



Proposed Plan Change 78 (PC78)

PC78 to the Auckland Unitary Plan (Operative in part)

SECTION 32 and sec77K / sec 77Q alternative process for existing qualifying matters

OPEN SPACE - EVALUATION REPORT

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Executive Summary

1. Policy 3 of the National Policy Statement: urban Development requires, in relation to tier 1 urban environments, regional policy statements and district plans enable:
 - (a) in city centre zones, building heights and density of urban form to realise as much development capacity as possible, to maximise benefits of intensification; and
 - (b) in metropolitan centre zones, building heights and density of urban form to reflect demand for housing and business use in those locations, and in all cases building heights of at least 6 storeys; and
 - (c) building heights of at least 6 storeys within at least a walkable catchment of the following:
 - (i) existing and planned rapid transit stops
 - (ii) the edge of city centre zones
 - (iii) the edge of metropolitan centre zones; and
 - (d) within and adjacent to neighbourhood centre zones, local centre zones, and town centre zones (or equivalent), building heights and densities of urban form commensurate with the level of commercial activity and community services.
2. Under Section 77O of the RMA, a specified territorial authority may modify the requirements of policy 3 in an urban non-residential zone to be less enabling of development than provided in those policies only to the extent necessary to accommodate 1 or more of the following qualifying matters that are present:
 - a) open space provided for public use, but only in relation to land that is open space.
3. Five zones are used to manage activities on land zoned open space in the Auckland Unitary Plan:
 - a) Conservation Zone
 - b) Informal Recreation Zone
 - c) Sports and Active Recreation Zone
 - d) Civic Spaces Zone; and
 - e) Community Zone.
4. Open space zones have been applied across the region to all land that is publicly owned open space. In addition, some privately owned land has also been zoned open space in agreement with the landowner.
5. Existing and additional open spaces are required to achieve a well – functioning urban environment (see policy 1 below and also objective 3):

Policy 1: Planning decisions contribute to well-functioning urban environments, which are urban environments that, as a minimum:

 - a) *have or enable a variety of homes that:*
 - (i) *meet the needs, in terms of type, price, and location, of different households; and*
 - (ii) *enable Māori to express their cultural traditions and norms; and*
 - b) *have or enable a variety of sites that are suitable for different business sectors in terms of location and site size; and*

- c) have good accessibility for all people between housing, jobs, community services, natural spaces, and open spaces, including by way of public or active transport; and
 - (i) support, and limit as much as possible adverse impacts on, the competitive operation of land and development markets; and
 - (ii) support reductions in greenhouse gas emissions; and
 - (iii) are resilient to the likely current and future effects of climate change.
6. Section 77P of the RMA requires and assessment of:
- a) the impact that limiting development capacity, building height, or density (as relevant) will have on the provision of development capacity; and
 - b) the costs and broader impacts of imposing those limits.
7. This report discusses the implications of applying f) open space provided for public use, but only in relation to land that is open space, as a qualifying matter to the medium density residential standards (MDRS) of Schedule 3A of the RMA and the implementation of policy 3 of the NPS-UD.
8. Two issues are considered:
- a) The provision for residential and/or commercial development in open space zones (development capacity)
 - (i) Option 1 - Status quo – residential and or commercial development is not provided for in the open space zones
 - (ii) Option 2 - Provide for residential and or commercial development on a portion of open space (e.g., within the allowable building envelope and/or where there are existing buildings, car parking
 - (iii) Option 3 – Provide for residential and or commercial development in open spaces
 - b) What are the appropriate height and density of urban form standards for the open space zones (building height & density)
 - (i) Option 1 - Status Quo – retain existing height and density of urban form standards
 - (ii) Option 2 – increase height and density of urban form standards to be the same as the adjacent residential or business zone over part of the open space (i.e., within the allowable building envelope)
 - (iii) Option 3 – increase height and density of urban form standards to be the same as the adjacent residential or business zone over all the open space
9. The options for each of these issues has been evaluated against the following criteria:
- a) Costs:
 - (i) Costs of applying QM – housing supply / capacity
 - (ii) Costs: Social
 - (iii) Costs: Economic (not otherwise covered by housing capacity issues)
 - (iv) Costs: Environmental
 - b) Benefits
 - (i) Benefits of the QM – social
 - (ii) Benefits – economic

- (iii) Benefits – environmental
10. The status quo option (no change) is the recommended option for both the provision for residential and/or commercial development in open space zones and the appropriate height standards for the open space zones. A copy of the Open Space Zones rules are in Attachment 1.
 11. The key reasons for these recommendations are:
 - a) Residential and/or commercial development
 - (i) Open space provides opportunity for recreation – both informal and organised.
 - (ii) This has both physical and mental health and social (people gathering) benefits.
 - (iii) In coastal and riparian locations, open space provides public access to the coast and rivers, streams.
 - (iv) A dispersed pattern of open spaces provides greater accessibility to residents across the region.
 - (v) This reduces commute distances and times and therefore costs.
 - (vi) A greater number of residents benefit from the increase in land values that open space affords.
 - (vii) Open space performs an important ecological role, protecting habitats and assisting in the management of stormwater.
 - (viii) In coastal and riparian locations, open space provides environmental enhancement of the coast and rivers, streams.
 - b) Appropriate height and density of urban form standards
 - (i) Open space continues to provide opportunity for recreation – both informal and organised and open spaces are not dominated by high buildings/structures.
 - (ii) This has both physical and mental health and social (people gathering) benefits.
 - (iii) In coastal and riparian locations, open space continues to provide public access to the coast and rivers, streams. This is not obstructed by high buildings and structures.
 - (iv) A dispersed pattern of open spaces provides greater accessibility to a greater number of residents across the region.
 - (v) This reduces commute distances and times and therefore costs.
 - (vi) A greater number of residents benefit from the increase in land values that open space affords.
 - (vii) Retention of open space that performs an important ecological role, protecting habitats and assisting in the management of stormwater.
 - (viii) In coastal and riparian locations, open space provides environmental enhancement of the coast and rivers, streams, largely unaffected by buildings and structures.
 - c) The objectives of this plan change are to:
 - (i) Confirm that all Open Space zones in the AUP are qualifying matters

- (ii) There will be consequential changes to the AUP Chapters A, C and H to annotate Open Space as a qualifying matter
- (iii) All of this is a requirement of the NPS-Urban Development 2020 and related RMA Amendment in December 2021

This s 32 report deals with the integration of Qualifying Matters into the AUP.

Introduction

This report is prepared as part of the evaluation required by Section 32 and Sections 77I(f) and 77O(f) of the Resource Management Act 1991 ('the Act') for proposed Plan Change 78 (PPC78) to the Auckland Unitary Plan (Operative in Part) (AUP).

The background to and objectives of PC78 are discussed in the overview report, as is the purpose and required content of section 32 and 77I / 77Q evaluations.

This report discusses the implications of annotating the plan to show qualifying matters applying to the medium density residential standards (MDRS) of Schedule 3A of the RMA and the implementation of policy 3 of the NPS-UD

An 'existing qualifying matter' is a qualifying matter referred to in section 77 I or 77O (a) to (i) that is operative in the relevant district plan when the IPI is notified.

- a) Sec 77I relates to relevant residential zones.
- b) Sec 77O relates to urban non-residential zones.

The Council may make the MDRS and the relevant building height or density requirements under policy 3 less enabling of development in relation to an area within a relevant residential zone or urban non-residential zone only to the extent necessary to accommodate 1 or more of the qualifying matters listed in 77I or 77O.

Integrated evaluation for existing qualifying matters

For the purposes of the IPI plan change evaluation of Open Space as an existing qualifying matter has been undertaken in an integrated way that combines sections 32 and 77K / 77Q requirements. The report follows the evaluation approach described in the table below.

Preparation of this report has involved the following:

- a) A review of the Open Space zones
- b) A review of the Planning Committee reports on NPS-UD and qualifying matters
- c) A review of the efficiency and effectiveness of supporting Open Space policies i.e., acquisition policy
- d) A review of the LTP which sets Open Space/Parks commitments

The scale and significance of the issues is assessed to be medium.

This section 32/77K evaluation report will continue to be refined in response to any consultation feedback provided to the council, and in response to any new information received.

Table 1 Integrated approach

Standard sec 32 steps	Plus, sec 77K / 77Q steps for existing qualifying matter
<p>Issue</p> <p>Define the problem- provide overview/summary providing an analysis of the qualifying matter</p>	<p>Sec 77K or 77Q (1) (a)</p> <p>Open Space- its protection from inappropriate residential or non-residential use (commercial activities). Open Space is required to provide for recreational activities, sport, conservation of natural flora and fauna, protection of historic heritage and sites of significance to mana whenua. Open Space also provides public access in many places to the coast, lakes and rivers.</p> <p>The qualifying matter can be identified through the GIS viewer.</p>
<p>Identify and discuss objectives / outcomes</p>	<p>Sec 77K or 77Q (1) (c)</p> <p>Policy B2.2.2 in the RPS refers to aligning the RUB with:</p> <p>“...where strong natural boundaries are not present, then other natural elements such as streams, wetlands, identified outstanding natural landscapes or features or significant ecological areas, or human elements such as property boundaries, <u>open space</u>, road or rail boundaries, electricity transmission corridors or airport flight paths...”</p> <p>Promoting quality compact growth:</p> <p>“Close to public transport, social facilities (including <u>open space</u>) and employment opportunities.”</p> <p>B2.4.1 residential growth should be aligned to areas where:</p> <p>“(3) Land within and adjacent to centres and corridors or in close proximity to public transport and social facilities (including open space) or employment opportunities is the primary focus for residential intensification.”</p> <p>B2.7 specifically deals with Open Space and states:</p> <p>“Objectives (1) Recreational needs of people and communities are met through the provision of a range of quality open spaces and recreation facilities. (2) Public access to and along Auckland’s coastline, coastal marine area, lakes, rivers, streams and wetlands is maintained and enhanced. (3) Reverse sensitivity effects between open spaces and recreation facilities and neighbouring land uses are avoided, remedied, or mitigated.</p> <p>B2.7.2. Policies (1) Enable the development and use of a wide range of open spaces and recreation facilities to provide a variety of activities, experiences and functions. (2) Promote the physical connection of open</p>

	<p>spaces to enable people and wildlife to move around efficiently and safely. (3) Provide a range of open spaces and recreation facilities in locations that are accessible to people and communities. B2 Tāhuhu whakaruruhau ā-taone - Urban growth and form Auckland Unitary Plan Operative in part 12 (4) Provide open spaces and recreation facilities in areas where there is an existing or anticipated deficiency. (5) Enable the development and use of existing and new major recreation facilities. (6) Encourage major recreation facilities in locations that are convenient and accessible to people and communities by a range of transportation modes. (7) Avoid, remedy or mitigate significant adverse effects of land use or development on open spaces and recreation facilities. (8) Avoid, remedy or mitigate significant adverse effects from the use of open spaces and recreational facilities on nearby residents and communities. (9) Enable public access to lakes, rivers, streams, wetlands and the coastal marine area by enabling public facilities and by seeking agreements with private landowners where appropriate. (10) Limit public access to and along the coastal marine area, lakes, rivers, streams and wetlands by esplanade reserves, esplanade strips or other legal mechanisms where necessary for health, safety or security reasons or to protect significant natural or physical resources”</p> <p>This qualifying matter is necessary to create well-functioning urban environments where people can enjoy a wide range of open spaces and recreational facilities, activities, experiences and functions- refer Policy 1 NPS-Urban Development. Open space is also considered to be a qualifying matter under Sub-part 6, 3.32(1)(d) of the policy.</p>
Identify and screen response options	<p>s77k or 77Q (1)(b)</p> <p>Open Space is not suitable for the application of MDRS standards and/or Policy 3 intensification requirements. If Open Space was subject to intensification, it would negate its function.</p> <p>s77J or 77P (4)(b)</p> <p>Consider a range of alternative density standards or methods for these areas having considered the particular MDRS standards and/or Policy 3 intensification requirements.</p> <p>The only “nested” residential activities provided across the five open space zones are:</p> <ul style="list-style-type: none"> a) Campgrounds b) Single workers accommodation c) Visitor accommodation, huts and lodges <p>Depending on the open space zone, these activities are either permitted, discretionary or non-complying. There is no provision for a residential dwelling in the open space zones.</p>

	<p>Accordingly, there are no density standards for the open space zones.</p> <p>Issue 1. The provision of residential and or commercial development in open space zones.</p> <ul style="list-style-type: none"> a) Option 1 is status quo- residential and or commercial development is not permitted in open space zones b) Option 2 – provide for residential and or commercial development on a portion of open space e.g., existing buildings, car parking c) Option 3- Provide for residential and or commercial development in open spaces.
	<p>s77K or Q (1)(d)</p> <p>Areas of Open Space vary across the region from historic pocket parks that have been developed over time through to large sports and recreational parks of 4ha or more. There are also several parks in the Auckland region that fulfil multiple functions in terms of water catchments, retain conservation values associated with native vegetation or habitat for endangered species. Long Bay is part of a wider marine reserve, the Waitakere Ranges were developed in the 1920s for water reticulation and the regenerating bush has heritage values. Therefore, the level of development that would be enabled if policy 3 was applied without this qualifying matter is difficult to discern.</p> <p>The selected option is <u>not</u> to apply policy 3 to Open Space zoned land.</p> <p>Refer:</p> <p>3.32 Qualifying matters</p> <p>(1) In this National Policy Statement, qualifying matter means any of the following:</p> <ul style="list-style-type: none"> (a) a matter of national importance that decision-makers are required to recognise and provide for under section 6 of the Act (b) a matter required in order to give effect to any other National Policy Statement, including the New Zealand Coastal Policy Statement (c) any matter required for the purpose of ensuring the safe or efficient operation of nationally significant infrastructure (d) open space provided for public use, but only in relation to the land that is open space
<p>Evaluate option(s) -environmental, social, economic, cultural benefits and costs</p>	<p>s77K or Q (1) (b)</p> <p>Provide a general assessment of the benefits and costs of the options in the light of the new objectives introduced by the NPS-UD and MDRS relating to well-functioning urban environments</p> <p>Policy 1 of NPS-UD specifically recognises the value of Open Space as forming part of a well-functioning urban environment. Open Space performs multiple roles by providing for natural spaces, open spaces to</p>

	<p>kick a ball or play, walk dogs, recreational opportunities and provide access to the coast, lakes and rivers. Policy 1 is shown below:</p> <p>Policy 1: Planning decisions contribute to well-functioning urban environments, which are urban environments that, as a minimum:</p> <ul style="list-style-type: none"> (a) have or enable a variety of homes that: <ul style="list-style-type: none"> (i) meet the needs, in terms of type, price, and location, of different households; and (ii) enable Māori to express their cultural traditions and norms; and <p><small>10 National Policy Statement on Urban Development 2020 – updated May 2022</small></p> <hr/> <ul style="list-style-type: none"> (b) have or enable a variety of sites that are suitable for different business sectors in terms of location and site size; and (c) have good accessibility for all people between housing, jobs, community services, natural spaces, and open spaces, including by way of public or active transport; and (d) support, and limit as much as possible adverse impacts on, the competitive operation of land and development markets; and (e) support reductions in greenhouse gas emissions; and (f) are resilient to the likely current and future effects of climate change. <p>Policy 1 is generally consistent with the Regional Policy Statement objectives and policies on Open Space provision and helps to create quality-built environments. Open Space is an important qualifying matter because it balances intensification with important recreational values.</p> <p>An alternative analysis under section 77J or P(3)(b) will also be considered.</p> <p>7732.3ha of land zoned open space is unable to be development for residential purposes. Some privately owned open space could be developed for urban purposes but would require a plan change to alter the zoning to a residential or business zone.</p>
<p>Overall judgement as to the better option (taking into account risks of acting or not acting)</p>	<p>Conclusion as to the implications of the qualifying matter for development capacity to be enabled by NPS-UD/MDRS in the areas where the qualifying matter applies</p> <p>Open Space is nationally recognised in the NPS-UD as a qualifying matter that is an essential element of development well-functioning urban environments. The Open Space zones set an appropriate balance between enabling some modest developments for community facilities (toilets, club rooms, related parks infrastructure) in line with recreational values.</p>

	<p>Section 77j or 77P (2)</p> <p>Provide an assessment of the benefits and costs of the options in the light of development opportunities created by the NPS-UD and MDRS relating to well-functioning urban environments.</p> <p>Options to be assessed:</p> <p>Issue 1 Provision for residential and/or commercial development</p> <p>Options:</p> <ul style="list-style-type: none"> a) Status quo (non-complying) b) Provide for residential development on a portion of open space c) Provide for residential development in open space zones (Note Council already has the option of divesting land that is deemed not suitable for Open Space. Eke Panuku follow this process). <p>Issue 2. Heights of Buildings/Structures in the Open Space zones</p> <p>Options:</p> <ul style="list-style-type: none"> a) status quo- retain existing height standards b) Increase heights to be the same as the adjacent residential or business zones over areas containing buildings or carparks (this would involve split zoning, which is sub-optimal). c) Increase heights to be the same as adjacent residential or business zones.
<p>Overall judgement for s77J and 77P(4)(b) assessment</p>	<p>The qualifying matter excludes 7732.3ha of land from residential and business development under MDRS/Policy 3.</p> <p>That is necessary in order to provide for the recreational needs of the community and sports and active recreation. In addition, open space also performs an important role in protecting habitats and assisting in the management of stormwater.</p> <p>In coastal and riparian locations, open space provides public access to the coast.</p> <p>For Council owned land, there is the option of a plan change to sell land deemed surplus to requirements as open space. Eke Panuku manage this process on behalf of Council.</p> <p>For privately owned land zoned as open space (such as golf courses), there is the opportunity for land to be re-zoned through a private plan change.</p>

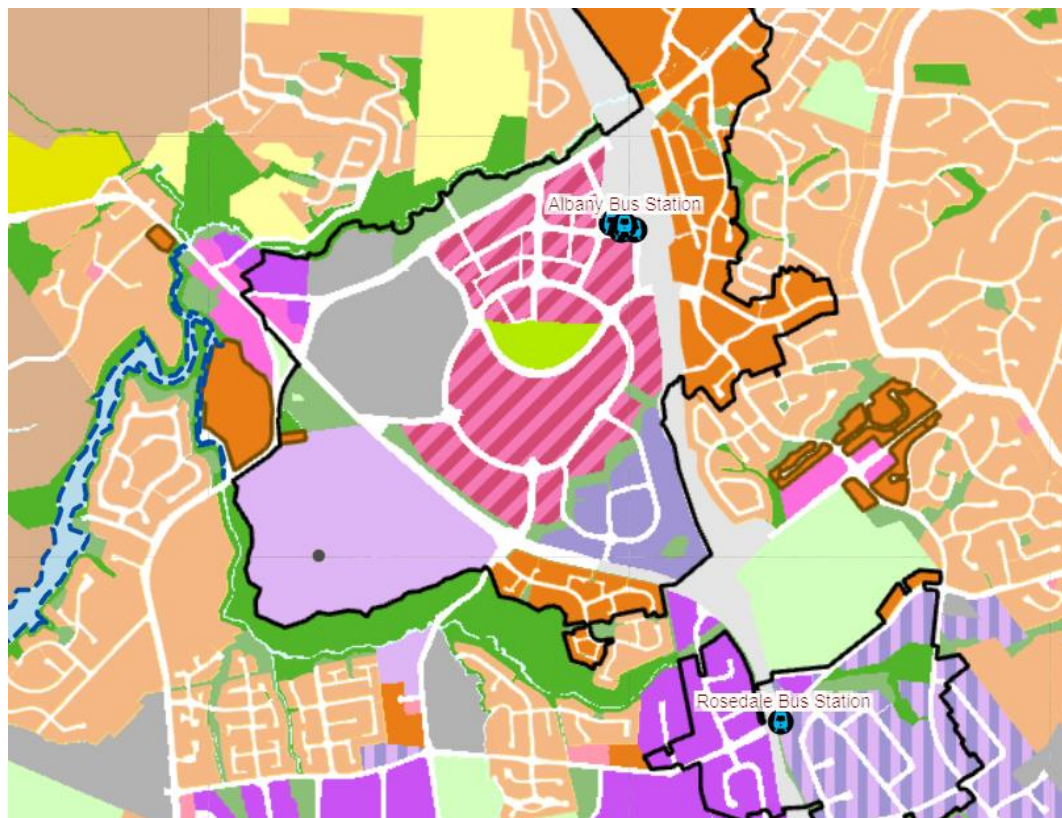
Issues

1. The Open Space Conservation zone, Open Space Informal Recreation zone, Open Space Sports & Active Recreation Zone, Open Space Civic Spaces zone and Open Space- Community Zone is the qualifying matter being evaluated (refer sections 77I and 77O(a) to (i.))

2. This report evaluates open space provided for public use, but only in relation to land that is open space, as a qualifying matter.
3. The majority of land zoned as open space is vested in the Council or is owned by the Crown. Some areas of open space are privately owned. While the open space zones generally provide for public use, some privately owned, or Crown-owned sites may restrict public use and access.
4. Five zones are used to manage activities on land zoned open space:
 - a) Open Space Conservation zone
 - b) Open Space- Informal Recreation zone
 - c) Open Space Sports & Active Recreation Zone
 - d) Open Space Civic Spaces zone and
 - e) Open Space Community Zone

Open Space zoned land is located within both residential and non-residential

5. Open Space zones apply across the region – in both rural and urban areas. Within urban areas they are located throughout all urban zones including residential and business, particularly centres. The map below of Albany on the North Shore provides an example of the widespread occurrence of Open Space.



6. The Open Space qualifying matter applies in a similar way to designations, where the qualifying matter is protected from residential intensification by virtue of its status as reserve/open space. In some cases, there are provisions for the transitions (Height in relation to boundary control) between zones to ensure that reverse sensitivity effects do

not occur i.e., too much intensification from adjoining residential land nullifies the recreational value of the Open Space.

7. Open Space zoned land is located within both residential zones and/or urban non-residential zones. As a qualifying matter, open space does not “apply” to residential or non-residential zoned land.
8. The Open Space qualifying matter seeks to keep recreational and conservation values of park land intact for the use and enjoyment of Auckland’s residents. Depending on the zoning, it may also be used for water catchments (Waitakere Ranges and Ardmore), protection of intact wetlands, significant ecological areas and high natural character areas. Many of Auckland’s public open spaces are also places where there are known historic heritage values and places of significance to mana whenua. In most but not all cases, existing AUP overlays protect these values. However, there are some locations where the Open Space zoning provides the primary protection of these section 6 values. Access to quality public open space is part of creating a well-functioning urban environment.
9. The open space QM is seeking to keep the existing rules that prevent or do not provide for development within Open Space Zones where land that is zoned for Open Space would otherwise be subject to Policy 3 of the NPS-UD.
10. Open spaced zoned land is necessary to provide for the recreation needs of the community-both informal recreation and sports and active recreation. Opportunities for recreation are important for the physical and mental well-being and health of communities. In addition, open space also performs an important ecological role, protecting habitats and assisting in the management of stormwater.
11. In coastal and riparian locations, open space provides public access to the coast and rivers, streams.
12. Under the National Policy Statement on Urban Development, policy 1(c), open space is an important component of a well – functioning urban environment.

Policy 1: Planning decisions contribute to well-functioning urban environments, which are urban environments that, as a minimum:

- a) *have or enable a variety of homes that:*
 - i. *meet the needs, in terms of type, price, and location, of different households; and*
 - ii. *enable Māori to express their cultural traditions and norms; and*
- b) *have or enable a variety of sites that are suitable for different business sectors in terms of location and site size; and*
 - i. *have good accessibility for all people between housing, jobs, community services, natural spaces, and open spaces, including by way of public or active transport; and*
- c) *support, and limit as much as possible adverse impacts on, the competitive operation of land and development markets; and*
- d) *support reductions in greenhouse gas emissions; and*
- e) *are resilient to the likely current and future effects of climate change.*

Objectives and Policies (existing)

13. The Regional Policy Statement objectives, policies and rules relating to Open Space are outlined in Table 1 above. Chapter H7 is the Open Space Chapter in the AUP that seeks to provide for the passive and recreational needs of communities. Adverse effects of the use and development of open space areas of residents and communities should be avoided or reduced (refer objectives 1&2).
14. Chapter H7 outlines the policies that support the Open Space zones being qualifying matters and are not repeated here. In summary they relate to:
 - a) Designing, developing, and managing open spaces
 - b) Providing for the needs of the local and wider community
 - c) Enable the efficient use of parks resources to be adaptable and multi-functional
 - d) Provide for people of different ages and abilities
 - e) Are safe and attractive to users
 - f) Reflect natural, heritage and landscape values of the area
 - g) Reflect mana whenua values where appropriate and provide opportunities for residents and visitors to experience Māori cultural heritage
 - h) Protection of sites and features of significance to mana whenua
 - i) Development of appropriate parks infrastructure
15. The management approach in the AUP to implement the qualifying matter is through the five Open Space zones:
 - a) Open Space – Conservation Zone
 - b) Open Space – Informal Recreation Zone
 - c) Open Space – Sports and Active Recreation Zone
 - d) Open Space – Civic Spaces Zone; and
 - e) Open Space – Community Zone.
16. There are objectives and policies that are common to all open space zones and each zone also has specific objectives and policies. The zones reflect the environmental qualities of the open space and the existing and intended future use and development of the open space.
17. All 5 open space zones have rules and standards relating to:

Activity table – specifies the activity status of land use activities in the open space zones

 - a) Notification
 - b) Building height
 - c) Height in relation to boundary
 - d) Yards
 - e) Screening
 - f) Gross floor area threshold
 - g) Maximum site coverage
 - h) Maximum impervious area
 - i) Non – security floodlighting, fittings and supports and towers up to 18m high
 - j) Maimai

17. There are matters of discretion and assessment criteria for restricted discretionary activities. The assessment criteria include the extent to which an activity is consistent with any relevant adopted Reserve Management Plan, Conservation Management Strategy or Conservation Management Plan for the area.
18. Allowable building envelopes, managing the “density of urban form” in the 5 open space zones are determined by the standards below:

Open Space Zone	Height (m)	Front Yard (m)	Side & Rear Yards (m)	Gross Floor Area (m ²)	Site Coverage	Maximum Impervious Area
OS 1	4	5	6m where the open space zone adjoins a residential zone, special purpose zone or the Future Urban Zone otherwise 3m No side and rear yards are required where the open space zone adjoins a business zone	50	1%	Lesser of 10% or 5000m ²
OS 2	8	5m or the average setback of buildings on adjacent front sites, whichever is lesser	Same as above	100	10%	Lesser of 10% or 5000m ²
OS 3	10	5	Same as above	150	30%	40%
OS 4	4	The average setback of buildings on adjacent front sites	3m where the open space zone adjoins a residential zone	50	5%	No limit
OS 5	8	The average setback of	3m where the open space zone	300	50%	70% where the adjacent zone is a

		buildings on adjacent front sites	adjoins a residential zone			residential zone, Business – Business Park Zone or Business – General Business Zone. No limit in the Business – Mixed Use Zone or the business centre zones.
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19. There are no amendments to the district level objectives and policies required in response to the MDRS/Policy 3 because those requirements are rejected in relation to Open Space. The only change required for PPC78 is to note that Open Space is a qualifying matter and annotate the height rule.

Development of Options

20. The MDRS / Policy 3 is not applied at all to the QM
21. This is the preferred option and the option of having no rules is examined in the evaluation below i.e. laissez faire.
22. If Council wishes to intensify Open Space zones it should dispose of them through a formal process and re-zone to another urban or rural zoning. Residential or non-residential intensification is inconsistent with the function of Open Space and public expectations of how parks should operate.

Consequences for development potential

23. Provide a description in general terms of how the qualifying matter affects the level of development enabled by the MDRS / Policy 3.
24. The qualifying matter excludes 7732.3ha of land from residential and business development enabled by the MDRS/Policy 3.
25. Assessment of the impact on development capacity (such as limiting building height or density in the area subject to the qualifying matter) will need to draw on separate capacity assessment work being undertaken. The comparison must be with the level of development that would have been permitted by the MDRS and policy 3, not the operative AUP.

26. Doug Fairgray's economic matters s32 report has demonstrated that there has been a net increase in development potential through the IPI and implementation of MDRS compared to the existing capacity under AUP.
27. Given the findings of that report it is considered that changes to enable intensification in Open Space zones is not required and central government has endorsed a specific qualifying matter for it.
28. Note that policy 3 relates to both residential and non-residential zones. For non-residential zones, Policy 3 provides for a range of 'levels of development'
 - City Centre – as much capacity as possible
 - Metropolitan centres - to reflect demand for housing and business use in those locations of at least 6 storeys
 - within neighbourhood, local and town centre zones (or equivalent), building heights and density of urban form commensurate with the level of commercial activities and community services.
29. Policy 3: In relation to tier 1 urban environments, regional policy statements and district plans enable:
 - a) building heights of at least 6 storeys within at least a walkable catchment of the following:
 - (i) existing and planned rapid transit stops
 - (ii) the edge of city centre zones
 - (iii) the edge of metropolitan centre zones; and
 - (d) within and adjacent to neighbourhood centre zones, local centre zones, and town centre zones (or equivalent), building heights and densities of urban form commensurate with the level of commercial activity and community services.
30. Section 77O of the RMA states: "*A specified territorial authority may modify the requirements of policy 3 in an urban non-residential zone to be less enabling of development than provided in those policies only to the extent necessary to accommodate 1 or more of the following qualifying matters that are present:*
 - a) "*open space provided for public use, but only in relation to land that is open space*"
31. The qualifying matter effectively excludes land zoned open space from residential and business development enabled by the MDRS/Policy 3.

Evaluation of options

31. The following options are examined in the matrix below, in the context of the objectives of the MDRS and Policy 3, namely:

Objective 1:

a well-functioning urban environment that enables all people and communities to provide for their social, economic, and cultural wellbeing, and for their health and safety, now and into the future.

Objective 2:

a relevant residential zone provides for a variety of housing types and sizes that respond to:

- i. housing needs and demand; and*
- ii. the neighbourhood's planned urban built character, including 3-storey buildings.*

32. The evaluation of options is considered below under two issues:

Issue 1: Provision for residential and/or commercial land uses and development in the open space zones

Issue 2: Heights of buildings/structures and density or urban form in the open space zones.

Issue 1. Provision for residential and/or commercial land uses and development in the open space zones

33. Options to be considered are:

- a) Status quo (non-complying)
- b) Provide for residential and or commercial development on a portion of open space (the allowable buildable area)
- c) Provide for residential and or commercial development in open space zones

Note: the option of providing for housing on open space can be enabled through either change to the open space zone provisions and/or rezoning open space zoned land to another zone that enables residential development.

Qualifying matter – Open Space	Option 1 - Status Quo – residential and or commercial development is not provided for in the open space zones	Option 2 – provide for residential and or commercial development on a portion of open space (e.g within the allowable building envelope and/or where there are existing buildings, carparking)	Option 3 – provide for residential and or commercial development in open space zones
Costs			
Costs of applying QM – housing supply / capacity	7732.3ha of land is unavailable for housing. However this is not considered necessary given the capacity provided elsewhere- See the results of Doug Fairgray’s analysis.	A reduced percentage of land is unavailable for housing and commercial activities.	All open space is potentially available for housing and commercial activities.
Costs: Social	Land supply is constrained by 7732.3ha. This land includes sites that are well suited to intensive housing and within walkable catchments e.g within centres, adjacent to transport routes, infrastructure ready.	A reduction in open space and opportunities for recreation – both informal and organised. Correspondingly reduced opportunities for physical and mental health and social (people gathering) benefits. This would occur at a time when significant intensification is being enabled. Difficulties in achieving a well-functioning urban environment with inadequate public open space. Particularly as there are parts of the Auckland region that already have deficiencies in open space. This could be compensated for by methods such as roof-top parks and gardens, recreation facilities contained within buildings.	The same or similar costs apply as for option 2 but of a greater scale and significance.
Costs: Economic (not	More land is required on the edge of the city	Reduced accessibility to open space for some residents	The same or similar costs apply as for option 2 but of a greater scale and significance.

<p>otherwise covered by housing capacity issues)</p>	<p>in greenfield areas to provide for growth.</p> <p>This is expensive to service with the necessary infrastructure.</p>	<p>(where portions of open space are developed).</p> <p>Increased commute distances and times and therefore costs.</p> <p>This could be compensated for by methods such as roof-top parks and gardens, recreation facilities contained within buildings.</p>	
<p>Costs: Environmental</p>	<p>A less compact city requires greater commuting.</p> <p>If this occurs using private vehicles there is greater potential for congestion, air pollution.</p>	<p>Loss of open space and its ecological functions of protecting habitats and assisting in the management of stormwater.</p> <p>In coastal and riparian locations, loss of open space and the opportunity for environmental enhancement of the coast and rivers, streams.</p> <p>Loss of some ability to achieve climate change goals with public open space the most likely option for significantly increasing tree cover in the region.</p>	<p>The same or similar costs apply as for option 2 but of a greater scale and significance.</p>
<p>Benefits</p>			
<p>Benefits of the QM - social</p>	<p>Open space provides opportunity for recreation – both informal and organised.</p> <p>This has both physical and mental health and social (people gathering) benefits.</p> <p>In coastal and riparian locations, open space provides public access to the coast and rivers, streams.</p>	<p>Increased accessibility between housing and open space, particularly for those houses developed on portions of open space.</p>	<p>The same or similar benefits apply as for option 2 but of a lesser scale and significance (as housing occupies a greater percentage of open space).</p>
<p>Benefits - economic</p>	<p>A dispersed pattern of open spaces provides greater accessibility to residents across the region.</p> <p>This reduces commute distances</p>	<p>Increased land available for housing within the RUB.</p> <p>This land includes sites that are well suited to intensive housing e.g., within centres, adjacent to transport routes.</p>	<p>The same or similar benefits apply as for option 2 but of a greater scale and significance.</p>

	<p>and times and therefore costs.</p> <p>A greater number of residents benefit from the increase in land values that open space affords.</p>	<p>Income derived from the sale/development of portions of open space can be reinvested in remaining existing open spaces.</p>	
Benefits – environmental	<p>Open space performs an important ecological role, protecting habitats and assisting in the management of stormwater.</p> <p>In coastal and riparian locations, open space provides environmental enhancement of the coast and rivers, streams.</p>	<p>Enhanced amenity values for housing that is located on portions of open space.</p> <p>Ability to undertake environmental enhancement of remaining existing open spaces (see economic benefits above).</p>	<p>The same or similar benefits apply as for option 2 but of a lesser scale and significance (as housing occupies a greater percentage of open space).</p>

34. Option 1 is the recommended option for the reasons outlined above.

35. Note: there is currently no density restriction applying to the open space zone (because residential development is not envisaged). As the recommended option for “providing for residential and/or commercial development is the status quo, the assessment of changes to density have been incorporated in the assessment below for heights of buildings/structures and density of urban form.

Issue 2: Heights of buildings/structures and density or urban form in the open space zones

36. Options to be considered are:

- a) Status quo – retain existing height and density of urban form standards
- b) Increase heights to be the same as the adjacent residential or business zone over part of the open space of the open space
- c) Increase heights to be the same as the adjacent residential or business zone over all the open space

37. Note: the option of increasing the heights of buildings and structures on open space can be enabled through either change to the open space zone provisions and/or rezoning open space zoned land to another zone that enables greater heights.

<p>Qualifying matter – Open Space</p>	<p>Option 1 - Status Quo – retain existing height and density of urban form standards</p>	<p>Option 2 – increase height and density of urban form standards to be the same as the adjacent residential or business zone over part of the open space (e.g., only in relation to land that is not open space - existing buildings, car parking)</p>	<p>Option 3 – increase height and density of urban form standards to be the same as the adjacent residential or business zone over all the open space</p>
<p>Costs</p>			
<p>Costs of applying QM – housing supply / capacity</p>	<p>Allowable building heights are significantly less than the adjacent residential and business zones.</p> <p>Additional height is not considered necessary given the capacity provided elsewhere-refer results of Doug Fairgray’s analysis.</p>	<p>A portion of the open space enables significantly higher buildings.</p> <p>Detracts from the amenity values of the open space and potentially, adjacent properties.</p>	<p>The same or similar costs apply as for option 2 but of a greater scale and significance.</p>
<p>Costs: Social</p>	<p>The scale of development on open space remains low rise.</p> <p>Less opportunity for more intensive recreational facilities (e.g., multi-storey recreation facilities).</p> <p>(Note: currently, in the open space zones, new building that do not comply with one or more of the standards are a discretionary activity)</p>	<p>Loss of the feeling of “openness” and spaciousness of the open space.</p> <p>Detracts from the amenity values of the open space and potentially, adjacent properties.</p> <p>Costs could be mitigated by only applying greater building heights to some categories of open space e.g., Open Space – Sport and Active Recreation zone.</p> <p>(Note: currently, in the open space zones, new building that do not comply with one or more of the standards are a discretionary activity)</p>	<p>The same or similar costs apply as for option 2 but of a greater scale and significance.</p>

<p>Costs: Economic (not otherwise covered by housing capacity issues)</p>	<p>An increasing amount of open space is required if existing open spaces are not able to be used more efficiently, with higher buildings.</p>	<p>Reduced accessibility to open space for some residents (where portions of open space are developed with higher buildings).</p> <p>Increased commute distances and times and therefore costs.</p>	<p>The same or similar costs apply as for option 2 but of a greater scale and significance.</p>
<p>Costs: Environmental</p>	<p>A less compact city requires greater commuting. If this occurs using private vehicles there is greater potential for congestion, air pollution.</p> <p>Less efficient use of open space thereby requiring additional open space in greenfield areas.</p>	<p>Potential loss of open space and its ecological functions of protecting habitats and assisting in the management of stormwater (where portions of open space are developed with higher buildings).</p> <p>In coastal and riparian locations, loss of open space and the opportunity for environmental enhancement of the coast and rivers, streams.</p> <p>Visual impact of higher buildings on the natural character of the coast and margins of lakes, rivers and streams.</p>	<p>The same or similar costs apply as for option 2 but of a greater scale and significance.</p>
<p>Benefits</p>			
<p>Benefits of the QM - social</p>	<p>Open space continues to provide opportunity for recreation – both informal and organised and open spaces are not dominated by high buildings/structures.</p> <p>This has both physical and mental health and social (people gathering) benefits.</p> <p>In coastal and riparian locations, open space continues to provide public access to the coast and rivers, streams. This is not obstructed by high buildings and structures.</p>	<p>Increased accessibility between housing and commercial activities (including commercial recreation) open space, particularly for those houses developed on portions of open space.</p> <p>Greater use of underutilised open spaces. Increased opportunity for social interaction.</p>	<p>The same or similar benefits apply as for option 2 but of a lesser scale and significance (as higher buildings occupy a greater percentage of open space).</p>

<p>Benefits - economic</p>	<p>A dispersed pattern of open spaces provides greater accessibility to a greater number of residents across the region.</p> <p>This reduces commute distances and times and therefore costs.</p> <p>A greater number of residents benefit from the increase in land values that open space affords.</p>	<p>Increased land available for higher buildings within the RUB.</p> <p>This land includes sites that are well suited to intensive housing, commercial and recreation uses e.g., within centres, adjacent to transport routes.</p> <p>Income derived from the sale/development of portions of open space at greater heights can be reinvested in remaining existing open spaces.</p>	<p>The same or similar benefits apply as for option 2 but of a greater scale and significance.</p>
<p>Benefits – environmental</p>	<p>Retention of open space that performs an important ecological role, protecting habitats and assisting in the management of stormwater.</p> <p>In coastal and riparian locations, open space provides environmental enhancement of the coast and rivers, streams, largely unaffected by buildings and structures.</p>	<p>Enhanced amenity values for land uses, particularly, housing that is located on portions of open space.</p> <p>Greater ability to undertake environmental enhancement of remaining existing open spaces (from the income derived from sale /development - see economic benefits above).</p>	<p>The same or similar benefits apply as for option 2 but of a lesser scale and significance (as housing occupies a greater percentage of open space).</p>

38. Option 1 is the recommended option for the reasons outlined above.
39. The Risk of Acting or not acting
40. Provision for residential and or commercial land uses and development and providing for increased heights and density of urban form of buildings/structures in the Open Space Zones.
41. The risk of acting – e.g. options 2 and 3 for are:
 - a) Loss of valuable open spaces at a time when the city is intensifying and the need for open space is increasing;
 - b) Reduced accessibility to open space, increased commute distances and times;
 - c) Loss of ecological function - protecting habitats and assisting in the management of stormwater;
 - d) In coastal and riparian locations, open space provides environmental enhancement of the coast and rivers, streams;
 - e) Reduced likelihood of achieving a well-functioning urban environment;

- f) Detraction from amenity values of the open space and potentially adjacent properties from higher buildings;
 - g) Loss of the feeling of openness and spaciousness;
 - h) Visual impact of higher buildings on the natural character of the coast, and margins of lakes, rivers and streams;
 - i) Significant public opposition (as evidenced by Eke Panuku land rationalisation proposals through the open space plan changes).
42. The risks of not acting e.g., option 1, are:
- a) 7732.3ha of land in urban Auckland is unavailable for housing.
 - b) Land supply is constrained by a range of qualifying matters, not just Open space. This land includes sites that are well suited to intensive housing e.g., within centres, adjacent to transport routes, infrastructure ready.
 - c) A less compact city requires greater commuting. If this occurs using private vehicles there is greater potential for congestion, air pollution.
 - d) Less opportunity for more intensive recreational facilities (e.g., multi-storey recreation facilities).
 - e) Increasing amount of open space is required if existing open spaces are not able to be used more efficiently, with higher buildings.
 - f) Less efficient use of open space thereby requiring additional open space in greenfield areas.
43. The trade-off between - additional land is available for housing and commercial uses, often in highly desirable locations versus the provision of open space for the recreation needs of the community and its ecological role of protecting habitats and assisting in the management of stormwater. In coastal and riparian locations, open space provides access to and environmental enhancement of, the coast and rivers, streams. It is a Part II matter, with section 6 and the NZCPS providing strong policy direction on protection of these values.
- a) The trade-off between - additional land is available for housing and commercial uses versus the less likelihood of achieving a well-functioning urban environment (see policy 1 of the NPS: UD).
44. Policy 3 of the NPS: UD: In relation to tier 1 urban environments, requires regional policy statements and district plans to enable:
- (a) *in city centre zones, building heights and density of urban form to realise as much development capacity as possible, to maximise benefits of intensification; and*
 - (b) *in metropolitan centre zones, building heights and density of urban form to reflect demand for housing and business use in those locations, and*
 - (c) *in all cases building heights of at least 6 storeys; and building heights of least 6 storeys within at least a walkable catchment of the following:*
 - (i) *existing and planned rapid transit stops*

- (ii) *the edge of city centre zones*
 - (iii) *the edge of metropolitan centre zones*
 - (d) *and in all other locations in the tier 1 urban environment, building heights and density of urban form commensurate with the greater of: (i) the level of accessibility by existing or planned active or public transport to a range of commercial activities and community services; or (ii) relative demand for housing and business use in that location.*
45. The IPI is intended to give effect to NPS-UD and RMA policy directions by enabling more growth in Auckland. Open Space is recognised in Section 770 as a qualifying matter in its own right.
46. Two key objectives of the AUP's Regional Policy Statement relating to open space are:
- B2.7. Open space and recreation facilities*
B2.7.1. Objectives
- a) *Recreational needs of people and communities are met through the provision of a range of quality open spaces and recreation facilities.*
 - b) *Public access to and along Auckland's coastline, coastal marine area, lakes, rivers, streams and wetlands is maintained and enhanced.*
47. Open space as a qualifying matter does not impact on the ability to accommodate a variety of homes or sites that are suitable for different business sectors as it is currently not able to be utilised for these purposes (they would be non-complying activities under the AUP). There is also sufficient opportunity for housing and business activities through the existing appropriately zoned land. (See Doug Fairgray – Economic matters s32 assessment)
48. Retention of the existing open space zone frame and the spatial distribution of the zones (i.e., a dispersed pattern across the region) is both an efficient and effective way of giving effect to the requirements of the NPS: UD, the objectives of the IPI and the relevant objectives in the RPS.

Description of how qualifying matter is to be implemented

49. "Open space provided for public use" but only in relation to land that is open space as a qualifying matter is to be implemented via the AUP's existing open space zones (i.e., the status quo). These zones are:
- a) Open Space – Conservation Zone
 - b) Open Space – Informal Recreation Zone
 - c) Open Space – Sports and Active Recreation Zone
 - d) Open Space – Civic Spaces Zone; and
 - e) Open Space – Community Zone.
50. The reference to "but only in relation to land that is open space" in the NPS: UD/RMA has been interpreted as all land zoned open space in this context. There may be parts of it that accommodate car parking and/or buildings and structures but these are very much part of the open space and facilitate its use and enjoyment. For example, clubrooms are often located on sports fields but are still part of the "open space". In addition, existing buildings can be removed, or new buildings developed over time so

that part of the open space that “is open space” changes. For this reason, no changes to the extent of the open space zones to “carve out” areas used for buildings or parking, or other structures are proposed.

- 51 No changes to the activity table (to provide for residential or commercial land uses) or to any of the standards, including height are proposed.

Overall conclusion

52. Open space as a qualifying matter does not impact on the ability to accommodate a variety of homes or sites that are suitable for different business sectors as it is currently not able to be utilised for these purposes (they would be non-complying activities under the AUP).
53. Given the increase in development opportunities that the NPS: UD and the MDRS enable and the supply of land available for development over the next 30 years (refer s32 for economic matters by Doug Fairgray), additional opportunities for housing and commercial activities through the development of open space zoned land are not required.
54. Existing and future additional open spaces are however required to achieve a well – functioning urban environment (see policy 1 below):
- Policy 1: Planning decisions contribute to well-functioning urban environments, which are urban environments that, as a minimum:*
- a) *have or enable a variety of homes that:*
 - i. *meet the needs, in terms of type, price, and location, of different households; and*
 - ii. *enable Māori to express their cultural traditions and norms; and*
 - b) *have or enable a variety of sites that are suitable for different business sectors in terms of location and site size; and*
 - c) *have good accessibility for all people between housing, jobs, community services, natural spaces, and open spaces, including by way of public or active transport; and*
 - d) *support, and limit as much as possible adverse impacts on, the competitive operation of land and development markets; and*
 - e) *support reductions in greenhouse gas emissions; and*
 - f) *are resilient to the likely current and future effects of climate change.*
55. Parts of the Auckland region already have a deficiency in open space (refer to open space network plans). This means that existing open space will be valued more as people will live on smaller sections.
56. There is already a process in place in Auckland Council, managed by Eke Panuku which looks at underutilised open spaces and implements a plan change should an alternative zoning be required. Note: there is increasing public opposition to this process.

57. Open spaces that are vested as reserve are required under the Reserves Act 1977 to have their vesting revoke before they can be sold or used for other purposes, such as residential or commercial activities. Over half of all existing open spaces are vested as reserve.
58. The AUP does not provide for residential or commercial land uses and development in the open space zones. It is a non-complying activity. The option of providing for housing or commercial activities on open space can be enabled through either change to the open space zone provisions and/or rezoning open space zoned land to another zone that enables residential development.
59. This assessment concludes that Option 1 - Status Quo – residential and or commercial development is not provided for in the open space zones, is the recommended option.
60. The height and density of urban form standards in the AUP were subject to a number of submissions during the plan process. There is the opportunity through a discretionary resource consent to apply for increased height and density of urban form. There is a close relationship between the zoning of the land, the non-provision for residential and commercial land uses and the development standards, including height, relating to buildings and structures. If open space is not available for housing and commercial activities, then the heights required for the city centre, metro – centres etc under the NPS: UD are not relevant for part or all of an area of open space.
61. This assessment concludes that Option 1 - Status Quo – retain existing height and density of urban form standards, is the recommended option.
62. The principal reasons for both recommended options **are** that the alternative options would result in:
 - a) Loss of valuable open spaces at a time when the city is intensifying and the need for open space is increasing.
 - b) Reduced accessibility to open space, increased commute distances and times.
 - c) Loss of ecological function - protecting habitats and assisting in the management of stormwater.
 - d) In coastal and riparian locations, open space provides environmental enhancement of the coast and rivers, streams.
 - e) Reduced likelihood of achieving a well-functioning urban environment.
 - f) Detraction from amenity values of the open space and potentially adjacent properties from higher buildings.
 - g) Loss of the feeling of openness and spaciousness.
 - h) Visual impact of higher buildings on the natural character of the coast, and margins of lakes, rivers and streams; and
 - i) Likely significant public opposition (as evidenced by Eke Panuku land rationalisation proposals through the open space plan changes).
63. Confirming that Open Space is a qualifying matter fulfils the policy direction of the NPS-UD.

Information Used

64. The following list of reports, documents, evidence, that was used to help with the development of the plan change and assessment of the Open Space Qualifying Matter is outlined below. Attached is also a copy of the annotated Open Space Zones for PC78.

Name of document, report, plan	How did it inform the development of the plan change
<p>Parks and Open Space Acquisition Policy June 2013 https://www.aucklandcouncil.govt.nz/plans-projects-policies-reports-bylaws/our-policies/Documents/parks-open-space-acquisition-policy.pdf</p>	<p>The policy outlines the extensive network of parks and open space that contribute to Auckland residents' community infrastructure. The policy identifies that separate planning processes identify future land requirements for community and network infrastructure and the potential synergies between these functions and public open space. The Acquisition Policy is a companion policy that identifies where council will act to increase its network. It informs the IPI Plan Change to the extent that Open Space is a qualifying matter that balances out intensification.</p>
<p>Parks and Open Spaces Strategic Action Plan https://www.aucklandcouncil.govt.nz/plans-projects-policies-reports-bylaws/our-plans-strategies/topic-based-plans-strategies/parks-sports-outdoor-plans/Documents/parks-open-spaces-strategic-action-plan.pdf</p>	<p>The Action Plan outlines how Auckland's parks and open spaces contribute to the outcomes of the Auckland Plan. These outcomes include:</p> <ul style="list-style-type: none"> • A Māori identity that is Auckland's point of difference in the world • A fair, safe and healthy Auckland • A well-connected and accessible Auckland • A beautiful Auckland that is loved by its people • A green Auckland • A culturally rich and creative Auckland • An Auckland of prosperity and opportunity <p>The plan considers how Auckland will grow and where Council needs to focus its efforts to ensure that parks and open spaces contribute to and enhance Auckland's liveability. The plan identifies that in order to achieve a compact city this will mean some public open spaces will be used more intensively, as residents use local parks, streets or squares for activities that may have traditionally occurred in the suburban back yard. New parks will need to be acquired, existing parks upgraded, and our streets will be an integral part of Auckland's open space network. The plan has informed the IPI by showing that the open space network is resilient to and contemplates changes through intensification.</p>

Name of document, report, plan	How did it inform the development of the plan change
<p>Local Parks' management plans https://www.aucklandcouncil.govt.nz/plans-projects-policies-reports-bylaws/our-plans-strategies/topic-based-plans-strategies/parks-sports-outdoor-plans/Pages/local-parks-management-plans.aspx</p>	<p>Council is creating a local parks' management plan for each local board area of Auckland. Auckland Council's governance arrangements provide that Local Boards own/control parks. Eventually all of Auckland's 21 local boards will have a local parks' management plan. The completed ones so far are:</p> <ul style="list-style-type: none"> • Devonport-Takapuna • Maungakiekie-Tamaki • Orakei • Hibiscus and Bays <p>Local parks' management plans are currently being developed for Kaipataki, Rodney, Upper Harbour and Waiheke Island. There is also a Regional Parks Management Plan.</p> <p>These plans show a general approach to managing open space across Auckland.</p>

Consultation

1. Council has undertaken a thorough public engagement process which has been outlined in reports to the Planning Committee. This is discussed in the overall s32 report.
2. Consultation with Mana whenua / iwi authorities has occurred through regular briefings on all qualifying matters and through structured consultation and engagement /feedback sessions.
3. Internal consultation with relevant subject matter experts – internal consultation with SMEs has occurred informally with specialists on Open Space Policy, the Tamaki Makaurau Design Ope and residential teams over a period of several months.

H7. Open Space zones

H7.1. Background

The majority of land zoned as open space is vested in the Council or is owned by the Crown. However some areas zoned open space are privately owned. While the open space zones generally provide for public use, some privately owned, or Crown-owned sites may restrict public use and access.

Five zones are used to manage activities on land zoned open space:

- Open Space – Conservation Zone;
- Open Space – Informal Recreation Zone;
- Open Space – Sports and Active Recreation Zone;
- Open Space – Civic Spaces Zone; and
- Open Space – Community Zone.

These zones have been identified as qualifying matters in accordance with Section 77O(f) of the RMA.

H7.2. Objectives – All Zones

In addition to the specific objectives that apply to each open space zone, the following objectives apply generally to open space areas.

- (1) Recreational needs are met through the provision of a range of quality open space areas that provide for both passive and active activities.
- (2) The adverse effects of use and development of open space areas on residents, communities and the environment are avoided, remedied or mitigated.

H7.3. Policies – General

In addition to the specific policies that apply to each open space zone, the following policies apply generally to open space areas.

- (1) Design, develop, manage and maintain open spaces to:
 - (a) provide for the needs of the wider community as well as the needs of the community in which they are located;
 - (b) achieve the objectives for the open space zone;
 - (c) use resources efficiently and where appropriate be adaptable and multifunctional;
 - (d) provide for people of differing ages and abilities;
 - (e) be safe and attractive to users; and
 - (f) where appropriate for the zone, reflect the natural, heritage and landscape values of the area.

(2) Develop open spaces which reflect Mana Whenua values where appropriate, including through:

- (a) restoring and enhancing ecosystems and indigenous biodiversity, particularly taonga species;
- (b) providing natural resources for customary use; and
- (c) providing opportunities for residents and visitors to experience Māori cultural heritage, while protecting Māori cultural heritage and sites and features of significance to Mana Whenua.

(3) Enable the provision of infrastructure necessary to service open spaces and recreation facilities.

(4) Enable the construction operation, maintenance, repair and minor upgrading of infrastructure located on open spaces.

H7.4. Open Space – Conservation Zone

H7.4.1. Zone description

The Open Space – Conservation Zone applies to open spaces with natural, ecological, landscape, and cultural and historic heritage values. These areas include volcanic cones, bush reserves, headlands, natural wetlands and coastline and play an important role in protecting and increasing the populations of threatened and endangered species. They also include some of the most pristine beaches and coastlines that provide opportunities for informal recreation.

The Open Space – Conservation Zone also applies to cemeteries that are no longer operational to recognise their cultural heritage values.

To protect the values of the zone, recreation activities and development are limited in scale and intensity. Buildings and activities provided for relate to conservation, land management, recreation, education, park management and visitor information.

Activities in the zone need to be managed to ensure Mana Whenua values are maintained, and that adverse effects on scheduled Sites and Places of Significance to Mana Whenua are avoided.

H7.4.2. Objectives

- (1) The natural, ecological, landscape, Mana Whenua and historic heritage values of the zone are enhanced and protected from adverse effects of use and development.
- (2) Use and development complements and protects the conservation values and natural qualities of the zone.

H7.4.3. Policies

- (1) Enable appropriate use and development that conserves, protects and enhances the natural, landscape, and historic heritage values of the zone.

- (2) Protect and enhance ecological values, including habitats, significant ecological areas and any unique features present within the zone.
- (3) Manage the use of the open space to protect and enhance Mana Whenua values, and enable appropriate activities which support and re-establish the relationship of Mana Whenua and their culture and traditions to their ancestral lands, water, sites, wāhi tapu and other taonga.
- (4) Limit activities, buildings and structures to those necessary to maintain or enhance the use or values of the zone.
- (5) Locate and design new buildings, structures and additions to:
 - (a) complement the context, character and values of the zone; and
 - (b) ensure that there is minimal disturbance to existing landform, vegetation and vulnerable habitats.
- (6) Locate and design vehicle access and parking to have minimal impact on the values of the zone through all of the following:
 - (a) ensuring there is minimal disturbance to the existing landform and vegetation;
 - (b) locating parking areas in proximity to public streets and/or internal roads to avoid intrusion into the open space and encourage shared parking;
 - (c) using unformed and unsealed areas for parking, particularly for peak periods during summer months;
 - (d) using smaller, conveniently located parking areas in preference to large expanses of parking; and
 - (e) locating parking areas so that the character of the zone and adjoining properties are not adversely affected by noise or visual effects.
- (7) Require areas surrounding buildings, structures and parking areas to be landscaped to mitigate visual impacts.

H7.5. Open Space – Informal Recreation Zone

H7.5.1. Zone description

The Open Space – Informal Recreation Zone applies to open spaces that range in size from small local parks to large regional parks. These areas are used for a variety of outdoor informal recreation activities and community uses, such as walking, running, cycling, relaxing and socialising, picnics, playing and enjoying the environment.

Some of these open spaces adjoin the coast, harbours, lakes, rivers and streams and play a key role in providing access to and along these areas. They may also contain sites with natural and/or historic heritage values and form an important part of Auckland's walkway and cycleway network.

These open spaces are generally characterised by few buildings and structures. Limiting development in these areas maintains the open space character and amenity values, and enables opportunities for a range of informal recreation activities to occur.

Buildings and structures are limited to those that support the enjoyment of the open space for informal recreation and small-scale community buildings and structures.

Larger open spaces such as Auckland's regional parks may include visitor information facilities and limited retail such as cafes.

H7.5.2. Objectives

- (1) The open and spacious character, amenity values and any historic, Mana Whenua, and natural values of the zone are maintained.
- (2) Informal recreation activities are the predominant use of the zone.
- (3) Buildings and exclusive-use activities are limited to maintain public use and open space for informal recreation.
- (4) Small-scale, informal land-based water-related recreational facilities are provided for while maintaining and enhancing public access to and along the coast.

H7.5.3. Policies

- (1) Provide for a variety of informal recreation activities, including small-scale community uses and accessory activities.
- (2) Maintain or enhance the natural character values of open spaces by retaining significant vegetation (where appropriate and practical) and through weed removal, new planting and landscaping.
- (3) Require development, including new buildings and structures, located near scheduled Sites or Places of Significance to Mana Whenua to recognise the relationship of Mana Whenua to the area.
- (4) Limit buildings, structures and activities to those necessary to enhance people's ability to use and enjoy the open space for informal recreation.
- (5) Locate and design buildings and structures to:
 - (a) complement the open and spacious character, function and amenity values of the zone;
 - (b) maintain public accessibility and minimise areas for exclusive use; and
 - (c) protect any natural or historic heritage values.
- (6) Use the street network and internal roads for parking in preference to on-site parking, and where it is necessary to provide on-site vehicle access and parking, ensure the character of the zone is maintained.
- (7) Manage the intensity of activities to minimise adverse effects such as noise, glare and traffic on the amenity values of the surrounding area.

- (8) Limit activities and their associated facilities adjoining the coast or water bodies to those that have a functional or operational need for a coastal location.
- (9) Avoid use and development in locations adjoining the coast or water bodies where they will have more than minor adverse effects on any of the following:
 - (a) public access;
 - (b) the visual amenity values of the coast and water bodies;
 - (c) areas of high natural or historic heritage value; or
 - (d) Mana Whenua values.

H7.6. Open Space – Sport and Active Recreation Zone

H7.6.1. Zone description

The Open Space – Sport and Active Recreation Zone applies to open spaces used for indoor and outdoor organised sports, active recreation and community activities. It includes facilities such as sports fields, hard-court areas and greens, recreational and multi-sport facilities, and marine-related activities such as ramps, jetties, slipways, hardstand areas. These spaces often include buildings and structures such as grandstands, sport and community clubrooms and toilets and changing facilities associated with these uses. Most of these open spaces are also available for informal recreation activities such as walking, jogging and informal games when not used for sport and active recreation.

Commercial activities accessory to sport and active recreation activities may be undertaken in appropriate locations. These activities can provide economic benefits as well as social benefits, such as providing food or beverage to support recreational use and by adding to safety through passive surveillance.

The more intensive use of these open spaces can attract large numbers of people. This can generate high levels of traffic, noise, glare and other adverse effects that need to be managed.

H7.6.2. Objectives

- (1) Indoor and outdoor sport and active recreation opportunities are provided for efficiently, while avoiding or mitigating any significant adverse effects on nearby residents, communities and the surrounding areas.
- (2) Activities accessory to active sport and recreation activities are provided for in appropriate locations and enhance the use and enjoyment of areas for active sport and recreation.
- (3) Larger scale, or clusters of land-based marine-related recreation facilities, are recognised and provided for while maintaining and enhancing public access to and along the coast.

H7.6.3. Policies

- (1) Enable indoor and outdoor organised sports, active recreation, recreation facilities, community activities, accessory activities and associated buildings and structures.
- (2) Enable accessory activities that enhance the use and enjoyment of the public open space and that relate to the primary activities on the site.
- (3) Design and locate buildings and structures (including additions) to be compatible with the surrounding environment in which they are located, particularly residential environments, and to avoid or mitigate any adverse effects, including visual, dominance, overlooking and shading.
- (4) Design and locate buildings, structures and activities so that any adverse effects, including noise, glare and traffic effects, are managed to maintain a reasonable level of amenity value for nearby residents, communities and the surrounding environment.
- (5) Maximise the use of indoor and outdoor recreation facilities including through multifunctional use and adaptable designs to increase the capacity and use of the open space.
- (6) Limit activities and associated facilities on open space adjoining the coast or a water body to those that have a functional or operational requirement for a coastal location.
- (7) Require activities and development in locations adjoining the coast or a water body to meet all of the following:
 - (a) maintain public access, unless access is to be excluded for safety and security reasons;
 - (b) maintain the visual amenity of the coastal environment and water bodies;
 - (c) avoid areas scheduled for their outstanding natural landscape, outstanding or high natural character or historic heritage values; and
 - (d) recognise Mana Whenua values.

H7.7. Open Space – Civic Spaces Zone

H7.7.1. Zone description

The Open Space – Civic Spaces Zone applies to open spaces such as squares and plazas in centres and other urban areas. Civic spaces are becoming increasingly important as Auckland grows and becomes more compact, and access to high amenity open spaces is needed for residents, workers and visitors.

Civic spaces contribute to the character of centres and urban areas and provide opportunities for informal recreation, social interaction and community gatherings and events. They also support local character and sense of identity.

H7.7.2. Objective

- (1) Civic spaces are used for civic and community functions, events and informal recreation.

H7.7.3. Policies

- (1) Enable civic and community functions and events, and informal recreation activities.
- (2) Limit buildings and structures to those that are necessary to support the purpose of the zone, and where this is demonstrated, ensure that they enhance the amenity values, functionality and use of the zone.
- (3) Manage the effects of activities to avoid or mitigate any adverse effects on the environment and on the amenity values of the nearby residents, communities and the surrounding environment.
- (4) Enable public amenities that enhance the use and enjoyment of civic and community open spaces, and the installation of artworks and interpretive signs.

H7.8. Open Space – Community Zone

H7.8.1. Zone Description

The Open Space – Community Zone primarily accommodates community buildings and activities. These include libraries, arts and cultural centres, marae, community houses, halls, early childhood learning facilities and recreation centres. This zone is situated in centres, suburban and rural areas.

H7.8.2. Objective

- (1) Community activities are provided for and meet the social needs of local communities.

H7.8.3. Policies

- (1) Enable community activities and early childhood learning services and associated buildings and structures.
- (2) Design and locate buildings, structures and activities so that any adverse effects, including noise, glare and traffic effects, are managed to maintain a reasonable level of amenity value for nearby residents, communities and the surrounding environment.
- (3) Maximise the use of buildings including through multifunctional use and adaptable designs.

H7.9. Activity table

Table H7.9.1 specifies the activity status of land use activities in the open space zones pursuant to section 9(3) of the Resource Management Act 1991. Notwithstanding the following rules, the Reserves Act 1977 applies to land vested under section 14 of that Act.

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A blank in Table H7.9.1 Activity Table below means that the Auckland-wide provisions apply.

H7.9.1. Activity Table – Open Space Zones

Activity		Activity Status				
		Conservation Zone	Informal Recreation Zone	Sport and Active Recreation Zone	Civic Spaces Zone	Community Zone
Use						
(A1)	Activities not provided for	NC	NC	NC	NC	NC
Residential						
(A2)	Camping grounds	D	D	NC	NC	NC
(A3)	A single workers' accommodation	P	P	P	NC	P
(A4)	Visitor accommodation - huts and lodges	D	D	NC	NC	NC
Community						
(A5)	Visitor centres	D	D	NC	D	P
(A6)	Community centres and halls	NC	D	D	D	P
(A7)	Early childhood learning services	NC	NC	D	NC	P
(A8)	Education and research facilities directly related to the open space	P	P	P	P	P
(A9)	Art galleries, arts and cultural centres	NC	D	D	D	P
(A10)	Clubrooms	D	D	P	NC	P
(A11)	Libraries	NC	NC	NC	NC	P
(A12)	Grandstands	NC	NC	RD	NC	NC
(A13)	Informal recreation	P	P	P	P	P
(A14)	Information facilities accessory to a permitted activity	P	P	P	P	P
(A15)	Organised sport and recreation	NC	RD	P	NC	P
(A16)	Public amenities	P	P	P	P	P
(A17)	Recreation facilities	NC	D	P	D	P
(A18)	Gardens, including botanic and community gardens	P	P	P	P	P

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Coastal						
(A19)	Coastal navigational aids	P	P	P	P	P
Commerce						
(A20)	Markets	NC	RD	RD	P	P
(A21)	Restaurants and cafes, excluding a drive-through facility, that are accessory to a permitted activity and are located further than 50m from a residential zone	D	RD	P	RD	P
(A22)	Restaurants and cafes, excluding a drive-through facility, that are accessory to a permitted activity and located within 50m of a residential zone	D	D	RD	D	D
(A23)	Retail accessory to a permitted activity	D	P	P	P	P
(A24)	Retail not otherwise provided for	NC	D	D	D	D
Industry						
(A25)	Parks depot, storage and maintenance	RD	RD	P	NC	NC
Rural						
(A26)	Conservation planting	P	P	P	P	P
(A27)	Farming or grazing as part of a management programme for the open space	P	P	P	NC	NC
(A28)	Forestry	D	D	D	NC	NC
Mana Whenua						
(A29)	Customary use	P	P	P	P	P
(A30)	Marae complex	D	D	D	D	P
Development						
(A31)	Accessory buildings	P	P	P	P	P
(A32)	Artworks	P	P	P	P	P
(A33)	Demolition of buildings	P	P	P	P	P
(A34)	Internal additions and alterations to existing buildings	P	P	P	P	P

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(A35)	External additions to existing buildings that comply with the standards	P	P	P	P	P
(A36)	External additions to existing buildings that do not comply with one or more standards	D	D	D	D	D
(A37)	Buildings for public amenities	P	P	P	P	D
(A38)	New buildings that comply with the standards	P	P	P	P	P
(A51)	New buildings within Churchill Park that comply with the standards	NA	D	P	NA	P
(A39)	New buildings that do not comply with one or more standards	D	D	D	D	D
(A40)	Non-security floodlighting, fittings and supports and towers up to 18m high	NC	P	P	P	NC
(A41)	Non-security floodlighting, fittings and support towers more than 18m high	NC	RD	RD	RD	NC
(A42)	Fences on the front boundary more than 50 per cent transparent	P	P	P	P	P
(A43)	Fences on the front boundary less than 50 per cent transparent	RD	RD	RD	RD	RD
(A44)	Maimais (erection, use, alteration, maintenance and demolition) associated with lawful game-bird hunting	P	P	NC	NC	NC
(A45)	Observation areas, viewing platforms and related structures	RD	P	P	P	P
(A46)	Parks infrastructure	P	P	P	P	P
(A47)	Sport and recreation structures	NC	P	P	NC	NC
(A48)	Parks maintenance	P	P	P	P	P
(A49)	Recreational trails	P	P	P	P	P
(A50)	Construction of vehicle access and parking areas	D	D			
(A51)	Jetties or boat ramps	D	D	D	D	D

H7.10. Notification

(1) Any application for resource consent for an activity listed in Table H7.9.1 will be subject to the normal tests for notification under the relevant sections of the Resource Management Act 1991.

(2) When deciding who is an affected person in relation to any activity for the purposes of section 95E of the Resource Management Act 1991 the Council will give specific consideration to those persons listed in Rule [C1.13\(4\)](#).

H7.11. Standards

All activities listed as a permitted activity or restricted discretionary activity in Table H7.9.1 must comply with the following standards.

Where an open space comprises multiple sites but has a common open space zoning, the entire zone will be treated as a single site for the purpose of applying the standards listed below.

H7.11.1. Building height

Purpose: To manage the height of buildings to retain the particular open space character of the zone, minimise visual dominance effects, and maintain a reasonable standard of amenity for adjoining sites.

(1) Buildings must not exceed the height limits specified in Table H7.11.1.1.

Table H7.11.1.1 Building height

Zone	All buildings
Open Space – Conservation Zone	4m
Open Space – Informal Recreation Zone	8m
Open Space – Sport and Active Recreation Zone	10m
Open Space – Civic Spaces Zone	4m
Open Space – Community Zone	8m

H7.11.2. Height in relation to boundary

Purpose: To ensure buildings on the periphery of the open space do not dominate neighbouring areas, particularly residential areas, and maintain a reasonable level of amenity for adjoining sites.

(1) Where an open space directly adjoins a site in another zone, the height in relation to boundary standard that applies in the adjoining zone applies to the adjoining open space boundary.

(2) Where an adjoining zone does not specify a height in relation to boundary standard, the yard and/or setback standards that apply in the adjoining zone apply to the boundary directly adjoining the open space boundary.

Qualifying matter as per s77O(f) of the RMA

H7.11.3. Yards

Purpose:

- to provide a reasonable standard of visual amenity between open space zones when viewed from the street and a buffer between open space zones and neighbouring residential and special purpose zones; and
- to ensure buildings are adequately setback from streams and the coastal edge to maintain water quality and provide protection from natural hazards.

(1) Buildings, or parts of buildings, must be set back from the relevant boundary by the minimum distance listed in Table H7.11.3.1.

Table H7.11.3.1 Yards

Yard	Conservation Zone	Informal Recreation Zone	Sport and Active Recreation Zone	Civic Spaces Zone	Community Zone
Front yard	5m	5m or the average setback of buildings on adjacent front sites, whichever is lesser	5m	The average setback of buildings on adjacent front sites	The average setback of buildings on adjacent front sites
Side and rear yards	6m where the open space zone adjoins a residential zone, special purpose zone or the Future Urban Zone otherwise 3m No side and rear yards are required where the open space zone adjoins a business zone			3m where the open space zone adjoins a residential zone	3m where the open space zone adjoins a residential zone
Riparian yard	10m from the edge of permanent and intermittent streams			10m from the edge of permanent and intermittent stream	10m from the edge of permanent and intermittent streams
Coastal protection yard	25m from mean high water springs	20m from mean high water springs	10m from mean high water springs	10m from mean high water springs	10m from mean high water springs

H7.11.4. Screening

Purpose: To ensure rubbish and/or storage areas are screened from neighbouring sensitive land uses.

(1) Any outdoor storage or rubbish collection areas that directly face and are visible from a residential zone, Special Purpose – School Zone, rural zone or business zone adjoining a boundary with, or on the opposite side of the road

from, an open space zone, must be screened from those areas by a solid wall or fence at least 1.8m high.

H7.11.5. Gross floor area threshold

Purpose: To limit the size of buildings within open spaces to retain their open space character and to maintain a reasonable standard of amenity for adjoining sites.

- (1) The gross floor area of individual buildings, including any external additions or alterations, must not be more than the following:
 - (a) Open Space – Conservation Zone: 50m²;
 - (b) Open Space – Informal Recreation Zone: 100m²; (or 50m² within Churchill Park only);
 - (c) Open Space – Sports and Active Recreation Zone: 150m²;
 - (d) Open Space – Civic Spaces Zone: 50m²; and
 - (e) Open Space – Community Zone: 300m².

H7.11.6. Maximum site coverage

Purpose: To limit the extent of building and development so that an open and spacious character is retained as well as to maintain a reasonable standard of amenity for adjoining sites.

- (1) The maximum permitted site coverage per site, or cumulative total area of buildings, must not exceed the following limits:
 - (a) Open Space – Conservation Zone: one per cent;
 - (b) Open Space – Informal Recreation Zone: 10 per cent;
 - (c) Open Space – Sports and Active Recreation Zone: 30 per cent;
 - (d) Open Space – Civic Spaces Zone: five per cent; and
 - (e) Open Space – Community Zone: 50 per cent.

H7.11.7. Maximum impervious area

Purpose: To restrict the maximum impervious area to manage the amount of stormwater runoff generated by a development, and ensure that adverse effects on water quality, quantity, amenity values are avoided or mitigated.

- (1) The maximum impervious area per site must not exceed the following limits:
 - (a) Open Space – Conservation Zone: lesser of 10 per cent or 5000m²;
 - (b) Open Space – Informal Recreation Zone: lesser of 10 per cent or 5000m²;
 - (c) Open Space – Sports and Active Recreation Zone: 40 per cent;

(d) Open Space – Civic Spaces Zone: no limit; and

(e) Open Space – Community Zone: 70 per cent where the adjacent zone is a residential zone, Business – Business Park Zone or Business – General Business Zone. No limit in the Business – Mixed Use Zone or the business centre zones.

H7.11.8. Non-security floodlighting, fittings and supports and towers up to 18m high

(1) Lighting must meet the permitted activity standards for lighting in Chapter E24 Lighting.

H7.11.9. Maimai

(1) A maimai must be no more than 10m² in area.

(2) A maimai must not exceed 3m in height above mean high water springs or ground level.

H7.12. Assessment – controlled activities

There are no controlled activities in these zones.

H7.13. Assessment – restricted discretionary activities

H7.13.1. Matters of discretion

The Council will restrict its discretion to the following matters when assessing a restricted discretionary resource consent application.

H7.13.1.1. Organised sport and recreation

(1) The effects of the intensity, scale and duration of the events on informal recreational use of the open space.

(2) The effects on the amenity value of adjoining sites.

(3) The extent the activity is consistent with any relevant adopted Reserve Management Plan, Conservation Management Strategy or Conservation Management Plan for the area.

H7.13.1.2. Markets

(1) The effects the intensity and scale of the activity will have on recreational use and amenity values.

(2) The effects on public access to, and use of, the open space.

(3) The effects from the development design, external appearance and landscaping.

(4) The effects on any scheduled historic heritage values.

(5) The effects on natural values, including landform and vegetation.

- (6) The extent the activity is consistent with any relevant adopted Reserve Management Plan, Conservation Management Strategy or Conservation Management Plan for the area.

H7.13.1.3. Restaurants and cafes accessory to a permitted activity (further than 50m from a residential zone or within 50m of a residential zone in the Open Space – Sport and Active Recreation Zone)

- (1) The effects of the intensity and scale of the activity on recreational use and amenity values.
- (2) The effects on public access to, and use of, the open space.
- (3) The effects from the development design, external appearance and landscaping.
- (4) The effects on any scheduled historic heritage values.
- (5) The effects on natural values, including landform and vegetation.
- (6) The extent the activity is consistent with any relevant adopted Reserve Management Plan, Conservation Management Strategy or Conservation Management Plan for the area.

H7.13.1.4. Parks depot, storage and maintenance

- (1) The effects of the intensity and scale of the activity on residential amenity.
- (2) The effects on public access to, and use of, the open space.
- (3) The effects from the development design, external appearance and landscaping.
- (4) The effects on any scheduled historic heritage values.
- (5) The effects on natural values, including landform and vegetation.
- (6) The extent the activity is consistent with any relevant adopted Reserve Management Plan, Conservation Management Strategy or Conservation Management Plan for the area.

H7.13.1.5. Grandstands

- (1) The effects of the intensity and scale of the activity on residential amenity.
- (2) The extent a grandstand will enhance and maximise use of the site.
- (3) The effects from the development design, external appearance and landscaping.
- (4) The extent the activity is consistent with any relevant adopted Reserve Management Plan, Conservation Management Strategy or Conservation Management Plan for the area.

H7.13.1.6. Non-security floodlighting, fittings and supports and towers more than 18m in height

- (1) The effects on the amenity value of adjoining sites.
- (2) The hours of operation.
- (3) The height and scale of the structure.
- (4) The extent the activity is consistent with any relevant adopted Reserve Management Plan, Conservation Management Strategy or Conservation Management Plan for the area.

H7.13.1.7. Fences on the front boundary less than 50 per cent transparent

- (1) The effects on visibility to and from the open space, including effects on public safety.
- (2) The extent the activity is consistent with any relevant adopted Reserve Management Plan, Conservation Management Strategy or Conservation Management Plan for the area.

H7.13.1.8. Observation areas, viewing platforms and related structures

- (1) The effects of the location and design on natural character and landscape values.
- (2) The effects on any identified historic heritage values.
- (3) The effects associated with the construction and use of the structures, including effects to landform and vegetation.
- (4) The extent the activity is consistent with any relevant adopted Reserve Management Plan, Conservation Management Strategy or Conservation Management Plan for the area.

H7.13.2. Assessment criteria

The Council will consider the relevant assessment criteria for restricted discretionary activities from the list below.

H7.13.2.1. Organised sport and recreation

- (1) The extent to which the intensity, scale and duration of the events will adversely affect the use of the open space area for informal recreational use and whether any adverse effects can be remedied or mitigated.
- (2) The extent to which the effects are contained within the open space area and do not significantly detract from the amenity value of adjoining properties, particularly residential areas.
- (3) Whether the proposal is consistent with the outcomes sought in any relevant adopted reserve management plan, conservation management

strategy or conservation management plan and the ability to avoid, remedy or mitigate any adverse effects resulting from any inconsistency with the relevant management plan.

H7.13.2.2. Markets

- (1) The extent to which the intensity and scale of the market will adversely affect recreational use of the open space and amenity values of neighbouring properties, and the measures to remedy or mitigate any adverse effects.
- (2) Whether the market is located to minimise any adverse effects on public access and takes into account pedestrian safety, access for people of all ages and abilities where practical, and the efficient use of existing access, parking, circulation and utility networks.
- (3) Whether the development design and external appearance or any buildings, and any landscaping:
 - (a) is compatible with the character and use of the site;
 - (b) minimises any adverse effects, including through use of building materials and colour; and
 - (c) complements the existing landscape character of the area.
- (4) Whether the activity will have any adverse effects of any scheduled historic heritage values, and the extent to which these can be remedied or mitigated.
- (5) Whether the activity will result in any land disturbance or vegetation removal and the extent to which any adverse effects can be remedied or mitigated.
- (6) Whether the proposal is consistent with the outcomes sought in any relevant adopted Reserve Management Plan, Conservation Management Strategy or Conservation Management Plan and the ability to avoid, remedy or mitigate any adverse effects resulting from any inconsistency with the relevant management plan.

H7.13.2.3. Restaurants and cafes accessory to a permitted activity

- (1) The extent to which the intensity and scale of the activity will adversely affect recreational use of the open space and amenity values of neighbouring properties, and the measures to remedy or mitigate any adverse effects.
- (2) Whether the activity is located to minimise any adverse effects on public access and takes into account pedestrian safety, access for people of all ages and abilities where practical, and the efficient use of existing access, parking, circulation and utility networks.

- (3) Whether the development design and external appearance or any buildings, and any landscaping:
 - (a) is compatible with the character and use of the site;
 - (b) minimises any adverse effects, including through use of building materials and colour; and
 - (c) complements the existing landscape character of the area.
- (4) Whether the activity will have any adverse effects on any scheduled historic heritage values, and the extent to which these can be remedied or mitigated.
- (5) Whether the activity will result in any land disturbance or vegetation removal, and the extent to which any adverse effects can be remedied or mitigated.
- (6) Whether the proposal is consistent with the outcomes sought in any relevant adopted Reserve Management Plan, Conservation Management Strategy or Conservation Management Plan and the ability to avoid, remedy or mitigate any adverse effects resulting from any inconsistency with the relevant management plan.

H7.13.2.4. Parks depot, storage and maintenance

- (1) The extent to which the intensity and scale of the activity will detract from the amenity value of any adjoining residential areas, and the measures to remedy or mitigate any adverse effects.
- (2) Whether any buildings or activities are located in minimise adverse effects on public access to and use of the open space.
- (3) The extent to which any disturbance to existing landform and vegetation is minimised.
- (4) The extent to which any adverse effects on natural values or amenity values are avoided, remedied or mitigated through location, design, external appearance and landscaping.

H7.13.2.5. Grandstands

- (1) The extent to which the structure and the intensity of use will detract from the amenity value of any adjoining residential areas, and the measures to remedy or mitigate any adverse effects.
- (2) The extent to which a grandstand will enhance and the use and capacity of the site for recreational use.
- (3) Whether the proposal is consistent with the outcomes sought in any relevant adopted reserve management plan, conservation management

strategy or conservation management plan and the ability to avoid, remedy or mitigate any adverse effects resulting from any inconsistency with the relevant management plan.

H7.13.2.6. Non-security floodlighting, fittings and supports and towers more than 18m in height

- (1) The extent to which the floodlighting and structure will detract from the amenity value of any adjoining residential areas, and the measures to remedy or mitigate any adverse effects, including through the location of the structure and hours of operation.
- (2) Whether the proposal is consistent with the outcomes sought in any relevant adopted reserve management plan, conservation management strategy or conservation management plan and the ability to avoid, remedy or mitigate any adverse effects resulting from any inconsistency with the relevant management plan.

H7.13.2.7. Fences on the front boundary less than 50 per cent transparent

- (1) The extent to which the fence will have an adverse effect on visibility to and from the open space, including the visual connection to and from the open space and the adjacent streets.
- (2) The extent to which any loss of visibility will have any adverse effects on public safety.
- (3) Whether the proposal is consistent with the outcomes sought in any relevant adopted Reserve Management Plan, Conservation Management Strategy or Conservation Management Plan and the ability to avoid, remedy or mitigate any adverse effects resulting from any inconsistency with the relevant management plan.

H7.13.2.8. Observation areas, viewing platforms and related structures

- (1) Whether the structure is located and designed to minimise any adverse effects on the natural and landscape values while providing for viewing.
- (2) The extent to which any adverse effects to landform and vegetation associated with the construction or use of the structures can be avoided, remedied or mitigated.
- (3) Whether the proposal is consistent with the outcomes sought in any relevant adopted Reserve Management Plan, Conservation Management Strategy or Conservation Management Plan and the ability to avoid, remedy or mitigate any adverse effects resulting from any inconsistency with the relevant management plan.

H7.14. Special information requirements

There are no special information requirements for these zones.