

Points 19 and 20 in Ms Grace's evidence noted that Operative Reserve Management Plan is not defined in the District Plan and that this could allow any document the agencies administering parks have prepared to be used as a management plan. The preparation of Reserve Management Plans is undertaken in accordance with the provisions of Section 41 of the Reserves Act 1977. The current provisions in the Plan generally allow activities provided for by an Operative Reserve Management Plan, albeit with some restrictions. Proposed Plan Change 12 has changed the framework for determining what activities are provided for in parks based upon new definitions, with the status of the activity being determined by the potential effects on the environment. To recognise the parks planning and community involvement that occurs in the development of Operative Reserve Management Plans an assessment criterion that refers to 'a relevant Operative Reserve Management Plan or Parks Concept Plan' is included in the Natural Areas and Human Environments rules. Parks Concept Plans are often part of the Reserve Management Plan and provide an overall concept or drawing for a park that depicts its proposed development. The other document that is included in the assessment criterion is the Waitakere City Parks Strategy with a further addition as a result of a submission being the Waitakere City Leisure Strategy. These documents are only part of the many matters which must be taken into consideration by a planner assessing an application for resource consent. Given that reserve management plans are created under the Reserves Act 1977 and that they and the other documents included in the criterion are for reference only, the Committee considered that there was no need to include a definition in the District Plan and rejects the definition provided in Point 43 of Ms Grace's evidence. There is no requirement for an assessment of environmental effects in the Reserves Act 1977 and that is not their purpose.

The Committee refutes the evidence in point 21 and the following points 22, 23 and 24 that Operative Reserve Management Plans are 'contracts between the service providers and the public as beneficiaries' because it is considered that they provide a plan with priorities or staging for achieving the vision and development proposed in the park. They also detail the history and intrinsic values in parks.

The Committee rejected point 29 of Ms Grace's evidence that the only opportunity for the public to 'resort to the Environment Court' are when a District Plan or designation is changed or reviewed - not during a management planning consultation process'. Decisions on notified resource consent applications can be appealed to the Environment Court. The new framework for managing open space under Plan Change 12 does not place the same emphasis on Reserve Management Plans as the existing provisions in the District Plan do. The decision to notify or not notify an application for resource consent for an activity in the Open Space Environment will be based on a number of factors that the planner processing the application will make. Many of these factors are the same that apply to the private individuals.

The amendments to the Act during 2005 recognise the importance of documents that, for example, establish standards and it does not require them to have been through an assessment of effects. There is now a process for incorporating that material into the District Plan, which this Plan Change has been able to utilise.

The matters raised in Points 36, 44 and 45 of Ms Grace's evidence relate to the need for the Council to ensure the sustainable management of resources in public parks and seek a new rule for the protection of resources as a priority activity. The Committee rejected the arguments that a new rule is needed because it is considered by the Committee that the submitter has focused on only aspect of the Resource Management Act 1991, namely resource protection. The purpose of the Act is *'to promote the sustainable management of natural and physical resources'*.

The RMA defines 'sustainable management' as:

"managing the use, development, and protection of natural and physical resources in a way, or at a rate, which enables people and communities to provide for their social, economic, and cultural well being and for their health and safety while –

- (d) *sustaining the potential of natural and physical resources (excluding minerals) to meet the reasonably foreseeable needs of future generations; and*
- (e) *safeguarding the life-supporting capacity of air, water, soil and ecosystems; and*
- (f) *avoiding, remedying or mitigating any adverse effects of activities on the environment.*

The act does not favour protection over the use and development of resources, provided that adverse effects are minimised and managed. As has been noted the inclusion of a new policy in the Heritage objectives for the protection of resources in the Open Space Environment has been accepted by the Committee.

The Committee also accepted the need to remove the definition of Parks Contracts from Plan Change 12.

4.5.4 Decision

Submission (12/5/-)

The submission by Anne Grace (12/5/-) is accepted in part relating to the following points:

- *The definition of Parks Maintenance will be amended to ensure that vegetation alteration for track and trail maintenance in parks in Green Network will comply with the New Zealand Standards Handbook for Track and Outdoor Visitor Structures (SNZHB8630:2004)*
- *The definition of Parks Contract is deleted*
- *A new policy for the protection of natural resources under the Objective 12 Heritage will be provided*
- *A new assessment criterion in the Vegetation Alteration Rules in all Natural Areas requiring that proposed vegetation alteration in the Open Space Environment avoids significant vegetation and any species known to be threatened or endangered*

Further Submissions (12/17/-9) and (12/11/-3)

The further submission (12/17/-9) by Anne Grace and the further submission by Te Atatu Residents and Ratepayers Association (12/11/-3) are rejected

Further Submission (12/10/-2)

The further submission by DoC (12/10/-2) points 6 and 7 are accepted to the extent a new assessment criterion is included in the District Plan Rules for Vegetation Alteration.

4.6 Submissions by Waitakere City Council (12/7/-)

4.6.1 The Waitakere City Council makes their submission in support of Plan Change 12 but seeks to clarify general text in the Open Space Environment rules, an omission and minor errors relating to three new definitions (Parks Buildings, Parks Infrastructure and Parks Maintenance) and a minor mistake in Rule 6 – Buildings, in the Restoration Natural Area, an addition to the assessment criteria in the Open Space Environment and Natural Areas Rules.

4.6.2 Submission (12/7/-) is opposed in its entirety by further submissions from Te Atatu Residents and Ratepayers Association (12/14/-6)

Evidence Presented

No evidence was presented as the issues were addressed in Section 7.6 of the Hearings Report.

Discussion

The changes as outlined above became apparent in the period immediately following notification of the plan change during the course of using the rules when assessing new proposals under the existing and proposed rules which is the process required by the RMA.. The proposed changes do not change the content and purpose of the plan change but seek to add clarity and address minor omissions and errors to the rules, three definitions and an assessment criterion.

Point 2.1 relates to changes to the General part of Rules 4, 6, 7 and 9 in the Open Space Environment, and consequential changes to achieve a consistent approach with the inclusion of the list of activities that each rules apply to

Point 3.1 relates to an amendment to include Parks Maintenance and Parks Infrastructure in the Restoration Natural Area Rule 6 (Buildings), to be consistent with Rule 7 Buildings in the Riparian Margins/Coastal Edges Natural Area

Point 4.1 relates to amendments to the definition of Parks Buildings to clarify the meaning of community purposes, Parks Infrastructure to include mountain bike trails with the tracks and bridle trails and Parks Maintenance to correct the measurement from more than to less than 15m in length in the clause providing for the maintenance and repairs of existing footbridges, boardwalks or culverts. In Point 4.1 of the submission the need in the Parks Buildings definition to qualify or explain the words 'community purposes' with the following bracketed words (non-profit or charitable organisation with registered/legal status) has now been discounted as an unnecessary amendment because under the Reserves Act 1977 parks are classified as local purpose, recreation, scenic and historic, national and esplanade reserves and that classification determines processes in the Act that relate to the leasing of land and provisions for profit making organisations that support the use and enjoyment of a park determined by.

Point 5.1 relates to adding a reference to the Waitakere City Leisure Strategy in the assessment criteria that relate to the Open Space Environment and Natural Areas Rules.

4.6.3 Decision

Submission (12/7/-)

*The submission of Waitakere City Council (12/7/-) including all of Points 2.1, 3.1 and 5.1 and that part of Point 4.1 relating to the amendments to the definitions of Parks Maintenance and Parks Infrastructure and **are accepted** in their entirety by the Committee because the amendments are minor and will provide clarity or correct omissions and errors in the wording of the rules of the Plan Change.*

*Point 4.1 of the submission relating to the addition of a clause clarifying "community purpose" in the definition of Parks Building is no longer required and **is rejected** by the Committee as it is unnecessary because the Reserves Act is the defining legislation.*

Further Submission (12/14/-6)

*The further submission (12/14/-6) by the Te Atatu Residents and Ratepayers Association **is rejected** because it does not present any specific reasons for opposing the particular amendments.*

4.7 Submission by Department of Conservation (12/8/-)

4.7.1 The Department of Conservation (DoC) makes the submission in support of the Proposed Plan Change but seeks changes to the definitions of Parks Maintenance and Parks Infrastructure to take into account that on land administered by the Department of Conservation the parks contracts and documents referred to in the definitions may not be applicable especially if the work is being undertaken by their own staff. This could potentially

mean straight forward maintenance and infrastructure provision which would otherwise be permitted by the Plan Change could not be undertaken by the Department.

4.7.3 Submission (12/8/-) is opposed in its entirety by a further submission from Te Atatu Residents and Ratepayers Association (12/15/-7)

Evidence Presented

No evidence was presented as the issues were addressed in Section 7.7 of the Hearings Report.

Discussion

The points raised in the submission from DoC have been discussed with respect to the submission from ARC in Section 4.3 of this report. DoC made a further submission in support of several points raised by ARC.

The submission from DoC was addressed by the legal opinion Council obtained that recommended that the documents such as Regional Parks Environmental Best Practice Guidelines and operative reserve management plans and parks contracts should not be included in the definitions as these must have certainty, and that the appropriate place to include performance standards is in the rules themselves.

The Committee has accepted the removal of the above documents included in these two definitions and Parks Contracts has been deleted from the Plan Change. The Parks Maintenance and Parks Infrastructure definitions have been amended to ensure that provided the work is authorised by DoC their staff, leasees or contractors can undertake the work.

The further submission from the Te Atatu Residents and Ratepayers Association (12/15/-7) was opposed to references to landowner's documents because "they may make provision for activities which are contrary to RMA, including National Policy Statements." The need for independent commissioners and planning reports to distinguish between DoC's landowner and RMA functions were also mentioned. All these matters have been discussed.

4.7.4 Decision

Submission (12/8/-)

*The points raised in relation to the parks contracts and documents referred to in the Parks Infrastructure and Parks Maintenance definitions **are accepted** by the Committee and will ensure that DoC can undertake work in the Open Space Environment.*

Further Submission (12/15/-7)

*The further submission by The Te Atatu Residents and Ratepayers Association (12/15/-7) **is accepted** in part by the Committee given that the references to land owner's documents have been removed from the definitions of Parks Infrastructure and Parks Maintenance and Parks Contracts have been deleted.*

5. DECISION

1. That pursuant to Clause 10 of the First Schedule to the Resource Management Act 1991, is adopted with the amendments set out in Appendix 1 to the Plan Change **12 Open Space Environment Provisions** decision notice.
2. That pursuant to Clause 10 of the First Schedule of the Resource Management Act 1991, the relief sought by submissions are rejected or accepted as indicated in Appendix 2 to the Plan Change **12 Open Space Environment Provisions** decision notice. Further submissions made in support or opposition of primary submissions are accepted, rejected or accepted in part accordingly. The reasons for the Committee's decision in relation to each submission and further submission are contained within the Plan Change **12 Open Space Environment Provisions** (decision notice).

3. The Waitakere City Proposed District Plan is hereby amended in the manner set out in Appendix 1 to the Plan Change **12 Open Space Environment Provisions** decision notice.

APPENDICES

The Plan Change involves changes to policies, definitions, rules and assessment criteria of the Plan.

The changes to each section of the Plan is done separately and the format is as follows:

"Text/rules introduced by Plan Change **12** – Plan Change Decision Notice is indicated in bold. Deletions are indicated in strikethrough."

APPENDIX 1

AMENDMENTS TO THE WAITAKERE CITY DISTRICT PLAN POLICIES, DEFINITIONS, OPEN SPACE ENVIRONMENT AND NATURAL AREA RULES AND ASSESSMENT CRITERIA IN THE DISTRICT PLAN ARISING FROM PLAN CHANGE 12 – OPEN SPACE ENVIRONMENT PROVISIONS

APPENDIX 2

LIST OF NON-STATUTORY DOCUMENTS INCORPORATED BY REFERENCE INTO THE DISTRICT PLAN.

APPENDIX 3

PLAN CHANGE 12 – OPEN SPACE ENVIRONMENT PROVISIONS - Decision on Submissions

Pursuant to Clause 10 (1) of the First Schedule of the Resource Management Act 1991, the relief sought by the following submissions are rejected or accepted as indicated. Further submissions made in support or opposition of primary submissions are accepted, rejected or accepted in part accordingly.

Discussion relating to each submission is contained in Section 4 of the Decision Notice.

Accepted:

12/8 Department of Conservation

Accepted in Part:

12/1 Water Care Services Ltd

12/2 Auckland Regional Council

Rejected:

12/6 Te Atatu Residents and Ratepayers Association Ltd

Rejected in Part:

12/3 Te Atatu Residents and Ratepayers Association Ltd

12/4 Te Atatu Residents and Ratepayers Association Ltd

12/5 Anne Grace

12/7 Waitakere City Council

The primary submissions from Te Atatu Residents and Ratepayers Association Ltd 12/3 and Anne Grace 12/5 were very detailed and the relief sought incorporated as indicated in this decision notice, while some of the points have been considered to lack resource management merit or be beyond the scope of Plan Change 12.

Appendix '1'

TABLE OF CHANGES TO THE TEXT OF PROPOSED PLAN CHANGE 12

PC Ref No	District Plan Section	Chapter	Page No	Reference or Rule No	Proposed Plan Change
12	Introduction To The Rules Volume 1	The Rules Content	3	Human Environment Rules	<p>Amend by adding words in bold as follows:</p> <p>Open Space Environment</p> <p>Covering land owned or managed by the Council, the Auckland Regional Council or other public agencies.</p>
	Introduction To The Rules Volume 1	Resource Consents	6 - 7	Written Consents & Notification - Discretionary Activities and Non-Complying Activities	<p>Amend by adding words in bold as follows:</p> <p>2. For <i>Discretionary Activity</i> applications seeking <i>resource consent</i> in respect of the following matters, applications will generally not be notified if the written consents of the owners of <i>adjoining sites</i> are submitted.</p> <p>NB: with respect to large reserves or parks, written consents of the owners of adjoining sites would not necessarily mean all land owners but those persons affected by the proposal. The discretion as to who is affected would be determined on a case by case basis by Council.</p> <ul style="list-style-type: none"> • <i>Development</i> in the <i>Open Space Environment</i> which is in accordance with an Operative Reserve Management Plan, (this may also include an Approved Concept Plan or Landscape Design and Planting Plan) but the proposal does not comply with all the rules of <i>Open Space Environment</i>. <p>3. For <i>Discretionary Activity</i> applications seeking <i>resource consent</i> in respect of the following matters, applications may not be notified, if the written consents of the owners of <i>adjoining sites</i> are submitted.</p> <p>NB: with respect to large reserves or parks, written consents of the owners of adjoining sites would not necessarily mean all land owners but those persons affected by the proposal. The discretion as to who is affected would be determined on a case by case basis by Council.</p> <ul style="list-style-type: none"> • <i>Development</i> in the <i>Open Space Environment</i> where there is no Operative or Draft Reserve

					Management Plan, or Approved Concept Plan or Landscape Design and Planting Plan and the proposal does not comply with all the rules of <i>Open Space Environment</i> .
	Natural Areas Rules Volume 1	Open space environment	2	PROCEDURAL GUIDELINE FOR THE RULES	Consequential Amendment to Step 7 Add the words in bold: "Note that the written approval of the landowner – Waitakere City Council, Auckland Regional Council or Department of Conservation will be required in relation to any proposed activity in the Open Space Environment, and including land that is managed by the Auckland Regional Council. "
	Human Environment Rules Volume 2	Open space environment	2	PROCEDURAL GUIDELINE FOR THE RULES	Consequential Amendment to Step 8 Add the words in bold: "Note that the written approval of the landowner – Waitakere City Council, Auckland Regional Council or Department of Conservation will be required in relation to any proposed activity in the Open Space Environment, and including land that is managed by the Auckland Regional Council. "
		General, Restoration and Managed Natural Areas Rules	4,5,5	RULE VEGETATION ALTERATION	2 Delete the words " and is not in the Open Space Environment " from General Natural Area Rule 2.1(a)(ii) Restoration Natural Area Rule 2.1(c)(ii) Managed Natural Area Rule 2.1(b)(ii)
12.	Natural Areas Rules Volume 1	General, Restoration, Managed, Coastal, Protected and Riparian Margins/Coastal Edges Natural Areas Rules	5	RULE VEGETATION ALTERATION	2 Add the words " vegetation alteration for " <i>Parks Maintenance</i> and <i>Parks Infrastructure</i> in the <i>Open Space Environment</i> to General Natural Area Rule 2.1(c), and Add the words " vegetation alteration for " <i>Parks Maintenance</i> in the <i>Open Space Environment</i> to Restoration Natural Area Rule 2.1(e), Managed Natural Area Rule 2.1(d), Coastal Natural Area Rule 2.1(d), Protected Natural Area Rule 2.1(d), and Riparian Margins/Coastal Edges Natural Area Rule 2.1(d)
12	City Wide Rules Volume 1	Definitions	1- 25	BOARDWALK	Amend the following definitions by adding the words in bold and the deleting the strikeouts: means a <i>structure</i> that provides pedestrian access and is under 1m in height

				<p>BRIDGE(S)</p> <p>Means a <i>structure</i> that spans and provides access over a <i>river</i>, stream or watercourse and includes board walks or structures for pedestrian access over 1.0m above the ground even where they do not span a water body but excludes a culvert or covered pipes</p> <p>PARKS CONTRACT</p> <p>Delete the definition and also delete the reference to parks contract from the definitions of Parks Infrastructure, Parks Maintenance</p> <p>PARKS FACILITIES</p> <p>Means any <i>building</i> or <i>structure</i> less than 100m² in gross floor area, for a use associated with a park located in the <i>Open Space Environment</i>, and shall include but is not limited to the following:</p> <ul style="list-style-type: none"> • shade structures, • toilets and changing facilities • shelters, information and interpretation kiosks, outdoor education structures and facilities • viewing platforms • buildings used for the storage of parks equipment or maintenance materials, or equipment associated with an activity on a park • childrens play equipment, excluding skate board facilities <p>but excluding <i>buildings</i> and <i>structures</i> defined as <i>parks buildings, parks furniture, parks infrastructure, parks signs</i> and <i>parks field structures</i>.</p>
12	City Wide Rules Volume 1	Definitions	1-25	<p>PARKS FIELD STRUCTURES</p> <p>Means structures relating to an active sport or recreational activity, that are provided or authorised by WCC Councils for a use associated with a park on land located in the <i>Open Space Environment</i> and shall include but not be limited to the following: goal posts, cricket nets, fences, petanque courts, playing courts, sideline shelters and other similar structures which are ancillary to and used in conjunction with, sports</p>

				<p>grounds, playing fields, hard courts and greens, skate board facilities and pony club course structures (jumps) and arenas</p> <p>but excluding <i>buildings and structures</i> defined as <i>parks buildings, parks facilities, parks furniture, parks infrastructure and parks signs</i>.</p> <p>means outdoor furniture provided or authorised by the WCC or ARC for a use associated with a park that is located on land in the <i>Open Space Environment</i> and shall include but not be limited to the following:</p> <ul style="list-style-type: none"> • seats, tables, rubbish bins, barbecues, drinking fountains, and • sculptures/art works/Pou • bicycle racks • amenity lighting • security cameras and security lighting • vehicle counters
12	City Wide Rules Volume 1	Definitions		<p>PARKS INFRASTRUCTURE</p> <p>means infrastructure located in the <i>Open Space Environment</i> and shall include but not be limited to the following:</p> <ul style="list-style-type: none"> • footpaths, track and trail systems, fitness trails, cycle ways, bridle trails or mountain bike trails • entry gates, track marking bollards, soldier bollards and chains, post and rail fences or similar fencing • footbridges or boardwalks 15m or less in length • culverts 10m or less in length • access drives associated with parks activities • jetties and boat ramps • carparking for a maximum of 5 8 vehicles <p>provided that the above work is authorised by WCC, ARC or DoC and/or undertaken by their staff, lessees or contractors.</p> <p>being undertaken in accordance with a Parks Contract or by ARC Parks Staff using best practice methods such as is specified in the following relevant and current documents: "Regional Parks Environmental Best Practice Guidelines", "Regional Parks Infrastructure, Tracks and Design Manual" and current "operative Regional Parks</p>

				<p>PARKS MAINTENANCE</p>	<p>management plan".</p> <p>means undertaking any of the following activities on land located in the <i>Open Space Environment</i>;</p> <ul style="list-style-type: none"> • clearance of vegetation in the Removable Vegetation Appendix and the Environmentally Damaging Plants Appendix (Vol 1- Appendices), including where this clearance occurs within the dripline of any vegetation, undertaken in accordance with a <i>weed management plan</i> and provided all exposed areas of earth are re-vegetated • vegetation alteration of native and exotic vegetation less than 6.0 metres in height and less than 600mm in girth (measured 1.4 metres above the ground), within 1.0m of the edge of an existing footpath, track, footbridge or boardwalk to provide for unimpeded pedestrian access on the path • maintenance and repair of footpaths (concrete, gravel and shell) • track and trail maintenance and repair including resurfacing, remetalling, re-shelling bush tracks and including clearing/reforming drainage channels alongside tracks, and minor re-alignment of tracks within 1.0m of the edge of a track to minimise erosion. • re-topping, reseeding, sandslitting for parks sports fields and parks • grass mowing • replacement, repairs and maintenance of existing bridges, boardwalks, and culverts and includes any enhancement/improvements provided that there shall be no more than a 40% increase in the width, length or height of footbridges or boardwalks over less than 15m in length or culverts over less than 10m in length • resealing and sealing metal carparks, and access drives and internal park roads • Maintenance of jetties and boat ramps • Repairs and maintenance to the exterior of <i>parks buildings, parks facilities, parks field structures, parks furniture and parks signs</i> • Ecosystem restoration by replanting and revegetation <p>provided that the above work is authorised by WCC, ARC or DoC and/or undertaken by their staff, lessees or contractors.</p> <p>being undertaken in accordance with a</p>
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				PARKS SIGNS	<p>Parks Contract, or by ARC Parks Staff using best practice methods such as is specified in the following relevant and current documents "Regional Parks Environmental Best Practice Guidelines", "Regional Parks Infrastructure, Tracks and Design Manual" and current "operative Regional Parks management plan".</p> <p>means any sign located in an <i>Open Space Environment (or Transport Environment)</i>, that has been authorised by the WCC or ARC for the purpose of identifying the name of a reserve and detailing the activities that take place on that reserve; provided that the sign is in accordance with a parks contract or relevant and current codes of practice.</p>
12	District Plan Policy	Significant resource management issues objectives, policies and methods	76 & 99	Policy 10.28 and Policy 11.32	<p>Add the words in bold to Policy 10.28 <u>Methods</u></p> <p><i>District Plan Rules</i></p> <ul style="list-style-type: none"> • Open Space Environment rules <p><i>Other Methods</i></p> <ul style="list-style-type: none"> • The Parks Strategy • Reserve Management Plans • Councils "Code of Practice" • Parks Contracts <p>Policy 11.32</p> <p><u>Methods</u></p> <p><i>District Plan Rules</i></p> <ul style="list-style-type: none"> • Open Space Environment rules • Natural Areas rules <p><i>Other Methods</i></p> <ul style="list-style-type: none"> • The Parks Strategy • Reserve Management Plans • Council's "Code of Practice" • Supervision and monitoring of parks_contractors • Parks Contracts
	Natural Area Rules Volume 1	General Natural Area	<u>4</u>	RULE VEGETATION ALTERATION 2	<p>Amend Rule 2.1 (delete strikeouts and include words in bold)</p> <p>(a) any <i>vegetation alteration</i> of :</p> <p>(i) <i>native vegetation</i> and <i>exotic vegetation</i> less than 6.0 metres in height and less than 600mm in girth (as measured at any point higher than 1.4metres above the ground), and</p>

	<p>Natural Area Rules Volume 1</p>	<p>General Natural Area</p>		<p>RULE 3 EARTHWORKS</p>	<p>(ii) <i>vegetation</i> listed in the Removable Vegetation Appendix and the Environmentally Damaging Plants Appendix, provided that any <i>clearance</i> does not exceed a <i>total cleared area</i> of 500m², and is not in the Open Space Environment.</p> <p>Amend Rules 3.1 and 3.2 by adding the words in bold</p> <p>Rule 3.1 Permitted Activities</p> <p>(c) Earthworks for Parks Maintenance and Parks Infrastructure in the Open Space Environment provided that:</p> <ul style="list-style-type: none"> - the earthworks activities are in accordance with the sediment control measures outlined in the Erosion/sediment Control Measures Appendix and - undertaken using environmental best practice methods; <p>Rule 3.3 Limited Discretionary Activities</p> <p>(c) Earthworks for Parks Infrastructure where a footbridge or boardwalk is greater than 15m in length or for culverts greater than 10m in length or for car parks with more than 5 8 carparking spaces, or for parks access roads in the Open Space Environment</p>
	<p>Natural Area Rules Volume 1</p>	<p>Restoration</p>		<p>RULE 2 VEGETATION ALTERATION</p>	<p>Amend Rule 2.1(c) and (e) (delete strikeouts and include words in bold)</p> <p>(c) any <i>vegetation alteration</i> of :</p> <ul style="list-style-type: none"> (i) <i>vegetation</i> listed in the Environmentally Damaging Plants Appendix, and (ii) <i>exotic vegetation</i> less than 6.0 metres in height and less than 600mm in girth (as measured at any point higher than 1.4metres above the ground), provided that any <i>clearance</i> does not exceed a <i>total cleared area</i> of 500m², and is not in the Open Space Environment. <p>(e) <i>Vegetation Alteration</i> for Parks Maintenance in the Open Space Environment provided that the <i>vegetation alteration</i> meets the following standards:</p> <ul style="list-style-type: none"> -the—vegetation alteration of

					<p><i>native and exotic vegetation is less than 6.0 metres in height and less than 600mm in girth (measured 1.4 metres above the ground), and the work is undertaken using environmental best practices that include accepted modern arboricultural practices, weed management plans and measures to protect adjoining vegetation</i></p> <p>(i) - is no greater than 1.0 metre from the edge of a footpath (to provide unimpeded pedestrian access) or a cycleway, bridle track, boardwalk or track, and</p> <p>(ii) meets the requirements set out in the New Zealand Standards Handbook for Track and Outdoor Visitor Structures(SNZHB8630:2004) for bush walks, tramping tracks and routes or is no more than 1 metre from the edge of the track which ever is the LESSER distance,</p> <p>2.3 Limited Discretionary Activities</p> <p>Activities meeting the following Performance Standards are <i>Limited Discretionary Activities</i></p> <ul style="list-style-type: none"> • Any <i>vegetation alteration</i> not meeting the standards in Rule 2.1 (a), (b), (c) or (d) or 2.2 • Any <i>vegetation alteration for Parks Maintenance</i> in the <i>Open Space Environment not meeting the performance standards in Rule 2.1(e)</i> or where the enhancement/improvements to a footbridge, boardwalk or culvert exceed 40% • where the native and exotic vegetation is more than 6.0 metres in height and greater than 600mm in girth (measured 1.4 metres above the ground), or where the width from the edge of a footpath, track, footbridge or boardwalk is greater than 1.0m, • any <i>vegetation alteration for Parks Infrastructure</i> where a footbridge or boardwalk is greater than 15m in length, or for culverts over 10m in length, or for carparks with more
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				<p>RULE EARTHWORKS 3</p>	<p>than 5 8 car parking spaces, or for parks access roads in the Open Space Environment.</p> <p>3.1 Permitted Activities</p> <ul style="list-style-type: none"> • earthworks for Parks Furniture, Parks Signs, and Parks Maintenance in the Open Space Environment provided that: <ul style="list-style-type: none"> - there are no earthworks on a sensitive ridge or headland/cliff/scarp as shown on the Natural Areas Maps, and - the earthworks activities are in accordance with the sediment control measures outlined in the Erosion/sediment Control Measures Appendix, and - are undertaken using environmental best practice methods; <p>3.3 Discretionary Activities</p> <p>(d) earthworks for Parks Infrastructure where a footbridge or boardwalk is greater than 15m in length or for culverts greater than 10m in length or for carparks with more than 5 8 carparking spaces, or for mountain bike trails, or parks access roads in the Open Space Environment</p>
Natural Area Rules Volume 1	Restoration Natural Area	13	<p>RULE BUILDINGS 6</p>	<p>Amend by adding the words in bold:</p> <p>Rule 6.1 Permitted Activities</p> <p>Add two new (second and third) bullet points to Rule 6.1 as follows:</p> <ul style="list-style-type: none"> • Parks Infrastructure and Parks Maintenance in the Open Space Environment. • The alteration of existing buildings including Parks Buildings or Parks Facilities on that part of any site within a Restoration Natural Area, where building coverage is not increased <p>Amend the first bullet point of Rule 6.2 by adding the words in bold as follows:</p> <p>6.2 Limited Discretionary Activities</p> <ul style="list-style-type: none"> • buildings including Parks Buildings or Parks Facilities on that part of any site within a Restoration Natural Area, where building coverage is increased <p>Add two new bullet points by adding the</p>	

<p>Natural Area Rules Volume 1</p>	<p>Restoration Natural Area</p>	<p>13</p>	<p>RULE BUILDINGS</p> <p>ASSESSMENT CRITERIA</p>	<p>6</p> <p>words in bold as follows:</p> <ul style="list-style-type: none"> • Parks Maintenance where the enhancement/improvement to a footbridge, boardwalk or culvert exceeds 40%, in the Open Space Environment. • Parks Infrastructure where a footbridge or boardwalk is greater than 15m in length or a culvert is greater than 10m in length in the Open Space Environment. <p>Amend the wording of the following sentence by adding the numbers in bold: Assessment of <i>Limited Discretionary Activities</i> applications will be limited to the matters of scale, location, method, <i>design</i>, and <i>monitoring</i> and will be considered in accordance with Assessment Criteria 6(a) – 6(e).</p> <p><u>Add 2 new assessment criteria 6(d) and 6(e) as follows:</u></p> <p>6(d) The extent to which proposed bridge, boardwalk or building is necessary to facilitate the use of land for public access in the Open Space Environment.</p> <p>6(e) The extent to which the proposed bridge, boardwalk or building is in accordance with development proposed in a relevant Operative Reserve Management Plan, Parks Concept Plan, current Waitakere City Parks Strategy or current operative Regional Parks management plan.</p> <p>To the Note at the end of the Assessment Criteria add the following 2 Policy numbers <u>10.28</u> and <u>11.32</u></p>
<p>Natural Area Rules Volume 1</p>	<p>Managed Natural Area</p>	<p>4</p>	<p>RULE VEGETATION ALTERATION</p>	<p>2</p> <p>Amend by adding the words in bold and including the strikeouts as follows:</p> <p>2.1 Permitted Activities (b) any <i>vegetation alteration</i> of : (i) <i>exotic vegetation</i>, and (ii) <i>vegetation</i> listed in the Removable Vegetation Appendix and the Environmentally Damaging Plants Appendix, provided that any <i>clearance</i> does not exceed a <i>total cleared area</i> of 500m²,</p>

Natural Area Rules Volume 1	Managed Natural Area	4	RULE VEGETATION ALTERATION	2	and is not in the Open Space Environment.
					<p>(d) <i>vegetation alteration for Parks Maintenance in the Open Space Environment provided that the vegetation alteration meets the following standards:</i></p> <ul style="list-style-type: none"> -the <i>vegetation alteration of native and exotic vegetation is less than 6.0 metres in height and less than 600mm in girth (measured 1.4 metres above the ground), and the work is undertaken using environmental best practices that include accepted modern arboricultural practices, weed management plans and measures to protect adjoining vegetation</i> (i) - <i>is no greater than 1.0 metre from the edge of a footpath (to provide unimpeded pedestrian access) or a cycleway, bridle track, boardwalk or track, and</i> (ii) <i>meets the requirements set out in the New Zealand Standards Handbook for Track and Outdoor Visitor Structures(SNZHB8630:2004) for bush walks, tramping tracks and routes or is no more than 1 metre from the edge of the track which ever is the LESSER distance,</i> <p>the work is authorised by WCC, ARC or DoC, and</p>
			RULE EARTHWORKS	3	<p>3.1 Permitted Activities</p> <ul style="list-style-type: none"> • <i>earthworks for Parks Furniture, Parks Signs, and Parks Maintenance in the Open Space Environment provided that:</i> <ul style="list-style-type: none"> - <i>the earthworks activities are in accordance with the sediment control measures outlined in the Erosion/sediment Control Measures Appendix, and</i> - <i>are undertaken using environmental best practice methods;</i> <p>3.3 Discretionary Activities</p> <p>(c) <i>earthworks for Parks Infrastructure where a footbridge or boardwalk is greater than 15m in length or for culverts greater than 10m in length or</i></p>

					for carparks with more than 5 8 carparking spaces, or for parks access roads in the <i>Open Space Environment</i>
	Natural Area Rules Volume 1	Coastal Natural Area	4-5	RULE VEGETATION 2	<p>Amend by adding the words in bold Rule 2.1 Permitted Activities</p> <p>(d) vegetation alteration for <i>Parks Maintenance</i> in the <i>Open Space Environment</i> provided that the vegetation alteration meets the following standards:</p> <ul style="list-style-type: none"> -the vegetation alteration of native and exotic vegetation is less than 6.0 metres in height and less than 600mm in girth (measured 1.4 metres above the ground), and the work is undertaken using environmental best practices that include accepted modern arboricultural practices, weed management plans and measures to protect adjoining vegetation (i) - is no greater than 1.0 metre from the edge of a footpath (to provide unimpeded pedestrian access) or a cycleway, bridle track, boardwalk or track, and (ii) meets the requirements set out in the New Zealand Standards Handbook for Track and Outdoor Visitor Structures(SNZHB8630:2004) for bush walks, tramping tracks and routes or is no more than 1 metre from the edge of the track which ever is the LESSER distance, <p>the work is authorised by WCC, ARC or DeC, and</p>
			8	RULE EARTHWORKS 3	<p>Amend by adding the words in bold as follows:</p> <p>3.1 Permitted Activities</p> <ul style="list-style-type: none"> • any earthworks for <i>Parks Furniture, Parks Signs</i> and <i>Parks Maintenance</i> in the <i>Open Space Environment</i> provided that: <ul style="list-style-type: none"> - there are no earthworks on a sensitive ridge or headland/cliff/scarp as shown on the Natural Areas Maps, and - the earthworks activities are in accordance with the sediment control measures outlined in the Erosion/sediment Control Measures Appendix, and

	Natural Area Rules Volume 1	Coastal Natural Area			<p>are undertaken using environmental best practice methods;</p> <p>3.3 Discretionary Activities</p> <ul style="list-style-type: none"> any earthworks for Parks Infrastructure where a footbridge or boardwalk is greater than 15m in length or for culverts greater than 10m in length or for carparks with more than 5 8 carparking spaces, or for parks access roads in the Open Space Environment
	Natural Area Rules Volume 1	Protected Natural Area	5	RULE VEGETATION ALTERATION	<p>2 Amend by adding the words in bold as follows:</p> <p>2.1 Permitted Activities</p> <p>(d) <i>vegetation alteration</i> for Parks Maintenance in the Open Space Environment provided that the vegetation alteration meets the following standards:</p> <ul style="list-style-type: none"> -the vegetation alteration of native and exotic vegetation is less than 6.0 metres in height and less than 600mm in girth (measured 1.4 metres above the ground), and the work is undertaken using environmental best practices that include accepted modern arboricultural practices, weed management plans and measures to protect adjoining vegetation (i) - is no greater than 1.0 metre from the edge of a footpath (to provide unimpeded pedestrian access) or a cycleway, bridle track, boardwalk or track, and (ii) meets the requirements set out in the New Zealand Standards Handbook for Track and Outdoor Visitor Structures(SNZHB8630:2004) for bush walks, tramping tracks and routes or is no more than 1 metre from the edge of the track which ever is the LESSER distance, <p>the work is authorised by WCC, ARC or DoC, and</p>
				RULE EARTHWORKS	<p>3 3.1 Permitted Activities</p> <ul style="list-style-type: none"> earthworks for Parks Furniture, Parks Signs and Parks Maintenance in the Open Space

					<p><i>Environment</i> provided that:</p> <ul style="list-style-type: none"> - there are no earthworks on a sensitive ridge or headland/cliff/scarp as shown on the Natural Areas Maps, and - the earthworks activities are in accordance with the sediment control measures outlined in the Erosion/sediment Control Measures Appendix, and - are undertaken using environmental best practice methods; <p>3.3 Discretionary Activities</p> <ul style="list-style-type: none"> • <i>earthworks</i> for <i>Parks Infrastructure</i> where a footbridge or boardwalk is greater than 15m in length or for culverts greater than 10m in length or for car parks with more than 5 8 carparking spaces, or for parks access roads in the <i>Open Space Environment</i>
	Natural Area Rules Volume 1	Managed, and Coastal, Natural Areas Rules	6	RULE VEGETATION ALTERATION 2.3	<p>Amend the words in bold to the Limited Discretionary Activity Rule 2.3(d)</p> <p>2.3 Limited Discretionary Activities</p> <p>(d) Any <i>vegetation alteration</i> for <i>Parks Maintenance</i> in the <i>Open Space Environment</i> not meeting the performance standards in Rule 2.1(e) where the native and exotic vegetation is more than 6.0 metres in height and greater than 600mm in girth (measured 1.4 metres above the ground), or where the width from the edge of a footpath, track, footbridge or boardwalk is greater than 1.0m or where the enhancement/improvements to a footbridge, boardwalk or culvert exceed 40%</p>
	Natural Area Rules Volume 1	Protected and Riparian Margins/Coastal Edges Natural Areas	6	RULE VEGETATION ALTERATION 2.4	<p>Amend the words in bold to the Discretionary Activity Rule 2.4(third bullet point)</p> <p>2.4 Discretionary Activities</p> <ul style="list-style-type: none"> • Any <i>vegetation alteration</i> for <i>Parks Maintenance</i> in the <i>Open Space Environment</i> not meeting the performance standards in Rule 2.1(e) vegetation is more than 6.0 metres in height and greater than 600mm in girth (measured 1.4 metres above the ground), or

					<p>where the width from the edge of a footpath, track, footbridge or boardwalk is greater than 1.0m,</p> <ul style="list-style-type: none"> • or where the enhancement/improvements to a footbridge, boardwalk or culvert exceed 40% • where the <i>native and exotic</i>
	Natural Area Rules Volume 1	General, Restoration, Managed, Coastal, Protected and Riparian Margins/Coastal Edges Natural Areas Rules		RULE EARTHWORKS ASSESSMENT CRITERIA	3 Amend the following criterion The extent to which the proposed <i>earthworks</i> are for development proposed in a relevant Operative Reserve Management Plan, Parks Concept Plan, current Waitakere City Parks Strategy, or current Waitakere City Leisure Strategy , or current operative Regional Parks management plan and avoids any species known to be threatened or endangered'
	Natural Area Rules Volume 1	General, Restoration, Managed, Coastal, Protected and Riparian Margins/Coastal Edges Natural Areas Rules	7 or 8	RULE EARTHWORKS Note Box	3 Amend point 8/9 Activities will also need to comply with the relevant provisions of the Auckland Regional Council's Proposed Auckland Regional Plan: Sediment Control
	Human Environment Rules Volume 2	Open Space Environment	6	<p>Rule 2 BUILDING HEIGHT</p> <p>Rule 3 HEIGHT IN RELATION TO BOUNDARY</p> <p>Rule 4 YARDS 4.0 General</p>	<p>For consistency the General part of every rule in the Open Space Environment should list the activities that the rules apply to rather than the activities that they do not apply to Amend the rules by adding the words in bold as follows:</p> <p>2.0 General The following rules shall apply to <i>Any Activity</i> involving the erection or alteration of <i>Parks Buildings, Parks Facilities, , Parks Furniture, Parks Infrastructure and Parks Signs</i></p> <p>3.0 General The following rules shall apply to <i>Any Activity</i> involving the erection or alteration <i>Parks Buildings, Parks Facilities and Parks Field Structures.</i></p> <p>4.0 General The following rules shall apply to <i>Any Activity</i> involving the erection or alteration of <i>Parks Buildings, Parks Facilities, Parks Furniture, Parks Infrastructure, Parks Field Structures, and Parks Sports Fields</i></p>

A46

			<p>4.3 Discretionary Activities</p> <p>Rule 5 BUILDING COVERAGE</p> <p>Rule 6 BUILDING LOCATION NATURAL LANDSCAPE ELEMENTS 6.0 General,</p> <p>Rule 7 PARKING ACCESS AND TRAFFIC GENERATION</p> <p>Rule 9 INFRASTRUCTURE</p>	<p>4.2 (4.3) Limited Discretionary Activities</p> <p>4.3 Discretionary Activities</p> <p>(a) <i>Parks Buildings</i> which meet the following performance standard are setback 3 metres from any site boundary which adjoins land within the <i>Living, Bush Living, Waitakere Ranges, Rural Villages, Coastal Villages, Countryside or Foothills Environments</i></p> <p>(b) Additions and alterations to existing <i>Parks Buildings</i> not meeting the performance standards in Rule 4.2(b)</p> <p>5.0 General The following rules shall apply to Any Activity involving the erection or alteration of <i>Parks Buildings and Parks Facilities</i></p> <p>6.0 General The following rules shall apply to Any Activity involving the erection or alteration of <i>Parks Buildings, Parks Facilities, Parks Furniture, Parks Field Structures and Parks Infrastructure</i>. (no change required)</p> <p>7.0 General The following rules shall apply to Any Activity involving the erection or alteration of <i>Parks Buildings Parks Field Structures, Parks Sports Fields</i></p> <p>7.2 Limited Discretionary Activities</p> <p>(d) <i>Parks Infrastructure for carparks with 9 or more carparks</i></p> <p>9.0 General The following rules shall apply to Any Activity involving the erection or provision of <i>infrastructure</i> (No change required)</p>
Human Environment Rules Volume 2	Open Space Environment		Non-Complying Activities Rules 2,3,4,5 and 7,	<p>Rule 2 Building Height</p> <p>2.4 Non-Complying Activities Any Activity involving the erection or alteration of <i>Parks Buildings, Parks Facilities, Parks Furniture, Parks Infrastructure and Parks Signs</i> which is not a <i>Permitted Activity</i> or a <i>Limited Discretionary Activity</i> or a <i>Discretionary Activity</i> under the above rules shall be deemed to contravene a rule in this <i>Plan</i> and shall be a <i>Non-Complying Activity</i></p>

					<p>Rule 3 Height In Relation To Boundary 3.4 Non-Complying Activities <i>Any Activity</i> involving the erection or alteration of <i>Parks Buildings,, Parks Facilities</i> and <i>Parks Field Structures</i> which is not a <i>Permitted Activity</i> or a <i>Limited Discretionary Activity</i> or a <i>Discretionary Activity</i> under the above rules shall be deemed to contravene a rule in this <i>Plan</i> and shall be a <i>Non-Complying Activity</i></p> <p>Rule 4 YARDS 4.4 Non-Complying Activities <i>Any Activity</i> involving the erection or alteration of <i>Parks Buildings, Parks Facilities, Parks Furniture, Parks Infrastructure, Parks Field Structures,</i> and <i>Parks Sports Fields</i> under the above rules which is not a <i>Permitted Activity</i> or a <i>Limited Discretionary Activity</i> or a <i>Discretionary Activity</i> under the above rules shall be deemed to contravene a rule in this <i>Plan</i> and shall be a <i>Non-Complying Activity</i></p> <p>Rule 5 Building Coverage 5.4 Non-Complying Activities The following rules shall apply to <i>Any Activity</i> involving the erection or alteration of <i>Parks Buildings,, and Parks Facilities</i> which is not a <i>Permitted Activity</i> or a <i>Limited Discretionary Activity</i> or a <i>Discretionary Activity</i> under the above rules shall be deemed to contravene a rule in this <i>Plan</i> and shall be a <i>Non-Complying Activity</i></p> <p>Rule 7 Parking access and Traffic Generation 7.4 Non-Complying Activities <i>Any Activity</i> involving the erection or alteration of <i>Parks Buildings, Parks Field Structures</i> and <i>Parks Sports Fields</i> which is not a <i>Permitted Activity</i> or a <i>Limited Discretionary Activity</i> or a <i>Discretionary Activity</i> under the above rules shall be deemed to contravene a rule in this <i>Plan</i> and shall be a <i>Non-Complying Activity</i></p>	
	Natural Areas Rules Volume 1	General, Restoration, Managed, Coastal, Protected and Riparian Margins/Coastal Edges Natural Areas Rules	5	RULE VEGETATION ALTERATION Assessment Criterion: 2(l), 2(m), 2(t), 2(p), 2(q) and 2(t).	2	<p>Amend the Assessment Criterion by adding the words in bold as follows:</p> <p>The extent to which the proposed <i>vegetation alteration</i> is for development proposed in a relevant Operative Reserve Management Plan, Parks Concept Plan, current Waitakere City Parks Strategy , or current Waitakere City Leisure Strategy or current operative Regional Parks management plan and avoids significant</p>

A48

					<p>vegetation and any species known to be threatened or endangered.</p> <p>Alternatively, add a new Assessment Criterion to the list of Assessment Criteria for each Natural Area and number 2(ml), 2(n), 2(u), 2(q), 2(r) and 2(u).</p> <p>The extent to which the proposed <i>vegetation alteration</i> in an <i>Open Space Environment</i> avoids significant vegetation and any species known to be threatened or endangered.</p>
	Policy	Part 5 Objectives, Policies and Methods	105	Policy 12.9	<p>Add the following policy after Policy 12.8 Policy 12.9</p> <p>Natural and cultural resources of national, regional or local significance that are located on public open space must be sustainably managed to ensure their long term protection. These resources on public open space are:</p> <ul style="list-style-type: none"> • Outstanding natural features, landforms, geological sites and soils • Outstanding landscapes • The natural character of the coast and margins of lakes, rivers and wetlands • Significant and outstanding native vegetation and fauna habitat • Rare and threatened plants • <i>Waahi tapu</i> and other archaeological sites of significance to Maori • Buildings, sites, artefacts and trees of historical significance <p>They are identified on the Maps (City and Tangata Whenua) and Appendices in the Policy Section to the District Plan.</p> <p>Methods Natural Areas Rules - Vegetation Clearance, Earthworks and Establishment of Vegetation Open Space Environment Rules Heritage Rules Policy Maps and Appendices</p> <p>Other Methods</p> <ul style="list-style-type: none"> • Reserve Management Plans • Management Protocols between public agencies /organisations • Public education programmes • Pest eradication • Fencing or excluding public access for short periods to allow

					<p>restoration or breeding programmes to be implemented</p> <ul style="list-style-type: none"> • Non-regulatory support to voluntary organisations involved in projects <p><i>Explanation</i></p> <p>The outstanding natural resources together with the historical and cultural heritage in Waitakere have created a unique identity for the City. Many of these natural and cultural resources are located in the City's parks and reserves and contribute to the recreation opportunities and leisure of its residents. The protection and enhancement of natural and cultural resources and for future generations is an important aspect in the management of parks and reserves. Iwi and the public agencies that administer the parks have a responsibility and important role to provide leadership in the management practices and protection of the City's natural and cultural heritage resources.</p> <p>Special interest groups and private individuals also make an important contribution to the conservation, understanding and appreciation of these resources. Public involvement in projects such as coastal restoration, the preparation of reserve management plans and education programmes is also an important part of the process of appreciating and learning about the City's natural and cultural resources. The sharing of ideas, scientific knowledge and information between all parties in the community will achieve the best outcome for the City's natural and cultural heritage resources.</p> <p>It should be noted that there is no inventory of rare and threatened plants in the District Plan but Volume 1 of the Regional Parks Management Plan has a list and the Department of Conservation can provide advice relating to this matter.</p> <p>Add this policy reference to all Natural Areas and Open Space Environment Rules</p>
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Appendix '2'

List of Non-Statutory Documents Incorporated by Reference into the District Plan.

The following non-statutory documents have been incorporated by reference into the District Plan, and are intended to have legal effect as part of the District Plan:

Operative Reserve Management Plans - this includes a range of plans including the Regional Parks Management Plan 2003
Volume 1: Overview and Strategic Direction, Volume 2: Resource Inventory and Volume 3: Maps
Waitakere City Parks Strategy April 1999,
Waitakere City Leisure Strategy Draft
The New Zealand Standards Handbook for Track and Outdoor Visitor Structures (SNZHB8630:2004)

(It should be noted that the documents mentioned have all been through a consultative process under their respective legislation.)

Any amendment to, or replacement of, the above non-statutory documents shall have legal effect as part of the District Plan. The non-statutory documents shall have legal effect in the manner, and to the extent, stated in the district plan. Where there is any inconsistency between the district plan and the non-statutory document, then the district plan wording shall prevail. However it is intended that the non-statutory document and the district plan should be read in a manner that allows both documents to be given effect to, wherever that is possible.

NOTE: Each non-statutory document listed above will be certified as a correct copy. The certified copies of the documents will be available at the hearing, and copies will hearing be available for inspection by members of the public, as required under clauses 30 –35, subsequent to this hearing.