



**NOTICE OF MEETING OF THE
HEARING COMMITTEE**

**DELIBERATION ON PUKEKIWIRIKI PAA RESERVE MANAGEMENT PLAN
SUBMISSIONS**

I hereby give notice that the Hearing Committee meeting of the Papakura District Council is to be held on:

DATE: Tuesday 27th April 2010

TIME: 9.30 am

VENUE: Council Chambers
35 Coles Crescent
PAPAKURA

T Stratton
CHIEF EXECUTIVE OFFICER

MEMBERSHIP:

Members: Lucy Tukua
 Ted Ngataki
 Clr K Piggott
 Clr O Pringle
 Clr P Goldsmith (Alternate)

(Quorum 2 members)

(The reports and recommendations contained in this Order Paper are not necessarily Council Policy and should not be taken as Council Policy, or opinion)

PAPAKURA DISTRICT COUNCIL

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PAPAKURA DISTRICT COUNCIL

**AGENDA FOR THE HEARING COMMITTEE MEETING OF THE PAPAKURA
DISTRICT COUNCIL TO BE HELD IN THE COUNCIL CHAMBERS, 35 COLES
CRESCENT, PAPAKURA ON TUESDAY 27 APRIL 2010
COMMENCING AT 9.30 A. M.**

1. APOLOGIES

2. HEARING OF SUBMISSIONS

**(a) PUKEKIWIRIKI PAA RESERVE
MANAGEMENT PLAN SUBMISSIONS AND
HEARING**

**REPORTING OFFICER: Allan Christensen
Community Services Planner**

**ATTACHMENT: Submissions Summary
(Attachment No. 1)**

PURPOSE OF THE REPORT

The purpose of this report is to enable the hearings committee established by Council to deliberate on submissions on the Draft Pukekiwiriki Paa Reserve Management Plan, and to make recommendations to Council for changes to the Draft Reserve Management Plan.

BACKGROUND

The Reserves Act 1977 requires reserves to have a management plan. Pukekiwiriki is an Historic Reserve under the Act and requires such a plan. The Draft Plan was advertised for submissions on 9 December 2009 and nine written submissions were received during a ten week submission period. A special committee of Council was formed to hear and consider submissions received and make recommendations to Council on any changes to the Draft Plan.

The committee met and heard submissions on 16 March 2010 in the Council Chambers. The committee then adjourned and resolved to meet on 13 April 2010 where it will deliberate formally on the written and oral submissions and make its recommendations to Council for changes to the Plan. After the committee adjourned at its meeting on 16 March, a workshop session was held with officers where committee members provided direction on a number of the matters that had been raised in both the written and oral submissions. This report has been prepared taking into account that direction.

NARRATIVE

Submitters raised a number of issues regarding the Draft Reserve Management Plan centred around:

- fencing,
- access,
- plan partners and community involvement,
- future possible land purchases,
- monitoring and maintenance,
- and matters of style, format and process.

Fencing

Submitters raised issues about privacy, security and outlook. There were concerns that Council may force adjoining property owners to fence the reserve and in a particular style.

The Fencing Act provides good guidance as to the nature of boundary fences and the obligations of the owners on each side of a boundary fence. The committee consider that additional financial contribution by the Council towards new fences that were consistent with CPTED (Crime Prevention through Environmental Design) principles could encourage new, consistent fences to be built particularly on the Margan Place side of the Paa. Council prefers that pool style fences are built and planted behind so that a physical barrier is created but the visual and concealment issues associated with high close boarded fences are reduced.

Access gates in fences abutting the reserve were discussed. Council's concern is that access gates to reserves can create conditions for encroachment and abnormal wear and tear. Submitters advised that access gates provide good access to owners who have a close relationship with the reserve and help with passive surveillance and reserve security. It was considered that access gates can be permitted if encroachment is controlled, and there is a benefit to reserve security by allowing the gates.

Access to waahi tapu areas was discussed and it was suggested that the regenerating bush at the base of the Paa beside the main access track from Red Hill Road should be fenced off in the interim to allow the bush to regenerate and at the same time limit access to the bush and help direct visitors along the access path. Council's preference for fencing along this same bush section of the reserve is permeable, post and wire or pool style fences.

Suggested changes to the plan:

- Amend the plan so that it is clear that the cost of new fencing will be negotiated between Council and the land owner, and that Council has a design preference.
- Amend the plan to show that access gates in fences will be permitted for Margan Place residents whose property adjoins the reserve, provided that it does not result in damage to the reserve or encroachment onto it.
- Amend the plan to allow fencing of the bush section of the reserve along the access track from Red Hill Road.

Access

Submitters raised concerns about access and accessibility, particularly access from Margan Place to the reserve. Council had intended to explore the provision of limited access for people with disabilities to the reserve from Margan Place because of access constraints from Red Hill Road. Submitters pointed out that the access agreement between Council and residents is for maintenance vehicles only and that

the Council has no right to provide any public access through the existing driveway of 9, 11 and 11A Margan Place. It is proposed that the Council explore options to secure properly graded and complying disabled access through the purchase of land along Margan Place in the future.

Submitters also had various points of view regarding access hours and it was the view of the committee that the proposal in the draft Plan limiting access to the hours of daylight, except where an exemption has been granted for a specific event such as Matariki, is appropriate.

Submitters raised questions about the road outside the main entrance and its possible closure or restriction. Although the road does not form part of the reserve, Council officers will investigate options for closure or restriction as well as erosion control and changes to roadside fencing.

Suggested changes to the plan:

- Amend the plan to remove any mention of disabled access from Margan Place.
- Amend the plan to indicate that Council will be seeking to establish complying disabled access from Margan Place by way of possible future land purchases.

Plan Partners and Community Involvement

Submitters expressed a range of views regarding community involvement in the management of the plan. The formal plan partners are the identified Manawhenua groups and the Council. A co-management agreement for the management of the reserve will be formalised between these partners. To avoid misunderstanding it would be appropriate to indicate in the plan that public involvement will occur with any review or change of the plan. It is recognised that adjoining neighbours are often the 'eyes and ears' for the site. Neighbours will be informed more regularly of operational matters and a stronger working relationship is desired.

A submission was received from Ngati Whanaunga seeking recognition as Mana Whenua in their own right as distinct from Ngati Paoa and to be included as a plan partner. It is proposed that the plan be altered to include Ngati Whanaunga.

Suggested changes to the plan:

- Amend the plan to make it clear that public involvement and consultation will occur for any change or review of the plan.
- Amend the plan to indicate that adjoining neighbours have a valuable role in security and overview of the reserve and that regular updates are to be given to all adjoining neighbours regarding the implementation of the plan.
- Amend the plan with wording that clearly indicates the inclusion of Ngati Whanaunga as a Manawhenua group, and as a plan partner.

Future Possible Land Purchases

The remaining Paa is only a small portion of its original size. Over time, parts have been built on and/or damaged. As adjoining land becomes available Council and plan partners will assess opportunities to purchase land to enlarge the Paa and to afford disabled access to the site. No land is identified for purchase at present and any purchase would be negotiated between Council and land owners at market value. The intention is to improve the Paa by land purchases which either increase its cultural and heritage value or improve access and security. Purchased land will be amalgamated to the reserve and given the same reserve classification as the existing reserve. Support was expressed for this proposal so long as there was no compulsory purchase of land involved. No changes to the plan are suggested.

Operational Matters

Submitters raised many issues in relation to operational matters such as maintenance and monitoring, illegal dumping, contractor's training and supervision, signage, pest and plant control. It is important to ensure that any person working on the land in a maintenance and/or monitoring capacity is trained, qualified and capable, to prevent accidental or unintentional damage to the Paa. It was suggested that the plan be amended to make wording clearer in this regard and to highlight in the plan that Manawhenua will have a role in overseeing work on the site through the co-management agreement. Council and plan partners will discourage working bees or work on the site by community groups or others who are unsupervised by Council and/or Manawhenua. Vegetation clearance will be at ground level only.

Illegal dumping will be addressed by education and an amendment of the plan to strengthen the wording. In the past some adjoining owners have used the site to dispose of grass clippings and vegetation.

It was agreed that any signs should be clear and unequivocal but also minimised as much as possible. It was also agreed that should there be any conflicting views between the plan partners, the protection and preservation of the Paa comes first and the plan will be amended to show this.

A submission was made requesting greater recognition of Gil Wilson who donated the land to Council. It is recommended that in the telling of the story of the Paa the gift of the land is given greater recognition.

Suggested changes to the plan:

- Amend the plan to indicate that any person working on the Paa in a maintenance and/or monitoring capacity must be trained and qualified to do so.
- Amend the plan to clearly indicate that illegal dumping includes any material deposited on the site including green waste from adjoining owners.
- Amend the plan to improve wording around location of signage to show that safety signage be clear, unequivocal, and located in a sensitive manner.
- Amend the plan to indicate that where the plan partners disagree over matters of management of the reserve the needs of the Paa take precedence.
- Amend the plan to strengthen the type of recognition afforded to Gil Wilson for his gift of the land to the people of Papakura.

Matters of Style, Content and Process

Some submitters raised issues about consistency of spelling, grammar and capitalisation and the use of double vowels to indicate long sounds in written Maori rather than macrons. It was determined that the style of written Te Reo will remain unchanged in the Tainui style but an addition to the plan will be made explaining why the adopted style is used.

The document will be designed and proof read prior to adoption by Council and delivery to the Minister of Conservation for approval. Technical terms or acronyms will be explained when they first appear. Council's appropriate title will be used in the document according the time period being discussed e.g. Papakura Town Council, Borough Council, Papakura City Council, Papakura District Council etc. It was agreed that a general synopsis be developed to be inserted before the preface, and that the 'Vision' for the Paa be inserted on the fly page. Some comment was made on length and timing of public notification. It is noted that the notification requirements of the Reserves Act 1977 were not only met but exceeded.

Suggested changes to the plan:

- 1) Change all spelling mistakes, grammar, capitalisation and other style and format issues as a result of a full proofing prior to adoption by Council and release to the Minister of Conservation for approval.
- 2) Amend the plan to explain why the Tainui written style is used.
- 3) Amend the plan throughout to explain technical terms or acronyms where they first appear.
- 4) Amend the plan to make Council's proper name contemporaneous with the time or events being described.
- 5) Amend the plan to include a general synopsis to be inserted before the preface.
- 6) Amend the plan to insert the 'Vision' for the Paa on the fly page before the Whakatauaakii.

Other Matters

Some submitters raised issues that were beyond the scope of the committee to address within the powers and requirements of the Reserves Act. Because these are beyond the remit of the committee to discuss or act upon, they have not been discussed in this report but are referenced in the appended submissions summary.

CONCLUSION

The hearings committee formed to hear and consider submissions on the Draft Pukekiwiriki Paa Reserve Management Plan sat and heard submissions on 16 March 2010. The committee resolved to meet again on 13 April 2010 to formally deliberate on the submissions and make its recommendations to Council. A series of recommendations for changes to the Draft Plan have been made throughout this report as a result of the initial discussions of the hearings committee. These are proposed for confirmation.

RECOMMENDATIONS

1. That the information be received.
2. That the following changes are made to the Draft Pukekiwiriki Paa Reserve Management Plan
 - a. Amend the plan so that it is clear that the cost of new fencing will be negotiated between Council and the land owner, and that Council has a design preference.
 - b. Amend the plan to show that access gates in fences will be permitted for Margan Place residents whose property adjoins the reserve, provided that it does not result in damage to the reserve or encroachment onto it.
 - c. Amend the plan to allow fencing of the bush section of the reserve along the access track from Red Hill Road.
 - d. Amend the plan to remove any mention of disabled access from Margan Place.
 - e. Amend the plan to indicate that Council will be seeking to establish complying disabled access from Margan Place by way of possible future land purchases.
 - f. Amend the plan to make it clear that public involvement and consultation will occur for any change or review of the plan.
 - g. Amend the plan to indicate that adjoining neighbours have a valuable role in security and overview of the reserve and that regular updates are given to all adjoining neighbours regarding the implementation of the plan.

- h. Amend the plan with wording that clearly indicates the inclusion of Ngati Whanaunga as a Manawhenua group, and as a plan partner.
 - i. Amend the plan to indicate that any person working on the Paa in a maintenance and/or monitoring capacity must be trained and qualified to do so.
 - j. Amend the plan to clearly indicate that illegal dumping includes any material deposited on the site including green waste from adjoining owners.
 - k. Amend the plan to improve wording around location of signage to show that safety signage be clear, unequivocal, and located in a sensitive manner.
 - l. Amend the plan to indicate that where the plan partners disagree over matters of management of the reserve the needs of the Paa take precedence.
 - m. Amend the plan to strengthen the type of recognition afforded to Gil Wilson for his gift of the land to the people of Papakura.
 - n. Change all spelling mistakes, grammar, capitalisation and other style and format issues as a result of a full proofing prior to adoption by Council and release to the Minister of Conservation for approval.
 - o. Amend the plan to explain why the Tainui written style is used.
 - p. Amend the plan throughout to explain technical terms or acronyms where they first appear.
 - q. Amend the plan to make Council's proper name contemporaneous with the time or events being described.
 - r. Amend the plan to include a general synopsis to be inserted before the preface.
 - s. Amend the plan to insert the 'Vision' for the Paa on the fly page before the Whakatauaakii
3. That the amended plan be presented to Council for adoption.