

**Chairperson and Committee Members**  
STRATEGY AND POLICY COMMITTEE

31 JANUARY 2019

Meeting Status: **Public**

Purpose of Report: For Decision

## **REVOCATION CONSIDERATIONS FOR STRATEGIES AND POLICIES**

### **PURPOSE OF REPORT**

- 1 This report seeks the Strategy and Policy Committee's approval to:
  - a) revoke the Kapiti Coast District Reserves Acquisition Strategy 2003;
  - b) revoke the Kapiti Coast District Council Natural Burial Policy 2008; and
  - c) revoke the Earthquake-prone Dangerous and Insanitary Buildings Policy 2009.

### **DELEGATION**

- 2 Section B1 of the Governance Structure and Delegations for the 2016-2019 Triennium states that the Strategy and Policy Committee is responsible for the development and review of strategies, plans, policies and bylaws.

### **BACKGROUND**

- 3 During the development of the 2018-2021 Policy Work Programme, one strategy and two policies were identified for revocation. In each instance, the document was superseded by a new document, but the Council report did not explicitly request the revocation of the old document.

### **ISSUES AND OPTIONS**

#### **Kapiti Coast District Reserves Acquisition Strategy**

- 4 The Kapiti Coast District Reserves Acquisition Strategy (RAS) came into effect on 13 February 2003 to assist Council in:
  - a) the determination of reserves for acquisition;
  - b) the allocation of reserve contributions;
  - c) setting criteria and establishing a process for the acceptance of land or cash; and
  - d) decision making on how reserve credits and gifted land should be managed.
- 5 The Kapiti Coast District Council Open Space Strategy 2012 was later developed to provide guidance for managing the competing demands for open spaces and coordinating a programme to develop these spaces while protecting the natural environment and reducing damage caused by threats, such as coastal erosion and flooding.

- 6 The RAS was incorporated into the Open Space Strategy because it was recognised that “the two documents are so intertwined that the Reserves Acquisition Strategy has now been incorporated into the Open Space Strategy” (see Appendix 1, pp9-10).
- 7 When Council adopted the Open Space Strategy on 2 February 2012, the RAS should have been retired at the same time since it was incorporated into the Open Space Strategy. The Council report recommended adoption of the Open Space Strategy, but did not recommend the revocation of the RAS (refer SP-11-448). This report looks to remedy this by revoking the RAS.

### Kapiti Coast District Council Natural Burial Policy 2008

- 8 The Kapiti Coast District Council Natural Burial Policy (NBP) was adopted on 7 February 2008. The NBP was developed in response to a request from the Kapiti Natural Burials Group for natural burials to be offered in the Kāpiti Coast District as an alternative to conventional burial methods.
- 9 When the Kapiti Coast District Council Cemeteries Bylaw was reviewed in 2015, it was determined that the NBP should be incorporated into the Cemeteries Bylaw.
- 10 When the Cemeteries Bylaw was adopted on 29 September 2016, the NBP was incorporated into a new Section 6 entitled, Conditions for Natural Burials (see Appendix 2, pp8-9). The NBP should have been retired at that time, but the Council report did not include a recommendation to revoke the NBP (refer Corp-16-1993). As a result, the NBP has continued to be categorised as a separate Council policy, even though it is no longer required.

### Earthquake-prone Dangerous and Insanitary Buildings Policy 2009

- 11 The Building Act 2004 required Territorial Authorities to adopt a policy on earthquake-prone, dangerous and insanitary buildings. The Kapiti Coast District Council Earthquake-prone Dangerous and Insanitary Buildings Policy (EPDI Bldgs Policy) was initially adopted in May 2006.
- 12 However, the Building (Earthquake-prone Buildings) Amendment Act 2016 removed the earthquake-prone building scope from the policy requirement and added a new section to the legislation entitled *Subpart 6A—Special provisions for earthquake-prone buildings*, which established a separate process for the management of earthquake-prone buildings.
- 13 On 14 June 2018, Council adopted the Kapiti Coast District Council Dangerous and Insanitary Buildings Policy (Appendix 3). When the Dangerous and Insanitary Buildings Policy 2018 was adopted (refer RS-18-493), it was thought that the EPDI Bldgs Policy did not require revocation at the time because of the legislative change. Since that time, however, Legal Counsel has advised that the legislation change removed the requirement to include earthquake-prone buildings in the scope of the policy, but did not go so far as to revoke the existing EPDI Bldgs Policy. Legal Counsel advises that Council should now formally revoke the EPDI Bldgs Policy.

## **CONSIDERATIONS**

### **Policy considerations**

- 14 Because the key components of the documents have been incorporated into the subsequent documents, there are no additional policy considerations with respect to the proposed revocation of:
- a) the Kapiti Coast District Reserves Acquisition Strategy 2003;
  - b) the Kapiti Coast District Council Natural Burial Policy 2008; and
  - c) the Earthquake-prone Dangerous and Insanitary Buildings Policy 2009.

### **Legal considerations**

- 15 Legal Counsel has contributed to the development of this report and supports the recommendation to revoke the strategy and two policies.

### **Financial considerations**

- 16 There are no financial considerations related to the revocation of these three documents.

### **Tāngata whenua considerations**

- 17 Tāngata whenua maintain a strong interest in related issues (e.g. open spaces or natural burials). The three new documents were developed in partnership with iwi, and included special consultative procedures, to ensure that iwi interests were considered at the time of their development.

### **Strategic considerations**

- 18 The recommendation to revoke these three documents aligns with the long term goal of wise management of public resources and sustainable funding of Council services.

## **SIGNIFICANCE AND ENGAGEMENT**

### **Significance policy**

- 19 This matter has a low level of significance in accordance with Council's Significance and Engagement Policy.

### **Consultation already undertaken**

- 20 The three new documents were all developed following special consultative processes; therefore, no further consultation has been undertaken in regards to the proposal to revoke these three documents.

### **Engagement planning**

- 21 An engagement plan is not required for the revocation of these three documents.

### **Publicity**

- 22 No publicity is required for the revocation of these three documents.

## RECOMMENDATIONS

23 That the Strategy and Policy Committee:

- a) revoke the Kapiti Coast District Reserves Acquisition Strategy 2003;
- b) revoke the Kapiti Coast District Council Natural Burial Policy 2008; and
- c) revoke the Kapiti Coast District Council Earthquake-prone Dangerous and Insanitary Buildings Policy 2009.

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## ATTACHMENTS

- Appendix 1 Kapiti Coast District Council Open Space Strategy 2012
- Appendix 2 Kapiti Coast District Council Cemeteries Bylaw 2016
- Appendix 3 Kapiti Coast District Council Dangerous and Insanitary Buildings Policy 2018

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## OPEN SPACE STRATEGY

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This Strategy sets out the vision for the provision and management of Open Space in the Kāpiti Coast District for the next 20–50 years.

FEBRUARY 2012

## Message from the Mayor



Open spaces are vital to the wellbeing of any community. Whether we prefer beaches, parks, sports fields or riversides, they are where we go to escape our busy lives and re-energise.

We are lucky to have a lot of open spaces in Kāpiti to balance our areas of urban development. But we have to make sure these spaces meet the needs of the wide range of people who live here and also, that they are protected, enhanced where appropriate and accessible to all.

That's what this strategy is all about. It provides guidance for managing the competing demands for open spaces, co-ordinating a programme to develop these spaces while protecting the natural environment and reducing damage caused by threats such as coastal erosion and flooding.

The Council owns much of the district's public open space. We also support opportunities to join partnerships that aim to develop open spaces and provide access to them. In addition, we regulate activity occurring in open space areas and protect them from inappropriate use or development.

These roles are all important and will help achieve the vision set out in this strategy: that we have a rich and diverse network of open spaces that protect the region's ecology and support the identity, health, cohesion and resilience of the district's communities.

Open spaces contribute hugely to Kāpiti's popularity as a place to visit and set up home. If we continue to manage, enhance and protect these areas well, the district will remain a great place to live, work and play.

## Message from Tāngata Whenua

Tāngata whenua have a key role in the development and implementation of the Open Space Strategy. For Māori, there is a deep kinship between humans and the natural world. All life is connected. People are not superior to the natural order, they are part of it.

In developing our vision for the District's Open Space Strategy, it is important to look at where we originate from to show our relationship to the whenua. Our origins lie in the relationship that is Papatūānuku. She is a powerful figure who represents the generative foundation of all life. Papatūānuku gives birth to all things of the world and imparts many blessings to her children. She is seen as the birthplace of all things and the place to which they return. Papatūānuku is the first kaupapa (platform) in the traditional world view.<sup>1</sup>

The mechanism for our interaction lies within the principles of kaitiakitanga and our natural role as kaitiaki. Kaitiakitanga is the embodiment of Māori aspirations and perceptions of the environment and the resources it contains. Thus, the recognition of kaitiakitanga is an important means of recognising the relationship of tāngata whenua and their culture and traditions with their ancestral lands, water, sites, waahi tapu and other taonga.

The provision of adequate and quality public open space, particularly waterways and areas of natural and cultural value, is important to tāngata whenua. These areas provide a link to the

places and practices of our tūpuna (ancestors). Some are still important for mahinga kai (food and resources) gathering, whereas others that are degraded have the potential to be restored for these values.

Public open space contains the only natural features left within a largely built urban environment that provides connection for tāngata whenua with their cultural heritage. These spaces contribute to a sense of identity and place within urban areas, as well as being integral to sustainable city living. Public open space can also protect and sustain indigenous species and biodiversity. Tāngata whenua have a relationship with these species, developed over centuries, and it remains an important part of their culture.

Open space is also a means of protecting sites of significance and cultural landscapes where tāngata whenua heritage and stories are reflected in natural landscape features. In acquiring land for public open space purposes, the Council needs to recognise the potential benefits for protecting culturally important sites and landscapes but also be responsive to the possible threats from public access or certain activities to waahi tapu and culturally sensitive sites.

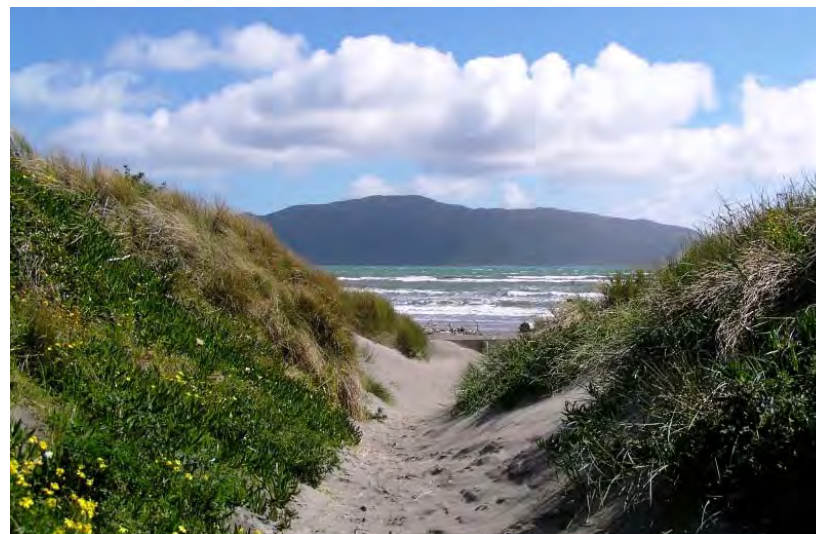
Whānau, hapū and iwi will need to be consulted about areas of open space interest and possible recreational routes within their region as will Māori land owners and trusts where these areas and routes overlap or are adjacent to Māori reserve land.

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<sup>1</sup> <http://www.teara.govt.nz/en/Papatūānuku-the-land/1>

## Table of Contents

	PAGE
1. THE KĀPITI COAST	5
2. INTRODUCTION	6
3. THE VALUE OF OPEN SPACE	8
4. INFLUENCES ON THE OPEN SPACE STRATEGY	9
5. HOW THIS STRATEGY LINKS TO OTHER GUIDING DOCUMENTS	10
6. COUNCIL'S ROLE IN OPEN SPACE	12
7. OPEN SPACE CHALLENGES AND OPPORTUNITIES	13
8. KĀPITI COAST OPEN SPACE VISION	15
9. ANALYSIS OF WHAT WE CURRENTLY HAVE	16
10. GAP ANALYSIS -THE DIFFERENCE BETWEEN WHAT WE HAVE AND WHAT WE WANT	19
11. PRINCIPLES TO GUIDE THE OPEN SPACE VISION	30
12. PROCESS TO EVALUATE PUBLIC OPEN SPACE ACQUISITION	53
APPENDIX: STRATEGIES, PLANS & GUIDES THAT INFLUENCE THE OPEN SPACE STRATEGY	55





## 1. THE KĀPITI COAST

The Kāpiti Coast stretches 40 kilometres from Paekākāriki to Ōtaki. It is named after Kāpiti Island, which dominates the Wellington Region's west coast. The District's terrain consists of hill country and a coastal plain made up of alluvial debris and windblown silt, overlaid by sand dunes sporadically accumulated over the last 6,000 years and floodplains formed by rivers flowing from mountainous catchments. There are also areas which have been greatly influenced by tectonic events and coastal processes, such as the Hemi Matenga foothills or the string of wetlands and peatlands adjacent to State Highway One; and inland areas which have been relatively stable over a long period.

Much of the coastal plain, where most human development now sits, was once covered with a mix of dense coastal forest and extensive wetlands, but most of this was cleared in the 19<sup>th</sup> Century for dairy and sheep farming.

Today many of the farming and coastal areas in the southern portion of the District have been subdivided for residential development. A series of separate village identities has developed, some of which (particularly in the Paraparaumu/Raumati area) have now merged and become increasingly urbanised. There is pressure for further urban growth north of Waikanae and in Ōtaki and an expressway is proposed through the heart of the district that has the potential to further alter land use patterns and local connectivity.

Despite nearly 20 years of rapid population growth the District continues to remain well served with open space. River corridors, private farmland, coastal reserves and regional and local parks provide residents of the District with many opportunities to see and

enjoy a range of open space. However, competing usage demands, future growth projections, climate change and the uneven distribution of open space relative to some communities are creating a need for this asset to be more pro-actively managed now and into the future.



## 2. INTRODUCTION

### What is Open Space in the context of this Strategy?

Open spaces can mean different things to different people. It can be the air we breathe, the space around us, parks, mountains, river corridors and coastal areas that we use or simply look at and appreciate. Open space promotes health and wellbeing.

For the purposes of this strategy, open space is defined as areas of land to which the public has a relatively free right of access. Open space can serve a variety of purposes from recreation, amenity and preservation to providing and being part of views, protecting significant landscapes, sites and village identities, and providing a focal point for the local area. The many different types of open space and the combination of these spaces make up the open space network.

The defining feature that differentiates open space from most kinds of private land, is that people can move through it without fear of challenge, even though there may be a level of restriction on what they can do on it. Under this definition, the open space network on the Kāpiti Coast can consist of both public and private land, provided that there is an agreement in place with the owners of the latter to have a level of public use and access. Where reference is made to private open space in this strategy, it is confined to private land where an access agreement is, or could be, in place with Council.

The focus of this strategy is primarily on publicly-owned land. It is recognised that privately-owned land can also make a contribution to the development of an open space network and is important to retaining amenity values in an increasingly urbanised environment.

Under the Council's Development Management Strategy open space is categorised according to a range of functions: regional parks; green belts and coastal esplanades; ecological reserves; river and stream flood corridors; cycle ways, walkways and bridleways; roads and streets; civic squares; neighbourhood parks, sports fields, playgrounds and cemeteries.

### Why is an Open Space Strategy required?

Both residents and visitors to the Kāpiti Coast benefit from the many opportunities to experience open space. Be it the beach, riverside embankments, parks or sports fields, the pleasure of open space for solace, sport or recreation is important to everyone.

Despite this, there are challenges in acquiring, maintaining or improving the quality, quantity and accessibility of open space. This strategy aims to address these issues, establish priorities and enable partnerships to be established to deliver public open space opportunities through an agreed action plan. As development proposals are being assessed, the Council can (in consultation with landowners) ensure that existing open space values are enhanced or protected and can promote opportunities to fill gaps in the open space (or green infrastructure) network.

In summary, the Open Space Strategy:

- 1 Sets a clear vision and objectives for the provision and management of open space in Kāpiti for the next 20 – 50 years.
- 2 Establishes open space values and a set of guiding principles for the quality, accessibility and mix of public open spaces.
- 3 In the context of these open space values, principles and competing priorities, sets open space direction that the Council wishes to pursue through a range of partnerships.

### 3. THE VALUE OF OPEN SPACE

Open space makes a vital contribution toward making the Kāpiti Coast a great place to live, work and play. The Community Plan Process uses four wellbeings: *Social, Cultural, Economic* and *Environmental* to measure the health, cohesiveness and vibrancy of the District's communities. Sufficient quality open space can make a significant contribution toward wellbeings in the following ways:

#### Economic

- Supports recreation and tourism industries
- Adds value to properties and localities
- Attracts business and investment
- Provides destinations for visitors and tourists
- Encourages food sustainability and can help increase resilience to global shocks
- Provides venues for local, regional and even national events

#### Cultural

- Helps to define urban and rural character and reinforce urban boundaries
- Supports local identity
- Protects cultural heritage
- Protects and supports tāngata whenua values such as turangawaewae and rongoa Māori\*

#### Environmental

- Contributes to landscape character and visual amenity
- Protects landscape and habitat for flora and fauna
- Provides visual contrast to the built environment
- Encourages an awareness and understanding of nature
- Can be used to help manage or mitigate natural hazards and the predicted impact of climate change
- Contributes to air and water quality and soil conservation

#### Social

- Promotes connectedness and a sense of belonging
- Supports health and well being of community by providing space to relax and enjoy the outdoors or to escape the built environment
- Provides meeting places, focal points for events and activities
- Helps to strengthen civic pride
- Helps to reduce anti social behaviour through the provision of good and relevant play, and informal sports areas
- Encourages active recreation
- Links communities

\* Tūrangawaewae is one of the most well-known and powerful Māori concepts. Literally tūranga (standing place), waewae (feet), it is often translated as 'a place to stand'. Rongoā Māori is traditional Māori medicine.

## 4. INFLUENCES ON THE OPEN SPACE STRATEGY

### Choosing Futures: Community Plan Process

The Community Outcomes developed as part of the Choosing Futures: Community Plan<sup>2</sup>, reflect the vision of the community on what sort of district they want the Kāpiti Coast to be. The relevant outcomes that guide the development of the open space strategy are as follows:

**Outcome 1: There are healthy natural systems which people can enjoy.**

The community's vision for the Kāpiti Coast's natural environment is simple: maintain and build on valued natural qualities. Some examples include continuing the work to identify and protect sites of ecological significance, improving river corridors and freshwater quality, protecting vulnerable areas of vegetation and wildlife.

**Outcome 2: Local character is retained within a cohesive District.**

This outcome is concerned with recognising, protecting and preserving the unique character of various communities while also nurturing those things that create a sense of community as a whole.

**Outcome 6: The District is a place that works for young people**

This outcome emphasises the importance of open space which is pleasant, interesting, safe and accessible with high quality recreation

facilities. These spaces need to make young people feel welcome and safe with opportunity to enjoy themselves.

**Outcome 7: The District has a strong, healthy, safe and involved community.**

This outcome places emphasis on retaining the District's healthy and active lifestyle and good standard of living. It promotes activities or opportunities that encourage people to be active and involved in their respective community and having safe places where they can meet and interact.

### Local Outcomes

In addition to the wider community outcomes the Council has produced eight local outcome statements, covering Ōtaki, Waikanae, Otaihangā, Paraparaumu Town Centre, Paraparaumu Beach, Raumati Beach, Raumati South and Paekākāriki. These Local Outcome Statements provide more detail on open space needs at an individual community level.

### Influences from Other Strategies, Guides and Plans

The Open Space Strategy is also strongly influenced by a number of existing Council strategies, guides and plans, as well as external documents produced by other agencies and key stakeholders responsible for areas of open space within the District. For a summary of some of the most important documents that influence the Open Space Strategy see Appendix 1.

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<sup>2</sup> Now known as the Long Term Plan.

## 5. HOW THIS STRATEGY LINKS TO OTHER GUIDING DOCUMENTS

### The District Plan

The Council is required to prepare a District Plan under the Resource Management Act 1991. The Plan manages land use activities on the basis of their effects on the environment and identifies open space and the permitted uses for it.

The Open Space Strategy is a statement of Council's vision for the open space of Kāpiti in the future. It does not bind landowners through regulation like the District Plan can, but gives an indication of Council intentions and policy directives.

The Operative Kāpiti Coast District Plan is being reviewed in 2011/12. Where this strategy proposes new initiatives that could appropriately be addressed through the District Plan, the Council will consider amending the Plan as part of the review.

### Asset Management Plans

The Local Government Amendment Act 1996 raised an expectation on Councils to develop asset management plans. Asset Management Plans describe the current condition of the asset, the desired level of service and a lifecycle management plan to maintain that level of service. Council has prepared or is in the process of preparing asset management plans for all its major assets including roads, water supply systems, stormwater and sewerage systems, cycleways/walkways/bridleways, parks and open spaces.

The Open Space Strategy is a very influential guiding document which helps to ensure the planned use and level of service detailed in Asset Management Plans are consistent with community aspirations for that specific type of public space.

### Long Term Plan/Annual Plan

The Local Government Act 2002 requires Council to produce a Long Term Plan and an Annual Plan in consultation with residents. The Long Term Plan identifies the community's vision for the future. The Annual Plan covers all of the work Council is planning to undertake in the coming year together with approved budgets.

Policy directives listed in the Open Space Strategy establish actions that deliver on the Community Outcomes established in the Long Term Plan. These actions are then fed into the annual planning process, which allocates resources to the highest priorities for Council to achieve its strategic outcomes and objectives.

### Reserve Acquisition Strategy

In 2003 the Council adopted a Reserve Acquisition Strategy. This Strategy was developed to list the criteria under which the Council will acquire open space, allocate reserve contributions or accept land or cash and its treatment of reserve credits and land gifts.

The Open Space Values and Principles outlined in the Open Space Strategy are extremely relevant to the Reserve Acquisitions Strategy. The Open Space Strategy expresses the desired outcomes on which criteria can be based to identify and determine what type of public open space is needed, where it should be located, and the suitability of any land under consideration to fit the desired need. The two

documents are so intertwined that the Reserve Acquisition Strategy has now been incorporated into the Open Spaces Strategy.

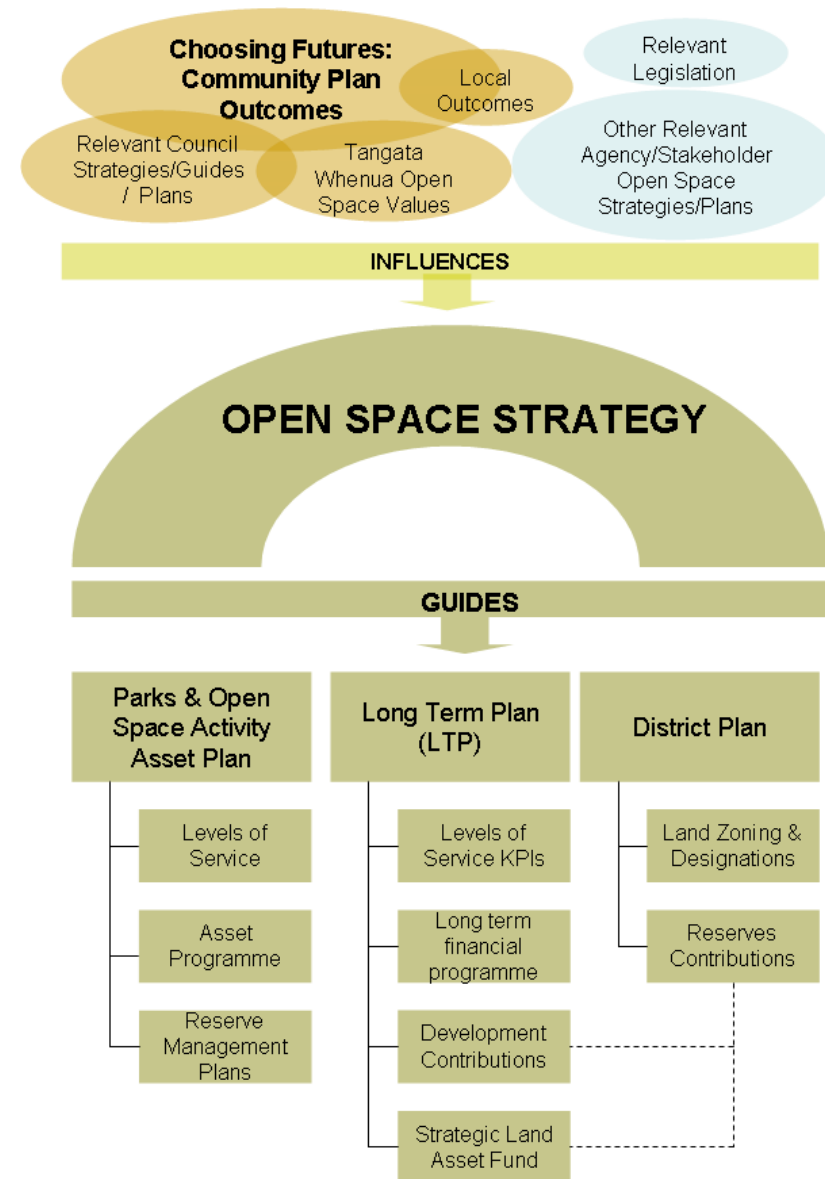
## The Reserves Act 1977

The main emphasis of the Reserves Act 1977 is to protect reserve land and ensure it is available for public use and enjoyment. The Act provides procedures for preparing management plans, revoking reserve status, exchanging reserve land for other land and dealing with applications for easements, leases, licenses and concessions. It sets out Council's obligations as an administering body, and the right of the public to be consulted and to have their comments heard.

Section 41 of the Reserves Act 1977 requires Councils to prepare Reserve Management Plans for reserves under its control, management or administration.

Management plans detail a reserve's planned use, maintenance, protection and preservation. The Open Space Strategy influences management plans by summarising community expectations or needs for open space, which in turn, can be used to determine the planned use, level of service requirements and protection of existing reserves or future reserve acquisitions.

**Diagram 1: Strategic fit of the Open Space Strategy**



## **6. COUNCIL'S ROLE IN OPEN SPACE**

The Kāpiti Coast District Council regards the provision of open space as an integral part of its responsibilities.

### **Owner**

As the owner or custodian of much of the District's accessible public open space, and the manager of the district's shape and form on the coastal plain, the Council sees adequate provision, development and maintenance of open space as a core component of its business.

Council acquires land as part of subdivision and development for reserves. Council can also purchase land for a specific open space purpose outside the subdivision development process.

### **Partner**

The Council supports opportunities to participate in partnerships of varying scales to develop existing open spaces and provide access to open space that will further expand or enhance the open space network.

Working in conjunction with other agencies, community groups and private landholders the Council aims to develop and maintain a good standard of quality open spaces that encourage community cohesion and together present a range of functional benefits to the wider community now and into the future.

### **Manager**

The Council develops reserve management plans that outline the purpose and development requirements for parks and reserves. The Council also regulates and supports activity occurring in open space areas.

### **Protector**

Council uses legislation such as the Reserves Act 1977, Local Government Act 2002, the Resource Management Act 1991 and the Burial and Cremation Act 1964 to protect and preserve the open space network from inappropriate use and development.

### **Advocate**

Through strategic documents, plans and information Council can advocate the importance of open space to the community, and through submissions and negotiations it can advocate to regional and central government agencies on behalf of the community.

### **Researcher and Planner**

Ongoing research and planning is required to ensure that the open space network meets community needs both now and for future generations, and to ensure Council plans are responsive to people's changing needs and preferences. Planning also involves monitoring urban growth and population characteristics and assessing this information to amend strategies and plans if necessary.

## 7. OPEN SPACE CHALLENGES AND OPPORTUNITIES

**Open space on the Kāpiti Coast faces a number of major challenges over the next 20 – 50 years. These include:**

- the difficulty of gaining public access to private land so that linkages between public open space can be made;
- the need for protection and enhancement of access to the District's unique and diverse natural, cultural and heritage landscapes and ensuring they are part of the wider network so that they are not isolated and forgotten;
- the need for large peri-urban natural areas and 'wild' places, such as green corridors, the beach, river corridors and the foothills, to provide relief and escape from the built environment and natural habitats;
- the need to meet high community aspirations and managing competing demands and expectations over finite open space from different user groups;
- the management of existing pockets of open space which are isolated, small and with limited capacity for multi-use;
- the potential severance caused by the planned expressway and loss of open space in the current expressway corridor;
- the potential impact of climate change and potential retreat from natural hazards placing pressure in the long term to replace coastal reserves;
- the need to protect the natural environment and the Kāpiti Coast's identity;

- growth pressures for both greenfield development and infill development can result in the loss of environmental quality, including the loss of opportunities to develop mountain to sea ecological corridors, restore and/or enhance biodiversity, retain land for food production, and maintain sufficient recreation and green space for a growing population;
- the need to ensure open space is fit for purpose and that there is the right mix of open space to support healthy and active communities; and
- the need for sufficient funding and priority to implement the open space strategy within the context of fiscal limitations.

**In addition to these challenges the District has many opportunities with regard to open space development:**

- the district still has many rural areas and wild places both publicly and privately owned that with better protection and more coordinated planning and management would add considerable value to the existing open space network;
- the Community Outcomes Statements developed over the last five years provide a clear indication of what local communities want with regard to open space provision;
- a carefully managed and coordinated open space development programme can help to prioritise funding and work programmes so that community aspirations are realistically achieved in a transparent manner;
- use of the road network (including the expressway), waterways and rural areas provides greater opportunities for community cohesiveness, recreation activities and environmental benefit;



- appropriate planting of streets, parks, river corridors and coastal reserves can help the District cope with the extremes of climate change, preserve water quality, reduce flood and fire danger, coastal erosion and provide opportunities for local food production;
- urban intensification and consolidation within existing urban areas can give more residents opportunities to live close to key open spaces; and
- opportunity to encourage private land owners and work with community groups to develop and enhance a coherent open space network.



## 8. KĀPITI COAST OPEN SPACE VISION

The open space vision for the Kāpiti Coast District Council is to develop a rich and diverse network of open spaces that protect the region's ecology and support the identity, health, cohesion and resilience of the District's communities. This vision applies to both public and private land.

The District's open space must be protected and developed so that it contributes to the wellbeing of the community. In addition to this, Kāpiti Coast residents have expressed a specific desire for a mix of open space opportunities which:

- are accessible
- are safe
- are of high quality
- improve connectivity
- are protected and have secure long term public access rights/agreements in place
- provide more opportunity for leisure and active recreation
- protect the District's biodiversity, character and cultural identity
- improve community resilience.



## 9. ANALYSIS OF WHAT WE CURRENTLY HAVE

### Types of open space

The Council provides a diversity of open space experiences.

**Destination parks:** A Destination Park provides a different kind of experience to other parks and reserves. They have unique features or a more extensive range of features/facilities that people will travel to get to and spend more time at. Examples include Marine Gardens, Raumati Beach and the Mazengarb Reserve, Paraparaumu.

**Neighbourhood parks:** An easily accessible urban reserve for the immediate community. They are primarily used by the community for informal recreation, social, cultural and leisure activities and also provide other complementary values (e.g. landscape amenity, conservations or flood water attenuation, community gardens, exotic trees, garden beds and children's playgrounds). Often these park types have the most multi-use potential.

**Sports grounds:** A reserve designed and used for organised sport with toilets, changing facilities, car parking and turf or playing surface formally maintained to an appropriate standard for the relevant sports code.

**Bush reserves and coastal esplanades:** Are reserves that are not formally destination, neighbourhood or sports grounds that contain significant protected native vegetation.

**Cemeteries:** The Council operates four cemeteries and has responsibility for maintaining a fifth which is closed. The Council caters for a range of burial practices including natural burial.

**Playgrounds:** The Council currently owns and manages 47 playgrounds including those which are located in reserves, destination parks and neighbourhood parks.

**Other open spaces:** The Council also maintains a range of other open spaces including Utility Reserves, street gardens, civic squares, drainage and road reserves etc.



## How much public open space do we currently have?

The assessment of current public open space provision was undertaken at two scales: at a community or ward scale to assess community needs, and at a district wide scale to assess broader landscape, ecological and community needs.

To meet community or social needs, the current provision of open space is sufficient in *area* to meet the needs of the existing and projected population. Table 1 provides population projections for the Kāpiti District out to 2031.

**Table 1: KCDC population figures**

Area	2010	2031	Projected % increase
Ōtaki	5,470	6,311	15.37
Rural North	2,741	2,607	-4.8
Waikanae	10,625	15,594	46%
Paraparaumu/Otaihanga	18,211	21,532	18.24
Raumati	8,264	10,061	21.74
Paekākāriki	1,559	1,284	-17.64
Rural South	872	896	2.75
<b>Total</b>	<b>47,742</b>	<b>58,284</b>	<b>22.08</b>

The Kāpiti Coast District Council is currently responsible for the management of over 445 hectares of parks, reserves and open spaces representing 9.32 hectares of actively maintained park land per 1000 residents<sup>3</sup>. This is well above the generally accepted national standard of 4 hectares/1,000 residents (Yardstick 2008)<sup>4</sup>. Table 2

<sup>3</sup> 445 hectares/47,742 residents)x1000 = 9.32 hectares per 1000 residents. This total includes DOC reserve managed by the Kapiti Coast District Council. Figure sourced from Yardstick Park Check 2010.

<sup>4</sup> Yardstick™ is a proven international parks benchmarking initiative established in 2001 in New Zealand by local authority park managers. The project involves park agencies (generally local authorities) 8

provides a breakdown of the number and type of open space areas managed by the Council.

**Table 2: Land under Council ownership or control**

Open Space Category		Area/owned or managed by KCDC	Area or number/ 1000 residents	Other Councils comparison (average)
Parks	Destination Parks	311 ha	6.51 ha/1000 residents	7.67 ha/1000 residents
	Neighbourhood Parks			
Bush reserves, coastal esplanade and monitored ecological sites		34 ha	0.71 ha/1000 residents	
Sports grounds		88 ha	1.84 ha/1000 residents <sup>5</sup>	1.15 ha/1000 residents
Cemeteries		11.7 ha	0.25 ha/1000 residents	
Playgrounds		44 playgrounds & 4 skate parks	5.3/1000 children under 15	

When Greater Wellington Regional Council (GWRC) and Department of Conservation (DOC) land is included into the equation, Kāpiti has a total of 39,815 hectares of public open space or 833 hectares of open space per 1,000 residents; this compares favourably with other districts. Table 3 provides a breakdown of total Kāpiti Coast District Council owned public open space and other public space (i.e. Regional Council or Department of Conservation land) within each District Ward.

<sup>5</sup> The higher areas of sports grounds compared to other councils may be explained by the way each council measures the area. Other Councils may have only measured each sports field whereas this measurement includes the areas of the entire park that the fields are in.



**Table 3: Total open space provision**

Ward	KCDC owned public land (ha)	Total public open Space (ha)
Ōtaki	61	33,142
Waikanae	97	415
Paraparaumu	78	853
Paekākāriki/Raumati	88	3235
<b>Total</b>	<b>324<sup>6</sup></b>	<b>37,645 ha</b>

In 2029, Kāpiti is expected to still offer 7.6 hectares of Council managed open space per 1000 residents and a total of 649 hectares of public open space (from all sources, i.e. GWRC, DOC & TLA) per 1000 residents based on recent population projections. Map 1 shows the location of all publicly available open space in the District to date.

While the District is well-endowed in terms of total public open space, there is some unevenness in the distribution, with some wards having more or less than others. Much of this difference can be explained by large regional or national forest parks being located within some wards (e.g. Queen Elizabeth Park in Paekākāriki or the Tararua Forest Park in Ōtaki). However, access to some of these large national or regional open space areas for most communities on the Kāpiti Coast is beyond reasonable walking distance of most of the Coast's main settlements. An assessment of public access to open space within urban areas is provided in the next section.

**Map 1: Kāpiti Coast District Public Open Space**



<sup>6</sup>This figure does not include reserve areas that are not owned by the Council but are actively managed by the Council on behalf of the owner (and example includes Crown owned coastal reserve areas above mean spring tide).

## 10. GAP ANALYSIS - THE DIFFERENCE BETWEEN WHAT WE HAVE AND WHAT WE WANT

Comparing what open space we have now against what we want to achieve and community expectations, provides the means to assess gaps in the Open Space Network and helps to establish some open space priorities.

Extensive research on community open space expectations has been carried out over the last few years through a range of consultation processes. Community consultation has highlighted the importance of protecting, developing or acquiring open space that:

- enhances biodiversity values, with ecological corridors and areas of important vegetation identified and protected;
- protects and enhances the District's traditional character (both natural and man-made), specifically village, rural and beachside identity;
- protects heritage values, particularly places of historical significance to both Maori and Pakeha.
- improves access and connectivity values, particularly through existing public open spaces and better Cycleway/Walkway/Bridleway (CWB) linkages;
- provides new areas of open space for increased leisure and active recreation opportunities; and
- improves the overall quality of open space such as improved surfaces, facilities, more shade, toilets, planting, and signage.

A critical issue for the Council is how to continue to provide the desired standard of service and maintenance expected by the community, balanced with the need to be affordable, sustainable and financially responsible.



## Gap 1: Enhancing biodiversity

The Council already owns or manages approximately 34 hectares of public ecological reserve and monitors or supports the protection of many other ecological areas on private land. It also works closely with other government agencies, iwi and community groups to educate the public on the importance of biodiversity and helps to actively protect or restore native ecology on land outside of its control (such as river corridors).

However, the community has indicated that priority needs to be given toward further enhancing the District's biodiversity, and there are opportunities relating to the management, development or acquisition of open space to achieve this. Some examples include:

- developing a district-wide biodiversity strategy;
- improving bylaw enforcement and environmental monitoring in sensitive ecological areas;
- improving partnership programmes with stakeholders;
- lessening the distances between indigenous vegetation sites by identifying opportunities to enhance or revegetate intermediate locations;
- ensuring successional stages of vegetation are protected, restored and regenerated;
- Using a targeted approach to land acquisition whereby vulnerable or strategically important land parcels (i.e. because of their location in terms of connectivity or biodiversity potential) are identified and purchased as and when the opportunity arises<sup>7</sup>.

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<sup>7</sup> The Council acquires new public open space through land purchase or reserve contributions.

There exists opportunity to preserve or restore a number of continuous natural landscapes from the mountains to the sea to help define the District's unique natural character, provide diverse connected habitats, and strengthen ecological links between Kāpiti Island and the Tararua Ranges. Seven mountains to the sea ecological corridors (see Map 2) have been identified:

- a. Tararua Forest Park, Whareroa Farm to Queen Elizabeth Park.
- b. Paraparaumu escarpment and the Wharemauku Stream Corridor and adjacent wetland areas in the town centre land.
- c. Tararua Forest Park and the Waikanae River corridor.
- d. Mangaone Stream headwaters (Kaitawa Scenic Reserve), Hemi Matenga Reserve, indigenous remnants through North Waikanae, Nga Manu, Ngarara Wetlands and regenerating dunes, to the Pharazyn Reserve water body and duneland.
- e. Te Horo Hills out to Te Hapua Swamps and the coast. The connection with the hill country is currently weak, but the interconnection of duneland wetland habitats is a strength. There is a paucity of dry dune habitat: future habitat creation would be a priority.
- f. Ōtaki Gorge and across the Te Horo plains (bush remnants and scattered Totara Woodlands), and bush remnants on old terrace scarps along the north side of the Ōtaki River running out to the coast. This broad corridor is fragmented but extensive areas of Totara Woodland which offer potential for future consolidation. Future development of created wetlands in duneland lifestyle subdivision may generally contribute to an extension of this corridor towards the coast (linking with (f)).
- g. The Tararua foothills down through the Waitohu and Mangapouri Stream Corridors.

**Map 2: Priority ecological framework (including mountains to sea corridors)**



Map courtesy of Place Consultants.

Working to develop mountains to sea ecological corridors will be a priority of the Open Space Strategy.

In some cases, the Council can speed up the process by approaching land owners and offering incentives or management solutions (such as lease agreements) to protect ecologically important areas even though they remain in private ownership.



## Gap 2. Protecting Kāpiti Coast's urban form and character

The community has emphasised the importance of developing or acquiring open space to protect the relaxed coastal village atmosphere, natural character, landforms and visual amenity values.

Landscape features and vistas such as Kāpiti Island, the foothills of the Tararuas, open farmland, the beach front, green corridors and reserves are precious and highly valued by the community. Together this open space provides a level of 'green relief' to urban development and supports the Kāpiti Coast's natural image and relaxed lifestyle values.

Areas with prominent natural character help retain local identity and provide relief, visual and emotional from the more intensively developed built environment. Taller vegetation, steeply rising ground such as along escarpments, prominent landforms such as dunes, and the edges of waterways and wetlands, pathways and ecological corridors create natural boundaries and edges for urban communities. Queen Elizabeth Park for instance provides an important open space buffer that prevents further urban spread along the southern coastline and preserves the village identity of Paekākāriki and Raumati South.

From a landscape perspective the Open Space Strategy priorities are:

- Recognition of the important contribution open space across private land contributes to the overall character and coherence of the Kāpiti Coast landscape.

- The protection of public open space under Council control from illegal urban encroachment.
- The protection and enhancement of the natural character remaining in the coastal environment, including the coastal dune landscape, dune lakes and wet areas.
- The protection and enhancement of the natural character associated with water ways and river terraces, inland dune systems and wetlands.



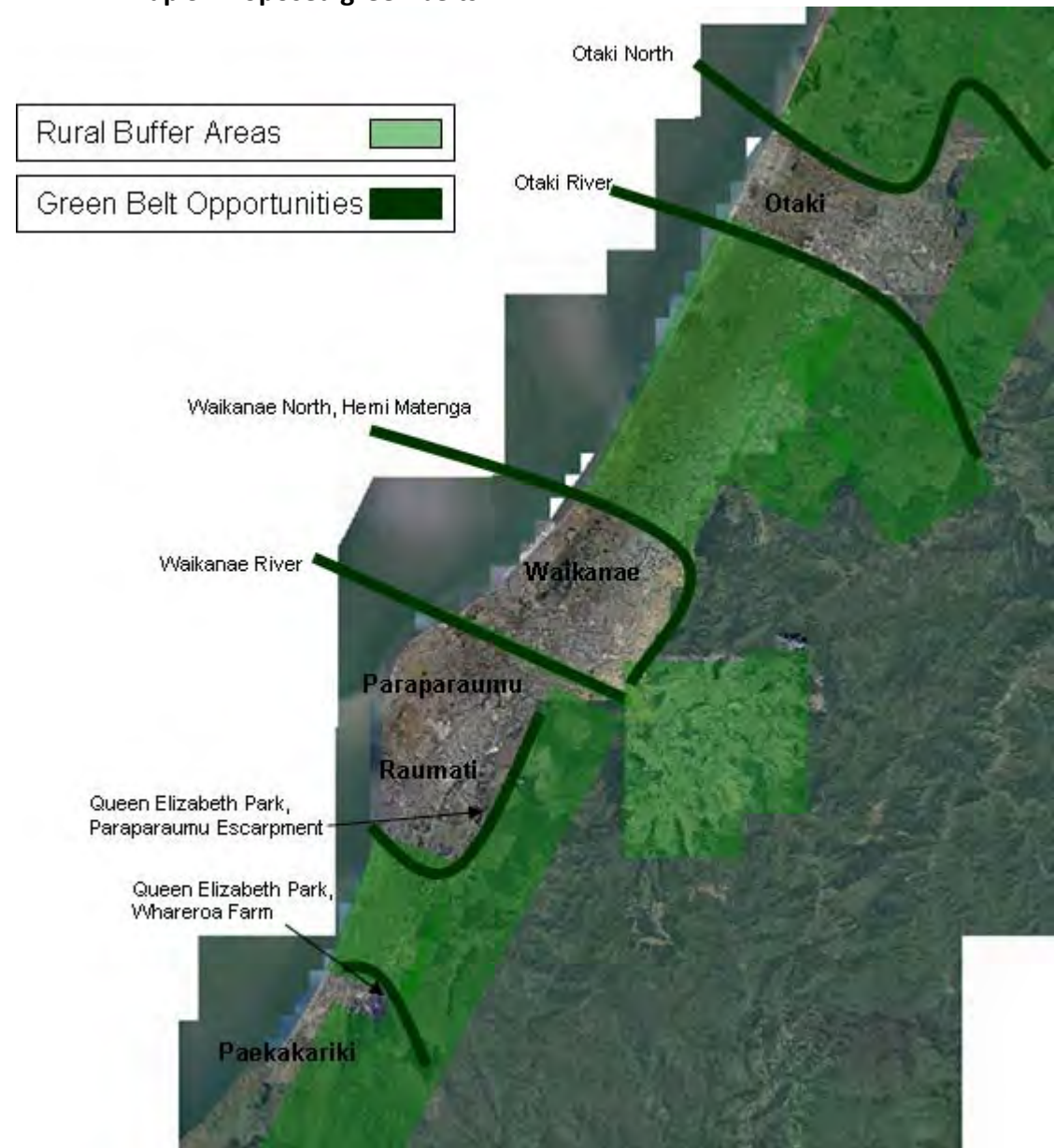
These open spaces can also serve as green belts which are a useful tool to influence the way in which urban areas develop, particularly at the meeting point between urban and rural land – the urban edge. Council has adopted a policy of consolidating urban development rather than allowing urban sprawl, particularly to the north of Waikanae. It has identified large areas for low impact urban development but has also identified a strong urban edge. The concept of a green belt with a mix of public open space and private

low density development can reinforce this edge. There are other areas where a similar approach has developed or where, if opportunities arise, this kind of tool would be helpful.

Map 3 highlights a series of green belt opportunities where a combination of public and private open space can define urban edge and preserve local character and identity.

A key focus of the Open Space Strategy will be to protect existing open space, such as reserves and rural buffers areas within or surrounding urban communities from further urban encroachment.

**Map 3: Proposed green belts**



### Gap 3. Protecting heritage values

The community has raised the importance of developing an open space network that protects heritage values, particularly places of historical or cultural significance.

The Open Space Strategy will emphasise the importance of continuing active partnerships with tāngata whenua and community groups to identify and protect places of historical and cultural significance.

The Kāpiti Coast District Plan requires heritage items registered in the Heritage Register to be retained and protected. In the future there may be opportunities to incorporate heritage and cultural sites into the open space network as feature areas in a park or reserve.



## Gap 4. Improving access & connectivity

The Council's Subdivision Design Guide (2008) establishes a district wide open space standard which states that:

*Open spaces<sup>8</sup> should be located within walking distance of all allotments...typically no more than 400 metres walking distance from any residence, but 200 metres wherever possible.*

To determine if there are any gaps in this standard an initial analysis of open space provision in each ward was made by drawing a 400 metre radius around existing Council owned open space. The results showed some initial gaps in open space provision with regard to access to Council owned open spaces. Maps 4 – 7 provide a recent gap analysis assessment of open space needs in the District's residential areas. However, many of these gaps are mitigated by access to alternative open spaces provided by the beach, local schools (with restricted access), Department of Conservation or Regional Council public land. In urban areas with little opportunity to acquire or improve access to Council public open space, the Council will explore partnership opportunities with other open space landowners to develop improved public access.

The Open Space Strategy will give priority toward ensuring all urban residents are within 400 metres walking distance of public open space.

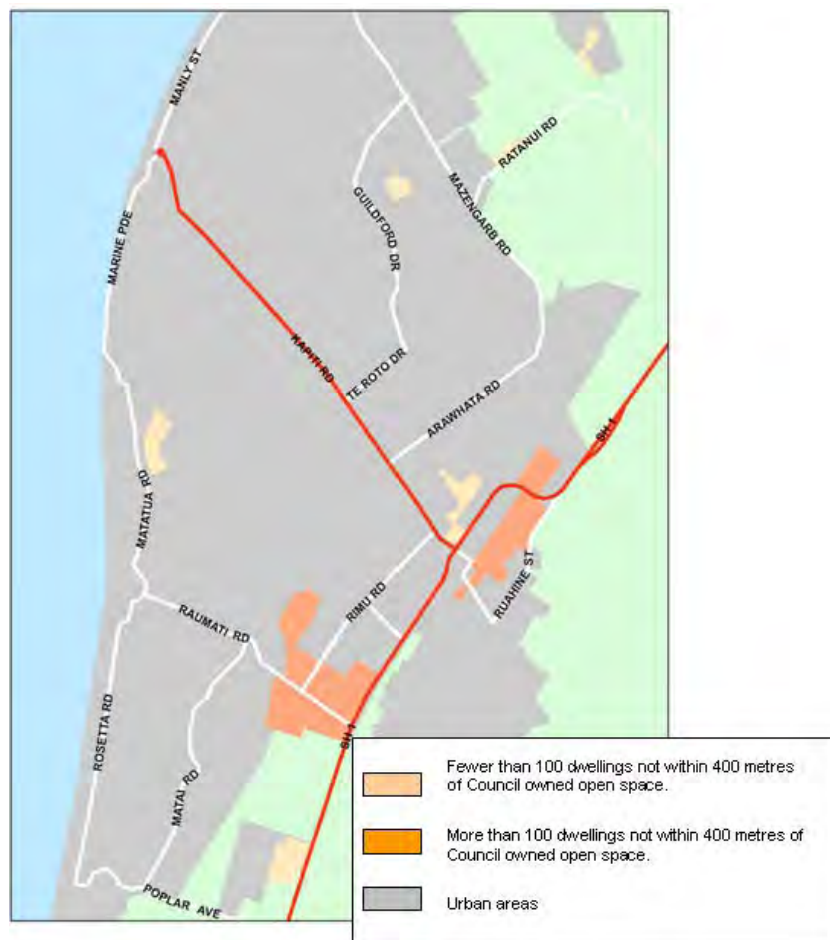
<sup>8</sup> This standard encompasses all public open space owned or managed by the local Council, Regional Council and Department of Conservation.

**Map 4: Paekākāriki residential areas with inadequate access to Council public open space**





**Map 5: Paraparaumu/Raumati residential areas with inadequate access to Council public open space**



**Map 6: Waikanae residential areas with inadequate access to Council public open space**



**Map 7: Ōtaki residential areas with inadequate access to Council public open space**



Through strategic land acquisition, good streetscape design, better use of stream and river corridors, utility and drainage reserves and agreements with other land owners, there is the potential to retain a connected network of protected public open space and private green space within even the most intensely developed parts of the District (see Map 7). The difference between private green spaces and other open space is that they tend to have restricted public access. However, these areas need to be recognised for their contribution to the wider open space network. They are particularly important for their landscape, biodiversity or amenity value, and where possible should be connected with the rest of the network via a series of green corridors. Green corridors can also add value to the planned Cycleway/Walkway/Bridleway Network.

Generally networks of open space have more value than isolated areas as they are more accessible and provide a much wider range of opportunities. A connected network enhances biodiversity, preserves landscape coherency, softens the impact of hard structure development, helps to define village identity, increases community resilience to natural hazards and global shocks, and provides alternative links between communities.

The Open Space Strategy will explore and develop opportunities to protect high value existing open space on both private and public land and improve public open space connectivity where possible.

**Map 8: Private green space & existing/potential green corridors in the Paraparaumu ward**



## Gap 5. Increasing leisure and active recreation opportunities

In addition to having reasonable access to open space, it is also important to ensure we have the right mix of open space. Simply having reasonable access to public open space is not a sufficient; a mix of formal and informal<sup>9</sup> recreation opportunities for everyone in each of the District's communities is essential.

It is clear that the community values recreation opportunities and has indicated that they would like additional opportunity for an ever widening range of recreational pursuits. Currently some parts of the District are underserved with regard to the number of reserves and parks that can cater for active recreation. Table 4 compares the number of Destination Parks, Neighbourhood Reserves, Sports Fields/Play Surfaces and Playgrounds available per 1000 residents in each of the District's main urban communities compared to the District total. This table can be used as one of the criteria to help decide where more active recreation opportunities need to be developed in the future.

Demand for more public recreational space is constrained by limited funds and available space in established urban areas. However, additional opportunity for a greater range of recreational experiences can be made by acquiring land with multi-use potential or through careful management of our existing parks and open spaces so that they can cater to greater range of recreation activities.

<sup>9</sup> Formal Recreation: means organised club sports and activities requiring marked sports fields or courts. Informal Recreation: means active recreation that is not formally organised (e.g. dog walking, jogging, general play etc.) and includes passive recreation such as birdwatching and picnicking.

**Table 4: Formal & informal recreation opportunities by community<sup>10</sup>**

Community	Reserve type	Ratio of reserve type per 1000 residents*
Otāki/Te Horo	Destination Parks	0.1**
	Neighbourhood Reserves	1.1
	Sports Fields/Play Surfaces <sup>11</sup>	3.2
	Playgrounds/Skate Parks	1.0
Waikanae	Destination Parks	0.1
	Neighbourhood Reserves	1.1
	Sports Fields/Play Surfaces	1.6
	Playgrounds/Skate Parks	1.1
Paraparaumu/Otaihanga	Destination Parks	0.2
	Neighbourhood Reserves	0.8
	Sports Fields/Play Surfaces	2.2
	Playgrounds/Skate Parks	1.0
Raumati	Destination Parks	0.1
	Neighbourhood Reserves	1.1
	Sports Fields/Play Surfaces	1.0
	Playgrounds/Skate Parks	1.1
Paekākārikī	Destination Parks	0.6
	Neighbourhood Reserves	0.6
	Sports Fields/Play Surfaces	2.5
	Playgrounds/Skate Parks	1.2
<b>District Total</b>	<b>Destination Parks</b>	<b>0.2</b>
	<b>Neighbourhood Reserves</b>	<b>1.0</b>
	<b>Sports Fields/Play Surfaces</b>	<b>2.0</b>
	<b>Playgrounds/Skate Parks</b>	<b>1.0</b>

\*2006 Census population statistics used to determine ratio

\*\* Community averages highlighted in red indicate that they are below the District Average.

<sup>10</sup> Reserve numbers sourced from the Parks and Open Spaces Asset Management Plan and population figures sourced from the 2006 Census.

<sup>11</sup> Sports Fields/Courts includes all marked playing fields and courts that cater for formal active recreation.

## Gap 6. Improving quality

The community values not only sufficient open space but quality open space which is safe, is fit for purpose, is designed in accordance with industry best standards, and helps to enhance the community's unique character, cohesion and resilience to shocks or disasters.

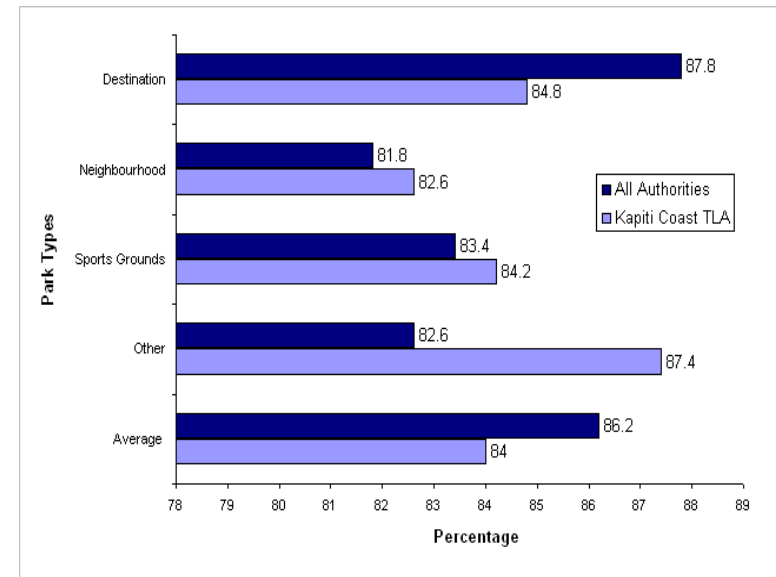
Quality can mean different things to different people. For instance it can mean a good level of maintenance, improved surfaces, facilities and plantings, better signage, restored and protected ecological areas, promptly enforcing bylaw regulations, providing a range of recreational opportunities and applying Crime Prevention Through Environmental Design Principles (CPTED) in park design.

Young people in particular have been given special emphasis in the Long Term Plan. They need to be included in the design and development of open space so it makes them feel welcome, safe and provides them with opportunity to enjoy themselves.

To assess the quality of the Council's open space, the Council regularly assesses the quality of its parks and reserves by carrying out a Park Check user satisfaction survey annually.

The latest results show 84% public satisfaction with the overall quality of park types surveyed. Chart 1 compares Kāpiti Coast resident satisfaction percentages by park type with residents from other Territorial Authorities surveyed.

Chart 1: Resident satisfaction by park type



Park Check results highlighted specific improvement requests for a number of existing open spaces that ranged from better seating and shade, to more playground equipment, better access to toilets and rubbish bins.

The Council will act on Park Check results by using them to help prioritise its Open Space Asset Management upgrade & renewal programmes.



## 11. PRINCIPLES TO GUIDE THE OPEN SPACE VISION

Consulting with the community and having an open space vision provide the basis to develop some fundamental principles which establish a range of Council actions to fill the gaps in the open space network.

These principles also form the basis to justify partnerships with other open space land owners and to educate, encourage and support both them and the wider community to share the Council's open space vision.

### 1. Protecting indigenous biodiversity

In many parts of the District a strong sense of pattern and landform still remains, which with careful management, can be enhanced and nurtured to restore indigenous biodiversity.

### 2. Promoting health and wellbeing

It is important to plan the location and design of open spaces so that they are safe, have suitable facilities such as marked sports fields/courts, walking tracks, appropriate seating and shade, and provide a mix of opportunities for all user groups including people with disabilities. Research demonstrates the significant health benefits of exercise. The community values open spaces that facilitate interaction and additional opportunities for active recreation and leisure pursuits.

### 3. Preserving landscapes, landforms and amenity values

Recognising and protecting areas of significant natural character helps to preserve local identity and provides visual and emotional relief from development.

### 4. Strengthening network connectivity

Networks of open space generally have more value than isolated areas as they are more accessible and provide a much wider range of opportunities. They also provide important corridors for wildlife and secondary flow paths<sup>12</sup> or flood storage areas in times of extreme flooding. Through the improved use of streetscape, pedestrian friendly environments and good signage, a standard suburban street could be transformed into a linear park that connects the open space network.

### 5. Protecting local character

Protecting and designing open space that provides a level of 'green relief' to urban development can support the Kāpiti Coast's natural image, village and rural identity and relaxed lifestyle values.

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<sup>12</sup> A secondary flow path is expected to take the flow of water when the primary system is at capacity. Roads, parks and other open space will be used as secondary flow paths and therefore will be subject to some level of flooding and flood storage. This is a normal part of stormwater management.

## **6. Providing better quality open space**

Open spaces that are fit for their intended purpose and are well designed and maintained are perceived as high quality. For instance sports codes have specific requirements and people feel safe and comfortable in well designed open spaces and more likely as a result to use them.

## **7. Protecting cultural and heritage values**

Open space contributes to our cultural development, preserving the essence of our past and nourishing our creative and artistic abilities. For instance, tāngata whenua place considerable priority on the protection of turangawaewae and areas where customary and traditional practices such as collecting rongoā are important.

## **8. Working in partnership**

A significant portion of the District's open space is under Department of Conservation, Regional Council, Iwi or private landowner control. On its own the Council has limited ability to enhance or expand the existing open space, and it is vital to advocate for the protection of key open space areas and work with key stakeholders, including community groups, to develop and maintain a coherent network.

## **9. Addressing resilience issues**

Open space can be used to better prepare the District for predicted natural hazard changes and unexpected global shocks such as peak oil or dramatically rising food prices. For example

rising transport costs will mean people are going to look more locally for recreation, and with a predicted increase in coastal erosion there is likely to be a need to look for alternative inland open space opportunities over the next 50 – 60 years.



## 1. Protecting biodiversity

**Objective:** To have an increased level of indigenous biodiversity.

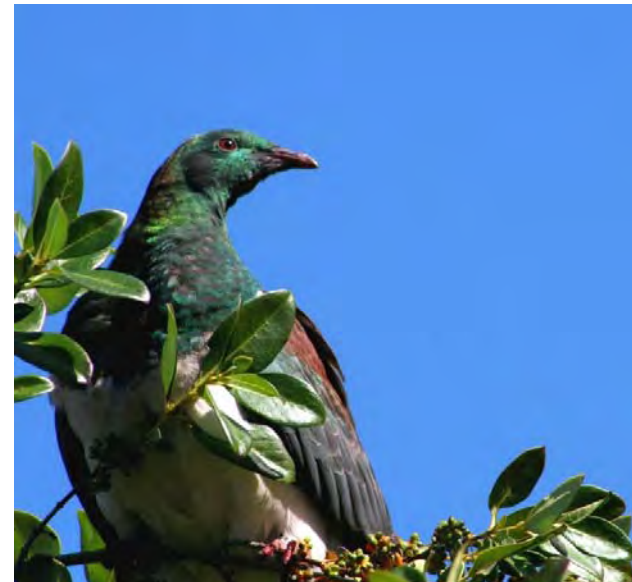
**Policy 1:** The Council will work to create the seven 'mountains-to-the-sea' ecological corridors through the development of public open space and working in partnership with private landowners.

**Policy 2:** The Council will manage its own land to restore areas of indigenous biodiversity by:

- ensuring successional stages of vegetation are protected, restored and regenerated;
- enabling natural processes such as flooding, dune erosion and accretion, and succession of vegetation to proceed with the least practicable hindrance;
- lessening the distances between indigenous vegetation sites by identifying opportunities to enhance or revegetate intermediate locations or create green corridor linkages;
- recognising the importance of urban vegetation and habitats;
- protecting and restoring wetland and coastal dune ecosystems; and
- protecting the habitats of threatened indigenous flora and fauna.

**Policy 3:** The Council will educate, encourage and support other landowners to participate in the protection and restoration of the Kāpiti Coast's indigenous flora, fauna and ecosystems (terrestrial, freshwater, coastal and marine), with the aim to develop a coherent and connected biodiversity network.

**Policy 4:** The Council will use a targeted approach to land acquisition whereby vulnerable or strategically important land parcels (i.e. because of their location in terms of connectivity or biodiversity potential) are identified and purchased as and when the opportunity arises.



**Table 5: Summary of Actions to Protect Biodiversity on Kāpiti Coast District Council land**

Land Acquisition or Land Management Agreements <sup>13</sup>	Protection	Planning and Policy	Planting	Education	Facilities
Actively work to secure key land parcels within the seven mountains to the sea ecological corridors.	Restrict access or recreational pursuits on Council land where they may harm sensitive ecological areas.	Establish a list of local indigenous tree and plant species appropriate for planting in green corridors and wild places.	Give priority to planting local native species in reserves classified as wild areas, along green corridors <sup>14</sup> and waterways linking ecological areas.	Use Council parks and reserves as a means to provide opportunities for people to experience and learn about the district's indigenous flora, fauna, and ecosystems.	Control access through appropriate pathways and signage
Pursue opportunities as they arise to secure remnant at risk dune and wetland landscapes.	Give priority to control of encroachments. into sensitive ecological areas on Council public open space	Develop an acquisition database identifying potential land acquisition opportunities that enhance biodiversity.	Undertake riparian and escarpment re-planting programmes.	Install information boards to explain work programmes such as riparian and escarpment re-planting.	Provide appropriate seating, viewing platforms and picnic areas.
Grow wetland areas	Continue active pest/weed control of at risk ecosystems	Identify and give District Plan protection or develop management agreements to protect areas of indigenous biodiversity on private land.	Support local community groups, private landowners and schools in planting/weed or pest eradication projects to re-establish biodiversity.		
.	Fence or limit access by people or stock where appropriate.	Develop a biodiversity Strategy for the District.	Eco source successional tree species.		
			Collaborate with other government agencies, non-government organisations such as the QEII Trust and Forest and Bird, local iwi and community groups to maximise protection.		

<sup>13</sup> Management Agreements: In many cases it may be impossible for the Council to purchase key parcels of land to fulfil its ecological resilience goals. However, there are other options available to secure or at least protect these areas including: designation, management agreements with private landowners, sponsorship, land exchange, reserve contributions, lease easements, rights of way, covenants, trusts and rebates.

<sup>14</sup> Streets of the road network can also perform the role of a green corridor.

## 2. Promoting health and wellbeing

Objective: To develop a range of open spaces in each community that encourage formal and informal recreation, promote health and wellbeing for everybody.

**Policy 1:** The Council will provide a range of formal and informal recreation options on Council owned land that:

- encourages opportunity for community interaction and recreation; and
- meets the diversity of community needs - in particular people with disabilities, the young and the elderly.

**Policy 2:** The Council will, as part of its asset planning and Long Term Plan processes, undertake a three yearly review of demand for space for sporting codes.

**Policy 3:** In developing future land acquisition programmes, priority will be given to providing for codes where:

- there can be open public access to playing fields and other facilities outside specified time of use by a relevant code; and
- the cost of entry to formal sporting code activity is relatively low and therefore available to most residents, including low income households.

**Policy 4:** The Council will consider provision of access to public open space for emerging sports and/ or codes with specialised facilities requirements, on a case by case basis.

**Policy 5:** The Council will consider, on a case by case basis, the acquisition of existing private organisation recreational facilities as part of the Council open space network. It will not enter into any agreement to acquire a facility unless the following is provided for:

- there is a clearly established local or District-wide need for the facility;
- there is guaranteed public access to the facility; and
- any fees and charges for use are set by Council as part of its formal Revenue and Financing policy.

**Policy 6:** When acquiring new land for leisure and active recreational opportunities, the Council will give priority to:

- communities which currently record a ratio of reserve space to resident population below the District average;
- opportunities for economies of scale in provision of District-wide facilities;
- communities with high population growth projections;
- sites with good public access; and
- sites with multi-recreational potential.

**Policy 7:** The Council will design parks and reserves identified for formal and informal active recreation to maximise their multi-use function.

**Policy 8:** The Council will continue to actively pursue opportunities to enter into formal agreements with local schools and institutions for access to active recreation facilities.

**Table 6: Summary of Actions to Promote Health and Wellbeing on Kāpiti Coast District Council Land**

Recreation Type	Land Acquisition	Protection	Facilities	Planning/Facilitation	Planting
Active Recreation	Actively pursue the acquisition of land which can provide for the active recreation needs of a number of communities in one location.	Restrict activities that damage sports fields and courts.	Maintain high quality surfaces and a prompt repair and replacement programme for damaged equipment.	Monitor changes in sporting code trends on a three yearly basis and plan open space development accordingly.	Provide a mix of appropriate exotic and native tree species to provide shade and a level of noise buffer.
	Acquire additional sports grounds in communities which have a lower ratio of sports ground area to resident population than the District average and have limited access to District-wide facilities.	Update signage to clearly indicate conditions of use.	Establish suitable shade, seating, toilets and BBQ and picnic areas.	Plan new sports fields in appropriate locations so that they minimise the need for car travel.	
	Acquire land that has multi-use potential and can meet the needs of different sports codes.	Control encroachment into open space.	Provide facilities appropriate to the type of reserve, user needs and current NZ standards.	Encourage sponsorship of sports grounds and associated buildings and equipment from local businesses.	
	Acquire or negotiate access to open space to fill gaps where there is no public open space within 400 metres walking distance of urban development.	Support community programmes that discourage wilful damage.	Ensure every new or redeveloped playground has at least one item that caters for children with disabilities.	Develop reserve and park management plans so that different activities do not conflict in time and space.	
	Acquire land that has multi-use potential and can add value to the open space network.		Provide youth specific facilities and recreational opportunities (e.g. urban art) where appropriate.	Develop incentives to encourage sports codes to share facilities and minimise the need for new buildings.	
			Provide adult exercise and fitness equipment in appropriate reserves.		

### 3. Protecting landscapes, landforms and amenity values

Objective: To protect areas of high natural character and amenity value.

**Policy 1:** The Council will pursue opportunities as they arise to acquire key landforms, including dune landscapes, dune lakes, and wet land areas and sites which contribute to local identity where in its view regulation and partnership agreements with private landowners cannot provide the necessary level of protection.

**Policy 2:** The Council will manage land uses adjacent to significant and highly valued landscapes and landforms found on public open space, to ensure the integrity and quality of view shafts and public access.

**Policy 3:** The Council will work with landowners to raise awareness of the important contribution private land makes to the overall open space character and coherence of the Kāpiti Coast landscape.

**Policy 4:** The Council will advocate and actively work with the community to enhance or restore the continuity of landscapes and landforms associated with water ways and river terraces, inland dune systems and wetlands in areas of public open space.

**Policy 5:** The Council will support efforts to restore degraded and/or modified land adjacent to important sites located on Council owned land, where this leads to an overall improvement in the quality of experience for parks users.



**Table 7: Summary of Actions to Preserve Natural Character & Amenity Values on Council-owned land**

Land Acquisition or Land Management Agreements to Restore Landscape Character	Protection	Facilities	Restoration/Enhancement	Education	Planning and Policy
Pursue opportunities to acquire or enter into lease agreements for areas of high natural character value, including dune land swamp landscapes.	Review Council reserves and enforce Council bylaws to prevent encroachment into public reserves, particularly the Coastal Reserve.	Improve pathways, signposting, seating and viewing platforms	Work with GWRC & DOC to establish a coherent and consistent planting programme in and around high value natural character areas such as the Paraparaumu escarpment.	Introduce information signage at key Council locations providing detailed information on natural character.	Review current reserves classifications and management plans to ensure that natural character is preserved.
	Restrict activities on Council land that damage or destroy natural character.		Work with tāngata whenua, community groups, individuals, and institutions managing land to sustain its natural character.	Educate rural landowners on the importance of protecting natural character and the contribution their land makes to the wider district open space network.	
	Apply appropriate Reserves Act 1977 classifications to new and existing sites that are valued for their landscape attributes.			Develop protection and restoration guidelines. Utilise Greater Wellington Regional Council plant lists and other useful best practise publications on restoration.	
				Educate, encourage and support tāngata whenua, community groups, individuals, and institutions managing land to sustain its natural character.	



## 4. Strengthening Access and Network Connectivity

Objective: To develop a coordinated, clearly defined and where possible, linked system of public and private land of an open, cultural or natural character that together provide:

- a buffer or visual contrast to the built environment
- ecological corridors for improved ecological resilience
- an alternative active access link between communities
- increased movement choices between public open space.

**Policy 1:** The Council will continue to work with other public space landowners to enhance connections and linkages by identifying and establishing linked pathways, including using road corridors, green corridor connections and improving signage through public open space.

**Policy 2:** The Council will negotiate access through key parcels of land (not under Council control) that significantly enhance public open space connectivity.

**Policy 3:** The Council will enhance access, either by land acquisition or negotiated easements, to and along the coastal environment, river and stream corridors and foothill escarpment.

**Policy 4:** Council will work to the parameters set out in the Coastal Strategy to manage access to coastal reserves and areas of public open space.



**Table 8: Summary of Actions to Strengthen Network Connectivity**

Land Acquisition or Land Management Agreements to Strengthen Network Connectivity	Protection	Facilities	Restoration/Enhancement	Education	Planning
Acquire or develop lease agreement to own or access open space that improves network connectivity and CWB linkages.	Review the existing Cycleway/Walkway/Bridleway and green corridor network to ensure legal agreements are in place to protect these routes/corridors from development.	Incorporate Streetscape Design Guidelines into enhancement programmes for road corridors that can improve connections between open space.	Coordinate and support appropriate planting of green corridors, Cycleway/Walkway/Bridleway routes, and road corridors that link open space.	Improve signage along Cycleway/Walkway/Bridleway routes and green corridors.	Identify land parcels that would improve network connectivity
		Provide suitable seating, picnic areas, signage and viewing platforms.	Map and where appropriate improve tracks and signage to enhance connections through existing public open space.	Improve public awareness campaign of existing and planned Cycleway/Walkway/Bridleway routes.	Work with DOC, GWRC, schools, colleges, local businesses and private land owners to coordinate and plan network connectivity opportunities.
			Enhance existing green corridors such as the Mazengarb Drain so that they are more multi-functional.		

## 5. Protecting Urban Form and Local Character

**Objective:** To develop a network of open spaces which support the Kāpiti Coast's distinct community identity and relaxed lifestyle values.

**Policy 1:** Council will, as opportunities arise, acquire areas of land for public open space where this supports green belt and urban edge concepts, reinforces natural boundaries and supports the character of local communities.

**Policy 2:** Council will ensure there is consideration of the form, scale and location of structures and facilities within and adjacent to areas of public and private open space so that they do not detract from the local character of these areas.

**Policy 3:** Council will take into account the local character and identity of surrounding areas when developing Council owned open spaces.



**Table 9: Summary of Actions to Protect Urban Form and Local Character**

Land Acquisition or Land Management Agreements to Restore Landscape Character	Protection	Facilities	Restoration/Enhancement	Planning
Undertake regular reviews of opportunities to acquire land to develop green belt concepts, protect and enhance local character, and reinforce local identity and sense of place.	Ensure, as far as possible, that public utilities are managed so that they do not degrade the quality of public open space and the character of the surrounding area.	Continue ongoing street upgrade programmes with a focus on high use road corridors, village centres, around schools and community buildings and new development areas (like the airport).	Utilise a mix of appropriate exotic and native tree and plant species in recreational & neighbourhood reserves, sports fields & playgrounds, heritage parks & cemeteries, and village streetscapes.	Encourage and develop, where appropriate, a variety of open spaces around town centres. This could include pocket parks in commercial areas, replanting stream corridors through town centres, establishing car free shopping streets and more extensive tree and garden planting (including fruit and nut trees and plants).
	Manage applications by utility providers for access to Council owned land as per Council's Network Utilities Policy.	Develop planting, public artwork, lighting, street furniture and buildings in public spaces which reflect community values and the character of the surrounding local area		Designate areas for public open space as part of the District Plan.

## 6. Quality Open Space

**Objective:** To develop public open spaces which meet the expectations of the community and are fit for their intended purpose.

**Policy 1:** The Council will, via its Parks and Open Spaces Asset Management Plan, Cycleways/Walkways/Bridleways Asset Management Plan and Access and Transport Asset Management Plan, ensure public open space is managed effectively so that it is fit for purpose, is well maintained, and is consistent with open space values.

**Policy 2:** The Council will, via its asset planning, reserve planning and Long Term Plan processes ensure the involvement of the community in the setting of levels of service, design approach and management parameters for Council reserves, streets and other areas of public open space.

**Policy 3:** The Council will:

- ensure that it is always up to date with understanding national and international best practice for management of public open space;
- include these methods as a first principle in planning for its public open space and assets;<sup>15</sup> and
- make clear when it may not be able to deliver best practice methods.

<sup>15</sup> Note: the extent to which Council can achieve best practice and the speed at which it can move to best practice will be determined by overall affordability issues and decisions via the Long Term Plan process.

**Policy 4:** The Council will ensure that assets that come into public ownership are of appropriate quality and are fit for purpose.

**Policy 5:** The Council will design and manage the location of network utilities on Council open space so that they do not detract from or diminish the primary purpose for which that land was originally set aside.



**Table 10: Summary of Actions to achieve Quality Open Spaces on Council-owned land**

Protection	Facilities	Planning	Planting
Continue to advocate for the protection of open space from poorly designed infrastructure projects or utilities.	Open space upgrades and new developments will aim to meet relevant NZ standards.	Conduct a regular user needs assessment to inform asset management planning.	Develop a tree policy to clearly indicate preferred tree species and use this to inform planting decisions.
Ensure all KCDC owned or managed open space is appropriately protected under the Reserves Act 1977, Local Government Act 2002 or through a management agreement with private landowners.	Monitor [every three years] Council owned open space to ensure facilities are appropriate for the reserve category and are being well maintained.	Establish generic level of service standards for each type of Open Space according to industry standards and best practice.	Work with private landowners and developers by providing advice on appropriate plantings to ensure a coherent and consistent district-wide open space planting programme.
	[Design facilities such as seating and viewing platforms to accommodate the needs of the very young, elderly and disabled.	Develop reserve management plans with specific standards as required	Use existing planting guidelines including but not limited to the native planting guide, the Streetscape Strategy, the Waikanae Dune Management Guideline etc. to inform planting decisions.
		Use best practise design guides in reserve development or upgrades.	

## 7. Protecting Cultural and Heritage Values

**Objective:** To incorporate cultural and heritage values into the public open space network so that they help to provide meaning, create a sense of place and define the identity of communities.

**Policy 1:** The Council will:

- protect places of cultural or historic significance on Council land so that their values are not diminished; and
- incorporate heritage and cultural sites into the public open space network as feature areas in a park or reserve.

**Policy 2:** Continue to work in partnership with iwi, the Historic Places Trust, and local community groups to identify and protect places of cultural and heritage value on Council land.

**Policy 3:** The Council will provide information about the importance of heritage places and their associations on areas of open space, including explaining linkages between areas, for example District rail heritage, or the network of iwi heritage sites.

**Policy 4:** Recognise that heritage sites will have multiple stories relating to different periods/activities which need to be provided for as part of education and protection activities.





**Table 11: Summary of Actions to Protect Heritage Values**

Land Acquisition or Land Management Agreements to Restore Landscape Character	Protection	Facilities	Planning	Education
Acquire or develop lease agreements to protect heritage areas	Identify and restrict unsuitable recreational activities.	Provide appropriately designed signage, seating and pathways.	Work with local iwi to protect areas on Council land of heritage value and of value for rongoā.	Provide information boards/signage /artwork explaining the relevance of the heritage area and the importance of protecting these sites.
Acquire or develop lease agreements to connect heritage sites that have a historical association.	Manage information about heritage areas in situations where identifying them could lead to harm or damage them.	Provide suitable areas for cultural events, festivals and social gatherings.	Identify associations or linkages between historic places and seek ways to protect or restore them.	Complete and maintain identified heritage trails in the District.
		Ensure artwork is included in the upgrade and development of open space which reflects cultural and heritage values relevant to that specific open space.	Continue to Incorporate iwi policy statements and plans into the public open space planning process.	Use Te Reo on signage and brochures relating to heritage sites of significance to iwi.
			Recognise traditional associations between identified heritage/cultural features.	

## 8. Working in Partnership

Objective: To develop and maintain a coherent open space network in partnership with tāngata whenua and the wider community.

**Policy 1:** The Council will involve and continue to support tāngata whenua in the planning, design, development and enhancement of the open space network.

Originally, the Kāpiti Coast was mainly occupied by five iwi groups. They were: Ngai Tara, Ngāti Apa, Rangitane, Muaupoko and Ngāti Kahungunu. In the early decades of the 19th Century, the Kāpiti Coast was settled by three migrating tribes: Ngāti Toa from Kawhia (King Country), Ngāti Raukawa from Maungatautari (Waikato) and Te Āti Awa from Taranaki.

Today, these three iwi hold mana whenua (kaitiakitanga or trusteeship) over the land. The people who uphold the mana whenua are referred to as the tāngata whenua.

Tāngata whenua relationship to the land spans many generations, it is often said:

**‘Whatungarongaro te Tāngata toi tu whenua’**

As man disappears from sight, the land remains



Māori are a unique private land owner. As the original inhabitants of the region, they share a deep physical and spiritual bond with all the land in the District. This association with the land needs to be supported and reflected when implementing the Open Space Vision.

**Policy 2:** The Council acknowledges the valuable work of the community and will continue to:

- support the highly valued work undertaken by community volunteers to enhance open space quality;
- encourage and support community investment in parks (e.g. private and business sponsorship of park furniture and walkways); and
- involve the community in planning for and developing the open space vision and parks development.

Without the active support of the community, the Council would not be able to achieve the Open Space Vision for the District.

The Council acknowledges and appreciates the support of community volunteers, local business, schools, youth groups and other community groups for their time and effort in helping to protect and enhance the District's open space network.

The Council intends to build on this community support and will continue to support education and restoration programmes that develop public awareness of open space values and ultimately enhance the District's open space.



**Policy 3:** The Council will work with relevant agencies such as the Greater Wellington Regional Council, Porirua City Council, Horowhenua District Council, school trustees and the Ministry of Education and the Department of Conservation to advocate for and plan an integrated open space network across the wider region.

In developing a rich and diverse open space network it is vital to recognise the importance of maintaining close working relationships with other relevant government agencies.

On its own land, the Council will take the lead role in protecting, developing and acquiring new areas of open space in accordance with the principles outlined in this Strategy. However, much of the District's public open space is under the control of other government agencies such as Greater Wellington Regional Council, the Department of Conservation and Education Department. Many of these agencies have developed their own open space strategies or management plans<sup>16</sup>.

To achieve a truly coherent open space network it is important for the Council to continue to work in close partnership with these other government agencies so that where possible, mutual open space goals and opportunities for multi-use are explored and developed in a coordinated and cost efficient manner.

Some partnership outcomes already being achieved or under development include: joint regulatory protection, shared restoration efforts and signage, linked pathways and facilitation of a greater range of recreational opportunities for the community.

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<sup>16</sup> Wellington Region Open Space Strategy and Action Plan, Kapiti Area Conservation Action Plan 2009 – 2014.





**Policy 4:** The Council will continue to undertake an active programme, including provision of financial incentives, with private landowners to encourage:

- the development of agreements for public access to targeted areas, primarily linkages between larger areas of public open space;
- protection of eco-sites that contribute, along with areas of public open space, to green corridors; and
- planting of sites which also support wider green corridors.

The majority of green space in the District is in private ownership, much of it high value rural land along the lowland foothills and the coastal plain.

The fact that much of this private rural land sits on the coastal plain near or between the Coast's urban settlements is a significant reason for its importance to the open space network. Although public access is restricted, this private green space makes a valuable contribution by:

- helping to preserve the District's relaxed beachside character;
- protecting village identities by acting as a buffer between communities;
- providing amenity and green relief from urban development;
- being an important source of local food production; and
- helping preserve pockets of natural habitat and landscape character.

From the point of view of private land, achieving the open space vision will involve the Council leading a combination of partnerships, education, encouragement and at times regulation programmes to develop or protect this land so that it continues to contribute to the Open Space Vision.

It is important therefore to have regard for this private open space in the District Plan, Cycleway/Walkway/Bridleway Strategy, the Development Management Strategy and the Biodiversity Strategy (to be developed 2012/13).



**Table 12: Summary of Actions to Work in Partnership**

Partnership Programmes	Educate/facilitate	Planning	Protection
Encourage programmes such as community gardens and volunteer friends groups.	Continue to support programmes that develop public awareness of open space values – such as advice to land owners on riparian planting or protection of indigenous ecosystems on private property or the importance of open space connectivity.	Work with GWRC, Porirua City Council, Horowhenua District Council and DOC to integrate open space planning, share best practice examples, resources and skill sets.	Continue to support and help to protect open space values of Māori, such as rahui restrictions and areas of importance for rongoā.
Continue to support tāngata whenua and private landowner restoration initiatives that enhance open space values.	Facilitate public access through private land via walkways, public roads, rights of way, easement and any other negotiated agreements between the landowners and Council or users.	Involve user groups in the design and development of relevant open space.	Combine resources with other government agencies to improve the protection of vulnerable open spaces.
Continue to work with DOC, GWRC, tāngata whenua and private landowners to develop a coherent open space framework.	Support tāngata whenua initiatives to educate the community about kaitiakitanga principles and practices.	Involve tāngata whenua in open space revitalisation and acquisition plans, and in particular support iwi inspired restoration programmes such as the Ōtaki Iwi River Management Plan.	
Continue to involve schools and youth groups in replanting projects and adopting an ecological area or reserve.	Celebrate and reward community volunteer achievements.	Plan to provide space for community restoration activities including opportunities for community gardens.	
Continue to support community groups which advocate for or undertake work to protect and enhance open space.			



## 9. Resilience to Natural Hazards and Global Shocks

**Objective:** To increase the District's resilience to natural hazards and climate change by protecting and sustainably managing appropriate areas of open space in the district.

**Policy 1:** The Council will include, as part of the assessment criteria for land acquisition, consideration of the contribution the land can make in mitigating natural hazards.

**Policy 2:** The Council will give consideration to potential for mitigating natural hazards and climate change impacts in reserve acquisition and design.

**Policy 3:** The Council will plan for the relocation of open space away from areas affected by natural hazards as part of any managed retreat programme.

**Objective:** Develop and manage the Council's open space network to have capacity to contribute toward energy and food production needs should they be needed in a disaster.

**Policy 4:** The Council will:

- provide opportunities on Council owned land for community gardens and planting for rongoā (medicinal plants); and
- explore opportunities for renewable energy initiatives, provided that any proposal is consistent with maintaining the primary values of any park or reserve.



**Table 13: Summary of Actions to Improve Resilience to Natural Hazards and Global Shocks**

Land Acquisition or Land Management Agreements to Restore Landscape Character	Restoration/Enhancement	Education/Facilitation	Planning	Protection
Acquire land (such as dunes or flood storage areas such as swamp land) that can help mitigate the risk of natural hazards.	Plant drought and fire resistance native species along private property boundaries and in the high fire risk coastal and north/west facing foothill zones.	Encourage and support community gardens in suitable areas of public open space.	Identify and design open spaces so they can act as secondary flow paths or flood storage areas during flood events – this may involve identifying low lying swamp or drained areas suitable for long term rehabilitation.	Continue to work on restoring dune integrity by preventing development encroachment and planting dune species that trap sand and encourage dune advancement.
Consider reserve locations that reduce the need for private vehicle travel by local people, have good connectivity to public transport and active travel routes.	Plant fruit and nut trees in appropriate reserves and edible plants.	Provide information to parks users about available edible plants and fruit trees and the appropriate ways to gather and harvest food.	Identify appropriate areas in public reserves where community gardens could be established.	
	Plant riparian corridors to reduce erosion.		Develop a 3-50 year land acquisition plan to offset any loss of coastal and riparian public open space as a result of climate change.	

## 11. PROCESS TO EVALUATE PUBLIC OPEN SPACE ACQUISITION

This section of the Open Space Strategy provides the basis on which the Council will evaluate future public land acquisitions.

There are a number of gaps between public open space the district has now and what the Council would like to achieve as part of its Open Space Vision. As the Kāpiti Coast's communities grow, the Council also needs to grow both the size and capacity of the open space network to maintain and enhance open space values.

In some cases, depending on the land management mechanism required to protect or enhance the District's open space network, the Council may need to acquire additional public open space. There are two ways the Council acquires new public open space:

1. through cash or reserve contributions made by developers; or
2. through strategic land purchases via the rates funded Strategic Land Purchase Fund.

When acquiring new open space, a careful assessment must be undertaken to determine the value of the land to the community. This Assessment must cover the following three assessment categories:

1. the strategic fit of the potential land acquisition;
2. associated costs; and
3. the risks to community wellbeing of not proceeding.

## Assessing the Strategic Fit

Tables 14 & 15 establish the range of criteria (not in priority order) that will be used to assess how a land proposal meets the objectives outlined in the 'Principles' section of the Open Space Strategy.

**Table 14: Evaluation Criteria for Formal Recreation Land Acquisition**

Land Criteria for Formal Recreation (e.g. sports codes)
The land is in a community which records a low number of sports grounds to population compared to the District average (refer Table 4).
There is no public open space within 400m walking distance.
The land has adequate road frontage for its purpose.
The land is accessible to the community including the elderly and people with special needs.
The land improves public open space network connectivity.
The land has multi-use potential.
The land is in an area with population/employment growth (current & projected) creating a need for additional open space.
The prospective land acquisition complies with Health and Wellbeing Policies outlined in this strategy.

**Table 15: Evaluation Criteria for Informal Recreation Land Acquisition**

Land Criteria for Informal Recreation or Other Reserve Types
The land fills a gap in park provision within a specific community (refer Table 4).
There is no public open space within 400m walking distance.
The land contains ecosystems that have species endemic to the district or are threatened.
The land is largely in its natural state and has good restoration potential.
The land is accessible to the community including the elderly and people with special needs.
The land provides or has the potential to provide green corridor connections to other open space or acts as a significant buffer to urban development.

Land Criteria for Informal Recreation or Other Reserve Types
The land is a site of significant heritage or cultural value.
The land is of significant landscape or amenity value.
The land will help improve community resilience to natural hazards and climate change.
The land is reasonably manageable.
The land has significant multi-use potential.
The land is in an area with population/employment growth (current & projected) creating a need for additional open space.

The assessment criteria will look at the potential acquisition in terms of current as well as future potential. For example, land that is currently covered by gorse may be an important green space buffer, a regeneration site or a future link between communities.

Sites that fit multiple criteria will generally be given a higher priority for acquisition than those that only fulfil one or two criteria. However, depending on the specific nature of the reserve type required and the real or potential benefit of its acquisition into the public open space network, the fit of only a few criteria may be sufficient in some cases.

Justification will also be needed to show why the acquisition mechanism is favoured over other land management options (such as District Plan Zoning). The mechanism that is chosen must be justified by the number and type of open space values being secured as a result of Council ownership.

When making a decision to acquire land all relevant documents will be considered, including the District Plan, Development Management Strategy and the Open Space Strategy.

## Reserve Contributions

New development is required to pay contributions toward the acquisition or improvement of parks and reserves in the District, to address the additional demand created for these open spaces. The reserve contribution can include cash, land or improvements such as play equipment and recreational facilities.

When considering land over cash for reserve contributions, failure to meet more than a few of the evaluation criteria listed in Tables 14 & 15 may be grounds for the Council to require a financial contribution as a reserve contribution. This money will then be used to meet the new demand for reserves with more suitable land or improvements.

Where land is given which is in excess of the reserves contribution requirement, rather than sold to the Council, this will be recognised as a gift and not as a reserves contribution. This must be agreed to in writing.

Where appropriate, the Council will consider a Reserve Contribution or Development Contribution credit for public access to privately owned open space, subject to negotiation and agreement as to the need for public access to that space, the degree and certainty of access and its value.

The Council does not intend to acquire any land set aside as no-build areas, balance lots or similar in structure plans, development plans, plan changes, resource consents or similar regulatory documents, where this set-aside is intended to mitigate the environmental effects of development, such as visual effects and/or effects on ecological values, stormwater flows, land productivity, amenity values, natural features and landscapes.

## Assessing the Associated Costs

An evaluation of the cost and benefits of a proposal must be made to enable the Council to evaluate the significance of open space values protected or enhanced in relation to the costs faced by the Council.

Cost considerations that need to be evaluated against benefits are as follows:

- **Financial investment:** direct cost associated with the purchase.
- **Development costs:** upgrades, hazard reduction, installing facilities, fencing, surface and track development.
- **Maintenance costs:** such as ground repair, mowing, pruning, rubbish collection and weed control.
- **Administration/Implementation costs:** for example, costs to subdivide, officer costs, negotiation, District Plan changes etc.
- **Monitoring and enforcement costs:** signage, patrols, public education, quality control inspections.

The results of this assessment will be collated and assessed and a judgement made by the Council on whether the benefits continue to outweigh the costs.

## Assessing the Risks

An assessment of the risk to the open space values of not proceeding with an acquisition or other protection options should

also be made. Current or future threats should be identified and then if possible an evaluation of the likelihood of threats occurring.

Risks could be short or long term. A common short-term risk is the loss of opportunity to protect open space values at that point in time. In the future the risks may relate to development of the land for other uses not compatible with open space or recreational uses, loss of specific values or changing perspectives of new landowners in relation to public use. In addition costs to acquire land in the future may be higher.

## APPENDIX 1: STRATEGIES, PLANS & GUIDES THAT INFLUENCE THE OPEN SPACE STRATEGY

The Open Space Strategy is strongly influenced by a number of existing Council strategies, guides and plans, as well as external documents produced by other agencies and stakeholders that have an interest or responsibility in enhancing or protecting areas of open space in the District.

Examples include:

- **Reserve Acquisition Strategy 2003** sets out the criteria for land that Council seeks to acquire from development for reserves (Note: This Strategy is now incorporated into the Open Space Strategy 2011).
- The **Development Management Strategy** emphasises the importance and provides guidance on:
  - the development of district landforms, landscapes and green corridors
  - global change risks (i.e. oil shocks and climate change) and natural hazards
  - efforts to mitigate flood risks and coastal hazards
  - planned urban development
  - protection of rural lands
  - the planned development of district transport systems and access linkages
  - a public open space network
  - infrastructure capacity and management
  - Waahi Tapu, Ecological, Heritage and Cultural Sites
  - management of urban form.
- The **Cycleways, Walkways & Bridleways Strategy** provides direction for future planning of cycling, walking and horse riding network in Kāpiti, many of which are part of linear open space corridors.
- The **Coastal Strategy** guides management of the Kāpiti Coast's coastal areas for the next 20 years to ensure that the community's vision to restore and enhance the wild and natural feel of the coast is achieved.
- The **Sustainable Transport Strategy** recognises that the transport system needs to be planned as an integrated system, where all forms of transport are taken into account when designing transport corridors, including walking and cycling. The planning of the transport systems needs to be recognised and integrated with land use planning, open space planning and urban design.
- The **Stormwater Strategy** provides direction on managing the nature, location and scale of development in relation to stormwater risks and the effects of development on stormwater management. The Strategy also emphasises the use of open space as secondary flow paths or flood water retention areas in severe flood events.
- The **Sustainable Water Use Strategy** recognises that the health of the natural systems, especially the rivers, streams, aquifers and coastal waters, is essential to people's health and pleasure, and to a large extent, is essential to the local economy.
- The **Kāpiti Coast District Council Best Practice Subdivision Design Guideline** specifies design elements for urban spaces. Design elements include:



- locating open spaces where they are highly prominent and accessible within the local area;
  - locating publicly accessible open space within 400m walking distance of a residential allotment; and
  - providing open spaces based on what type of space would add the greatest value to the neighbourhood.
- The **Kāpiti Coast Streetscape Strategy and Guideline** establishes a clear vision for the different streets and provides design guidance to enable a coordinated approach to streetscapes in the context of the character of the surrounding area and transport mode priorities.
  - The **Kāpiti Coast Physical Activity Plan** which sets the community vision and desired outcomes to maintain an active, involved and healthy community.
  - The **Greater Wellington Parks Network Management Plan** sets out direction for managing the regional parks and forests in the Wellington region. The Plan highlights the unique nature and values in the different parks, and addresses the need for specific management of these areas.
  - **Kāpiti Area Conservation Action Plan 2009 – 2014** which establishes a five-year programme of conservation action for the Kāpiti area. Many of the actions in this plan are directed at fostering greater commitment to conservation values across a range of zones and land tenure.
  - **Greater Wellington Region** guides and management plans for the Ōtaki and Waikanae River Corridors and coastal foreshore.
  - **Positive Ageing on the Kāpiti Coast, He Tira Kaumātua** is a strategy that sets out seven key goals to improve the wellbeing of Kāpiti Coast's ageing community; the third goal relates to the importance of the District's older people feeling safe and well, with a specific objective to provide public spaces and living environments that promote safety and security.
  - **Youth2U Youth Action Plan:** establishes a plan of action for Kāpiti Coast Youth from 2011 – 2015. The need for open spaces which are youth inclusive is a central feature of the action plan.
  - **Iwi Management Plans** provide a vision of how the management and protection of natural and physical resources can be achieved based on cultural and spiritual values of tāngata whenua<sup>17</sup>. Plans developed by iwi, hapū or whānau provide a statement on the position of the tāngata whenua on a range of issues including open space provision and protection.
- The **Wellington Region Open Space Strategy and Action Plan** aims to ensure residents and visitors to the region have a safe, appropriately maintained, linked and integrated open space network. This strategy recognises the importance of the region's rural and natural open space character and ecological functions, and the important contribution iwi make to cultural landscape and wellbeing of communities.

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<sup>17</sup> Ministry for the Environment, Te Raranga A Mahi 2000

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## KAPITI COAST DISTRICT COUNCIL CEMETERIES BYLAW 2016

### Contents

1.	Title, Commencement and Application.....	2
2.	Cemeteries Bylaw Validation .....	2
3.	Objective .....	3
4.	Exclusive Right of Burial and Sale of Plots .....	5
5.	Burials and Ashes Interments .....	6
6.	Conditions for Natural Burials .....	8
7.	Opening and Closing the Ground for Burial .....	9
8.	Fees .....	10
9.	Hours of Operation .....	10
10.	Monuments.....	11
11.	Monument Maintenance .....	14
12.	Floral Tributes, Adornments and Other Decorations .....	15
13.	Trees, Shrubs and Plants .....	16
14.	Vehicles.....	16
15.	Conduct and Activities within Cemeteries .....	17
16.	Disinterment .....	18
17.	Records .....	19
18.	Closing Cemeteries .....	19
19.	Offences and Penalties.....	19
20.	Kapiti Coast District Council General Bylaw.....	19

**1. Title, Commencement and Application**

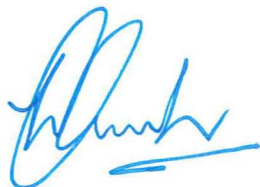
1.1. This Bylaw may be cited as the Kapiti Coast District Council Cemeteries Bylaw 2016 and shall come into force on 29 September 2016.

1.2. This Bylaw applies to any part of the Kapiti Coast District.

**2. Cemeteries Bylaw Validation**

2.1. The Kapiti Coast District Council Cemeteries Bylaw 2016 was approved at a meeting of the Kapiti Coast District Council held on 29 September 2016 after completion of the Special Consultation Procedure.

2.2. The Common seal of the Kapiti Coast District Council was affixed hereto, pursuant to a resolution of Council on 29 September 2016 in the presence of:



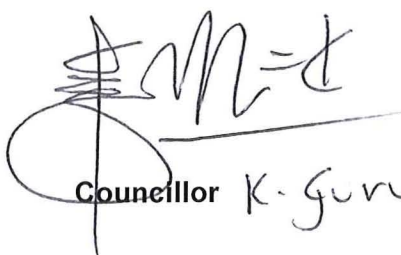
Ross Church

**Mayor**



Pat Dougherty

**Chief Executive**



Councillor K. Gurusathan

### **3. Objective**

- 3.1. The purpose of this Bylaw is to enable the Council to control and set standards for the operation of cemeteries within the Kapiti Coast District under the Council's ownership or administration. This does not include recognised urupā reservations not owned or administered by Council.
- 3.2. This Bylaw is made pursuant to section 145 & 146(b)(v) of the Local Government Act 2002 and section 16(1) of the Burial and Cremation Act 1964.
- 3.3. Nothing in this Bylaw shall derogate from any provision of or the necessity for compliance with:
  - a) The Burial and Cremation Act 1964;
  - b) The Burial and Cremation (Removal of Monuments and Tablets) Regulations 1967;
  - c) Cremation Regulations 1973;
  - d) Health (Burial) Regulations 1946;
  - e) Any other relevant future legislation; and
  - f) Any other relevant Kapiti Coast District Council Bylaws or District Plan requirements.

## Interpretation

3.4. In this Bylaw, the following terms are used:

<b>Approved Person</b>	means any person appointed by the Sexton to open and close the ground for burial and assist with the burial process in general.
<b>Cemetery</b>	means any cemetery vested in or under the control of the Council and dedicated as a cemetery.
<b>Close Relative</b>	means: <ul style="list-style-type: none"> <li>(a) A current or former spouse;</li> <li>(b) A grandparent, grandchild, parent, guardian, sibling, son, daughter; or</li> <li>(c) A father-in-law, mother-in-law, brother-in-law, sister-in-law, son-in-law, or daughter-in-law.</li> </ul>
<b>Sexton</b>	means any person appointed by the Council to manage the day to day activities of any cemetery under its jurisdiction.
<b>Mind Altering Substance</b>	means any substance whether synthetic or naturally occurring, which may alter consciousness, mood or emotions, or which might intoxicate or induce pleasurable sensations. It includes substances used for activities such as glue sniffing or substance abuse, but does not include: <ul style="list-style-type: none"> <li>(d) medically prescribed substances ingested by the person for whom they were prescribed;</li> <li>(e) substances purchased from a pharmacy without medical prescription; and</li> <li>(f) nicotine.</li> </ul>
<b>Statutory Holiday</b>	means a Sunday, Good Friday, Easter Monday, ANZAC Day, Labour Day, the Sovereign's Birthday, Waitangi Day, Christmas Day, Boxing Day, New Year's Days, the day after New Year's day and the day of the anniversary of the Wellington Province.
<b>'Out of District'</b>	means any resident or child of any resident who has not lived at or owned a property in the District for at least six months prior to death is liable to higher interment fees.



#### **4. Exclusive Right of Burial and Sale of Plots**

- 4.1. Burial plots sold by the Council shall be sold upon the terms and conditions as decided by the Council and the exclusive right of burial may be granted for such limited period as the Council decides.
- 4.2. Exclusive Right of Burial may be sold by the council. When a person purchases a plot, they gain the Exclusive Right of Burial for that plot. This means that the purchaser owns the right to be buried in that plot; this does not mean they own the piece of land on which the plot sits.
- 4.3. The purchaser of an exclusive right of burial may designate an assignee to administer the right of burial if the purchaser is no longer able to. This assignee will be considered the primary person able to make decisions regarding the right of burial if the purchaser is deceased or incapacitated. If no assignee is designated or available, the executor of the estate of the purchaser will hold responsibility for decisions regarding the right of burial. Council may satisfy itself as far as practicable that a person is eligible to make any such decisions and Council will not be responsible for any disputes arising from any decisions so made. Council will generally deal with only one representative of the deceased as far as practicable to ensure consistency of decision making.
- 4.4. Where doubt of ownership of a plot exists, the council may satisfy itself, so far as practicable, that the burial is authorised.
- 4.5. To avoid non-use of burial plots, the Exclusive Right of Burial is held by the purchaser for a maximum of sixty (60) years without any burial taking place. After this time, if no burial has taken place in that plot, the Exclusive Right of Burial may, at the sole discretion of Council, revert back to the council with no entitlement for refund of the purchase price. Such plots may be resold by Council.
- 4.6. Council may satisfy itself of the intent of a purchaser to use the Exclusive Right of Burial. Therefore, if no burial has taken place within fifteen to sixty (15-60) years of purchase of an Exclusive Right of Burial; the Council may, at its discretion and following appropriate enquiries as to the current relevance of the Exclusive Right of Burial, require the holder to surrender the Exclusive Right of Burial back to the council upon reimbursement of the original purchase fee. Where the original purchaser or their immediate family cannot be contacted; the Right of Burial will revert back to Council ownership with no right of refund. Such plots may be resold by Council.
- 4.7. Where the purchaser of the exclusive right of burial (or assignee, executor or immediate family if the purchaser is deceased) no longer wishes to use the exclusive right of burial, the Council may at its discretion purchase back any unused exclusive right of burial. This shall be on such terms and conditions as Council thinks fit, provided that the price refunded shall not be less than the original purchase price and shall not exceed the current purchase price of a similar plot. An allowance will be made for inflation since the date of original purchase using the calculations used for the annual review of Council's fees and charges. Exclusive rights of burial that have been bought back may be resold by the Council.

- 4.8. The purchaser of an exclusive right of burial may transfer that right to a close relative subject to the approval of the Council and on payment of any prescribed transfer fee.
- 4.9. Exclusive rights of burial may not be on-sold by the original purchaser to any other party apart from Council. Only Council may sell exclusive rights of burial for council administered cemeteries.
- 4.10. Where application is made to the Council for the interment of a deceased indigent person, the applicant shall provide a declaration signed by a Justice of the Peace, certifying that:
- a) Such deceased person has not left sufficient means to pay all the prescribed fees; and
  - b) All the prescribed fees are not covered by an Accident Compensation or Government entitlement or subsidy; and
  - c) The deceased person's relatives are unable or unwilling to pay the same.

Additional proof to confirm the declaration may be required by the Council

- 4.11. No permanent monuments or crosses are permitted on an indigent grave as the exclusive right of burial has not been purchased and still belongs to the Council. If a family wishes to erect a monument on an indigent's grave this can be facilitated when all Council fees and charges have been paid.

## **5. Burials and Ashes Interments**

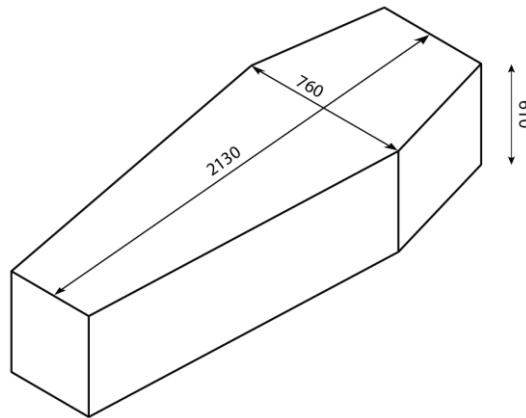
- 5.1. The Council Sexton must be contacted at least 24 hours prior to any interment taking place. No interments will take place prior to Monday 12pm unless the Council Sexton has been notified prior to Friday 4pm. In the case of statutory holidays, the Council Sexton must be notified before 4pm on the last ordinary working day prior in order for an interment to take place prior to 12pm on the next working day after the holiday
- 5.2. Interments may take place with less than 24 hours notice under special circumstances with the prior approval of the Sexton<sup>1</sup>.
- 5.3. In every case of intended burial within the District, the person responsible for the burial shall make application to the Council for a warrant authorising the burial; and in support of their application shall produce such information and evidence as the Council may reasonably require.
- 5.4. No burial shall be made in any Council cemetery without a burial warrant.
- 5.5. No such warrant shall be issued until the fee for interment has been paid. Provided, however, that in the case of an interment under the management or control of a funeral director, the Council may render an account.

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<sup>1</sup> The intent of this clause is to allow for different cultural practices and for special health circumstances to be accommodated.

- 5.6. The burial warrant must be completed and returned to the Sexton the day prior to the funeral. The burial warrant, when received by the Sexton, shall be sufficient authority for burial.
- 5.7. No person shall place any monument on a plot until all prescribed fees have been paid, except for temporary markers provided by the funeral director.
- 5.8. Burial and ashes plots cannot be reserved. Burials and ashes interments shall take place in such plots as the Sexton shall determine.
- 5.9. The maximum number of interments in Kapiti Coast District Council administered cemeteries, subject to ground conditions and space permitting, is:
- a) Up to one (1) casket and four (4) ashes urns interred in one grave plot; or
  - b) Up to two (2) caskets and two (2) ashes urns interred in one grave plot; or
  - c) Up to eight (8) ashes urns interred in one grave plot; and
  - d) Up to four (4) ashes urns interred in one monumental cremation plot; and
  - e) Up to two (2) ashes urns interred in one garden cremation plot; and
  - f) Up to four (4) ashes urns interred in one ashes niche
- The Sexton has the authority to approve special dispensation requests received in writing if the situation is deemed to be appropriate by the Sexton.
- This size of any plot or niche will be determined by Council and it will be the responsibility of the holder of the Exclusive Right of Burial, their Assignee or Executor to ensure that any casket or urn is suitable for interment in the designated location.
- 5.10. Burial plots will normally be double depth, allowing space for one additional interment, unless the Sexton deems a single depth plot is needed for health and safety reasons or the burial plot is within any natural burial area.
- 5.11. The Council may set aside areas of cemeteries for the scattering of ashes. Ashes may be scattered in those areas once relevant forms have been completed and approved by Council and all applicable fees have been paid to Council.
- 5.12. Ashes may be deposited on private property with the agreement of the owner. Ashes may be deposited on Council approved areas of public land.
- 5.13. No animal(s), including birds or fish, either as ashes or as a body, may be interred in a Council cemetery.
- 5.14. If an interment involves a non-standard or couch style casket this must be notified on the "Application for Interment" form. All caskets must be suitable for burial by Approved Persons. The Council retains the right to determine what a suitable casket is.

- 5.15. A casket for an adult burial plot should not usually exceed 2130mm (length) x 610mm (depth) x 760mm (width). If a larger casket is required the Sexton must be advised at least twenty four (24) hours in advance so that suitable arrangements can be made for burial.



## **6. Conditions for Natural Burials**

- 6.1. The ultimate goal of natural burial is for the area to regenerate into native bush, therefore maintenance will only be carried out to the extent necessary to promote natural growth of native species and no permanent memorials are to be included within the natural burial area.
- 6.2. All items placed within a natural burial plot must comply with the principles of a natural burial. Primarily that all objects and materials must be natural and biodegradable with minimal negative impacts on the soil and ecology. All shrouds and caskets presented for burial must be suitable for a safe burial process regardless of material.
- a) Sustainably grown timber caskets are preferred.
  - b) Handles can be made of natural materials or natural rope.
  - c) The casket lining must be of bio-degradable material e.g. Cotton.
  - d) The deceased should be dressed in natural fibre clothing, with no undue additional synthetic substances.
  - e) Chemicals and embalming fluids etc. are not permitted.
- 6.3. Materials that cannot be used are as follows:
- a) Any types of plastic or metal fittings (not including nails or screws).
  - b) Treated timber varnish, toxic glues or plastic sheeting inside the casket.
  - c) Non bio-degradable material inside or outside the casket.

- 6.4. If a shroud is to be used instead of a casket they must be suitably prepared.
- a) Woollen shrouds with a solid base are acceptable. The solid base which assists in lowering into the ground can be of natural timber and contained within the shroud.
  - b) Contents of shrouds must be fastened to a solid base to prevent movement to one side.
  - c) The top and sides of a grave must be reinforced with timber when a body is buried in a shroud.
- 6.5. Unacceptable caskets or shrouds:
- a) Cardboard caskets.
  - b) Caskets or shrouds leaking fluids.
  - c) Caskets or shrouds having an offensive smell.
- 6.6. If the deceased died from or with a communicable disease then they must be transferred to the gravesite and buried in a leak proof eco-casket.
- 6.7. Natural burials can only take place in Council approved cemeteries and in pre-determined natural burial lots allocated within the cemetery. Plots cannot be reserved and will be allocated in sequence by the Council. All plots will be recorded using GPS technology.
- 6.8. Secondary interment is not permitted.
- 6.9. To promote rapid breakdown and decomposition, where possible bodies are buried 800 - 1000mm below the surface to the top of the coffin or shroud.
- 6.10. A native shrub is planted on top of the burial plot during the planting season following interment. A list of plant options will be provided by the Council which can be selected by friends and family of the deceased; this may vary as the natural burial area becomes established and different species become suitable as natural succession occurs. The cost and maintenance of any plant is included in the plot purchase price. Council will be responsible for staking plants but bears no responsibility for the failure of any tree. Council will replace dead or damaged memorial plants at the family's request and for an additional charge.
- 6.11. No permanent memorials are permitted within the natural burial section of any cemetery, and no other memorials or additional plantings are permitted in any natural burial area without the approval of the Sexton.
- 6.12. Council will manage maintenance of burial plots to avoid soil erosion.

## **7. Opening and Closing the Ground for Burial**

- 7.1. Only the Sexton or an Approved Person shall open a grave or open the ground for burial in any part of the cemetery. Ground conditions permitting, the minimum depth of cover for any casket shall be no less than one metre, with the exception of interments in any natural burial area.

- 7.2. Any person being the family or friends of the deceased may, with prior approval, close any grave or area opened for burial under the supervision of the Sexton or Approved Person, provided it is considered safe to do so by the Sexton. Requests for approval of the family or friends of the deceased to close the grave must be received at least 24 hours prior to the interment. Council will provide appropriate equipment for the closing of the grave if requested, any such request must be presented at the same time as the approval to close request.

## **8. Fees**

- 8.1. Fees are reviewed annually and set by Council resolution. The fees and charges may from time to time be amended or added to by resolution of the Council, and any such resolution may from time to time, be amended or rescinded, by a further resolution of the Council.
- 8.2. In the event of friends or relatives of the deceased not using a funeral director a representative or relative of the deceased must pay the prescribed fees.
- 8.3. In the case of fees payable by a funeral director, the Council will charge the funeral director on the basis of a monthly account.
- 8.4. "Out of District" fees may be payable in the case of a burial of a deceased person not residing in or not a ratepayer of the district. Out of District fees of such amount as the Council may determine by resolution from time to time shall be payable in the case of the burial of the deceased person not residing in the District for at least 6 months immediately prior to date of death, and in the case of a stillborn child unless one of whose parents, was a resident or a ratepayer of the district for 6 months prior to the birth of such child. Residence by a person in a hospital or institution in the district shall not be deemed resident in the District and the Council shall decide in each case whether an "Out of District" fee is payable in respect of such person. The Sexton has the authority to waive this charge if, in the circumstances, the fee is deemed to be inappropriate.
- 8.5. There is an additional surcharge for Saturdays and out-of-hours interments. These charges may vary and will specifically cover all costs associated with out-of-hours operations.

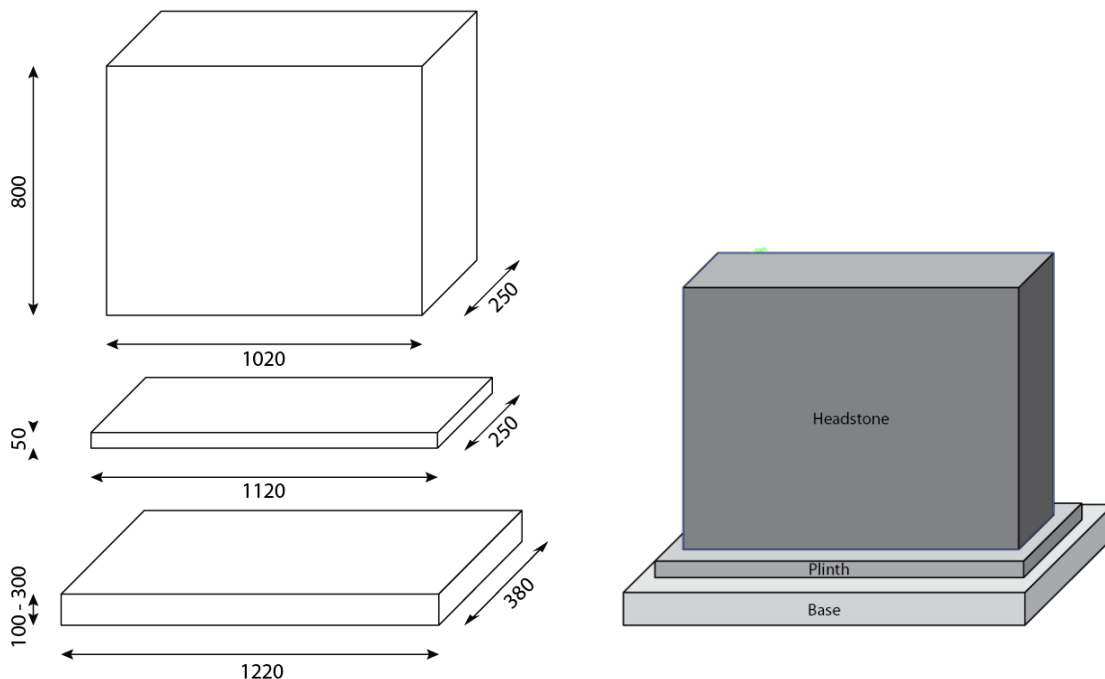
## **9. Hours of Operation**

- 9.1. Normal operating hours are Monday to Friday 9.00am – 3.30pm.
- 9.2. Arrangements can be made in special circumstances for a Saturday interment between the hours of 9.00am – 1.00pm. Dispensation will be considered by the Sexton for special circumstances.
- 9.3. No interments will take place on statutory holidays. However, dispensation will be considered by the Sexton for special health circumstances approved by the Medical Officer of Health.



## 10. Monuments

- 10.1. Any application for memorial will be declined until such time as the purchase of the plot is completed.
- 10.2. All monuments should typically be of the general type and style of the surrounding monuments in the area of the cemetery into which they are being placed. In certain circumstances this may allow for deviation from the standard dimensions and requirements, generally this will be in older areas of a cemetery and not for new interments.
- 10.3. Monumental Headstone Sections - Maximum allowable dimensions



- 10.3.1. All bases are to be of standard dimension and may be granite, marble or plastered concrete. The dimensions are not to exceed:

Width	1220 mm
Depth	380 mm
Height	100 mm at the lowest point. 300 mm at maximum height (to be uniform with existing bases if the ground is sloped).

- 10.3.2. A plinth is to be supplied with all headstones and may be marble or granite (not plastered concrete). The plinth must not exceed the following dimensions but may have a bevelled edge:

Width	1120 mm (50 mm clearance either end of base)
Depth	250 mm
Height	50 mm

10.3.3. All tablets/headstones must comply with the following dimensions:

Maximum width	1020 mm (50 mm clearance either end of the plinth)
Maximum depth	250 mm (can't be deeper than the plinth)
Maximum height	800 mm (excludes base & plinth)

10.3.4. A tablet or headstone must be made of suitable permanent materials, such as granite, capable of lasting two hundred years or more in a structurally safe condition and having a surface on which inscriptions can be made which remain legible for the life of the monument.

10.3.5. Dispensation for 'special'<sup>2</sup> tablets and headstones may be given where:

- over-width (but not height) memorials are requested which may extend over two or more side by side burial plots; or
- a softer stone or another material is used (with these materials a more permanent panel must be affixed for the inscription, such as granite or bronze).

All requests for dispensation must be made in writing to:

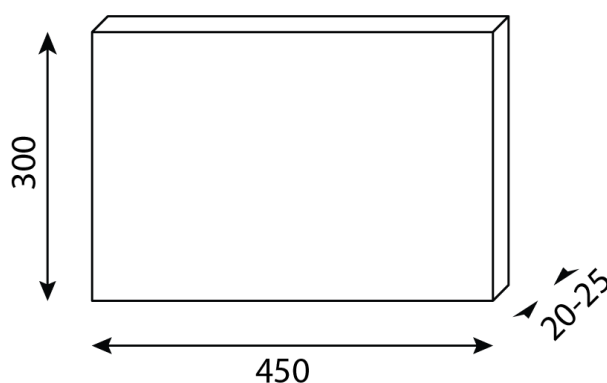
The Open Spaces Manager/Sexton

Kapiti Coast District Council

Private Bag 60601

Paraparaumu

#### 10.4. Lawn Plaques Section

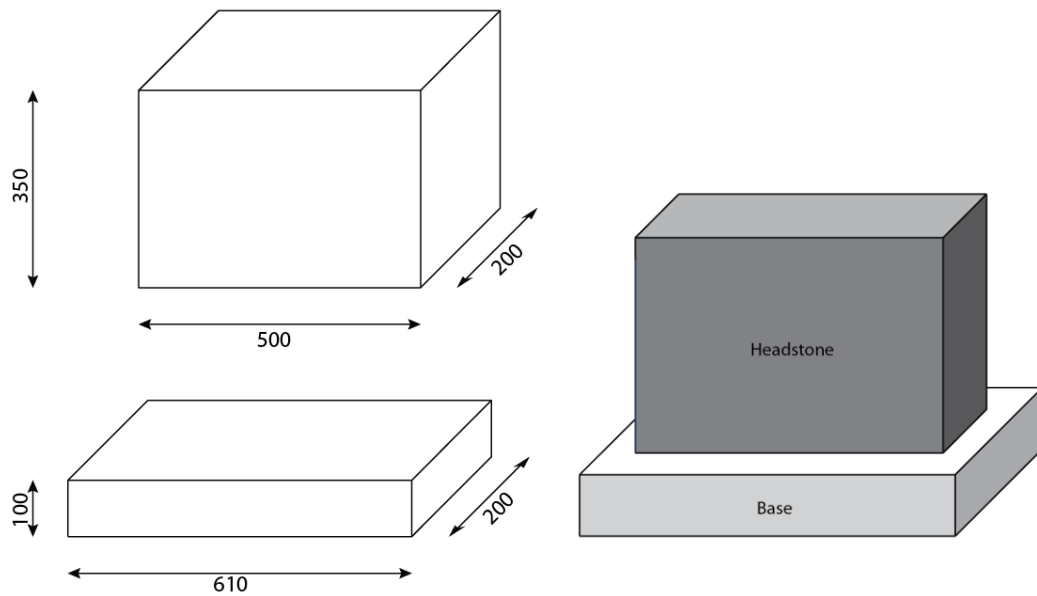


10.4.1. Only granite plaques with polished edges that have the following dimensions are accepted in this section:

Width	450 mm
Depth	300 mm
Thickness/Height	20 – 25 mm

<sup>2</sup> The intent of the Bylaw (where reasonably possible) is to provide a level of flexibility for differing cultural preferences.

## 10.5. Cremation Beam Headstones Section - Maximum allowable dimensions



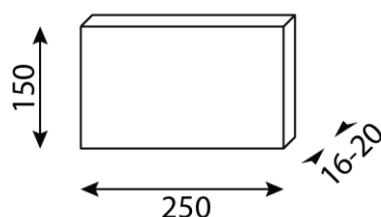
10.5.1. Bases are to be of marble, bronze or granite only and must not exceed the following dimensions:

Width	610 mm
Depth	200 mm
Thickness/Height	100 mm

10.5.2. No plinths are permitted in this section. All Tablets/Headstones must not exceed the following dimensions:

Width	500 mm (allowing 50 mm base clearance)
Depth	200 mm
Thickness/Height	350 mm (not including base)

## 10.6. Cremation Garden Plaques Section



10.6.1. Only granite plaques with polished edges and bronze plaques that have the following dimensions are accepted in this section:

Width	250 mm
Depth	150 mm
Thickness/Height	16 – 20 mm

10.7. Some unique areas of the cemeteries have non-standard monument size requirements. Council will advise these requirements upon application for interment in any of these areas.

## 10.8. Children's Section

10.8.1. Children under six (6) months are also able to be buried in the Cremation Beam Headstone Section of the cemetery upon application to the Sexton, provided there is room to accommodate the burial. The monument regulations for this section shall apply.

10.8.2. The Council may set aside areas for children's burial, and may determine appropriate fees as outlined in 8.1 for children's interments.

10.8.3. Specific permission may be granted to families who wish to inter a child from a Foetal or Neonatal death in the Cremation Garden area.

## 11. Monument Maintenance

11.1. Minimum structural design, installation and renovation for all monuments shall be those specified in New Zealand Standard for Headstones and Cemetery Monuments NZS4242:1995 (materials and components).

11.2. All above ground grave structures, enclosures, memorial headstones and other monuments shall be kept in good order or repair by the holder of the exclusive right of burial, their assignee or next of kin to the satisfaction of the Sexton. The Council does not take any responsibility for damage or vandalism to any monument.

11.3. Subject to the provisions of the Burial and Cremation (Removal of Monuments and Tablets) Regulations 1967, and after making attempts to contact the family of the deceased, the Council may remove any installation/s of any kind that presents a health and safety risk or falls into a state of decay or disrepair. A photographic record of the memorial shall be taken prior to removal and retained in cemetery records.

11.4. The Council may remove any unauthorised memorials from the cemetery.

- 11.5. A permit must be obtained from the Council before any monumental mason or other person commences any work on any plot in any cemetery including construction, removal or modification of any monument. Any monuments must be constructed of approved stone or permanent materials, and comply with any other requirements set by the Sexton.
- 11.6. No new vaults, kerbing or fencing around plots are permitted in any cemetery. Repair or replacement of existing structures is permitted.
- 11.7. No monumental mason or other person erecting, maintaining or repairing any headstone, monument or memorial shall place any tools or materials on any footpath or other part of the cemetery for a longer time than is reasonably necessary for the purpose of completing such work.
- 11.8. Any person undertaking authorised works associated with any plot must adequately protect the surrounding plots, monuments and cemetery infrastructure. Any damage to surrounding plots, monument and cemetery infrastructure caused by the person undertaking work will be the responsibility of that person to repair or pay for repair. All unused construction materials must be removed from the cemetery on completion of the works.
- 11.9. No work is allowed on weekends without the prior approval of the Sexton.
- 11.10. Plaques, monuments adornments and decorations placed on plots must not be offensive or illegal, or contain offensive or illegal text or images. Council retains the right to determine what is offensive. Council may at its discretion remove any plaque, monument, adornment or decoration of any kind that it determines to be offensive or illegal.
- 11.11. Adornments may not inhibit the proper maintenance of the cemetery or other graves. The council may remove unapproved receptacles, ornaments or memorabilia from graves at any time to facilitate the maintenance of those graves.
- 11.12. Jars, vases or receptacles likely to break (e.g. glass) are not permitted to be used as flower containers.
- 11.13. The Council may at its discretion remove any unauthorised physical works or structures associated with plots.
- 11.14. Council is responsible for maintenance work which includes maintaining grassed areas, gardens, trees and shrubs, paths, steps, roads, signs, fences, toilets and beams. Maintenance does not include the upkeep, painting and repair of any monumental work, kerbing, stone or hard surface on any plot, or any item within the exclusive burial area.

## **12. Floral Tributes, Adornments and Other Decorations**

- 12.1. No person shall, without the authority of the Sexton, remove or take from any grave in any cemetery, any vase, wreath, plant, flower or other object, except that the Sexton may cause to be removed any dead flowers or foliage, or any other items or materials placed on or around the burial site.

- 12.2. The Council may permanently remove any vases, planters, containers, receptacles, memorabilia or other items which are neglected, unsafe, broken or unsightly.
- 12.3. The Council may permanently remove any object that impedes or constrains the Council's ability to maintain the cemetery or causes littering.
- 12.4. No decorations may be placed in any garden within the cemetery.
- 12.5. Artificial or natural cut flowers or foliage will be removed and disposed of when they are dead or damaged.
- 12.6. The Council shall be under no liability to any person in respect of such removal, destruction or disposal.
- 12.7. Any objects caused to be removed by the Sexton will be held awaiting disposal instructions from the deceased's next of kin for one month, after which period such objects may be disposed of by the Council. Except that flowers, damaged items or items in contravention of this bylaw may be immediately disposed of.
- 12.8. Funeral wreaths and floral tributes may be placed on a plot for up to one calendar month following the date of interment.

### **13. Trees, Shrubs and Plants**

- 13.1. No tree, shrub or plant shall be planted in any part of any cemetery without the written consent of the Sexton first being obtained. However, no tree, shrub or plant will be planted on any plot unless in a natural burial portion of the cemetery.
- 13.2. Any trees, shrubs or plants in any portion of any cemetery may at any time be trimmed, maintained or removed by the Council. This may include renovating gardens through replacing any or all plants. Council does not guarantee that the same plants will always be planted in any garden including ashes gardens.
- 13.3. No person shall disturb, damage, take or pick any cutting or flower from any tree, shrub, plant or other vegetation in any cemetery without the consent of the Council. No person shall plant, cut down or destroy any tree or shrub in any cemetery without the consent of the Council.

### **14. Vehicles**

- 14.1. Except with the permission of the Council, no person shall drive or park a vehicle in any cemetery except in areas set aside for the driving or parking of vehicles.
- 14.2. No vehicle shall be driven at a greater speed than indicated on any road within the cemetery, and in any other direction other than indicated by traffic notices.
- 14.3. Every person driving or in charge of any vehicle in any cemetery shall stop or move such vehicle as directed by the Sexton or an Approved Person.
- 14.4. On any road within the cemetery all vehicles shall yield unconditional right of way to any funeral procession.



- 14.5. No vehicles will be permitted within any cemetery after sunset or before sunrise without the prior approval of the Sexton.
- 14.6. These provisions will not apply to an emergency vehicle (as defined in the Land Transport (Road User) Rule 2004) used at the time to save or protect life or health, or prevent injury or serious damage to property.
- 15. Conduct and Activities within Cemeteries<sup>3</sup>**
- 15.1. No person in or near a cemetery or crematorium shall behave in a manner that creates a nuisance or is offensive or is likely to create a nuisance or offense to any other person lawfully within a cemetery.
- 15.2. No person will bring into or exhibit in any cemetery or crematorium any article that is a nuisance or is offensive to any other person.
- 15.3. No person shall, in or near any part of a cemetery, prevent, interrupt or delay the burial of any deceased person.
- 15.4. No person shall damage, deface or interfere with any burial place, headstone, monument, memorial or memorial tree, or any building or property within a cemetery. The Council accepts no responsibility for the effects of vandalism or intentional damage.
- 15.5. Any person installing or maintaining a memorial in a cemetery shall withdraw for the duration of any funeral service.
- 15.6. No person shall, without the permission of the Sexton, hold in any cemetery any memorial or monument unveiling or other service or ceremony of any kind.
- 15.7. No person shall, in any cemetery, advertise or solicit any order from any other person for any work whatsoever, or for the sale, preparation or supply of any article, material or item. No person shall solicit any order or custom from any other person, in the cemetery, for any work whatsoever, or for the sale, preparation or supply of any article. No person shall in the cemetery, accept or take any such order or custom.
- 15.8. No person shall without the consent of the family and funeral director, take any photographs or moving images at a funeral.
- 15.9. No person shall carry or consume alcohol or mind altering substances within a cemetery.
- 15.10. No person shall light or allow any fires to be lit in the cemetery.
- 15.11. No person shall dump household, commercial or industrial waste in cemetery bins or in any part of the cemetery.
- 15.12. No person shall enter any cemetery during the hours of darkness without the approval of the Sexton.

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<sup>3</sup> For further rules on conduct in public places please refer to the Kapiti Coast District Council Public Places Bylaw

- 15.13. No person may discharge any firearm in any Cemetery, whether for a military funeral or otherwise, without the approval of the Sexton.
- 15.14. No person shall be permitted to bring any livestock into any cemetery for any purpose without the approval of the Sexton.
- 15.15. All dogs must be on a leash at all times and owners shall promptly remove their animals from the cemetery if requested by the Sexton, an Authorised Officer, Approved Person, Animal Control Officer or member of the Police.

## **16. Disinterment**

- 16.1. Where a request for disinterment and/or a re-interment is received by the Council or other cemetery owner, the disinterment shall be conducted pursuant to sections 51 and 55 of the Burial and Cremation Act 1964 and subject to the payment of such fees as the Council decides.
- 16.2. If a grave is rendered empty due to disinterment, and where there is no valid exclusive right of burial, or intent by the holder of the exclusive right of burial to use the plot in the future, or the exclusive right of burial holder cannot be found, that plot will revert back to the council and the council will not be liable to make any refund of the cost of that burial plot. Such plots may be resold by Council at its discretion.
- 16.3. The party responsible for disinterment shall be responsible for removing any remaining memorial, plaque, headstone or other installation and shall be responsible for all costs associated with any such removal.
- 16.4. Where a request for a disinterment is received by the Council, the disinterment shall be conducted pursuant to section 51 and 55 of the Burial and Cremation Act 1964 and subject to the payment of the prescribed fees.
- 16.5. It will be the responsibility of the Council to open the grave only to the extent of exposing the lid of the casket. Removal of the casket from the grave will be the responsibility of the funeral director present or organiser of the disinterment.
- 16.6. No refund of the cost of the original burial or any part of that cost will be made.
- 16.7. The disinterment may only be conducted in the presence of:
  - a) Council officer(s); and
  - b) A funeral director; and
  - c) Ministry of Health Inspector(s) or Health Protection Officer designated under the Health Act 1956; and
  - d) Any other person only with prior approval of the Council
- 16.8. The fee payable to the Council for the exhumation of the body of any deceased serviceman and the re-interment in the War Graves section of the cemetery, if application is made by the War Graves Branch of the Department of Internal Affairs, shall be such as may be agreed upon between the parties from time to time.

**17. Records**

- 17.1. The Council will keep plans of the cemeteries it controls, records of all rights of burial granted, and a record of all burials in the cemeteries. Plans and records will be open for inspection by the public at the offices of the Council during normal office hours.
- 17.2. Subject to the provisions of section 50 of the Burial and Cremation Act 1964 the Council will maintain records of each burial including the location of each person, or the ashes of each person buried or interred or disposed of in the cemetery.

**18. Closing Cemeteries**

- 18.1. As deemed appropriate, the Council may apply to officially close cemeteries under Part VI of the Burial and Cremation Act 1964. The Council shall maintain such cemeteries in perpetuity, subject to conditions as set under Part IV of the Act.

**19. Offences and Penalties**

- 19.1. Any person who fails to comply with the requirements of this Bylaw commits an offence and shall be liable on summary conviction to the penalty set out in section 242(4) of the Local Government Act 2002, being a fine not exceeding \$20,000.

**20. Kapiti Coast District Council General Bylaw**

- 20.1. The provisions of the Kapiti Coast General Bylaw and any bylaw passed in amendment or substitution are implied into and form part of this bylaw.

# **KĀPITI COAST DISTRICT COUNCIL**

## **DANGEROUS AND INSANITARY BUILDINGS POLICY 2018**

May 2018

## INTRODUCTION AND BACKGROUND

1. The Building Act 2004 required that Territorial Authorities (Local Authorities) adopt a policy on Earthquake-prone, Dangerous, and Insanitary Buildings by 31 May 2006.
2. The Building (Earthquake-prone Buildings) Amendment Act 2016 removed the need for Council Policies with respect to Earthquake-prone buildings.

2.1 Section 131 now states that:

- (1) *“A territorial authority must, within 18 months after the commencement of this section, adopt a policy on dangerous, and insanitary buildings within its district.”*
- (2) *“The policy must state:*
  - (a) *the approach that the territorial authority will take in performing its functions under this Part; and*
  - (b) *the territorial authority’s priorities in performing those functions; and*
  - (c) *how the policy will apply to heritage buildings.”*

2.2 Section 121 of the Act defines a building to be dangerous as follows:

- (3) *“A building is dangerous for the purposes of this Act if, -*
  - (a) *in the ordinary course of events (excluding the occurrence of an earthquake), the building is likely to cause -*
    - (i) *injury or death (whether by collapse or otherwise) to any persons in it or to persons on other property;*  
*or*
    - (ii) *damage to other property; or*
  - (b) *in the event of fire, injury or death to any persons in the building or to persons on other property is likely.”*
- (4) *“For the purpose of determining whether a building is dangerous in terms of subsection (1)(b), a territorial authority -*
  - (a) *may seek advice from employees, volunteers, and contractors of Fire and Emergency New Zealand who have been notified to the territorial authority by the board of Fire and Emergency New Zealand as being competent to give advice; and*
  - (b) *if the advice is sought, must have due regard to the advice.”*

3. Section 123 of the Building Act 2004 defines an insanitary building as:

*“A building is **insanitary** for the purpose of this Act if the building -*

- (a) is offensive or likely to be injurious to health because –*
  - (i) of how it is situated or constructed; or*
  - (ii) it is in a state of disrepair; or*
- (b) has insufficient or defective provisions against moisture penetration so as to cause dampness in the building or in any adjoining building; or*
- (c) does not have a supply of potable water that is adequate for its intended use; or*
- (d) does not have sanitary facilities that are adequate for its intended use.”*

This document sets out the policy adopted by Kāpiti Coast District Council in accordance with the requirements of the Building Act 2004.

## **DANGEROUS AND INSANITARY BUILDINGS POLICY**

### **1 Policy Approach**

Kāpiti Coast District Council has noted that provisions of the Building Act in regard to dangerous and insanitary buildings reflect the Government’s broader concern with the life safety of the public in buildings.

Kāpiti Coast District Council has also noted that the development of dangerous and insanitary buildings policies is up to each Local Authority and has responded accordingly.

The current policy was developed after due consultation with Kāpiti Coast District Council ratepayers and stake- holders in accordance with section 83 of the Local Government Act 2002.

This policy has been reviewed in 2018

### **2 Determining if a Building is Dangerous or Insanitary**

Whether a building is considered ‘dangerous’ or ‘insanitary’ under the Act will depend on the individual circumstances of each case. Council will consider each case and determine the appropriate course of action based on the particular set of circumstances that exist.

Council must first be satisfied that the building in question is dangerous or insanitary. To determine this Council will carry out the following steps:

- (a) On receiving a complaint or information expressing concern that the building is dangerous or insanitary, the Council will consult the owner of the building where time permits, inspect the building and site (following the procedure documented in Council’s Quality Assurance System) and may also obtain advice from Fire and Emergency New Zealand.

- (b) Following the inspection and taking into account the advice or recommendations of Fire and Emergency New Zealand, Council will determine whether the building is dangerous or insanitary. In making this decision Council will take into account the provisions of sections 121 and 123 of the Building Act 2004.
- (c) If Council is satisfied that the building in question is deemed to be dangerous or insanitary Council will then determine the work or action that must be carried out to prevent it from being dangerous or insanitary.
- (d) In forming its view as to the work or action that is required to be carried out on the building to prevent it from remaining insanitary or dangerous, Council will take the following matters into account:
  - (i) The size of the building;
  - (ii) The complexity of the building;
  - (iii) The location of the building in relation to other buildings, public places, and natural hazards;
  - (iv) The life of the building;
  - (v) How often people visit the building;
  - (vi) How many people spend time in or in the vicinity of the building;
  - (vii) The current or likely future use of the building, including any special traditional and cultural aspects of the current or likely future use;
  - (viii) The expected useful life of the building and any prolongation of that life;
  - (ix) The reasonable practicality of any work concerned;
  - (x) Any special historical or cultural value of the building; and
  - (xi) Any other matters that Council considers may be relevant, taking into account the particular set of circumstances.
- (e) Following the inspection of the building, after receiving advice from Fire and Emergency New Zealand and taking into account the matters listed above, Council will then decide whether immediate action should be taken to avoid the danger or to fix the insanitary conditions pursuant to the provisions of section 129 of the Building Act 2004.
- (f) If Council decides that immediate action under section 129 of the Building Act 2004 is not required, Council will issue a notice under section 124 of the Building Act 2004 requiring the owner to carry out the necessary work and to obtain a building consent and to commence work. The time required to obtain a building consent and commence work will depend on the particular set of circumstances, but shall not exceed 6 months from the time notice was served on the owner. Completion of the work for which a building consent has been issued shall depend on the particular set of circumstances of each case but shall not exceed a period of six months from the time the building consent was issued.



### **3 Council may take Action**

Where a property owner has failed to carry out the work within the time specified, Council may apply to the District Court for an order authorising it to carry out the work pursuant to section 130 of the Building Act 2004. The full costs of carrying out such works will be recovered from the property owner.

### **4 Heritage Buildings**

With regard to heritage buildings that are determined to be dangerous or insanitary, Council will seek ( in consultation with Heritage new Zealand Pouhere Taonga) to ensure, as far as reasonably practicable, that work carried out will not diminish the heritage values of the building. Property owners must take all reasonable steps to ensure that this objective is achieved.