Proposed Waitaki District Plan

Section 42A Report:

Open Space and Recreation Zones

Report on submissions and further submissions

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Appendices

Appendix 1 Recommended Changes to Provisions
Appendix 2 Recommended Responses to Submissions

Abbreviations

Abbreviation	Full Text
Council	Waitaki District Council
CRPS	Canterbury Regional Policy Statement 2013
NEA	Natural Environment Act 2026
NES	National Environmental Standard
NES-CF	National Environmental Standards for Commercial Forestry 2023
NES-CS	National Environmental Standards for Assessing and Managing Contaminants in Soil to Protect Human Health 2011
NES-DMRU	National Environmental Standards for Detached Minor Residential Units 2025
NES-ETA	National Environmental Standards for Electricity Transmission and Electric Vehicle Charging Infrastructure Activities 2026
NES-FW	National Environmental Standards for Freshwater 2020
NES-P	National Environmental Standards for Papakāinga 2026
NES-DW	National Environmental Standards for Sources of Drinking Water 2007
NES-TF	National Environmental Standards for Telecommunication Facilities 2016
NPS	National Policy Statement
NPS-EN	National Policy Statement for Electricity Networks 2008
NPS-FM	National Policy Statement for Freshwater Management 2020
NPS-HPL	National Policy Statement for Highly Productive Land 2022
NPS-I	National Policy Statement for Infrastructure 2025
NPS-IB	National Policy Statement for Indigenous Biodiversity 2023
NPS-NH	National Policy Statement for Natural Hazards 2025
NPS-UD	National Policy Statement on Urban Development 2020
NPS-REG	National Policy Statement for Renewable Electricity Generation 2011
NPStds	National Planning Standards 2019
NZCPS	New Zealand Coastal Policy Statement 2010
ODP	Operative Waitaki District Plan
ORPS	Otago Regional Policy Statement 2021
PA	Planning Act 2026
PDP	Proposed Waitaki District Plan
PLAN STOP	RM (Consenting and other Changes) Amendment Act 2025
RMA	Resource Management Act 1991
RMPs	Reserve Management Plans

1 Submitters Addressed in Report

The tables below list the original and further submitters addressed in this report.

Table 1: Original Submitters Addressed in this Report

Sub	Submitter Name	on Behalf of	Abbreviation
73	Marcelo Carena		M Carena
107	Cameron Leckie		C Leckie 2
145	Janene Mary and Warren Kenneth Kershaw		J & W Kershaw
163	Fire and Emergency New Zealand	Fire and Emergency New Zealand	FENZ 2
164	NPHS Te Waipounamu		NPHS
180	NZAAA / NZHA		NZAAA & NZHA
192	New Zealand Carbon Farming Group		NZ Carbon Farming
194	Director-General of Conservation		DOC
232	Hampden Community Energy Society		HCES
233	KiwiRail Holdings Limited		KiwiRail
240	Environmental Defence Society Incorporated (EDS)		EDS
242	Ministry of Education Te Tāhuhu o Te Mātauranga		MOED
251	Te Rūnanga o Waihao, Te Rūnanga o Moeraki and Kāti Huirapa Rūnaka ki Puketeraki		Kā Rūnaka
253	Royal Forest and Bird Protection Society of New Zealand Incorporated		Forest & Bird
256	Fish and Game (Otago and Central South Island Fish and Game Councils)		Fish & Game
271	Canterbury Regional Council		CRC

2 Introduction

2.1 Experience and Qualifications

1. My full name is Katrina Dawn Clark. I am a Senior Planner – District Plan at Waitaki District Council and have held this position since 2020. I hold a Bachelor of Science (Hons) in Estate Management (University of Greenwich) and a Master of Arts in Town and Country Planning received from the University of the West of England in 2002. I have been employed by the Waitaki District Council since January 2018. Immediately prior to this, I was contracted by the Waitaki District Council as a Consultant Planner for a period of eight months.

2. I have over 25 years of experience in local government and private practice resource management and planning policy both in the United Kingdom and New Zealand, which includes working as a policy planner and a consents planner with over 10 years at a senior level. My experience includes the coordination of the district plan review process and technical drafting and s32 reporting for the draft and proposed versions of the Waitaki District Plan. I have also been responsible for the review of internal and external chapter authors for the Proposed District Plan (PDP) along with their s32 report evidence.

3. Although this is a Council hearing, I confirm that I have read the Code of Conduct for Expert Witnesses in the Environment Court Practice Note and that I have complied with it when preparing this report. I confirm that I have considered all the material facts that I am aware of that might alter or detract from the opinions that I express, and that this evidence is within my area of expertise, except where I state that I am relying on the evidence of another person. Having reviewed the submitters and further submitters relevant to this topic I advise there are no real or perceived conflicts of interest that would impede me from providing independent advice to the Hearings Panel.

2.2 Purpose and Scope of this Report

4. The purpose of this report is to provide the Hearing Panel with a summary and analysis of the submissions received on this topic, and to make recommendations in response to those submissions, to assist the Hearing Panel in evaluating and deciding on the submissions.

5. This report is prepared under s42A of the RMA in relation to the Open Space Zone (OSZ) and Sport and Active Recreation Zone (SARZ) in the PDP – collectively referred to in this report as the Open Space and Recreation Zones. It covers the following matters:

    - Open Space Zone provisions;
    - Open Space Zone Mapping;
    - Sport and Active Recreation Zone provisions;
    - Strategic Direction SD-CFOS-O1; and
    - Definitions relating to the above provisions, including:
        - Conservation activities

6. This report considers the submissions and further submissions that were received in relation to the Open Space and Recreation Zones. It includes recommendations to either retain provisions without amendment, or to delete, add to, or amend provisions in response to submissions. All recommended amendments are shown by way of ~~strikeout~~ and underlining in **Appendix 1** to this Report, or, in relation to mapping, through recommended spatial amendments to the mapping. Footnoted references to the relevant submitter(s) identify the scope for each recommended change. Recommended responses to each submission are given in **Appendix 2**.
7. Where changes are recommended, an evaluation has been undertaken in accordance with Section 32AA of the RMA.
8. The conclusions reached and recommendations made in this report are not binding on the Hearing Panel. It should not be assumed that the Hearing Panel will reach the same conclusions having considered all the information in the submissions and the evidence to be brought before them by the submitters.

2.3 Submissions on Withdrawn PDP Provisions

9. On 15 January 2026, the Council withdrew aspects of the PDP that would no longer be progressed under the Plan Stop provisions in subpart 5B of the RMA. No parts of the Open Space and Recreation Zones were withdrawn.

3 Topic Overview

3.1 Summary of Relevant Provisions of the PDP

10. This report relates to provisions associated with the Open Space and Recreation Zones. This section of the report provides a brief summary of the provisions relevant to this topic.

3.1.1 Open Space Zone (OSZ)

11. The Open Space Zone provides for a range of passive and active recreational activities in predominantly open environments, while enabling only limited associated buildings, facilities and structures. The zone applies to both public and private open spaces, including parks, reserves, lakes, coastal areas and other recreational lands.
12. The provisions seek to maintain the open character, amenity, natural environment, landscape, ecological, heritage and cultural values of these areas, while enabling recreational use and customary activities such as mahika kai. Development is generally managed to ensure that built form remains secondary to the open space function of the zone.
13. The Ōamaru Harbour Precinct (PREC2) Sub-precinct B applies over an area of the OSZ in Ōamaru adjacent to Wansbeck Street and the waterfront. Limited new development is anticipated in this area, with the focus being on marine-related activities and providing improved public access, community facilities and recreational opportunities.

14. The zone also recognises that many sites are subject to Reserve Management Plans (RMPs) prepared under the Reserves Act 1977, which operate alongside the District Plan. RMPs differ from District Plan controls in that they contain a specific set of objectives and goals for each individual reserve, which provides guidance to both Council and users as to what sorts of activities are appropriate in each reserve.

3.1.2 Sport and Active Recreation Zone (SARZ)

15. The Sport and Active Recreation Zone provides for a range of indoor and outdoor sport and active recreation activities, together with associated buildings, facilities and structures. The zone applies to sports grounds, parks and multi-sport facilities that serve local, district and regional communities.

16. The provisions recognise that these areas require a greater level of development than the Open Space Zone, including clubrooms, changing facilities and other supporting infrastructure. While maintaining the availability of open space for sporting and recreational use, the zone enables a higher intensity of built form and activity, recognising that sporting and recreation activities can generate noise, lighting and traffic effects.

17. Many sites within the zone are also subject to Reserve Management Plans prepared under the Reserves Act 1977.

3.1.3 Strategic Direction SD-CFOS-O1

SD-CFOS-O1	Open Space and Recreation Areas
Provide a network of public open space and recreation areas with a diversity of type and size and associated public amenities, recreational facilities, and infrastructure to meet the current and future recreation, cultural, health and well-being needs of the community.	

18. This objective seeks to provide a diverse network of public open spaces and recreation areas, together with associated amenities, recreational facilities and infrastructure, to meet the current and future recreation, cultural, health and wellbeing needs of the community. It recognises the importance of open spaces and recreation areas in supporting a range of community outcomes and ensuring access to recreational opportunities for present and future generations.

3.1.4 Definitions

19. The Open Space and Recreation zone chapters refer to the definition 'conservation activities'. Whilst this definition is primarily used in the OSZ and SARZ chapters, it is also used elsewhere in the plan.

20. Conservation activities are defined as: *the use of land and/or buildings for an activity undertaken for the purposes of maintaining, protecting and/or enhancing the natural, historic, cultural and/or ecological values of a natural or historic resource (for example; fencing and restoration planting). It includes ancillary activities which assist to enhance the public's appreciation and recreational enjoyment of the resource (for example; access tracks, interpretative signs, visitor facilities and vehicle parking).*

3.2 Background to Relevant Provisions

21. The OSZ and SARZ are new chapters introduced through the PDP to provide a clear zoning framework for open space, sport and recreation areas. Under the ODP, recreation and open space areas were generally managed through underlying zoning and designations, rather than dedicated zone provisions. As a result, routine parks management activities and the establishment of facilities commonly anticipated within parks and reserves often required outline plans, waivers or resource consents.

22. A review of the ODP identified several limitations with the existing approach, including that the objectives and policies were generic across all recreation and open space areas, there were no specific open space or recreation zone rules, the definition of recreational activities lacked clarity, and the provisions did not reflect the Waitaki Reserves Management Plan 2014. The review also found that the ODP framework did not align with the National Planning Standards (NPStds) planning provisions style, content and form within the district.

23. The Section 32 evaluation report – Open Space and Recreation Zones identified two key resource management issues: the need to incorporate a clear zoning framework consistent with the NPStds, and the need to appropriately manage character and amenity effects within open space and sport and recreation areas.

24. Since notification of the PDP, new national direction has come into effect, including the NPS-I. Its relevance to the FENZ submissions concerning emergency service facilities is addressed later in this report..

4 Overview of Submissions

25. The full list of submission points addressed in this report is set out in **Appendix 2**. Overall, 35 original submission points are addressed. There were no further submissions on this topic.

26. The following table provides a brief summary of the key issues raised in submissions, which are discussed in more detail in the 'Evaluation of Submissions' section of this report.

Table 2: Summary of Key Issues Raised in Submissions

Issue Name	Summary of Issue	Position of Submitters
General Submissions	General submissions reallocated from Hearing 1 reporting.	4 submissions seeking changes generally across the plan.
Definition: Conservation activities	Submitter requests to ensure the definition aligns with the Conservation Act 1987. Concerns over whether access tracks, visitor facilities and vehicle parking should be included within the definition, with concerns about broadening its scope. Concerns about potential impacts on rural character, amenity and conservation values, and the need for	1 submitter supports the definition in full 5 submitters support in part/neutral with amendments

Issue Name	Summary of Issue	Position of Submitters
	greater clarity around buildings, heritage, cultural and ecological outcomes.	
SD-CFOS-O1	Support for the objective's role in providing open space and recreation opportunities that contribute to community recreation, health, wellbeing and public access to facilities. Requests to broaden the objective's outcomes, including explicit recognition of environmental benefits, indigenous biodiversity, sustainability, and recreational outcomes rather than simply the provision of spaces and facilities. Requests for greater clarity and implementation certainty, including concerns about funding mechanisms for open space provision, clearer benchmarks for achieving the objective, and ensuring costs and responsibilities are transparent and equitable.	1 submitter supports the objective in full 4 submitters support in part/neutral with amendments
Open Space Zone provisions	General support for the role of the OSZ in providing recreational opportunities and community facilities, with some submitters seeking greater recognition of the differing values and functions of natural, recreational and environmentally significant open space areas. Concerns that the notified activity status of residential, visitor accommodation and commercial activities could unnecessarily constrain existing lawful uses, resulting in requests for rezoning or more permissive pathways for established activities. General support for servicing, firefighting water supply and infrastructure protection standards, alongside requests for targeted exemptions or refinements for emergency service infrastructure and rail corridor setbacks.	6 submitters support the provisions 2 support with amendments 4 oppose the provisions
Open Space Zone mapping	Request to remove the OSZ from a property.	1 submitter opposes the OSZ mapping
Sport and Active Recreation Zone provisions	General support for enabling activities that are compatible with sport and recreation functions, including educational facilities and appropriate servicing infrastructure. General support for activity frameworks that provide for	6 submitters support the provisions 1 submitter supports with amendments

Issue Name	Summary of Issue	Position of Submitters
	educational facilities and require new development to meet servicing and firefighting water supply requirements. General support for development standards relating to servicing, firefighting water supply and rail corridor setbacks, with requests for targeted exemptions from height limits for emergency service towers and communication poles.	

5 Relevant Statutory Provisions

27. The assessment for the PDP includes the matters identified in sections 74-76 of the RMA. This includes whether:

- it is in accordance with the Council's functions (s74(1)(a));
- it is in accordance with Part 2 of the RMA (s74(1)(b));
- it will give effect to any national policy statement or operative regional policy statement (s75(3)(a) and (c));
- the objectives of the proposal are the most appropriate way to achieve the purpose of the RMA (s32(1)(a));
- the provisions within the plan change are the most appropriate way to achieve the objectives of the District Plan (s32(1)(b)).

28. In addition, assessment of the PDP must also have regard to:

- any proposed regional policy statement, and management plans and strategies prepared under any other Acts (s74(2));
- the extent to which the plan is consistent with the plans of adjacent territorial authorities (s74 (2)(c)); and
- in terms of any proposed rules, the actual or potential effect on the environment of activities including, in particular, any adverse effect.

29. Council is to have regard to the Reserves Act 1977 where its content has a bearing upon the resource management issues of the district when preparing the PDP. This includes the operative Waitaki Reserves Management Plan 2014 that identifies that the relevant statutory provisions under which decisions will be made about reserves are found in the Reserves Act. However, all reserve uses must also comply with the land use rules as set out in the District Plan.

30. Public conservation land (PCL) is administered by the Department of Conservation under the Conservation Act 1987. It is usually subject to a Conservation Management Strategy (CMS) or Conservation Management Plan (CMP) enabled under that Act. The Waitaki district is guided by both the Otago and the Canterbury (Waitaha) Conservation Management Strategies 2016.

31. Potential duplication of functions between DOC and the Council is mitigated by s4(3) and s9(3) of the RMA which exempts DOC from complying with District Plan controls provided that any work or activity within its boundaries is consistent with a CMS or CMP and that it does not have a significant adverse effect beyond those exact boundaries.

6 Statutory Instruments

32. The s32 report for the Open Space and Recreation zones sets out the statutory requirements, relevant planning, and the background context for this topic in more detail and has informed the notified provisions. The section below summarises the most relevant provisions from the most relevant planning instruments and highlights any pertinent changes to national direction that have occurred since the PDP was notified.

6.1 Impact of RMA Reform

33. The Planning Act 2026 received Royal assent on 30 September 2026 and introduces a new planning regime that will eventually replace the Resource Management Act 1991 (RMA). In the meantime, the PDP continues to be progressed and finalised under the RMA.

34. The Planning Act will amend the RMA from 30 October 2026, following publication of this report but prior to the commencement of the hearing. Relevant amendments include:

    i. the insertion of s104(1A), which requires specified matters to be disregarded when assessing resource consent applications;

    ii. the insertion of s76(6), which provides that a district plan rule must not require resource consent for an activity solely because of a matter specified in s104(1A); and

    iii. the insertion of s76A, which enables, but does not require, territorial authorities to amend a district plan without using the Schedule 1 process to remove provisions relating to matters specified in s104(1A).

35. Section 104(1A) is reproduced below.[1]

[1] Available at the time of writing in Part 2 of Schedule 12 to the Planning Act 2026: Planning Act 2026 | New Zealand Legislation

After section 104(1), insert:

(1A) When considering the effects of a district land use activity, a consent authority must disregard—

- (a) any of the following where they relate to residential activities (except in relation to the protection of historic heritage):
  - (i) the area of glazing:
  - (ii) the presence or absence of balconies:
  - (iii) the outdoor living space:
  - (iv) the internal layout:
  - (v) the size of a residential unit:
  - (vi) the size of landscaped areas (except in relation to permeability):
- (b) negative effects of development on trade competition, including on competing providers of input goods and services:
- (c) effects on retail distribution:
- (d) in relation to a project,—
  - (i) any lack of demand for the project; or
  - (ii) the fact that the project is not financially viable:
- (e) the type of residents to be housed in a new development:
- (f) views from private property.

(1B) When considering an application for a district land use consent, the consent authority may disregard a national environmental standard, a plan or proposed plan, a national policy statement, or a regional policy statement to the extent that it regulates or purports to regulate a matter described in subsection (1A).

(1C) A person who exercises a power or performs a function under this Act must not, except as provided in Schedule 1 of the Planning Act 2026, consider elements of or instruments made under that Act or the Natural Environment Act 2026 in the determination of a resource consent application or notice of requirement lodged under this Act during the transition period.

(1D) Despite subsection (1C), the consent authority must consider the extent to which its decision on a resource consent application is consistent with—

- (a) any relevant decided regional spatial plan; or
- (b) any relevant future development strategy published before the notification of that plan.

36. I have considered the implications of these amendments where they are relevant to submissions addressed in this report. Where there is appropriate submission scope, I have taken the amendments into account in determining whether the relevant provision should be retained or amended.

37. There may be other provisions affected by the amendments that are not directly engaged by submissions addressed in this report. A comprehensive review of the PDP against the amendments has not been undertaken as part of this S42A report.

38. My recommendations are based on the law as it will stand at the date of the hearing. Should the relevant legislative provisions change before the Panel issues its decision, the recommendations may need to be revisited.

39. Any remaining provisions that cannot lawfully be implemented can be identified through the administration of the Plan. Council may also consider whether amendments outside the PDP hearing process are appropriate under s76A.

6.2 National Planning Standards 2019

40. The key higher order direction relevant to this topic is the NPStds, which establish the OSZ and SARZ as standard zones for district plans. The PDP adopts this consistent framework through the introduction of dedicated OSZ and SARZ chapters, replacing the more

fragmented approach in the ODP, where open space and recreation areas were largely managed through underlying zoning and designations.

6.3 National Policy Statement on Urban Development 2020

41. The National Policy Statement on Urban Development (NPSUD) has particular relevance to the Open Space and Recreation Zones. In particular:

- Objective 1 seeks well-functioning urban environments that enable all people and communities to provide for their social, economic, and cultural wellbeing, and for their health and safety, now and into the future; and
- Policy 1(c) seeks to ensure that planning decisions contribute to well-functioning urban environments, which are urban environments that, as a minimum have good accessibility for all people between housing, jobs, community services, natural spaces, and open spaces, including by way of public or active transport.
- Policy 10 requires local authorities to achieve integrated land use and infrastructure planning through engaging with providers of additional infrastructure, including public open space.

6.4 New Zealand Coastal Policy Statement 2010

42. The New Zealand Coastal Policy Statement (NZCPS) has relevance to the Open Space and Recreation Zones. In particular:

- Objective 4 seeks to maintain and enhance the public open space qualities and recreation opportunities of the coastal environment by recognising that the coastal marine area is an extensive area of public space for the public to use and enjoy and maintaining and enhancing public walking access to and along the coastal marine area without charge;
- Objective 6 seeks to enable people and communities to provide for their social, economic, and cultural wellbeing and their health and safety, through use and development, including by recognising that the protection of the values of the coastal environment does not preclude use and development in appropriate places and forms, and within appropriate limits;
- Policy 18 directs the provision of public open space within and adjacent to the coastal marine area to support public use, appreciation and recreation, while ensuring that open space is compatible with coastal natural character, landscape and amenity values and provides for future community needs; and
- Policy 19 seeks to maintain and enhance public walking access to, along and adjacent to the coastal marine area.

6.5 National Policy Statement on Infrastructure 2025

43. The NPS-I came into force following notification of the PDP and applies to infrastructure and additional infrastructure identified within it. It is relevant to the submissions from FENZ

concerning emergency service facilities and associated infrastructure. I have considered that direction in assessing the relevant OSZ and SARZ submissions below.

6.6 Canterbury Regional Policy Statement 2013

44. The Canterbury Regional Policy Statement (CRPS) provides the policy direction for the Canterbury region, of which approximately half of the Waitaki district is located. A review of the CRPS has been initiated by the regional council but has been paused in response to the current RM Reform and Plan Stop directions by the Government.

45. The following objectives of the CRPS are relevant:

- **Objective 5.2.1 Location, Design, and Function of Development:**

  Development is located and designed so that it functions in a way that, among other matters:

  - enables people and communities, including future generations, to provide for their social, economic and cultural well-being and health and safety; and which:

    a. maintains, and where appropriate, enhances the overall quality of the natural environment of the Canterbury region, including its coastal environment, outstanding natural features and landscapes, and natural values;

    c. encourages sustainable economic development by enabling business activities in appropriate locations; and

    e. avoids adverse effects on significant natural and physical resources including regionally significant infrastructure, and where avoidance is impracticable, remedies or mitigates those effects on those resources and infrastructure.

- **Objective 8.2.5 Provision of access:**

  Maintenance and enhancement of appropriate public and Ngāi Tahu access to and along the coastal marine area to enhance recreational opportunities and to enhance the ability of Ngāi Tahu as tāngata whenua to access kaimoana and exercise tikanga Māori;

- **Objective 10.2.4 Public and Ngāi Tahu access to and along rivers and lakes:**

  Maintenance and enhancement of public and Ngāi Tahu access to and along rivers and lakes.

6.7 Otago Regional Policy Statement 2021

46. Since notification of the PDP, the Otago Regional Policy Statement 2021 (ORPS) has become fully operative and now replaces the (former) Otago Regional Policy Statement 2019. References in earlier plan drafting and evaluation documents to the proposed, decisions, or appeals versions of the pORPS 2021 should be read as references to the now operative ORPS. The district plan must now give effect to the ORPS.

47. The following objectives and policies of the ORPS are relevant:

- **UFD-O1 – Development of urban areas**

  The development and change of Otago's urban areas occurs in a strategic and coordinated way, which results in well-functioning urban environments, that:

  (1) accommodate the diverse and changing needs and preferences of Otago's people and communities, now and in the future,

  (2) integrate effectively with infrastructure, development infrastructure and additional infrastructure, and surrounding urban areas and rural areas, including by managing reverse sensitivity effects and direct effects on electricity networks,

  (3) are consolidated, well-connected and have a well-designed urban form,

  (4) have effective and efficient infrastructure, development infrastructure and additional infrastructure,

  (5) support climate change adaptation and climate change mitigation, and

  (6) takes into account the values and aspirations of iwi, hapū and whānau, including for urban development.

- **UFD-P5 – Commercial activities**

  Provide for commercial activities in urban areas by:

  (1) enabling a wide variety and scale of commercial activities, social, recreational and cultural activities to concentrate in city, metropolitan, town centre and commercial zoned areas, where appropriate, especially if they are highly accessible by public transport or active transport, and

  (2) enabling smaller local and neighbourhood centres, mixed use zones and rural settlements to accommodate a variety of commercial activities, social, recreational and cultural activities of a scale appropriate to service local community needs.

7 Evaluation of Submissions

7.1 Approach to Evaluation

48. The evaluation in this report is undertaken in the context of assessing submissions and further submissions and is structured at both a thematic and provision-specific level. Submissions are considered by chapter and provision-by-provision, evaluating the appropriateness of the relief sought in terms of the wording, intent, and effectiveness of the individual provisions. This approach ensures a coherent and efficient evaluation of submissions, while enabling both strategic and detailed consideration of the matters raised.

49. The submissions are considered in the following order:

    - General submissions
    - Definitions

- Strategic Direction SD-CFOS-O1
- Open Space Zone provisions;
- Open Space Zone Mapping;
- Sport and Active Recreation Zone provisions;

50. The assessment of submissions generally follows the following format:

- A brief summary of the relevant submission points.
- An analysis of those submission points.
- Recommendations, including any amendments to plan provisions and the related assessment under s32AA.

51. Clause 10(2)(b), Schedule 1 of the RMA provides for consequential changes arising from the submissions to be made where necessary, as well as any other matter relevant to the PDP arising from submissions. Consequential changes recommended under clause 10(2)(b) are footnoted as such.

52. Clause 16(2), Schedule 1 of the RMA allows a local authority to make an amendment to a proposed plan without using a Schedule 1 process, where such an alteration is of minor effect, or may correct any minor errors. Any changes recommended under clause 16(2) are footnoted as such.

7.2 Provisions where No Change is Sought

53. The following provisions included within the open space and recreation zones were either not submitted on, or any submissions received sought their retention. As such, they are not assessed further in this report, and I recommend that the provisions are retained as notified unless further changes in response to general submissions are progressed.

7.2.1 Open Space Zone

Objectives

OSZ-O1 Purpose of the Open Space Zone

OSZ-O2 Character and amenity values of the Open Space Zone

Policies

OSZ-P1 Enabling activities and use in the Open Space Zone

OSZ-P2 Maintaining character and amenity values

OSZ-P3 Ancillary activity commercial activities

OSZ-P4 Inappropriate subdivision, use and development

OSZ-P5 Servicing

Rules

OSZ-R1 Building activity

OSZ-R2 Recreational activity

OSZ-R3 Ancillary activity commercial activities

OSZ-R4 Conservation activities

OSZ-R5 Customary activities

OSZ-R6 Community facility

OSZ-R7 Parks management activity

OSZ-R8 Parks facilities

OSZ-R9 Parks furniture

OSZ-R10 Educational facility when ancillary to a recreational activity or conservation activity

OSZ-R14 Emergency service facility

OSZ-R15 Any other activity not provided for as a permitted, restricted discretionary, discretionary or non-complying activity

OSZ-R16 Industrial activity

Standards

OSZ-S2 Height in relation to boundary

OSZ-S3 Building coverage

OSZ-S4 Maximum gross floor area

OSZ-S5 Minimum setbacks

OSZ-S6 Hours of operation

7.2.2 Sport and Active Recreation Zone

Objectives

SARZ-O1 Purpose of the Sport and Active Recreation Zone

SARZ-O2 Character and amenity values of the Sport and Active Recreation Zone

SARZ-O3 Infrastructure servicing

Policies

SARZ-P1 Enabling activities and use in the Sport and Active Recreation Zone

SARZ-P2 Maintaining character and amenity values

SARZ-P3 Ancillary activity commercial activities

SARZ-P4 Inappropriate subdivision, use and development

SARZ-P5 Servicing

Rules

SARZ-R1 Building activity

SARZ-R2 Recreational activity

SARZ-R3 Conservation activities

SARZ-R4 Customary activities

SARZ-R5 Community facility

SARZ-R6 Parks management activity

SARZ-R7 Parks furniture

SARZ-R8 Parks facilities

SARZ-R9 Educational facility when ancillary to a recreational activity or conservation activity

SARZ-R10 Commercial activity when ancillary to recreational activity

SARZ-R12 Residential activity

SARZ-R13 Visitor accommodation

SARZ-R14 Any other activity not provided for as a permitted, restricted discretionary activity, discretionary or non-complying activity

SARZ-R15 Potentially high-impact industrial activities

Standards

SARZ-S2 Height in relation to boundary

SARZ-S3 Building coverage

SARZ-S4 Maximum gross floor area

SARZ-S5 Minimum setbacks

SARZ-S6 Hours of operation

SARZ-S7 Servicing and firefighting water supply and access

7.3 General submissions

54. This section addresses general submissions that were first addressed at Hearing 1 in the General Submissions reporting and that have been reallocated to each subsequent report for consideration in the context of each plan topic.

55. The following table sets out the submission points covered in this section of the report (which may be individually or more broadly discussed). The decision requested in relation to each point is provided in full in **Appendix 2**. Overall, 4 original submission points and no further submission points are addressed here.

Submitter Name	Submission Point Number(s)
Terramark	176.2
FFNZ	246.1, 246.2, 246.7

7.3.1 Submissions

56. Submissions from Terramark [176.2] and FFNZ [246.2] sought that there are objectives and policies to support the proposed rules across the district plan, to provide clear direction to consent applicants and decision-makers.

57. FFNZ also sought the following outcomes across the plan:

- Identify the resource management issues the plan provisions seek to address [246.1]
- Include non-regulatory methods to implement policies that ‘encourage’ certain outcomes [246.3]; and

- Reduce the number of provisions by combining those with similar themes, using clear simple language, removing unnecessary duplication and providing clearer and simpler cross-referencing between chapters and provisions [246.7].

7.3.2 Analysis

7.3.2.1 General analysis

58. The submissions in the table above provide general scope to consider the overall relationship between objectives, policies and rules within the open space and recreation provisions. They also provide general scope to refine and simplify provisions. However, that sits against the context of many provisions in the OSZ and SARZ chapters not being subject to any specific submissions seeking amendments.

59. I have considered how far to take the analysis of the relief sought in the general submissions within the open space and recreation provisions. On balance, and to align with other S42A zone report authors, I recommend the following approach:

- to consider the general submissions alongside the specific submissions on the provisions where changes are sought, and address any simple matters of clarification and reduction of duplication alongside those;
- to let bigger issues regarding duplication (e.g. between strategic directions and zone provisions) remain unaddressed in recognition that this is not essential to rectify for implementation of the PDP and to minimise the amount of change at this stage in the process; and
- to acknowledge bigger issues with the relationship between rules and policies which could significantly affect the implementation of the plan and achievement of its objectives, even where there are no submissions seeking changes specifically to those provisions, in reliance upon the general submissions.

60. The analysis below provides an overview of my response to the matters raised in the general submissions.

7.3.2.2 Issue statements

61. In the S42A report for the General Submissions topic for Hearing Stream 1, the S42A author (Ms McEwan) did not support the addition of formal issue statements to the plan. Instead, Ms McEwan preferred the option of ensuring the plan has a robust and clear objectives and policies framework to support decision making, alongside potential amendments to the introductions to plan chapters to generally address the issues that each chapter is managing.

62. Overall, I consider that the chapter introductions for OSZ and SARZ already adequately address the relevant issues that each chapter is managing.

7.3.2.3 'Encourage' policies

63. In the S42A report for the General Submissions topic for Hearing Stream 1, Ms McEwan referenced the draft PDP Writing Style Guide (2024), which does not address the use of

such policies within the plan, and that the guide does not address policy drafting that might lead to the use of non-regulatory methods.

64. It is noted that the OSZ and SARZ objectives and policies do not contain any 'encourage' policies. I therefore consider that this submission point is not relevant to these chapters.

7.3.2.4 Simplification and removal of duplication

65. In assessing specific submissions on provisions throughout this report, I have considered where there may be opportunities to simplify provisions and remove duplication to aid plan interpretation and implementation but have not considered this necessary or within the scope of the submissions being made.

66. I have not undertaken a full review of all open space and recreation provisions for the purpose of simplification, for the reasons set out in the general analysis above.

7.3.2.5 Objectives and policies to support rules

67. Other than submissions supporting retention of the objectives and policies as notified, no other submissions on the objectives and policies have been made for this topic. I therefore consider that no recommendations are necessary as they would be outside the scope of this process.

7.3.3 Recommendations

68. I recommend that no changes are made in response to the general submissions raised on this topic.

7.4 Definitions

69. The following table sets out the submission points covered in this section of the report (which may be individually or more broadly discussed). The decision requested in relation to each point is provided in full in **Appendix 2**. Overall, 6 original submission points are addressed here.

Submitter Name	Submission Point Number(s)
NZAAA / NZHA	180.4
New Zealand Carbon Farming Group	192.5
Director-General of Conservation	194.8
Environmental Defence Society Incorporated (EDS)	240.4
Te Rūnanga o Waihao, Te Rūnanga o Moeraki and Kāti Huirapa Rūnaka ki Puketeraki	251.5
Canterbury Regional Council	271.6

7.4.1 Submissions

70. NZ Carbon Farming [192.5] support the definition as notified, considering it to be consistent with the Conservation Act 1987 definition of conservation.

71. NZAAA/NZHA [180.4] support the intent of the definition but consider it is inconsistent with the definition of 'conservation' in the Conservation Act 1987. They seek amendments to better align the definition with the Conservation Act and oppose listing specific activities within the definition on the basis that doing so narrows its scope.

72. DOC [194.8] generally supports the definition and its recognition of the breadth of conservation activities but seeks clarification regarding 'access tracks', seeking amendment to refer more specifically to walking and cycling tracks to avoid confusion with the Plan's separate definition of 'access'.

73. EDS [240.4] supports the definition in part but considers the inclusion of visitor facilities and vehicle parking is inappropriate. The submitter seeks amendments to exclude those activities from the definition.

74. Kā Rūnaka [251.5] consider the definition is too broad and lacks clarity, particularly in relation to buildings and historic heritage matters. The submitter seeks amendments to provide greater certainty around the scope of conservation activities.

75. CRC [271.6] supports the overall intent of the definition but considers ancillary activities such as access tracks, visitor facilities and vehicle parking have the potential to create significant effects on rural environments. The submitter seeks amendments to narrow the definition and exclude these activities.

7.4.2 Analysis

76. The NZAAA/NZHA [180.4] submission to widen the scope of the definition to provide for a broader range of activities is not supported. I consider that the PDP definition of 'conservation activities' and the definition of 'conservation' in section 2 of the Conservation Act 1987 address different matters. While the Conservation Act defines the concept of conservation broadly, the PDP definition identifies examples of the activities that may fall within the term 'conservation activities' for the purpose of administering the Plan. The two definitions are nevertheless generally aligned in their focus on protecting and maintaining natural and historic resources and enabling public appreciation and recreational enjoyment. I do not consider that full alignment with the Conservation Act definition is necessary or appropriate. The PDP definition is intentionally more specific because it determines the scope of activity types that may be enabled under the relevant zone provisions, including as permitted activities. Broadening the definition could therefore unintentionally expand the range of activities able to rely on those provisions. I consider the more defined scope of the notified definition provides appropriate certainty and retains the ability to manage activities that may have effects beyond those anticipated for conservation activities.

77. DOC [194.8] considers that the term 'access tracks' may create ambiguity when read alongside the separate PDP definition of 'access'.[2] I agree with this submission. The intention of the conservation activities definition is to provide for tracks that facilitate public appreciation and recreational enjoyment of a conservation resource, rather than access in the broader sense used elsewhere in the Plan. I therefore consider that replacing 'access tracks' with 'walking and cycling tracks' would more accurately describe the types of activities intended to be captured, provide greater certainty in plan administration, and retain the deliberately limited scope of the definition. I therefore recommend that this submission is accepted and the definition amended accordingly.

78. I do not agree with the submission by EDS [240.4] that visitor facilities and vehicle parking should be excluded from the definition. The definition does not provide for these activities generally; rather, they are identified as examples of 'ancillary activities'[3] which assist in enhancing the public's appreciation and recreational enjoyment of the resource. This qualification appropriately limits their scope by requiring a functional relationship with the primary conservation activity. I consider that removing visitor facilities and vehicle parking could unnecessarily restrict facilities that support public access to and enjoyment of conservation resources. The notified wording appropriately recognises these activities while limiting them to an ancillary role. I therefore recommend that this submission be rejected.

79. I acknowledge the concerns of Kā Runaka [251.5] that the definition of conservation activities may be broad, particularly in its reference to the use of buildings and activities associated with historic resources. However, I consider that the definition contains appropriate limitations on its scope. The primary activity must be undertaken for the purpose of maintaining, protecting and/or enhancing specified natural, historic, cultural or ecological values, while the additional activities identified in the definition must be ancillary and assist in enhancing public appreciation and recreational enjoyment of the resource. These qualifications ensure that buildings and other associated activities are not enabled as conservation activities in their own right but must have a direct relationship with the conservation purpose of the activity. I therefore consider that the notified definition provides sufficient clarity and appropriately limits its application and recommend that this submission be rejected.

80. I acknowledge CRC's [271.6] concern that walking and cycling tracks, visitor facilities and vehicle parking may generate environmental effects. However, I do not consider that deleting these activities from the definition is necessary nor would necessarily result in a narrower definition. The notified wording expressly identifies these activities as 'ancillary activities' that must assist in enhancing the public's appreciation and recreational enjoyment of the conservation resource. This establishes a clear relationship between the ancillary activity and the primary conservation purpose and provides greater certainty as to the intended scope of the definition. Potential effects associated with these activities are also managed through the applicable provisions elsewhere in the PDP. I therefore consider

[2] Access is defined in the PDP as 'any area of land that provides access between any boundary and the net area of the site or sites it serves. Access includes any rights of way, private way, access lot, access leg or private road.'

[3] Ancillary activities are defined as '*an activity that supports and is subsidiary to a primary activity*'

that retaining the qualifying wording provides greater certainty than deleting it and recommend that this submission is rejected, subject to the separate amendment replacing 'access tracks' with 'walking and cycling tracks'.[4]

7.4.3 Recommendations

81. I recommend the following changes to the proposal.

82. Amend the definition of 'Conservation activities', as follows:

> **Conservation activities:** means the use of land and/or buildings for an activity undertaken for the purposes of maintaining, protecting and/or enhancing the natural, historic, cultural and/or ecological values of a natural or historic resource (for example; fencing and restoration planting). It includes ancillary activities which assist to enhance the public's appreciation and recreational enjoyment of the resource (for example; ~~access~~ walking and cycling[5] tracks, interpretative signs, visitor facilities and vehicle parking).

7.4.4 Evaluation

83. The recommended amendment to the definition of conservation activities, replacing the example of 'access tracks' with 'walking and cycling tracks', is minor and clarificatory in nature. It does not materially alter the overall approach evaluated through the original section 32 assessment.

84. The amendment is considered to be more efficient and effective because it provides greater certainty about the type of tracks intended to be included as ancillary conservation activities and avoids potential ambiguity with the separately defined term 'access' in the PDP. This will assist plan interpretation and administration without materially changing the range of conservation activities anticipated by the notified provisions.

85. The amendment has no material additional environmental, economic, social or cultural costs compared with the notified definition. The principal benefit is improved clarity and certainty. It continues to enable walking and cycling tracks where they are ancillary to conservation activities and assist public appreciation and recreational enjoyment of the resource, while maintaining the deliberately limited scope of the definition.

86. There is little risk in acting because the amendment is a clarification rather than a substantive change to the policy approach. Conversely, retaining the reference to 'access tracks' carries a minor risk of uncertainty regarding the relationship between that wording and the PDP definition of 'access'.

87. Overall, I consider the recommended amendment to be more appropriate, efficient and effective than the notified wording, and that the benefits of improved clarity and plan administration outweigh any negligible costs associated with the change.

[4] Relief sought by DOC [194.8]
[5] DOC [194.8]

7.5 Strategic Objectives

88. The following table sets out the submission points covered in this section of the report (which may be individually or more broadly discussed). The decision requested in relation to each point is provided in full in **Appendix 2**. Overall, 5 original submission points are addressed here.

Submitter Name	Submission Point Number(s)
Cameron Leckie	107.1
NPHS Te Waipounamu	164.1
Hampden Community Energy Society	232.1
Royal Forest and Bird Protection Society of New Zealand Incorporated	253.1
Fish and Game (Otago and Central South Island Fish and Game Councils)	256.19

7.5.1 Submissions

89. NPHS [164.1] supports Objective SD-CFOS-O1 as notified, considering that a network of public open space and recreation areas, together with associated amenities, facilities and infrastructure, contributes positively to community health and wellbeing by enabling physical activity and supporting healthy communities.

90. C Leckie 2 [107.1] considers the PDP provides insufficient direction regarding reserves fund contributions and that the relationship between the PDP and Council's development and financial contributions framework lacks transparency. The submitter seeks amendments to provide greater certainty around the collection, calculation and expenditure of financial contributions, including consideration of a flat-rate contribution model and the inclusion of financial contribution provisions or associated policy guidance within the planning framework.

91. HCES [232.1] supports the objective but considers it would benefit from greater certainty and clearer performance expectations. The submitter seeks amendments to explicitly reference meeting community needs 'sustainably' when providing open space, recreation areas and associated infrastructure.

92. Forest & Bird [253.1] supports the objective but considers greater recognition should be given to the environmental benefits provided by open space areas. The submitter seeks amendments to recognise indigenous vegetation and environmental wellbeing outcomes alongside recreation, cultural, health and wellbeing outcomes.

93. Fish & Game [256.19] considers the objective should focus more directly on the recreational opportunities and outcomes being provided, rather than solely on the provision of spaces, facilities and infrastructure. The submitter seeks amendments to emphasise the provision of a diverse range of recreation opportunities and to refocus the objective on recreation outcomes.

7.5.2 Analysis

94. The submission from C Leckie 2 [107.1] seeks amendments relating to the collection, calculation and expenditure of Financial Contributions (FCs), including the potential introduction of a flat-rate contribution and the inclusion of FC provisions within the PDP. I do not recommend amendments to SD-CFOS-O1 in response to this submission. The objective is concerned with the strategic outcome of providing a network of public open space and recreation areas of sufficient diversity, together with associated amenities, facilities and infrastructure, to meet the current and future needs of the community. It does not prescribe the funding mechanisms by which that network is to be provided or maintained. Development Contributions and Financial Contributions are not addressed through the notified PDP. It was Council's intention that Financial Contribution provisions be considered through a future plan change, enabling those provisions to be developed cohesively with the PDP framework and subject to an appropriate public consultation and submissions process. In my view, introducing a specific FC methodology, including a flat-rate contribution or geographically differentiated contribution, through an amendment to SD-CFOS-O1 would therefore be inappropriate. Such amendments would extend beyond the strategic purpose of the objective and would pre-empt the more detailed consideration of the appropriate nature, basis and application of any future Financial Contribution provisions. Accordingly, I recommend that the submission be rejected insofar as it seeks amendments to SD-CFOS-O1 relating to Development Contributions or Financial Contributions.

95. HCES [232.1] supports SD-CFOS-O1 but seeks the addition of the term ‘sustainably’ to provide greater clarity and certainty as to how the objective is to be achieved. I acknowledge the submitter’s support for the objective and the importance of sustainability as an overarching resource management consideration. However, consistent with my assessment of other HCES submissions seeking to introduce sustainability terminology into individual Strategic Direction objectives, I do not consider that the proposed amendment would materially improve the clarity or effectiveness of SD-CFOS-O1. While sustainability is an important overarching consideration, the Strategic Direction introduction already establishes that the chapter provides direction for the District Plan to ‘sustainably’ manage growth, land use and development. The addition of ‘sustainably’ to SD-CFOS-O1 would not provide the benchmark or additional certainty sought by the submitter, as it does not specify what sustainable provision of open space would require or how it would be assessed. Consistent with the approach taken to HCES's other requests to introduce sustainability terminology into individual Strategic Direction objectives, I consider the amendment is unnecessary. The notified objective more clearly identifies the substantive strategic outcome sought and should be retained. I therefore recommend that this submission be rejected.

96. Forest & Bird [253.1] supports SD-CFOS-O1 but seeks amendments to recognise the contribution that public open space and recreation areas can make to indigenous biodiversity and environmental wellbeing, through the inclusion of references to ‘indigenous vegetation’ and ‘environmental’ wellbeing. I agree with the submitter that public open space and recreation areas have the potential to contribute to environmental outcomes, including through the provision and enhancement of indigenous vegetation. I

also consider the amendments particularly appropriate in the context of changes to the PDP following notification. The withdrawal of provisions relating to indigenous biodiversity has reduced the extent to which indigenous biodiversity matters are expressly reflected within the remaining Strategic Direction framework, an issue I have separately acknowledged in my Strategic Direction interim right of reply. I have previously recommended against Forest & Bird's request for additional stand-alone Strategic Direction objectives addressing indigenous biodiversity, including its proposed objective relating to the maintenance and restoration of indigenous vegetation and biodiversity in rural areas. However, I consider the amendment sought to SD-CFOS-O1 can be distinguished from those requests. Rather than introducing a new strategic objective focused specifically on indigenous biodiversity, the amendment recognises an environmental outcome that is directly related to the function and potential benefits of the open space network already addressed by SD-CFOS-O1. The amendment therefore provides targeted recognition of indigenous vegetation and environmental wellbeing within the scope and purpose of an existing objective, while helping to address the reduced recognition of indigenous biodiversity within the Strategic Direction framework following the withdrawal of the relevant PDP provisions. I therefore recommend that the submission be accepted.

97. Fish & Game [256.19] considers that SD-CFOS-O1 should focus more directly on the achievement of recreational outcomes and opportunities, rather than primarily on the provision of open spaces and facilities. The submitter seeks to change the title from 'Open Space and Recreation Areas' to 'Open Space and Recreation' and amend the objective to refer to providing for a diverse range and abundant opportunities. I agree in part with the submitter. While the notified objective is framed around providing a network of public open space and recreation areas and associated amenities, facilities and infrastructure, these are not ends in themselves. The objective expressly identifies that this network is intended to meet the current and future recreation, cultural, health and wellbeing needs of the community. I therefore agree that the objective could more clearly recognise the recreational opportunities that the open space network is intended to provide. I also support the requested amendment to the title of the objective. In my view, the revised title better reflects the broader scope of the objective by encompassing both the physical provision of open space and recreation areas and the recreational outcomes and opportunities that these areas support. I do not however, support the submitter's proposed reference to 'abundant opportunities'. In my view, the term 'abundant' does not establish a sufficiently clear or useful benchmark for determining the level of recreational opportunity required or when the objective would be achieved. The notified wording provides greater clarity by requiring a network with a diversity of type and size that meets identified current and future community needs. I consider that this needs-based approach should be retained. I therefore consider that the most appropriate approach is to retain the network-based structure and community needs focus of the notified objective, while amending it to more expressly recognise that the purpose of the network is to provide recreational opportunities. This gives effect to the substantive concern raised by Fish & Game without introducing the uncertainty associated with the term 'abundant'. Accordingly, I recommend that the submission be accepted in part.

7.5.2.1 Clause 16(2) Amendments

98. I also recommend the following alterations of minor effect and correction of minor errors, which may be made in accordance with clause 16(2) of Schedule 1 to the RMA:

- Deletion of 'with a diversity' from the objective and replaced with 'varying'.

99. This is a minor drafting amendment to improve the readability and grammatical construction of SD-CFOS-O1 following the recommended insertion of 'a diverse range of recreational opportunities' (Fish & Game [256.19]). The amendment avoids the repetitive use of 'diverse' and 'diversity' within the same sentence and does not alter the intent or effect of the objective.

7.5.3 Recommendations

100. I recommend that Strategic Direction SD-CFOS-O1 is amended as follows:

SD-CFOS-O1	Open Space and Recreation ~~Areas~~[6]
Provide for a diverse range of recreational opportunities through[7] a network of public open space and recreation areas ~~with a diversity~~ of varying[8] type and size and associated public amenities, recreational facilities, indigenous vegetation[9] and infrastructure to meet the current and future recreation, cultural, health, environmental[10] and well-being needs of the community.	

7.5.4 Evaluation

101. The recommended amendments to SD-CFOS-O1 broaden and clarify the outcomes sought from the public open space and recreation network. In particular, they more explicitly recognise the provision of recreational opportunities, the contribution of indigenous vegetation, and environmental wellbeing, while retaining the notified focus on meeting the current and future recreation, cultural, health and wellbeing needs of the community. This remains consistent with the intended function of SD-CFOS-O1, which is providing a diverse network of public open spaces and recreation areas and supporting a range of community outcomes and access to recreational opportunities.

102. I consider the amended objective to be more appropriate in achieving the purpose of the RMA than the notified wording. Expressly referring to a diverse range of recreational opportunities better communicates that the provision of open space, amenities and facilities is a means of achieving recreational and community outcomes, rather than an end in itself. The addition of indigenous vegetation and environmental wellbeing also recognises the potential for the open space network to contribute to environmental outcomes alongside its recreation, cultural, health and wellbeing functions.

103. The amendments are also considered to improve the effectiveness and clarity of the objective. Changing the objective title to 'Open Space and Recreation' better reflects its broader focus on both physical spaces and recreational outcomes.

[6] Fish & Game [256.19]
[7] Fish & Game [256.19]
[8] Clause 16(2) Amendment to address the Fish & Game amendment [256.19]
[9] Forest & Bird [253.1]
[10] Forest & Bird [253.1]

104. The recommended amendments are not expected to result in significant additional economic, social or cultural costs compared with the notified objective. The principal benefits are improved clarity regarding the outcomes sought from open space and recreation areas and greater recognition of the recreational and environmental benefits that these areas can provide.

105. Overall, I consider that the recommended amendments provide clearer and more comprehensive strategic direction, while retaining the fundamental intent and needs-based approach of the notified objective. I therefore consider the amended SD-CFOS-O1 to be more appropriate than the notified wording for achieving the purpose of the RMA.

7.6 Open Space Zone Provisions

106. The following table sets out the submission points covered in this section of the report (which may be individually or more broadly discussed). The decision requested in relation to each point is provided in full in **Appendix 2**. Overall, 12 original submission points are addressed here.

Submitter Name	Submission Point Number(s)
Marcelo Carena	73.1
Janene Mary and Warren Kenneth Kershaw	145.8
Ministry of Education Te Tāhuhu o Te Mātauranga	242.76, 242.77
Fire and Emergency New Zealand	163.64,163.137, 163.78, 163.139
Janene Mary and Warren Kenneth Kershaw	145.9, 145.10, 145.11
KiwiRail Holdings Limited	233.122

7.6.1 Submissions

7.6.1.1 General

107. M Carena [73.1] does not oppose the OSZ generally but considers that a uniform approach should not be applied to all Council reserves. The submitter considers that McKinnon Reserve at Lake Ōhau Alpine Village has particular natural, wilderness and biodiversity values that warrant greater protection and that the OSZ provisions may enable development inconsistent with those values. The submitter seeks reconsideration of the planning approach applying to McKinnon Reserve to better recognise and protect its natural character and biodiversity values.

7.6.1.2 Objectives and Policies

108. J & W Kershaw [145.8] support the purpose of the Open Space Zone and seek that Objective OSZ-O1 (Purpose of the Open Space Zone) be retained as notified, recognising the role of the zone in providing for recreational activities.

109. MOED [242.76] supports OSZ-P1 (Enabling activities and use in the Open Space Zone) and seeks that it be retained as notified as it appropriately enables activities that support local communities, including educational facilities.

110. FENZ 2 [163.137] supports OSZ-P5 (Servicing) and seeks that it be retained as notified, including the requirement that development is appropriately serviced.

7.6.1.3 Rules and Standards

111. FENZ 2 [163.78] supports OSZ-R1 (Building activity) and seeks retention of the requirement that building activities comply with servicing and firefighting water supply and access standards.

112. MOED [242.77] supports OSZ-R10 (Educational facility when ancillary to a recreational activity or conservation activity) and seeks that it be retained as notified as an appropriate framework for educational facilities ancillary to recreational or conservation activities.

113. J & W Kershaw [145.9, 145.10, 145.11] oppose OSZ-R11 (Residential activity) and OSZ-R12 (Commercial activity where not otherwise provided by OSZ-R3) on the basis that they would require resource consent for an existing dwelling and campground and seek either deletion of the rule or provision for established dwellings/commercial activities as permitted activities. They also oppose OSZ-R13 (Visitor accommodation) as it would require resource consent for existing visitor accommodation and seek either rezoning of the property to General Rural Zone or provision for established visitor accommodation as a permitted activity.

114. FENZ 2 [163.139] supports OSZ-S1 (Maximum height) in part but seeks an exemption for emergency service facilities, emergency service towers and communication poles. FENZ 2 [163.64] also supports OSZ-S7 (Servicing and firefighting water supply and access) but seeks amendment to explicitly require compliance with the New Zealand Fire Service Firefighting Water Supplies Code of Practice SNZ PAS 4509:2008.

115. KiwiRail [233.122] supports the 4.5 m setback from the rail corridor boundary in OSZ-S5 (Minimum setbacks) and seeks that the standard be retained as notified to protect the safe and efficient operation of the rail network.

7.6.2 Analysis

7.6.2.1 General

116. I acknowledge the concerns raised by M Carena [73.1] regarding the application of the OSZ to McKinnon Reserve and the importance of maintaining its natural, wilderness and biodiversity values. The submission does not oppose the OSZ generally but seeks a different approach for remote reserves with significant natural values, particularly McKinnon Reserve. I do not consider that application of the OSZ necessarily results in the loss or downgrading of the values identified by the submitter. The section 32 evaluation specifically identifies maintaining and enhancing character and amenity, and natural, ecological, landscape and historic and cultural heritage values, as a key component of the OSZ framework. The OSZ provisions also provide controls over built form and the location of buildings, while relevant district-wide provisions in the ODP continue to manage matters

including natural environment and landscape values. I also consider that Council RMPs provide a more appropriate mechanism for the detailed and ongoing management of individual reserves, including recognition of their particular purpose, character and values and the implementation of management measures to protect and enhance those values. The PDP has a different role, principally establishing the land-use framework and managing the environmental effects of activities. I therefore do not consider that the OSZ needs to differentiate between individual reserves to the extent sought by the submitter where those site-specific management outcomes can be addressed through the reserve management framework. On this basis, I consider the notified OSZ remains an appropriate planning framework for McKinnon Reserve. The concerns raised do not demonstrate that an alternative zoning approach is necessary, particularly given the complementary role of RMPs and other applicable PDP provisions. I therefore recommend that this submission is rejected.

7.6.2.2 Rules and Standards

117. I acknowledge the concerns of J & W Kershaw [145.9, 145.10 and 145.11] that the OSZ provisions may result in their existing dwelling, campground and visitor accommodation activities becoming non-compliant or requiring resource consent. The submitters consequently seek removal of the OSZ from their property or, alternatively, amendments to the OSZ rules to provide for these activities. However, the OSZ applies only to Council-owned reserve land immediately adjoining the submitters' land to the south. The submitters' site is zoned Rural General Zone (RGZ) under the ODP (previously General Rural Zone under the PDP). Accordingly, residential, campground, commercial and visitor accommodation activities undertaken on their site are not subject to OSZ-R11 (Residential activity), OSZ-R12 (Commercial activity where not otherwise provided by OSZ-R3) or OSZ-R13 (Visitor accommodation) merely because OSZ land adjoins the property. The applicable planning framework for those activities is instead provided by the ODP RGZ and any relevant district-wide provisions. I also note that a change in planning provisions does not, in itself, mean that an existing lawfully established activity becomes unlawful. Section 10 of the RMA provides existing use rights for certain lawfully established land uses that subsequently contravene a district plan or proposed district plan rule, subject to the statutory requirements, including that the effects remain the same or similar in character, intensity and scale. While whether existing use rights apply to any particular activity depends on its individual circumstances, this provides an additional statutory mechanism for the continuation of qualifying existing lawful activities. I therefore consider that the submitters' concerns appear to arise from a misunderstanding of the spatial extent and effect of the OSZ. Retaining the OSZ over the Council-owned reserve land does not cause the house or activities occurring on their site to become non-compliant with the OSZ provisions. I do not consider that these concerns provide a basis for amending OSZ-R11, OSZ-R12 or OSZ-R13 to provide for activities occurring on differently zoned land. Accordingly, I recommend that these submission points are rejected.

118. FENZ 2 [163.139] supports OSZ-S1 (Maximum height) in part but seeks an exemption from the maximum height standard for emergency service towers and communication poles. The relief sought also refers to an exemption for emergency service facilities up to 8m in height. I acknowledge the functional and operational requirements of emergency

service facilities and have considered the direction applying to infrastructure under the NPS-I and the PDP INF provisions, consistent with my consideration of the equivalent relief sought in the Industrial Zones. However, I consider the planning context for the OSZ to be materially different. The 5m maximum height standard contributes to maintaining the open space character and anticipated built-form outcomes of the zone, where buildings and structures are generally expected to remain limited in scale. In this context, I do not consider it appropriate to provide a permitted activity exemption from OSZ-S1 for towers and communication poles associated with emergency service facilities, or for emergency service facilities up to 8m in height. Where the functional requirements of an emergency service facility necessitate a structure that exceeds the 5m height limit, I consider it appropriate for that additional height to be assessed through a resource consent process. This provides an opportunity to consider the functional and operational needs of the infrastructure alongside the relevant objectives and policies and the effects of the additional height on the character and amenity anticipated within the Open Space Zone. I therefore recommend that FENZ 2 [163.139] be rejected and that OSZ-S1 be retained as notified.

7.6.2.3 Clause 16(2) Amendments

119. I recommend the following alterations of minor effect and correction of minor errors, which may be made in accordance with clause 16(2) of Schedule 1 to the RMA:

- FENZ 2 [163.64] identifies a minor spelling error in a reference to the Code of Practice clause (2) in OSZ-S7. This should instead read 'New Zealand Fire Service Firefighting Water Supplies Code of Practice SNZ PAS 4509:2008'.

7.6.3 Recommendations

120. I recommend that OSZ-S7 (Servicing and firefighting water supply and access) is amended as follows:

OSZ-S7	**Servicing and firefighting water supply and access**
1. All new buildings must be connected to reticulated services where these are available; and 2. All new buildings must comply with the New Zealand Fire Service Firefighting Water Supplies Code of Practice SNZ PAS[11] 4509:2008.	**Matters of discretion are restricted to:** 1. The extent to which the site is appropriately serviced including wastewater, stormwater, and water supply, including a firefighting water supply and access to that supply in accordance with the New Zealand Fire Service Firefighting Water Supplies Code of Practice SNZ PAS 4509:2008.

7.7 Open Space Zone Mapping

121. The following table sets out the submission points covered in this section of the report (which may be individually or more broadly discussed). The decision requested in relation to each point is provided in full in **Appendix 2**. Overall, 1 original submission point is addressed here.

[11] FENZ 2 [163.64]

Submitter Name	Submission Point Number(s)
Janene Mary and Warren Kenneth Kershaw	145.15

7.7.1 Submissions

122. J & W Kershaw [145.15] consider that the Open Space Zone over 2328 Herbert-Hampden Road will have a direct impact on the existing business operating from the site resulting in increased consent costs to make the business compliant and seeks to rezone this property as General Rural Zone.

7.7.2 Analysis

123. J & W Kershaw [145.15] seek to remove the OSZ from 2328 Herbert-Hampden Road and apply the General Rural Zone (now reverting back to Rural General Zone under the ODP), on the basis that the OSZ would adversely affect the existing business and result in additional consenting costs. I do not consider that rezoning is necessary. The land identified by the submitters as OSZ is Council-owned reserve land rather than land owned by the submitters. The submitters' site is zoned Rural General Zone under the ODP, and the concerns raised regarding the operation of the dwelling, campground and visitor accommodation have been addressed separately in relation to the OSZ rules.

124. The application of the OSZ to the adjoining Council reserve does not extend the OSZ provisions onto the submitters' land or cause activities undertaken on their site to become non-compliant with the OSZ provisions. Accordingly, I do not consider that retaining the OSZ over the Council-owned reserve would result in the additional consenting requirements identified in the submission. Further, replacing the OSZ with a rural zoning would not appropriately reflect the reserve/open space function of the Council-owned land. I therefore consider there is no planning basis arising from the submission to remove the OSZ and apply Rural General zoning. Accordingly, I recommend that this submission be rejected and that the notified OSZ mapping be retained.

7.7.3 Recommendations

125. I recommend no changes to the proposal.

7.8 Sport and Active Recreation Zone Provisions

126. The following table sets out the submission points covered in this section of the report (which may be individually or more broadly discussed). The decision requested in relation to each point is provided in full in **Appendix 2**. Overall, 7 original submission points are addressed here.

Submitter Name	Submission Point Number(s)
Ministry of Education Te Tāhuhu o Te Mātauranga	242.78, 242.79
Fire and Emergency New Zealand	163.140, 163.141, 163.142, 163.149

Submitter Name	Submission Point Number(s)
KiwiRail Holdings Limited	233.123

7.8.1 Submissions

7.8.1.1 Objectives and Policies

127. MOED [242.78] supports SARZ-P1 (Enabling activities and use in the Sport and Active Recreation Zone) and seeks that it be retained as notified, on the basis that it appropriately enables activities that are compatible with sport and recreation activities, including educational facilities that support the local community.

128. FENZ 2 [163.140] supports SARZ-P5 (Servicing) and seeks that it be retained as notified, including the requirement that development is appropriately serviced.

7.8.1.2 Rules and Standards

129. FENZ 2 [163.141] seeks for emergency service facilities to be permitted activities in the zone rather than as restricted discretionary activities in SARZ-R11 (Emergency service facility).

130. MOED [242.79] supports SARZ-R9 (Educational facility when ancillary to a recreational activity or conservation activity) as notified as an appropriate framework for educational facilities ancillary to recreational or conservation activities.

131. FENZ 2 [163.142] supports SARZ-S1 (Building height) in part but seeks an exemption for emergency service towers and communication poles.

132. KiwiRail [233.123] supports SARZ-S5 (Minimum setbacks) as notified to protect the safe and efficient operation of the rail network and reduce the risk of interference from adjoining development.

133. FENZ 2 [163.149] supports SARZ-S7 (Servicing and firefighting water supply and access) as notified.

7.8.2 Analysis

7.8.2.1 Rules and Standards

134. FENZ 2 [163.141] supports provision being made for emergency service facilities within the SARZ but seeks that these facilities be provided for as a permitted activity, rather than as a restricted discretionary activity under SARZ-R11. FENZ 2 considers that zone and district-wide standards would provide an appropriate means of managing the effects of these facilities. I acknowledge the important function of emergency service facilities and consider it appropriate that they are specifically provided for within the SARZ. However, I do not agree that permitted activity status is appropriate. The primary purpose of the SARZ is to support indoor and outdoor sport and recreational activities and associated facilities and structures. SARZ-O2 (Character and amenity values of the Sport and Active Recreation Zone) also seeks to ensure that the character and amenity of the zone are not compromised by incompatible activities or built form, and that the scale and number of buildings support sport and active recreation activities. Emergency service facilities are not inherently

associated with the sport and recreation purpose of the zone and may have different built form and operational characteristics. Providing for these facilities as permitted activities based solely on compliance with zone standards would not provide an opportunity to consider whether a particular proposal is compatible with the character, amenity and recreational function of the site. The notified restricted discretionary activity status is therefore considered to be appropriate as it enables emergency service facilities to establish where suitable, while providing for consideration of matters including building design, siting, external appearance, site layout and effects on amenity. I consider this approach appropriately balances recognition of the important function of emergency services with the need to protect the primary sport and recreation function and anticipated character of the SARZ and recommend that this submission be rejected.

135. FENZ 2 [163.142] supports SARZ-S1 (Maximum height) in part but seeks an exemption from the maximum height standard for emergency service towers and communication poles. I acknowledge the functional and operational requirements of emergency service facilities and have considered the direction applying to infrastructure under the NPS-I and the PDP INF provisions, consistent with my consideration of the equivalent relief sought in the Industrial Zones. However, I consider the planning context for the SARZ to be different. SARZ-S1 already provides for a maximum building height of 10m, reflecting the scale of buildings and structures that may be appropriate to support sport and active recreation activities within the zone. I do not consider that an additional permitted activity exemption for towers and communication poles associated with emergency service facilities is necessary or appropriate. An emergency service facility within the SARZ would require restricted discretionary consent, and any building or structure exceeding the 10m maximum height would similarly require resource consent. In my view, this provides an appropriate mechanism to consider the functional and operational requirements of emergency service infrastructure alongside the relevant objectives and policies and the character, amenity and purpose of the zone. Requiring resource consent for structures exceeding 10m does not prevent emergency service infrastructure from establishing within the zone where appropriate. Rather, it enables the scale and height of such infrastructure to be assessed in the context of the receiving environment. Given the comparatively generous permitted height within the SARZ and the restricted discretionary activity status that would already apply to an emergency service facility, I do not consider a specific height exemption is warranted. I therefore recommend that FENZ 2 [163.142] be rejected and that SARZ-S1 be retained as notified.

7.8.3 Recommendations

136. I do not recommend any changes to the SARZ provisions.

8 Conclusion

137. Overall, I recommend that the notified Open Space and Recreation Zones framework be largely retained, subject to a small number of targeted amendments that improve clarity and strengthen recognition of recreational and environmental outcomes. These amendments include:

- **Conservation activities:** I recommend amending the definition of conservation activities by replacing ‘access tracks’ with ‘walking and cycling tracks’. This provides greater certainty about the ancillary activities intended to be captured without materially altering the scope or intent of the definition.
- **Strategic Direction:** I recommend amending SD-CFOS-O1 to more clearly recognise the provision of recreational opportunities and the contribution of indigenous vegetation and environmental wellbeing. The amendments retain the notified focus on meeting current and future community needs while providing clearer and more comprehensive strategic direction.
- **Open Space Zone:** I recommend retaining the notified OSZ provisions and mapping, other than correcting the reference to the New Zealand Fire Service Firefighting Water Supplies Code of Practice in OSZ-S7. I do not recommend an exemption from OSZ-S1 for emergency service facilities, towers or communication poles. While I recognise their functional and operational requirements, I consider that structures exceeding the notified 5 m height limit should be assessed through the resource consent process having regard to the character, amenity and purpose of the zone.
- **Sport and Active Recreation Zone:** I recommend retaining the SARZ provisions as notified. In particular, I recommend retaining the restricted discretionary activity status for emergency service facilities and the notified maximum height standard in SARZ-S1. This provides an appropriate pathway for considering the operational requirements of emergency services alongside the sport and recreation function, character and amenity of the zone.

138. Overall, the recommended amendments do not alter the fundamental direction of the Open Space and Recreation Zones. They provide targeted clarification and refinement while maintaining the intended open space, recreation, character, amenity and environmental outcomes of the notified framework.

Appendix 1
Recommended Changes to Provisions

Definitions

Conservation activities: means the use of land and/or buildings for an activity undertaken for the purposes of maintaining, protecting and/or enhancing the natural, historic, cultural and/or ecological values of a natural or historic resource (for example; fencing and restoration planting). It includes ancillary activities which assist to enhance the public's appreciation and recreational enjoyment of the resource (for example; access walking and cycling[12] tracks, interpretative signs, visitor facilities and vehicle parking).

Strategic Direction

SD-CFOS-O1	Open Space and Recreation ~~Areas~~[13]
Provide for a diverse range of recreational opportunities through[14] a network of public open space and recreation areas ~~with a diversity~~ of varying[15] type and size and associated public amenities, recreational facilities, indigenous vegetation[16] and infrastructure to meet the current and future recreation, cultural, health, environmental[17] and well-being needs of the community.	

Open Space and Recreation Zone

OSZ-S7	Servicing and firefighting water supply and access
1. All new buildings must be connected to reticulated services where these are available; and 2. All new buildings must comply with the New Zealand Fire Service Firefighting Water Supplies Code of Practice SNZ PAS[18] 4509:2008.	**Matters of discretion are restricted to:** 1. The extent to which the site is appropriately serviced including wastewater, stormwater, and water supply, including a firefighting water supply and access to that supply in accordance with the New Zealand Fire Service Firefighting Water Supplies Code of Practice SNZ PAS 4509:2008.

[12] DOC [194.8]
[13] Fish & Game [256.19]
[14] Fish & Game [256.19]
[15] Clause 16(2) Amendment to address the Fish & Game amendment [256.19]
[16] Forest & Bird [253.1]
[17] Forest & Bird [253.1]
[18] FENZ 2 [163.64]

Appendix 2
Recommended Responses to Submissions

General Submissions

The submissions in this table were first considered in reporting for Stream 1 on General Submissions. These points were recommended for reallocation to all future s42A reports for consideration by each author in relation to each report topic. Recommendations given on these points here are in relation to this report only, and final overarching recommendations are intended to be given by the reporting author for the final mop-up hearing. Background information on the initial analysis of the submission points in this table is available in the General Submissions Opening Statement and Interim Reply Report, available online. There are no further submissions on these points.

Sub	Submitter	Section	Provision	Position	Summary of Submission	Relief/Decision Sought Summary	Recommendation
176.2	Terramark Limited	General	General	Support	Supports in part as many rules do not include any link or relationship to an objective or policy.	Seeks that the Council incorporates objectives and policies to support proposed rules set out in the PDP that provide clear direction to consent applicants and decision-makers.	Reject
246.2	Federated Farmers of New Zealand Incorporated	General	General	Support	Consider that many Proposed District Plan chapters lack a coherent policy framework to justify the rules they contain, making it difficult for applicants and decision-makers to understand how rules implement objectives. The submission highlights missing supporting policies across multiple chapters, noting that these gaps undermine public understanding and meaningful participation in the planning process. [See original submission for submission]	Seek that the Council ensures there are policies to support proposed rules set out in the PDP, which provide clear direction to consent applicants and decision-makers. New individual submissions requesting new policy direction in relation to the SASM, NFL, SUB, GRUZ chapters, and GRUZ-P7 are provided	Reject
246.1	Federated Farmers of New Zealand Incorporated	General	General	Support	Consider that the Proposed District Plan should clearly identify the specific resource management issues affecting the Waitaki District to ensure policies are well-targeted and justified. It highlights that current issue statements—such as for stormwater—lack depth and should better describe	Seek clearly identified significant resource management issues that the objectives, policies and rules of the PDP seek to address, as relevant to the Waitaki District, in some or all of the following locations:	Reject

					underlying causes and impacts to support effective planning. [see original submission for full submission]	1. in the Description of the District chapter. 2. in the Strategic Direction chapter. 3. as provisions in each chapter or section, expressed before the objectives. 4. the Introductory text for each chapter. 5. any other part of the PDP that is relevant.	
246.7	Federated Farmers of New Zealand Incorporated	General	General	Support	Consider that the Proposed District Plan is overly long and complex, forcing users to navigate numerous objectives, policies, and rules across multiple chapters even for minor activities. They warn that this complexity reduces usability, discourages participation, increases the risk of accidental non-compliance, and raises costs by making professional planning advice more necessary.	Seek that the Council amend the PDP to: 1. reduce the number of provisions within chapters – objectives, policies and rules –by combining those provisions with similar themes. 2. use clear, simple language. 3. remove unnecessary duplication. 4. provide clearer and simpler cross-referencing between chapters and provisions.	Reject

Definitions

Sub	Submitter	Section	Provision	Position	Summary of Submission	Relief/Decision Sought Summary	Recommendation
180.4	NZAAA / NZHA	Definitions	Conservation activities means the use of land and/or buildings for an activity undertake	Support	Considers the 'Conservation Activities' Definition is inconsistent with the 'conservation' definition from s2 of the Conservation Act 1987 - "preservation and protection of natural and historical resources for the purposes of maintaining their intrinsic values, providing for their appreciation and recreational enjoyment by the public, and safeguarding the options of future generations." Oppose listing activities within the definition as the scope of the Definition is narrowed.	Amend the 'Conservation activities' Definition as follows: Means the use of land and / or buildings for an activity undertaken for the purposes of maintaining, protecting and / or enhancing the natural, historic, cultural and/or ecological values of a natural or historic resource ~~(for example; fencing and restoration planting)~~. It includes ancillary activities which assist to enhance the public's appreciation and recreational enjoyment of the resource ~~(for example; access tracks, interpretative signs, visitor facilities and vehicle parking)~~.	Reject
192.5	New Zealand Carbon Farming Group	Definitions	Conservation activities means the use of land and/or buildings for	Support	The Submitter supports the definition of 'Conservation Activities' as consistent with the 'conservation' definition from s2 of the Conservation Act 1987. Specifically, the Submitter supports the definition of	Retain the definition of 'Conservation activities' as notified.	Accept

Sub	Submitter	Section	Provision	Position	Summary of Submission	Relief/Decision Sought Summary	Recommendation
			an activity undertake		'Conservation activities' to the extent that the definition includes planting for the purpose of maintaining, protecting or enhancing natural or ecological values.		
194.8	Director-General of Conservation	Definitions	Conservation activities means the use of land and/or buildings for an activity undertake	Support	Considers while the definition appropriately recognises the scope of 'Conservation activities' that the reference to 'access tracks' could be limited to the entrance to the property, given the definition of 'Access' in the Plan.	Amend as follows, or words to like effect: "...It includes ancillary activities which assist to enhance the public's appreciation and recreational enjoyment of the resources (for example, ~~access~~ walking and cycling tracks, ..."	Accept
240.4	Environmental Defence Society Incorporated (EDS)	Definitions	Conservation activities means the use of land and/or buildings for an activity undertake	Support	Support in part. Considers visitor facilities and parking should be excluded	Seeks amendments for the reasons provided.	Reject
251.5	Te Rūnanga o Waihao, Te Rūnanga o Moeraki and Kāti Huirapa Rūnaka ki Puketeraki	Definitions	Conservation activities means the use of land and/or buildings for an activity undertake	Amend	Considers the definition of conservation activities is too broad and unclear, especially regarding buildings and heritage.	Seeks to amend the definition to address the issues raised by the submission.	Reject
271.6	Canterbury Regional Council	Definitions	Conservation activities means the use of land and/or buildings for an activity undertake	Support	Supports the Definition of Conservation activities but seeks that this is reduced so as not to include access tracks, visitor facilities and carparking that can have significant impacts on the Rural environment and should not be included in the Definition.	Amend the Definition as follows: means the use of land and/or buildings for an activity undertaken for the purposes of maintaining, protecting and/or enhancing the natural, historic, cultural and/or ecological values of a natural or historic resource (for example; fencing and restoration planting).~~It includes ancillary activities which assist to enhance the public's appreciation and recreational enjoyment of the resource (for example; access tracks, interpretative signs, visitor facilities and vehicle parking).~~	Reject

Strategic Direction

Sub	Submitter	Section	Provision	Position	Summary of Submission	Relief/Decision Sought Summary	Recommendation
107.1	Cameron Leckie	Strategic Direction	SD-CFOS-O1 Open Space and Recreation Areas	Amend	Considers that there is a lack of clarity in Council's 2025 DCs & FCs Policy regarding FC collection, calculation and expenditure. The PDP is silent on Reserves Fund Contributions (FCs) causing uncertainty and unnecessary risk. The timing of the 2025 DCs & FCs Policy consultation (immediately after the PDP notification) limited public input. The PDP is silent on Reserves Fund Contributions (FCs) causing uncertainty and unnecessary risk. [Refer to original submission for full reasons]	Amend SD (to the extent relevant below) as follows: - Consider implementing a reasonable flat-rate FC for subdivisions and development, rather than the current model based on property value percentages, to provide cost certainty, efficient administration, and promote economic development. - Council should include FC provisions in the Proposed Plan (or through a clear linked policy) to ensure community input and transparency. Alternatively, provide draft FC provisions for public consultation and consider fair, geographically proportionate FCs.	Reject
164.1	NPHS Te Waipounamu	Strategic Direction	SD-CFOS-O1 Open Space and Recreation Areas Provide a network of public open space and r	Support	Supports as notified as public open space and recreation areas with a variety of amenities, facilities, and infrastructure helps meet the needs of the community and enables physical activity to reduce the risk of health conditions. [See original submission for full reasons]	Retain as notified.	Accept
232.1	Hampden Community Energy Society	Strategic Direction	SD-CFOS-O1 Open Space and Recreation Areas Provide a network of public open space and r	Support	The Submitter supports SD-CFOS-O1 'Open space and Recreation Areas' but considers that it is too open-ended with no benchmark requiring amendment for clarification purposes.	Amend SD-CFOS-O1 as follows: Provide a network of public open space and recreation areas with a diversity of type and size and associated public amenities, recreational facilities, and infrastructure to meet sustainably, the current and future recreation, cultural, health and well-being needs of the community. ...	Reject
253.1	Royal Forest and Bird Protection Society of	Strategic Direction	SD-CFOS-O1 Open Space and Recreation Areas	Support	Supports that open space areas are an opportunity to restore indigenous biodiversity through increasing indigenous vegetation and increase environmental well-being.	Amend the SD-CFOS-O1: Provide a network of public open space and recreation areas with a diversity of type and size and associated public amenities, recreational	Accept

Sub	Submitter	Section	Provision	Position	Summary of Submission	Relief/Decision Sought Summary	Recommendation
	New Zealand Incorporated		Provide a network of public open space and r			facilities, indigenous vegetation and infrastructure to meet the current and future recreation, cultural, health, environmental and well-being needs of the community.	
256.19	Fish and Game (Otago and Central South Island Fish and Game Councils)	Strategic Direction	SD-CFOS-O1 Open Space and Recreation Areas Provide a network of public open space and r	Amend	Considers that the objective should relate to the achievement of the activity, rather than the provision of space/facilities alone.	Seeks to amend: Change title to "Open Space and Recreation". Amend to: "Provide for a diverse range and abundant opportunities, including by...".	Accept in part

Open Space Zone

Sub	Submitter	Section	Provision	Position	Summary of Submission	Relief/Decision Sought Summary	Recommendation
73.1	Marcelo Carena	Open Space Zone	General	Oppose	Considers it appropriate that remote, outstanding areas like Lake Ōhau Alpine, have their reserve natural open space areas managed in such a way so as to enhance habitat and naturalness. McKinnon Reserve is a "Natural Reserve" and Ōhau Reserve in the middle of the Village is a "Recreation Reserve". In particular, McKinnon Reserve is designated a wilderness / natural area. The submitter opposes the OSZ Rules in this reserve (e.g., allowing, in the next 10 years, structures such as community halls and axillary commercial activities in such a natural outstanding reserve).	Seeks WDC to consider remote reserves as natural and wild unique places of high biodiversity value where appropriate. Specifically, opposes underlying OSZ and accompanying Rules for McKinnon Reserve [that should instead be classified as the surrounding GRUZ and an extension of ONL-01]. [Inferred relief requested]	Reject
145.8	Janene Mary and Warren Kenneth Kershaw	Open Space Zone	OSZ-O1 Purpose of the Open Space Zone Ensure the Open Space Zone supports a range	Support	Supports the use of the Open Space Zone for recreational activity.	Seeks to retain OSZ-O1.	Accept

Sub	Submitter	Section	Provision	Position	Summary of Submission	Relief/Decision Sought Summary	Recommendation
242.76	Ministry of Education Te Tāhuhu o Te Mātauranga	Open Space Zone	OSZ-P1 Enabling activities and use in the Open Space Zone Enable activities, buildings	Support	Supports Policy OSZ-P1 as it provides for a range of activities to support the local community, such as educational facilities.	Retain as notified.	Accept
163.137	Fire and Emergency New Zealand	Open Space Zone	OSZ-P5 Servicing Ensure all development is appropriately serviced, including wastewater	Support	Supports as notified.	Retain as notified.	Accept
163.78	Fire and Emergency New Zealand	Open Space Zone	OSZ-R1 Building activity Open Space Zone Activity status: Permitted Where: PER-1 Al	Support	Supports building activity being subject to the 'servicing and firefighting water supply and access' standard as notified.	Retain as notified.	Accept
242.77	Ministry of Education Te Tāhuhu o Te Mātauranga	Open Space Zone	OSZ-R10 Educational facility when ancillary to a recreational activity or conservation activit	Support	Supports OSZ-R10 to manage the operation of educational facilities in the Open Space Zone.	Retain as notified.	Accept
145.9	Janene Mary and Warren Kenneth Kershaw	Open Space Zone	OSZ-R11 Residential activity Open Space Zone Activity status: Discretionary Activi	Oppose	Considers that the rule would require the submitter to obtain a consent for the existing dwelling on the site.	Seeks to delete the rule and provide for residential dwellings as a permitted activity in the Open Space Zone.	Reject
145.10	Janene Mary and Warren Kenneth Kershaw	Open Space Zone	OSZ-R12 Commercial activity where not otherwise provided by OSZ-R3 Open Space Zone	Oppose	Considers that a resource consent would be required under OSZ-R12 to operate the existing camping ground within the Open Space Zone.	Seeks to remove the Open Space Zone from the submitters property and rezone to General Rural Zone, or that established commercial activities are permitted under OSZ-R12.	Reject
145.11	Janene Mary and Warren	Open Space Zone	OSZ-R13 Visitor accommodation Open Space Zone	Oppose	Considers that a resource consent would be required under OSZ-R13 to continue to operate	Seeks to remove the Open Space Zone from the submitters property and rezone to General Rural	Reject

Sub	Submitter	Section	Provision	Position	Summary of Submission	Relief/Decision Sought Summary	Recommendation
	Kenneth Kershaw		Activity status: Discretionary Activi		the existing visitor accommodation within the Open Space Zone.	Zone, or that established visitor accommodation is permitted under OSZ-R13.	
163.139	Fire and Emergency New Zealand	Open Space Zone	OSZ-S1 Maximum height Any buildings and structures must not exceed a maximum hei	Support	Supports in part but seek an exemption for 'emergency service towers and communication poles'. [See original submission for full reasons]	Amend as follows: ... 3. Clause 1 does not apply to: ... c. Emergency service facilities up to 8m and Emergency service towers and communication poles	Reject
233.122	KiwiRail Holdings Limited	Open Space Zone	OSZ-S5 Minimum setbacks The minimum setback of any part of a building or structu	Support	Supports a 4.5m minimum setback from the rail corridor boundary to ensure safe and efficient rail operations. This setback helps prevent accidental intrusion into the corridor and protects the function of a nationally significant asset. The submitter considers a physical setback the most effective way to reduce interference risks from development on adjoining land.	Seeks to retain as notified.	Accept
163.64	Fire and Emergency New Zealand	Open Space Zone	OSZ-S7 Servicing and firefighting water supply and access All new buildings must	Support	Supports the requirement for all new buildings to comply with the New Zealand Fire Service Firefighting Water Supplies Code of Practice SNZ PAS 4509:2008.	Amend as follows: ... 2. All new buildings must comply with the New Zealand Fire Service Firefighting Water Supplies Code of Practice SNZ PAS 4509:2008.	Accept

Open Space Rezoning

Sub	Submitter	Section	Provision	Position	Summary of Submission	Relief/Decision Sought Summary	Recommendation
145.15	Janene Mary and Warren Kenneth Kershaw	Planning Maps	General	Oppose	Considers that the Open Space Zone over 2328 Herbert Hampden Road will have a direct impact on the existing business operating from the site resulting in increased consent costs to make the business compliant.	Seeks to remove the Open Space Zone from 2328 Herbert-Hampden Road and rezone as Rural General Zone.	Reject

Sport and Active Recreation Zone

Sub	Submitter	Section	Provision	Position	Summary of Submission	Relief/Decision Sought Summary	Recommendation
242.78	Ministry of Education Te Tāhuhu o Te Mātauranga	Sport and Active Recreation Zone	SARZ-P1 Enabling activities and use in the Sport and Active Recreation Zone Enable acti	Support	Support Policy SARZ-P1 as it provides for activities uses that are compatible with sport and recreational activities, such as educational facilities, to support the local community.	Retain as notified.	Accept
163.140	Fire and Emergency New Zealand	Sport and Active Recreation Zone	SARZ-P5 Servicing Ensure all development is appropriately serviced, including wastewate	Support	Supports as notified.	Retain as notified.	Accept
163.141	Fire and Emergency New Zealand	Sport and Active Recreation Zone	SARZ-R11 Emergency service facility Zone Activity status: Permitted	Support	Support in part acknowledging that provision is specifically made for emergency service facilities in the SARZ. Request that emergency service facilities are provided for as permitted activities, as set out in earlier submission.	Provide for emergency service facility as a permitted activity	Reject
242.79	Ministry of Education Te Tāhuhu o Te Mātauranga	Sport and Active Recreation Zone	SARZ-R9 Educational facility when ancillary to a recreational activity or conservation activit	Support	Supports SARZ-R9 to manage the operation of educational facilities in the Open Space Zone.	Retain as notified.	Accept
163.142	Fire and Emergency New Zealand	Sport and Active Recreation Zone	SARZ-S1 Maximum height All buildings and	Support	Supports in part but seek an exemption for 'emergency service towers and communication poles'. [See original submission for full reasons]	Amend as follows: …	Reject

Sub	Submitter	Section	Provision	Position	Summary of Submission	Relief/Decision Sought Summary	Recommendation
			structures must not exceed a maximum he			2. Clause 1 does not apply to: ... c. Emergency service towers and communication poles	
233.123	KiwiRail Holdings Limited	Sport and Active Recreation Zone	SARZ-S5 Minimum setbacks The minimum setback of any part of a building or struct	Support	Supports a 4.5m minimum setback from the rail corridor boundary to ensure safe and efficient rail operations, particularly in zones allowing buildings up to 10m high, which require equipment like scaffolding or cranes for maintenance. This setback helps prevent accidental intrusion into the corridor and protects the function of a nationally significant asset. The submitter considers a physical setback the most effective way to reduce interference risks from development on adjoining land.	Seeks to retain as notified.	Accept
163.149	Fire and Emergency New Zealand	Sport and Active Recreation Zone	SARZ-S7 Servicing and firefighting water supply and access All new buildings mus	Support	Supports the requirement for all new buildings to comply with the New Zealand Fire Service Firefighting Water Supplies Code of Practice SNZ PAS 4509:2008. [See original submission for full reasons]	Retain as notified. [Inferred relief sought]	Accept