

## 1. PROPOSED VARIATION 53 - PARKS AND RESERVES

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Corporate Plan Output: City Plan	

The purpose of this report is to recommend a variation to the Proposed Plan to delete the “deeming rule” under Volume 3 Part 6 Clause 2.1.5, which gave deemed zonings of Open Space 1 or 2 according to their size and function to land which was vested in the Council as Open Space, and replace it with a general city rule that applies to newly acquired reserve land.

In the absence of a deeming rule, there is an urgent need to periodically zone new and extended reserves according to their size and function. This Variation also therefore rezones 87 new and extended reserves which have been acquired by the Council since the Plan was notified in June 1995, which are currently inappropriately zoned.

Two reserves included within this Variation will be rezoned as a result of other factors. The proposal to rezone Champion Street Reserve is a result of a land exchange, while a parcel within the Tunnel Road Reserve will be rezoned from C1 to Ru2 since the area has been incorrectly zoned as it is not Council property.

Consequently, the new General City Rule will provide for any activity which complies with all of the development and community standards for the Open Space 1 (Neighbourhood Recreation and Open Space) Zone to be a permitted activity on land which has been acquired by the Council for reserve purposes. The Open Space 1 Zone standards have been chosen as a trigger level to represent the extent of development which is seen as not likely to have any more than minor effects on the environment. Land vested as local purpose reserve (for esplanade purposes) will continue to be deemed to be included in the Conservation 3 (Waterway Conservation) Zone under Volume 3, Part 5, Clause 2.1.4 of the Proposed Plan, as at present. This rule is considered to be legally sustainable.

A copy of the Variation and Assessment is appended.

**Recommendation:** That the Council **initiate** Variation No. 53 Parks and Reserves, pursuant to Clause 16A of the First Schedule of the Resource Management Act 1991.