

## 6. BURNSIDE PARK DRAFT MANAGEMENT PLAN

<b>General Manager responsible:</b>	General Manager City Environment, DDI 941-8608
<b>Officer responsible:</b>	Asset and Network Planning Unit Manager
<b>Author:</b>	Eric Banks, Parks and Waterways Planner

### PURPOSE OF REPORT

1. The purpose of this report is to seek the recommendation of the Works, Traffic and Environment Committee that the Board approve the release of the draft management plan for Burnside Park, which has been **separately circulated** to members and the **attached** draft consultation plans, for public comment in accordance with their delegated authority and process of section 41 of the Reserves Act 1977.

### EXECUTIVE SUMMARY

2. A meeting with stakeholder clubs was held on-site on 23 May 2007 to ascertain issues and ideas towards the preparation of the draft plan. On 2 June 2007, the Council publicly notified, with advertisements in the public notices of The Press, its intention to prepare a Management Plan for Burnside Park in accordance with section 41 of the Reserves Act 1977. Following an update for the Board, an information leaflet was distributed to stakeholders and local residents and their ideas and comments invited.
3. Submissions were received from 90 individuals and organisations at the issues gathering stage of the development of the Burnside Park draft management plan. All of those that have left contact details have been acknowledged. The submissions were then analysed and processed to create the draft management plan.
4. In February 2008, the Board resolved to recommend the Council classify the one remaining lot within the park (occupied by the bowling club) which had not been previously classified. Council subsequently classified this lot (Lot 30 DP24410) as recreation reserve. This action was required as a prerequisite of publicly advertising the draft plan and to ensure that the management plan is a legally binding document under the Reserves Act 1977 when the plan becomes operative.
5. The planned consultation process will involve the following methods (note the intended timeline for the process is included):
  - (a) Public notification of the draft management plan in accordance with the Reserves Act 1977, this will include advertising in local newspapers, this being the official opening of the draft submissions period, this period running for no less than two calendar months in accordance with the Reserves Act. Following this an officer's report on the submissions accompanies the draft plan and is put before the hearings panel. The hearings panel is set to meet in May 2010 to form its recommendations to Council for what should be included in the adopted management plan following hearing and viewing of verbal and written submissions.
  - (b) Information session to be held at Burnside Park Lions Club, Thursday 18 March 7pm, for the public to meet Council officers face to face to better understand the process and ask questions about the plan. This will take place during the two month submission period.
  - (c) The draft management plan to be displayed on the Council's 'Have Your Say' website and at the Fendalton Service Centre inviting comment. This to coincide with the public notification.

All previous submitters and groups of interest to be contacted directly at the time of the public notice with information about the release of the draft plan.

6. Consultation on the management plan must follow the procedures set out in the Reserves Act 1977 which requires that the plan be publicly notified and that interested parties be given at least two months to make submissions. The Act also allows for a hearing if required. All written submissions and hearings will be considered in development of the final plan. The management planning officer will summarise the submissions and make recommendations for the hearings panel to consider. Following the hearings, the panel will make its recommendations for any alterations to the plan. The management planning officer will then take an officer's report accompanied by the panel's recommended version of the plan to the Council for a final decision. Once the Council has approved the recommendations the plan will have final and operative status.
7. The main themes or issues raised during the suggestions for the management plan were as follows:
  - (a) Preferences for trees and other vegetation
  - (b) Removal of former nursery house desired
  - (c) Preferences for car parking and formalising BMX site
  - (d) Tidy club buildings; no more buildings or encroachment on park
  - (e) Mostly in favour of upgrading Avonhead Road playground and closing one by the tennis courts

#### **FINANCIAL IMPLICATIONS**

8. The draft plan details funding that will need to be sourced from the 2012/22 LTCCP or subsequent LTCCP's. The details of this can be found in the accompanying draft plan. With the adoption of the draft plan there is no commitment to Council to supply this funding as it is an LTCCP process that decides the funding.

#### **Do the Recommendations of this Report Align with 2009-19 LTCCP budgets?**

9. The only funding at present is \$150,000 for the tree replacement programme for the park over 10 years and playground renewal of \$10,000 for 2013/14 and \$80,000 for 2014/15. Any expenditure listed in the plan would have to be sought from future LTCCP's. This is clearly stated in the draft plan.

#### **LEGAL CONSIDERATIONS**

##### **Have you considered the legal implications of the issue under consideration?**

10. All types of reserves (except local and Government purpose reserves) under the control of or vested in an administering body must be covered by an approved management plan, or plans, under s.41 of the Reserves Act 1977.

In exercising its functions the administering body of a reserve under the Reserves Act 1977, is required to comply with the management plan for the reserve and any approved amendments of it (s.41(11)).

An administering body is required to keep the management plan(s) over reserve(s) for which it responsible under continuous review (s.41(4)). The intention is that the plan be adapted to changing circumstances or increased knowledge. Generally, plans should be reviewed at a minimum of 10 year intervals and need not involve a complete rewriting.

Section 41 of the Reserves Act 1977 requires that consultation be undertaken on land that is classified under the Act.

#### **ALIGNMENT WITH LTCCP AND ACTIVITY MANAGEMENT PLANS**

11. The Burnside Park Management Plan is compatible with the Council's Community Outcomes of Recreation, a Safe City and a Healthy City. Page 120 of the LTCCP states, "Provide a network of safe, accessible and attractive multi-purpose sports parks, as reflected in the Activity Management Plan".

#### **Do the recommendations of this report support a level of service or project in the 2009-19 LTCCP?**

12. Yes, the draft management plan supports the provision of recreation facilities, and proportion of customers satisfied with a range of recreation opportunities available on parks ( $\geq 90\%$  customers satisfied each year with the range of recreation facilities available at sports parks).

#### **ALIGNMENT WITH STRATEGIES**

##### **Do the recommendations align with the Council's strategies?**

13. Biodiversity Strategy 2008 - 2035, Physical Recreation and Sport Strategy 2002, Christchurch Active Living Strategy 2004, Cycling Strategy 2004, Draft Public Open Space Strategy 2010 - 2040, Safer Christchurch Strategy 2005, Parks and Waterways Access Policy 2002, Waterways and Wetlands Natural Asset Management Strategy 1999. In addition, the City Plan - Section 14 sets objectives and policies for the provision of open space and recreational facilities.

#### **CONSULTATION FULFILMENT**

14. The consultation will fulfil the requirements of the Section 41, Reserves Act 1977.

#### **STAFF RECOMMENDATION**

- (a) It is recommended that the Works' Traffic and Environment Committee recommends to the Board that the Board approve the release of the Draft Burnside Park Management Plan for public consultation as set out in s41(6) of the Reserves Act 1977.
- (b) It is further recommended that the Works, Traffic and Environment Committee recommend to the Board that it appoints a representative to be considered for the hearings panel. (Should the Board wish to make a submission to a hearings panel on the draft plan, then representatives on the panel appointed by the Council should not be from this Board due to potential for conflict of interest to arise and a perceived bias on the part of the panel member).