



## Reserve Management Plan Frequently Asked Questions:

### **What is the difference between a reserve and a park?**

A park can be a reserve, but this is not always the case. A park is typically an area that is used for some form of recreation, however, a reserve is bound by legislation. A reserve is defined in the Reserves Act 1977 as land set apart for any public purpose, whereas a park is not always necessarily a reserve. For example, the park area on Shearwater Drive, is not registered as a reserve but has the qualities of a park.

### **What is a Reserve Management Plan?**

A Reserve Management Plan is a directing document that assists an administrative body, a District Council for example, in how a listed Reserve is maintained and managed for the future. It is a document that can be updated every few years, or whenever necessary, with consultation from the public. A Reserve Management Plan is required under the Reserves Act 1977.

A Reserve Management Plan can be for a group of reserves or a single reserve. Many administering bodies across the country have a combination of both types of plans that cover the general use of reserve types, such as all recreation reserves or all reserves, whilst also having plans that relate specifically to a certain reserve.

### **Who is 'the minister' responsible for local Reserves?**

The minister referred to in the Reserves Act 1977 is the Minister of Conservation, however, powers or responsibilities of local reserves that do not belong to the Department of Conservation, may be enacted by the administering body, Council, who shall take on the functions of the minister in a conservation front.

### **What is the process for a Reserve Management Plan?**

When an Administrative body/authority wants to update or write a new Reserve Management Plan, the first step is for the authority to advise the public of the intent for the new or amending of the plan. A month is a suitable timeframe for the public to make suggestions or comments on potential ideas.

Once the public have had an opportunity to make their suggestions and the timeframe has closed, the administrative body can draft a Reserve Management Plan. Once the draft is completed, it shall be made available to the public to make submissions on the proposed plan, in support or in opposition, the timeframe being 2 months (not working days). This enables parties to make a request to be heard in support of their submission, which the administrative body may take into consideration before finalizing the plan.

### **Can Reserves be leased or used by community or private organisations?**

Under the Reserves Act 1977, the administering body may lease the reserve or parts of the reserve to a community or private organization. It depends on the type of reserve as to what process takes place. For example, scenic reserves may be leased with prior approval from the Minister, and with public notice, prior to the approving of the lease. The case is the same for recreation, historic or local purpose reserves, but requirements may change depending on the reserve.

### **How can we use a reserve?**

A reserve can be used in a number of different ways, and it can depend on the specific type of reserve, such as recreation, scenic or historic. Reserves may be leased to a private organisation to use, or community groups may use a reserve with prior approval from the administering body. The use of a Reserve Management Plan can aid in what the preferences of use are in all or specific reserves.

### **What is the legal status of a Reserve Management Plan?**

The legal status of a Reserve Management Plan is a guiding document to assist in the upkeep, maintenance, enjoyment and use of a reserve. The reserve management plan will determine how the administrative body will exercise its functions, but the Reserve Management Plan will not overrule the other relevant legislation such as the District Plan.

### **Does a Reserve Management Plan remove the need for a resource consent or public consultation for future developments?**

No, a Reserve Management Plan does not remove the need for a resource consent or necessary public consultation for future developments. Any future proposal still needs to comply with the standards of the Kaikōura District Plan and/or any relevant National Policy Standards or National Environmental Standards. Ideally, the objectives and policies of the Reserve Management Plan will align with those of local, regional and national legislation, as well as other Council strategies and policies.

Should there be a potential future development, Council cannot disregard the effects of the proposal on the surrounding environment and neighbour(s).

### **Can Reserve status be removed?**

Yes, the status of a reserve can be removed and/or changed as a per section 24 of the Reserves Act 1977, however, this must undergo the prescribed process set out in the Act. The process includes a commissioner (an officer designated by the Director-General of Conservation, currently Penny Nelson) notifying the administering body in writing as to the Ministers' reasons for considering the change of classification or purpose is advisable. The public is notified of the proposed change or revocation and those claiming to be affected by the change shall have the right of objection.