

# SECTION 32 REPORT

## Open Space and Recreation Zones

May 2022

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## 1 Executive Summary

This evaluation report provides an assessment of the Open Space and Recreation Zones for the Far North District and has been undertaken in accordance with section 32 of the Resource Management Act 1991(RMA).

The Far North District has a range of open spaces and recreation land, from natural areas with high levels of indigenous biodiversity, to those used for passive and active recreational activities. This report proposes the introduction of three new zones. The Open Space zone, Natural Open Space zone and the Sport and Active Recreation zone. The emphasis is on providing better management of the open space and recreation environment by enabling differing activities and associated facilities within each of the different zones. Council has responsibilities under the Act, New Zealand Coastal Policy Statement (NZCPS) and the Regional Policy Statement (RPS) to provide for the social and cultural wellbeing, and health and safety of the community.

The proposed management approach in the Proposed Far North District Plan (PDP) for the Open Space and Recreation zones includes rules and standards that:

- Provide permitted activity rules that enable activities compatible with the zone.
- Restrict activities that are incompatible with the values and purpose of the site.
- Manage bulk and location, setbacks and coverage.
- Identify subdivision as a non-complying activity.

The main changes to the overall management approach include:

- Rezoning of Open Space and Recreation land into three zones, including a small amount of zoning inconsistencies in the Operative District Plan (ODP).
- Changes in language used within the provisions to give effect to higher order planning documents.
- Provisions that align with the 'hybrid approach' of the PDP that focuses more on activity-based rules compared to the effects-based approach in the ODP.

## 2 Introduction and Purpose

### 2.1 Purpose of report

This report provides an evaluation undertaken by the Far North District Council (**Council**) in preparation of district plan provisions for the Open Space and Recreation zones in the Proposed Far North District Plan (**PDP**). This assessment is required under section 32 of the Resource Management Act 1991 (**RMA**).

Section 32 of the RMA requires Councils to examine whether the proposed objectives are the most appropriate to achieve the purpose of the RMA and whether the provisions (i.e. policies, rules and standards) are the most appropriate way to achieve the objectives. This assessment must identify and assess environmental, economic, social, and cultural effects, benefits and costs anticipated from the implementation of the provisions. Section 32 evaluations represent an on-going process in RMA plan development and a further evaluation under section 32AA of the RMA is expected throughout the review process in response to submissions received following notification of the PDP.

While this report covers the provisions in the Open Space and Recreation zones, the other Part 2 District wide matters need consideration and are addressed in those chapter reports. An overview of Subdivision is included in this section 32 but the rules will be found in the Subdivision chapter.

### 2.2 Overview of topic

The Open Space and Recreation zones in the Far North District are made up of sports grounds, conservation areas, parks and esplanades, and can be found in both urban and rural environments. These areas accommodate unique natural and physical attributes along with providing wellbeing benefits to the community. Much of the open space and recreation environment is undeveloped.

In order to continue to preserve and provide for the wellbeing of the community the open space and recreation environment needs to be preserved through protection from inappropriate use and development while the appropriate activities and facilities are enabled. The changes in management of the open space and recreation environment stems predominantly from the direction of the National Planning Standards (**Planning Standards**) zoning suite, which allows better identification and hence management. The proposed performance standards show little modification from the Operative District Plan (**ODP**) but the zone identification will allow better protection and /or use.

## 3 Statutory and Policy Context

### 3.1 Resource Management Act 1991

The **Section 32 Overview Report** provides a summary of the relevant statutory requirements in the RMA relevant to the PDP. This section provides a summary of the matters in Part 2 of the RMA (purpose and principles) of direct relevance to this topic.

Section 74(1) of the RMA states that district plans must be prepared in accordance with the provisions of Part 2. The purpose of the RMA is the sustainable management of natural and physical resources which is defined in section 5(2) of the RMA as:

*“...sustainable management means managing the use, development and protection of natural and physical resources in a way, or at a rate, which enables people and communities to provide for their social, economic and cultural wellbeing, and for their health and safety while –*

- (a) Sustaining the potential of natural and physical resources (excluding minerals) to meet the reasonably foreseeable needs of future generations; and*
- (b) Safeguarding the life-supporting capacity of air, water, soil, and ecosystems; and*
- (c) Avoiding, remedying, or mitigating any adverse effects of activities on the environment.”*

To achieve the purpose of the RMA, all those exercising functions and powers under the RMA are required to:

- Recognise and provide for the matters of national importance identified in section 6
- Have particular regard to a range of other matters in section 7
- Take into account the principles of the Treaty of Waitangi in section 8 of the RMA.

The following section 6 matters are directly relevant to the Open Space and Recreation zones:

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

Ensuring that the District Plan provides for the efficient and effective management of activities, facilities or structures within these spaces is important for the environmental, social and cultural wellbeing of the District. The provisions of the Open Space and Recreation zones will ensure that activities, facilities, or structures within these areas are managed carefully to protect and maintain amenity, historical and cultural values and the quality of the environment whilst ensuring these areas can also contribute to the social and cultural well-being of the District.

The following section 7 matters are directly relevant to the Open Space and Recreation zones:

- (a) Kaitiakitanga:
  - (aa) The ethic of stewardship;
- (b) The efficient use and development of natural and physical resources;
- (c) The maintenance and enhancement of amenity values;
- (d) Intrinsic values of ecosystems;

- (f) Maintenance and enhancement of the quality of the environment;
- (g) Any finite characteristics of natural and physical resources;
- (i) The effects of climate change.

The areas within the Open Space and Recreation zones represent natural and physical resources important to the amenity values, the quality of the environment, and to the social and cultural wellbeing of the District.

Open space and recreation areas and the associated values are finite. If areas are lost through climate change, built development, economic uses or altered through incompatible activities, these areas and values may not be maintained, let alone enhanced.

## 3.2 Higher order planning instruments

Section 75(3) of the RMA requires district plans to give effect to higher order planning instruments – National Policy Statement (**NPS**), the New Zealand Coastal Policy Statement (**NZCPS**), National Planning Standards (**Planning Standards**), and the relevant Regional Policy Statement (**RPS**). The **Section 32 Overview Report** provides a more detailed summary of the relevant RMA higher order planning instruments relevant to the PDP. The sections below provide an overview of provisions in higher order planning instruments directly relevant to the Open Space and Recreation zones.

### 3.2.1 National Planning Standards

Section 75(3)(ba) of the RMA requires that district plans give effect to the Planning Standards. The Planning Standards were gazetted in April 2019 and the purpose is to assist in achieving the purpose of the RMA and improve consistency in the structure, format and content of RMA plans. The following standards and directions in the Planning Standards are of direct relevance to the Open Space and Recreation zones.

- The new zones for the open space and recreation environment have been selected from the standardised suite of zones
- The Open Space and Recreation zones are to sit under the header Open Space and Recreation zones
- Open Space and Recreation zones are to use the prescribed unique identifiers and zone colours on planning maps

### 3.2.2 National Policy Statements

Section 75(3)(a) of the RMA requires that district plans give effect to any National Policy Statement (**NPS**). The following NPS's are directly relevant to the Open Space and Recreation zones.

- New Zealand Coastal Policy Statement 2010 (**NZCPS**)

The sections below provide a summary of the key provisions in each NPS that are to be given effect to in the Open Space and Recreation zones.

<b>NZCPS</b>	
<b>Policy 4</b>	Maintain and enhance public open space qualities and recreation opportunities
<b>Policy 6</b>	Functional need to be located
<b>Policy 18</b>	Public open space
<b>Policy 19</b>	Walking access

In summary, these NZCPS policies require the PDP to:

- Maintain and enhance open space and recreation opportunities

- Provide for a variety of types of open space
- Maintain and enhance public access

### 3.2.3 National Environmental Standards (NES)

Section 44 of the RMA requires local authorities to recognise NES by ensuring plan rules do not conflict or duplicate with provisions in a NES. There are no NES that are directly relevant to the consideration of the Open Space and Recreation zones.

### 3.2.4 Regional Policy Statement for Northland

Section 75(3)(c) of the RMA requires district plans to ‘give effect’ to any RPS. The RPS was made fully operative on 14 June 2018. The table below outlines the provisions in the NRPS that are directly relevant to the Open Space and Recreation zones.

RPS	
<b>Objective 3.8</b>	Efficient and effective infrastructure
<b>Objective 3.11</b>	Regional form
<b>Objective 3.13</b>	Natural hazard risk
<b>Objective 3.14</b>	Natural character, outstanding natural feature, outstanding natural landscapes and historic heritage
<b>Objective 3.15</b>	Active management

In summary, these RPS objectives and policies and the implementation methods require the PDP to:

- Ensure maximal use of the open space and recreation land and any new open space and recreation is flexible, adequate, resilient, integrated and meets the needs of the community
- Contain regulatory controls for the protection of the qualities and characteristics of natural character, outstanding natural features, outstanding natural landscapes, and the integrity of historic heritage
- Maintain or improve natural values, public access and historic heritage

## 3.3 Regional Plan for Northland

Section 75(4)(b) of the RMA states that any district plan must not be inconsistent with a regional plan for any matter stated in section 30(1) of the RMA. The operative Northland Regional Plans and proposed Northland Regional Plan are summarised in the **Section 32 Overview Report**. The table below provides an overview of regional plan provisions directly relevant to the Open Space and Recreation zones.

Northland Regional Water and Soil Plan (NRWSP)	
<b>Objective 10.3</b>	Maintaining and enhancing public access to the coastal marine area
<b>Objective 16.3</b>	Recreational uses in the coastal marine area

Although the District Plan does not have jurisdiction over the coastal marine area, there may be open spaces adjacent to the coastal marine area which directly impact on access to the coast. Open space facilities and infrastructure such as boat ramps and jetties also extend from areas adjacent

to the coastal marine area and can allow or restrict access. The PDP needs to ensure consistency.

### 3.4 Iwi and Hapū Environmental Management Plans

When preparing and changing district plans, Section 74(2A) of the RMA requires Council to take into account any relevant planning document recognised by an iwi authority and lodged with the territorial authority, to the extent that its content has a bearing on the resource management issues of the district. At present there are 14 iwi planning documents accepted by Council which are set out and summarised in the **Section 32 Overview Report**. The key issues in these plans that have been taken into account in the preparation of the provision for the Open Space and Recreation zones are as follows:

- Public access and recreational access must be secured for current and future generations;
- Protection of customary access and resources;
- Increasing awareness around climate change and natural protection measures; and
- Increased demand and need for infrastructure.

### 3.5 Other Legislation and Policy Documents

When preparing or changing a district plan, section 74(2)(b)(i) of the RMA requires council to have regard to management plans and strategies prepared under other Acts to the extent that it has a bearing on resource management issues of the district. The **Section 32 Overview Report** provides a more detailed overview of strategies and plans prepared under legislation that are relevant to PDP. This section provides an overview of other strategies and plans directly relevant to the Open Space and Recreation zones.

#### 3.5.1 Long Term Plan 2021-31

The Long-Term Plan is of relevance to the Open Space and Recreation zones in that many of the strategic priorities relate to management under the PDP including better asset management, adaptation to climate change and deepen our sense of place and connection. The community outcomes relevant include communities that are healthy, safe, connected and sustainable, proud vibrant communities, a wisely managed and treasured environment that recognises the special role of tangata whenua as kaitiaki and these have been addressed through the development of the PDP provisions for the Open Space and Recreation zones.

#### 3.5.2 The Reserves Act 1977

The Far North District has a significant amount of open space and recreation zoned land which is designated as reserve under the Reserves Act; including reserves administered by the Council, and the Department of Conservation. The Reserves Act has three main functions. These are:

- To provide for the preservation and management, for the benefit and enjoyment of the public, areas possessing some special feature or values such as recreational use, wildlife, landscape amenity or scenic value.
- To ensure, as far as practicable, the preservation of representative natural ecosystems or landscapes and the survival of indigenous species of flora and fauna, both rare and commonplace.
- To ensure, as far as practicable, the preservation of access for the public to the coastline, islands, lakeshore and riverbanks and to encourage the protection and preservation of the natural character of these areas.

#### 3.5.3 Reserves Policy 2017

This policy sets out the Council procedures for the management and preservation of reserves. Council need to ensure the zone provisions compliment the Reserves Policy provisions.

### **3.5.4 Conservation Act 1987**

The Department of Conservation (**DoC**) administers a large amount of land in the Far North District which has a wide variety of natural, conservation, historic and recreational values. This land would be zoned natural open space under the PDP. The Conservation Act's purpose is to promote the conservation of New Zealand's natural and historic resources. It also established and sets out the roles and responsibilities of DoC.

### **3.5.5 Heritage New Zealand Pouhere Taonga Act 2014**

Open spaces may contain identified or unidentified archaeological sites as well as built heritage and sites of significance to Māori. DoC currently manages 46 sites in Northland for heritage purposes.

### **3.5.6 Reserve management plans**

Council has the 15 reserve management plans prepared under the Reserves Act 1977. The plans set the direction for the management and control of reserves for which Council has responsibility.

### **3.5.7 Community Development Plans**

Community development plans help the Council and the community to discuss ways to manage change while protecting what is valued most and are an important tool on a localised scale. There are 17 community development plans, they are important to consider when developing provisions and considering zoning.

### **3.5.8 The Walking Access Act 2008**

The purpose of the Act is to provide the public with free, certain, enduring, and practical walking access to the outdoors (including around the coast and lakes, along rivers, and to public resources) so that the public can enjoy the outdoors. The Act also established the New Zealand Walking Access Commission which is responsible for the establishment, maintenance and improvement of walking access and types of access that may be associated with walking access.

### **3.5.9 Conservation Management Strategy for Northland**

The Conservation Management Strategy for Northland was made operative in 2014. It sets out a vision for Northland and the distinctive features, values and issues of Northland.

Outcomes of relevance to open spaces are: *more people to participate in recreation, more people to engage with conservation and value its benefits, conservation gains from more business partnerships.*

The strategy notes that DoC is exempt from needing to obtain district council land use consents where activities are consistent with a Conservation Management Strategy and do not have significant adverse effects beyond the boundary of public conservation land.

### **3.5.1 Dog Management Bylaw 2019**

The Dog management Bylaw 2019 is pursuant to Section 10 of the Dog Control Act 1996 and supplements the Council's Dog Management Policy of 2018. The Dog Management Policy outlines public areas that dogs have access to, or alternatively are prohibited in.

## **4 Current State and Resource Management Issues**

This section provides an overview of the relevant context for the Open Space and Recreation zones, current approach to manage the open space and recreation land through the ODP, and key issues raised through consultation. It concludes with a summary of the key resource management issues for Open Space and Recreation zones to be addressed through the PDP.

## 4.1 Context

Most of the recreation and conservation environment is made up of land that is included as esplanade reserves, public land administered by the Department of Conservation or land owned by the Council, only a small proportion is privately owned. A small amount of land has been added to the Open space and recreation environment as a result of creation of esplanade and incorrect zoning, but largely the land zone Recreational activities and conservation in the operative plan has been reallocated either a natural open space, open space or sport and active recreation zone.

In the context of the recreation and conservation environment the ODP seeks to:

- Manage the land to reflect the reasons for its protection or reservation.
- Manage the land to reflect the aspirations of the community.
- Direct appropriate management including development of public facilities and structures.
- Conserve the physical environment in some cases so that little development occurs.

## 4.2 Operative District Plan Approach

### 4.2.1 Summary of current management approach

The management of Open Space and Recreation zoned land is covered in Chapter 9 Recreation/Conservation Environment of the ODP. Open space or recreation land in the district generally has either a Recreational Activities or Conservation zoning.

Recreational activities zoned land identifies and manages areas of reserve and recreation land administered by the Council or other agencies where the Council considers the retention of such areas is necessary to provide the appropriate mix of recreation choices or to preserve the natural, amenity and heritage values for a community.

Conservation zoned land identifies and set aside “ conservation” areas in order to ensure the preservation of natural character, the protection of areas of significant indigenous vegetation and/or habitat, the maintenance of access to lakes, rivers and the coastal marine areas and the recognition of the relationship of Maori and their culture with ancestral lands, water, sites and other taonga. A large portion of this land is either esplanade or DOC owned.

The objectives and policies of these zones are to:

- Protect recreation and conservation areas for the purposes for which they have been set aside or reserved;
- Identify and preserve areas that have high conservation value; and
- Ensure integrated management of the effects of recreational activities, especially where these cross the land/water interface.

The primary mechanism for managing open space and recreation land in the ODP is by effects-based rules. These rules are located in Section 9.6.5 Recreational Activities zone and 9.7.5 Conservation zone.

The ODP management approach for the Conservation zone includes:

- Controls around purpose of buildings, scale of activities, building height, sunlight, stormwater management, screening, keeping of animals, noise, helicopter movements, setback from boundaries and building coverage. Breaches of the permitted rules determine the status of the resource consent application
- Provision for subdivision as a non-complying activity, with any application being publicly notified

The ODP management approach for the Recreational Activities zone includes:

- Controls around purpose of buildings, scale of activities, building height, sunlight, stormwater management, setback from boundaries, transportation, hours of operation, screening, outdoor activities, keeping of animals, noise, helicopter movement and building coverage. Breaches of the permitted rules determine the status of the resource consent application
- Provision for subdivision as a non-complying activity, with any application being publicly notified.

The Council also applies a number of other methods to manage open spaces and recreation land. These include:

- The preparation of management plans for Council reserves under the Reserves Act 1977.
- The purchase of land where it is desirable in terms of achieving the objectives of the chapter, and as resources permit.
- Undertaking plan changes from time to time in order to include esplanade reserves in the Conservation zone.
- That funding be provided in the Annual Plan for the control of animal and plant pests on Council owned land.
- That Council will liaise with the Northland Regional Council when applications are received for land-based facilities associated with recreational activities on the surface of water and when carrying out its functions under the Reserves Act 1977.
- The Council will promote the use of Low Impact Design principles to reduce site impermeable and provide education material to increase awareness.

It should be noted that not all of the above methods are currently resourced or employed by Council.

#### 4.2.2 Limitation with current approach

The Council has reviewed the ODP approach, which has been informed by internal workshops and feedback from the community and stakeholder feedback.

A number of limitations with the ODP approach have been identified through this process, including:

- Inconsistency in the zoning of land either Recreational Activities or Conservation zone, the zone selection does not necessarily reflect the category of the reserve under the Reserves Act or the use.
- Inconstancies of the zoning within the ODP does not provide for protection of differing open space values or uses.
- The zone names do not match the Planning Standards suite of zones
- Updates are needed to reflect the current and future community needs and environmental management

### 4.3 Key issues identified through consultation

The **Section 32 Overview Report** provides a detailed overview of the consultation and engagement Council has undertaken with tangata whenua, stakeholders and communities throughout the district to inform the development of the PDP and the key issues identified through this consultation and engagement. This section provides an overview of key issues raised through consultation in relation to the Open Space and Recreation zones and a summary of advice received from iwi authorities.

#### 4.3.1 Summary of issue raised through consultation

There was a low level of interest in the Open Space and Recreation zones from the community through consultation and engagement of the PDP. Key issues identified through this process include:

- Zoning inconsistencies and suggestions;
- Comment on inclusion of open spaces at the time of subdivision;
- Use of open space for climate change mitigation; and

- Importance of good quality open spaces for the social and cultural wellbeing of people and communities.

In response to the above:

- Remapping has been undertaken in an attempt to tidy up any zoning errors, it is also noted that a project is currently been undertaken to audit the reserves in the district, however, this information will not be available by the release of the PDP;
- Changes to the provisions in both the Open Space and Recreation zones and the Subdivision chapter to place more importance on the securing open spaces.

#### 4.3.2 Summary of advice from iwi authorities

Section 32(4A)(a) of the RMA requires that evaluation reports include a summary of advice on a proposed plan received from iwi authorities. The **Section 32 Overview Report** provides an overview of the process to engage with tangata whenua and iwi authorities in the development of the PDP and key issues raised through that process. Six pieces of feedback were received in relation to the Open Space and Recreation zones. In summary the feedback included:

- Comment around treaty settlement land excluded from the framework; and
- Conservation land and treaty settlement negotiations.

Section 3.4 above provided a summary of the key concerns and issues raised in hapū and iwi environmental management plans.

Section 5 of this report outlines how the proposed management approach responds to this advice in accordance with section 32(4A)(b) of the RMA.

#### 4.4 Summary of resource management issues

The topic of the Open Space and Recreation was not identified as a significant resource management issue (**SRMI**) in the development of the PDP. However, the following SRMI are considered to be of relevance.

- Tangata whenua partnership;
- Indigenous biodiversity;
- Coastal management;
- Urban sustainability; and
- Rural sustainability.

Based on the analysis of relevant context, current management approach, and feedback from consultation, the key resource management issues for the Open Space and Recreation zones to be addressed through the PDP are:

- Provisions are effects based – this will be addressed by developing activities based rules for the three zones
- Zoning is inconsistent and needs updating - a limited zoning audit has been undertaken while changing the zoning from Conservation and Recreational activities zone under the operative plan to Natural Open Space, Open Space and Sport and Active Recreation zone.
- Existing management approaches are not in line with current best practice – provisions have been updated so that they are inline with best practice.

## 5 Proposed District Plan Provisions

The proposed provisions are set out in the Open Space and Recreation zones of the PDP. These provisions should be referred to in conjunction with this evaluation report.

### 5.1 Strategic Objectives

The PDP includes a strategic direction section which is intended high level direction for the PDP and guidance on how best to implement the Council's community outcomes set out in Far North 2100 and its Long Term Plan. The strategic objectives of direct relevance to Open Space and Recreation zones are:

Social prosperity:

- **SP-01** – Community wellbeing is heightened by a sense of place.
- **SP-03** – Encourage opportunities for fulfilment of our cultural, social, environmental, and economic wellbeing.
- **SP-04** – Promotion of communities and place that will meet the needs for not only our present population but future generation which are adaptive to climate change.

These objectives place importance on the four wellbeing's. Open spaces and recreation land can enhance the wellbeing's by creating spaces where the community can fulfil their social, cultural, environmental and economic wellbeing. These objectives guide the importance that open spaces are protected from inappropriate use and development.

Environmental prosperity:

- **EP-01** – A culture of stewardship in the community that increase the District's biodiversity and environmental sustainability.
- **EP-02**- Collaborative relationships with iwi and Hapū to support tangata whenua to carry out their obligation and responsibility as kaitiaki.
- **EP-03** – Active management of ecosystems to protect, maintain and increase indigenous biodiversity for future generations.
- **EP-05** – Land use practice reverse climate change by enabling carbon storage and reducing carbon emissions.

These objectives highlight the importance of the collaboration, management, and climate change opportunities open spaces and recreation land provide. The Open Space and Recreation zone objectives identify the importance of the natural, ecological, and cultural values of sites.

Urban form and development

- **UFD -01** - The wellbeing of people who live in and visit towns in the Far North is considered first when it comes to planning places and spaces.
- **UFU-03**- Appropriate development infrastructure in place or planned to meet the anticipated demands for housing and business activities.
- **UFD-04** – Urban growth and development resilient and adaptive to the impacts from natural hazards or climate change.

These objectives place importance on providing good quality open spaces, and open spaces make up the equation when providing appropriate infrastructure to service demands for housing and business needs. Securing open spaces has been discussed in Subdivision and Public access section 32 reports, but once secured the objectives of the Open Space and Recreation zones direct and manage appropriate development.

## 5.2 Proposed Management Approach

This section provides a summary of the proposed management approach for Open Space and Recreation zones focusing on the key changes from the ODP. The **Section 32 Overview Report** outlines and evaluates general differences between the PDP provisions and ODP, includes moving from an effects-based plan to a 'hybrid plan' that includes effects and activities-based planning and an updated plan format and structure to align with the Planning Standards.

The main changes in the overall proposed management approach are:

- Use of three Open Space and Recreation zones: Natural Open Space, Open Space, and Sport and Active Recreation as prescribed by the Planning Standards.
- Some minor mapping inconsistencies have been addressed that were legacy issues of the land being in public ownership and not used for the purpose
- Additional esplanade reserves have been picked up and zoned natural open space zone
- Zoning reflects existing use, amenity, values and intended purpose.
- Activities which are not consistent with the anticipated amenity, values and purpose within the zones are encouraged to be located in other urban or rural zones.

The sections below provide a high-level summary of the objectives, policies, and rules and other methods for the Open Space and Recreation zones.

## 5.3 Summary of proposed objectives and provisions

This section provides a summary of the proposed objectives and provisions which are the focus of the section 32 evaluation in section 7 and 8 of this report.

### 5.3.1 Summary of objectives

The proposed management approach for the Natural Open Space zone includes objectives that seek to:

- Protect and enhance, ecological, historic heritage, cultural and natural character values are managed;
- Activities are consistent with the intention of protection of the conservation values and access and enjoyment for future generations

The proposed management approach for the Open Space zone includes objectives that:

- Ensure activities are consistent with the values for the site and provide for social and cultural wellbeing to enable recreational, cultural, community, conservation, and educational use.

The proposed management approach for the Sport and Active Recreation zone includes objectives that:

- Provide for land that is predominantly used for active sport and recreation;
- Enables buildings, structures and activities that are consistent with this purpose.

### 5.3.2 Summary of provisions

For the purposes of section 32 evaluations, 'provisions' are the *"policies, rules, or other methods that implement, or give effect to, the objectives of the proposed plan or change"*.

The proposed management approach for the Natural Open Space zone includes policies that:

- Protect and enhance the, ecological, historic heritage, cultural and natural character values of the zone;
- Providing for those activities that support leisure, education and customary activities; and
- Avoiding land use and subdivision that is incompatible with the zones values and character.

The proposed management approach for the Natural Open Space zone includes rules and standards that:

- Enable a range of permitted activities that have a low land modification and are in accordance with the conservation values of the zone
- Include performance standards for any buildings and structures (including additions and alterations);
- Require a high test for those activities not consistent with the conservation values of the zone;
- Provide for subdivision in the Natural Open Space zone as a non-complying activity.

The proposed management approach for the Open Space zone includes policies that:

- Provide for activities, buildings and structures that are compatible with the zone and provide for community and cultural wellbeing; and
- Enable a range of activities that avoid compromising the public access and enjoyment of the land and are compatible with the values of the zone.

The proposed management approach for the Open Space zone includes rules and standards that:

- Enable a range of permitted activities that are compatible with values and purpose of the zone;
- Include performance standards for any buildings and structures (including additions and alterations);
- Require a high test for those activities not consistent with the values of the zone; and
- Provide for subdivision in the Open Space zone as a non-complying activity.

The proposed management approach for the Sport and Active Recreation zone includes policies that:

- Enable indoor and outdoor activities that are compatible with the function and character of the zone;
- Provide for facilities and commercial activities that are ancillary to sport and recreation activities; and
- Avoid land use and subdivision in the zone that would compromise the establishment and continuing use of land for sport and recreation purposes.

The proposed management approach for the Sport and Active Recreation zone includes rules and standards that:

- Enable a range of permitted activities that are compatible with values and purpose of the zone;
- Include performance standards for any buildings and structures (including additions and alterations);
- Require a high test for those activities not consistent with the values and purpose of the zone; and
- Provide for subdivision in the Sport and Active Recreation zone as a non-complying activity.

### **5.3.3 Responding to advice from iwi authorities**

Section 32(4A) of the RMA requires evaluation reports to summarise advice received from iwi authorities on a proposed plan and the response to that advice, including any provisions that are intended to give effect to the advice. Section 4.3.2 of this report provides a summary of advice received from iwi authorities on the Open Space and Recreation zones.

In relation to the Open Space and Recreation zones, Te Runanga O Ngāti Rēhia provided the following feedback:

- General support for the Open Space, Natural Open Space and Sport and Active Recreation zone policies;

- Comment that treaty settlement land should be excluded from the policies and rules in relation to natural open space. Treaty settlement land has been identified and it will be controlled by the treaty settlement land overlay. If a piece of land has a treaty settlement overlay the underlying zone provisions apply to the treaty settlement land unless otherwise specified in the treaty settlement overlay provisions which are more enabling.

Feedback from Kahukuraariki, Matauri X, Ngati Kuri, Ngai Takoto, Whaingaroa, Ngati Kuta, Te Aupori included:

- Concern in terms of whether some of the reserve / conservation land holds may form part of a treaty settlement negotiation suite. The treaty settlement overlay will be updated as areas are settled, then the underlying zone provisions will apply unless otherwise specified in the Treaty settlement overlay provisions which are more enabling.

#### **5.4 Proposed zone changes**

As discussed, all open space and recreation land in the district is subject to a change in zone name and the introduction of a new zone name as per direction from the Planning Standards. Zone changes and rezoning included:

- Those properties that were previously zoned Conversation zone in the Operative plan have now had a name change to Natural Open Space zone. This largely eaplanade reserves and DOC owned land. This zone will be continually added to as esplanades are created as part of Subdivision.
- Those properties that were previously zoned Recreational Activities zone have had the Open Space zone applied.
- Those properties that were within the Recreational Activities zone and are used for indoor and outdoor organised sports and active recreation facilities were zoned Sport and Active recreation zone.
- In addition to this there was a small amount of 'tidying up' rezoning.

## 6 Approach to Evaluation

### 6.1 Introduction

The overarching purpose of section 32 of the RMA is to ensure all proposed statements, standards, regulations, plans or changes are robust, evidence-based and are the most appropriate, efficient and effective means to achieve the purpose of the RMA. At a broad level, section 32 requires evaluation reports to:

- Examine whether the objectives in the proposal are the most appropriate to achieve the purpose of the RMA
- Examine whether the provisions are the most appropriate way to achieve the objectives through identifying reasonably practicable options and assessing the efficiency and effectiveness of the provisions, including an assessment of environment, economic, social and cultural economic benefits and costs.

These steps are important to ensure transparent and robust decision-making and to ensure stakeholders and decision-makers can understand the rationale for the proposal. There are also requirements in section 32(4A) of the RMA to summarise advice received from iwi authorities on the proposal and the response to that advice through the provisions.

### 6.2 Evaluation of scale and significance

Section 32(1)(c) of the RMA requires that evaluation reports contain a level of detail that corresponds with the scale and significance of the environmental, economic, social and cultural effects that are anticipated from the implementation of this proposal. This step is important as it determines the level of detail required in the evaluation of objectives and provisions so that it is focused on key changes from the status quo.

The scale and significance of the environmental, economic, social and cultural effects of the provisions for Open Space and Recreation zones are evaluated in the table below.

Criteria	Comment	Assessment
Raises any principles of the Treaty of Waitangi	The principles of partnership, participation and protection have been taken into consideration in the drafting of the PDP provisions. Development within the Open space and recreation zones has the potential to generate adverse environmental and cultural effects. The potential for this has been reduced with the strengthening of provisions. The provisions aim to better recognise the ancestral relationships tangata whenua have with the land through specific provisions recognising tangata whenua needs for ancestral use of whenua Māori.	Low
Degree of change from the Operative Plan	The ODP has 2 open space and recreation zones, the introduction of a new zone, has meant that the 3 proposed zones are specifically tailored to different types of open space and recreation land. <ul style="list-style-type: none"><li>• Those properties that were previously zoned Conversation zone in the Operative plan have now had a name</li></ul>	Medium

Criteria	Comment	Assessment
	<p>change to Natural Open Space zone.</p> <ul style="list-style-type: none"> <li>• Those properties that were previously zoned Recreational Activities zone have had a Open Space zone applied.</li> <li>• Those properties that were within the Recreational Activities zone and are used for indoor and outdoor organised sports and active recreation facilities were zoned Sport and Active recreation zone.</li> <li>• In addition to this there was a small amount of ‘tidying up’ rezoning</li> </ul> <p>The focus of the plan being more activities based has made it clearer to interpret and use, while still retaining similar performance standards</p>	
Effects on matters of national importance	The matters of national importance in section 6 of the RMA will largely be addressed by other chapters of the proposed District Plan (i.e. Natural Hazards, Heritage, Outstanding Features and Landscapes etc). These more stringent rules in other chapters will take precedence over the provisions of the Open Space and Recreation zones if there is a potential impact on a matter of national importance.	Low
Scale of effects – geographically (local, district wide, regional, national).	There will be some rezoning district wide with the addition of a zone to the open space and recreation suite but this should better reflect the characteristics and values of the land and will better enable, provide for or manage the activities, facilities and structures.	Medium
Scale of people affected – current and future generations (how many will be affected – single landowners, multiple landowners, neighbourhoods, the public generally, future generations?).	<p>Most of the Open Space and Recreation zoned land is in Council or public ownership the rezoning and change in provisions will have an effect district wide. This will potentially affect stakeholders as well as the wider community.</p> <p>The proposed zones and their provisions will better enable, provide for or manage the activities, facilities and structures that usually occur on open space and recreation zoned land in the District and will formalise the existing and future use of the zones, while ensuring that any associated effects are managed according to the predominant character, amenity values, role and function of each zone and will contribute positively to the well-being of the District. The new zones contain provisions that essentially recognise what has and will continue to actually</p>	Low

Criteria	Comment	Assessment
	happen on the ground. In that respect, while the topic is significant, there are no significant consequences that are likely to arise from its implementation.	
Scale of effects on those with specific interests, e.g., Tangata Whenua	Proposed provisions and are not too different from those released within the draft district plan in 2021, where feedback was provided by industry groups. It is expected that tangata whenua will continue to have an interest.	Low
Degree of policy risk – does it involve effects that have been considered implicitly or explicitly by higher order documents? Does it involve effects addressed by other standards/commonly accepted best practice?	As discussed above there is little policy risk as the provisions are in accordance with or give effect to the RMA, National Planning Standards NZCPS and RPS. The provisions are generally consistent with the plans of adjacent District Councils. In addition, the inclusion of the Open Space and Recreation zones in the PDP is complementary to the functions of the Reserves Act and other Council plans.	Low

### 6.3 Summary of scale and significance assessment

Overall, the scale and significance of the effects from the proposal is assessed as being low. Consequently, a low level of detail is appropriate for the evaluation of the objectives and provisions for Open Space and Recreation zones in accordance with section 32(1)(c) of the RMA. This evaluation focuses on key changes in the proposed management approach from the operative district plan - minor changes to provisions for clarification and to reflect new national and regional policy direction are not included in the evaluation in section 7 and 8 below.

## 7 Evaluation of Objectives

Section 32(1)(a) of the RMA requires that the evaluation report examine the extent to which the objectives of the proposal are the most appropriate way to achieve the purpose of the RMA. The assessment of the appropriateness of the objectives for Open Space and Recreation zones is against four criteria to test different aspects of ‘appropriateness’ as outlined below.

Criteria	Assessment
Relevance	<ul style="list-style-type: none"> <li>Is the objective directly related to a resource management issue?</li> <li>Is the objective focused on achieving the purpose of the RMA?</li> </ul>
Usefulness	<ul style="list-style-type: none"> <li>Will the objective help Council carry out its RMA functions?</li> <li>Does the objective provide clear direction to decision-makers?</li> </ul>
Reasonableness	<ul style="list-style-type: none"> <li>Can the objective be achieved without imposing unjustified high costs on Council, tangata whenua, stakeholders and the wider community?</li> </ul>
Achievability	<ul style="list-style-type: none"> <li>Can the objective be achieved by those responsible for implementation?</li> </ul>

9.6.3.1 To ensure suitable and adequate area is available for the recreational needs of people. 9.6.3.2 To ensure that the effects of the use and development of recreational areas are compatible with the surrounding environment.

Section 32 of the RMA encourages a holistic approach to assessing objectives rather than necessarily looking each objective individually. This recognises that the objectives of a proposal generally work inter-dependently to achieve the purpose of the RMA. As such, the objectives for the different Open Space and Recreation zones have been grouped in the evaluation below.

<b>Operative Objectives:</b>	
9.7.3.1 To protect the conservation values and the natural and physical resources of the district for present and future generations.	
9.7.3.2 To ensure the use, development and protection of land zoned conservation is consistent with the conservation values of the site and avoids adverse effects on the surrounding environment.	
9.7.3.3 To protect the historic values of conservation areas.	
9.7.3.4 To provide for recreational and educational opportunities that are compatible with the protection of natural and historic resources.	
9.6.3.1 To ensure suitable and adequate area is available for the recreational needs of people.	
9.6.3.2 To ensure that the effects of the use and development of recreational areas are compatible with the surrounding environment	
<b>Relevance</b>	These objectives are relevant in that they provide for the use and development of the District's conservation and recreation land, but do not promote the public use of conservation land, and objectives suitable for the use we would expect on recreation land.
<b>Usefulness</b>	The objectives provide direction with respect to development to achieved the intended purpose of the chapter.
<b>Reasonableness</b>	Costs associated with implementation will be generated by the requirement to apply for resource consent (on any future developer) and monitoring (on Council). The proposed objectives therefore do not result in any unjustifiable costs on individuals or businesses
<b>Achievability</b>	The objectives and associated provisions are somewhat achievable. A limited range of policies and rules could make it hard for built up recreational facilities certain environments.
<b><u>Overall evaluation</u></b>	
The intent of these objectives is appropriate although they are repetitive and don't clearly signal direction of the types of activities encouraged in these zones.	

<b>Proposed Objectives:</b>	
NOSZ-01 -01, OPZ- 01-02, SARZ- 01-02	
Open space and recreation land is accessible for the use and enjoyment of the public, any activities shall be conducted in a way that protects and enhances or manages of the values and purpose of the site.	
<b>Relevance</b>	The objectives address the resource management issues  Specifically recognises, enables or provides for and manages the activities, facilities and structures that usually occur on Open space and Recreation zoned land in the

	District Recognises the contribution to community wellbeing of the district and that open space and recreation land are connected and accessible.
<b>Usefulness</b>	Provides direction and guidance to decision makers regarding the intended outcomes and specific activities and effects to be managed in relation to the Open Space and Recreation zoned land  Provides protection of Open Space and Recreation zoned land from other alternative land uses establishing
<b>Reasonableness</b>	The objectives are consistent with neighbouring districts  The changes could result in reduced compliance costs for stakeholder and the wider community as Open Space and Recreation zoned land will be managed under zones for their intended purpose, and will better enable or provide for the activities, facilities and structures that usually occur there.
<b>Achievability</b>	These objectives are considered to implementable within the skills and resources available to the district council as the wording of the objectives has been drafted to reflect the purpose of Open Space and Recreation zoned land. It is not anticipated that the objectives will substantially increase resource consenting / compliance requirements.
<b>Overall evaluation</b>	
The proposed objectives are considered appropriate in achieving the purpose of the RMA in relation to open space and recreation land. They will achieve the purpose of the RMA and have been developed as a result of direction the RMA, NZCPS, RPS and Planning Standards, and are generally consistent with other second generation plans and complementary to the Reserves Act. They provide a clearer statement of intent, specifically recognise the value of open space and recreation areas to the community, and better protect them from inappropriate use and development, and signal type of activities expected in each zone. They define the anticipated environmental outcomes for open space and recreation land as natural and physical resources for current and future generations, and better maintain amenity values and quality of the environment.	

## 8 Evaluation of Provisions to Achieve the Objectives

### 8.1 Introduction

Section 32(1)(b) of the RMA requires the evaluation report to examine whether the provisions are the most appropriate way to achieve the objectives by:

- (i) *identifying other reasonably practicable options for achieving the objectives; and*
- (ii) *assessing the efficiency and effectiveness of the provisions in achieving the objectives; and*
- (iii) *summarising the reasons for deciding on the provisions.*

When assessing the efficiency and effectiveness of the provisions in achieving the objectives, section 32(2) of the RMA requires that the assessment:

- (a) *identify and assess the benefits and costs of the environmental, economic, social, and cultural effects that are anticipated from the implementation of the provisions, including the opportunities for—*
  - (i) *economic growth that are anticipated to be provided or reduced; and*
  - (ii) *employment that are anticipated to be provided or reduced; and*
- (b) *if practicable, quantify the benefits and costs referred to in paragraph (a); and*
- (c) *assess the risk of acting or not acting if there is uncertain or insufficient information about the subject matter of the provisions.*

This section provides an assessment of reasonably practicable options and associated provisions (policies, rules and standards) for achieving the objectives in accordance with these requirements. This assessment of options is focused on the key changes from the status quo as outlined in the 'proposed management approach' in section 5.2 of this report.

Each option is assessed in terms of the benefits, costs, and effectiveness and efficiency of the provisions, along with the risks of not acting or acting when information is uncertain or insufficient. For the purposes of this assessment:

- **effectiveness** assesses how successful the provisions are likely to be in achieving the objectives and addressing the identified issues
- **efficiency** measures whether the provisions will be likely to achieve the objectives at the least cost or highest net benefit to society.

The sections below provide an assessment of options (and associated provisions) for achieving the objectives in accordance with sections 32(1)(b) and 32(2) of the RMA.

## **8.2 Quantification of benefits and costs**

Section 32(2)(b) of the RMA requires that, where practicable, the benefits and costs (environmental, economic, social and cultural) of a proposal are quantified. The requirement to quantify benefits and costs if practicable recognises it is often difficult and, in some cases, inappropriate to quantify certain costs and benefits through section 32 evaluations, particularly those relating to non-market values.

As discussed in section 6.3 of this report, the scale and significance of the effects of proposed changes for the Open Space and Recreation zones are assessed as being low. Therefore, exact quantification of the benefits and costs of the different options to achieve the objectives is not considered to be necessary or practicable for the Open Space and Recreation zones. Rather this evaluation focuses on providing a qualitative assessment of the environmental, economic, social and cultural benefits and costs anticipated from the provisions.

### 8.3 Evaluation of options

As the scale and significance of the proposed changes to the Open Space and Recreation zones was assessed as ‘low’ in section 6.3 of this report, the evaluation below has assessed two options – the status quo and the proposed provisions in the Open Space and Recreation zones in the PDP.

#### 8.3.1 Option 1: Status Quo

<b>Option 1:</b>		
<b>Benefits</b>		
<b>Costs</b>		
<b>Risk of acting / not acting</b>		
<p><b>Economic/ Social / Cultural</b></p> <ul style="list-style-type: none"> <li>The community and Council staff are familiar with current provisions, potentially resulting in reduced costs for preparing and processing resource consent applications</li> </ul> <p><b><u>Economic growth and employment opportunities</u></b></p> <ul style="list-style-type: none"> <li>As this approach is the status quo, there is no economic growth anticipated from this approach.</li> </ul>	<p><b>Environmental</b></p> <ul style="list-style-type: none"> <li>Effect on the environment may not be anticipated by the rules and adverse effects could result, the framework does not provide for protection of differing open space and recreation values</li> <li>Lack of clear direction to the community and decision makers in the outcomes expected in regard to the predominant character, amenity values, role and function of different types of open space and recreation land.</li> <li>Could also lead to development that is not consistent with reserve management plans</li> </ul> <p><b>Economic</b></p> <ul style="list-style-type: none"> <li>Potential for unnecessary resource consents, resulting in increased costs and potential time delays, costs to the Council in terms of applying for resource consents when developing recreation facilities if the zone is not reflecting the purpose</li> </ul>	<ul style="list-style-type: none"> <li>The risk of retaining the status quo is a lack of clear direction to the community and decision makers in the outcomes expected in respect of the predominant character, amenity values, role and function of different types of Open Space and Recreation zoned land.</li> <li>Additionally the PDP will not align with the Planning standards</li> <li>Zoning inconsistencies will remain.</li> </ul>

	<p><b>Social /cultural</b></p> <ul style="list-style-type: none"> <li>• May restrict open space use and recreation or development thereby not providing for social wellbeing</li> <li>• May restrict open space and recreation use or development thereby not providing for cultural wellbeing</li> </ul> <p><b><u>Economic growth and employment opportunities</u></b></p> <ul style="list-style-type: none"> <li>• There may be less potential for additional economic activity and employment opportunities, due to undue restrictions on activities facilities and structures and additional resource consent requirements, delays, additional compliance costs and uncertainty of outcome.</li> </ul>	
<p><b><u>Effectiveness</u></b></p> <ul style="list-style-type: none"> <li>• No change in effectiveness of operative provisions in practice – rules and standards in the operative zones are likely to continue to achieve some of the desired objectives.</li> <li>• However the approach needs to also better recognise the important contribution open space and recreation land makes to the well-being of the District an adequately recongise and respond to the activities, facilities and structures that usually occur on different types of Open Space and Recreation zoned land</li> </ul>	<p><b><u>Efficiency</u></b></p> <ul style="list-style-type: none"> <li>• This option is not efficient at providing for varying open space and recreation values, use and development.</li> </ul>	
<p><b><u>Overall evaluation</u></b></p> <p>On balance this option is not considered to be the most appropriate option to achieve the objectives because:</p> <ul style="list-style-type: none"> <li>• The approach is generic and lacks sufficient specificity and clarity for the types of activities that occur on this land</li> <li>• The approach does not give effect to the PDP objectives</li> <li>• The status quo does not address the direction from the RMA, RPS and Planning Standards</li> <li>• The costs outweigh the benefits</li> </ul>		

8.3.2 Option 2: Proposed option

Option 2:		
<ul style="list-style-type: none"> <li>• Three specific zones where Open Space and Recreation land is zoned according to its predominant character, amenity, values, role and function.</li> <li>• Provisions to ensure actual or potential environmental effects of activities, facilities or structures are managed according to the predominant character, amenity values, role and function of each area of land and the overall zone.</li> <li>• Subdivision as a non-complying activity.</li> </ul>		
Benefits	Costs	Risk of acting / not acting
<p><b>Environmental</b></p> <ul style="list-style-type: none"> <li>• The provisions of the zones establish the intended predominant character, amenity values, role and function of each zone</li> <li>• The provisions specifically recognise, enable, provide for or manage the activities, facilities and structures that usually occur in the different zones</li> <li>• The provisions specifically manage actual or potential environmental effects according to the predominant character, amenity values, role and function of each zone</li> <li>• The provision of the zones provide clear direction of the expected outcomes according to the predominant character, amenity values, role and function of each zone</li> </ul> <p><b>Economic</b></p> <ul style="list-style-type: none"> <li>• Provisions tailored to the activities, facilities and structures that usually occur in each type of zone and their anticipated effects, may assist in increased compliance, reduced compliance monitoring and potential reduction in time/cost in preparing and processing resource consent applications</li> </ul> <p><b>Social/cultural</b></p> <ul style="list-style-type: none"> <li>• Provides the community with increased certainty and</li> </ul>	<p><b>Environmental</b></p> <ul style="list-style-type: none"> <li>• Some open space and recreation activities, facilities, and structures, will have some degree of effect on the environment– these will be managed through the resource consent process and conditions</li> </ul> <p><b>Economic</b></p> <ul style="list-style-type: none"> <li>• Initial uncertainty though change in the District plan structure, and provisions could result in higher compliance costs and associated time for a short period of time until familiarity with the plan is achieved</li> </ul> <p><b>Social / cultural</b></p> <ul style="list-style-type: none"> <li>• Activity lists, rules and standards may potentially limit activities, facilities, and structures as it is clear the types of activities expected</li> <li>• May potentially impact on the aspirations for some recreational and community groups as some activities and facilities or structures may not be specially provided for, or the cost of resource consent application or achieving</li> </ul>	<ul style="list-style-type: none"> <li>• There is limited risk of acting as the proposed provisions give effect to the Planning Standards and relevant policy direction from the RMA, NZCPS and RPS, around maintaining and improving natural values, public access and historic heritage and providing for social and cultural wellbeing and the health and safety of the community. The 3 Open Space and Recreation zones is consistent with the management approach for Whangarei and other second generation district plans.</li> </ul>

<p>well- being in terms of activities, facilities or structures that can occur in different areas and the type and level of anticipated effects</p> <ul style="list-style-type: none"> <li>Streamlined, simplified rules/standards that are easier for plan users to interpret and apply</li> </ul> <p><b><u>Economic growth and employment opportunities</u></b></p> <ul style="list-style-type: none"> <li>There is likely to be increased potential for recreational activity in the zones, including the development of ancillary buildings and other structures and facilities. This may generate additional economic activity and employment opportunities, opportunities related to events that may occur in the zones, employment opportunities related to conservation activity and park management activity, and indirect opportunities for the wider district through enhancement of liveability aspects that may stimulate economic growth.</li> </ul>	<p>compliance may be difficult to meet.</p>	
<p><b><u>Effectiveness</u></b></p> <ul style="list-style-type: none"> <li>This approach will be effective, in that it clearly defines for decision makers and the community, the purpose and status of activities facilities or structures and anticipated environmental effects, according to the predominant character, amenity values, role and function of each zone.</li> </ul>	<p><b><u>Efficiency</u></b></p> <ul style="list-style-type: none"> <li>Although there is the introduction of a new zone to the standards (e.g bulk and location controls) are similar to that of the ODP so they should be able to be understood and implemented efficiently.</li> </ul>	
<p><b><u>Overall evaluation</u></b></p> <p>On balance this option is considered to be the most appropriate option to achieve the objectives because:</p> <ul style="list-style-type: none"> <li>It will result in management according to predominant character, amenity values role and function of each zone</li> <li>The approach enables, provides for, or manages the activities, facilities and structures that usually occur there, while ensuring that any associated effects are avoided, remedied or mitigated</li> <li>The approach responds to direction from the RMA, RPS and Planning Standards.</li> <li>The costs are outweighed by the benefits.</li> </ul>		

## 9 Summary

An evaluation of the proposed objectives and provisions for the Open Space and Recreation zones has been carried out in accordance with section 32 of the RMA. This evaluation has concluded that the objectives are the most appropriate way to achieve the purpose of the RMA and the provisions are the most appropriate way to achieve the objectives for the following reasons:

- The approach gives effect to the RMA, NZCPS, RPS and the planning standards and the approach is generally consistent with other second generation plans
- The provisions will provide for an appropriate level of protection and management of the Open Space and Recreation zones
- The provisions will allow for appropriate opportunities for development and use of Open Space and Recreation zoned land to provide for community wellbeing and health and safety.

Overall, it is considered that the proposed provisions are the most appropriate given that the benefits outweigh the costs, and there are considerable efficiencies to be gained from adopting the preferred provisions.