

Chairperson and Committee Members

ENVIRONMENT AND COMMUNITY DEVELOPMENT COMMITTEE

30 AUGUST 2012

Meeting Status: **Public**

Purpose of Report: For Decision

NGĀWHAKANGUTU RESERVE MANAGEMENT PLAN

PURPOSE OF REPORT

- 1 This report seeks the Environment and Community Development Committee's approval of the Ngāwhakangutu Reserve Management Plan, attached in Appendix 1 to this report.

SIGNIFICANCE OF DECISION

- 2 This report does not trigger the Council's Significance Policy.

BACKGROUND

- 3 The Ngāwhakangutu Reserve, previously known as the Tasman Lakes Reserve, is located within the Tasman Lakes subdivision, Peka Peka, and was vested to Council in 2011 as Recreation Reserve. A map of the reserve and surrounding area is included in the proposed Ngāwhakangutu Reserve Management Plan, Figure 1, located in Appendix 1 of this report.
- 4 As explained in the Introduction of the Draft Management Plan, "*a management plan is a working document that sets out the objectives and policies for managing an area and how these will be achieved*".
- 5 A development plan, defined in Part 2 of the Draft Management Plan, "*will provide a long term framework that ensures the progressive development of the reserve occurs in a consistent and integrated manner. It will also ensure resources for the development of the reserve can be planned for and budgeted as part of the Council's annual and long term planning processes.*"
- 6 A Draft Management Plan was prepared for Council by Boffa Miskell, with information contributed by the Tasman Lakes Management Plan Working Group, which represented Plan Change 63 appellants, Kapiti Environmental Action, the Department of Conservation, Kapiti Forest and Bird Society, Peka Peka Guardians and Iwi.
- 7 The Draft Management Plan was publicly notified in November 2011 and submissions were accepted throughout the consultation period which ended on 16 December 2011.

- 8 The Draft Management Plan has been updated considering suggestions from the eight submissions attached in Appendix 2 of this report and according to the recommendations of the Waikanae Community Board meeting from 26 June 2012.

CONSIDERATIONS

Issues

- 9 There were eight submissions regarding the Tasman Lakes Draft Management Plan. In those eight submissions, common concerns became apparent and are listed below.
- 10 Five out of eight submissions wanted to see a maintenance programme put in place to keep the Te Kowhai Stream clear of silt/weed/debris to reduce flooding. The Waikanae Community Board also recommended a more specific procedure and a preventative maintenance programme. Section 1.5, Te Kowhai Stream and Riparian Margins, last paragraph, has been altered to the following:

“Mechanical removal of weed may however still be required from time to time. The Council will consider removing weed from the stream when the water level reaches R.L. 2.33 A.M.S.L. which is 833 mm above the invert level of the culvert on Raukawa Road, in accordance with the Greater Wellington Regional Council’s Freshwater Plan, rule 40. This matter will be kept under review, by the Stormwater and Coastal group, regarding the effect of this regime on the surrounding properties’ drainage.”

- 11 The Waikanae Community Board also discussed the following issues from the submissions and agreed with the outcomes below:

- 11.1 It was suggested that the proposed notional road should be for machine access only. This will be addressed in the development plan.
- 11.2 A programme was requested for the planting of native species and removing non native species. This has been addressed in Section 3.2.3 of the Management Plan and can be further detailed in the development plan.
- 11.3 A more specific timeline was requested on the completion of the development plan. This has been addressed in Part 2, “Reserve Development Plan”, in the Management Plan and it states:

“The actions and staging of the Reserve Development Plan will be subject to Council approval and availability of resources.”

- 11.4 Concern was expressed about the grazing of stock on the northern side of the stream. This is addressed in Part 1, section 1.5, “Inland Area”, in the Management Plan:

“Cattle continue to graze the area north of Te Kowhai Stream and currently play an important vegetation management role for the as yet undeveloped part of the reserve. A fence along the northern side of Te Kowhai Stream excludes cattle from the stream and its banks.”

- 11.5 The lack of provision for bridleways was also an expressed concern. Section 1.5, Access and Infrastructure, has been modified to read:

“Horse riders also use the dune area to access the beach, however this activity must be contained to the track through the dunes. The Kāpiti Coast District Council Beach Bylaw (2009) states ‘Horses are prohibited from traversing all areas of the beach other than the foreshore and appropriately marked beach access ways.’”

And Policy 3.2.8 iii has been changed accordingly:

“Horses and mountain bikes are prohibited from the dune area unless using the designated formed paths.”

- 11.6 As the land has now been vested to Council, Section 1.6 now states:

“The reserve is administered by the Council...”

- 11.7 Policy 3.2.2 ii has been amended to:

“There shall be no unauthorised inappropriate earthworks or built structures in the dune area except appropriate signage, rubbish bins and bench seats as needs require.”

- 11.8 In policy 3.2.3 i. *“locally sourced native species”* has been replaced with *“eco-sourced native species.”*

- 12 After considering the submissions and making the changes outlined above, the Waikanae Community Board confirmed its recommendation of the name of the reserve to be Ngāwhakangutu Reserve at its meeting on 26 June 2012 and recommended adoption of the Ngāwhakangutu Reserve Management Plan as per the following resolutions:

“The Waikanae Community Board confirms its earlier decision to adopt Ngāwhakangutu Reserve as the name of the reserve.”

And

“The Waikanae Community Board recommends to Council to adopt the Ngāwhakangutu Reserve Management Plan as per Appendix 1 to this report (CS-12-558).”

Financial Considerations

- 13 The costs of the development of the Management Plan have been met from the Leisure and Open Space activity budget.
- 14 The costs of developing and maintaining the reserve have been included in the 2012 Long Term Plan.

Legal Considerations

- 15 Once the Management Plan is approved, the Ngāwhakangutu Reserve will be managed and maintained in accordance with the Plan and the Reserves Act 1977.
- 16 The Council can approve these recommended changes according the Local Government Act 2002, Clause 32, Schedule 7:

“(f) the power to adopt policies required to be adopted and consulted on under this Act in association with the long-term council community plan or developed for the purpose of the local governance statement.”

- 17 The Reserves Act 1977, Part 3, Section 41 states:

“(1) The administering body shall, within 5 years after the date of its appointment or within 5 years after the commencement of this Act, whichever is the later, prepare and submit to the Minister for his approval a management plan for the reserve under its control, management, or administration.”

Or

“(13) Where a recreation reserve is vested in a local authority or a local authority is appointed to control and manage a recreation reserve, the local authority shall not be required to submit its management plan to the Minister for approval, unless the terms of vesting or of appointment to control and manage the reserve so require: provided that the local authority shall make its management plan available for inspection by or on behalf of the Minister whenever so required.”

Delegation

- 18 The Waikanae Community Board can recommend these changes to the committee within its delegated authority within the Governance Structure:

10.17 “Authority to make recommendations to Council after reviewing existing, or considering new draft Reserve Management Plans for local public parks and reserves within its area.”

- 19 Waikanae Community Board can approve or reject names for a reserve within its delegated authority within the Governance Structure:

10.22 “With reference to the Reserves, Structures and Commemorative Places Naming Policy 2011, authority to receive requests from the community, or put forward names, regarding specific names of reserves, structures and commemorative places for input to the staff report.”

And

10.23 “Authority to approve or reject officer recommendations in respect of such names.”

- 20 The Environment and Community Development Committee can approve these changes within its delegated authority within the Governance Structure:

“7.3 Authority to exercise the functions, powers and duties of the Council under the Reserves Act 1977 or any other statute, regulation or bylaw relating to the management and control, maintenance and operation of parks and reserves, except as delegated to Community Boards or officers.”

Consultation

- 21 The Draft Management Plan was publicly notified on 28 November 2011 with submissions closing on 16 December 2011.

Policy Implications

- 22 When the Management Plan is adopted, it will become the policy under which the reserve is managed.

Tāngata Whenua Considerations

- 23 Iwi provided information to assist in the preparation of the Draft Management Plan through the Management Plan Working Group

Publicity Considerations

- 24 The community was notified of the Draft Management Plan and submissions sought. No further publicity is planned until the development plan is produced. Those who made submissions were invited to speak on their submission at the Waikanae Community Board meeting on the 26 June 2012.

RECOMMENDATIONS

25 The Environment and Community Development Committee adopts the Ngāwhakangutu Reserve Management Plan in accordance with the recommendation from the Waikanae Community Board, as per Appendix 1 to this report (CS-12-615).

Report prepared by:

Approved for submission by:

Lex Bartlett

Tamsin Evans

**Leisure and Open Space Asset Group Manager – Community Services
Manager**

ATTACHMENTS:

Appendix 1: Ngāwhakangutu Reserve Management Plan

Appendix 2: Ngāwhakangutu Reserve Draft Management Plan Submissions

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