

# Reserve Management Plans review

---

**TO** Mercury Bay Community Board  
**FROM** Joy Hames - Consultant:  
Scott Summerfield - Policy and Planning Manager  
**DATE** 28 March 2018  
**SUBJECT** Reserve Management Plans review

---

## 1 Purpose of Report

For the Mercury Bay Community Board to initiate reviews of:

- Whitianga and Wharekaho Individual Reserve Management Plans 2007
- Mercury Bay South Individual Reserve Management Plan 2007
- Mercury Bay North Individual Reserve Management Plan 2008.

## 2 Background

Under the Reserves Act 1977, Councils are required to prepare reserve management plans for all reserves for which they are the administering body, except local purpose reserves. These plans are to be kept under continuous review so that the plan is adapted to changing circumstances or new information. Guidance from the Department of Conservation suggests that plans should generally be reviewed at a minimum of 10 year intervals.

The three Reserve Management Plans for the reserves in the Mercury Bay ward were adopted between June 2007 and September 2008 (**Attachments**).

Reserve management plans may be prepared for individual reserves or groups of reserves. The Thames-Coromandel District Council plans have been prepared as omnibus plans for each community board area in two parts: the first part consists of the context and the overarching policies and objectives which apply to all reserves; the second part contains information about individual reserves, their classification, their specific management issues, any specific policies related to the reserves and future development intentions.

When the plans were first prepared the policy and objectives sections of the plans were largely the same but, as the plans were prepared over a two year period there were some relatively minor differences reflecting better information. The Tairua-Pauanui and Whangamata reserve management plans were reviewed in 2013-2014. Again, while there have been some changes made to the original general policies and objectives these are largely to reflect updates that were needed because of other changes such as new bylaws.

As this project is to review all of the current reserve management plans, the opportunity was identified to conduct a comprehensive review of the general policies and objectives for all of the reserve management plans and to prepare a single general reserves management policies and objectives document. Council approved this approach at its meeting 20 February 2018. This will be much more efficient than considering the same matters within each review (particularly from a consultation point of view) and will support consistency of overall policy.

Taking this approach does not remove local decision making. Where there are particular local reserve issues, specific policy will be developed to respond to them. As is the case with the present general policies and objectives, if any specific policies for specific reserves or groups of reserves are inconsistent with the general policies, the specific policies take precedence.

The review of the Mercury Bay Ward Reserve Management Plans will focus on Document 2 - Individual Reserve Management Plans.

### **3 Issue**

The Mercury Bay Community Board is asked to approve the review of the Mercury Bay Ward Reserve Management Plans. This will trigger public notification of the Board's "intention to review" with a public notice calling for suggestions about the Reserve Management Plans to be placed in the Mercury Bay Informer.

### **4 Discussion**

The minimum process for completing a reserve management plan (including a substantive review of a reserve management plan) is specified in the Reserves Act 1977. In summary it requires that the Council:

- notifies the community of its intention to prepare (or review) a reserve management plan and calls for suggestions
- prepares a draft reserve management plan, including consideration of community suggestions and adopts and releases the draft plan for community consultation
- hears submissions on the draft plan and considers verbal and written submissions
- prepares an amended reserve management plan after consideration of the submissions
- adopts and publishes the final reserve management plan.

The first step is for public notice to be given of the intention to review the reserve management plan and to invite any suggestions from any interested parties.

### **Key Issues for the review of Document 2: Individual Reserve Plans**

#### **New Reserves**

Individual reserve management plans may need to be prepared for any new reserves that are being used by the community. Additionally, the reserves with these plans already in place need to be reviewed to either confirm that the management issues identified are still relevant or to update the issues and the proposed response. The following picture shows the format of the information to be compiled for the individual reserves management plans.

## Reserve Name – what the reserve is known as

<b>Reserve Classification</b>	Reserve Act classification e.g. Recreation, Scenic, Local Purpose Reserve (LPR)	<b>Area</b>	Size of reserve in hectares and square metres
<b>Location</b>	Actual / approximate street or road address	<b>ID Number</b>	TCDC Land valuation number relating to this parcel/s of land
<b>Current State</b>	Reserve category and how it is currently managed	<b>Legal Description</b>	Land title description
<b>Future Use</b>	Reserve category and how it will be managed in the future		Lists any NZ Gazette notices in reference to this reserve

  

<b>Asset Registry</b>	<b>Leases and Licences</b>
Details what Council assets are located in this reserve	Details any particular leases for this reserve area and the length and expiry date of this lease



Aerial map of reserve identifying parcel boundaries of the reserve.

Other pictures may include views of the reserve or particular features.

### Background

- Identifies any known background to the formation of this reserve and historical associations.

### Reserve Issues

- Details any particular issues in relation to this reserve.

### Reserve Management Policy

- Policies that relate to this particular reserve in conjunction with the generic objections and policies.

Proposed Development	Cost Estimate	Funding	Priority
Identifies proposed development for this reserve area			

Priority Key – when the proposed development may be undertaken

ST (Short Term) - Action completed within 2 years	MT (Medium Term) - Action completed within 2 - 4 years
LT (Long Term) - Action commenced after 4 years	O (Ongoing) - Action is carried out on a regular basis for the life of this Plan of Management
C (Commenced) - Action has commenced	CP (Completed) - Action has been carried out

## Occupation Agreements (Leases and other concessions)

While there will be a policy in the general policies reserve management plan enabling occupation agreements on reserves, the individual plans provide for specific leases and other concession agreements. At present, there is some inconsistency in approach to concessions between the three Mercury Bay plans. The review will support the updated plans using a consistent framework for concessions.

### Co-governance of reserves

As the Crown advances settlements with iwi of breaches of Te Tiriti of Waitangi/ the Treaty of Waitangi some settlements relate to crown reserves which will now be governed by iwi or co-governed by iwi and the Council. In these cases, these reserves must be excluded from the group of reserves being considered within the omnibus reserve management plan.

Paparoa / Shakespeare Reserve and Te Puia / Hot Water Beach fall into this category as they are part of the cultural redress to Ngati Hei agreed by the Crown in a deed of settlement signed 13 August 2017. A separate reserve management plan will need to be prepared for these reserves through a process established jointly by iwi and Council post-settlement. Opera Point property will be jointly vested in Ngati Hei and Te Patukirikiri as an historical reserve and will also be excluded from the updated reserve management plans.

### Reserve ownership and classification

In order for reserves to be included in a draft reserves management plan, they must first be formally classified. It was apparent at the time that the original reserve management plans were completed that there were a large number of issues with Council's ownership information about the reserves.

In addition to the research to establish ownership status, follow-up of the issues found will be needed. This includes reporting to Council so it can resolve certain reserve classifications, researching and reaching agreement on ownership with other landowners where questions of ownership or management and control arise (e.g. Department of Conservation or NZTA), and reclassifying where mistakes are found (e.g. recreation

reserves that are actually road reserves or vice versa). Once the Council has resolved on any changes, finalising formal classification includes gazettal of the classification and advising the Minister of Conservation.

### Timeframes

The Mercury Bay Reserves Management Plans timetable is set out in the following table:

<b>Mercury Bay Reserve Management Plans review timetable</b>	
<b>Date</b>	<b>Detail</b>
April 2018	Community Board approves plan review
April 2018	Advertise intention to review plan and call for suggestions
May - October 2018	Review current reserve plans, conduct community engagement and prepare new plans
May- October 2018	Direction setting workshops with Community Board - responding to issues on local reserves
May - October 2018	Review reserves classifications; report changes required to Community Board and Council
October - November 2018	Workshop draft plans with Community Board and approval of drafts for consultation
December 2018 - March 2019	Community consultation
April 2019	Hearings
May 2019	Update draft plan and report to Community Board for recommendation to Council
June 2019	Council adopts final plan

### General Policies Reserve Management Plan

As is noted above, Council has resolved to complete a single general policies reserve management plan. This plan is expected to be adopted by December 2018 after going through the formal public consultation process and it will inform the development of the individual reserve plans.

## 5 Consultation

While it is not a direct requirement of the Reserves Act, it is also proposed that the consultation and engagement process on the review includes engagement with local resident and ratepayer groups and local reserve groups. This will assist with identifying and developing responses to local reserves issues.

## 6 Suggested Resolution(s)

That the Mercury Bay Community Board:

1. Receives the 'Reserve Management Plan Review' report, dated 28 March 2018.
2. Undertakes to review the Whitianga-Wharekaho, Mercury Bay South and the Mercury Bay North Reserve Management Plans in accordance with Section 41 of the Reserves Act 1977.
3. Approves the process of direct engagement with resident and ratepayer groups and local reserve groups to assist with developing potential responses to local reserve issues.

4. Approves the timeframes set out below to complete the review of reserve management plans for the Mercury Bay area.

<b>Mercury Bay Reserve Management Plans review timetable</b>	
<b>Date</b>	<b>Detail</b>
April 2018	Community Board approves plan review
April 2018	Advertise intention to review plan and call for suggestions
May - October 2018	Review current reserve plans, conduct community engagement and prepare new plans
May- October 2018	Direction setting workshops with Community Board - responding to issues on local reserves
May - October 2018	Review reserves classifications; report changes required to Community Board and Council
October - November 2018	Workshop draft plans with Community Board and approval of drafts for consultation
December 2018 - March 2019	Community consultation
April 2019	Hearings
May 2019	Update draft plan and report to Community Board for recommendation to Council
June 2019	Council adopts final plan

### **References-Tabled/Agenda Attachments**

**Attachments** *June 2007 - Whitianga and Wharekaho; June 2007 - Mercury Bay South and September 2008 - Mercury Bay North adopted Reserve Management Plans* (these documents have been distributed prior to the meeting).