation to noise, traffic and light effects;

	<ul style="list-style-type: none"> d) Any potential constraint or prevention of the current and future activities enabled in OSZ-P1 and any effects on the accessibility of the Open Space Zone; e) Consideration of mitigation provided through appropriate siting, landscaping and screening of any building or structure, taking into consideration the topography of the site; and f) Able to be serviced with adequate on-site infrastructure and services.
OSZ-R15	<p>Educational facilities</p> <p>1. Activity Status: RDIS</p> <p>Matters of discretion are restricted to:</p> <ul style="list-style-type: none"> a) Effects of the educational facility on the Open Space Zones character and amenity values; b) The contribution the educational facility makes to the recreational, sporting, customary or conservation use of the site; c) The effects of the educational facility and activity on neighbouring amenity values, including consideration of mitigation in relation to noise, traffic and light effects; d) Any potential constraint or prevention of the current and future activities enabled in OSZ-P1 and any effects on the accessibility of the Open Space Zone; e) Consideration of mitigation provided through appropriate siting, landscaping and screening of any building or structure, taking into consideration the topography of the site; and f) Able to be serviced with adequate on-site infrastructure and services.
OSZ-R16	<p>Tourism facilities</p> <p>1. Activity Status: RDIS</p> <p>Matters of discretion are restricted to:</p> <ul style="list-style-type: none"> a) Effects of the tourism facility and activity on the Open Space Zones character and amenity values; b) The contribution the tourism facility makes to the recreational, sporting, customary or conservation use of the site; c) The effects of the tourism facility and activity on neighbouring amenity values, including consideration of mitigation in relation to noise, traffic and light effects; d) Any potential constraint or prevention of the current and future activities enabled in OSZ-P1 and any effects on the accessibility of the Open Space Zone; e) Consideration of mitigation provided through appropriate siting, landscaping and screening of any building or structure, taking into consideration the topography of the site; and

	f) Able to be serviced with adequate on-site infrastructure and services.
OSZ-R17	<p>Buildings or structures within 12-32m of high voltage (100kV or greater) electricity transmission lines as shown on the Planning Maps *(refer to the definition of transmission line)</p> <p>1. Activity Status: RDIS</p> <p>Council will restrict its discretion to, and may impose conditions on:</p> <ol style="list-style-type: none"> a) Compliance with the New Zealand Electrical Code of Practice for Electrical Safe Distances 2001 (NZECP 34:2001). b) The location, height, scale and orientation and use of buildings and structures to ensure the following are addressed: <ol style="list-style-type: none"> i. The risk to the structural integrity of the transmission line. ii. The effects on the ability of the transmission line owner to operate, maintain and upgrade the transmission network. iii. The risk of electrical hazards affecting public or individual safety, and risk of property damage. iv. The extent of earthworks required and use of mobile machinery near the transmission line which may put the line at risk. v. Minimising the visual effects of the transmission line. vi. The outcome of any consultation with the affected utility operator. <p>Restriction on notification Subject to sections 95A(2)(b), 95A(2)(c), 95A(4) and 95C of the Act, a resource consent application under this rule will be precluded from public notification under section 95A, and limited notification will be served on Transpower New Zealand Limited as the only affected party under section 95B.</p>
OSZ-R18	<p>Residential activity</p> <p>1. Activity Status: DIS</p>
OSZ-R19	<p>Residential activity for Caretaker Purposes</p> <p>1. Activity Status: DIS</p>
OSZ-R20	<p>Any activity not provided for as a permitted, restricted discretionary or non-complying activity</p> <p>1. Activity Status: DIS</p>
OSZ-R21	<p>Buildings or structures within 12-32m of high voltage (100kV or greater) electricity transmission lines as shown on the Planning Maps *(refer to the definition of transmission line)</p>

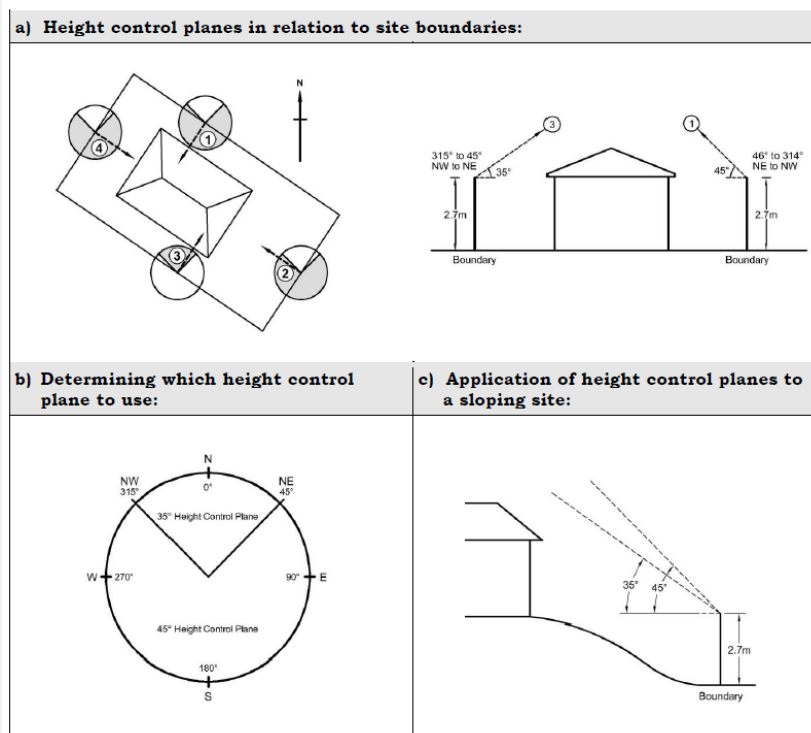
	1. Activity Status: NC
OSZ-R22	Motorised Recreation
	1. Activity Status: NC
OSZ-R23	Primary Production
	1. Activity Status: NC
OSZ-R24	Industrial Activity
	1. Activity Status: NC
OSZ-R25	Quarrying Activity
	1. Activity Status: NC
OSZ-R26	Mining Activity
	1. Activity Status: NC
Standards for Permitted Activities	
Unless otherwise specified, all permitted activities within the Open Space Zone shall comply with the standards specified below.	
OSZ-S1	<p>The maximum height above ground level of a building or structure must not exceed 7m.</p> <p>Maximum height above ground level for any light pole/floodlight must not exceed 18m.</p> <p>Exemptions:</p> <ol style="list-style-type: none"> 1. This standard does not apply to play equipment. 2. This standard does not apply to chimneys, flue, aerials, and solar panels where they do not exceed the building height limit by 3m vertically. <p>Matters of discretion where this standard is not met are restricted to:</p> <ol style="list-style-type: none"> a) The extent of the effect of the height breach on the Open Space Zone character and amenity values; b) The extent of the effect of the height breach on the amenity values of any adjacent neighbouring land uses; c) The contribution the building or structure makes to the recreational, sporting, customary or conservation use of the site;

	<ul style="list-style-type: none"> d) Siting, landscaping and screening of the building or structure, taking into consideration the topography of the site and potential other appropriate locations for siting which provide mitigation for any identified adverse effects; and e) The design of the building or structure and its integration with any existing built character and form of the site.
OSZ-S2	The total site coverage of all buildings is no more than 15% of the total site area.
	<p>Matters of discretion where this standard is not met are restricted to:</p> <ul style="list-style-type: none"> a) The extent of the effect of the site coverage breach on the Open Space Zone character and amenity values; b) The extent of the effect of the site coverage breach on the amenity values of any adjacent neighbouring land uses; c) The contribution the building makes to the recreational, sporting, customary or conservation use of the site; d) Siting, landscaping and screening of the building, taking into consideration the topography of the site and potential other appropriate locations for siting which provide mitigation for any identified adverse effects; and e) The design of the building and its integration with any existing built character and form of the site. f) Consideration of the extent of any hard surfacing associated with the building.
OSZ-S3	Buildings and structures will be setback a minimum of 2m from any road boundary and 5m from any neighbouring Residential, Rural or Special Activity Zones.
	<p>Matters of discretion where this standard is not met are restricted to:</p> <ul style="list-style-type: none"> a) The extent of the effect of the setback breach on the Open Space Zone character and amenity values; b) The extent of the effect of the setback breach on the amenity values of any adjacent neighbouring land uses; c) The contribution the building or structure makes to the recreational, sporting, customary or conservation use of the site; d) Siting, landscaping and screening of the building or structure, taking into consideration the topography of the site and potential other appropriate locations for siting which provide mitigation for any identified adverse effects; and e) The design of the building or structure and its integration with any existing built character and form of the site.
OSZ-S4	Buildings and structures shall not exceed a gross floor area of 150m ² .
	Matters of discretion where this standard is not met are restricted to:

- a) The extent of the effect of the **gross floor area** breach on the Open Space Zone character and **amenity values**;
- b) The extent of the effect of the **gross floor area** breach on the **amenity values** of any adjacent neighbouring land uses;
- c) The contribution the **building or structure** makes to the recreational, sporting, customary or **conservation** use of the site;
- d) Siting, landscaping and screening of the **building or structure**, taking into consideration the topography of the **site** and potential other appropriate locations for siting which provide mitigation for any identified adverse effects; and
- e) The design of the **building or structure** and its integration with any existing built character and form of the **site**.
- f) Consideration of the extent of any hard surfacing associated with the **building or structure**.

OSZ-S5

All **buildings and structures** adjacent to a Residential or Rural Zone shall comply with the **height control planes** in the below figure.



Matters of discretion where this standard is not met are restricted to:

- a) The extent of the effect of the breach on the Open Space Zone character and **amenity values**;
- b) The extent of the effect of the breach on the **amenity values** of any adjacent neighbouring land uses;
- c) The contribution the **building** or **structure** makes to the recreational, sporting, customary or **conservation** use of the **site**;
- d) Siting, landscaping and screening of the **building** or **structure**, taking into consideration the topography of the **site** and potential other appropriate locations for siting which provide mitigation for any identified adverse effects; and
- e) The design of the **building** or **structure** and its integration with any existing built character and form of the **site**.

SARZ – Sport and Active Recreation Zone

Overview

The **Sport and Active Recreation** Zone provides for **sites** which allow for organised sporting activities with the facilities to facilitate a diverse range of indoor and outdoor sports activities. The spaces within this zone are almost entirely located within the urban **environment** and can provide a range of positive effects on communities' health and wellbeing on a local and regional scale.

This zone is comprised of both publicly owned parks and reserves, as well as privately operated and owned sports clubs, which includes two golf clubs, a clay target club, and a horse-riding club. These spaces have sports grounds and pitches which allow for a range of activities to occur, with these sports grounds being more specialised at the private sites within the zone.

A more developed form is considered appropriate within these spaces, to allow for **buildings** and **structures** which can support the specialised sporting activities occurring within the zone, including club rooms, changing facilities, light poles and sport equipment.

Activities and uses on publicly owned land are required to obtain permission (such as a lease or a licence) from the relevant administering authority where necessary. This is in addition to any requirements under the District Plan and the Act. All **activities** will also have regard to any relevant reserve management plans and legislation (Reserves Act 1977).

Objectives

SARZ-O1	Purpose of the Sport and Active Recreation Zone
The Sport and Active Recreation Zone provides for a diverse range of indoor and outdoor sports activities , with infrastructure to support a range of sporting activities at a local and regional level.	
SARZ-O2	Character and Amenity Values of the Sport and Active Recreation Zone
<p>Activities and development within the Sport and Active Recreation Zone ensure amenity values and character of the Sport and Active Recreation Zone are maintained including:</p> <ol style="list-style-type: none"> 1. Built form retains openness is still maintained through appropriate location and scaling of buildings; 2. Infrastructure to support different sports and active recreation activities; and 3. Spaces are accessible and positively contribute to health and wellbeing of communities. 	
SARZ-O3	Recognising privately owned and operated sports clubs
Enable a diverse range of sport and active recreation activities within privately owned and operated sports club sites which are compatible with the purpose and amenity values of the Sport and Active Recreation Zone and that recognise their contribution to the open space network of Upper Hutt.	
Policies	
SARZ-P1	Compatible Activities
<p>Enable and provide functional spaces and facilities in the Sport and Active Recreation Zone to allow for a diverse range of sport and active recreation activities while maintaining a recreational character in the zone, including providing:</p> <ol style="list-style-type: none"> 1. Playing surfaces; 2. Buildings including club rooms, sports halls and changing facilities; and 3. Structures to support sporting activities such as light poles, clay target towers, garages, sheds and trap houses. 	
SARZ-P2	Appropriate Development
The scale, location and design of development, including buildings and playing surfaces, in the Sport and Active Recreation Zone are managed to support the recreational use of the zone for a range of indoor and outdoor sports and protect recreational character of the zone.	
SARZ-P3	Residential Amenity
<p>Adjacent residential amenity values will be maintained by avoiding, remedying and mitigating any significant adverse effects arising from activities occurring within the Sport and Active Recreation Zone, including effects arising from:</p> <ol style="list-style-type: none"> 1. Noise spill; 	

2. Light spill;
3. Traffic effects; and
4. Signage.

SARZ-P4	Inappropriate Activities and Development
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Avoid **activities** and development within the **Sport and Active Recreation** Zone which are not compatible with the character and purpose of the zone, including:

1. **Activities** of an inappropriate scale for the site
2. **Activities** or development which prevent the undertaking of **Sport and Recreation** Activities within the **site**.

SARZ-P5	Private Sports Clubs
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Allow for **sport and active recreation activities** and associated development within privately operated sport clubs that are complementary to the character and **amenity values** of the **site** and the objectives of the **Sport and Active Recreation** Zone, including at:

1. Royal Wellington Golf Club
2. Te Marua Golf Club
3. Hutt Valley Clay Target Club
4. Hutt Valley Riding for the Disabled Association

Rules

Note: There may be a number of Plan provisions that apply to an activity, building or structure and site. In some cases, consent may be required under rules in this Chapter as well as rules in other chapters in the Plan. In those cases, unless otherwise specifically stated in a rule, consent is required under each of those identified rules. Details of the steps plan users should take to determine the status of an activity is provided in

District-wide matters

Each **activity** in the Sport and Active Recreation Zone shall comply with the relevant permitted **activity** standards in the district-wide matters of the Plan as listed below.

District-wide matters
TEMP - Temporary Activities
SIGN - Signs
EW - Earthworks
NATC – Natural Character
DC – Development Contributions
HH - Historical Heritage
TREE - Notable Trees
UTG - Urban Tree Groups
ECO - Ecosystems and Indigenous Biodiversity
NFL - Natural Features and Landscapes
PA – Public Access
ASW - Activities on the Surface of Water
NU – Network Utilities
REG - Renewable Energy Generation

TP – Transport and Parking
NOISE - Noise
NH - Natural Hazards
CL – Contaminated Land
HS - Hazardous Substances
WM – Waste Management
SUB - Subdivision
AIR - Air
LIGHT - Light

Activities Tables

SARZ-R1	Buildings and structures including alterations, additions and relocated buildings
	<p>1. Activity Status: PER</p> <p>Where:</p> <p>a) Compliance is achieved with:</p> <ul style="list-style-type: none"> i. SARZ-S1; ii. SARZ-S2; iii. SARZ--S3; iv. SARZ-S4; and v. SARZ-S5.
	<p>2. Activity Status: RDIS</p> <p>Where:</p>

	<p>a) Compliance is not achieved with</p> <ul style="list-style-type: none"> i. SARZ-S1; ii. SARZ-S2; iii. SARZ--S3; iv. SARZ-S4; and v. SARZ-S5. <p>Matters of discretion are restricted to:</p> <p>b) The matters of discretion in any infringed standard</p>
SARZ-R2	Minor Structures
	1. Activity Status: PER
SARZ-R3	Sports and Active Recreation
	1. Activity Status: PER
	a) Where the activity occurs at the Hutt Valley Clay Target Club (Pt Lot 1 DP 9009) compliance must be achieved with SARZ-S7
	2. Activity Status: RDIS
	Where:
	a) Compliance is not achieved with SARZ-R3-1a
	Matters of discretion are restricted to:
	b) The matters of discretion in any infringed standard
SARZ-R4	Passive Recreation
	1. Activity Status: PER
SARZ-R5	Customary Activity
	1. Activity Status: PER
SARZ-R6	Conservation

	1. Activity Status: PER
SARZ-R7	Community Facilities
	1. Activity Status: PER
SARZ-R8	Parks Facilities and Management
	1. Activity Status: PER
SARZ-R9	Removal of a building from a site
	1. Activity Status: PER
SARZ-R10	Organised fireworks display at Trentham Memorial Park
	1. Activity Status: PER Where: a) compliance is achieved with SARZ-S8
	2. Activity Status: DIS Where: a) compliance is not achieved with SARZ-S8
SARZ-R11	Residential activity for Caretaker Purposes
	1. Activity Status: PER Where: a) compliance is achieved with SARZ-S6
	2. Activity Status: RDIS Where: a) compliance is not achieved with SARZ-S6 Matters of discretion are restricted to:

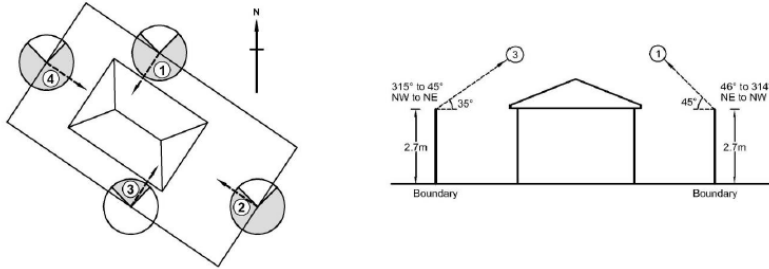
	b) The matters of discretion in any infringed standard
SARZ-R12	Commercial activity. This does not apply to commercial activities that are in support of a temporary event .
	<p>1. Activity Status: RDIS</p> <p>Matters of discretion are restricted to:</p> <ul style="list-style-type: none"> a) Effects of the commercial activity on the Sport and Active Recreation Zones character and amenity values; b) The contribution the commercial activity makes to the recreational, sporting, customary or conservation use of the site; c) The effects of the commercial activity on neighbouring amenity values, including consideration of mitigation in relation to noise, traffic and light effects; d) Any potential constraint or prevention of the current and future use of the site and any effects on the accessibility of the Sport and Active Recreation Zone; and e) Consideration of mitigation provided through appropriate siting, landscaping and screening of any building or structure, taking into consideration the topography of the site. f) Able to be serviced with adequate on-site infrastructure and services.
SARZ-R13	Visitor accommodation
	<p>1. Activity Status: RDIS</p> <p>Matters of discretion are restricted to:</p> <ul style="list-style-type: none"> a) Effects of the visitor accommodation on the Sport and Active Recreation Zones character and amenity values; b) The contribution the visitor accommodation makes to the recreational, sporting, customary or conservation use of the site; c) The effects of the visitor accommodation on neighbouring amenity values, including consideration of mitigation in relation to noise, traffic and light effects; d) Any potential constraint or prevention of the current and future activities enabled in OSZ-P1 and any effects on the accessibility of the Sport and Active Recreation Zone; and e) Consideration of mitigation provided through appropriate siting, landscaping and screening of any building or structure, taking into consideration the topography of the site. f) Able to be serviced with adequate on-site infrastructure and services.
SARZ-R14	Tourism Facilities

	1. Activity Status: DIS
SARZ-R15	Educational facilities
	1. Activity Status: DIS
SARZ-R16	Residential Activity
	1. Activity Status: DIS
SARZ-R17	Any activity not provided for as a permitted, restricted discretionary or non-complying activity
	1. Activity Status: DIS
SARZ-R18	Motorised Recreation
	1. Activity Status: NC
SARZ-R19	Primary Production
	1. Activity Status: NC
SARZ-R20	Industrial Activity
	1. Activity Status: NC
SARZ-R21	Quarrying Activity
	1. Activity Status: NC
SARZ-R22	Mining Activity
	1. Activity Status: NC
Standards for Permitted Activities	
Unless otherwise specified, all permitted activities within the Sport and Active Recreation Zone shall comply with the standards specified below.	
SARZ-S1	1. Maximum height above ground level of any: <ul style="list-style-type: none"> a) throwing tower for clay target activities at the Hutt Valley Clay Target Club must not exceed 15m; b) light pole or floodlight must not exceed 18m; or

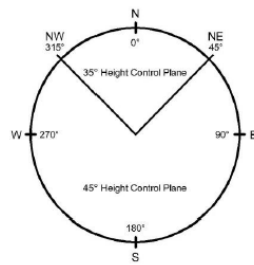
	<p>c) building (excluding structures listed in a) or b) above) must not exceed 9m.</p> <p>Exemptions:</p> <p>d) This standard does not apply to play equipment</p> <p>e) This standard does not apply to chimneys, flue, aerials, and solar panels where they do not exceed the building height limit by 3m vertically.</p> <hr/> <p>Matters of discretion where this standard is not met are restricted to:</p> <p>a) The extent of the effect of the height breach on the Sport and Active Recreation Zone character and amenity values;</p> <p>b) The extent of the effect of the height breach on the amenity values of any adjacent neighbouring land uses;</p> <p>c) The contribution the building or structure makes to the recreational, sporting, customary or conservation use of the site;</p> <p>d) Siting, landscaping and screening of the building or structure, taking into consideration the topography of the site and potential other appropriate locations for siting which provide mitigation for any identified adverse effects; and</p> <p>e) The design of the building or structure and its integration with any existing built character and form of the site.</p>
<p>SARZ-S2</p>	<p>The total site coverage of all buildings is no more than 30% of the total site area.</p> <hr/> <p>Matters of discretion where this standard is not met are restricted to:</p> <p>a) The extent of the effect of the site coverage breach on the Sport and Active Recreation Zone character and amenity values;</p> <p>b) The extent of the effect of the site coverage breach on the amenity values of any adjacent neighbouring land uses;</p> <p>c) The contribution the building makes to the recreational, sporting, customary or conservation use of the site;</p> <p>d) Siting, landscaping and screening of the building, taking into consideration the topography of the site and potential other appropriate locations for siting which provide mitigation for any identified adverse effects; and</p> <p>e) The design of the building and its integration with any existing built character and form of the site.</p> <p>f) Consideration of the extent of any hard surfacing associated with the building.</p>
<p>SARZ-S3</p>	<p>Buildings will be setback a minimum of 2m from any road boundary and 6m from any neighbouring Residential, Rural or Special Activity Zones</p> <hr/> <p>Matters of discretion where this standard is not met are restricted to:</p> <p>a) The extent of the effect of the setback breach on the Sport and Active Recreation Zone character and amenity values;</p> <p>b) The extent of the effect of the setback breach on the amenity values of any adjacent neighbouring land uses;</p> <p>c) The contribution the building or structure makes to the recreational, sporting, customary or conservation use of the site;</p>

	<ul style="list-style-type: none"> d) Siting, landscaping and screening of the building or structure, taking into consideration the topography of the site and potential other appropriate locations for siting which provide mitigation for any identified adverse effects; and e) The design of the building or structure and its integration with any existing built character and form of the site.
SARZ-S4	<p>A building or structure shall not exceed a gross floor area of 300m²</p> <p>Matters of discretion where compliance is not achieved:</p> <ul style="list-style-type: none"> a) The extent of the effect of the gross floor area breach on the Sport and Active Recreation Zone character and amenity values; b) The extent of the effect of the gross floor area breach on the amenity values of any adjacent neighbouring land uses; c) The contribution the building or structure makes to the recreational, sporting, customary or conservation use of the site; d) Siting, landscaping and screening of the building or structure, taking into consideration the topography of the site and potential other appropriate locations for siting which provide mitigation for any identified adverse effects; and e) The design of the building or structure and its integration with any existing built character and form of the site. f) Consideration of the extent of any hard surfacing associated with the building or structure.
SARZ-S5	All buildings adjacent to a Residential or Rural Zone shall comply with the height control planes.

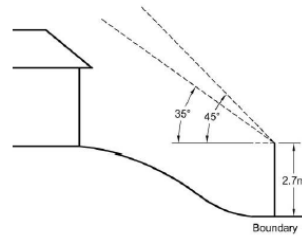
a) Height control planes in relation to site boundaries:



b) Determining which height control plane to use:



c) Application of height control planes to a sloping site:



Matters of discretion where compliance not achieved:

- a) The extent of the effect of the breach on the **Sport and Active Recreation Zone** character and **amenity values**;
- b) The extent of the effect of the breach on the **amenity values** of any adjacent neighbouring **land** uses;
- c) The contribution the **building** or **structure** makes to the recreational, sporting, customary or **conservation** use of the **site**;
- d) Siting, landscaping and screening of the **building** or **structure**, taking into consideration the topography of the **site** and potential other appropriate locations for siting which provide mitigation for any identified adverse effects; and
- e) The design of the **building** or **structure** and its integration with any existing built character and form of the **site**.

SARZ-S6

1. All caretaker accommodation shall be:

	<ul style="list-style-type: none"> a) limited to the purpose of providing accommodation for a caretaker or other person whose employment requires that they live on the premises where they are employed; b) No more than 1 residential unit is located on the site; c) The activity is ancillary to a sporting activity located on-site; d) The residential unit must not subdivided or disposed of separately; e) The building used to accommodate the residential activity must be no larger than 65m² in gross floor area; f) The building used to accommodate the residential activity must not exceed a height of 4 metres; and g) The building will comply with SARZ-S3 and SARZ-S5
	<p>1. Matters of discretion where compliance not achieved:</p> <ul style="list-style-type: none"> a) The extent of any breach on the Sport and Active Recreation Zone character and amenity values; b) The extent of any breach on the amenity values of any adjacent neighbouring land uses; c) The contribution the building or structure makes to the recreational, sporting, customary or conservation use of the site; d) Siting, landscaping and screening of the building or structure, taking into consideration the topography of the site and potential other appropriate locations for siting which provide mitigation for any identified adverse effects; and e) The design of the building or structure and its integration with any existing built character and form of the site.
SARZ-S7	<p>Shooting days at the Hutt Valley Clay Target Club (Pt Lot 1 DP 9009) will be limited to a maximum of 100 days per calendar year and will only occur during daylight hours.</p> <p>1. Matters of discretion where compliance not achieved:</p> <ul style="list-style-type: none"> a) The extent of the breach on the Sport and Active Recreation Zone character and amenity values; and b) The effect of the breach on the amenity values of any neighbouring land uses
SARZ-S8	<p>One organised fireworks display may be undertaken at Trentham Memorial Park in any calendar year. Such an event is exempt from the noise and vibration standards provided for in Chapter 32 of the Plan provided that the fireworks display is no longer than 30 minutes in duration and has ceased by no later than 10:00pm. No later than 3 days before the undertaking of an organised fireworks display, a sign shall be placed on the Trentham Memorial Park site. The sign shall state the date, location and time of the display and shall be placed on the site so that it can be seen from outside of the site by the general public. A notice shall similarly be placed in a locally circulated newspaper outlining the date, location and time of the fireworks display,</p> <p>The operator arranging the organised fireworks display shall consult with and notify the Upper Hutt Chief Fire Officer of the organised fireworks display a minimum three (3) working days prior to the event.</p>

DC –Development Contributions

Guidelines for accepting land

DC-R3

*Policy
DC-P1*

Generally, the contribution will be required in the form of money, however **Council**, at its complete discretion, may consider accepting a contribution of **land** instead of money, or a combination of **land** and money. **Land** may be accepted if it is designated for a reserve or if the **land** furthers **Council**'s objectives relating to the City's open space network. **Council** may also accept **land** for the protection of ecological, scenic, historical or scientific values or to provide for the active or passive recreational needs of the community.

In determining whether **land** will be accepted by **Council**, a number of matters may be taken into account, including but not limited to the following:

1. The accessibility and visibility of any land, including consideration of ease of physical access for people of all abilities, multiple and generous entrances, good passive surveillance from adjoining street(s). There should be road frontage across at least one boundary to ensure the land is visually accessible and contributes to the surrounding environment.
2. The adaptability and resilience of the land, considering how that can change with the seasons, recreation trends, and demographic trends within the surrounding community.
3. How the land contributes to amenity values and enhances the liveability of neighbourhood through providing visual relief and borrowed views.
4. How the space adds to the diversity of open space types and functions within the open space network, including defining target user group within the community, open space type, size, function, and values.
5. A consideration of the balance of quality open spaces and facilities for all, based on housing and population density, income and health measures and demographic considerations.
6. A consideration of existing parks reserves and open spaces within the area.

- | | |
|--|---|
| | <ol style="list-style-type: none">7. How the land could provide for cultural, historical heritage, natural features, and ecological features and values to be protected and/or opportunities to enhance.8. How the land contributes to the character of the neighbourhood and /or wider setting, landform, natural setting and orientation for good solar access and shade.9. The size of the land provided, including a consideration of how this relates to the size of any proposed subdivision.10. Whether the land is designated for proposed reserve purposes or whether the land has been identified as a Council reserve in a structure plan11. Consider immediate adjoining land use and the influence of adjacent activities. Consider gap analysis within the residential catchment (300m) and connectivity opportunities to the transport network, waterways and ecological corridors.12. The cost of acquiring and maintaining the land. |
|--|---|

Appendix 2- Consulted Parties

The table details the occupying clubs of the parks and reserves which are owned and maintained by Upper Hutt City Council. These groups were contacted with the proposed provisions and zoning for Plan Change 49 to seek feedback on the

Occupying Groups Contacted
Moonshine Rod & Custom Club Incorporated
Upper Hutt Parents Centre Incorporated
Timberlea Resident's Association (2000) Incorporated (Community Garden)
National Rifle Association of New Zealand Incorporated
Upper Hutt Dog Training Club Incorporated (Moehau Park Site)
Tararua Sports Club Incorporated (Maidstone Pavilion)
Taekwon-Do Club
Upper Hutt Darts Association Incorporated
Silverstream Bowling Club Incorporated
Pinehaven Potters Club
Scout Association of New Zealand - Silverpine Scouts
Heretaunga Players Incorporated
Maidstone Park Charitable Trust
Upper Hutt Axemen's Club Incorporated
Upper Hutt Rams Rugby Football Club Incorporated
Upper Hutt Art Society Incorporated
Wellington Chevrolet Club Incorporated
Scout Association of New Zealand - Heretaunga Scouts
Clyma Park Community Garden Incorporated
Te Marua Horse Club Incorporated
Junior Cricket Upper Hutt Incorporated
Upper Hutt Smallbore Rifle Club Incorporated
Hutt Valley Canoe Club Incorporated
Hutt Playcentre Association Incorporated (Te Marua Playcentre)
Marklin Model Railway Club Incorporated
Maidstone Model Engineering Society Incorporated
Scout Association of New Zealand - Akatarawa Scouts
Upper Hutt RAMS Rugby Football Club Incorporated (Maidstone Grandstand)
Upper Hutt Municipal Band Incorporated (California Park Lease)
Telecom Mobile Ltd (Spark New Zealand Trading Limited)
Pinehaven Tennis Club Incorporated
Upper Hutt RAMS Rugby Football Club Incorporated (Rugby Gym - Maidstone Park)
Harcourt Holiday Park Limited
Tawai Park Community Garden Incorporated (Tawai Park)
Upper Hutt Bridge Club Incorporated
California Park Community Garden
Heretaunga Boxing Club Incorporated

The below land owners were consulted where open space zoning was proposed to be removed from their sites and where it was considered that consultation was necessary. Although open space

zoning has been removed from other parcels, those parcels are of a smaller size with established residential or other uses, such that the change of zoning was not considered significant to require detailed consultation.

Private Landowners Contacted- Open Space Removal
45 Akatarawa Road, Upper Hutt
146 Gillespies Road, Birchville, Upper Hutt
150 Gillespies Road Upper Hutt
416 Maidstone Terrace
27 Blenheim Street
17 Vernon Grove

Appendix 3- Consents and Compliance Assessment

Resource Consent Study

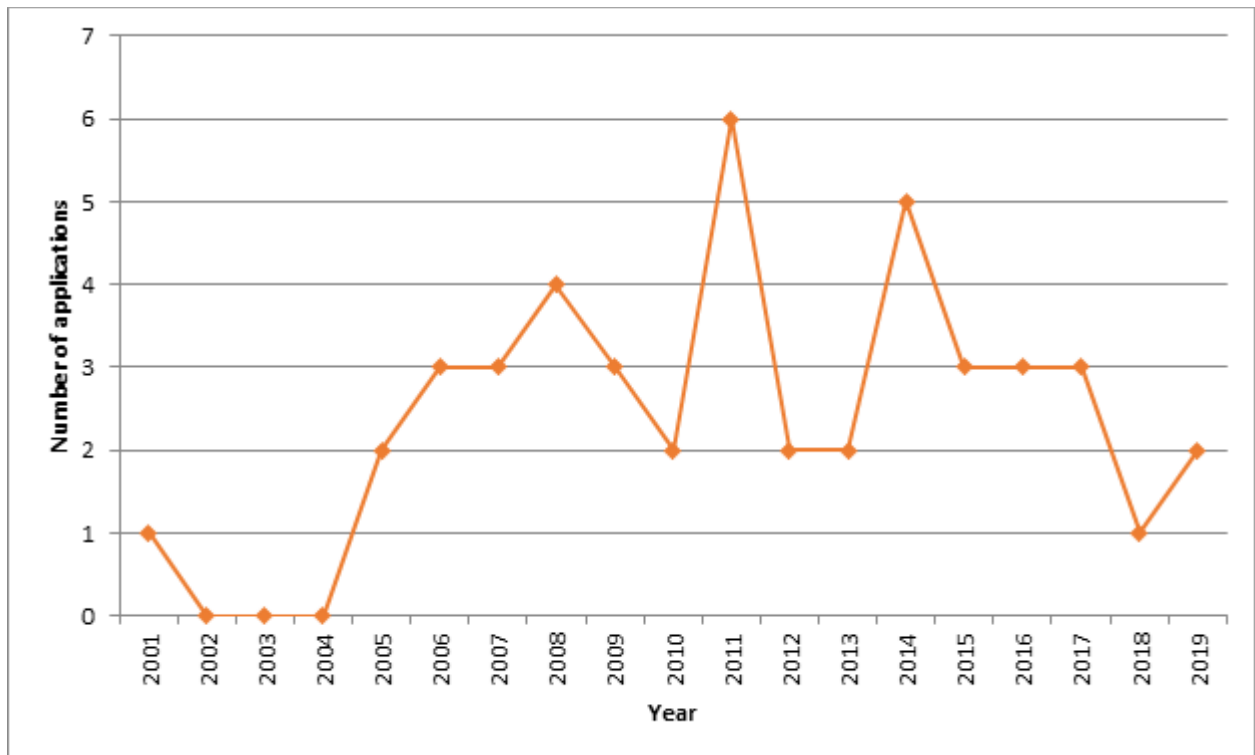
The following report assesses the resource consents applied for within the Open Space Zone in Upper Hutt. The consents assessment has looked back to 2001, which is the first record for resource consent in the Open Space Zone available on the Council records system.

Open Space Applications (2001 to 2019)

A total of 46 applications were received by Upper Hutt City Council during the period from 2001 to 2019. A total of 36 applications were in relation to Land Use, with the remaining 10 applications were spread across a range of areas, including a Certificate of Compliance, Outline Plans, a marginal non-compliance, and 3 applications received in relation to establishing Rights of Way.

The decision date for the applications is graphically depicted below. Overall the number of resource consents received across the time period are well distributed. There is a noticeable peak of 6 applications in 2011, and 5 applications received in 2014.

Overall the number of applications which have been received is still relatively low for the duration of time considered.

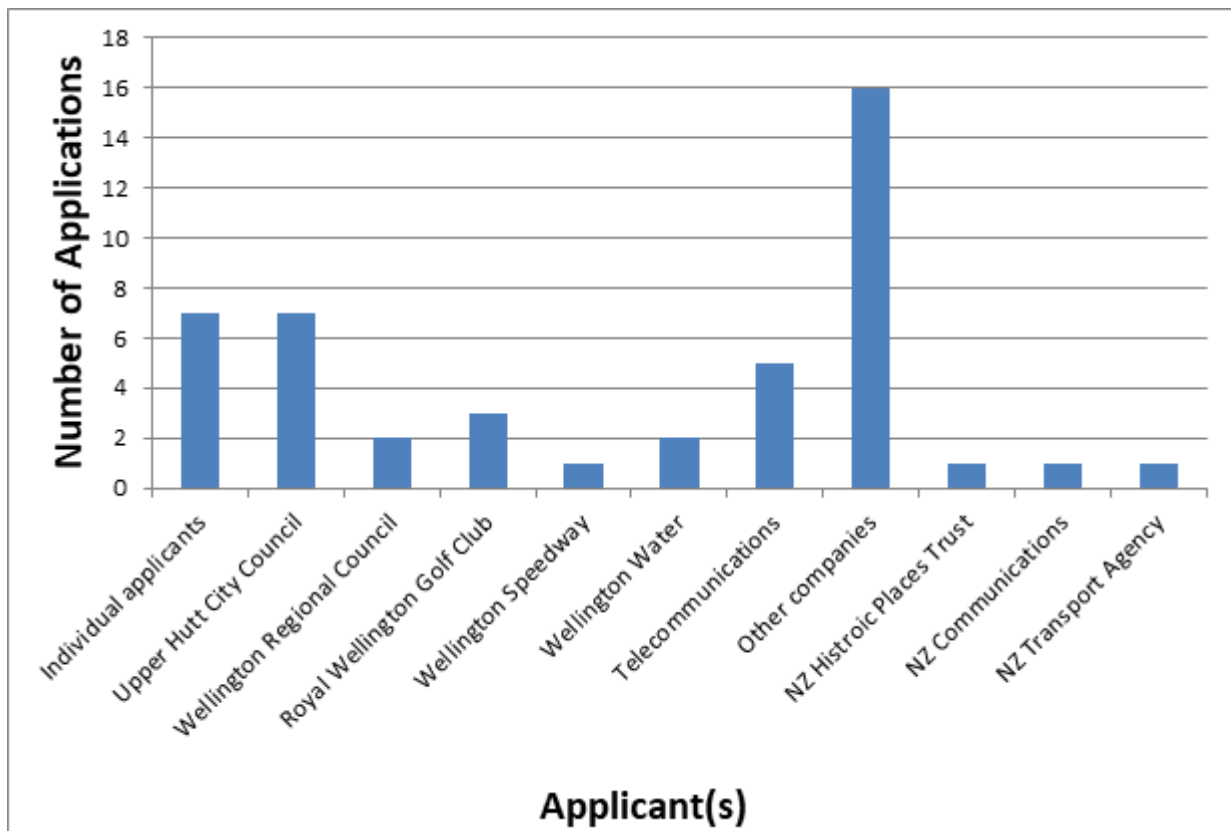


Who has been applying?

The graph below depicts the range of applicants who have submitted applications in the Open Space Zone, and the count of applications from different applicants. Since 2001 Upper Hutt City Council (UHCC) has submitted 7 applications, which is the highest number by any individual applicant. This is reflective of the fact that UHCC owns and maintains the parks within Upper Hutt, and therefore regular work is undertaken which may require consent or outline plans for works within designations.

Wellington Regional Council and Wellington Water have both submitted 2 applications each. 7 applications have been submitted by individuals, whilst 16 applications have been submitted by other companies, which encompass a wide variety of businesses, including:

- Timberlea residents association
- Dugdale charitable trust
- Upper Hutt Landholdings Limited
- Upper Hutt Developments
- Powerland
- Upper Hutt Dog Training School

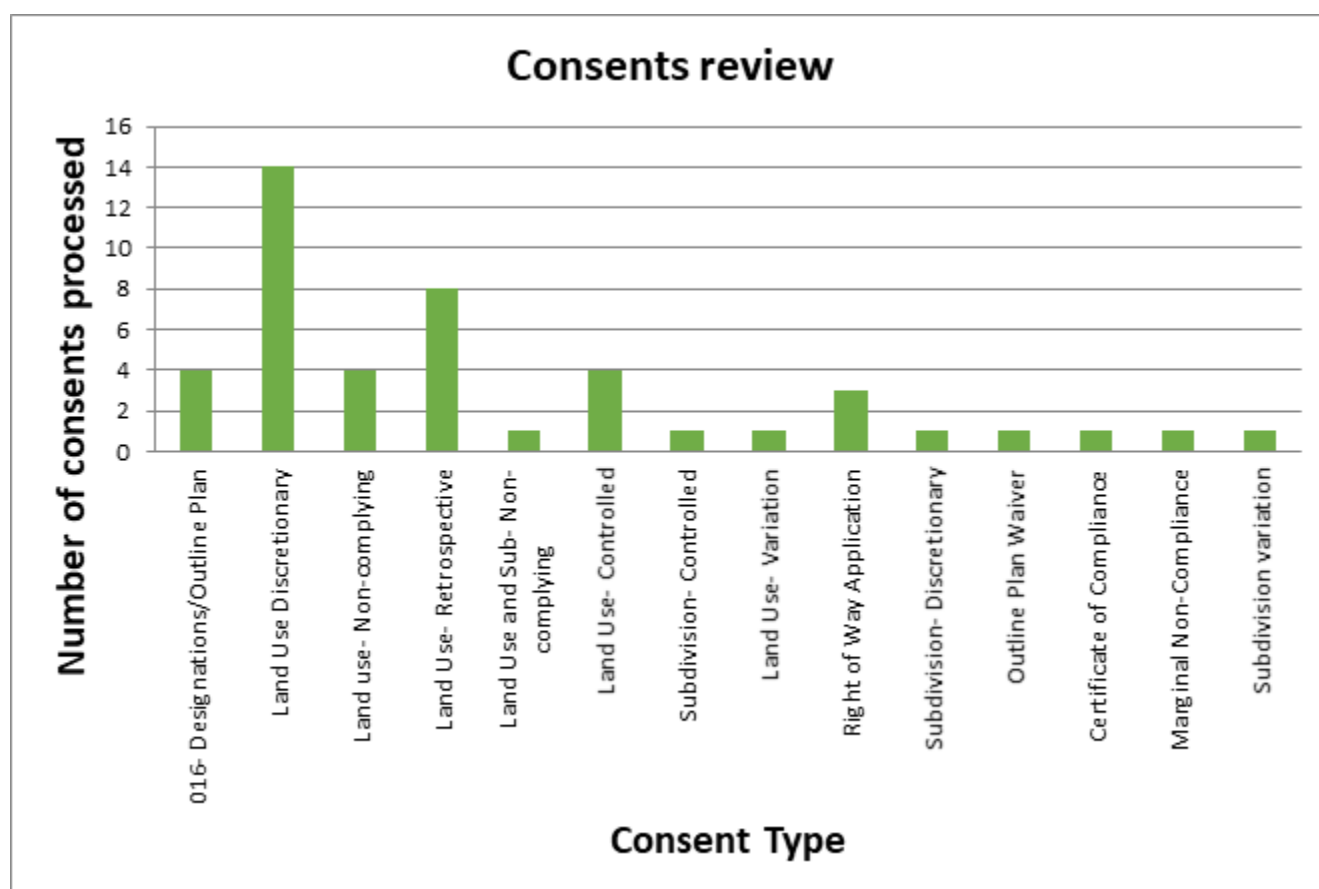


There is a fairly wide spread of applicants for the small number of applications, but it is noted that the majority of applications do not come from individual applicants, and are rather from government bodies, utility companies, and local businesses/organisations. This is largely reflective of the works which are being proposed, which includes the maintenance of public parks, and the type of development which may occur in open spaces, including telecommunication infrastructure.

Consent Type

The 46 applications have been categorised by Consent Type through the Consent Type coding system used through MagiQ. Overall the 46 consents are comprised of 14 different consent types. The most prevalent consent type is 'Land Use- Discretionary', which accounted for 14 of the 46 applications which were received. 8 applications were received for retrospective consent, the second highest consent type.

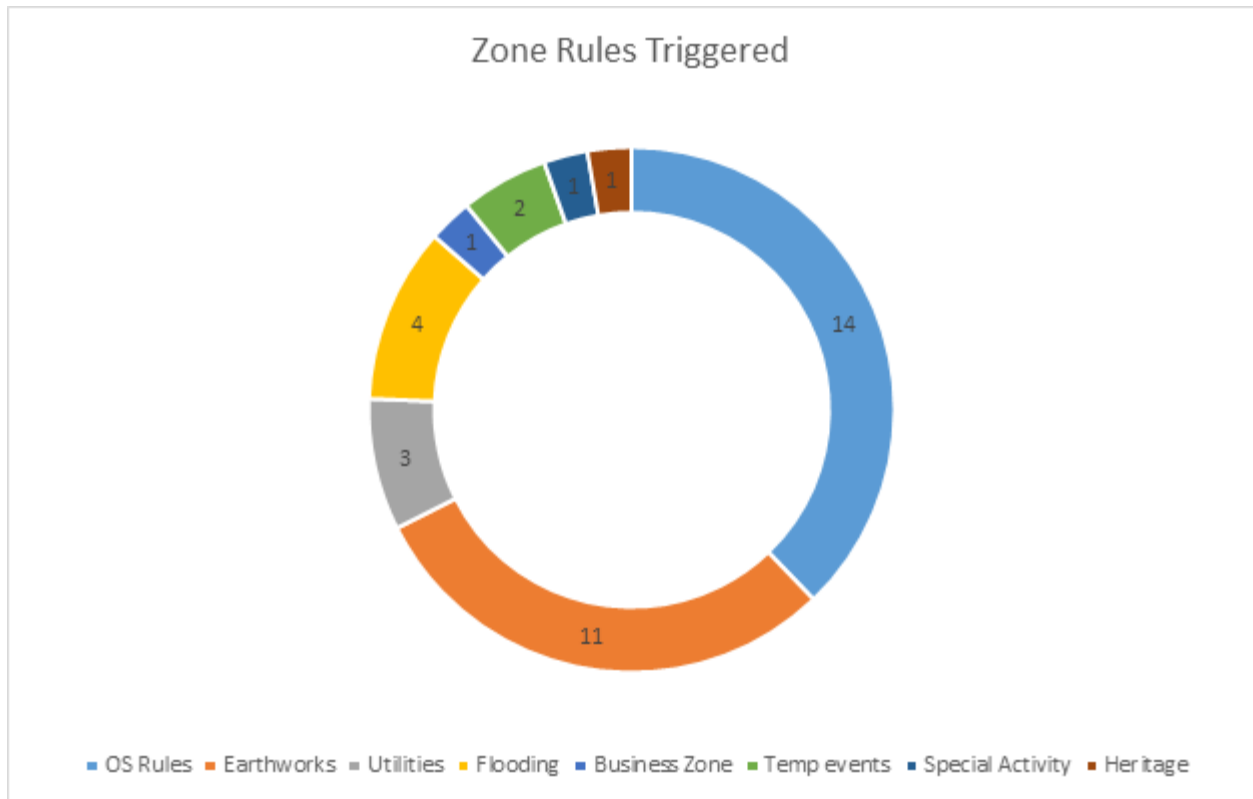
4 designation/outline plan applications were processed since 2001, with three of these relating to works at Maidstone Park. 4 applications were received for controlled land use activities, and 4 were received for non-complying land use activities. The remaining consent types all had only 1 application each.



Triggered Rules

Analysing the Resource Consent records has highlighted that the main rules which were triggered were the Open Space Zone and Earthworks rules, as shown below. 4 applications triggered rules for flooding, and 3 applications triggered rules for utilities. Other rules triggered include heritage, temporary events, and special activity, however these rules were only triggered once in each instance.

It's important to note that the majority of the applications triggered multiple rules across different zones, with only 8 of the Resource Consents triggering exclusively open space rules. The graph does not include applications which were submitted for a variation of condition, as these applications are not the result of a triggering of any rule within the District Plan. Not all applications are a result of triggered rules, including outline plan applications.



Conclusions drawn

- 46 applications were submitted to the UHCC Planning Department for activities within the Open Space Zone. Overall this number is relatively low when considering the timeframe. None of the submitted applications were declined.
- A range of applicants were noted across the period, with Upper Hutt City Council being the individual applicant with the most applications. The most applications received from an applicant group was from 'other companies', which comprises a range of companies who were seeking resource consent for a wide range of reasons. Telecommunications companies and other government bodies also submitted consent applications in this time. This is reflective of the potential land use and development activities which are undertaken in the Open Space Zone, which is not in general residential work which would be undertaken by individual applicants.
- A wide range of consent types comprised the applications, however there were noticeably few subdivision applications. Once again, this reflects the type of activities occurring within open space, and the stricter rule framework relating to subdivision.
- The applications triggered rules in eight different chapters of the District Plan. Open Space and Earthworks were the most prevalent rules triggered. Most applications triggered rules

across multiple zones, demonstrating the range of factors and constraints within the Open Space Zone.

Compliance Summary Assessment

Parks, Reserves and other Open Space

To gather information relating to complaints, service requests lodged through MagiQ was the main source of information. It should be noted that there are limitations through searching through MagiQ, as service requests are not recorded against zones. Service requests were found dating back to 2003.

The public nature of the Open Space Zone means there are regular and numerous service requests lodged, specifically in relation to the Parks and Reserves. However, the service requests have a dominant focus on issues relating to dog complaints, vehicle complaints, and maintenance requirements. As these are not factors which are controlled through the rule framework of the District Plan, and do not demonstrate breaches of the District Plan, the complaints are not considered be appropriate for review as part of this assessment.

Through undertaking the search of service requests through MagiQ, 2 complaints were found which can be seen as relating to breaches of planning matters. Although this is too small a set of data to gain any real statistical analysis from, the complaints themselves can provide some information on past issues within the Open Space Zone.

One of the received complaints was in relation to the stockpiling of timber at the South Pacific Tyres Site, where the stockpiling was associated with the adjacent business industrial zoning but was a non-complying activity within the Open Space Zone. The complaint was received in 2014. The area is zoned open space at the rear of the site, as shown below (the orange section is the Open Space Zone). The complaint was handled through the removal of the stored timber over a process of months, thus removing the breach.

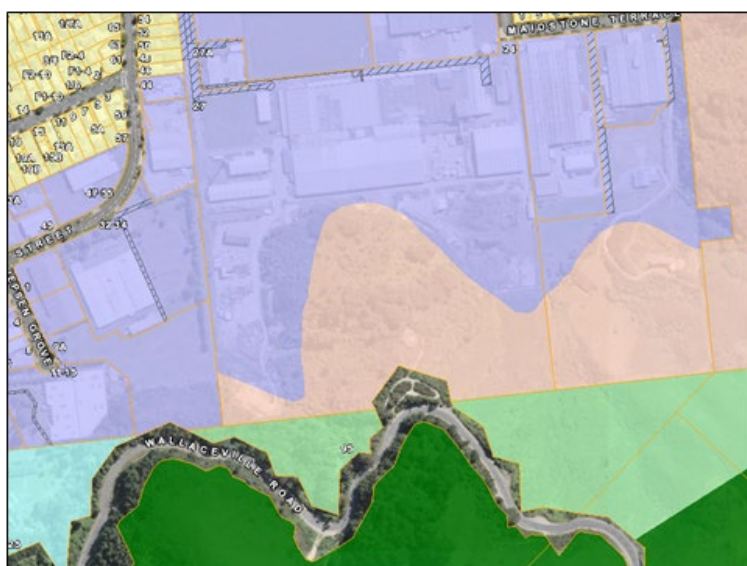


Figure 1- South Pacific Tyres breach

The second complaint was in relation to the owner of the property at 45 Kiwi Street, who had erected a boundary fence between the property and an adjacent area of open space. The complaint was lodged in 2009. The boundary fence was above 2 metres in height, which would require resource consent as per the District Plan rules. As an outcome of the enforcement investigation, the fence was cut down to size.

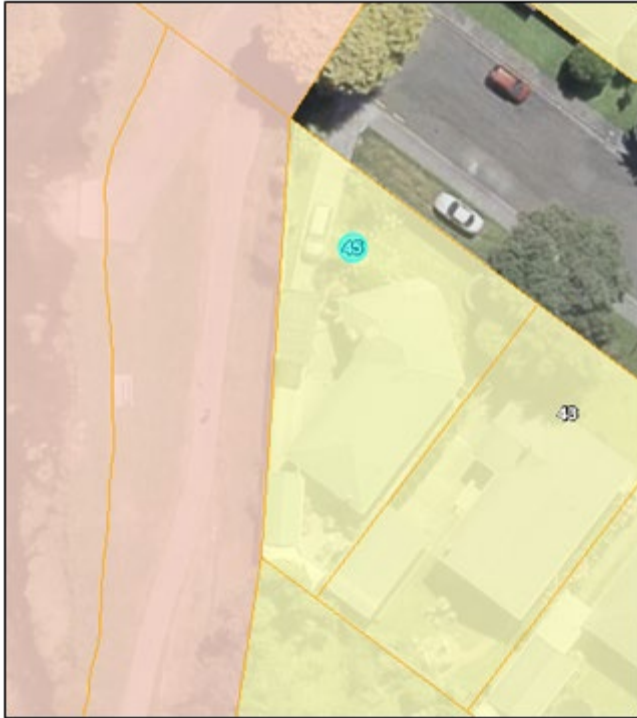


Figure 2- 45 Kiwi Street breach

The 2 instances considered above do not demonstrate a significant breach of the rules within the Open Space Zone resulting in significant negative effects.

In addition to the search through MagiQ, the current Compliance Officer was consulted on open space complaints which had been received and investigated by. Only one complaint was highlighted from the Compliance Officer as being within open space and is detailed below.

The complaint received was in relation to a small layby on Karapoti Road, which is seen below, and was received in 2019. A complainant contacted the Council, highlighting the issue of rubbish being dumped in the layby. The layby was being used as a holding area for material from slips by the Council, but the issue of fly tipping from members of the public were also occurring in the area. The issue of fly tipping is an activity which is not controlled through the District Plan, but the complainant was concerned that the storing of material from slips was requiring of a resource consent. However, the compliance officer clarified that the cut or fill height, and surface area, were within the acceptable limits as specified for the Open Space Zone, and therefore was not breaching any of the District Plan rules.



Figure 3-Karapoti Road complaint

Although not complaints, it was noted that 3 enquiries were submitted in relation to the setting up of food stalls at public parks and sporting events. These were all submitted in 2002/2003, and there is no indication that further enquiries have been submitted since.

Speedway Compliance

Considering the nature of the Speedway, and the activities which are undertaken at the site, it is considered appropriate to consider the complaints of the site separately to those for the rest of the Open Space Zone.

Within the service request history, 25 complaints have been registered which featured in relation to the Speedway. Of these, 12 were in relation to dog complaints, 4 were in relation to abandoned vehicles, and 1 was in relation to liquor licensing. These complaints can be discounted as not being relevant for this assessment, as they are not controlled through planning rules. 2 requests were received enquiring about noise levels at the site, but were not actually reporting breaches of noise levels, and so are discounted as well.

The remaining 6 complaints do relate to issues controlled through rules within the District Plan.



Half of the received complaints were in relation to the events being held at the Speedway. Specifically, enquiries related to the need for the Speedway to issue a calendar of proposed events one month before the racing calendar, as stated in Rule 21.37. In general, these enquiries stated that the events occurring at the Speedway were not in line with what is proposed.

2 of the complaints were in relation to noise levels. The existing District Plan has a framework of noise limits for the speedway due to the activities taking place on the site. The 2 service requests were both lodged in 2019, and both stated that noise standards were being exceeded. In terms of enforcement action taken, for 1 instance the noise limits were being exceeded outside of an event, and therefore did not breach any specific District Plan rules.

The other instance was relating to monitoring of an event which occurred at the venue, as enquiries were received before the event raising concerns. On undertaking monitoring, the limits within the noise standards were not found to have been exceeded, with the noise effects being no more than minor.

The one other complaint was in relation to tipping occurring at the site, however there are no further details on the complaint or enforcement action undertaken.

Conclusions drawn

- The overall level of complaints and enquiries within the Open Space Zone is high, however the majority of these are issues relating to matters outside of the control of the District Plan. As such only a small number of complaints were found which were as a result of breaches of the District Plan rules.
- The most service requests received for the Open Space Zone were for the Parks and Reserves, areas which are in regular use by the public. However, only

1 identified complaints relating to Planning matters was within any of the public parks and reserves of Upper Hutt.

- The remaining complaints which were found through the search were all in relation to areas of open space which are not areas used for regular recreational activities.
- With regards to the Speedway, a relatively low number of complaints were received which demonstrated breaches of the Planning rules. Since 2005, only 6 complaints have been received which were Planning matters for the speedway.
- These complaints focused on the events taking place at the Speedway, and the noise effects, both of which are at least partially controlled through the District Plan rules.
- As such, on reviewing the complaints, there is little evidence to suggest that the Open Space Zone rules are being repeatedly breached by any activity, and that complaints are mostly focused on the maintenance and upkeep of the open space public areas.
- Although the noise complaints and event complaints at the speedway are minimal, there is likely to be scope to reconsider both the noise requirements, and the rule relating to issuing a racing calendar, which was an issue raised in the complaints.

Appendix 4- District Plan Comparison

Purpose

As part of plan change 49 a review of other District Plans has been undertaken, to consider how other Districts manage open space through Objectives, Policies and Rules. Overall 4 different Districts Plans were looked at through this assessment.

The purpose of the assessment was to gain an understanding of the management of the Open Space Zone, considering how different Districts applied rule frameworks to meet outcomes as defined in their Objectives. The districts selected for consideration were picked based on a number of different criteria. The districts and their reason for selection are shown in the table below.

District Plan	Reason for selection
Hutt City (Proposed)	<ul style="list-style-type: none"> Proximity to Upper Hutt Also contains Wellington Regional Parks
New Plymouth (Proposed)	<ul style="list-style-type: none"> Similar population size in terms of Upper Hutt Have reviewed their Plan and used the National Planning Standards within their Proposed Plan
Porirua	<ul style="list-style-type: none"> Similar population size in terms of Upper Hutt Have reviewed their Plan and used the National Planning Standards within their Proposed Plan Proximity to Upper Hutt Also contains Wellington Regional Parks
Waipa District Plan	<ul style="list-style-type: none"> Similar population size to Upper Hutt Second generation Plan (has not implemented National Planning Standards yet)

Overall the above Plans were chosen to give a wide assessment of the other approaches with regards to open space, whilst ensuring the relevance to Upper Hutt was defined either through their geographical location and proximity to Upper Hutt, their population size similar to Upper Hutt, and their consideration of the recently introduced National Planning Standards which are a key aspect of the plan change.

The New Plymouth and Porirua Plans are both at the proposed stage, whereas the Hutt City, and Waipa plans are operative. It was also noted that each of the Plans assessed had an e-plan version available apart from the Waipa Plan. The following information was taken from each of the Plans:

- Operative date
- Location of the Open Space chapter within the Plan
- Associated provisions or appendices references
- Definitions used
- The objectives and policies used within the zone
- The Permitted Standards for the zones
- The considerations when assessing a Resource Consent Application

Open Space Location

There is a split between where the open space chapter is located within the Plans. The New Plymouth and Porirua Plans both have the open space chapters located under Part 3- Area Specific Matters. This location is driven by the National Planning Standards which introduces a plan structure which the New Plymouth and Porirua Plans follow. The chapters in these Plans introduce the zone with a brief description which defines the characteristics and uses, which is followed by the Objectives, Policies and Rules for the zone.

Within the Hutt City Plan the Open Spaces Zone (Referred to as Recreation Activity Areas in the District Plan) is located within Chapter 7. The chapter is subdivided to detail the different rules associated with the different zone types of open space. The Waipa District Plan does not have a defined Open Space Zone, instead there is a Reserves Zone and two different Event Zones, both of which contain their own Objectives, Policies and Rules which are specific to that zone.

Use of Zones

The National Planning Standards introduces 3 different zone options for open space:

- Open Space Zone
- Natural Open Space Zone
- Sport and Active Recreation Zone

These are the zones which will need to be used for the open space chapter review as required by the National Planning Standards. The use of these zones however is somewhat discretionary, and this has been highlighted in this assessment through looking at the 2 proposed plans which have used the National Planning Standards. The Open Space Zone is a requirement, whilst the use of the Natural Open Space Zone and the Sport and Active Recreation Zone is discretionary. The proposed New Plymouth Plan uses all three zones, whilst the proposed Porirua Plan only uses the Open Space Zone and the Sport and Active Recreation Zone.

The Hutt City Plan is yet to implement the National Planning Standards zones, and has 4 different zones:

- General Recreation Activity Area
- Special Recreation Activity Area
- River Recreation Activity Area
- Passive Recreation Activity Area

The recreation activity areas used by the Hutt Plan reflect the different environments present within the district and their different recreational uses, including the use of the coastal and river areas. The Waipa Plan uses a Reserves Zone to manage the public open spaces within the district.

Definitions used

Each plan used a different set of Definitions for their use of open space, with the most significant contrast being those between the plans which have implemented the National Planning Standards, and the two which have not.

Open Space Zone

The Porirua and New Plymouth proposed plans both have the National Planning Standards zones, however, their definitions for the open space zones differ to a degree. The Open Space Zone is defined similarly through *'providing for a range of leisure and recreational activities, along with limited associated facilities and structures'*. However, whilst New Plymouth's Proposed District Plan focuses on the activities which could be undertaken within this zone, the Proposed Porirua District Plan states that the Open Space Zone applies to *'public and private open spaces that contain high natural, ecological, landscape and historic heritage values'*.

It appears that although the New Plymouth definition is controlling of the activities undertaken, Porirua focuses on the characteristics of those areas. Furthermore, through stating that the Open Space Zone has high natural and ecological value, it appears that the Proposed Porirua Plan negates the need for a Natural Open Space Zone through integrating those qualities into the general Open Space Zone.

Sport and Active Recreation Zone

The definitions used for the Sports and Active Recreation Zone by both Plans are very similar, with little difference between the two. Essentially the zone provides for the communities organised sporting needs, and generally includes structures which are associated with these sporting activities. This includes changing facilities, club rooms or toilet facilities.

Both the New Plymouth and Porirua Proposed Plans use the Sports and Active Recreation Zone. The zone definitions are essentially identical for both plans, although a notable difference is that whilst Porirua focus on indoor and outdoor sporting areas, New Plymouth just mentions open space areas.

Natural Open Space Zone

As stated above, the Natural Open Space Zone has only been used by the proposed New Plymouth Plan. The definition of this zone includes to *'recognise and provide for open spaces that contain high natural, ecological, landscape and historic heritage values.'* The zone is focused on the urban environment mostly, along waterbodies and the edge of coastal boundaries.

There is no defined threshold for what is defined as high natural, ecological, landscape and historic heritage values, and this is not contained within the Section 32 report. The definitions used in the Hutt City and Waipa Plans do not adhere to what is suggested in the National Planning Standards, as these Plans have yet to initiate the standards.

Objectives and Policies

The Objectives and Policies of the Plan set out what the Plan should be achieving and are tailored for each zone specifically as there will be different outcomes being sought.

The Hutt City Plan has a clear link between the Issue, Objective and Policy. The Objectives and Policies are tailored to each defined Recreation Area. Generally, the objectives seek to manage the effects of recreational activities on the amenity of the surrounding environments, focusing on amenity values specifically for residential areas. But the Objectives and Policies are very specific for each area, including geographically focusing on regional parks, waterways, or foreshores.

The objectives and policies try to strike a balance between ensuring a range of recreational activities can occur in the zones, with ensuring surrounding amenity is protected, sites are not over developed with buildings such that open space character is retained. These three themes permeate throughout the different as the key issues, with the policies then tailored to control the different activities.

The New Plymouth Plan has objectives and policies for each of the three National Planning Standards zones within the Plan. The objectives for each of the zones are essentially identical and make reference to the specific characteristic of the zone, the use of the zone, the fact that the use should not be compromised by incompatible activities and ensuring that open spaces reflect Maori principles.

The Policies for each zone then seek to support the objectives. Not surprisingly, considering the essentially identical objectives, the policies for each of the zones are also identical.

There are 7 policies for each zone, and they are summarised as follows:

- Allow activities compatible with the zone characteristics
- Manage the scale of activities
- Avoid incompatible activities
- Maintain the role and function of the zone character
- Ensure the buildings and structures maintain character
- Ensure effects on historic heritage are mitigated and remedied
- Require effects generated by activities to be of a appropriate scale for the zone

The Porirua proposed plan only has the 2 zones, and the objectives for the zones are identical, seeking to support the activities within the zones, whilst protecting the character and amenity, and avoiding, remedying or mitigating any adverse effects. The Policies for each zone are slightly more tailored than the objectives, with policies identifying special activities which can be undertaken with regards to the water environment and farm/regional parks. The policies seek to enable a range of activities, whilst allowing inappropriate activities where there is an absence of significant negative effects. The policies also avoid subdivision which is inappropriate. The policies are less comprehensive in their consideration than the New Plymouth policies.

The Waipa District Plan does have objectives and policies for each zone, and they are specifically tailored to consider the specific type of activities they wish to promote within each zone. For example, the Lake Karapiro Events Zone has objectives that promote the use of the zone for events, whilst also managing the adverse effects.

Activity Status

New Plymouth and Porirua

For the assessment of the rule structures for the individual Plans, the focus will be on looking at the rules for the Porirua and New Plymouth proposed plans, which have both implements the National Planning Standard zones in their proposed plans.

	New Plymouth	Porirua
Open Space Zone	<p><i>Permitted or Controlled:</i></p> <ul style="list-style-type: none"> • Sport and Recreation Activities • Leisure Activities • Conservation Activities • Camping Grounds • Customary Activities • Maori Purpose Activities • Building Activities (excluding relocation of a building- PER) • Relocation of a building (CON) 	<p><i>Permitted or Controlled:</i></p> <ul style="list-style-type: none"> • Building Activity • Conservation Activity • Customary Activity • Parks Amenities • Parks Infrastructure • Community facility • Burial and cremations • Primary Production
	<p><i>Discretionary or Limited:</i></p> <ul style="list-style-type: none"> • Educational Facilities • Community Facilities • Medical and Health Services • Retail Activities • Business Service Activities • Commercial Service Activities 	<p><i>Discretionary or Limited:</i></p> <ul style="list-style-type: none"> • Residential Activity (L) • Visitor Accommodation (L) • Commercial Activity (L) • Any activity not provided for as a permitted, restricted discretionary or non-complying activity
	<p><i>Non-complying and prohibited:</i></p> <ul style="list-style-type: none"> • Living Activities • Rural Industry • Industrial Activities 	<p><i>Non-complying and prohibited:</i></p> <ul style="list-style-type: none"> • Quarrying Activity • Mining Activity • Industrial Activity • Intensive Indoor Primary Production • Rural Industry
Sport and Active Recreation Zone	<p><i>Permitted or Controlled:</i></p> <ul style="list-style-type: none"> • Sport and Recreation Activities • Leisure Activities • Conservation Activities • Community Facilities • Customary Activities • Any activity not otherwise listed (Permitted if standards complied with) • Building Activities (excluding relocation of a building- PER) • Relocation of a building (CON) 	<p><i>Permitted or Controlled:</i></p> <ul style="list-style-type: none"> • Building Activity • Conservation Activity • Customary Activity • Parks Facilities • Parks Furniture • Community Facility • Sports and Recreation Facility • Boating Facility

	<p><i>Discretionary or Limited:</i></p> <ul style="list-style-type: none"> • Camping Grounds • Visitor Accommodation • Pa/Marae • Papakainga • Medical and Health Services • Educational Facilities • Retail Activities • Business Service Activities • Commercial Service Activities <p>(Dis)</p>	<p><i>Discretionary or Limited:</i></p> <ul style="list-style-type: none"> • Residential Activity (L) • Visitor Accommodation (L) • Commercial Activity (L) • Stadia (L) • Swimming Pool (L) • Any activity not provided for as a permitted, restricted discretionary or non-complying activity
	<p><i>Non-complying and prohibited:</i></p> <ul style="list-style-type: none"> • Living Activities (excluding Pā/marae and papakāinga) • Rural Industry • Industrial Activities 	<p><i>Non-complying and prohibited:</i></p> <ul style="list-style-type: none"> • Quarrying Activity • Mining Activity • Industrial Activity
Natural Open Space Zone	<p><i>Permitted or Controlled:</i></p> <ul style="list-style-type: none"> • Leisure Activities • Conservation Activities • Customary Activities 	
	<p><i>Discretionary or Limited:</i></p> <ul style="list-style-type: none"> • Pa/Marae (L) • Papakainga (L) • Kōhanga reo, cultural education and research facilities (L) • Building Activities (excluding relocation of a building) (L) • Relocation of a building (L) • Educational Facilities • Community Facilities • Medical and health services • Retail activities • Business service activities • Commercial service activities • Camping grounds • Any other activity not otherwise listed in this table 	
	<p><i>Non-complying and prohibited:</i></p> <ul style="list-style-type: none"> • Living activities • Rural Industry • Industrial activities 	

The two Open Space Zones show a highly similar pattern of the activity status for each Plan. For example, customary activities, conservation activities and leisure facilities are both permitted/controlled. Discretionary activities are aligned as well, with both plans listing activities which can occur in open spaces, but their effects need to be considered. Only the Porirua Plan contains a catch all. With regards to non-complying and prohibited, both Plans

prohibit industrial activities, but whilst living activities are classed as non-complying in the New Plymouth Plan, Porirua considers residential activities as limited discretionary. A key difference is that the Porirua Plan does not state the status of recreational activities, whereas the New Plymouth plan classifies Sport and Recreation Activities as permitted/controlled.

The differentiation between the activity status within the SARZ and the Open Space Zone is limited. For the New Plymouth Plan, camping becomes a discretionary/limited activity, and Pa/Marae and Papakainga become discretionary/limited. The New Plymouth introduces a few more activities for controlling in the zone, including Stadia and Swimming Pool as discretionary/limited, whilst sports and recreation facilities and boating facilities are permitted/controlled.

In the New Plymouth Plan, the Natural Open Space has far fewer permitted or controlled activities than the other zones. Instead, most activities fall into the limited discretionary or discretionary classes, which reflects the higher sensitivity of this zone due to the natural features.

Activity Status (Hutt City and Waipa)

The Hutt City Plan has a more tailored rule structure for each zone. This generally related to recreational activities (excluding motorised sports), landscape furniture, stream/river works where applicable, walkways and beach activities. The Restricted Discretionary and Discretionary activities in the Plan are generally more focused on the control of buildings in open space zones, motorised recreation, and car parks, with some zones also containing catch all's within this activity class. Non-complying activities are not specified, with the zones only stating that non-complying are activities not listed as permitted or discretionary.

Within the Waipa Plan, the permitted activities include earthworks, signs, conservation activities, passive recreational use, earthworks, sporting activities, and relocated buildings and the demolition of buildings. The Plan does not have any controlled activities, but restricted discretionary activities are limited to building matters. Discretionary activities include building activities, with specific mention of floodlights. Non-complying activities are limited to commercial and retail activities and buildings failing to comply with standards, with no prohibited activities in the Plan.

Conclusions:

The other district plan comparison has been a valuable task to gain a better understanding of the implementing of the National Planning Standards for the Open Space Zone, as well as looking at activity status and standards across multiples Plans.

Overall, the New Plymouth and Porirua Plans are good examples of current practice for consideration in this review of the Upper Hutt Open Space Zone, especially considering their consideration of the National Planning Standards, and their similar demographics to the UHCC area.

Appendix 5- Parks and Reserves Audit

Park/reserve name	Type (park or reserve)	Entry/location details	Typical use of park (park attributes/activities)
Akatarawa Cemetery (Part owned by UHCC & HCC)	Reserve	1058 Akatarawa Road, Upper Hutt	Interment of bodies and ashes, carparking, roading, cremation of human bodies, scattering of human ashes, cemetery office & workshop/storage, public toilets, grave digging, monumental works, burial and unveiling ceremonies, often used by dog walkers, trees, bushes, gardens, grasses green space Active Deed of Lease (Crematorium)
Avian Park	Park	4 Avian Crescent	Trees, bushes Active Deed of Lease (Playcentre) Active Deed of Lease (Residents Association)
Awakairangi Park Awakairangi Park is owned by GWRC, UHCC leases that part from them.	Park	Entry off Totara Park Road, Kentucky Street, Brightwater Crescent, or Ngati Tama Park, Totara Park	Grounds regularly booked for sports events, school field trips/events, and tournaments i.e. soccer, ultimate frisbee, hurling, rugby, cross country, cycling, cyclocross, community picnic play events Carparking, public toilets and utility room, grassed green space, trees, bushes, roading, popular dog walking area Active Deed of Sub-Lease (Darts Club)
Benge Hall Reserve	Reserve	Entrance between 460 & 490 Main Road North, Upper Hutt, Birchville	Occasionally booked for picnics, social events Carparking, trees, bushes, grassed green space Active Deed of Lease (Chevrolet Car Club)
Benge Park	Park	Access from Benge Crescent, Rosina Street, Clouston Park Road, or Flavia Grove, Clouston Park	Playground, trees, bush, walking path, picnic table, grassed green space
Birchville Beech Reserve	Reserve	Moonstone Grove, Upper Hutt access between 8 & 10 Moonstone Grove	Beech trees & bush
Birchville Park	Park	Vehicle and pedestrian access off Emerald Hill Drive, Birchville	Playground, duckpond, carparking, roading, pathways, trees, bush, grassed green space, picnic table Active Deed of Lease (Playcentre) Active Deed of Lease (Horse Club)
Birchville Picnic Area	Reserve	River side of Akatarawa Road, from Gemstone Drive to dairy 115 Akatarawa Road	Historic Tea Shelter, bush, trees, car parking, roading, picnic area, public toilets, walking/cycle track
Brown Owl Reserve	Reserve	Pedestrian access between 48 & 50 Speargrass Grove or via a pedestrian subway at 299 Main Road (SH2), Brown	Bush, trees, walking paths, Wellington Water operational dam, grassed green space

		Owl. Drainage reserve	
California Park	Park	Pedestrian access off California Drive, Larchmont Grove, Wyoming Grove, Delaware Grove & via the Norbert Street footbridge, Totara Park	Walking paths, bush, trees, playground, picnic tables, car parking, tennis rebound wall & basketball court, popular dog walking area, Wellington Fault Crush Zone Active Deed of Lease (Playcentre) Active Deed of Lease (Band room)
Clouston Park	Park	Between 2170 and 2176 Akatarawa Road , Akatarawa	Bush, trees, river, grassed green space, carparking, public toilet
Clyma Park	Park	Pedestrian access between 28A & 30 Clyma Street or between 50 & 52 Fraser Crescent or between 78 & 80 Fraser Crescent, Elderslea	Trees, bushes, grassed green space. The Park is often used as a thoroughfare for walkers, runners, and dog walkers. It is also utilized by neighbouring schools and families and groups for casual recreation activities. Active Licence to Occupy (Community garden)
Collin's Creek Reserve	Reserve	access between 89 & 91 Plateau Road, Upper Hutt	Bush, trees, river
Craig's Flat Reserve	Park	Between 38 and 48 Kirton Drive, Riverstone Terraces,	Playground, benches, walking path, bush, trees, grassed green space
Denver Grove Reserve	Reserve	7A Denver Grove, Totara Park, Upper Hutt	Active Deed of Lease (Kindergarten)
Doris Nicholson Reserve	Park	1122 Fergusson Drive, Clouston Park, Upper Hutt	Grassed green space, roading, walking path, trees, bushes Active Deed of Lease (Kindergarten)
Duncraig Crescent Reserve	Reserve	Pedestrian entrance between 10 & 16 Duncraig Street or between 9 & 13 Penny Lane, Silverstream	Walking path, bench, trees, bush, grassed green space The bush lined green space is often used as a thoroughfare by walkers, joggers, and dog walkers to travel between Penny Lane and Duncraig Street
Dunns Park	Park	Pedestrian entrance between 15 and 17 Dunns St or driveway from by 14 Prouse Grove, also access via Tapestry Grove, Silverstream	Playground, trees, bush, car park, walking track through bush, bench, grassed green space Accessway from Tapestry Grv to Prouse, linking to Field St and Sunbrae Drive.
Edmund Lomas Park	Park	Pedestrian access between 3 & 5 Edmund Lomas Grove, Upper Hutt	Playground, walking path, trees, bush, grassed green space
Emerald Hill Reserve	Reserve	Vehicle and pedestrian access	Bush, trees, roading, car park, reservoir, grassed green space

		between 20 & 21 Alleyne Court, Birchville, Upper Hutt	Deed of Lease Expired (Telecommunications Equipment)
Fendalton Reserve	Reserve	Pedestrian access between 13 & 23 and 37 & 43 Fendalton Crescent, Upper Hutt	Bush, trees, open drain
Gentian Park	Park	Pedestrian access next to 15 Gentian Street to 30 Mt Marua Drive,	Bush, trees, Walking track through bush
Grant's Bush	Reserve	Entrance from of Gilruth, Pattullo or Buddle Roads	Bush, trees, walking track, grassed green space, stormwater flood area & a large stormwater soak pit
Harcourt Park	Park	From 47 Akatarawa Road to substation Akatarawa Road, and 10 Norbert Street to river	Playgrounds (junior & Senior), paddling pool & splash pad, stage, learn to cycle track, water fountain, picnic shelters, BBQ's, AED, public toilets, walking tracks, walking paths, car parking, roading, bush, trees, gardens, benches, grassed green space Regularly booked for school field trips, concerts, community events, sports days, cross country races, company picnics, weddings and other sport and events Active Deed of Lease (Holiday Park/Camp Ground)
Harcourt Park Soccer	Park	End of Norbert Street, Akatarawa, Upper Hutt	Soccer grounds in winter, cricket grounds in summer (seasonal bookings), roading, carparking, trees Regularly booked for seasonal soccer & cricket, community events, sporting events/tournaments, and often booked for overflow carparking for events at nearby Harcourt park Trees, roading, carparking, grassed green space Active Deed of Lease (Car Club)
Heretaunga Park	Park	Entrance next to 45 Kiwi Street and pedestrian access from 43 Perry Street, Heretaunga, Upper Hutt	Rugby & football grounds in winter, cricket grounds in summer (seasonal bookings) Regularly booked for school field trips, seasonal rugby/football/cricket, and sporting events Playground, river, duckpond, bridge, picnic table & bench, public toilet, bush, trees, grassed green space, pathway
Hoggard Park	Park	44 Black Beech Street, Birchville, Upper Hutt	Trees, bush, carparking, track to river for canoes Active Deed of Lease (Canoe Club) Active Deed of Lease (Scouts)
Kaitoke Hill Scenic Reserve (Owned by DOC)	Reserve	State Highway 2 (Opposite 1236 State Highway 2, Upper Hutt)	Bush, trees
Karapoti Reserve	Reserve	1373 Akatarawa Road, Akatarawa, Upper Hutt	Bush, trees, river, grassed green space, Public Toilets Booked every year for the Karapoti Classic cycle event

Keith George Memorial Park (Located in Lower Hutt Boundary, adjoins to Silverstream Scenic Reserve and often referred to as 'Keith George/Silverstream Scenic Reserve' i.e. treated as 'one').	Reserve	Entrance is situated on SH2 & SH58, close to Silverstream Bridge, Upper Hutt	Bush, trees, walking tracks
Kurth Crescent Reserve	Park	Pedestrian access at 30 Kurth Crescent or car parking available at the end of Dunns Street, Silverstream	Trees, bush, walking path, car parking, roading, grassed green space Active Deed of Lease (Lawn Bowls Club)
Larchmont Reserve	Reserve	Pedestrian access via California Park or Ngati Tama Park or via the bridge at the end of Norbert Street, also between 66 & 64 Larchmont Grove or between 6 & 8 Wyoming Grove or between 14 & 16 Memphis Grove, Upper Hutt	Trees, bush, walking/cycling path, bridge, grassed green space
Maidstone Park	Park	Park Street , Maidstone	Maidstone Max regional Playgrounds (junior & senior), skate park, water fountain, grassed green space, sand carpet rugby grounds, artificial sports fields, petanque area, car park, roading, walking paths, walking tracks, downhill mountain bike tracks, trees, bush, picnic shelters, BBQ's, picnic tables, benches, Council Depot & Storage facility, water tank, operational public recycling station, Upper Hutt Community Rescue operations centre (no lease exists), Fire and Emergency Operations Centre (lease under negotiation) Regularly booked for school field trips, skate competition events, company picnics, cycling events, seasonal rugby, football, tree climbing events, community events. Historically softball. Active Use of Facility Agreement (Shade house & soil shed for potting plants) Council Depot Active Deed of Lease (Rugby Club) Active Deed of Lease (Rugby Grandstand) Active Deed of Lease (Rugby Gym) Deed of Lease Expired (Boxing Club) Active Deed of Lease (Orongomai Marae Community Centre) Active Deed of Lease (Rifle Club) Active Deed of Lease (Football Artificial Turf & Clubrooms)

			Active Deed of Lease (Model engineering club & outdoor mini tracks/train operating) Active Deed of Lease (Hockey Turf) Active Deed of Lease (Sports Clubs)
Mangaroa Reserve	Reserve	Mangaroa Valley Road, Upper Hutt (Opposite 25 Mangaroa Valley Road, Upper Hutt)	Bush, trees, river, grassed green space
Maoribank Park (is owned by GWRC)	Park	Vehicle entry between 133 and 135 Clouston Park Road. Pedestrian access between 1119B and 1123 Fergusson Drive or any area off state highway 2, Maoribank	Playground, carpark, roading, trees, bush Regularly booked for seasonal sport (touch rugby in summer & rugby in winter), also booked for sports tournaments and events several times a year. Popular dog walking spot Active Deed of Lease (Rugby Club)
McLeod Park	Park	Access points include: Between 52 & 56 or 88 & 90 McLeod Street or via the green space at the corner of McLeod and Gibbons Streets or via the stop bank walk-way entrances at Macefield or Whakatiki Streets, Elderslea	Carpark, roading, trees, bush, grassed green space BMX Club (no lease)
McLeod Street Play Area	Park	77 McLeod Street, Elderslea	Playground, bush, trees, grassed green space
Moehau Park (Part of Moehau Park is owned by GWRC and UHCC leases that part from them, the rest is owned by UHCC)	Park	Vehicle entry off Moonshine Road just before the intersection with River Road. Pedestrian access also available at this	Trees, bush, roading, carparking, walking path, grassed green space Dog school buildings (lease currently under negotiation) Popular walking, cycling, dog walking area, dog school hosts several dog competitions a year (with event staff overnighting) and operates puppy school/training

		point, or through Mouhau Park and Trentham Memorial Park, Trentham	
Moonshine Park (Owned by GWRC, UHCC maintain)	Park	Vehicle entrance off Moonshine Road (near 77)	Playground, trees, bush, grassed green space, roading, walking path, carparking, public toilet, popular dog walking, cycling, running, walking area
Ngati Tama Park	Park	Vehicle entry and parking off Michigan Crescent. Pedestrian access via Baltimore Crescent & Memphis Grove, Larchmont Reserve, Awakairangi Park or between 28 & 30 Memphis Grove, Totara Park	Carparking, walking/cycling path, trees, bush, grassed green space, public toilet, popular walking, cycling, running, dog walking spot
Norana Road Reserve	Reserve	Between 41A & 45 Norana Road, Timberlea, Upper Hutt	Trees, bush
Oaklands Reserve	Reserve	Between 19 & 21 Oaklands Grove, Upper Hutt	Grassed green space, trees
Oxford Park	Park	Pedestrian entry between 33 & 35 Oxford Crescent or between 35 & 37 Kowhai Avenue, Ebdentown	Soccer grounds in winter (seasonal bookings), learn to cycle track/shared pathway year round, public toilets, popular dog walking spot, used very regularly by Oxford Crescent School students for their cycle programme Seasonal Regular seasonal bookings for junior soccer
Pakuratahi Park	Park	6 Marchant Road, Upper Hutt	Trees, scrub, grassed green space, car parking Active Deed of Lease (Motorcycle Club)
Pickerills Reserve	Reserve	Corner of Pinehaven Road & Blue Mountains Road, Upper Hutt	Trees, bush
Pine Avenue Park (Owned by GWRC, UHCC leases it from them)	Park	Pedestrian access between 57 Hudson Avenue & 1 Alleys Way, between 17 & 21 Hudson Avenue, at the end of Willow or Poplar Groves and car parking available at the intersection of Pine Avenue and Riverbank Street, Ebdentown	Trees, bush, grassed green space, carparking; popular walking, running, cycling, dog walking spot Active Deed of Lease (Bridge Club)
Pinehaven Library Reserve	Park	56 Pinehaven Road, Pinehaven, Upper Hutt, Pinehaven	Operational public library, playground, bench, carparking, trees, bush, grassed green space

Pinehaven Reserve	Park	37-65 Pinehaven Road, Pinehaven, Upper Hutt	Roading, carparking, grassed green space, trees, bush, part of a cycle pump track (other part in on Pinehaven School grounds) Active Deed of Lease (Scouts) Active Deed of Lease (Potters Club) Active Deed of Lease (Tennis Club)
Pinehill Reserve	Reserve	Pinehill Crescent, Upper Hutt	Playground, picnic table, benches, trees, grassed green space
Pioneer Reserve	Reserve	Corner Pioneer Grove and Kurth Crescent	Trees, bush, grassed green space, large drainage culvert
Plateau Road Play Area	Park	15 Plateau Road, Te Marua, Upper Hutt,	Playground, picnic table, trees, bush, grassed green space
Pumpkin Cottage Park	Park	Field Street to Eastern Hutt Road along Fergusson Drive, Upper Hutt, Silverstream	Roading, grassed green space, trees, bush, memorial area for Pumpkin Cottage
Rata Park	Park	Pedestrian entrance between 10-14 Rata Street or vehicle and pedestrian access off Amber Grove, Birchville	Playground, roading, carpark, trees, bushes, grassed green space, open waterway
Rimutaka Hill Reserve	Reserve	Esplanade Reserve	Bush, trees , there is a house/shed that has encroached into the reserve.
Riverbank Park (Owned by GWRC, UHCC leases it from them)	Park	Corner of Gibbons Street and Riverbank Street, Ebdentown	Playground, picnic table, grassed green space, trees, bush Regularly booked for events i.e. gypsy fairs & different kinds/sizes of circus' (overnighting of event staff)
Riverstone Bush Reserve	Reserve	Pedestrian access between 124 & 126 Kirton Drive or 9 & 11 Ronald Scott Grove or next to 8 Cosgrove Rise	Walking tracks, bush, trees, grassed green space
Riverstone Reserve	Reserve	Pedestrian access between 21 & 23 Birkinshaw Grove or at the corner of Kirton Drive and Moonshine Hill Road, Riverstone Terraces, Upper Hutt	Trees, bush, grassed green space, walking tracks
Savage Park	Park	Vehicle accessway between 14 & 16 McParland Street or pedestrian access between 9 & 11 Savage Crescent, Ebdentown	Grassed green space, trees, bush, carparking, roading Booked for events a handful of times per year Active Deed of Lease (Air monitoring station) Active Deed of Lease (Model Train Club) Active Deed of Lease (Kindergarten)
Silverstream Amenity Reserve	Park	Entry off Eastern Hutt Road (just under the Silverstream	Public toilets, carparking, walking/cycling track, benches/picnic tables, , trees, bush, grassed green space,

		Bridge), Silverstream	
Silverstream Park	Park	Corner of Whitemans Road and Dowling Grove, Upper Hutt, Silverstream	Public toilet, picnic tables/benches, playground, Wellington Electricity substation, trees, grassed green space Regularly booked for community events, movies in the park, Christmas concerts, community BBQ's
Silverstream Scenic Reserve (Owned by DOC)	Reserve	Entrance is situated on SH2, close to Silverstream Bridge, Upper Hutt	Bush, trees, walking tracks
Silverstream Spur Reserve	Reserve	Next to 67 Kiln Street, Upper Hutt	Bush, trees
Southern Hills Ridgeline Reserve	Reserve		Bush, trees Active Deed of Lease (Rifle Club)
Speargrass Park	Park	Opposite 24 Speargrass Grove, Upper Hutt, Timberlea	Playground, bush, trees grasses green space
Speargrass Reserve	Reserve	Between 11 & 13 Speargrass Grove, Timberlea, Upper Hutt	Trees, grassed green space
Sylvan Heights Reserve	Reserve	Pedestrian entry between 2 & 4 Sylvan Way, Upper Hutt	Bush, trees
Tapestry Grove Reserve	Park	Pedestrian entrance between 18 & 20 Tapestry Grove or between 23 & 59 Field Street or 18 & 18A Sunbrae Drive, Silverstream	Access path between Field St, Tapestry Grv and Sunbrae Dv, trees, bush, grassed green space
Tawai Park	Park	17-19 Tawai Street, Upper Hutt, Trentham	Playground, picnic table, trees, grassed green space Active Deed of Lease (Community Garden)
Te Haukaretu Park	Park	Entrance off the end of Norbert Street, Upper Hutt, Brown Owl	Playground, public toilets, roading, carparking, walking/cycling tracks, duckpond, trees, bush, grassed green space
Te Marua Hill Reserve	Reserve	720 Main Road North, Upper Hutt	Trees, bush
Timberlea Park	Park	72-76 Norana Road, Upper Hutt, Timberlea	Playground, half basketball court, tennis rebound wall, benches/picnic tables, trees, bushes, grassed green space Active Deed of Lease (Community Centre) Active Licence to Occupy (Community Garden)
Trentham Memorial Park	Park	Entry off Barton Road, Brentwood Street, Fergusson Drive, Holdsworth Avenue and from river area, Trentham	Rugby, Football, Cricket, Athletics, Summer Football (seasonal bookings), playground, public toilets, changing rooms, AED, drinking fountain, walking paths, carparking, trees, bush, gardens, roading, grassed green space, very popular dog walking spot Regularly booked for school field trips, community events, sports days, cross country races, fairs,

			carnivals, car rally's, vehicle enthusiast events, equestrian events, company picnics, (event staff overnighing occasionally associated with larger events) and other sport and events Active Deed of Lease (Axmens Club) Active Deed of Lease (Cricket Club)
Tulsa Park	Park	Intersection of Totara Park Road and California Drive, Totara Park	Carparking, walking path, trees, bush, grassed green space, water tap, picnic table,
Turon park	Park	5-7 Turon Crescent, Upper Hutt, Totara Park	Playground, picnic table, trees, shrubs, walking path, grassed green space
Upper Plateau Park	Park	249 Plateau Road, Te Marua, Upper Hutt, Te Marua	Playground, car parking, pump station, bush, trees, grassed green space,
Upper Plateau Scenic Reserve	Reserve	Next to 255 Plateau Road, Upper Hutt	Bush, trees, grassed green space, river
Ward/Miro Green Area	Park	Corner of Ward and Miro streets, Upper Hutt, Trentham	Playground, trees, bushes, bench, picnic table, walking path, grassed green space Active Deed of Lease (Parents Centre) Active Deed of Lease (Theatre Club) Active Deed of Lease (Playcentre) Active Deed of Lease (Art Society)
Whakatiki Park	Park	Access from Whakatiki Street and Masefield Street, Elderslea	Cricket, Softball (seasonal bookings), grassed green space, popular with dog walkers Occasionally booked for sports tournaments and community events Pavilion with toilets (Occupied by a league club - no lease), league clubrooms (no lease)
Whitemans Grazing Reserve	Reserve	Between 13 & 29 Whitemans Valley Road, Upper Hutt	Trees, grazing Active Licence to Occupy (Grazing horses)
Willow Park	Park	Pedestrian entry between 3 & 5 Tapestry Grove or between 8 & 10 Blue Mountains Road, Upper Hutt, Silverstream	Trees, bush, grasses green space, walking path, stream
Wyndham Park	Park	38 Wyndham Road, Upper Hutt	Bush, trees, roading, reservoir Active Licence to Occupy (Telecommunications Equipment 1) Active Licence to Occupy (Telecommunications Equipment 2)

Appendix 6- Economic Assessment

Open Spaces Plan Change: Economic Assessment of Zoning Changes

For Upper Hutt City Council

Sense Partners

April 2021

Context

In April 2021 Upper Hutt City Council approached Sense Partners to conduct an economic assessment of a series of draft provisions that relate to open space zoning. The report is prepared pursuant to Section 32 of the Resource Management Act 1991 to support a plan change to the Upper Hutt City Council plan.

Key Points

Open space is often non-excludable and non-rivalrous, a classic public good

- Communities often enjoy open spaces for a range of recreational activities.
- Upper Hutt is no different. Residents enjoy a wide range of different types of open space including urban parks, forest and regional parks and the Hutt River.
- Open space is typically non-excludable – it is generally difficult to prevent others from using the same area.
- Open space is also typically non-rivalrous – if one person uses the good then it is not used up or consumed, preventing others from using the space.

Private rights matter - this need not limit the provision of open space

- Private property rights matter – there should be a high hurdle for acquiring private land rights for public open space provision.
- But private land can and is also used for open space activities.
- This is typically through recreational clubs where goods can be excludable (ruling out one characteristic of public goods) but non-rivalrous (keeping the second characteristic).

...club goods mean private markets can drive open space recreation models

- Club operating models provide many recreation goods in Upper Hutt.
- Members with similar preferences get together to club fund fixed costs of providing a good or service, such as maintaining a golf course or shooting range, by paying an annual fee with smaller fees reserved for marginal costs or to deter congestion.
- Since members have similar preferences other land use activities, such as subdivision, are typically not front of mind in normal times.

Subdivision rights can matter for recreational activities

- But confronted with large, unexpected shocks to fixed costs, clubs might value the option of retaining subdivision rights.
- If fixed costs increases are so large that funding these costs directly from the membership base is not viable, then the option to subdivide could be useful to prevent recreational activities ceasing when challenged by large increases in costs.
- How valuable subdivision rights might be for recreational clubs depends on the nature of the risks they face, their financial base and any potential gains from subdivision activities.

Subdivision rights for private land holders are more straightforward - but flood risks dominate the Upper Hutt landscape

- Rezoning some private land holding from open space to residential or business industrial might be expected to return potential sizable economic impacts to landowners.
- Buyers also stand to benefit from land sales and development of open space.
- Given the stock of open space land in Upper Hutt, impacts on the public from the loss of open space appear negligible.
- Impacts will be largest where zoning is for residential use and developers can overcome flood risks that dominate many sites.

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1. Overview

1.1. Context

Certain aspects of Upper Hutt City Council's Plan Change 49 (PC49) require an economic assessment of draft provisions of three proposed Open Space Zones. These zoning changes are likely to impact on ten specific sites: (i) Wellington Speedway, (ii) Te Marua Golf Club, (iii) Hutt Valley Clay Target Club, (iv) Royal Wellington Golf Club, (v) Riding for the Disabled Association, (vi) 17 Vernon Grove, (vii) 150 Gillespies Road, (viii) 146 Gillespies Road, (ix) 416 Maidstone Terrace and (x) 27 Blenheim Terrace.

Two key issues present for thinking about economic impacts: (i) use of open space (both public and private) and (ii) subdivision to realise economic value.

Aims for open space within Upper Hutt

Relative to many other local authorities, Upper Hutt has a large and varied open space network. About 430 hectares of open space is managed by Upper Hutt City Council.

That network spans a range of types of open space including neighbourhood parks, community parks, destination parks, nature reserves, neighbourhood parks, community parks, destination parks, nature reserves, connections and pocket parks and stormwater reserves.

Many groups within Upper Hutt benefit from open space provision, including families, elderly, but also visitors and younger people, sometimes through events and activities that occur on public space.

About 34,000 hectares of other open space within Upper Hutt are managed or owned by Greater Wellington Regional Council and the Department of Conservation. Intensity and type of use of open space matters.

To assess likely impacts of zoning changes we construct an assessment framework for open space before identifying where possible the costs and benefits of the changes in zones.

Private land rights also matter

In practice, private land holdings can also provide many of the features of open space. But zoning for open space includes a trade-off – not being able to use the land for other uses.

For some sites, these alternative uses could include subdivision of the land for residential use. The right to subdivide can offer value for land holders since average land values for parcels of land 1-2 hectares in size can be double average land values in larger land holdings of 20-50 hectares or larger.

Benefits of open space accrue to the public and while there are few public benefits, it is important to note that benefits of subdivision – and then subsequent sale – of land parcels accrue to not just the seller of the land but also the buyer of land with the precise weighting of who benefits depending on preferences and market conditions.

1.2. Open space

Open space is a public good

Open space provides a range of amenities to different communities. Once put in place, open space is non-excludable, such that it is not possible to exclude people from using it making it difficult to charge a fee for use, and non-rivalrous, use of open space does not reduce the amount available for others.¹

¹ That open space can be non-excludable does not preclude local governments or even central government from setting constraints on types of activity.

Non-excludable and non-rivalrous are key qualities of public goods, so we might expect governments to take a close role in the provision of open space. Governments control provision of open space by controlling the location and type of urban activities that can occur by designating open space zones. So it's not unsurprising that Upper Hutt City Council plays an active role in providing open space.

A simple framework for thinking about public-private provision of open space.

A public space can also be space where resource consumption rights remain unallocated. Anyone that turns up can use the space. At times pricing demand can help when open space is congested, alleviating queuing and resolving conflicts. When resources are not congested they are efficiently supplied. Three parameters can then be used to think through how to provide open space:²

- **Congestion** – a function of the extent of open space, the number of people that use open space and the activities that take place.
- **Separability of attributes** – the extent to which the attributes of public space can be separated. For example, by setting aside a lake for use by jet-skiers.
- **Ownership.** Is the public space best organised as a public or private space? This can be resolved by testing against the extent to which the space is designed for a specific set of users or has evolved spontaneously over time or is under threat from competing uses.

These three parameters can then be used to assess the extent to which economic outcomes – across jobs and consumer benefits – could be improved by different organisation of public open space.

It should be noted that relative to many other jurisdictions but especially highly built-up areas, open space generally does not appear significantly congested, although using open space for specific activities or at specific times, may be congested now, or in the future. But in general, a lack of congestion reduces the size of both costs and benefits of alternative ways of providing open space.

Private land can complement existing provision of public land

Many of the benefits of open space can be provided privately. Private land holders can provide space for a range of activities that are non-excludable and non-rivalrous in nature. So Upper Hutt City Council need not own or run activities on open space for benefits to be provided. Partnerships could also be used to ensure sufficient provision of open space if required. And willing seller-willing buyer relationships are clearly preferred to public ownership of open space if required for open space provision. Indeed, acquiring new areas of public open space owned by Council would be done through the reserves contribution policy of the district plan, where developers have to provide either land or money based on the policy.

2. Assessment framework

Strategy for open space

Upper Hutt's Open Space Strategy details the future outcomes and opportunities for the open space network, and was adopted in 2018. Through Plan Change 49, the council is aiming to ensure the District Plan open space provisions align with the recently adopted Open Space Strategy where appropriate, while ensuring the policies and associated rules are in line with the RMA.

The Open Space Strategy outlines the following five strategic goals:

² See Webster 2007.

- (i) Our open spaces are appropriately located.
- (ii) Our open spaces meet the needs of the community and more people benefit from regularly using them.
- (iii) Our open spaces are accessible and well connected, making it easier for people to exercise, play, socialise and relax outdoors.
- (iv) Our open spaces are enhanced to provide benefits for the environment and recreational experience.
- (v) Our open spaces contribute to community identity, vibrancy and sense of place.

These objectives are expressed in the 3 strategic objectives in the draft provisions:

- (i) Upper Hutt has a well-connected and accessible open space network which meets the current and future recreational, conservation and cultural needs of the district, and supports economic wellbeing through tourism destination opportunities.
- (ii) Sport, recreation, leisure activities and development within Open Space Zones is enabled, whilst ensuring the amenity, environmental and cultural values are protected.
- (iii) Sufficient additional open space capacity is located and designed to meet the future recreational, sports and leisure needs of the Upper Hutt community.

Amenity value of open spaces

The amenity of open spaces differ depending on the type of open space considered. For example, parks located in urban settings are found to return higher values – in both hedonic price and contingent valuation studies – than other areas of open space such as forests or undeveloped land.

Estimates of the value of open space vary but include:

- Brander and Koetse (2011) find a significant positive relationship between value of urban open space and density.
- Geoghegan (2002) finds permanent open space is 3 times more valuable to local residents than developable open space in Maryland, US.
- Allpress et al. (2016) estimate Auckland apartments 500 metres away from the nearest park are 13.7 per cent less valuable than apartments immediately next to the park.

And we know that estimates from a hedonic price model for Upper Hutt suggests that moving a \$500,000 dwelling from the average distance to an urban park (690 metres) to immediately next to a park increases the value of the property by \$3,467. While open space is clearly valuable to residents, it is easy to both understate and overstate benefits. On the one hand, the increase of \$3,467 should be interpreted as the capitalised value of the returns from locating close to a park in each year. On the other hand, open space can be enjoyed without locating next to open space.

Proposed zones

Under the National Planning Standards (2019) there are three Open Space Zones which are available for use within District Plans. Upper Hutt City Council is proposing splitting the existing Open Space Zone into the three zones available under the national planning standard that are:

- 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.

Some privately owned sites will be included in the most appropriate zone where parcels are used for recreation.

Private uses include subdivision

Subdivision and subsequent sale of land parcels can provide private landowners with considerable opportunity to create value. The number of land holdings and pattern of land ownership can then impact on both economic activity and recreational activity within a local region.

Across much of New Zealand, the underlying value of land per square metre in large land parcels can be half the value of land in smaller land holdings. Even after costs of subdivision and fees for selling land, this creates value for private land holders who can realise subdivision activities.

In addition, buyers of subdivided land also received benefits that are the difference between their reservation price and the price actually paid for the land. It is difficult to be precise about the benefits since this wedge differs across buyers but the benefits can be substantial, depending on the alternative opportunity costs of using funds to purchase subdivided land.

The existing Open Space Zone subdivision provisions are restrictive, with subdivision as below classed as a controlled activity (Consent must be applied for and Council must grant it, subject to conditions)

- Subdivision around any existing lawfully established dwelling or commercial unit which does not result in an undeveloped site
- Subdivision of land for utilities, reserves or conservation purposes
- Subdivision which is a unit title subdivision or an alteration to a company lease, unit title or cross lease title to include a building extension or alteration or accessory building on the site

If the above subdivision activities do not meet the Controlled Activity standards than it is classed as Restricted Discretionary. Any other subdivision activity within the existing Open Space Zone is classed as Non-Complying.

FIGURE 1 PROPOSED SUBDIVISION PROVISIONS

Site	Site Area	Current Subdivision	New Subdivision
Club			
Wellington Speedway	176,924.6m ²	Open Space Zone specific rules for the Speedway area require a minimum site area of 5000m ² for subdivision.	The subdivision standard is not proposed to be changed when the underlying zoning changes.
Te Marua Golf Club	797,044m ²	Open Space Zone and therefore no minimum subdivision standards but can only be subdivided if around an established dwelling or commercial unit, or for utilities/reserve/conservation purposes.	Subdivision provisions will remain the same
Royal Wellington Golf Club	About 808,000m ²	As the site is split between special activity and open space, the more onerous provisions take effect unless activity is entirely within the special activity area. Where special activity, a minimum subdivision net site area of 1000m ² is applicable.	For the Sport and Active Recreation Zone, no minimum subdivision standards, but can only be subdivided if around an established dwelling or commercial unit, or for utilities/reserve/conservation purposes.
Hutt Valley Clay Target Club	248,804 m ²	Rural Valley Floor has a minimum subdivision net site area of 40000m ² Any subdivision ability is currently somewhat limited by the flood extent present, however the flooding extent does not cover the entire site. The biggest issue would be access which would likely result in a non-complying activity, where access is within the river corridor.	For the Sport and Active Recreation Zone, no minimum subdivision standards, but can only be subdivided if around an established dwelling or commercial unit, or for utilities/reserve/conservation purposes.
Riding for the Disabled	39,252 m ²	Special Activity has a minimum subdivision net site area of 1000m ² . The entire site is currently located within the 100 year flood extent of the Hutt River.	For the Sport and Active Recreation Zone, no minimum subdivision standards, but can only be subdivided if around an established dwelling or commercial unit, or for utilities/reserve/conservation purposes.
Private Sites			
17 Vernon Grove	11,493m ²	The site is split between residential (400m ²) and open space.	The Open Space Zoning present at the site is proposed to be replaced with Residential Zoning with a minimum subdivision of 400m ² .
146 Gillespies Road	421,191m ²	The site is split between residential (400m ²) and open space.	The Open Space Zoning present at the site is proposed to be replaced with Residential Zoning with a minimum subdivision of 400m ² .
150 Gillespies Road	240.004m ²	The site is split between residential (400m ²) and open space.	The Open Space Zoning present at the site is proposed to be replaced with Residential Zoning with a minimum subdivision of 400m ² .
27 Blenheim Grove	164,414m ²	The site is split between business industrial (500m ²) and open space.	The Open Space Zoning present is proposed to be replaced with Rural Hill Zoning with a minimum subdivision of 20ha.
416 Maidstone Terrace	56,736m ²	The site is split between business industrial (500m ²) and open space.	The Open Space Zoning present is proposed to be replaced with Rural Hill Zoning with a minimum subdivision of 20ha.

Club goods

There are 4 privately owned sites used for recreational activities that could be impacted by the proposed zoning change.

Recreation sites can be special since activities supported can be an example of club goods.

Club goods sit between public and private goods in the sense that the goods (such as playing a round of golf) are excludable but up to a point, and are non-rivalrous – one of the key characteristics of a public good.

Government could provide club goods but typically, members of the club have particular preferences for activities that are not widely shared and since the good can be excludable, typically governments do not provide these services.

Clubs generally fund services out of an annual fee charged to members to cover fixed costs of providing goods. Occasionally, extra fees are charged to cover marginal costs of production of where use of facilities is subject to congestion (such as marginal charges for hiring squash or tennis courts etc). Typically, clubs are non-for-profit in the sense that any profits are used to provide additional services (or the same service more cheaply) to members.

Provision of club goods might require different treatment to privately owned land since members preferences – and indeed, club rules – are likely to be orientated towards maintenance or promotion of the existing recreational activity rather than a profit motive.

In normal times, that might mean residual property rights, that include the right to subdivide, would have little value to clubs since these activities would undermine the existing activities. But in extraordinary times, if clubs face large, unexpected fixed costs of providing services, that are unlikely to be able to be recouped through fees or borrowing, then the clubs financial viability can be undermined.

In these extreme circumstances, clubs might be consider selling part of the site – owned by the club – to ensure the ongoing preservation of the site for the recreational activity – even if the service is reduced by the sale. So clubs might value the option value of the property right to subdivide even if in practice, there is no current intention to subdivide or change the nature of the site in practice. Under the proposed rules, clubs can still subdivide, but need resource consent.

3. Sites considered

3.1. Wellington Speedway

The proposals remove Wellington Speedway from the Open Space Zone and rezone the site as a Special Activity Zone. The Special Activity Zone has been designed to manage land uses that would not be appropriate in other zones, including the Open Space Zones consistent with the national standards.

Noise associated with the Speedway might be expected to be an externality that can be better controlled by the Special Activity Zone rather than the Open Space Zone. Reverse sensitivities would appear to be an issue to manage with any proposed subdivision activity. There could be future benefits from open zoning activities but these would appear to be limited compared with the current use of the site.

Wellington Speedway has been operating for 50 years and is largely run by volunteers that provide the public with opportunities to attend a series of meetings across the season.

Within Upper Hutt, the Special Activity Zone is used to manage predominantly building developments that include Trentham Military Camp, Rimutaka Prison, New Zealand International Campus (the former Central Institute of Technology (CIT) complex), St Patrick’s College, Trentham Racecourse, Heretaunga Golf Course and the Silverstream Railway – complexes that would prove difficult to manage within other existing standard zones. So it makes sense to consider if Wellington Speedway would be best managed within a Special Activity Zone rather than one of the three proposed Open Space Zones.

Given the size of the site and the minimum site provisions, subdivision appears possible under the existing and proposed regulations. But since the provision requirements with regard to subdivision are not changed there appears no change in the private economic benefits of the plan change.

FIGURE 2 PROVISION REQUIREMENTS WITH RESPECT TO WELLINGTON SPEEDWAY ARE UNCHANGED



3.2. Te Marua Golf Club

The golf club has a long history in the region, with the current use dating to at least 1954 when a nine-hole golf course was established. The course runs along the Hutt River that can flood (see Figure 3).³

FIGURE 3 SUBDIVISION COULD PROVIDE OPTION VALUE BUT FLOODING RISK RESTRICTS BUILDING



The preferences of the club are likely to be reasonably homogenous – facilitating playing golf on the site. At current membership levels, fixed costs of the club are high relative to the low marginal cost of accommodating extra players. There are about 28 golf clubs in the Wellington region so although members are likely to have a strong spatial preference to play locally at the site there exist other options in the region.

There is unlikely to be any desire across members to subdivide for a profit motive – even to defray current membership costs. However, subdivision could provide significant value to the club to pay unforeseen shocks to the balance sheet.

With the right sites, residual accommodation is viewed as complementary to golf courses. Done well, buyers can be prepared to pay a premium of the amenity value associated with proximity to the course and any views that might be provided.

Offsetting this potential is the risk of flooding at the site. If possible, flood risks should be managed through zoning and building restrictions that are directed at flood risk management, not through the prescription of the open zone per se. Since there are few changes to the zoning provisions, especially considering the site is already zoned as open space, public good benefits are expected to be similar to the status quo.

3.3. Royal Wellington Golf Club

Royal Wellington Golf Club also has a long heritage in the region with the club celebrating 120 years of golf and the current site opened in 1908. The course is situated along the Hutt River

³ Greater Wellington Regional Council place the probability of a flood event at the golf course, at any given year as greater than 0.23 percent.³

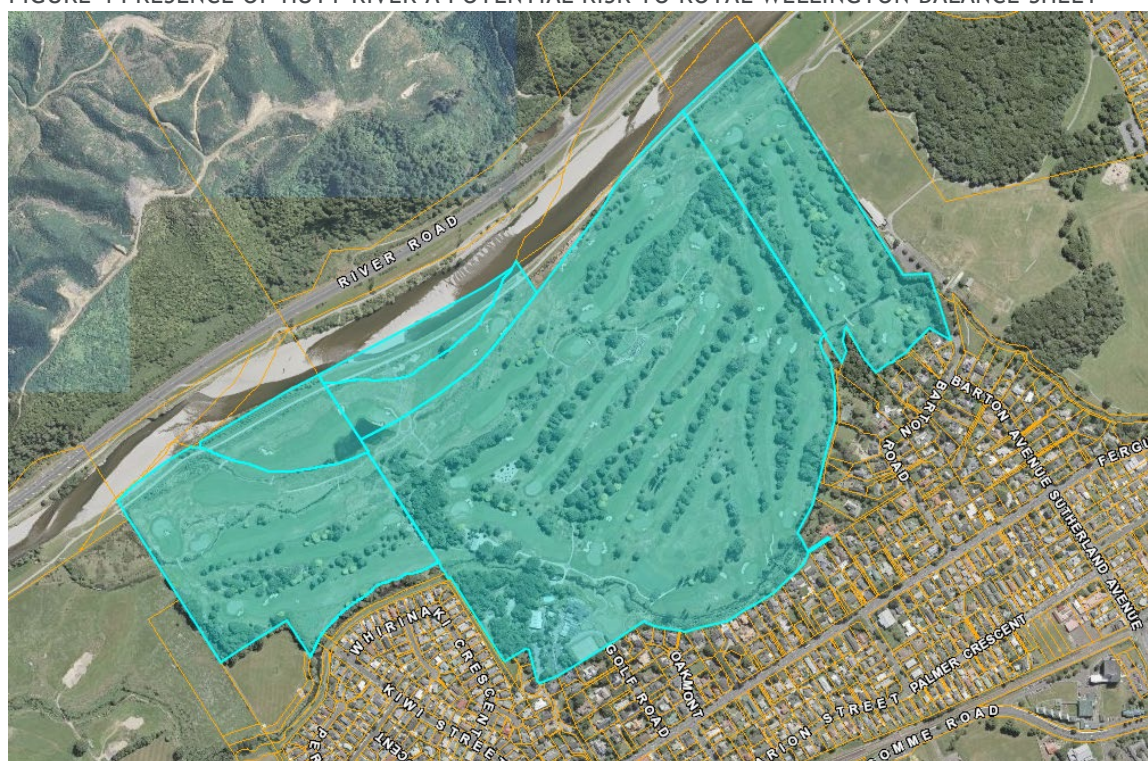
and was immediately next to the course until a change in alignment in the 1960s. The site is currently predominantly zoned as Special Activity with some open space zoning also present.

Royal Wellington Golf Club has the same club good properties of Te Marua golf course: provision of excludable but not rivalrous services through the collection of annual fees from members.

In practice, Royal Wellington Golf Club would appear to have a stronger balance sheet. The club is able to charge members approximately double the fees of Te Marua golf club. Amalgamation with Pahautanui has also strengthened the club.

Flood risk have also changed golf courses along the Hutt River. The provision of stopbanks by Greater Wellington Regional Council led to the merger of the Hutt Golf Club and the Boulcott Golf Club. Regardless of the intent and preferences of members in the short term, it is possible the Hutt River could impact on the balance sheet of the Royal Wellington Golf Club in the future (see Figure 4).

FIGURE 4 PRESENCE OF HUTT RIVER A POTENTIAL RISK TO ROYAL WELLINGTON BALANCE SHEET



These risks imply that any property rights associated with the ability to subdivide are likely to carry value as an option value to the club in the event of large costs to remediate parts of the course after flood damage. Insurance could also mitigate losses but is not always practical and delay in realising insurance payouts could impact on membership.

So the option to subdivide could provide resilience to the club's balance sheet and help protect against future financial risks. Any development potential would need to be subject to the appropriate rules and zones on flood risk regarding the Hutt River.

3.4. Hutt Valley Clay Target Club

The Hutt Valley Clay Target Club falls squarely into the club good category - provision of recreational services that are in principle excludable but non-rivalrous.

The club has a long history – dating back to 1903, showing the persistence of members preference to preserve the operation of the club to provide grounds and facilities for clay target shooting. The site is currently zoned as Rural Valley.

The activities of the club are sufficiently different to both golf clubs such that the impacts of residual subdivision rights are likely to be extremely minimal:

- i. although the capital invested in the facilities are extensive, this is not on the same scale as either golf club.
- ii. unlike golf clubs, residential housing is not complementary to gun clubs.
- iii. managing reverse sensitivity for the gun club is likely to be challenging.

These points suggest little material economic impacts from zoning the area as open space.

FIGURE 5 IMPACTS OF RESIDUAL SUBDIVISION RIGHTS LIKELY TO BE MINIMAL



3.5. Riding for the Disabled Association

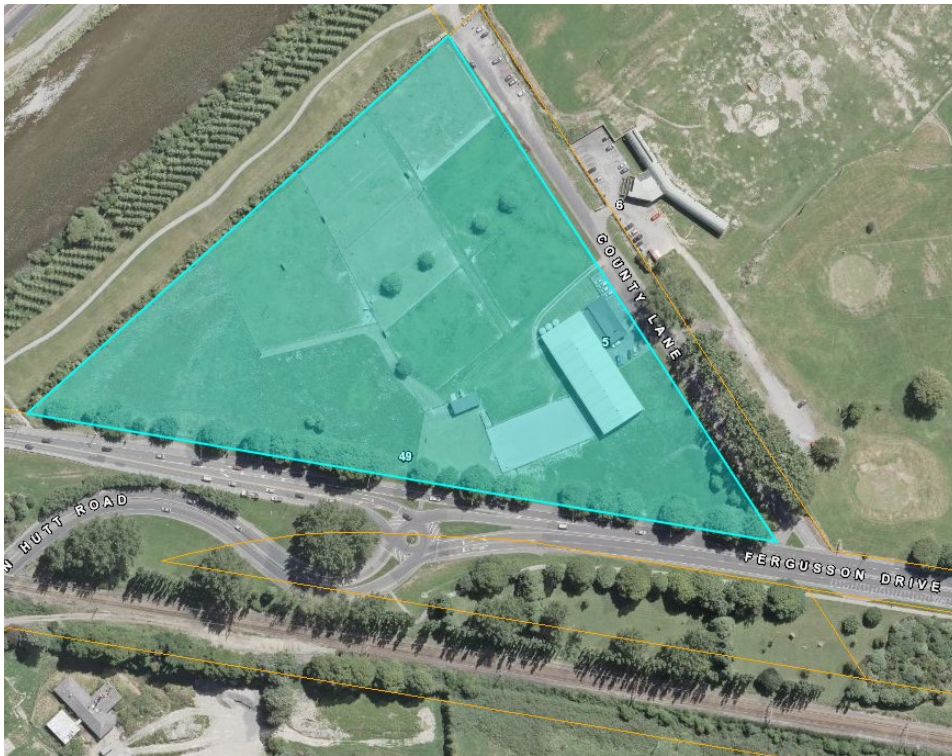
The Riding for the Disabled Group at Upper Hutt is part of a broader national group of volunteers that provides services that allow people that are disabled to ride horses. Since the beneficiaries are not customers or members, the operating model is not strictly a club model. The site is currently zoned as Special Activity.

Instead, the operating model is a traditional non-for-profit rather than provision of club goods. Riding for the Disabled is registered as a charity. The annual report for the year ending 2019 shows total revenue of 1,780,665 for the national association.

The operating model uses fundraising to subsidize the costs of providing services, but these funds do not appear to cover all costs. It appears some fees are sometimes charged for riders.

Revenues and expenditures for Riding for the Disabled are likely to be well-aligned. It does not appear likely that there are significant fixed costs if stopped operating. The benefits of any property rights to subdivide appear to be inconsistent with the goals of the operation. This suggests limited benefit from rights to subdivide the existing site. Any subdivision would also need to confront flood plain risk.

FIGURE 6 BENEFITS FROM SUBDIVISION NOT CLEAR FOR RIDING FOR THE DISABLED GROUP



3.6. 17 Vernon Grove

Vernon Grove is a privately held site close to the Hutt River and near the Caltex petrol station on New Zealand State Highway 2 near Brown Owl.

The site is currently split zoned between residential (currently developed) and open space. The proposal allows for residential zoning across the entire site. The land parcel is close to the Hutt River so flood risk could prevent development. If development is possible, Subdivision and subsequent sale might be expected to allow 20 sites that could return 3-5 million for the current landowner. So the extent to which the site subdivision potential is important for any realised economic impacts. As the rezoned area is almost entirely located within the flooding

extent of the Hutt River, realising any development potential for the site is likely to be difficult.

Buyers of the land parcels also receive value from the rezoning dependant on the extent to which individual values for the land are higher than the sale price. Since the stock of existing housing within the area is large, any impact on house prices within Upper Hutt would be expected to be minimal.

Since the land is not used for public recreational activity expect little impact on public use of open space.

FIGURE 7 ECONOMIC IMPACT OF REZONING 17 VERNON GROVE HINGES ON SUBDIVISION POTENTIAL



3.7. 150 Gillespies Road

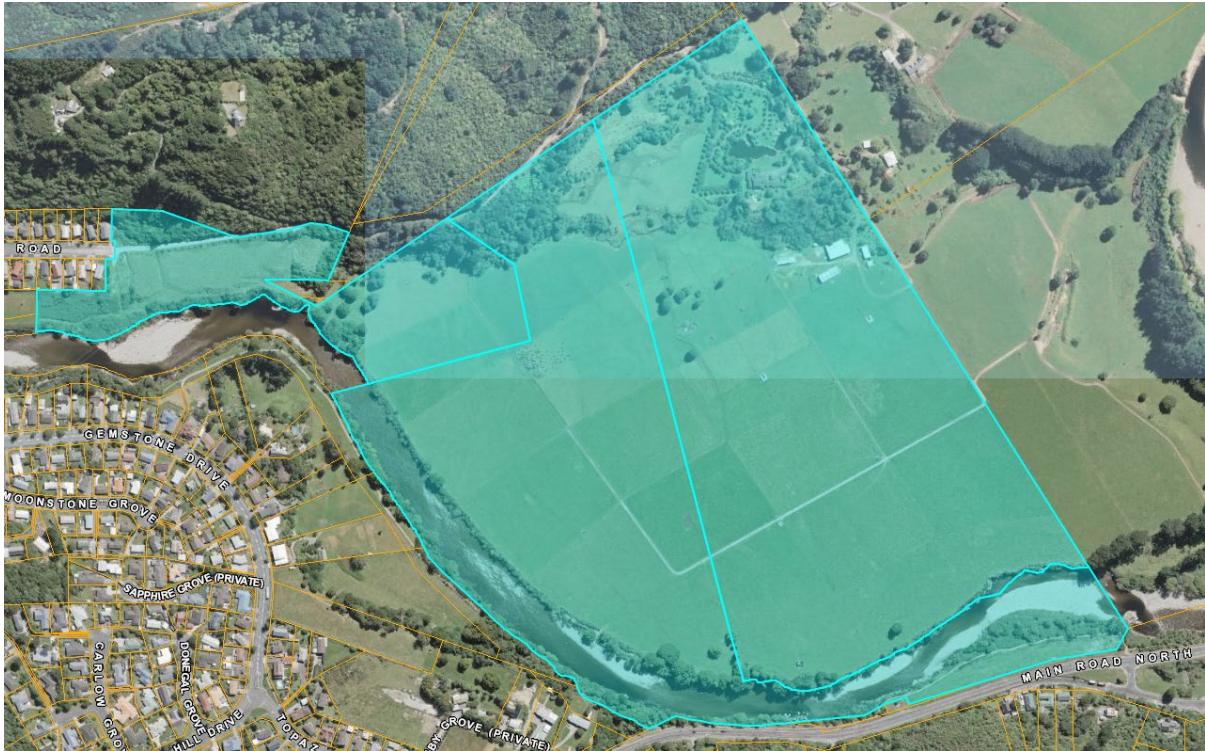
150 Gillespies Road is an extensive site North of the Hutt River. The property contains an existing dwelling on approximately 210,000 square metres of land. The land is predominantly zoned as residential, with some open space zoning on the land bordering the Hutt River.

Much of the site, particularly to the West, is flood prone. Greater Wellington Regional Council place the probability of a flood event at any given year as greater than 0.23 percent.⁴ Access is via Gillespies Road using the Akatarawa Road bridge.

If developers can find workable solutions to the flood prone land then expect a substantive return to the landowners. The site might sustain as many as 300 land parcels. Infrastructure ready land parcels might push the value of the land holding to \$50-100 million outside of any infrastructure or earthworks required. Buyers would also accrue a return from any sale of the developed land.

FIGURE 8 EXPECT A HIGH RETURN TO THE LANDOWNER IF FLOOD RISK CAN BE MANAGED

⁴ See <https://mapping.gw.govt.nz/GW/Floods/>



3.8. 146 Gillespies Road

The private land at 146 Gillespies Road is similar to the land parcel at 150 Gillespies Road, with similar zoning. The land suffers from flood risk, erosion and access would likely need to be improved through infrastructure improvement, most likely a new bridge to realise the potential from this large land holding.

These are both large tracts of land and land that has been identified as a greenfield site for possible future development in the Land Use Strategy. Potential exists for several hundred homes if the underlying constraints on development can be addressed. Expect large economic returns to the landowners if solutions to the infrastructure requirements can be realised. Purchasers would also benefit when their land valuation is higher than the sale price.

Both 146 and 150 Gillespies Road are likely to be long-term development sites. It is hard to speculate about precise economic impacts over such long time frames. But it is worth emphasising that the plan change will only be changing the zoning of a small area of land for the sites, and that this is not likely to have effects on open space opportunities.

FIGURE 9 THERE ARE MANY CONSTRAINTS ON DEVELOPING THIS SITE



3.9. 416 Maidstone Terrace

The land holding at Maidstone Terrace is currently split zoned between business industrial and open space. The proposed zoning is for a change from open space zoning to rural hill zoning at the rear of the site with business industrial zoning retained at the front of the site, with a minimum subdivision of 20 hectares for the rural hill area.

The minimum subdivision size limits the economic value that could be created – for both sellers and buyers – from allowing greater flexibility on sub-divisions that could provide additional residential housing. But residential use would have sensitivities associated with the existing business use with potential reverse sensitivity issues.

Loss of use of the space as open space is minimal since the site is privately held and the nearby Maidstone Park provides urban park open space for local residents.

FIGURE 10 PARTS OF MAIDSTONE LIKELY TO REAP THE HIGHEST RETURN AS RESIDENTIAL HOUSING



3.10. 27 Blenheim Street

The Open Space Zoning present at the rear of Blenheim street is proposed to be replaced with Rural Hill Zoning with a minimum subdivision of 20 hectares.

The site is immediately to the south of the Brewtown development and close to the railway station. If used for residential housing the area could prove popular given the nearby amenities and proximity to transport. But the rear of the site is steep, has indigenous vegetation which will be protected through an upcoming plan change, and there are likely reverse sensitivities issues with Brewtown.

FIGURE 11 THE HILL BEHIND BREWTOWN IS UNLIKELY TO FIT RESIDENTIAL DEVELOPMENT



4. Assessment summary

FIGURE 12: LIKELY EMPIRICAL IMPACTS OF SUITE OF REGULATIONS

Site	Issue	Economic impacts	Economic costs	Assessment certainty	Comment
Recreational Activities					
1. Wellington Speedway	Rezoned from Open Space to Special Activity Zone –all provisions are retained	No change in the private or public economic benefits	No material change	High	Little practical change in zoning
2. Te Marua Golf Club	Open space zoning could restrict subdivision	Club good nature of activity suggests no change in normal times but residual value from option to subdivide if needed	Zero in good times – could be material if balance sheet stressed to the point of risking club membership base and existence on the current site	Medium – difficult to assess flood and financial risks in timeframes	Higher threshold for consent could limit subdivision constraining ability of club to raise funds to pay fixed costs
3. Royal Wellington Golf Club	Open space zoning could restrict subdivision	Club good nature of activity suggests no change in normal times but residual value from option to subdivide if needed	Zero in good times – Royal Wellington appears to have a strong balance sheet, but ongoing flood risks could challenge balance sheet	Medium – difficult to assess flood and financial risks in timeframes	Higher threshold for consent could limit subdivision constraining ability of club to raise funds to pay fixed costs
4. Hutt Valley Clay Target Club	Open space zoning could restrict subdivision	Negligible – residential activity not complimentary to recreational activity so subdivision not an avenue to raise funds	Minimal. Club nature of activity suggests members are focussed on promoting recreation not profit	High	
5. Riding for the Disabled Association	Open space zoning could restrict subdivision	Negligible – a non-for-profit organisation, activities not affected	Negligible. Club nature of activity suggests members are focussed on recreation	High	
Private activities					
17 Vernon Grove	Relatively small land holding with open space provision to be zone residential	Expect modest gains for the landholder and buyers if flood risks can be overcome	Negligible land use for existing open space land use activities	Medium – hard to assess flood risk and financial viability in timeframe	

Site	Issue	Economic impacts	Economic costs	Assessment certainty	Comment
150 Gillespies Road	A significant land holding a small zoning change to the site, with most already zoned as residential	This is a large land holding that could return >\$50 million in value to the land holder alone	Economic benefits, not costs, also accrue to the purchase of the land	Low - hard to assess flood risk and financial viability for what is a long-term project	
146 Gillespies Road	A significant land holding a small zoning change to the site, with most already zoned as residential	Large land holding that could return >\$50 million in value to the land holder if constraints can be unlocked	Economic benefits, not costs, also accrue to the purchase of the land	Low - hard to assess flood risk and financial viability for what is a long-term project	
416 Maidstone Terrace	Land holding in central site with open space to be removed	Minimum subdivision limits economic value from residential development but residential likely not appropriate for this site	Negligible costs in terms of open space provision for public	Medium	
27 Blenheim Street	Land holding in central site with open space to be removed	Minimum subdivision limits economic value from residential development but residential likely not appropriate for this site	Negligible costs in terms of open space provision for public	Medium	

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