



**SECOND  
GENERATION  
DISTRICT PLAN**

# **Recreation Decision of the Hearings Panel**

**Proposed Second Generation Dunedin City  
District Plan (2GP)**

**7 November 2018**





## **User guide to the decision reports and the marked-up decisions version of the 2GP**

The decisions of the 2GP Hearings Panel are presented in 29 decision reports (one report per hearing topic).

The reports include the Panel's decisions and reasons and incorporate the requirements under s32AA.

At the end of each report a table has been included summarising all the decisions on provisions (Plan text) in that decision report.

### **Marked-up version of the Notified 2GP (2015)**

The decisions include a marked-up version of the notified 2GP, which shows the amendments made to the notified plan in ~~strike-through~~ and underline. Each amendment has a submission point reference(s) or a reference to 'cl.16' if the amendment has been made in accordance with Schedule 1, clause 16(2) of the Resource Management Act. Schedule 1, clause 16(2), allows minor and inconsequential amendments to be made to the Plan.

Amendments to the Schedules below are not marked up as in other sections of the plan as they are drawn from a different source. Any changes to Schedules are detailed in the decision report for the relevant section.

Some very minor clause 16 changes such as typographical errors or missing punctuation have not been marked up with underline or strikethrough. More significant cl. 16 changes (such as where provisions have been moved) are explained using footnotes, and in some cases are also discussed in the decision.

### **Hearing codes and submission point references**

As part of the requirement of the DCC to summarise all original submissions, all submission points were given a submission point reference, these references started with 'OS'. Further submissions were also summarised and given a submission point that started with 'FS'.

The submission points are made up of two numbers the first is the submitter number, which is followed by a full stop, the second part is the submission point number for that submitter.

For example, OS360.01 is submitter 360 and their first submission point.

The 2GP Hearings Panel has used these same submission point references to show which submission points different amendments were attributed to. However, to enable these changes to be linked to different decision reports, the reference code was changed to start with a decision report code, e.g. Her 308.244.

A list of hearing codes can be found on the following page.

It should be noted that in some cases where several submitters sought a similar change, the submission point reference may not include all of these submission points but rather include only one or say, for instance, "PO 908.3 and others".

### Master summary table of all decisions

In addition to the summary table at the end of each decision report there is a master summary table that lists all decisions on provisions (Plan text), across all hearing topics, including details of the section(s) of the decision report in which that decision is discussed, and the relevant section(s) of the s42A reports. The s42A report sections will be helpful for appellants needing to identify which other parties have submitted on that provision, as notices of the appeal must be served on every person who made a submission on the provision or matter to which the appeal relates. The master summary table of decisions can be found on the decisions webpage of the 2GP website ([2gp.dunedin.govt.nz](http://2gp.dunedin.govt.nz)).

### List of hearing codes

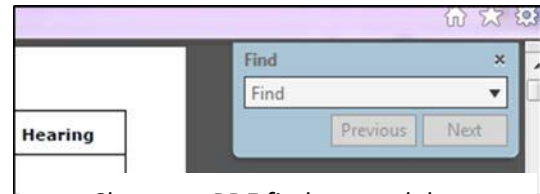
Hearing topic	Code
Commercial Advertising (cross plan hearing topic)	CP
Commercial and Mixed Use Zones	CMU
Community Correction Facilities (cross plan hearing topic)	CP
Defence Facilities and Emergency Services (cross plan hearing topic)	CP
Designations	Des
Earthworks	EW
Heritage	Her
Industrial Zones	Ind
Major Facilities (without Port and Mercy Hospital)	MF
Manawhenua	MW
Mercy Hospital	Mer
Natural Environment	NatEnv
Natural Hazards	NatHaz
Natural Hazard Mitigation	HazMit
Network Utilities	NU
Plan Overview and Structure	PO
Port Zone	Port
Public Amenities	PA
Public Health and Safety (PHS)	PHS
Quarries and Mining Activities (cross plan hearing topic)	CP
Recreation Zone	Rec
Residential Zones	Res
Rural Zones	RU
Rural Residential Zones	RR
Scheduled Trees	ST
Service Stations (cross plan hearing topic)	CP
Temporary Activities	TA
Transportation	Trans
Urban Land Supply	ULS

## How to search the document for a submitter number or name

1. If you want to search for particular submitter name, submission point or Plan provision in any of the reports (decision report, marked-up version of the Plan, or s42A report) the easiest way to do this is to use the 'Find' function.
2. When you have the document open, press the keys CTRL and F (Windows) or CMND and F (Mac) to bring up the 'PDF Finder'.



*Chrome – PDF finder search box*



*Chrome – PDF finder search box*

3. Once the PDF search box appears (in the top left or right corner of your browser) type in the submission number or submitter name and press enter on your keyboard.
4. The PDF finder will search for all instances of this term. Depending on the size of the document and your internet connection it may take a minute or so.
5. Press on the up or down arrows (Chrome) or 'next' (Internet Explorer) in the search box to view the different instances of the term until you find the one you are looking for.
6. An 'advanced search' function is available under the Edit tab in some PDF viewers, this allows you to search 'whole words' only to look for exact strings of letters or numbers



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## 1.0 Introduction

1. This document details the decision of the Proposed Dunedin City District Plan Hearings Panel/Te Paepae Kaiwawao Motuhake O Te 2GP with regard to the submissions and evidence considered at the Recreation Hearing held on 16 June 2016 at the 2GP Hearings Centre.

### 1.1 Scope of decision

2. Unless otherwise noted, this Decision Report addresses the 74 original and further submission points addressed in the Recreation Section 42A Report, except:
  - *Southern District Health Board* (OS917.15) relating to the provision of cycle parking and bus loading areas at recreation facilities, which we address in the Transport Decision.

#### 1.1.1 Section 42A Report

3. The Recreation Section 42A Report deals primarily with Plan provisions included in the Recreation Section of the 2GP. The Recreation Section contains provisions which link to other parts of the 2GP. Of particular relevance are: Public Amenities (Section 3), Temporary Activities (Section 4), and Public Health and Safety (Section 9). This Decision Report should be read in conjunction with other decision reports on these sections.

#### 1.1.2 Structure of Report

4. This Decision Report is structured by topic. The Report does not mention each individual submission point. Instead, it discusses the matters raised in submissions and records our decisions and reasons on the provisions relevant to each topic<sup>1</sup>. Appendix 2 at the end of the Report summarises our decision on each provision where there was a request for an amendment. It also includes provisions changed as a consequence to other decisions.
5. Schedule 1 of the RMA outlines key aspects of the process that must be used to prepare and make decisions on a plan change (including the submission and hearing process)
6. Clause 16(2) of that schedule allows a local authority to make an amendment where the alteration "is of minor effect", and to correct any minor errors, without needing to go through the submission and hearing process.
7. This Decision includes some minor amendments and corrections that were identified by the DCC Reporting Officers and/or by us through the deliberations process. These amendments are referenced in this report as being attributed to "cl.16". These amendments are summarised in Section 7.

## 1.2 Section 32AA Evaluation

8. Section 32 of the Resource Management Act 1991 (RMA) establishes the framework for assessing proposed objectives, policies and rules. Section 32AA of the RMA requires a further evaluation to be released with decisions, outlining the costs and benefits of any amendments made after the proposed Plan was notified.
9. The evaluation must examine the extent to which each objective is the most appropriate way to achieve the purpose of the RMA and whether, having had regard to their efficiency and effectiveness, the policies and rules proposed are the most appropriate for achieving the objectives. The benefits and costs of the policies and rules, and the risk of acting or not acting must also be considered.

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<sup>1</sup> In accordance with Schedule 1, section 10 of the RMA

10. A Section 32AA evaluation has been undertaken for all amendments to the notified Plan. The evaluation is included in this Decision Report, with the reasons for each decision in Sections 3.0 and 4.0 of this decision.

### **1.3 Statutory Considerations**

11. The matters that must be considered when deciding on submissions on a district plan review are set out in Part 2 (sections 5-8, purpose and principles) and sections 31, 32 and 72-75 of the RMA. District plans must achieve the purpose of the RMA and must assist the council to carry out its functions under the RMA.
12. The s42A Report provided a broad overview of the statutory considerations relevant to this topic. These include:
  - Section 75(3) of the RMA, which requires us to ensure the 2GP gives effect to any National Policy Statement (NPS) or National Environmental Standard (NES) that affects a natural or physical resource that the Plan manages. We note that there are no NPS or NES directly relevant to this particular topic
  - Section 74(2)(a) of the RMA, which requires us to have regard to the proposed Otago Regional Policy Statement (pRPS) and section 75(3)(c) of the RMA, which requires us to ensure the 2GP gives effect to the operative Otago Regional Policy Statement (oRPS). We note that the proposed RPS was notified on 23 May 2015, and decisions released on 1 October 2016. At the time of making these decisions on 2GP submissions some of the proposed RPS decisions are still subject to appeal, and therefore it is not operative
  - Section 74(2)(b)(i), which requires us to have specific regard to any other key strategies prepared under the Local Government Act. The s42A Report highlighted the Dunedin Spatial Plan 2012 as needing to be considered as this DCC strategic document sets the strategic directions for Dunedin's growth and development for the next 30 plus years.
13. These statutory requirements have provided the foundation for our consideration of submissions. We note:
  - where submissions have been received seeking an amendment of a provision and that provision has not been amended, we accept the advice in the original s42A Report that the provision as notified complies with the relevant statutory considerations
  - where a submitter has sought an amendment in order to better meet the statutory considerations, we have discussed and responded to these concerns in the decision reasons
  - in some cases, while not specifically raised, we have made amendments to the Plan as the evidence indicated this would more appropriately achieve these statutory considerations, in these cases we have explained this in our decision reasons
  - where we have amended the Plan in response to submissions and no parties have raised concerns about the provisions in terms of any statutory considerations, and we have not discussed statutory considerations in our decision, this should be understood to mean that the amendment does not materially affect the Plan's achievement of these statutory considerations.

## 2.0 Hearing appearances and evidence presented

14. Submitters who appeared at the hearing, and the topics under which their evidence is discussed, are shown in Table 1 below. All evidence can be found on the 2GP Hearing Schedule webpage under the relevant Hearing Topic <https://2gp.dunedin.govt.nz/2gp/hearings-schedule/index.html>

**Table 1: Submitters and relevant topics**

Submitter, Submitter number	Represented by	Expert Evidence, Submissions or evidence tabled at the Hearing	Topics under which evidence is discussed
<i>Alice Lloyd-Fitt (OS244)</i>		Spoke at Hearing	<ul style="list-style-type: none"> <li>Zoning – Recreation Zone: <i>Dunedin Branch Pony Club</i></li> </ul>
<i>Alice Wouters (OS628)</i> <i>Lyn Gipp (OS231)</i> <i>Angela Ruske (OS1012)</i> <i>Chris Rietveld (OS838)</i>	Angela Ruske and Alice Wouters (representatives)	Tabled evidence (power point presentation) and appeared at Hearing	<ul style="list-style-type: none"> <li>Zoning – Recreation Zone: <i>Dunedin Branch Pony Club</i></li> </ul>
<i>Anita Dunbier (OS176)</i>		Spoke at Hearing	<ul style="list-style-type: none"> <li>Zoning – Recreation Zone: <i>Dunedin Branch Pony Club</i></li> </ul>
<i>BP Oil NZ Limited and Mobil Oil NZ Ltd and Z Energy Limited (The Oil Companies) (OS634, FS2487)</i>	Georgina McPherson (consultant planner)	Pre-circulated evidence and did not appear at the Hearing.	Supporting submissions only. Provided broad evidence only in relation to submission points considered at Public Health and Safety Hearing.
<i>Dunedin Branch Pony Club of the Dunedin District Pony Club (OS58)</i>	Mavis Oskam and Lea Wilson (representatives)	Spoke at Hearing and gave power point presentation	<ul style="list-style-type: none"> <li>Zoning – Recreation Zone: <i>Dunedin Branch Pony Club</i></li> </ul>
<i>Dunedin District Pony Club (OS163)</i>	Glennys Trounson (representative)	Spoke at Hearing	<ul style="list-style-type: none"> <li>Zoning – Recreation Zone: <i>Dunedin Branch Pony Club</i></li> </ul>

<i>West Harbour Pony Club</i> (OS682)	Alice Lloyd-Fitt and Tracey Morrison (representatives)	Spoke at Hearing	<ul style="list-style-type: none"> <li>• Zoning – Recreation Zone: <i>Dunedin Branch Pony Club</i></li> </ul>
<i>Tracey Morrison</i> (OS589)		Spoke at Hearing	<ul style="list-style-type: none"> <li>• Zoning – Recreation Zone: <i>Dunedin Branch Pony Club</i></li> </ul>
<i>Otago Southland Area Pony Club</i> (OS560, OS815)	Sue Malthus-Reid (representative)	Spoke at Hearing	<ul style="list-style-type: none"> <li>• Zoning – Recreation Zone: <i>Dunedin Branch Pony Club</i></li> </ul>
<i>Bindon Holdings Ltd</i> (OS916, FS2471) <i>East Parry Investments Ltd</i> (OS922)	Megan Justice (consultant planner))	Pre-circulated evidence – did not speak at Hearing	<ul style="list-style-type: none"> <li>• Sport and Recreation definition</li> </ul>
<i>Dunedin Rugby Football Club</i> (OS557) <i>Willowridge Developments Ltd</i> (FS2153)	Alison Devlin (representative)	Tabled evidence and appeared at Hearing	<ul style="list-style-type: none"> <li>• Sport and Recreation definition</li> <li>• Conference, Meeting and Function activity</li> <li>• Community and Leisure activity</li> <li>• Rule 20.3.3.9 Ancillary licenced premises</li> <li>• Zoning of <i>Kaikorai Rugby Football Club Incorporated</i> facilities</li> </ul>
<i>Kaikorai Rugby Football Club Incorporated</i> (FS2330)	Tony Chave (representative) Conrad Anderson (resource management consultant)	Tabled evidence and appeared at Hearing	<ul style="list-style-type: none"> <li>• Conference, Meeting and Function activity</li> <li>• Community and Leisure activity</li> <li>• Rule 20.3.3.9 Ancillary licenced premises</li> <li>• Zoning of <i>Kaikorai Rugby Football Club Incorporated</i> facilities</li> </ul>

<i>Leith Harrier and Athletic Club</i> (OS69)	Allan Funnell (representative)	Spoke at Hearing	<ul style="list-style-type: none"> <li>• Zoning – Recreation Zone: <i>Dunedin Branch Pony Club</i></li> </ul>
<i>Liquigas Limited</i> (OS906, FS2327)	Steven Tuck (Gas safety expert)	Pre-circulated evidence and did not appear at the Hearing.	<ul style="list-style-type: none"> <li>• Conference, meeting and function activity</li> <li>• Community and leisure activity</li> </ul>
<i>Otago Peninsula Community Board</i> (OS588)	Paul Pope (Chair of the OPCB)	Spoke at Hearing	<ul style="list-style-type: none"> <li>• Rule 20.3.3.9 Ancillary licensed premises</li> <li>• New general advice notes for activity status table</li> <li>• Zoning of small neighbourhood reserves and recreation areas in rural environments</li> <li>• Cemeteries in Recreation Zone</li> </ul>
<i>Otago Railway and Locomotive Society Inc.</i> (OS553)	Shane Murray and Campbell Thomson (representatives)	Spoke at Hearing	<ul style="list-style-type: none"> <li>• New activity to allow for <i>Otago Railways and Locomotive Society</i> activities (Rule 20.3 Activity Status)</li> </ul>

15. Appearances for the Dunedin City Council were:

Ms Jacinda Baker, Reporting Officer

Mr Richard Saunders, Group Manager, Parks and Recreation

16. Evidence presented by Ms Baker included:

- Section 42A Report
- Opening statement (tabled and verbal)
- Revised recommendations (tabled and verbal)

17. Planning assistance to the Hearing was provided by:

Mr Paul Freeland, Senior Planner

## **3.0 Key topics discussed at the hearing or covered in tabled evidence**

### **3.1 Overview**

18. This section explains how the issues dealt with in this Decision Report are addressed in the 2GP.
19. The Recreation Zone is a new management zone. It seeks to provide a resource management approach for larger public open space/recreation areas in the urban environment, by recognising the values of these different areas and addressing the effects of the activities that take place on them.
20. The Recreation Zone includes large public sports grounds, primarily urban recreation areas, and large urban bush reserves (owned by the DCC). This is a change from the Dunedin City District Plan (2006), where the zoning of these areas matches that of the surrounding zone.
21. The following recreation areas owned by the DCC have not been included in the Recreation Zone:
  - smaller neighbourhood reserves such as pocket parks, neighbourhood playgrounds, and small reserve areas in commercial centres or residential areas remain in the same zone as the surrounding environment
  - large reserves in the rural environment remain in the Rural Zone.
22. In some cases, neighbourhood reserves adjoining an area to be included in the Recreation Zone have also been zoned recreation.
23. The 2GP provides for small structures such as play equipment, barbeques, shelters, information panels, as Public Amenities (managed via the provisions in Section 3 as a City-wide Activity). Likewise, the use of these areas for temporary events (like gala days or fairs) is managed as a City-wide Activity through the Temporary Activities Section of the 2GP (Section 4).

### **3.2 Overview of major issues**

24. The more significant issues raised in submissions were:
  - The application of the Recreation Zone, with one submitter seeking it be applied to small urban pocket parks and rural recreation areas, and several submitters seeking it be applied to 50 Three Mile Hill Road. We consider that there is significant merit in applying the Recreation Zone more widely but note that the provisions as drafted are not appropriate for smaller parks and reserves with more natural values. We recommend that a future plan change should consider refining the provisions for different types of recreation areas, possibly through the introduction of different types of Recreation Zone. We recommend the inclusion of pocket parks, rural recreation areas, and privately-owned recreation areas, be considered at that time.
  - The restrictions in the Recreation Zone on the use of recreational facilities for Conference, Meeting and Function activity and a request that this activity is

allowed to operate as a permitted activity without any performance standards restricting the scale of the activity. Our decision on this matter provides for some expansion of this activity.

- A request to better reflect the relationship between the 2GP, bylaws, reserve management plans and the Reserves Act 1977, and clarify why additional controls are required through the 2GP. Our decision recommends additional clarity is added in the form of advice notes indicating that other controls might also apply.

### 3.3 Sport and Recreation definition

25. Sport and Recreation is a land use activity that sits under the Community Activities category of activities in the nested table of the 2GP. Less formal recreation and leisure activities are managed as a Community and Leisure activity, which also sits under the Community Activities category of activities in the nested tables.
26. *Bindon Holdings Ltd* (OS916.18) sought that the definition of Sport and Recreation be amended to clarify that commercial sports and recreation is provided for, especially indoor sports facilities. *East Parry Investments Limited* (OS922.24) sought the addition of indoor sports facilities to the definition, in order to make it clear that commercial facilities are included.
27. The *Dunedin Rugby Football Club* (OS557.4) highlighted the need for additional clarity to indicate that post match functions, AGMs, and award ceremonies, do not fall under the definition of Conference, Meeting and Function, and sit within the definition of Sport and Recreation.
28. The Reporting Officer recommended amendments to both the definition of Sport and Recreation, and Conference, Meeting and Function to respond to these requests and improve clarity. She also recommended inclusion of 'indoor sport facilities' to the definition of Sport and Recreation (Section 42A Report, Section 4.2.3). Her recommended amendments are as follows:

#### **Sport and Recreation**

The use of land and buildings for organised sport, recreation activities, events, ~~and~~ sports education, and club meetings, presentations, and functions (including private functions for club members). This definition includes ancillary office facilities, meeting rooms, and ticket sales activities.

Examples are facilities managed by clubs, Dunedin City Council, schools or private entities including:

- sports fields
- basketball/tennis/netball/squash courts
- swimming pools
- athletics tracks
- bowling greens
- gyms
- golf courses
- shooting ranges
- walking tracks
- indoor sports facilities

#### **Conference, Meeting, and Function**

The use of land and buildings for the purpose of holding organised conferences, seminars and meetings, or as a venue that is hired for weddings or other functions.

This definition excludes activities otherwise defined as Entertainment and Exhibition, Community and Leisure (which includes and churches and community halls), which are included in the definition of community and leisure<sup>2</sup> and Sport and Recreation.

As a consequence, the Reporting Officer recommended removing reference to Conference, Meeting, and Function activity ancillary to Sport and Recreation in the activity status table (section 20.3.3).

29. Ms Megan Justice (planning consultant) tabled evidence for *Bindon Holdings Limited and East Parry Investments Limited* in which she stated that the submitters sought clarification on whether the Sport and Recreation activity distinguished between commercial and non-commercial operations. In her opinion an amendment would be appropriate to clarify this. The tabled evidence considered the addition of 'indoor sports facilities' proposed in the Section 42A Report and suggested adding 'recreation' to this. Her reasons were that this will assist in clarifying the range of uses covered by the definition.
30. Ms Alison Devlin appeared on behalf of *Willowridge Developments Limited* and the *Dunedin Rugby Football Club* and stated that the recommendations in the Section 42A Report substantially addressed the submissions.
31. In her revised recommendations, the Reporting Officer recommended inclusion of 'indoor sports and recreation facilities' to the definition of Sport and Recreation. The Reporting Officer, however, did not consider it appropriate to distinguish between commercial or not-for-profit operations as the approach in the 2GP has been to treat these types of activities the same and manage activities based on their effects.

### **3.3.1 Decision and Reasons**

32. We accept the submissions by *Bindon Holdings Ltd* (OS916.18), *East Parry Investments Limited* (OS922.24), and the *Dunedin Rugby Football Club* (OS557.4) that the definition of Sport and Recreation needs clarification.
33. We consider it appropriate that events ancillary to sport and recreation, and club meetings, presentations and functions are included in the definition, as activities that would be expected on land and in buildings used for Sport and Recreation. We also consider the definition should be amended to clarify that it applies equally to both indoor and outdoor sport and recreation activities.
34. As a result of the overall decisions we have made, both in this decision and the Plan Overview Decision Report on the format of definitions, our amendments to the definitions have minor wording changes to those recommended by the Reporting Officer. The amendments to the definition are shown below and in Appendix 1 attributed to submission points Rec 557.4, Rec 922.24, Rec 916.18, and PO cl. 16.
35. Accordingly, we have amended the definition of sport and recreation as shown below to:
  - refer to "ancillary events, and sports education, and club meetings, presentations, and functions"
  - apply the term 'indoor' to all activities listed in the definition. We consider this is clearer than adding 'indoor sports and recreation facilities' to the list of examples, because the only element of this that is not encompassed by the substantive definition is the 'indoor' component.

### ***Sport and Recreation***

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<sup>2</sup> Note that the strike though did not show in the Section 42A Report due to a technical error, however this was the intended wording



"The use of land and buildings for organised indoor and outdoor {Rec 916.18 and 922.24} sport, and recreation activities—activity {PO cl. 16}, ancillary events, ~~and~~ sports education, and club meetings, presentations, and functions. {Rec 557.4} This definition includes ancillary office facilities, ~~meeting rooms,~~ {PO cl. 16} and ticket sales activities. Examples are facilities managed by clubs, Dunedin City Council, schools or private entities including:

- sports fields
- basketball/tennis/netball/squash courts
- swimming pools
- athletics tracks
- bowling greens
- gyms
- golf courses
- shooting ranges
- walking tracks

Sport and recreation that involves motor vehicles is managed as a sub-category of sport and recreation. {PO cl.16}

Sport and recreation is an activity in the community activities category." {PO cl. 16}

36. Consequently, we have also made the following amendments attributed to Rec 557.4:
- amended the definition of Conference, Meeting and Function to exclude activities otherwise defined as sport and recreation
  - deleted the reference to Conference, Meeting and Function activity ancillary to Sport and Recreation in Policy 20.2.2.5 (policy related to performance standard for ancillary activities) and in the reference to the policy in Rule 20.9.3.2.a.ii (assessment rules) by deleting reference to conference, meeting and function activity
  - deleted Conference, Meeting and Function activity ancillary to sport and recreation (Rule 20.3.3.10)
  - amended the hours of operation performance standards to remove the reference to conference, meeting and function ancillary to sport and recreation from meeting the performance standard (Rule 20.5.3.1)

### **3.4 Conference, Meeting and Function activity**

37. Conference, Meeting and Function is an activity under the Commercial Activities category in the nested tables of the 2GP. The Plan provides for Conference, Meeting and Function activity ancillary to Sport and Recreation as a permitted activity subject to the Scale of Operation performance standard (Rule 20.5.3.2).
38. Conference, Meeting and Function activity, including leasing clubrooms for private unrelated functions, is a non-complying activity as it falls under All Other Activities in the Commercial Activities Category (Rule 20.3.15).
39. The *Dunedin Rugby Football Club* (OS557.4) sought to make all Conference, Meeting and Function activities permitted, rather than just those ancillary to Sport and Recreation. The submitter indicated that when the premises are not in use by the club, they provide an accessible and affordable venue for Conference, Meeting and Function activity and noted that the ability to occasionally hire the premises for non-sport related functions is an important means of club fundraising and is an efficient use of the premises when not in club use. The submitter argued that without this there would be a critical shortage of such venues in Dunedin. Furthermore, the submitter suggested the nature of sports

facilities is such that they are generally surrounded by playing fields, which avoids reverse sensitivity effects on neighbouring properties.

40. The *Dunedin Rugby Football Club* (OS557.1) also sought the deletion of the Scale of Activities performance standard (Rule 20.5.3.2). The submitter suggested that this rule is in conflict with the intention of the zone to enable Sport and Recreation and that a fundamental part of Sport and Recreation is post-match functions and awards, club AGMs, which the submitter suggested would be inhibited by these rules which restrict the maximum number of people at a function.
41. *Willowridge Developments Limited* (FS2153.91 and FS2153.87) supported the submissions. *Kaikorai Rugby Football Club Incorporated* (FS2330.5 and FS2330.2) supported the submissions and sought that the Recreation Zone provisions apply to all Sport and Recreation activity irrelevant of the zoning. *Kaikorai Rugby Football Club Incorporated* had concerns about ancillary activities being made non-complying as it affects the income of the club and a double up on regulations creates an extra cost to the club.
42. *Liquigas Limited* (FS2327.11) opposed the submission of the *Dunedin Rugby Football Club* (OS557.4) and sought that all Conference, Meeting and Function activities be non-complying in the Recreation Zone. *Liquigas Limited* want to prevent intensification of any sensitive activities within 200m of their facilities in Fryatt Street, and therefore are opposed to Conference, Meeting and Function activities on the recreation area near their site (proposed to be zoned Recreation in the 2GP).
43. The Reporting Officer recommended amendment to the definition of Conference, Meeting and Function, and Sport and Recreation and consequential amendments to the activity status table as shown in section 3.3 above. The Reporting Officer considered these changes should address the concerns of *Dunedin Rugby Football Club* (OS557.1) in part by making it clear that meetings and functions that are part of the Sport and Recreation activity (e.g. club meetings and functions) are permitted as part of the Sport and Recreation activity and that there are no limits on attendance for these to be permitted. It also makes it clearer that Conference, Meeting and Function activity does not include Sport and Recreation activity (s42A Report, Section 4.2.3).
44. While the Reporting Officer did not recommend accepting the request from *Willowridge Developments Limited* (FS2153.91 and FS2153.87) and *Kaikorai Rugby Football Club Incorporated* (FS2330.5 and FS2330.2) to make non-club Conference, Meeting and Function activity permitted, she did recommend providing for private functions for club members as permitted activities, and recommended that other Conference, Meeting and Function activity for non-club related activities were changed to be a discretionary activity. As a consequential change she said the Scale of Operation performance standard (Rule 20.5.3.2) should be deleted, as the 2GP does not include performance standards for discretionary activities, and recommended deleting reference to Conference, Meeting and Function from the Scale of Operation performance standard (Rule 20.5.3.1.a).
45. The Reporting Officer's reasons were to minimise effects on surrounding sites, ensure recreation land is available for recreation purposes, and not have activities in club facilities conflict with the centres hierarchy and other objectives and policies in the Strategic Directions Section related to the spatial distribution of commercial activities. She indicated the rules in the 2GP are designed to minimise adverse effects on neighbours and other reserve users, while still providing for activities that are necessary for the functioning of these areas. She said records showed that between the years of 2000 and 2015, 39 noise complaints were received by the DCC in relation to five rugby or football clubs having late night functions, with activities from one club resulting in 17 complaints. Allowing commercial activities not ancillary to Sport and Recreation could threaten the vibrancy of Commercial and Mixed Use zones, if provided for in a way or at a scale that would compete with activities occurring in these zones. The Reporting Officer indicated

the intention of limiting commercial activities in the Recreation Zone and making them ancillary to Sport and Recreation is to ensure that activities are related to, and secondary to, the primary functions of the zone.

46. Ms Alison Devlin appeared on behalf of *Willowridge Developments Limited* and the *Dunedin Rugby Football Club* and stated that the recommendations to amend the definition of Sport and Recreation in the Section 42A Report substantially addressed their submissions, however, she considered the proposed wording to exclude Sport and Recreation activity from the definition of Conference, Meeting and Function was not clear, and proposed an additional amendment specifying the exclusion of "those Conference, Meeting and Function activities which are included in the definition of Sport and Recreation" to give further clarification.

### **3.4.1 Decision and Reasons**

47. We accept in part the request by the *Dunedin Rugby Football Club* (OS557.4) and further submitters *Willowridge Developments Limited* (FS2153.91) and *Kaikorai Rugby Football Club Incorporated* (FS2330.5) insofar as they sought Conference, Meeting and Function activity be provided for at sports facilities. We accept that there are some substantial buildings with facilities for functions and parking areas within the Recreation Zone and consider making efficient use of these resources is in accordance with section 7(b) of the Act. However, we do not accept that these activities should have permitted activity status.
48. As discussed in section 3.3, we agree that events ancillary to Sport and Recreation, and club meetings, presentations and functions should be provided for at these facilities by including them in the definition of Sport and Recreation, with consequential amendments to the definition of Conference, Meeting and Function, Policy 20.2.2.5, Rule 20.3.3.10 and Rule 20.5.3.1.
49. The evidence was that use of these facilities for private functions is an important source of revenue for sports clubs, but can create noise and other disturbance for neighbours, and may conflict with the centres hierarchy and other objectives and policies in the Strategic Directions Section related to the spatial distribution of commercial activities. We note the evidence provided showing a history of complaints about activities of this nature in Dunedin, suggesting there are effects that need management. We accept this evidence and adopt the Reporting Officer's recommendations to change the status of Conference, Meeting and Function activity from non-complying to discretionary to enable a consent process to ensure any adverse effects are appropriately managed. This approach allows for consideration of scale and frequency of events to manage any adverse effects. The amendments to Rule 20.3.3 to split Conference, Meeting and Function not ancillary to Sport and Recreation from All other activities in the Commercial Activities Category and give it a discretionary activity status is shown in Appendix 1 attributed to Rec 557.4.
50. We also accept the submission from *Dunedin Rugby Football Club* (OS557.1) requesting deletion of the Scale of Activities performance standard (Rule 20.5.3.2), as the 2GP does not include performance standards for discretionary activities. The restriction on hours of operation should, in our assessment, remain however. We make consequential amendments to the title of the performance standard to reflect these changes (see changes to Rule 20.5.3 attributed to submission point Rec 557.1 in Appendix 1).
51. As a result of our decision on the activity status of Conference, Meeting and Function, we have made consequential changes (attributed to Rec 557.4 in Appendix 1) to:
- delete Assessment of Discretionary Performance Standard Contraventions - Scale of Operation (Rule 20.11.3.1)

- add reference to Conference, Meeting and Function activity in Policy 20.2.2.12 (policy guiding assessment as discretionary activity) to refer to the operation of activities, and make the same changes in the reference to the policy in rules 20.10.2.4.a.ii and 20.10.2.4.b.ii
  - amend Rule 20.11.2 – Assessment of Discretionary Land Use Activities by inserting guidance on the assessment of resource consents for Conference, Meeting and Function activity, and amend 20.11.2.2 to reflect changes to the policy
52. We note minor wording amendments have been made to the definition under clause 16 of the RMA to correct the format of the definition to be consistent with amendments discussed in the Plan Overview Decision.
53. While rejecting the *Liquigas Limited* (FS2327.11) submission on this point, we note that the issue of the requested 200m buffer is addressed in the Public Health and Safety Decision Report.
54. The *Kaikorai Rugby Football Club Incorporated* (FS2330.5 and FS2330.2) submission point seeking that of Recreation Zone provisions apply to all sport and recreation activity irrespective of the zoning, is addressed in Section 3.11 of this Decision.

### **3.5 New activity to allow for Otago Railways and Locomotive Society activities (Rule 20.3 Activity Status)**

55. Ocean Beach Railway occupies part of the Ocean Beach Domain which is a Local Purpose (coastal protection) reserve. The site is within the Recreation Zone in the 2GP. The Ocean Beach Railway has occupied the site since the 1960s and has previously been granted leases from the Ocean Beach Domain Board, allowing for the construction and maintenance of buildings and railway lines.
56. *Otago Railway and Locomotive Society Inc.* (OS553.5) operates at 3 John Wilson Drive, Ocean Beach. The land is used for the storage, restoration, maintenance and operation of vintage trains, ancillary retailing (sales of rail-related merchandise), recreation, and education. While this activity is largely recreational in nature, the *Otago Railway and Locomotive Society Inc.* considers that some of their activities such as heavy engineering is more of an industrial and service activity and there is a small commercial part of their operation, making them different to other recreation activities.
57. *The Otago Railway and Locomotive Society Inc.* (OS553.5) sought to amend the activity status table to add a new 'industrial heritage activities' for their activities on the site so that the Ocean Beach Railway can continue to operate and expand on the site.
58. The Reporting Officer did not recommend any amendments but noted that the Plan does not include scheduled activities (as in the Dunedin City District Plan (2006)), i.e. rules for specific activities on specific sites, as the planners and legal experts involved in developing the drafting protocol considered that this method resulted in complex and often difficult to administer (inefficient) planning rules (s42A Report, Section 4.2.4). Therefore, the addition of the new activity as proposed by the submitter would allow the activity to be established on other sites within the Recreation Zone without the need for resource consent. She did not consider that railway activities are generally appropriate areas in the Recreation Zone, and as such, recommended that the activity instead rely on its existing use rights.
59. Mr Shane Murray and Mr Campbell Thomson from the *Otago Railway and Locomotive Society Inc.* spoke at the hearing and raised concerns about relying on existing use rights (s.10 RMA). In particular they felt that existing use rights could be challenged if they increase the scale of operations. They indicated the *Otago Railway and Locomotive Society Inc.* does not want to be constrained in operating the railway. They were also

concerned buildings that are required may need to be bigger than the size permitted in the Recreation Zone. They accepted that the activity is not appropriate for other sites and should not be allowed as of right everywhere in the Recreation Zone. They stated a preference for restricted discretionary activity status, and the associated test of being able to manage environmental effects, rather a non-complying activity status. Alternatively, they suggested that their activities could be recognised in the definition of Community and Leisure – Large Scale.

### 3.5.1 Decision and reasons

60. We accept in part the submission of *Otago Railway and Locomotive Society Inc.* (OS553.5).
61. We understand that the *Otago Railway and Locomotive Society Inc.* has existing use rights for their activity and can continue to operate at the existing scale on the site. We consider that it is appropriate to recognise the specialised nature of the activities occurring on the site to give security to continued operation. However, while the site does appear to be an appropriate one for the Society's operation, any significant change in the scale of the operation, such as the addition of more buildings, should be subject to assessment of likely effects on the area.
62. The 2GP already provides for Sport and Recreation that Involves Motor Vehicles, and we consider this can be amended to include railway activity. Sport and Recreation that Involves Motor Vehicles is a discretionary activity in the Recreation Zone. We consider adding a definition of Sport and Recreation that Involves Motor Vehicles will allow this activity to be explicitly included in this definition (which may not be obvious otherwise). This definition and the associated amendment to Rule 20.11.2.4 (assessment criteria) are shown in Appendix 1 and attributed to Rec 553.5.

The definition of Sport and Recreation that Involves Motor Vehicles is as follows:

#### **Sport and Recreation that Involves Motor Vehicles**

Sport and recreation activity that involves the use of motorbikes, cars, trucks, boats, trains, remote controlled vehicles, go-carts, miniature vehicles, or other similar motorised vehicles. {Rec 553.5}

Sport and recreation that involves motor vehicles is a sub-activity of sport and recreation {Rec 553.5 and PO cl. 16}.

### 3.6 Community and Leisure activity

63. Community and Leisure is defined in the 2GP as "the use of land and buildings for the purpose of social gathering, worship, community support, non-competitive informal recreation, or leisure activities". These activities are managed at two different scales: small and large scale. Community and Leisure - Small Scale is a permitted activity in the Recreation Zone, and Community and Leisure - Large Scale is a restricted discretionary activity.
64. Submissions were received from the *Dunedin Rugby Football Club* (OS557.2) to change the activity status of Community and Leisure - Large Scale to permitted, or alternatively to increase the threshold for Community and Leisure - Small Scale from 25 to 50 people at any one time.
65. The submitter was concerned that a restricted discretionary activity status unduly restricts activities from being undertaken at recreation facilities and that there are no more effects than there would be for Sport and Recreation. *Willowridge Developments Limited* (FS2153.89) and *Kaikorai Rugby Football Club Incorporated* (FS2330.3)

supported this submission and in addition, the *Kaikorai Rugby Football Club Incorporated* (FS2330.3) sought that this applies to all sports clubs irrelevant of their zoning.

66. *Liquigas Limited* (FS2327.10) opposed the submission of the *Dunedin Rugby Football Club* (OS557.2) as they want to prevent any sensitive activities being able to establish within 200m of their facilities in Fryatt Street, and therefore, are opposed to Community and Leisure activities on the recreation area near their site.
67. Mr Grant Fisher, Transport Planner/Engineer in the Network and Operations Department at the DCC, considered the submission and advised that the requested increased threshold for permitted small scale activities was unlikely to result in more than minor effects on the safety and efficiency of the transport network, and therefore could be provided for as a permitted activity.
68. Based on this advice, the Reporting Officer recommended accepting the amendment proposed by *Dunedin Rugby Football Club* to increase the scale threshold from 25 to 50 people at any one time (s42A Report, Section 4.2.6, p. 23).
69. Ms Alison Devlin appeared at the hearing on behalf of *Willowridge Developments Limited* and the *Dunedin Rugby Football Club* and stated that the submitters' supported the recommendations in the Section 42A Report.
70. Written evidence from Mr Steven Tuck, called by *Liquigas Limited*, compared operative District Plan and proposed 2GP provisions and activities permitted under each of these in the vicinity of Liquigas' site at 254 Fryatt St. He expressed concern about the potential for sensitive activities to establish near the submitter's site without any assessment of risk exposure or potential reverse sensitivity issues and contended that the 2GP had not adequately acknowledged the interface issues that arise between the Industrial Zone and the Recreation Zone. He stated that the Reporting Officer's recommendation to double the permitted patron numbers by amending the definition of Community and Leisure, highlighted the need to reconsider the appropriateness of introducing a Recreation Zone in such close proximity to a hazardous facility.

### 3.6.1 Decision and reasons

71. We accept in part the submission by *Dunedin Rugby Football Club* (OS557.2) to increase the scale threshold for Community and Leisure, as we consider that the requested increased threshold for permitted small scale activities is unlikely to result in more than minor effects on the safety and efficiency of the transport network, and therefore can be provided for as a permitted activity.
72. Our decision amends the definitions with minor wording changes shown as follows and in Appendix 1 with amendments attributed to Rec 557.2:

#### **Community and Leisure – Small Scale**

Community and leisure that does not exceed an attendance rate of ~~25~~ 50 people at any one time ~~or, except for a maximum of 10 days per calendar year, where the attendance rate does not exceed an attendance rate of 50~~ 100 people at any one time.

#### **Community and leisure – Large Scale**

Community and leisure that exceeds the ~~an attendance rate of 25 people at any one time or, for a maximum of 10 days per calendar year, an attendance rate of 50 or more people at any one time of~~ Community and Leisure - small scale.

73. We note that *Liquigas Limited* (FS2327.10) has other requests to deal with their concerns about sensitive activities near its facilities, and that its request to provide a setback to prevent any sensitive activities being able to establish within 200m of its facilities in Fryatt Street is dealt with in the Public Health and Safety Decision Report.

74. The *Kaikorai Rugby Football Club Incorporated* (FS2330.3) submission point seeking that of Recreation Zone provisions apply to all sport and recreation activity irrelevant of the zoning, is addressed in section 3.11 of this Report.
75. We also consider it should be noted that existing buildings in the Recreation Zone will not necessarily meet standards under other legislation for the accommodation of these numbers of participants - notably fire ratings.

### 3.7 Rule 20.3.3.9 Ancillary licenced premises

76. Ancillary Licensed Premises are defined in the 2GP as:

“Activities that sell alcohol.

For the purposes of this Plan, licensed premises are not a stand-alone activity and are always treated as secondary to another activity, for example:

- bottle shops fall under the definition of food and beverage retail;
- bars fall under the definition of restaurant;
- breweries that sell alcohol on-site fall under the definition of retail *ancillary to industry*;
- home-based internet alcohol sales may fall under the definition of working from Home or general retail depending on the nature of the activity; and
- restaurants, dairies, visitor accommodation, sport and recreation activities are also common activities that may also be licensed premises.

Both the activity status and other rules for the underlying activity and for the ancillary licensed premises apply for an activity that involves alcohol sales.”

77. In the case of the Recreation Zone, Ancillary Licensed Premises are a restricted discretionary activity. As both the rules for the underlying activity and for the Ancillary Licensed Premises apply for an activity that involves alcohol sales. For example, a bar at a sports club would be restricted discretionary but a liquor outlet would be non-complying (as Food and Beverage Retail is non-complying in the Recreation Zone). Ancillary Licensed Premises are subject to the Hours of Operation performance standard (Rule 20.5.3.1).
78. Under the *Sale and Supply of Alcohol Act 2012*, clubs wishing to sell alcohol are also required to obtain a Liquor Licence from the District Licensing Committee.
79. *The Dunedin Rugby Football Club* (OS557.3) sought to have the activity status of Ancillary Licensed Premises changed to a permitted activity. The submitter considered alcohol sales to be an integral part of post-match gatherings and other social functions, and that it is not necessary for the 2GP to regulate this activity when it is regulated through the *Sale and Supply of Alcohol Act 2012* and a licence is required. *Willowridge Developments Limited* (FS2153.90) supported the submission.
80. *Kaikorai Rugby Football Club Incorporated* (FS2330.4) supported the submission from the *Dunedin Rugby Football Club* (OS557.3) and sought that these provisions apply to all Sport and Recreation activity irrelevant of the zoning. That request goes beyond the submission it supports (discussed further below).
81. *The Otago Peninsula Community Board* (OS588.39) also sought to have the activity status of Ancillary Licensed Premises’ changed to permitted. The *Otago Peninsula Community Board* considered that having rules in the 2GP in addition to rules in reserve management plans is overly controlling and takes away the ability of communities to make their own decisions on recreational needs or uses of areas.

82. The Reporting Officer that if clubs and their activities are lawfully established, changes to the 2GP will not impact on the ability of those clubs to continue to operate. If the scale of their activity is proposed to change, or new facilities or activities are proposed, then the rules in the 2GP would apply (s42AReport, Section 4.2.9, p. 27).
83. She stated that there is an evidence base of noise complaints received due to late night functions at clubrooms suggesting the potential for significant adverse noise effects to occur as a result of functions on sportsgrounds. The consumption of alcohol can add to the potential for noise effects associated with these functions and, therefore, is a relevant consideration in the evaluation of the potential for adverse noise effects.
84. The Reporting Officer considered it is important to have the ability to consider potential effects on surrounding sites via the resource consent process and recommended retaining the restricted discretionary activity status as proposed in the 2GP.
85. The Reporting Officer recommended adding a new note reminding people that liquor licenses are required in addition to any requirements in the Plan. This note is already included in Rule 20.5; however, she considered it would be beneficial to include it adjacent to the activity status table (section 20.3.3) as well.
86. At the hearing Ms Alison Devlin appeared on behalf of *Willowridge Developments Limited* and *The Dunedin Rugby Football Club*. Ms Devlin considered that the issue of noise raised by the Reporting Officer in her Section 42A Report was already considered as part of liquor licensing processes under the Sale and Supply of Alcohol Act 2012, and complaints could be laid in relation to that licence. Further, she stated that the effect of noise generated by the sale of alcohol is difficult to evaluate, and that the proposed performance standard relating to hours of operation was a more appropriate mechanism for dealing with this issue.

### 3.7.1 Decision and reasons

87. We reject the submissions by the *Dunedin Rugby Football Club* (OS557.3) and the *Otago Peninsula Community Board* (OS588.39) to change the activity status of Ancillary Licensed Premises from restricted discretionary to a permitted activity. We consider it important for the DCC to consider potential effects of the sale of alcohol on the surrounding area via the resource consent process, as evidenced by the complaints that occur as a result of activities at sports club facilities. We acknowledge there is overlap between the concerns under the liquor licensing regime and the 2GP, but the Resource Management Act has a wider ambit than the Sale and Supply of Alcohol Act.
88. We agree with the recommendation by the Reporting Officer to add an additional note to the 2GP as a clause 16 minor and inconsequential amendment to alert Plan users to the liquor licensing process, subject to a minor amendment to the wording as shown below to include the addition of the word 'consumption':

Note 20.3.3A – Other requirements outside the District Plan

Activities that involve the sale, consumption, or provision of alcohol, may require a licence. Contact the DCC's Alcohol Licensing Department on 03 477 4000 or visit the DCC website [www.dunedin.govt.nz](http://www.dunedin.govt.nz) for more information.

## 3.8 Cemeteries in Recreation Zone

89. The *Otago Peninsula Community Board* (OS588.40) requested that cemeteries be a permitted activity in the Recreation Zone (Rule 20.3.3.22).
90. The Reporting Officer noted that cemeteries are a restricted discretionary activity in the Recreation Zone. She was of the opinion that cemeteries are an activity that may have effects on the cultural values of Manawhenua and/or on the amenity of surrounding sites. She noted the requirement for resource consent allows assessment of proposals to ensure



cemeteries consider effects on cultural values; are designed to avoid or mitigate adverse effects on surrounding sites; and are located to minimise the potential for reverse sensitivity that may affect the ability of the cemetery to operate (s42A Report, Section 4.2.8, p. 25).

91. Mr Pope spoke at the hearing on behalf of the *Otago Peninsula Community Board*. Although he did not provide additional evidence about the activity status of cemeteries, he indicated that acknowledgement of cemeteries in the Plan was important as they are used for passive and active recreation.

### **3.8.1 Decision and reasons**

92. We reject the submission from the *Otago Peninsula Community Board* (OS588.40) accepting the evidence of the Reporting Officer that there are effects associated with cemeteries in the Recreation Zone that are most appropriately managed by way of a consent process.

## **3.9 Zoning - Recreation Zone: Dunedin Branch Pony Club**

93. Thirty-five submissions were received on the 2GP seeking the rezoning of 50 Three Mile Hill Road from Rural Residential 1 to Recreation. This land is owned by the DCC but has been leased by the Dunedin Branch Pony Club since 1974. The land is zoned Rural in the operative District Plan and is zoned Rural Residential 1 in the proposed 2GP.
94. The submissions sought the rezoning primarily to reflect and give a level of security for the continued use of the land by the community for recreation, including in the form of pony club activities. The submissions highlighted the area's versatility as a year-round venue for the wide variety of regular activities and events that occur on the site. For example, the site is used by the Leith Harrier and Athletic Club for cross country running events. Submitters also noted it is the only year-round cross-country course in Dunedin; it is used by a variety of other clubs and organisations; and it provides for educational opportunities associated with the Dunedin Branch Pony Club's activities.
95. In the Section 42A Report, the Reporting Officer recommended rezoning the property as Recreation, with a default zoning of Rural Residential 1 via the inclusion of transitional provisions. This approach is used for other sites that are currently put to a specific purpose, particularly schools and other major facilities to allow them to change to a different zone if no longer required for the currently zoned purpose. The Reporting Officer believed that this would provide flexibility should the site no longer be needed by the DCC for recreation purposes.
96. The Reporting Officer also recommended that setbacks of 12m from the road boundary and 6m from other boundaries apply, making the setbacks consistent with the requirements of the surrounding rural residential properties.
97. Several submitters appeared at the hearing and reiterated the points made in their written submissions.
98. *Alice Wouters* (OS628.2) and *Angela Ruske* (OS1012.2) spoke at the hearing on behalf of themselves, *Chris Rietveld* (OS838.3), and *Lyn Gipp* (OS231.2). They outlined the history of the site and argued against the recommendation to include transitional provisions, noting that there was no need for the Rural Residential 1 zoning as they considered there are enough sites available for rural residential land use. They believed recreation zoning would protect the historic features and landscape and that if lost, this site could not be replaced.
99. *Anita Dunbier* (OS176.1) believed the area should be zoned recreation so it could be available as public land and not easily sold by DCC, as she considered provision of outdoor

space was important to people's health. She was of the opinion that, even if not used by the pony club, it would be suitable for many other recreational uses, or other uses may be possibly in conjunction with the pony club. When we pointed out that the Recreation Zone rules would allow for more large buildings on the site, social facilities, and even activities like car racing, and that these things may significantly change the nature of the site, *Ms Dunbier* indicated that a certain range of activities may be appropriate for the site.

100. Glennys Trounson spoke at the hearing on behalf of Nicco Wilson who was part of the *Dunedin District Pony Club* (OS163.1). She reiterated the points made in the submission.
101. *Mavis Oskam* (OS 161.1) and Lea Wilson spoke at the hearing on behalf of themselves and the *Branch Pony Club of the Dunedin District Pony Club* (OS58.1). They indicated that the Club has 52 members who pay \$100 per year, and that they had leased the area for the last 40 years and believed the site should be rezoned recreation to protect it.
102. *Alice Lloyd-Fitt* (OS244.1) and *Tracey Morrison* (OS589.2) spoke at the hearing on behalf of themselves and the *West Harbour Pony Club* (OS682.1). They indicated that the low cost of events made them very accessible for young children and that it was a safe place to ride. When questioned about why the Club had not submitted in regard to the zoning of their site, *Ms Lloyd-Fitt* indicated that as the zoning of their site was not changing in the Plan the Club did not see a need to submit on it. She indicated that if they had known that they could have sought recreation zoning for the site, then they would have done this.
103. *Ms Lloyd-Fitt* spoke in a personal capacity indicating that she had learnt a lot though pony club and was now coaching. She was of the view that low club fees and riding lessons for kids were beneficial and that a recreation zoning would secure the site for future generations. *Ms Morrison* believed the clubs teach children an empathy for animals, team responsibility, and is a healthy outdoor pastime for children.
104. Sue Malthus-Reid spoke at the hearing on behalf of the *Otago Southland Area Pony Club* (OS560.1 and OS815.1). She explained that she represented eight clubs which were part of the NZ Pony Club Association. She outlined the activities that the site is used for and explained that if less land was available for club use this would compromise the Club's ability to meet requirements for certain length courses. When asked about the number of these clubs that offer grazing to members, *Ms Malthus-Reid* indicated only two or three offered this service.
105. Allan Funnell spoke at the hearing on behalf of the *Leith Harrier and Athletic Club* (OS69.1). He outlined that the club use the site for a yearly cross-country relay and that these types of grounds are hard to come by for their event. He indicated that he would like it to remain in a zoning that allowed it to be used by the pony club.

### 3.9.1 Decision and reasons

106. We accept the submission by *Dunedin Branch Pony Club* (OS58.1) and others requesting the rezoning of 50 Three Mile Hill Road from Rural Residential 1 Zone to Recreation Zone, which was supported by the Reporting Officer, and the recommendation by the Reporting Officer for consequential changes to require boundary setbacks to be the same as for the surrounding Rural Residential Zone (Rule 20.6.12.1). We agree with the submitters that this is the most appropriate zoning for the site, based on its current and historical use for recreational activities.
107. We agree with the evidence presented at the hearing by submitters opposing the Reporting Officer's recommendation to include transitional provisions to provide for a future zone if the area is no longer required for recreation, for the reasons addressed below in Section 3.10.

### **3.10 Request to have reserve land made available for other purposes**

108. *Urban Cohousing Otepoti* (OS818.5) sought to have some unused reserve land around the city able to be used more productively for playgrounds, community gardens, or subdivided and sold for high end residential development as a source of revenue for the city.
109. The Reporting Officer did not recommend amendments to Policy 2.4.1.1 but noted that the 2GP has dealt with the transition of other sites that are currently put to a specific purpose, particularly schools and other major facilities to a different zone if no longer required for the currently zoned purpose (s42A Report, Section 4.2.2, p. 13). The 2GP has provided for the transition of these sites to a default zone if they are surplus to the landowner's requirements. She considered that it would be appropriate to take a similar approach in the Recreation Zone - that is, zone it recreation with a default zoning if it is no longer required for recreation purposes. She believed that this would provide flexibility should the site no longer be needed by the landowner for its current purpose, potentially providing for the submitter's request for the use of these areas for residential purposes if no longer required for Sport and Recreation.
110. The Reporting Officer recommended adding a new Rule 20.3.7 to provide for the transitioning of recreation zoned land.

#### **3.10.1 Decision and reasons**

111. We reject the submission point from *Urban Cohousing Otepoti* (OS818.5).
112. We note that the Recreation Zone already provides for a range of Community and Leisure, Conservation, and Sport and Recreation activities as permitted activities at appropriate scales, including community gardens. We further note that the decision to amend the definition of Community and Leisure - Small Scale (discussed in Section 3.6 of this Decision Report) will permit this activity as of right at a larger scale in the Recreation Zone than was proposed in the notified Plan. Playgrounds are a Public Amenities Activity, permitted in all zones under the City-wide Activities section of the Plan.
113. We believe that providing for a Recreation Zone to default to an alternative zoning, particularly if that zoning allowed for greater intensity of development, would create uncertainty for the community about the future use of the site, which would be undesirable particularly if the recreational area had values that were of particular importance to a community. This was demonstrated by strong community concern about the zoning of 50 Three Mile Hill Road in the notified Plan (discussed in Section 3.9 above). We also consider that there are circumstances under which an appropriate default zoning, based on the suggested methodology, may be difficult to determine.
114. We consider that, should there be a need for any given piece of Recreation zoned land to transition to a different zone type, this would more appropriately be processed as a plan change. In making this decision, we were cognisant of consistency with amended Policy 2.2.4.3 and new Policy 2.6.1.4 in the Strategic Directions section (discussed in the Urban Land Supply and Rural Residential Decision Reports), which encourage any applications for subdivision that fundamentally change rural land to residential use or rural residential use respectively, to be processed as a plan change.

### **3.11 Zoning of Kaikorai Rugby Club Incorporated facilities**

115. The *Dunedin Rugby Football Club* (OS557) submitted on specific provisions, as discussed above, and raised general concern about restrictions being placed on sports clubs and

the need for clubs to be able to continue to operate to provide recreation areas across the city.

116. The *Kaikorai Rugby Football Club Incorporated* (FS2330) made a further submission supporting the submission from the *Dunedin Rugby Football Club* (OS557), submitting that the underlying zoning of sports clubs was not consistent in the 2GP and that recreation provisions should apply to all Sport and Recreation activity irrelevant of the zoning. The reasons given in the submission was that clubs with established facilities require certainty regarding their future ability to undertake activities, and that reliance on existing use rights is fraught with difficulties, costs, and uncertainty.
117. Mr Tony Chave and Mr Conrad Anderson spoke at the hearing for *Kaikorai Rugby Football Club Incorporated*. They indicated the clubrooms are located on residential land that the club own (at 25A Lynn Street) adjacent to land zoned Recreation, and that this site should be included in the adjacent Recreation Zone.
118. They indicated the *Kaikorai Rugby Football Club Incorporated* hire out their facilities a lot for other activities and are concerned that the non-complying activity status for Conference, Meeting, and Function activity in the Residential Zone may stop them from hiring the facilities out, impacting on the income gained from this activity. They were also concerned about the inconsistency of zoning, and not having Recreation Zone provisions applying to the activities undertaken by the *Kaikorai Rugby Football Club Incorporated*.

### **3.11.1 Decision and reasons**

119. We accept in part the submissions by the *Dunedin Rugby Football Club* (OS557) and the *Kaikorai Rugby Football Club Incorporated* (FS2330) and agree that 25A Lynn St should be included in the Recreation Zone. We consider that the evidence presented by Mr Anderson on behalf of *Kaikorai Rugby Football Club Incorporated* made a compelling case for zoning their clubrooms Recreation.
120. We consider sufficient scope for the Kaikorai Rugby Football Club Inc to be incorporated in the Recreation Zone is provided by the submission of the *Dunedin Rugby Football Club* (OS557). We consider that the wording used in that submission asked for the rules in the Recreation Zone to be amended and apply to all rugby clubs throughout the City. The *Kaikorai Rugby Football Club Inc's* further submission then specifically asked for those amended rules to apply to the Kaikorai Rugby Football Club too and stated that the zoning of all clubs should be consistent. We consider the rules of the Recreation Zone can be applied to other clubs through zoning the club's land as recreation. We consider this is a better option than duplicating the Recreation Zone rules in other sections of the Plan, as suggested by the submitters.

## **3.12 Zoning of small neighbourhood reserves and recreation areas in rural environments**

121. The *Otago Peninsula Community Board (OPCB)* (OS588.31) sought to have all recreation areas, including pocket parks and playgrounds, and recreation areas in the rural environment, zoned Recreation in the 2GP.
122. In her Section 42A Report, the Reporting Officer noted that in the 2GP smaller neighbourhood reserves such as pocket parks, neighbourhood playgrounds, and small reserves in commercial centres or residential areas remained in the same zone as the surrounding environment. These recreation areas provide for informal recreation and temporary activities, and generally only have small buildings/structures and/or public toilets. These activities can be provided for under the surrounding zoning and do not require Recreation zoning.
123. Ms Baker also noted that large reserves in the rural environment retained a rural zoning. These reserves are primarily used for conservation, the provision of walking and biking

tracks, and grazing, and generally have only small buildings which can be effectively managed through the provisions of the rural zones.

124. The Reporting Officer did not recommend any change to the zoning of these areas.
125. At the hearing, Mr Pope on behalf of the *OPCB*, outlined his concerns with the 2GP not recognising all reserves or parks (including cemeteries) within the Recreation Zone. He was concerned that informal recreation on these areas was not recognised, effects from adjacent development would not be managed, conservation and biodiversity potential and connectivity would not be identified, and that communities identify with these areas and therefore they should be zoned. Mr Pope suggested at the hearing that walking tracks should also be mapped in the 2GP as they link areas.
126. Mr Pope argued that freehold land with a management agreement with Council, such as Okia and Hereweka have potential for tourism, and Recreation zoning might allow for buildings associated with tourism.
127. In her revised recommendations, the Reporting Officer provided comments in response to the evidence presented at the hearing. She indicated that zoning pocket parks in the 2GP would probably not be any more effective in preventing development on adjacent sites from having impacts on the recreation area than the proposed zone rules.
128. The Reporting Officer did not consider the large recreation areas in Rural Zones are conducive to a zoning that would allow for large buildings. If tourism or large information facilities were proposed in these environments, in her view resource consent applications with consideration of effects on a case-by-case basis would be more appropriate.

### **3.12.1 Decision and Reason**

129. We reject the submission of *OPCB* (OS588.31) because the notified Recreation Zone provisions do not align well with the scale of activities anticipated in pocket parks or rural recreation areas. We do agree, however, that there is merit in applying some kind of recreation zoning more widely to include these other recreation areas. As the submissions are not sufficiently detailed to provide scope to introduce what would be significant new provisions, we conclude that expansion of recreation zoning should be considered through a future Plan change (refer section 6 for discussion of this).

## **4.0 Other amendments**

130. This section outlines our decisions on small matters that were not traversed at the hearing and were relatively uncontested. For these matters our decisions were made entirely on the evidence presented in the submission and the s42A Report, with our reasons, unless otherwise indicated, being the same as those summarised by the Reporting Officer.

### **4.1 Replacement of em-dash in activity status table**

131. Decision - we accept the submission by the *Dunedin City Council* (OS360.162) to amend Rule 20.3.4.5.b. and 20.3.4.5.c. to replace the em-dash with "RD" as this clarifies the table and agree with the reasoning outlined by the Reporting Officer (s42A Report, Section 4.2.10, p. 28). A decision to make this change in response to other similar submissions is also addressed in the Plan Overview Decision Report, as it is a cross-Plan formatting decision. This amendment has been made as a clause 16 amendment as discussed in that decision.

## **4.2 New General Advice Notes for activity status tables**

132. Decision - we accept the submission by the *Otago Peninsula Community Board* (OS588.33 and 588.37) to add two new general advice notes about freedom camping, DCC bylaws, and the requirements for DCC permission to be obtained to undertake activities on reserves, as this will improve clarity. We agree with the reasons and relief recommended by the Reporting Officer (s42A Report, Section 4.2.11, p. 29). The amendments to notes in Rule 20.3 are shown in Appendix 1 attributed to Rec 588.33 and 588.37.

## **4.3 Correction of mapping error**

133. Decision - we accept the submission from the *Dunedin City Council* (OS360.183) to change the zoning of the northern part of 62 Braeview Crescent, Maori Hill, from General Residential 1 to Recreation Zone as this corrects a mapping error. We accept the reasoning outlined by the Reporting Officer (s42A Report, Section 4.2.21, p. 44).

## **5.0 Submissions where no amendments were made**

134. This section outlines our decisions on matters that were not traversed at the hearing and where we have decided not to make any amendment to the Plan. For these matters our decisions were made entirely on the evidence presented in the submission and the s42A report, with our reasons, unless otherwise indicated, being the same as those summarised by the Reporting Officer.

### **5.1 Rules 20.10.5.6 and 20.10.5.7**

135. Decision - we reject the submission from the *Dunedin City Council* (OS360.163) and the relief suggested by the Reporting Officer (s42A Report, Section 4.2.15, p. 33) to include assessment for "*new buildings or additions and alterations that result in a building that is greater than 350m<sup>2</sup> and/or has any wall longer than 20m*" as there is no difference in the activity status of buildings in a NCC over 60m<sup>2</sup> and those over 350m<sup>2</sup> so the additional line is not required.

## **6.0 Future plan change reviews and other suggestions**

136. We consider that there is merit in applying recreation zoning more widely, as suggested by one submitter. However, just as the notified provisions pose challenges in areas with important open space and natural values, they may also be inappropriate for smaller parks, and many rural reserves. How these different types of recreation areas are dealt with is a matter for a possible future Plan change.
137. Having considered submissions relating to the Recreation section of the Plan, we consider that the Plan may be improved by having more than one type of Recreation zone. We feel that this may enable Plan provisions (particularly in regard to the permitted number, and bulk and location of buildings) to be tailored more appropriately for in areas that currently have high levels of open space and more natural values that should be protected and/or in pocket parks and other small recreation areas if these areas were to be included in the Recreation Zone. Therefore, we include this comment as a suggestion for investigation for a future Plan change process.
138. Finally, we also think that the Plan would be improved through the inclusion of privately owned recreation areas (such as golf courses and the Forbury Racecourse) in some form

of recreation zone. Again, we had no submissions requesting this, but we recommend these areas are also considered at the time of any future Plan change process.

## **7.0 Minor and inconsequential amendments**

139. Clause 16(2) of Schedule 1 of the RMA allows a local authority to make an amendment where the alteration “is of minor effect”, and to correct any minor errors, without needing to go through the submission and hearing process.
140. This Decision includes minor amendments and corrections that were identified by the DCC Reporting Officers and/or by us through the deliberations process. These amendments are referenced in this report as being attributed to “cl.16”. These amendments generally include:
  - correction of typographical, grammatical and punctuation errors
  - removing provisions that are duplicated
  - clarification of provisions (for example adding ‘gross floor area’ or ‘footprint’ after building sizes)
  - standardising repeated phrases and provisions, such as matters of discretion, assessment guidance, policy wording and performance standard headings
  - adding missing hyper-linked references to relevant provisions (eg. performance standard headings in the activity status tables)
  - correctly paraphrasing policy wording in assessment rules
  - changes to improve plan usability, such as adding numbering to appendices and reformatting rules
  - moving provisions from one part of the plan to another
  - rephrasing plan content for clarity, with no change to the meaning
  - put links out to relevant rules in other sections rather than repeating the rule
141. Minor changes such as typographical errors have not been marked up with underline and strikethrough. More significant cl. 16 changes (such as where provisions have been moved) are explained using footnotes in the marked-up version of the Plan.

## **Appendix 1 – Amendments to the Notified 2GP (2015)**

Please see [www.2gp.dunedin.govt.nz/decisions](http://www.2gp.dunedin.govt.nz/decisions) for the marked-up version of the notified 2GP (2015). This shows changes to the notified 2GP with strike-through and underline formatting and includes related submission point references for the changes.



## Appendix 2 – Summary of Decisions

1. A summary of decisions on provisions discussed in this decision report (based on the submissions covered in this report) is below.
2. This summary table includes the following information:
  - Plan Section Number and Name (the section of the 2GP the provision is in)
  - Provision Type (the type of plan provision e.g. definition)
  - Provision number from notified and new number (decisions version)
  - Provision name (for definitions, activity status table rows, and performance standards)
  - Decision report section
  - Section 42A Report section
  - Decision
  - Submission point number reference for amendment

## Summary of Decisions

<b>Plan Section</b>	<b>Provision Type</b>	<b>Provision number</b>	<b>New Number</b>	<b>Provision Name</b>	<b>Decision</b>	<b>Submission Point Reference</b>	<b>Decision Report Topic number</b>	<b>S42A Report Section Number</b>
1. Plan Overview and Introduction	Definition	1.5		Sport and Recreation that Involves Motor Vehicles (New)	Add new definition (existing activity)	Rec 553.5	3.5	4.2.4
1. Plan Overview and Introduction	Definition	1.5		Sport and Recreation that Involves Motor Vehicles (New)	Add new definition (existing activity)	Rec 553.5	3.5	4.2.4
1. Plan Overview and Introduction	Definition	1.5		Community and Leisure - Small Scale	Amend the definition to increase the scale threshold for community and leisure activities from 25 to 50 people, with 10 days higher limit amended from 50 to 100	Rec 557.2	3.6	4.2.6
1. Plan Overview and Introduction	Definition	1.5		Community and Leisure - Small Scale	Amend the definition to increase the scale threshold for community and leisure activities from 25 to 50 people, with 10 days	Rec 557.2	3.6	4.2.6

<b>Plan Section</b>	<b>Provision Type</b>	<b>Provision number</b>	<b>New Number</b>	<b>Provision Name</b>	<b>Decision</b>	<b>Submission Point Reference</b>	<b>Decision Report Topic number</b>	<b>S42A Report Section Number</b>
					higher limit amended from 50 to 100			
1. Plan Overview and Introduction	Definition	1.5		Community and Leisure - Large Scale	Amend the definition so that it aligns with the definition of Community and Leisure - Small Scale	Rec 557.2	3.6	4.2.6
1. Plan Overview and Introduction	Definition	1.5		Community and Leisure - Large Scale	Amend the definition so that it aligns with the definition of Community and Leisure - Small Scale	Rec 557.2	3.6	4.2.6
1. Plan Overview and Introduction	Definition	1.5		Sport and Recreation	Amend the definition to include "ancillary events, and sports education, and club meetings, presentations, and functions" (linked to change to activity status for Conference meeting and function)	Rec 557.4	3.3	4.2.3
1. Plan Overview and Introduction	Definition	1.5		Sport and Recreation	Amend the definition to include "ancillary events, and sports education, and club meetings, presentations, and functions" (linked to change to activity	Rec 557.4	3.3	4.2.3

<b>Plan Section</b>	<b>Provision Type</b>	<b>Provision number</b>	<b>New Number</b>	<b>Provision Name</b>	<b>Decision</b>	<b>Submission Point Reference</b>	<b>Decision Report Topic number</b>	<b>S42A Report Section Number</b>
					status for Conference meeting and function)			
1. Plan Overview and Introduction	Definition	1.5		Conference, Meeting and Function	Amend the definition to clarify that it does not apply to activities otherwise defined as sport and recreation (not a substantive change)	Rec 557.4	3.3	4.2.3
1. Plan Overview and Introduction	Definition	1.5		Conference, Meeting and Function	Amend the definition to clarify that it does not apply to activities otherwise defined as sport and recreation (not a substantive change)	Rec 557.4	3.3	4.2.3
1. Plan Overview and Introduction	Definition	1.5		Sport and Recreation	Amend the definition to clarify that it applies to both indoor and outdoor activities	Rec 922.24 and 916.18	3.3	4.2.3
1. Plan Overview and Introduction	Definition	1.5		Sport and Recreation	Amend the definition to clarify that it applies to both indoor and outdoor activities	Rec 922.24 and 916.18	3.3	4.2.3

<b>Plan Section</b>	<b>Provision Type</b>	<b>Provision number</b>	<b>New Number</b>	<b>Provision Name</b>	<b>Decision</b>	<b>Submission Point Reference</b>	<b>Decision Report Topic number</b>	<b>S42A Report Section Number</b>
20. Recreation Zone	Policy	20.2.2.5			Amend the policy to remove the reference to Conference, Meeting and Function activity ancillary to Sport and Recreation as a consequence of performance standard no longer applying to this activity (consequential to activity status change)	Rec 557.4	3.3	4.2.3
20. Recreation Zone	Policy	20.2.2.5			Amend the policy to remove the reference to Conference, Meeting and Function activity ancillary to Sport and Recreation as a consequence of performance standard no longer applying to this activity (consequential to activity status change)	Rec 557.4	3.3	4.2.3
20. Recreation Zone	Policy	20.2.2.12			Amend Policy 20.2.2.12 to reflect change to activity status for	Rec 557.4	3.4	4.2.3

<b>Plan Section</b>	<b>Provision Type</b>	<b>Provision number</b>	<b>New Number</b>	<b>Provision Name</b>	<b>Decision</b>	<b>Submission Point Reference</b>	<b>Decision Report Topic number</b>	<b>S42A Report Section Number</b>
					Conference, Meeting and Function to D			
20. Recreation Zone	Policy	20.2.2.12			Amend Policy 20.2.2.12 to reflect change to activity status for Conference, Meeting and Function to D	Rec 557.4	3.4	4.2.3
20. Recreation Zone	Activity Status	20.3.3.9		Ancillary licensed premises	Retain rule as notified		3.7	4.2.9
20. Recreation Zone	Activity Status	20.3.3.9		Ancillary licensed premises	Retain rule as notified		3.7	4.2.9
20. Recreation Zone	Activity Status	20.3.3.10,	delete	Conference, meeting and function ancillary to sport and recreation	Amend the activity status table to delete "Conference, Meeting and Function ancillary to sport and recreation"	Rec 557.4	3.3	4.2.3
20. Recreation Zone	Activity Status	20.3.3.10,	delete	Conference, meeting and function ancillary to sport and recreation	Amend the activity status table to delete "Conference, Meeting and Function ancillary to sport and recreation"	Rec 557.4	3.3	4.2.3
20.	Activity Status	20.3.3.22	20.3.3.23	Cemeteries	Retain rule as notified		3.8	4.2.8
20.	Activity Status	20.3.3.22	20.3.3.23	Cemeteries	Retain rule as notified		3.8	4.2.8

<b>Plan Section</b>	<b>Provision Type</b>	<b>Provision number</b>	<b>New Number</b>	<b>Provision Name</b>	<b>Decision</b>	<b>Submission Point Reference</b>	<b>Decision Report Topic number</b>	<b>S42A Report Section Number</b>
20. Recreation Zone	Activity Status	20.3.3.Y, 20.3.3.15	20.3.3.10, 20.3.3.15	Conference, meeting and function	Amend the activity status table to add new row for "Conference, meeting and function" (was part of 'all other activities in the commercial activities category' - Rule 20.3.3.15) and change the activity status from NC to D	Rec 557.4	3.4	4.2.3
20. Recreation Zone	Activity Status	20.3.3.Y, 20.3.3.15	20.3.3.10, 20.3.3.15	Conference, meeting and function	Amend the activity status table to add new row for "Conference, meeting and function" (was part of 'all other activities in the commercial activities category' - Rule 20.3.3.15) and change the activity status from NC to D	Rec 557.4	3.4	4.2.3
20. Recreation Zone	Note to Plan User	20.3.3A.2		Other requirements outside of the District Plan	Add in a New general advice notes about freedom camping, DCC bylaws, and the requirements for DCC permission to be obtained to undertake activities on reserves, as this	Rec 588.33	4.2	4.2.11

<b>Plan Section</b>	<b>Provision Type</b>	<b>Provision number</b>	<b>New Number</b>	<b>Provision Name</b>	<b>Decision</b>	<b>Submission Point Reference</b>	<b>Decision Report Topic number</b>	<b>S42A Report Section Number</b>
					will improve clarity			
20. Recreation Zone	Note to Plan User	20.3.3A.2		Other requirements outside of the District Plan	Add in a New general advice notes about freedom camping, DCC bylaws, and the requirements for DCC permission to be obtained to undertake activities on reserves, as this will improve clarity	Rec 588.33	4.2	4.2.11
20. Recreation Zone	Note to Plan User	20.3.B		General advice	Add in a New general advice notes about freedom camping, DCC bylaws, and the requirements for DCC permission to be obtained to undertake activities on reserves, as this will improve clarity	Rec 588.37	4.2	4.2.11



<b>Plan Section</b>	<b>Provision Type</b>	<b>Provision number</b>	<b>New Number</b>	<b>Provision Name</b>	<b>Decision</b>	<b>Submission Point Reference</b>	<b>Decision Report Topic number</b>	<b>S42A Report Section Number</b>
20. Recreation Zone	Note to Plan User	20.3.B		General advice	Add in a New general advice notes about freedom camping, DCC bylaws, and the requirements for DCC permission to be obtained to undertake activities on reserves, as this will improve clarity	Rec 588.37	4.2	4.2.11
20. Recreation Zone	Land Use Performance Standard	20.5.3.1 (renumbered 20.5.3)		Scale of Operation - Hours of Operation (renamed Hours of Operation)	Amend the performance standard to remove reference to conference, meeting and function ancillary to sport and recreation as a consequence to activity status change to this activity	Rec 557.4	3.3	4.2.3
20. Recreation Zone	Land Use Performance Standard	20.5.3.1 (renumbered 20.5.3)		Scale of Operation - Hours of Operation (renamed Hours of Operation)	Amend the performance standard to remove reference to conference, meeting and function ancillary to sport and recreation as a consequence to activity status change to this	Rec 557.4	3.3	4.2.3

<b>Plan Section</b>	<b>Provision Type</b>	<b>Provision number</b>	<b>New Number</b>	<b>Provision Name</b>	<b>Decision</b>	<b>Submission Point Reference</b>	<b>Decision Report Topic number</b>	<b>S42A Report Section Number</b>
					activity			
20. Recreation Zone	Land Use Performance Standard	20.5.3.2 (removed)	archived	Scale of operation - Scale of activities	Remove performance standard as consequential to removing conference meeting and function ancillary to sport and recreation	Rec 557.4	3.4	4.2.3
20. Recreation Zone	Land Use Performance Standard	20.5.3.2 (removed)	archived	Scale of operation - Scale of activities	Remove performance standard as consequential to removing conference meeting and function ancillary to sport and recreation	Rec 557.4	3.4	4.2.3
20. Recreation Zone	Development Performance Standard	20.6.12.1	20.6.10.1	Setbacks - Boundary setbacks	Amend performance standard to exempt the site at 50 Three Mile Hill Road from meeting the setbacks and instead require boundary setbacks to be the same as for the surrounding Rural Residential Zone	Rec 58.1	3.9	4.2.20

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20. Recreation Zone	Development Performance Standard	20.6.12.1	20.6.10.1	Setbacks - Boundary setbacks	Amend performance standard to exempt the site at 50 Three Mile Hill Road from meeting the setbacks and instead require boundary setbacks to be the same as for the surrounding Rural Residential Zone	Rec 58.1	3.9	4.2.20
20. Recreation Zone	Assessment of Restricted Discretionary Performance Standard Contraventions	20.9.3.2.a.ii			Amend guidance to reflect change to Policy 20.2.2.5	Rec 557.4	3.3	4.2.3
20. Recreation Zone	Assessment of Restricted Discretionary Performance Standard Contraventions	20.9.3.2.a.ii			Amend guidance to reflect change to Policy 20.2.2.5	Rec 557.4	3.3	4.2.3
20. Recreation Zone	Assessment of Restricted Discretionary Activities	20.10.2.4.a.ii and b.ii	20.10.2.5.a.ii and b.ii		Amend guidance to reflect change to Policy 20.2.2.12	Rec 557.4	3.4	4.2.3
20. Recreation Zone	Assessment of Restricted Discretionary Activities	20.10.2.4.a.ii and b.ii	20.10.2.5.a.ii and b.ii		Amend guidance to reflect change to Policy 20.2.2.12	Rec 557.4	3.4	4.2.3

<b>Plan Section</b>	<b>Provision Type</b>	<b>Provision number</b>	<b>New Number</b>	<b>Provision Name</b>	<b>Decision</b>	<b>Submission Point Reference</b>	<b>Decision Report Topic number</b>	<b>S42A Report Section Number</b>
20. Recreation Zone	Assessment of RD Activities	20.10.5.6	20.10.5.3		Do not amend as requested		5.1	4.2.15
20. Recreation Zone	Assessment of RD Activities	20.10.5.6	20.10.5.3		Do not amend as requested		5.1	4.2.15
20. Recreation Zone	Assessment of RD Activities	20.10.5.7	20.10.5.4		Do not amend as requested		5.1	4.2.15
20. Recreation Zone	Assessment of RD Activities	20.10.5.7	20.10.5.4		Do not amend as requested		5.1	4.2.15
20. Recreation Zone	Assessment of Discretionary Activities	20.11.2.2			Amend guidance to reflect change to Policy 20.2.2.12	Rec 557.4	3.4	4.2.3
20. Recreation Zone	Assessment of Discretionary Activities	20.11.2.2			Amend guidance to reflect change to Policy 20.2.2.12	Rec 557.4	3.4	4.2.3
20. Recreation Zone	Assessment of Discretionary Activities	20.11.2.4		Sport and Recreation that Involves Motor Vehicles	Amend guidance wording to add "activities support the continued operation of railway activities at 3 John Wilson Drive, Ocean Beach"	Rec 553.5	3.5	4.2.4
20. Recreation Zone	Assessment of Discretionary Activities	20.11.2.4		Sport and Recreation that Involves Motor Vehicles	Amend guidance wording to add "activities support the continued operation of railway activities at 3 John Wilson Drive, Ocean	Rec 553.5	3.5	4.2.4

<b>Plan Section</b>	<b>Provision Type</b>	<b>Provision number</b>	<b>New Number</b>	<b>Provision Name</b>	<b>Decision</b>	<b>Submission Point Reference</b>	<b>Decision Report Topic number</b>	<b>S42A Report Section Number</b>
					Beach"			
20. Recreation Zone	Assessment of Discretionary Activities	20.11.2			Add guidance to reflect activity status of conference, meeting and function	Rec 557.4	3.4	4.2.3
20. Recreation Zone	Assessment of Discretionary Activities	20.11.2			Add guidance to reflect activity status of conference, meeting and function	Rec 557.4	3.4	4.2.3
20. Recreation Zone	Assessment of Discretionary Performance Standard Contraventions	20.11.3.1	delete	Scale of operation	Remove guidance as a consequence of deleting performance standard scale of operation (scale of activities)	Rec 557.4	3.4	4.2.3
20. Recreation Zone	Assessment of Discretionary Performance Standard Contraventions	20.11.3.1	delete	Scale of operation	Remove guidance as a consequence of deleting performance standard scale of operation (scale of activities)	Rec 557.4	3.4	4.2.3