

### C5.1 DESCRIPTION OF THE ZONE

The Reserve Zone is characterised by well maintained sports fields, children's play areas, dog exercise areas and passive reserves. Most of the district's open space, parks and reserves are located within this zone. Reserves within the district are used by a high proportion of the community for a variety of recreational, leisure and community purposes.

Reserves are distributed evenly throughout the district with no residential dwelling being more than 400 metres from a reserve. Resources of importance in the Reserve Zone include natural habitats, vegetation, aesthetic and environmental quality, natural, historic and culturally significant features, recreational opportunities and visual amenity.

In preparing the district plan, the Resource Management Act requires regard to be had to management plans and strategies prepared under other Acts.

Some of the district's reserves are subject to control by other legislation (Conservation Act 1987 and Reserves Act 1977) and Management Plans prepared under those Acts. Reserve Management Plans have been developed to manage the district's reserves and these contain detailed goals, objectives and policies. This district plan recognises such Plans (where they are operative) as the primary management tool for controlling the use, development and protection of parks and reserves.

Activities occurring on reserves can have adverse effects on both the open space resource and the local environment.

The use and development of reserves is therefore controlled through both the district plan and Reserve Management Plans in a manner which avoids and/or mitigates adverse effects thereby sustaining the resource and ensuring the maintenance and protection of amenity values in the locality. In line with this, reserves designated for the protection of the environment, (ie riparian reserves) shall not be developed apart from narrow walking tracks.

The provisions of the district plan will only apply where specifically stated such as where no operative Management Plan exists, where an activity is not in accordance with a Management Plan or where an activity will have a significant adverse effect beyond the boundaries of the reserve concerned.

The intended outcome of the Reserve Zone is to provide for the sustainable management of parks and reserves in the Kawerau District.

Activities which are subject to a liquor licence and are located on reserves have in the past caused problems for neighbours due to anti-social behaviour from some people using the licensed premise. Because of the high standard of amenity in these areas, particularly low levels of noise, it is appropriate to restrict the operating hours of licensed premises so as to protect the amenity values of neighbouring activities and the wider community.

The Plan also specifies guidelines to ensure reserves, particularly those acquired as a result of a financial contribution, are appropriate for their intended purpose. This is especially important where reserves are intended to be used for active recreation.

## **C5.2 OBJECTIVES AND POLICIES**

### **C5.2.2 Objectives**

- C5.2.2.1 The provision of sufficient open space and recreational opportunities to meet the present and future needs of the district.
- C5.2.2.2 The maintenance and enhancement of amenity values of reserves and adjoining properties.

### **C5.2.3 Policies**

- C5.2.3.1 Active and passive reserves should be provided in locations where they will contribute to the maintenance or enhancement of community health and wellbeing.
- C5.2.3.2 The operating hours of premises subject to liquor licenses should be managed to ensure that neighbouring activities are not adversely affected.
- C5.2.3.3 The maintenance and enhancement of the character and physical condition of reserves in the district and the protection of their outstanding natural features, ecology and historic values from inappropriate subdivision, use and development.

## **C5.3 ACTIVITY STATUS IN THE RESERVE ZONE**

### **C5.3.1 Permitted Activities**

In the Reserve Zone any activities which meet all the standards in C5.4 are permitted activities.

### **C5.3.2 Restricted Discretionary Activities**

In the Reserve Zone any activities which cannot meet any standard in C5.4 shall be assessed as restricted discretionary activities only in relation to the standard which cannot be met. Furthermore Council shall restrict its discretion to those matters set out in C5.5.

## **C5.4 RULES OF THE RESERVE ZONE**

### **C5.4.1 Operating Hours for Licensed Premises**

Any activity operating on a reserve shall not sell or supply liquor outside the hours of:

10.00 am - 10.00 pm	Sunday - Thursday
10.00 am - 12 midnight	Fridays, Saturdays, Public Holidays
10.00 am - 1.00 am	New Years Eve

Every activity shall be conducted to ensure traffic and people movement generated by the activity ends within 30 minutes after the operating hours finish as set out in C5.4.1 above.

### **C5.4.2 Reserve Management Plans**

All activities taking place within the Reserve Zone shall be in accordance with the relevant Kawerau District Council Reserve Management Plan.

## **C5.5 RESTRICTED DISCRETIONARY ACTIVITIES**

Matters to which council will restrict its discretion:

### **C5.5.1 Operating Hours for Licensed premises**

When assessing an application to exceed the standard for Licensing Hours the Council will restrict the exercise of its discretion to the following matters:

- The proximity of dwelling houses and other activities to the proposed activity
- The noise environment of the locality including the noise levels, character and duration of the proposed activity
- The number of people anticipated on site
- Provisions for carparking
- Management systems in place to control anti social behaviour of any persons associated with the activity
- Any “best practice” guidelines issued by the District Licensing Agency or the Liquor Licensing Authority.

#### **C5.5.2 Reserve Management Plans**

When assessing an application which does not comply with a particular Reserve Management Plan, the Council will restrict the exercise of its discretion to the overall purpose to be achieved by the Reserve Management Plan.