

4 OBJECTIVES/POLICIES: Open Space and Access to Water Bodies

4. Open Space and Access to Water Bodies

Open space, recreation areas and access to water bodies are important to the environmental, social and cultural well-being of the community. Open space areas serve a wide variety of functions within the District, including a wide range of active and passive recreation activities. These areas and activities include beaches, rivers, lakes and their margins, parks and reserves, as well as sportsgrounds, swimming pools, and indoor sports centres. They provide for informal recreation, organised sports and recreational activities and visual amenity values. Open space areas and recreation activities are a focus for local residents and visitors to the District, as well as enhancing the overall attractiveness of the District. The Council has prepared an Open Space Strategy which sets out a vision, principles and actions for the future management and development of open space in the District.

Privately owned open spaces also provide opportunities for recreational activities which are valued and enjoyed by the community (e.g. golf courses). The District Plan recognises privately owned open spaces, where the owners of these areas support the continued use and development of recreational activities and the protection of open space qualities.

Recreational activities and the development of facilities can have adverse effects on the amenity of the open space areas as well as their adjoining environments. These effects can include:

- Noisy activities, night lighting or late hours of operation which can cause a nuisance for adjoining residential areas.
- Large buildings such as clubrooms which can be a visual distraction or cause shading on neighbouring areas.
- Lack of car-parking space which can cause problems with on-street parking and congestion in adjoining streets.
- Commercial or club concessions that can exclude public users from areas of reserves and create adverse effects relating to car-parking, litter and toilet facilities.

Although many of the public open space and recreation areas are also deemed to be reserves under the Reserves Act, it is considered appropriate to manage the effects of activities through the District Plan.

The needs of the community and demands on parks and reserves change over time. With an aging population, the nature and type of open spaces and their use and development will adapt in response to these demographic changes. In addition, lifestyle choices and sporting trends also influence how open spaces are developed and maintained.

Within the urban areas there are many neighbourhood parks, amenity spaces and sportsgrounds. These open space areas can serve different purposes and roles depending on community needs, a neighbourhood park may be of importance to an elderly person or young family as it is close to their place of residence, whereas a sportsground may be more important to a younger age group. Within the rural environment, there are significant areas of open space including river reserves and natural habitats.

Open space can also help to protect the quality of the environment. The open and permeable nature of the spaces affords opportunity for low impact stormwater measures to

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be developed and maintained. Some public open space areas have ponds located on them which treat stormwater and protect against the effects of flooding at times of storm events. Contaminants, sediments and peak stormwater flows can be managed and contained using low impact urban design development (LIUDD) techniques which contributes to water quality and flood protection, before the water enters the District's rivers, lakes and other water bodies.

The river corridors within the District provide valuable open space for a variety of uses, including those undertaken on the water surface. These river corridors can serve a range of purposes, including providing public access to and along the water bodies, protecting the natural and conservation of rivers and their margins, and managing the risks from flooding and erosion.

The maintenance and enhancement of public access to and along the coast, lakes and rivers is a matter of national importance for which Council has responsibility. Public access to water bodies can support a variety of recreational opportunities. There is currently good access to isolated sections of the major water bodies in the District, but limited corridors or connections between areas along rivers or around lakes. However, there has been uncertainty as to where and what public access is sought to the various water bodies in the District. The Open Space Strategy provides direction on priority water bodies and where public access is considered appropriate to maintain and enhance.

The open space areas in this chapter primarily cover land owned and managed by the Council for parks and reserves purposes. Privately owned open spaces, such as the Levin Golf Course, can also be recognised and provided for under this chapter and the Open Space zoning network where their specific identification as part of the formal open space network is supported by the owner of that facility. There are other areas used and managed for recreational activities and open space, such as land administered by the Department of Conservation which is covered by other chapters in the District Plan.

Issue 4.1 OPEN SPACE ZONE

The use, development and protection of Council's parks and reserves, and privately owned open spaces where supported by the landowner, so a range of recreation activities are provided for developed to meet the needs of the community, while being compatible with the nature, character and amenity of the open spaces and the surrounding environment.

Issue Discussion

Encouraging all sectors of the community to incorporate health and fitness into their lifestyles is increasingly important because of the benefits that exercise and outdoor activities contribute to individual wellbeing.

Council owns and manages sportsgrounds and domains for formal and organised sports. Council maintains neighbourhood parks, walkways/cycleways, scenic and conservation reserves and these can be used for passive recreation and enjoyed at people's own leisure. As a result, the District has opportunities for both active and passive recreation activities and these have been identified and zoned as Open Space.

Privately owned open spaces can provide opportunities for recreation and are valued by the community (e.g. golf courses). Recognition of these privately owned open spaces, in addition to the Council's own parks and reserves, is appropriate where the owners of these areas seek to align their land use management with the provisions of the Open Space Zone.

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The use of parks and reserves needs to increasingly respond to the trend of an aging population and provide for appropriately designed and located recreation facilities. The Horowhenua has specific recreation demands due to its demographics and community aspirations, and these demands are anticipated to change over time. Therefore, flexibility in the use and development of Council's parks and reserves is necessary.

The parks and reserves have many similar characteristics and amenities, such as a predominance of open space over built structures. In addition, some individual parks and reserves have special features and values, and include natural qualities, cultural significance or heritage interests. Furthermore, parks and reserves are located within residential and rural environments, where conflicts can arise at their boundaries. Activities and development can adversely affect character and amenity values, as well as the special features and values. These adverse effects can include the prominence and appearance of buildings and structures, noise, traffic generation and parking, lighting and glare. Therefore, the ongoing use and future development of parks and reserves must respect the qualities and values of the open space as well as adjoining properties.

Objectives & Policies

Objective 4.1.1 Open Space Zone

Council's parks and reserves and identified privately owned open spaces are efficiently used and developed with a range of recreational activities and opportunities that meet the changing needs of community, while ensuring the uses and development are compatible with the character, amenity and special values of the open spaces and their surrounding environment.

Policy 4.1.2

Recognise Council's existing parks and reserves within an Open Space Zone where active and passive recreational activities are provided for and valued as important contributions to urban and rural environments.

Policy 4.1.3

Ensure the character, amenity and special values of individual parks and reserves are recognised and recreational activities are compatible with the values of the site and the amenity values of the immediate environment.

Policy 4.1.4

Recognise and provide for a range of recreation activities within the Open Space Zone and provide flexibility for ongoing change in response to the community's recreation demand.

Policy 4.1.5

Provide for festivals, celebrations and other organised events where these activities have a short duration and are infrequent, and ensure that significant adverse effects on the environment are avoided, remedied or mitigated.

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Policy 4.1.6

Manage non-recreation activities to ensure these activities are compatible with the recreation, character, amenity and special values of the Open Space Zone.

Policy 4.1.7

Provide for the management of storm water in suitable places within the Open Space Zone as a means of dealing with water quantity and water quality.

Policy 4.1.8

Maintain an overall low building form, with exceptions for outdoor lighting facilities and other buildings and structures that function to support recreation activities where these structures do not significantly adversely affect local environmental amenities.

Policy 4.1.9

Manage the nature, scale and level of environmental effects from activities and built structures in the Open Space Zone to minimise adverse effects on the character, amenity and special values of properties in the adjoining Residential Zone.

Policy 4.1.10

Manage the extent of building development within the Open Space Zone to ensure a high proportion of open and accessible open space is maintained, with a greater proportion of built development on the main sportsgrounds recognising their role and character.

Policy 4.1.11

Manage the location of building development within the Open Space Zone to ensure the amenity of the immediate residential streetscapes is maintained.

Policy 4.1.12

Manage the hours of operation for new facilities that provide for active recreation to ensure these facilities do not have adverse effects on properties in the adjoining Residential Zone.

Policy 4.1.13

Manage the display of on-site signage in the Open Space Zone to ensure signs that support the use of Council's parks and reserves are provided for and that the other advertising signs do not adversely affect open space values and surrounding areas.

Policy 4.1.14

Minimise the display of remote advertising signs in the Open Space Zone to ensure they do not adversely affect the open space character and recreation values of the District's parks and reserves.

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Policy 4.1.15

Provide for the inclusion of privately owned recreation land within the Open Space Zone, where the owners of such land are supportive of its inclusion within the Zone, and seek to manage such open space in a way which promotes its recreational use and development, and the protection of its open space qualities.

Explanation and Principal Reasons

A range of recreational activities and facilities are expected to occur within the Open Space Zone. The Open Space Zone ensures that Council's parks and reserves are valued for their contribution to both urban and rural environments throughout the District. The Open Space Zone can also provide for the use, development and protection of privately owned open space, should landowners seek to manage their properties in this way, especially where these areas are valued by the community for their open space role.

All Council's parks and reserves are collectively zoned Open Space to provide a comprehensive approach to managing their use and development. However, it is also recognised that there are a variety of parks and reserves which offer different experiences, opportunities and levels of amenity to the community.

The Open Space Strategy identifies four main categories of open space which are:

- **Amenity Space:** Spaces that serve multiple uses for local communities and visitors and are usually found close to a commercial centre of a settlement and add to local sense of place. For example, Foxton's Ihakara Gardens, Seaview Gardens and Levin's Remembrance Park, and Village Green.
- **Neighbourhood Parks:** Smaller areas of land that serve as a local community park, playground and/or gathering space. These tend to be used by communities that live within a walkable distance of the park. For example, Maire Street Reserve (Levin) and Hyde Park (Shannon).
- **Sports and Recreation Parks:** Larger 'flat' green spaces for formal active sports and recreation. These are sometimes defined as domains, sports grounds or sports parks. For example, Playford Park and Donnelly Park (Levin), and the Ohau and Shannon Domains.
- **Scenic Reserves:** Areas of land that have an ecological value and / or are connected to a natural feature such as a stream, significant vegetation or the coast. Sometimes these spaces lack public access but remain valued through ecological benefit and visual access / importance. For example, Barbers Bush - Himatangi Block Road, Waiopehu Scenic Reserve, Gladstone and Kimberley Reserves.

The level of activity and development anticipated for different types of parks and reserves is provided in a single set of provisions in the Open Space Zone. Council administers the Reserves Act 1977 with respect to the parks and reserves it owns and manages. Most of the parks and reserves have an individual Reserve Management Plan which sets out the overall expected uses for each public space. As well as individual Reserve Management Plans, Council implements a Parks and Reserves General Policy document. Jointly these Council documents guide decision making with respect to activities and development taking place on Council owned and managed parks and reserves. The guidance of these documents under the Reserves Act 1977 will avoid the development of incompatible activities within individual parks and reserves.

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The Open Space Zone permits active and passive recreation activities in all of Council's parks and reserves. The potential environmental effects of these activities and development are managed through amenity controls such as building height, site coverage and setbacks, noise levels and hours of operation. A greater level of built development is provided for at ten key parks and domains in recognition of their role as providing for active recreation facilities which require a larger extent of building compared to neighbourhood reserves, scenic reserves or amenity gardens.

Most Council parks and reserves are situated within residential areas. However, there are also a few rural domains, as well as scenic reserves which are located alongside water bodies or other natural features which are surrounded by rural land. In urban areas, the proximity of residential properties to most urban parks and reserves is recognised, with interface controls to manage the potential incompatibility effects. Any future resource consent considerations will need to assess effects on the established residential amenity that adjoins or is in proximity to the park or reserve. The extent of residential area affected will depend on the type and scale of activity proposed.

Stormwater runoff and the contaminants/sediments it contains affect the life-supporting capacities of the District's water bodies and nature and extent of flooding. Providing for stormwater management in the form of storage and detention areas on open spaces is an effective way to managing peak stormwater flows during stormwater events as well as the quality of the discharge of stormwater into water bodies.

Temporary activities are an important use of many parks and reserves, and are therefore provided for in the Open Space Zone. Temporary activities are of short duration and typically have limited effects on the immediate area. The establishment and operation of non-recreation activities are managed to ensure they do not detract from the character and amenity of the open space and adjoining area.

Methods for Issues 4.1 & Objective 4.1.1

District Plan

- Identify Council's parks and reserves as Open Space Zone.
- Provide for the incorporation of privately owned open spaces within the Open Space Zone where sought by the landowner, and where the qualities of an open space are consistent with the outcomes expected within the zone.
- Rules to enable all recreation activities and associated facilities to establish and operate, subject to amenity and building controls.
- Rules to apply to boundaries with the Residential and Rural Zone to manage amenity and minimise reverse sensitivity effects.

Reserve Management Plans

- Council will manage the District's parks and reserves through the preparation, administration and review of Reserve Management Plans.

Council's Open Space Strategy

- Identify the recreation, character, ecological, amenity and other special values for each Council park and reserve.

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- Identify and prioritise recreation development projects and long term goals for the Open Space network.

Long Term Plan

- Council will use the Long Term Plan to prioritise the development of new, and upgrades to, parks and facilities to maintain the range of recreation activities and respond to changing recreation demands.

A combination of methods are necessary to utilise Council's parks and reserves in a way that meets the community's recreational needs and minimises environmental effects on the open spaces and adjoining properties.

Financial and strategic decision making through use of the Open Space Strategy in conjunction with the Long Term Plan process will prioritise resources and actions.

The Open Space Zone recognises the value of Council's parks and reserves, and where appropriate, may also include privately owned open spaces. The regulatory framework provides certainty on the use, development and protection of recreation activities. The Open Space Zone sets thresholds on the nature and scale of development that can be tolerated within the parks and reserves and relationship with adjoining residential properties. Resource consents are required when amenity and building thresholds are exceeded, or where non-recreation activities are proposed, for example a permanent commercial activity, or a new community facility. Temporary activities, such as community events are permitted, subject to compliance with the relevant standards in the same way as they apply to other zones across the District. This process allows a commensurate level of assessment to understand whether the proposed development is appropriate in context.

Issue 4.2 ACCESS TO WATER BODIES

Maintaining and enhancing public access to water bodies and the coast is highly valued by the community. However, in maintaining and enhancing this public access, the operational requirements of adjoining landowners and landowner rights may be compromised, or the other qualities of the water bodies and their margins including natural character, ecological values, sensitive cultural sites and areas, and hazard risks may be degraded.

Issue Discussion

Public access to and along water bodies is a significant issue, as limited access can constrain the recreational opportunities and use of water bodies and their margins. However, in providing for this access, care needs to be taken to ensure it is in a form that does not adversely affect the operational requirements of landowners, such as farming operations or hydro energy generation activities, as well as degrading the natural character or ecological values, ecological values or cultural values of the water bodies and their margins.

The pressure and reasons for public access varies for different water bodies throughout the District. Public access to some water bodies is highly valued and sought after for fishing or kai moana purposes, while swimming and other water sports are valued for other water bodies. Currently, there is a relatively limited connected network of margins along rivers and streams, therefore, walkways and other pursuits along the length (including parts) is not

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undertaken, but is a desired outcome for the major rivers and streams. In addition to these public access benefits, esplanade areas are recognised to have other benefits, such as maintaining riparian vegetation and habitats (maintains aquatic habitats) and managing effects of natural hazards (flooding and river bank erosion).

Notwithstanding these benefits, creating public access to and along water bodies can adversely affect the values for which public access is sought. For example, subdivision of land on the edges of rivers, lakes and the coast leads to intensified settlement that in turn can detrimentally affect the natural character or ecological values of the riparian areas and potential conflict could arise between recreational uses (for example, swimming and motorised water sports). In addition, as many of the rivers and streams are within rural areas, public access could compromise or raise expectations about the operational requirements of rural land uses, such as maintaining or removing vegetation.

The relationship that Māori have with water bodies (and their margins) is to be recognised and provided for when considering the maintenance and enhancement of public access networks to and along lakes, rivers and other water bodies in the district. It is important that public access does not take place in a manner which degrades cultural value of sites of significance to Tangata Whenua, and where this might be the case, consultation is undertaken with them with respect to the creation of public access, particularly in respect to Waipunahau (Lake Horowhenua). No esplanade requirements apply with respect to Waipunahau (Lake Horowhenua), as it is already surrounded by a strip of land in Māori ownership, as is one side of Hokio Stream which drains the lake.

Objectives & Policies

Objective 4.2.1 Public Access to Water Bodies

Maintain and enhance public access to and along the coast, rivers, lakes and streams, at appropriate locations while preserving the natural character, cultural values and other values of these water bodies and their margins, and where the need for the protection of sites and areas of significance to Tangata Whenua is taken into account.

Policy 4.2.2

Prioritise the needs for public access to water bodies with significant natural/ecological, natural hazards, recreational/access values.

Policy 4.2.3

Require esplanade reserves or strips along the coast and identified rivers, lakes and streams that are considered of significant value in the District.

Note: Refer to Schedule 12 which identifies Priority Water Bodies in the District.

Policy 4.2.4

Consider esplanade strips as appropriate along the margins of other water bodies not identified for their significant values where they would achieve the purpose of:

- Contributing to the protection of conservation values;
- Enabling public access; and/or

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- Enabling public recreational use, where the use is compatible with conservation values.

Policy 4.2.5

Recognise the creation of a network of esplanade reserves along water bodies of significant value is a long-term objective, and short-term arrangements may need to be made to manage esplanade reserves in isolated areas.

Policy 4.2.6

Consider the reduction in width or waiver of the esplanade reserve or strips requirements where:

- The reduced width still provides for the use and enjoyment of the area;
- The purpose for the esplanade area can still be achieved;
- The creation of the esplanade area would adversely affect the natural and ecological, values of the water body and its margins;
- The creation of the esplanade area would adversely affect sensitive sites or areas of significance to Tangata Whenua;
- The taking of an esplanade reserve or strip would be unlikely to be of value in terms of enhancing public access in the particular location concerned, even in the longer term.
- Public health and safety is protected;
- Conflicts with other recreational uses are minimised;
- Flooding and other natural hazards are managed; and
- Alternative public access is available.

Policy 4.2.7

Support landowners seeking to create esplanade areas and other open space connections between existing public recreation or conservation reserves, or any isolated areas, by developing partnerships and assisting with information and technical advice.

Explanation and Principal Reasons

Public access to the coast, lakes, rivers and streams is important to the community. The major water bodies have existing public access along parts of their length, particularly near or adjacent to existing settlements. Access to other smaller rivers and streams in rural areas is limited and fragmented. Council has prepared an Open Space Strategy to help guide where and what public access to water bodies is sought. This Strategy has identified water bodies with significant values where creating esplanade reserves or strips are a priority. This Strategy identifies connections along river corridors, along the coast, between the ranges and the coast, connections to the ranges, and along the railway corridor.

The key locations identified are often where new connections allow for greater access to other recreation/conservation opportunities, for example access to the Department of Conservation land and/or existing Council parks and reserves.

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As land adjoining these priority water bodies is subdivided and developed, formal access can be obtained through the subdivision process. This systematic process allows a District-wide network to be developed over time. Opportunities can also arise through other means in securing public access, such as through land use consents or negotiation and agreement with landowners.

The public benefits gained from enhanced access to water bodies must be weighed against the effects on the values of the water body and their margins, as well as adjoining properties. For example, in rural areas, personal safety and security can be a concern for landowners if public access is created along waterways adjacent to their properties, and in urban areas, loss of privacy can be a concern. In addition, public access could adversely affect the natural values of the water body, such as dune habitats or riparian margins. Where an esplanade area has the potential to contribute to the open space network and provide enhanced connectivity or ecological corridors, the conservation values are to be weighed up against the provision of public access, the management of natural hazards and the aspirations of the landowner. Therefore, proposals involving new public access need to be carefully assessed, and there may be circumstances where reduced or no public access is appropriate.

The appropriateness of providing public access which might affect sensitive sites or areas of significance to Tangata Whenua, or the form of that access, has to be considered carefully in terms of potential adverse cultural impacts. There are sites of particular significance in the vicinity of Waipunahau (Lake Horowhenua) and its margins, which are important to Muaupoko.

It is recognised that developing an open space network is a long term goal. Therefore generating localised and connected esplanade areas (as and when opportunities arise) is a way of achieving this longer term community aspiration. Developing open space areas and connections in partnership with private landowners is encouraged, where landowners seek to provide these opportunities and wish to work with Council or community groups to do so, provided they are consistent with Council's Open Space Strategy.

Methods for Issues 4.2 & Objective 4.2.1

District Plan

- Identify the priority water bodies (coast, lakes, rivers and streams) with significant values (Schedule 12 – Priority Water Bodies, Groups 1 and 2).
- Rules which require esplanade reserves or strips based on priority water bodies (Schedule 12 – Priority Water Bodies, Groups 1 and 2), with ability to reduce or waive the requirement where appropriate.
- Rules which provide for esplanade reserve/strips and access strips to be created appropriate along other water bodies.

Asset Management

- Management of esplanade reserves through the use of Reserve Management Plans.
- Negotiate with private landowners the possibilities for enhanced public access based on the Open Space Strategy.

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- Through the Long Term Plan process, Council may consider the provision of additional pedestrian access and walkways for the benefit of both residents and visitors.

Provision of Information

- Council will publicise the location of existing access ways through signage.
- Council will also cooperate with regional initiatives to promote improved riparian management practices.

The methods use a mix of regulatory and non-regulatory tools to maintain and enhance public access to water bodies. The RMA contains specific provisions which place an onus on Council to make provision for esplanade reserves along the coast, rivers, lakes and streams when subdivision is undertaken. This provision is partly to enable the public to gain access to these areas for recreation and general enjoyment and also to assist in the protection of the natural character and values of these areas. Furthermore, esplanade reserves provide for access to waterways for maintenance purposes as well as providing some flood protection to adjoining properties.

Water bodies have been prioritised based on the current and future public access objectives and recognising the values of each water body. Esplanade reserves or strips are required for the priority water bodies, with minimum standards in terms of their width and type. For other water bodies, there is no requirement for the provision of esplanade reserves or strips. However, the provision of esplanade reserves or strips on other water bodies would be assessed on a case-by-case basis.

Non-regulatory methods such as provision of information and negotiating with landowners have been adopted to foster co-operation between the various parties with interests in public access and water bodies.

ANTICIPATED ENVIRONMENTAL RESULTS

The environmental results for open space and access to public water bodies which are anticipated to result from the combined implementation of the above policies and methods are as follows:

- 4(a) Improved public access to the coast, rivers and lakes within the District, in particular the priority water bodies identified.
- 4(b) Council's parks and reserves are accessible and provide a range of recreation activities relevant for the community.
- 4(c) Adverse effects of recreation and other activities undertaken on the parks and reserves have not degraded the character and amenity values of these open spaces.
- 4(d) Recreation and other activities on the parks and reserves are compatible with neighbouring properties.

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