

Appendix A – Officer’s Recommended Decisions on Submissions- Open Space & Sport & Active Recreation Zones

Submission Point No.	Submitter	Provision	Position	Summary of Decision Requested	Reasons	Officer Recommendation	Relevant section of S42A Report
Natural Open Space Zone							
149.118	Royal Forest and Bird Protection Society of New Zealand Incorporated	General	Amend	ADD a new permitted activity rule for indigenous vegetation clearance and associated land disturbance with a standard allowing only up to 50m ² of area to be disturbed, and any consequential amendments and alternative relief to address the concerns raised.	As indigenous vegetation and natural features provide habitats for indigenous fauna within the Natural open space zone, the submitter considers that earthworks and vegetation clearance can have adverse effects on indigenous biodiversity, natural features and character. As such, earthworks and vegetation clearance rules and standards need to be included in this section.	Reject	Topic 4: Vegetation Clearance and Reducing Building Size
149.119	Royal Forest and Bird Protection Society of New Zealand Incorporated	General	Amend	ADD a restricted discretionary rule to the Natural open space zone for indigenous vegetation clearance and associated land disturbance that does not meet the area standard, with the matters of discretion summarized as: effect and extent, measure to avoid/ remedy/ mitigate/ offset or compensate adverse effects, reasons and any positive effects. As well as any consequential amendments and alternative relief to address the concerns raised.	As indigenous vegetation and natural features provide habitats for indigenous fauna within the Natural open space zone, the submitter considers that earthworks and vegetation clearance can have adverse effects on indigenous biodiversity, natural features and character. As such, earthworks and vegetation clearance rules and standards need to be included in this section.	Reject	Topic 4: Vegetation Clearance and Reducing Building Size

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222.10	Kaipara District Council	General	Amend	ADD a new rule to the Natural open space zone as follows: <u>NOSZ-RX Demolition of a building or structure</u> ¹ <u>Activity status: Permitted</u> ² <u>Activity Status when compliance not achieved: Not Applicable</u>	To permit the demolition of a building or structure within the Natural open space zone to be consistent with other zones.	Accept	Topic 2: Demolition of buildings and structures
267.32	Northland Fish and Game Council	NOSZ-O1	Support	RETAIN NOSZ-O1 as notified.	Enable noise emitted by hunting activities as a permitted activity.	Accept	Topic 5: Natural Open Space Zone – Objectives, Policies, Rules and Standards
267.33	Northland Fish and Game Council	NOSZ-O2	Support	RETAIN NOSZ-O2 as notified.	Enable noise emitted by hunting activities as a permitted activity.	Accept	Topic 5: Natural Open Space Zone – Objectives, Policies, Rules and Standards
146.48	New Zealand Agricultural Aviation Association	NOSZ-P3	Support	RETAIN NOSZ-P3 as notified.	Supports enabling activities included within conservation or reserve management plans.	Accept	Topic 5: Natural Open Space Zone – Objectives, Policies, Rules and Standards
147.17	New Zealand Helicopter Association	NOSZ-P3	Support	RETAIN NOSZ-P3 as notified.	The submitter supports enabling activities included within a conservation or reserve management plan.	Accept	Topic 5: Natural Open Space Zone – Objectives, Policies, Rules and Standards

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267.34	Northland Fish and Game Council	NOSZ-P4	Support	RETAIN NOSZ-P4 as notified.	Enable noise emitted by hunting activities as a permitted activity.	Accept	Topic 5: Natural Open Space Zone – Objectives, Policies, Rules and Standards
267.35	Northland Fish and Game Council	NOSZ-P5	Support	RETAIN NOSZ-P5 as notified.	Enable noise emitted by hunting activities to be a permitted activity.	Accept	Topic 5: Natural Open Space Zone – Objectives, Policies, Rules and Standards
267.36	Northland Fish and Game Council	NOSZ-R1	Support	RETAIN NOSZ-R1 as notified.	Enable noise emitted by hunting activities to be a permitted activity.	Accept	Topic 5: Natural Open Space Zone – Objectives, Policies, Rules and Standards
304.119	Director General of Conservation	NOSZ-R1	Support	RETAIN NOSZ-R1 as notified and any further or alternative relief to like effect to that sought.		Accept	Topic 5: Natural Open Space Zone – Objectives, Policies, Rules and Standards
FS93.227	Royal Forest and Bird Protection Society of NZ	NOSZ-R1	Support	ALLOW	Improve provisions and improve outcomes for indigenous biodiversity	Accept	Topic 5: Natural Open Space Zone – Objectives, Policies, Rules and Standards

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149.120	Royal Forest and Bird Protection Society of New Zealand Incorporated	NOSZ-R2	Amend	AMEND new standards to NOSZ-R2 that require the Council to be notified prior to activities occurring; and the activities to be in accordance with the Natural open space zone standards. As well as any consequential amendments and alternative relief to address the concerns raised.	In order to ensure activities do not result in adverse effects and to monitor and manage effects appropriately, additional standards must be inserted as requested.	Reject	Topic 5: Natural Open Space Zone – Objectives, Policies, Rules and Standards
146.49	New Zealand Agricultural Aviation Association	NOSZ-R2	Support	RETAIN NOSZ-R2 as notified.	Supports conservation activities in accordance with conservation management strategy or reserve management plans being permitted activities.	Accept	Topic 5: Natural Open Space Zone – Objectives, Policies, Rules and Standards
147.18	New Zealand Helicopter Association	NOSZ-R2	Support	RETAIN NOSZ-R2 as notified.	The submitter supports enabling conservation activities as permitted activities in accordance with conservation management strategies and plans, or reserve management plans.	Accept	Topic 5: Natural Open Space Zone – Objectives, Policies, Rules and Standards
267.37	Northland Fish and Game Council	NOSZ-R2	Support	RETAIN NOSZ-R2 as notified.	Enable noise emitted by hunting activities to be a permitted activity.	Accept	Topic 5: Natural Open Space Zone – Objectives, Policies, Rules and Standards
304.120	Director General of Conservation	NOSZ-R2	Support	RETAIN NOSZ-R2 as notified. AND Any further or alternative relief to like effect to that sought.		Accept	Topic 5: Natural Open Space Zone – Objectives, Policies, Rules and Standards

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FS93.228	Royal Forest and Bird Protection Society of NZ	NOSZ-R2	Support	ALLOW	Improve provisions and improve outcomes for indigenous biodiversity	Accept	Topic 5: Natural Open Space Zone – Objectives, Policies, Rules and Standards
149.121	Royal Forest and Bird Protection Society of New Zealand Incorporated	NOSZ-R3	Amend	ADD standards to NOSZ-R3 for conservation and recreation activities that protect indigenous biodiversity to limit any buildings and structures to 10m ² and require compliance with earthworks and vegetation clearance limits. As well as any consequential amendments and alternative relief to address the concerns raised.	Though the submitter recognises conservation and recreation activities are likely to occur in the zone and notes that such activities can have adverse effects on indigenous biodiversity and other natural environment values. As such, conservation activities should be subject to controls.	Accept in part	Topic 5: Natural Open Space Zone – Objectives, Policies, Rules and Standards
146.50	New Zealand Agricultural Aviation Association	NOSZ-R3	Support	RETAIN NOSZ-R3 as notified.	Supports provision for conservation activities.	Accept	Topic 5: Natural Open Space Zone – Objectives, Policies, Rules and Standards
147.19	New Zealand Helicopter Association	NOSZ-R3	Support	RETAIN NOSZ-R3 as notified.	The submitter supports providing for conservation activities as a permitted activity.	Accept	Topic 5: Natural Open Space Zone – Objectives, Policies, Rules and Standards
267.38	Northland Fish and Game Council	NOSZ-R3	Support	RETAIN NOSZ-R3 as notified.	The submitter seeks that noise generated by hunting be a permitted activity.	Accept	Topic 5: Natural Open Space Zone – Objectives, Policies, Rules and Standards

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267.39	Northland Fish and Game Council - (S267)	NOSZ-R4	Support	ADD a definition for "Recreation activity" in the context of NOSZ-R4.	The submitter is concerned that recreation activities are not defined, especially within the context of rule NOSZ-R4.	Reject	Topic 5: Natural Open Space Zone – Objectives, Policies, Rules and Standards
149.122	Royal Forest and Bird Protection Society of New Zealand Incorporated	NOSZ-R4	Amend	ADD standards to NOSZ-R4 for conservation and recreation activities that protect indigenous biodiversity to limit any buildings and structures to 10m ² and require compliance with earthworks and vegetation clearance limits. As well as any consequential amendments and alternative relief to address the concerns raised.	Though the submitter recognises conservation and recreation activities are likely to occur in the zone and notes that such activities can have adverse effects on indigenous biodiversity and other natural environment values. As such, conservation activities should be subject to controls.	Reject	Topic 5: Natural Open Space Zone – Objectives, Policies, Rules and Standards
26.85	Chorus New Zealand Ltd, Connexa Ltd, Spark NZ Trading Ltd, Fortysouth Group LP and One NZ	NOSZ-S3	Oppose	DELETE NOSZ S3.2.d and complete any alternative relief and/or consequential amendments.	As the Infrastructure chapter states that no zone rules apply to infrastructure, these standards (even as exemption clauses) may cause confusion and are inconsistent with the intent of the plan structure.	Accept	Topic 3: Setbacks from the CMA for infrastructure
Open Space Zone							
149.125	Royal Forest and Bird Protection Society of New Zealand Incorporated	General	Amend	ADD a new permitted activity Open space zone rule regarding vegetation clearance and associated land disturbance, with a standard allowing up to 50m ² of disturbance. As well as any consequential amendments and alternative relief to address the concerns raised.	Given the presence of indigenous vegetation and ecological values in the Open space zone, there should be rules and standards to manage vegetation clearance, earthworks and potential effects on these values.	Reject	Topic 4: Vegetation Clearance and Reducing Building Size

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149.126	Royal Forest and Bird Protection Society of New Zealand Incorporated	General	Amend	ADD a restricted discretionary Open space zone rule for indigenous vegetation clearance and associated land disturbance that does not meet the area standard, with the matters of discretion summarized as: effect and extent, measure to avoid/ remedy/ mitigate/ offset or compensate adverse effects, reasons and any positive effects. As well as any consequential amendments and alternative relief to address the concerns raised.	Given the presence of indigenous vegetation and ecological values in the Open space zone, there should be rules and standards to manage vegetation clearance, earthworks and potential effects on these values.	Reject	Topic 4: Vegetation Clearance and Reducing Building Size
216.68	Cabra Mangawhai Ltd & Pro Land Matters Ltd	General	Amend	RETAIN the provisions of the Open Space Zone, and AMEND to ensure all provisions within the plan align, are clear and consistent.	The submitter supports the intent of the provisions within the Open Space Zone and wants to ensure any consequential amendments are made, and give effect to the NPS and are consistent with the National Planning Standards.	Accept in part	Topic 6: Open Space Zone and Sports and Active Recreation Zone - General Submissions
FS34.68	Black Swamp Limited	General	Support in Part	Allow in Part	No clear reasons identified	Reject	Topic 5: Open Space Zone – General
222.11	Kaipara District Council	General	Amend	ADD a new rule to the Open space zone as follows: <u>OSZ-RX Demolition of a building or structure</u> <u>1 Activity status: Permitted</u> <u>2 Activity Status when compliance not achieved: Not applicable</u>	To permit the demolition of a building or structure within the Open space zone to be consistent with other zones.	Accept	Topic 2: Demolition of buildings and structures

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222.9	Kaipara District Council	General	Amend	ADD a new rule in the Open space zone as follows. <u>OSZ-RX Conservation activity</u> <u>1 Activity status: Permitted</u> <u>2 Activity Status when compliance not achieved: Not Applicable</u> AND Any consequential amendments	Conservation Activities should be permitted within all zones to be consistent with NOSZ-R3.	Accept	Topic 1: Conservation Activities
FS83.6	NZ Agricultural Aviation Association	General	Support	ALLOW	Submitter considers that conservation activities should be permitted within all zones	Accept	Topic 1: Conservation Activities
FS85.2	NZ Helicopter Association	General	Support	ALLOW	Submitter considers that conservation activities should be permitted within all zones	Accept	Topic 1: Conservation Activities
267.40	Northland Fish and Game Council	General	Support	RETAIN Open space zone policies and rules as notified.	The submitter supports the policies and rules in this chapter.	Accept	Topic 6: Open Space Zone and Sports and Active Recreation Zone - General Submissions
99.11	Venessa Anich	OSZ-02	Support	RETAIN OSZ-02	The submitter seeks to retain OSZ-02 as horse riding is included within the definition of Recreational Activities.	Accept	Topic 8: Open Space Zone – Objectives and Policies

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149.123	Royal Forest and Bird Protection Society of New Zealand Incorporated	OSZ-P1	Amend	AMEND OSZ-P1.3. as follows: 3. Manage effects on the <u>natural, ecological, cultural and heritage values in the zone, and effects on the character and amenity of any adjacent General residential zone and the surrounding area.</u> AND any consequential amendments	The Open space zone Overview and OSZ-O1 establish the zone as including natural, ecological, cultural and heritage values. The submitter therefore considers that OSZ-P1 should seek to manage the effects on these values.	Accept in part	Topic 8: Open Space Zone – Objectives and Policies
FS54.12	Heritage New Zealand Pouhere Taonga	OSZ-P1	Support	ALLOW	Supports including cultural and heritage values in the open space zone as these areas often hold undiscovered archaeology	Accept in part	Topic 8: Open Space Zone – Objectives and Policies
99.12	Venessa Anich	OSZ-P1	Support	RETAIN OSZ-P1	The submitter seeks to retain this provision due to horse riding being included within the definition of Recreational Activities.	Accept	Topic 8: Open Space Zone – Objectives and Policies
149.124	Royal Forest and Bird Protection Society of New Zealand Incorporated	OSZ-P5	Amend	AMEND OSZ-P5 as follows: Avoid <u>Minimise</u> land uses and activities that would compromise public use and enjoyment, <u>access to and the natural, ecological, cultural and heritage values associated with and access to</u> the Open space zone. AND any consequential amendments and alternative relief to address the concerns raised.	The submitter considers that, given the purpose, characteristics and values of the Open space zone, incompatible activities should be avoided rather than minimised. The activities capable of compromising Open space zone values (as set out in OSZ-O1) should also be avoided.	Accept in part	Topic 8: Open Space Zone – Objectives and Policies

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FS100.27	Transpower New Zealand Ltd	OSZ-P5	Oppose	DISALLOW	While Transpower actively seeks to avoid locating new structures in Open Space Zones, there may be some occasions when it is not possible to do so, due to the operational or functional requirements of the National Grid. For this reason, Transpower prefers the retention of the word minimise.	Reject in part	Topic 8: Open Space Zone – Objectives and Policies
99.13	Venessa Anich	OSZ-R3	Amend	ADD to OSZ-R3 the requirement for equestrian paths and connections.	Horse riding is a large part of the Kaipara District community and should be provided for. It is an active mode of transport, equally as important as walking and cycling.	Reject	Topic 6: Open Space Zone and Sports and Active Recreation Zone - General Submissions
26.86	Chorus New Zealand Ltd, Connexa Ltd, Spark NZ Trading Ltd, Fortysouth Group LP and One NZ	OSZ-S4	Oppose	DELETE OSZ-S4.2.d. and complete any alternative relief and/or consequential amendments.	As the Infrastructure Chapter states that no zone rules apply to infrastructure, these standards (even as exemption clauses) may cause confusion and are inconsistent with the intent of the plan structure.	Accept	Topic 3: Setbacks from the CMA for infrastructure
99.10	Venessa Anich	Overview	Amend	ADD to the Overview Statement in the Open space zone acknowledgement of equestrian uses as one of the types of public access use.	Horse riding in appropriate parts of the Open Space Zone should be supported as this is a large part of the Kaipara District's community. The definition of Recreational Activities does not preclude horse riding.	Reject	Topic 6: Open Space Zone and Sports and Active Recreation Zone - General Submissions

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304.28	Director General of Conservation - (S304)	OSZ	Amend	ADD the following clause to the definition for 'Open Space Management Facilities' as follows: f. Undertaking any of the activities in (a)-(e) on public conservation land in association with management of Department of Conservation facilities. AND any further or alternative relief to like effect to that sought.	As drafted, the definition does not provide for DOC facilities on public conservation land.	Reject	Topic 7: Open Space and Sports and Active Recreation Zone – Definitions
Sport and Active Recreation Zone							
49.1	Dargaville Bridge Club Incorporated	General	Amend	AMEND the terms used in the Sport and active recreation zone chapter to be more consistent. AMEND the terms used in the Sport and active recreation zone chapter to align with the requested amendments to definitions (refer to submission point 49.3).	Terms used for sport and recreation activities are not consistently used throughout the Sport and active recreation zone chapter which leads to confusion. It is not clear what activities are covered and what are not. The outcome sought is that the range of permitted activities (and associated definitions) in the Sport and active recreation zone chapter be expanded to provide for all of the current types of activities that Memorial Park is used for.	Reject	Topic 7: Open Space and Sports and Active Recreation Zone – Definitions

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S49.3	Dargaville Bridge Club Incorporated	General	Amend	AMEND the definition of “Recreation Activities” to capture a broader range of activities, including: Ancillary activities. Sport and recreation activities. Other activities such as corporate functions, weddings, funerals, church groups, community forums, government agencies and business meetings ADD additional definitions or categories of activities to cover non-recreational activities such as corporate functions, weddings, funerals, church groups, community forums, government agencies and business meetings.	<p>The submitter is concerned that the current definitions (and associated rules) will not allow for all the activities that currently take place in this zone, specifically in Memorial Park in Dargaville. For example, SARZ-R3 permits "recreation activities", but it does not seem to cover: ' Ancillary activity' - also defined and included in the SARZ objectives. 'Sport and recreation activity' - by implication is wider than just 'recreation activity', but it isn't clear what is included or whether the new term is needed.</p> <p>Other public events, including corporate functions (which are included in the overview). Other types of activities that currently occur, such as weddings, funerals, church groups, community forums, government agencies, business meetings.</p>	Reject	Topic 7: Open Space and Sports and Active Recreation Zone – Definitions
216.69	Cabra Mangawhai Ltd & Pro Land Matters Ltd	General	Amend	RETAIN the provisions of the Sports and Active Recreation Zone. AMEND to ensure all provisions within the plan align, are clear and consistent.	The submitter supports the intent of the provisions within the Sports and Active Recreation Zone and wants to ensure any consequential amendments are made, and give effect to the NPS and are consistent with the National Planning Standards.	Accept in part	Topic 6: Open Space Zone and Sports and Active Recreation Zone - General Submissions

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FS34.69	Black Swamp Limited	General	Support in Part	Allow in Part	No clear reasons identified.	Reject	Topic 6: Open Space Zone and Sports and Active Recreation Zone - General Submissions
222.12	Kaipara District Council	General	Amend	ADD a new rule to the Sport and active recreation zone as follows: <u>SARZ-RX Demolition of a building or structure</u> <u>1 Activity status: Permitted</u> <u>2 Activity Status when compliance not achieved: Not applicable</u>	To permit the demolition of a building or structure within the Sport and active recreation zone to be consistent with other zones.	Accept	Topic 2: Demolition of buildings and structures
222.8	Kaipara District Council	General	Amend	ADD a new rule to the Sport and active recreations zone as follows: <u>SARZ-RX Conservation activity</u> <u>1 Activity status: Permitted</u> <u>2 Activity Status when compliance not achieved: Not Applicable</u> AND Any consequential amendments	Conservation Activities should be permitted within all zones to be consistent with NOSZ-R3.	Accept	Topic 1: Conservation Activities
FS83.5	NZ Agricultural Aviation Association	General	Support	ALLOW	Submitter considers that conservation activities should be permitted within all zones	Accept	Topic 1: Conservation Activities
FS85.1	NZ Helicopter Association	General	Support	ALLOW	Submitter considers that conservation activities should be permitted within all zones	Accept	Topic 1: Conservation Activities

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49.7	Dargaville Bridge Club Incorporated	SARZ-R3	Amend	AMEND SARZ-R3 to permit all activities (sports and recreation, ancillary and other non-recreation activities) that currently take place in the Sport and active recreation zone.	The submitter is concerned that SARZ-R3 will not allow for all the activities that currently take place in this zone, specifically in Memorial Park in Dargaville, to be permitted. Other types of activities that currently occur, such as weddings, funerals, church groups, community forums, government agencies, business meetings.	Reject	Topic 7: Open Space Zone and Spots and Active Recreation Zone – Definitions
26.87	Chorus New Zealand Ltd, Connexa Ltd, Spark NZ Trading Ltd, Fortysouth Group LP and One NZ	SARZ-S4	Oppose	DELETE SARZ-S4.2.d. and any alternative relief and/or consequential amendments.	As the Infrastructure chapter states that no zone rules apply to infrastructure, these standards (even as exemption clauses) may cause confusion and are inconsistent with the intent of the plan structure.	Accept	Topic 3: Setbacks from the CMA for infrastructure
49.5	Dargaville Bridge Club Incorporated	SARZ-S7	Amend	AMEND SARZ-S7 hours of operation to extend these to 11pm for quiet, indoor activities.	Quiet, indoor activities (such as bridge) that are held in the evenings often run past 10pm because of the required starting time and time to play a full game. These activities do not cause nuisance in terms of noise or lights to neighbours by their nature.	Reject	Topic 9: Sports and Active Recreation Zone – Standards