

# OSZ - Open Space Zone

Section / Sub-section / Provision	Submitter Name	Submission number / Point Number	Position	Summary of Submission	Relief Summary	Link to Submission (click to open)
OSZ - Open Space Zone /OSZ - Open Space Zone - Standards Table /OSZ-S5: Fences and walls	Susan Dallas	25.32	Oppose	The submitter opposes fence and wall standards.	Delete Fences and Walls activity standards in their entirety from the District Plan.  (Inferred relief requested)	Open Submission
OSZ - Open Space Zone /OSZ - Open Space Zone - Standards Table /OSZ-S5: Fences and walls	Natasha Duncan-Sutherland	31.13	Oppose	Considers that a limit on fence heights to 1.2 metres will place children at risk of dog attacks. The submitter seeks no restriction on fence heights with the exception that a new rule is introduced that requires front fence heights of at least 6 feet where a large-breed dog is owned.	Delete any restriction on fence heights and introduce a new rule requiring a front fence of at least 6 feet on properties where a large-breed dog is owned.	Open Submission
OSZ - Open Space Zone /OSZ - Open Space Zone	Hamish Blackberry	50.1	Amend	Considers that Emerson Street between Clive Square and Memorial Square should be pedestrianised and evaluation for the purchase of the adjoining parcel of properties between Dickens, Carlyle, Tennyson, Clive Square West be undertaken for potential future open space and stormwater management.	Seeks an amendment so that Emerson Street between Clive Square and Memorial Square is closed to traffic and the properties between Dickens, Carlyle, Tennyson, Clive Square West are assessed for purchase and zoned Open Space Zone from City Centre Zone.	Open Submission
OSZ - Open Space Zone / Policies	Peter Grant	78.16	Amend	Supports provision quality natural open space environments for passive and active recreational opportunities, along with the necessary facilities and structures to support them.  As a city, we should be encouraging more people to make use of all the city has to offer. We saw the shift in the use of public open space environments during Covid pandemic lockdowns and there is an opportunity here to provide spaces that are inclusive.  With our growing older population, we need to make sure these spaces are accessible to all. This is particularly important with the anticipated increase in housing developments, and the proposed introduction of medium and high-density residential zones. Our comments also apply to NOSZ-P2.	Amend for a clear focus on accessibility to and through spaces in the form of suitable parking and pathways in particular, and provision of adequate resting points which make use of quality seating areas while ensuring structures are compatible with the natural characteristics of the zone.	Open Submission
OSZ - Open Space Zone /Policies	Peter Grant	78.20		Supports protection of parks and reserves through open space and natural space zones to retain green spaces for as housing density increases. Higher density housing areas introduce a need for open spaces so older people (and the wider population) can exercise and enjoy the outdoors if properties have limited outdoor space on site.	Provide for minimum public open space zones, which are easily accessible, in high density residential areas.	Open Submission
OSZ - Open Space Zone /OSZ - Open Space Zone - Standards Table	Sera Chambers	150.238	Oppose	Opposes on the basis that existing adjoining property/landowners should have the same rights to consultation and impact mitigation requirements premised on the enjoyment of property rights as a guiding principle.	Delete on the basis that the people of Napier should be allowed to continue the enjoyment of their property rights as a guiding principle by maintaining their rights to have their say on how a development in the Open Space Zone may impact their property and any options to have the impact mitigated.	Open Submission
OSZ - Open Space Zone /OSZ - Open Space Zone - Standards Table /OSZ-S3: Yards	Sheena McGuire	168.124	Amend	Notes that the OSZ Chapter contains a standard requiring a 6m building setback from any site boundary. Supports this standard but seeks amendment to ensure that the setback applies to structures as well.	Amend as follows: Any part of a building (including eaves and guttering) or structure must not be erected closer than 6m to any site boundary. Any building, fence, permanently fixed structure or part thereof must not be erected closer than 6m from the top of the bank of any watercourse or open drain.	Open Submission
OSZ - Open Space Zone /Introduction	Fleur Lincoln Napier City Council	196.23	Amend	Communicate in the introduction to the zone that the Reserve Management Plan is also relevant to assessing activities and development in the zone.	Insert: "In assessing resource consent applications required under the District Plan, the Council will have regard to the relevant reserve management plan for the area." Consistent with NOSZ.	Open Submission
OSZ - Open Space Zone /Assessment criteria	Fleur Lincoln Napier City Council	196.27	Amend	The current assessment criteria in the open space zones refer only to "any values identified in an approved Resource Management Plan". In addition to values, Reserve Management Plans (and plans under the Conservation Act) may refer to activities, structures and other methods. These plans are a relevant consideration under s104 for decision making on resource consents and will assist in ensuring an integrated approach to planning. Therefore the criteria should require wider regard be given to these other plans "	Add a new assessment criteria: <u>Whether the proposal is consistent with the outcomes sought in any relevant adopted reserve management plan, conservation management strategy or conservation management plan.</u>	Open Submission
OSZ - Open Space Zone /OSZ - Open Space Zone - Rules Table /OSZ-R6: CemeteriesOSZ-R6A	Fleur Lincoln Napier City Council	196.33	Amend	The cemeteries listed in Schedule 8 of the District Plan are not identified on the planning maps, reducing clarity for plan users. Seek to add these instead as a mapped "Cemetery Control Area".	Amend rule to refer to cemeteries within the mapped "Cemetery Control Area" instead of relying on Schedule 8.	Open Submission

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OSZ - Open Space Zone /OSZ - Open Space Zone - Rules Table /OSZ-R11: Industrial	Amelia Longley	222.14	Oppose	<p>Prohibited activity status for rules in the Open Space Zones/Natural Open Space Zones:</p> <p>Prohibited activity status is an absolute. Maybe some instance where you would want to permit industrial activities across a reserve eg pipes ancillary to an industrial activity. 'Prohibited activity' status is only used when the activity in question cannot be contemplated in any circumstances and should be justified in objectives and policies.</p> <p>If it does remain supporting policies linking to the rule should be included to explain why this status has been applied.</p>	Amend Open Space Zones to delete 'Prohibited activity status' where it currently applies to any rules in the Open Space Zones. Or provide justification for retaining this status.	Open Submission
OSZ - Open Space Zone /OSZ - Open Space Zone - Standards Table /OSZ-S5: Fences and walls	Amelia Longley	222.16	Amend	Standards for fences in Open Space zones could result in undesirable outcomes for open space.	Delete these provisions from the Open Space zones or ensure provisions are written to provide for consistent fencing around the perimeter of Council parks and open spaces. Amend relevant residential and open space standards to ensure fencing controls adjacent to open space (including Natural Open Space and Sport and Recreation Zones) will provide for consistent fencing around parks and reserves. I.e. where a fence is higher than 1.2 m, the fencing style beyond the 1.2 m is visually permeable.	Open Submission
OSZ - Open Space Zone /OSZ - Open Space Zone - Rules Table	Amelia Longley	222.49	Amend	Amendment sought clarifies that any applicant must also refer to Reserves Act legislation and the relevant Reserves Management Plan. This is particularly important for new activities establishing on Council parks. It also clarifies that provisions in other district wide sections of the District Plan may also be relevant.	<p><u>Note 1: In addition to these provisions of the District Plan, the provisions of the Reserves Act 1977 and associated Reserve Management Plan also apply.</u></p> <p><u>Note 2: It is important to note that in addition to the provisions in this chapter, the following Part 2: District-Wide Matters / General District-Wide Matters may also apply:</u></p> <ul style="list-style-type: none"> <li>· <u>NU – Network Utilities</u></li> <li>· <u>TPT- Transport</u></li> <li>· <u>EW – Earthworks</u></li> <li>· <u>LIGHT – Light</u></li> <li>· <u>NOISE - Noise</u></li> <li>· <u>SIGN – Signs</u></li> <li>· <u>TEMP – Temporary Activities</u></li> </ul>	Open Submission

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OSZ - Open Space Zone /OSZ - Open Space Zone - Rules Table /OSZ-R1: New buildingsOSZ-R1A	Amelia Longley	222.50	Amend	Minor clarification of wording with regard to amenity effects on adjacent neighbours.	<p><b>OSZ-R1: New buildings</b>  <b>OSZ-R1A</b>  <b>Activity Status:</b> Permitted  <b>Where:</b>            1. The gross floor area of the building does not exceed 50 m<sup>2</sup>, and            2. With the exception of public amenities the building is located outside of the coastal environment.  <b>Notes:</b>            1. The above standards apply to each individual building (not cumulatively)            2. The activity status for the relevant activity(s) to operate within the building, and the associated matters of control/discretion (where applicable) apply in addition to this rule.  <b>OSZ-R1B</b>  <b>Activity Status where activity conditions are not met:</b> Restricted Discretionary  <b>Matters of discretion are:</b>            1. Neighbourhood and open space character;            2. Safety, attractiveness and connectivity of streets and public open spaces;            3. Quality living environments <u>amenity for adjacent residents</u>;            4. Infrastructure capacity and stormwater management,; and            5. Coastal environment values (where applicable)  <b>Notification status:</b> Any application under this rule is precluded from being notified on a public or limited basis.</p>	Open Submission
OSZ - Open Space Zone /OSZ - Open Space Zone - Rules Table /OSZ-R1A: Relocated buildings	Amelia Longley	222.51	Oppose	As permission is required from Council as landowner and most OSZ land is also land under the Reserves Act and subject to Reserve Management Plans this rule is not necessary.	Delete OSZ-R1A.	Open Submission
OSZ - Open Space Zone /OSZ - Open Space Zone - Rules Table /OSZ-R2: Additions, alterations, maintenance and repair to existing buildings	Amelia Longley	222.52	Amend	<p>Rules OSZ-R3 and OSZ-R4, provide for 'recreational activities' and 'community activities'. The PDP definition for 'recreation activities' includes buildings as well as activities. Whilst the term 'community activities' in Rule OSZ-R3 is not defined, there is a NPS definition of 'community facility' that also provides for land and buildings.            so it is not clear why this rule is necessary.            Our first preference is this rule is deleted, and the conditions are included as part of Rule OSZ-R3 and OSZ-R4.            Alternatively, if this rule is retained, it would be helpful to clarify the term 'addition' by including a reference to 'Gross Floor Area', (which is defined in the Interpretation section of the Plan). It is not necessary to capture 'alterations, maintenance and repair' of buildings on reserves in a DP rule.            Matter of discretion (3) should be amended to read 'open space' environments.</p>	<p>Amend as sought and clarify how this rule relates to Rules OSZ-R3 and OSZ-R4.            Or alternatively delete rule entirely and amend rules OSZ-R3 and OSZ R4 to include these conditions, activity status where activity conditions are not met and matters of discretion.  <b>OSZ-R2: Additions to Gross Floor Area, alterations, maintenance and repair to of existing buildings.</b>  <b>OSZ-R2A</b>  <b>Activity Status:</b> Permitted  <b>Where:</b>            1. The gross floor area of the addition does not exceed 50 m<sup>2</sup>, and            2. The building is located outside of the coastal environment.  <b>Note:</b> The activity status for the relevant activity(s) to operate within the building, and the associated matters of control/discretion (where applicable) apply in addition to this rule.  <b>OSZ-R2B</b>  <b>Activity Status where activity conditions are not met:</b> Restricted Discretionary  <b>Matters of discretion are:</b>            1. Neighbourhood and open space character;            2. Safety, attractiveness, and connectivity of streets and public open spaces;            3. Quality living environments;            4. Infrastructure capacity and stormwater management, and</p>	Open Submission

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OSZ - Open Space Zone /OSZ - Open Space Zone - Rules Table /OSZ-R3: Recreational activities	Amelia Longley	222.53	Amend	<p>Clarify how this rule relates to Rule OSZ-R2 and amend if necessary.</p> <p><b>OSZ-R3: Recreational activities</b>  <b>Activity Status:</b> Permitted  <b>Where:</b></p> <p><u>1. The gross floor area of the addition does not exceed 50 m<sup>2</sup>, and</u>  <u>2. The building is located outside of the coastal environment.</u></p> <p>NA            Activity Status where activity conditions are not met: Restricted Discretionary</p> <p><u>Matters of discretion are:</u></p> <p>-  <u>1. Neighbourhood and open space character;</u>  <u>2. Safety, attractiveness, and connectivity of streets and public open spaces;</u>  <u>3. Quality living open space environments;</u>  <u>4. Infrastructure capacity and stormwater management, and</u>  <u>5. Coastal environment values (where applicable).</u></p> <p>-  <u>Notification status: Any application under this rule is precluded from being notified on a public or limited basis.</u></p>	<p>Seeks Clarification on how this rule relates to Rule OSZ-R2 and amend if necessary.</p> <p><b>OSZ-R3: Recreational activities</b>  <b>Activity Status:</b> Permitted  <b>Where:</b></p> <p><u>1. The gross floor area of the addition does not exceed 50 m<sup>2</sup>, and</u>  <u>2. The building is located outside of the coastal environment.</u></p> <p>NA            Activity Status where activity conditions are not met: Restricted Discretionary</p> <p><u>Matters of discretion are:</u></p> <p>-  <u>1. Neighbourhood and open space character;</u>  <u>2. Safety, attractiveness, and connectivity of streets and public open spaces;</u>  <u>3. Quality living open space environments;</u>  <u>4. Infrastructure capacity and stormwater management, and</u>  <u>5. Coastal environment values (where applicable).</u></p> <p>-  <u>Notification status: Any application under this rule is precluded from being notified on a public or limited basis.</u></p>	Open Submission
OSZ - Open Space Zone /OSZ - Open Space Zone - Rules Table /OSZ-R4 Community activities	Amelia Longley	222.54	Amend	<p>Clarify how this rule relates to Rule OSZ-R2 and amend if necessary.</p> <p>Amend 'community activities' to be consistent with the NPS definition of 'community facility' activity.</p>	<p><b>OSZ-R4 Community activities facility activity</b></p> <p><b>Activity Status:</b> Permitted  <b>Where:</b></p> <p><u>1. The gross floor area of the addition does not exceed 50 m<sup>2</sup>, and</u>  <u>2. The building is located outside of the coastal environment.</u></p> <p>NA            Activity Status where activity conditions are not met: Restricted Discretionary</p> <p><u>Matters of discretion are:</u></p> <p>-  <u>1. Neighbourhood and open space character;</u>  <u>2. Safety, attractiveness, and connectivity of streets and public open spaces;</u>  <u>3. Quality living open space environments;</u>  <u>4. Infrastructure capacity and stormwater management, and</u>  <u>5. Coastal environment values (where applicable).</u></p> <p>-  <u>Notification status: Any application under this rule is precluded from being notified on a public or limited basis.</u></p>	Open Submission
OSZ - Open Space Zone /OSZ - Open Space Zone - Rules Table /OSZ-R5: Vehicle parking areas	Amelia Longley	222.55	Oppose	<p>Vehicle parking areas are an ancillary activity and therefore fall within the definition of 'recreation activity' and 'community facilities'.</p> <p>In addition, Council is the manager of these spaces and any new vehicle parking areas will be subject to the provisions of a Reserve Management Plan. It is not appropriate or necessary for the District Plan to control these activities.</p>	Delete rule.	Open Submission
OSZ - Open Space Zone /OSZ - Open Space Zone - Rules Table /OSZ-R7: Boat and beach related hire activities	Amelia Longley	222.56	Oppose	<p>There is no apparent reason for singling this activity out from other commercial activities. Include as part of commercial activities rule OSZ-R8.</p>	Delete and provide for as a commercial activity within Rule OSZ-R8.	Open Submission

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OSZ - Open Space Zone /OSZ - Open Space Zone - Rules Table /OSZ-R8: Commercial activities	Amelia Longley	222.57	Amend	<p>Include provision for boat and beach related hire activities</p> <p>In matter of discretion (d) It is more appropriate to refer to 'open space' environments than 'living' environments.</p>	<p><b>OSZ-R8A</b>  <b>Activity Status:</b> Restricted Discretionary  <b>Where:</b>                      1. The activity is for the sale of food and drink (including restaurants, cafes, and licensed premises) and is located within the Marine Parade Recreation Control Area, or                      2. The activity is for the commercial use of recreational clubrooms; <b>or</b>                      3. <u>The activity is for boat and beach related hire activities; and within 100 m of the coastal marine area; and</u>                          i. <u>The activity does not include any permanent buildings; and</u>                          ii. <u>Any signs associated with the activity must be limited to one moveable footpath sign that is removed at the end of each day.</u>  <b>Note:</b> Temporary events are provided for under Rule TEMP-R2  <b>Notification status:</b> Any application under this rule is precluded from being notified on a public or limited basis.  <b>Matters of discretion are:</b>                      1. Open space character and function;                      2. Contribution to community wellbeing;                      3. Safety, attractiveness and connectivity of streets and public open spaces;                      4. Quality <del>living</del> <u>open space</u> environments;                      5. Vibrancy and vitality of centres, <del>and</del>                      6. Infrastructure capacity and stormwater management; <u>and</u>                      7. <u>Coastal environment values (where applicable)</u></p>	Open Submission
OSZ - Open Space Zone /OSZ - Open Space Zone - Rules Table /OSZ-R9: Activities infringing standards	Amelia Longley	222.59	Amend	<p>This rule should only apply to permitted activities otherwise potentially could end up with a discretionary or non-complying activity that infringes standards being considered under this rule.</p> <p>Clarification of wording to assist in clearer interpretation of the Plan.</p>	<p><b>OSZ-R9: <u>Permitted Activities infringing standards</u></b>  <b>Activity Status:</b> Restricted Discretionary  <b>Matters of discretion are:</b>                      1. The matters of discretion stated for <del>infringing</del> the relevant standard(s) <b><u>being infringed.</u></b>  <b>Note:</b> The activity status for the relevant activity, and the associated matters of control/discretion (where applicable) apply in addition to this rule.                      NA</p>	Open Submission
OSZ - Open Space Zone /OSZ - Open Space Zone - Rules Table /OSZ-R10: Residential activities	Amelia Longley	222.60	Oppose	<p>Considers the requirement for managers to live onsite is generally no longer required on Council reserves and therefore it is not necessary to have a separate rule for this type of activity. The default Rule NOSZ-R11 is appropriate to cover instances where a Residential activity might be considered. Prohibited activity status is unnecessarily restrictive.</p> <p>The provisions of the Reserves Act 1977, and any relevant RMP would also apply.</p>	Seeks to delete OSZ-R10A.	Open Submission
OSZ - Open Space Zone /OSZ - Open Space Zone - Rules Table /OSZ-R11: Industrial activities	Amelia Longley	222.61	Oppose	<p>Considers there is no justification for 'Prohibited activity' status for activities in the Open Space zones and there may be some instance where you would want to permit industrial activities across a reserve e.g. pipes ancillary to an industrial activity such as Ravensdown example.</p> <p>The default rule OSZ-R11 (Non-complying activity status is appropriate to provide for any such applications on NOSZ sites.</p>	Seeks to Delete rule.	Open Submission
OSZ - Open Space Zone /OSZ - Open Space Zone - Rules Table /OSZ-R12NA	Amelia Longley	222.62	Support	Support non-complying status for activities not otherwise provided for.	Seeks to retain OSZ-R12.	Open Submission
OSZ - Open Space Zone /OSZ - Open Space Zone - Rules Table	Amelia Longley	222.63	Amend	<p>Council has a large number of reserves whose primary purpose is to provide for stormwater overflow and drainage activities.Considers it is important that these activities are enabled in the Open Space zones.</p> <p>It is not clear whether such activities are provided for as network utilities or not. If not, it would be appropriate to define these works (refer proposed definition) and have an associated enabling rule in the open space zones.</p>	<p><b>OSZ-Rxx Stormwater and drainage activities</b>  <b>Activity Status:</b> Permitted  <b>Where:</b>                      1. <u>The purpose of the reserve is for stormwater or drainage activities; andThe stormwater or drainage activities are undertaken by Council (or its contractors)Activity Status where activity conditions are not met: Non-complying</u></p>	Open Submission

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OSZ - Open Space Zone /OSZ - Open Space Zone - Rules Table	Amelia Longley	222.64	Amend	Insert new rule as sought: The purpose of this rule is to allow for reserve maintenance activities and buildings associated with them to take place within this zone. A definition of 'reserves maintenance activities' is also proposed.	<p><b>NOSZ-Rxx Reserve maintenance activities</b>  <b>Activity Status: Permitted</b>  <b>Where:</b>                      1. The purpose of the activity supports the function and maintenance of Council owned reserves; and                      2. The drainage activities are undertaken by Council (or its contractors)  <b>Activity Status where activity conditions are not met: Non-complying.</b></p>	Open Submission
OSZ - Open Space Zone /OSZ - Open Space Zone - Standards Table	Amelia Longley	222.65	Amend	Considers there is currently there is no link between the rules and standards.	<p>Seeks to insert a condition in each rule                      OR                      Amend to insert a note as sought;                      AND apply in a consistent manner across all Open Space Zones                      All activities must comply with all of the following permitted activity standards set out below:</p>	Open Submission
OSZ - Open Space Zone /OSZ - Open Space Zone - Standards Table /OSZ-S1: Height	Amelia Longley	222.66	Amend	Clarify wording and intention of standard with respect to residential amenity.	<p><b>OSZ-S1: Height</b>  <b>Purpose:</b> to maintain an open space character that complements the character of the neighbourhood while facilitating appropriate activities; to minimise effects on the quality of <u>the residential amenity</u> for neighbours' <u>living environment</u>.                      1. Buildings and structures must not exceed 10 m in height  <b>Activity Status where standards are not met:</b> Restricted Discretionary  <b>Matters of discretion are:</b>                      1. Purpose of the standard;                      2. Neighbourhood and open space character;                      3. Safety, attractiveness and connectivity of streets and public open spaces;                      4. Quality <u>living amenity environments</u> for <u>adjacent residents</u>, and                      5. Coastal environment values (where applicable).</p>	Open Submission
OSZ - Open Space Zone /OSZ - Open Space Zone - Standards Table /OSZ-S3: Yards	Amelia Longley	222.67	Amend	Minor amendment to purpose and matter of discretion matter (4) referencing environment. Clarify wording and intention of standard with respect to residential amenity.	<p><b>OSZ-S3: Yards</b>  <b>Purpose:</b> to maintain an open space character that complements the character of the neighbourhood; to provide for building maintenance; to provide for a safe and attractive streetscape; to minimise flooding risk; and provide access to watercourses or open drains for maintenance purposes.                      1. Any part of a building (including eaves and guttering) must not be erected closer than 6 m to any site boundary.                      2. Any building, fence, permanently fixed structure or part thereof must not be erected closer than 6 m from the top of the bank of any watercourse, open drain, identified stormwater detention area and/or overland flow path.  <b>Activity Status where standards are not met:</b> Restricted Discretionary  <b>Matters of discretion are:</b>                      1. Purpose of the standard;                      2. Neighbourhood and open space character;                      3. Safety, attractiveness and connectivity of streets and public open spaces, and                      4. Quality <u>living amenity environments</u> for <u>adjacent residents</u>.</p>	Open Submission

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OSZ - Open Space Zone /OSZ - Open Space Zone - Standards Table /OSZ-S4: Building coverage	Amelia Longley	222.68	Amend	Minor amendment to clarify purpose and matter of discretion matter (4) referencing 'living' environment.	<p><b>OSZ-S4: Building coverage</b>  <i>All Open Space Zones except within the Marine Parade Recreation Control Area</i>  <b>Purpose:</b> to maintain the open space character.  <i>Marine Parade Recreation Control Area</i>  <b>Purpose:</b> to maintain the coastal character while enabling activities which contribute to the vibrancy of the city centre.</p> <ol style="list-style-type: none"> <li>Building coverage must not exceed 5% of the net site area.</li> <li>Building coverage in the Marine Parade Control Area must not exceed 10% of the net site area.</li> </ol> <p><b>Activity Status where standards are not met:</b> Restricted Discretionary</p> <p><b>Matters of discretion are:</b></p> <ol style="list-style-type: none"> <li>Purpose of the standard;</li> <li>Neighbourhood and open space character;</li> <li>Safety, attractiveness and connectivity of streets and public open spaces;</li> <li>Quality living amenity-environments for adjacent residents, and</li> <li>Coastal environment values (where applicable).</li> </ol>	Open Submission
OSZ - Open Space Zone /OSZ - Open Space Zone - Standards Table /OSZ-S5: Fences and walls	Amelia Longley	222.69	Amend	Clarify how these rules will work with fencing requirements in the Residential Zone and achieve consistent fencing around the perimeter of public open spaces. This rule could result in undesirable outcomes for open space. Consistent fencing, providing for visual surveillance around the park boundaries, is desirable.	Seeks to Delete OSZ-S5 or amend to clarify.	Open Submission
OSZ - Open Space Zone /Assessment criteria	Amelia Longley	222.70	Amend	Considers the activity status of an activity determines whether regard should be had to objectives and policies of this plan and not appropriate to have this note here.	Seeks to amend as follows: When considering an application the Council will have regard to the relevant objectives and policies of this plan, the purpose of the rules and standards, and regard will also be had to the relevant assessment criteria set out below:	Open Submission
OSZ - Open Space Zone /Assessment criteria /OSZ-AC1: New buildings not meeting permitted conditions (OSZ-R1), Additions, alterations, maintenance and repair to existing buildings not meeting permitted conditions (OSZ-R2), Relocated buildings (OSZ-R1A)	Amelia Longley	222.71	Amend	Seeks a consequential amendment supporting submission on Rule OSZ-R2, and minor amendment referencing 'open space' environment instead of 'living' environment.	<p><b>OSZ-AC1: New buildings not meeting permitted conditions (OSZ-R1), Additions to Gross Floor Area alterations, maintenance and repair to existing buildings not meeting permitted conditions (OSZ-R2), Relocated buildings (OSZ-R1A)</b>  <i>Neighbourhood and open space character</i></p> <ol style="list-style-type: none"> <li>The extent to which the character of the neighbourhood and of the park or reserve are maintained by the proposed building. This includes consideration of: <ol style="list-style-type: none"> <li>any positive characteristics of the neighbourhood identified in a heritage character or amenity character area statement;</li> <li>any values identified in an approved Reserve Management Plan, and</li> <li>any landscape, amenity character, heritage character cultural and/or ecosystems and indigenous biodiversity values identified by overlays applying to the open space.</li> </ol> </li> <li>Within the Marine Parade Recreation Control Area, whether the building will maintain the identified coastal character, landscape character and heritage values associated with the former spit and foreshore location.</li> <li>Whether parking, storage areas and buildings are adequately screened from adjoining sites or public places and roads by fencing and/or landscaping.</li> <li>Whether proposed landscaping is compatible with the landscape character of the surrounding environment.</li> </ol> <p><i>Safety, attractiveness and connectivity of streets and public open spaces</i></p>	Open Submission

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OSZ - Open Space Zone /Assessment criteria /OSZ-AC2: Vehicle parking areas not meeting permitted conditions (OSZ-R5)	Amelia Longley	222.72	Oppose	For the same reasons as set out with respect to Rule OSZ-R5 above (and copied below), delete these provisions. 'This rule could result in undesirable outcomes for open space. Consistent fencing, providing for visual surveillance around the park boundaries, is desirable'	Seeks to delete OSZ-AC2.	Open Submission
OSZ - Open Space Zone /Assessment criteria /OSZ-AC3: Activities infringing standards (OSZ-R9)	Amelia Longley	222.73	Oppose	Considers this criteria does not seem to be relevant for this type of restricted discretionary activity, and there is no similar criteria for the same rule in other Open Space Zones.	Seeks to delete OSZ-AC3.	Open Submission
OSZ - Open Space Zone /Assessment criteria /OSZ-AC4: Commercial activities (OSZ-R8), Residential activities (OSZ-R10)	Amelia Longley	222.74	Amend	Consequential amendment to reflect submission on Rule OSZ-R10.	Seeks to amend as follows: <b>OSZ-AC4: Commercial activities (OSZ-R8), Residential activities (OSZ-R10)</b> The criteria below will be considered in addition to the relevant objectives and policies of the plan. <i>Open space character and functions</i> a. The extent to which the activity would detract from the character and function of the open space, including any values identified in an approved Reserve Management Plan. b. The extent to which the activity will contribute to the use, benefit and enjoyment of the open space. Contribution to community wellbeing c. The extent to which locating the commercial or entertainment activity in the Open Space Zone will contribute to the wellbeing of the local community. d. Whether the activity proposed in the Marine Parade Recreation Control Area contributes to the vibrancy of the city centre and foreshore location. e. Whether the potential contribution to community wellbeing could be achieved by locating the activity in a zone other than the Open Space Zone. Safety, attractiveness and connectivity of streets and public open spaces f. The extent to which access and parking associated with the activity will provide safe access to the activity for pedestrians, cyclists and motorists. g. Whether the car park is located to: i. facilitate accessibility to the open space including facilities	Open Submission
OSZ - Open Space Zone /OSZ - Open Space Zone - Standards Table /OSZ-S2: Height in relation to boundary	Amelia Longley	222.143	Amend	Minor amendment to purpose and matter of discretion matter (d) referencing environment. Clarify wording and intention of standard with respect to residential amenity.	Amend as sought. <b>Purpose:</b> <i>to maintain an open space character that complements the character of the neighbourhood while facilitating appropriate activities; to maintain a reasonable level of sunlight access and minimise effects on the quality of</i> <del>the adjacent residential amenity neighbours' living environment.</del>  1. Buildings must not project beyond a 45 degree recession plane measured from a point 3 m vertically above ground.  <b>Figure 1 - Height in relation to boundary</b>  2. Where the site abuts an entrance strip or access lot, the furthest boundary of the entrance strip or access lot may be deemed to be the site boundary for the purpose of the standard.  <b>Activity Status where standards are not met:</b> Restricted Discretionary  <b>Matters of discretion are:</b> 1. Purpose of the standard; 2. Neighbourhood and open space character; 3. Safety, attractiveness and connectivity of streets and public open spaces, and 4. Quality living amenity environments for adjacent residents.	Open Submission



# OSZ - Open Space Zone

Section / Sub-section / Provision	Submitter Name	Submission number / Point Number	Position	Summary of Submission	Relief Summary	Link to Submission (click to open)
OSZ - Open Space Zone /OSZ - Open Space Zone - Rules Table /OSZ-R1A: Relocated buildings	Sean Thompson	225.17	Support	<p>Considers that it is not self-evident from the analysis and rationale in the PDP, including in terms of s 32 RMA, why relocated buildings should be classified as non-complying in the NCZ, LCZ, LFRZ, LIZ and GIZ. It is accepted that relocated buildings should be discretionary in the Natural Open Space Zone, and there may be urban design and other considerations applicable to the Town Centre Zone and City Centre Zone which warrant different treatment.</p> <p>Since a 2004 Central Otago Environment Court decision most local authorities in New Zealand have either adopted permitted activity classification for relocated buildings (with no standards) or provided for permitted activity status with prescribed performance standards.</p>	<p>Seeks to amend the OSZ - Open Space Zone Rules as follows:</p> <p>b. For the relocated building rules in all zones (including OSZ), the removal of the requirement to deposit a monitoring fee at the same time as submitting the relocated building report;</p> <p>c. Amending the performance standards in relation to relocated buildings in accordance with the wording in the attached Schedule 1 (which can be found in the attached submission), to provide for:</p> <p>i. modification of the performance timeframes such that relocation on permanent foundation is required within two months, and twelve months is allowed for the completion of all reinstatement works;</p> <p>ii. provision for a pre-inspection report in the same or similar form as found in Schedule 2 (which can be found in the attached submission).</p> <p>Consequential or further relief including to the relevant objectives, policies and provisions of the proposed plan in order to give effect to relief sought. (The reasons are stated in detail in the full submission)</p>	Open Submission
OSZ - Open Space Zone /OSZ - Open Space Zone - Rules Table /OSZ-R12	NZ Transport Agency Waka Kotahi Kelsey Watson	277.149	Oppose	<p>Notes there is no provision for infrastructure in OSZ-R1-OSZ-R11, leading this activity falling into a non-complying activity status in accordance with OSZ-R12. Notes sections of the SH designation fall within or adjoin Open Space zoning and notes the non-complying activity status would set an overly restrictive activity status for the development, maintenance and operation of the SH transport network. Seeks amendments in the form of a new rule to provide for the maintenance and operation of infrastructure within the Open Space Zone.</p>	<p>Add a new rule setting a restricted discretionary activity status for the maintenance, repair and operation of existing infrastructure.</p>	Open Submission
OSZ - Open Space Zone /OSZ - Open Space Zone /General	Phil Stickney	279.1	Amend	<p>Notes that the submission is made regarding land accommodating Maraenui Golf Club and Awatoto Golf Course. Notes that Maraenui Club is privately operated while Awatoto Course is public. Notes that both courses were significantly damaged during Cyclone Gabrielle, with efforts made to reinstate the Awatoto Course. Notes the proposed zoning under the Proposed plan: Open Space Zone (OSZ) for part of the sites and Rural Production Zone (RPZ) for the southern extent accommodating the Awatoto Course. Considers that there is no rationale for a "split" zoning over the land given the established land use activities that are undertaken are both recreational activities. Seeks to zone all land encapsulated by golfing activities as OSZ. Considers that the proposed provisions do not reflect the bespoke nature of activities associated with, and required for a golfing land use, which clearly are of a very specific nature. Considers that Rules and Standards for OSZ-R and OSZ-S are too restrictive for golf club activities. Notes the scale of buildings required to support a viable golfing activity and the supporting range of land use activities which are expected including cafes/bar facilities, a golfing goods retail operation, storage facilities and other ancillary infrastructure. Seeks provisions that accommodate golfing activities' specific nature as they also attract the public. Seeks amendment of OSZ provisions or creation of a new Golf Precinct to better manage golfing activities using a bespoke approach. Considers the intention to make the plan more effective in achieving desired outcomes and providing certainty and direction for these activities to avoid adverse environmental effects. Refer to original submission for full reasons.</p>	<p>Seeks that the mapping and provision of a golf precinct and accepted and adopted into the PDP and including such further, alternative, or consequential relief as may be necessary to fully achieve the relief sought in this submission. Notes that changes are aimed at ensuring the proposed provisions align with the purpose of the Resource Management Act 1991, simplifying interpretation and processing for decision makers, provide clarity for all plan users, and promoting certainty in future planning. Refer to original submission for attached Appendix 1 PREC11 – Golf Course Precinct and Appendix 2 - Precinct Map and zone changes sought</p>	Open Submission

# OSZ - Open Space Zone

Section / Sub-section / Provision	Submitter Name	Submission number / Point Number	Position	Summary of Submission	Relief Summary	Link to Submission (click to open)
OSZ - Open Space Zone /OSZ - Open Space Zone - Rules Table /General	Alec Duncan	288.74	Amend	<p>Fire and Emergency requires the ability to construct and operate emergency service facilities (i.e., fire stations) in locations which will enable reasonable response times to fire and other emergencies. This means new fire stations may be necessary in any zone across the district in order to continue to achieve emergency response time commitments in situations where development occurs, and populations change. In this regard it is noted that Fire and Emergency is not a requiring authority under section 166 of the RMA, and therefore does not have the ability to designate land for the purposes of fire stations.</p> <p>Fire and Emergency notes that the effects of a fire station can be largely anticipated and, in the most part, do not differ to the effects of many activities that may be anticipated through rural and urban environments.</p> <p>Fire and Emergency requests that emergency service facilities are provided for as permitted activities in the larger, more extensive zones of the district to recognise the critical importance of emergency services to communities. In providing for emergency service facility as a permitted activity would mean that emergency service facilities would be controlled by the subsequent performance standards of each zone (such as height, height in relation to boundary, front yards, building coverage requirements).and the other relevant performance standards in other chapters (i.e., transport) to ensure that any effects are appropriately managed.</p>	<p>Seeks to include new permitted activity as follows:</p> <p><b>xxx-Rx: Emergency service facilities</b>  <b>Activity Status:</b> Permitted - N/A</p> <p>Or</p> <p>To similar effect.</p> <p>And</p> <p>any other consequential amendments required to give effect to this new standard</p>	Open Submission
OSZ - Open Space Zone /OSZ - Open Space Zone - Standards Table /General	Alec Duncan	288.93	Amend	<p>Fire and Emergency's main area of concern is the provision of a water supply and access to this supply which will enable Fire and Emergency to operate effectively and efficiently to save lives and property in the event of a fire. This is best achieved through compliance with the New Zealand Fire Service Firefighting Water Supplies Code of Practice SNZ 4509:2008.</p> <p>SNZ 4509:2008 sets out minimum water supply requirements required for firefighting water supply to both reticulated and non-reticulated areas. Where a development is unable to connect to the reticulated network, or the reticulated network has insufficient capacity and/or pressure, an alternative firefighting water source is required by Fire and Emergency. This could be from a dedicated firefighting water supply tank.</p> <p>Fire and Emergency notes that the subdivision chapter includes rules and standards applying to subdivision. Therefore, activities that do not require subdivision will not be subject to the servicing standards within, including SUB S14 that applies to the subdivision of new lots only and requires a firefighting water supply.</p> <p>A new standard is therefore requested in all zones of which development of new buildings are enabled to ensure that new development is provided with a water supply suitable for firefighting purposes.</p> <p>In relation to new standard XXX-SX(1), it is expected that all reticulated water supply networks (whether private or public) will be fully compliant with the New Zealand Fire Service Firefighting Water Supplies Code of Practice SNZ PAS 4509:2008 as required by the Code of Practice for Land Development and</p>	<p>To include a new performance standard as follows:</p> <p><b>XXX-SX: Firefighting water supply</b></p> <p><u>1. All new developments must be connected to a public reticulated water supply, where one is available.</u></p> <p><u>2. Where the new development will not be connected to a public reticulated water supply, or where an additional level of service is required that exceeds the level of service provided by the reticulated system, the developer must demonstrate how an alternative and satisfactory firefighting water supply can be provided in accordance with the New Zealand Fire Service Firefighting Water Supplies Code of Practice SNZ PAS 4509:2008.</u></p> <p><u>Matter of discretion:</u></p> <p><u>1. The extent of consistency with the requirements of the New Zealand Fire Service Firefighting Water Supplies Code of Practice SNZ PAS 4509:2008.</u></p> <p><b>Or</b></p> <p><b>To similar effect.</b></p> <p><b>And</b></p> <p>any other consequential amendments required to give effect to this new standard.</p>	Open Submission