

3.0 Planning and Legislation Documents

3.1 INTRODUCTION

A hierarchy of legislation and Council strategies and policies provide the framework for this management plan. The preparation of management plans for reserves is a legislative requirement under the Reserves Act 1977. It sets out the management planning process and defines reserves' purposes and functions.

Other legislation and Council documents considered and incorporated include:

- ◆ Resource Management Act 1991
- ◆ Historic Places Act 1993
- ◆ Gisborne District Council's Combined Regional Land and District Plan
- ◆ Wainui Beach Management Strategy 2005
- ◆ Wainui and Okitu Landscape and Planning Assessment 2007
- ◆ Urban Coastal Strategy 2005
- ◆ Long Term Council Community Plan 2006-2016

3.2 RESERVES ACT 1977 MANAGEMENT PLANNING

Purpose and Function of Reserve Management Plans

The purpose of this Management Plan is to provide a strategic framework for the management of the Reserves. The plans focus is on enhancing the Reserves through mitigating the risk of erosion, plant pest management and maintaining facilities and tracks to provide for recreation opportunities.

Under the Reserves Act 1977 all administering bodies are required to prepare and develop management plans for reserves under their control. The purpose of a reserve management plan is to: *"...provide for and ensure the use, enjoyment, maintenance protection and preservation, as the case may require, and to the extent that the administering bodies resources permit, the development as appropriate, of the reserve for the purposes of which it is classified..."* (Reserves Act 1977, Section 41 (3)).

This management plan has been prepared to assist with day-to-day planning and management of the reserve whilst meeting long-term management objectives. The management plan is prepared using the following process:

- a. Initial consultation with GDC staff responsible for management of recreation reserves.
- b. Council gives notice of its intention to prepare a reserve management plan and submissions are invited (01/04/06). Submissions are given full consideration during the preparation of the management plan.

- c. Council publicly releases its draft management plan (20/06/07) and invites interested parties and the local community to make submissions over a two-month period.
- d. The draft management plan is revised to take into consideration submissions received. Those submitters that wish to be heard are given the opportunity to speak to their submission before Council's Hearings Committee (30/01/08).
- e. The management plan is adopted by Council and released to the public as an operative management plan. Council undertakes implementation of the plan.

Most of Wainui Beach and W.D. Lysnar Reserves are classified under the Reserves Act. There are some portions of legal road which have not yet been stopped and classified as reserve.

Recreation Reserves and Local Purpose Reserves (esplanade)

W.D. Lysnar Reserve and part of Wainui Beach Reserves are classified as 'Recreation Reserve' under the Reserves Act 1977. The purpose of Recreation Reserve is:

“For the recreation and sporting activities and the physical welfare and enjoyment of the public, and for the protection of the natural environment and beauty of the countryside, with emphasis on the retention of open spaces and outdoor recreational activities including recreational tracks in the countryside”.

The Reserves Act further states under s.17 that every Recreation Reserve shall be so administered, to the extent compatible with the primary purpose of the reserve, that:

“The public shall have freedom of entry and access....

...historic, archaeological or indigenous flora and fauna...features shall be managed and protected....

Its value as a soil, water and forest conservation shall be maintained.”

Parts of Wainui Beach Reserve are classified Local Purpose Reserve (esplanade). The principal purpose of local purpose reserve is...

“to provide and retain areas for such local purpose or purposes as are specified in any classification of the reserve” (i.e. esplanade) (s 23(1))

The purpose underlies the vision for the management plan and the reserve's subsequent day-to-day management.