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## 3.0 Planning and Legislation Documents

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#### 3.1 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 Anzac Park. Its focus is on enhancing the Park through planting and maintaining existing facilities 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 the 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 preparation of the management plan has involved the following key actions:

- a) Initial consultants with Council staff including the Reserves Supervisor, Asset Manager, Maori Liaison Officer.
- b) Council gives notice of its intention to prepare a reserve management plan and submissions are invited (01/04/06). Submission are given full consideration during the preparation of the management plan.
- c) Individual discussions/meetings with Key Stakeholders.
- d) Council publicly releases its draft management plan and invites interested parties and the local community to make submissions over a two-month period.
- e) A public meeting is held to explain the draft management plan to interested parties.
- f) 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.
- g) The management plan is adopted by Council and released to the public as an operative management plan. Council undertakes implementation of the plan.

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### 3.2 Reserves Act Statutory Planning Process

Anzac Park Management Plan has been prepared in accordance with Section 41 of the Reserves Act 1977.

#### Reserves Act 1977

Anzac Park is 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".*

### 3.3 The Open Space Strategy for Gisborne City and Wainui 2002-2022

Although not a legislative requirement, the Open Space Strategy (OSS) has been approved by Council and sets out to protect and enhance its most valued open spaces. It provides a twenty year vision of what the public would want them to look like and how they should be used both now and in the future. One of the main themes of the Strategy is the need for a network of linkages creating circuits in and around the City. This network will connect beaches, harbour, city and rivers.

Under the Neighbourhood Reserves Strategy within the OSS Anzac Park is classified as 'Other Reserves (with play equipment)' i.e. it is not a Neighbourhood Reserve. Also within the OSS, Anzac Park is not included as part of the City Walkway development, nor is it one of the three priority urban areas for linking to the City Walkway. It is part of the urban walkway system with secondary road linkages.

The parts of the OSS of relevance to Anzac Park are:

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- ◆ s. 3.2 Sports Facilities and Recreation, which calls to maximize the future of the limited resources to provide a range of active and passive recreational activities to cater to the needs of an ever-changing community. Ensuring these open space areas contribute to the identity and amenity of the surrounding area.
- ◆ S.4.3.2 Sports Facilities and Recreation, which notes Council should consult Waka Ama groups to determine the location and area of land required to establish waka storage buildings. These groups would be expected to fund and maintain such buildings which should be carefully located, relocatable and appropriately screen planted.
- ◆ s.4.3.3 Rivers and Coastal Margins, which calls for esplanade reserves to continue to be acquired along the banks of the Waimata River and when this occurs a plan and consultation to be undertaken.

Anzac Park has therefore not been promoted as a unique open space in Gisborne, however, with a slowly growing residential population, and a clear call for its open space amenity values to be retained during the submission process when preparing this draft management plan, it is clearly an important open space for the residents of Kaiti North and the recreation user groups who visit.

**Table 1** ▶ 2001 Census of Population and Dwellings<sup>18</sup>

| Area Unit          | 1991 Census | 1996 Census | 2001 Census |
|--------------------|-------------|-------------|-------------|
| 544702 Kaiti North | 1,986       | 2,103       | 2,064       |

### **3.4 Gisborne District Combined Regional Land and District Plan**

Anzac Park is zoned Recreation Reserve in the Gisborne District Combined Regional Land and District Plan (the Plan).

The purpose of the Recreation Reserve zone, according to the Plan, is primarily to enable the community to provide for its sports and leisure needs in such a way that the scale and organized nature of such activities does not create adverse effects<sup>19</sup>.

The objectives and policies of the Anzac Park Management Plan reflect the purpose of the reserve under the Plan (Recreation Reserve) and the Reserves Act 1977 (Recreation Reserve).

Anzac Park must comply with 22.7 Recreation Reserve Zone. The Recreation Reserve Zone covers those reserve areas that enable active and organized recreation.

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<sup>18</sup> Figures taken from the *OSS for Gisborne City and Wainui 2002-2022* p.26

<sup>19</sup> CRLDP 2006 section 22.5.2 (1a (ii))

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The Recreation Reserve resource provides for sportsfields, tennis courts, sites catering for indoor recreation and leisure pursuits which have the potential to attract large numbers of people. The potential to attract large numbers of people brings with it the possible loss of amenity. The zone provides for some control on the location, scale and design of structures and buildings and provision for the adverse effects of increased traffic and noise, glare and lighting etc. The purpose of the zone is to enable the community to provide for its sports and leisure needs in such a way that the scale and organized nature of such activities does not create adverse effects.

Several District Plan overlays apply to Anzac Park. These are briefly summarized as follows:

### **3.4.1 Land Overlay 2 and 3**

Land Overlay 2 and 3 apply to land on the northernmost and southernmost tips of the riverbank. Land Overlay 2 and 3 broadly reflect the land resources varying susceptibility to erosion. A resource consent application is required in some instances prior to land disturbance or removal of soil which allow for various thresholds of environmental effects for particular activities.

### **3.4.2 Hazard Overlay**

One third of the Park, closest to the riverbank also has a Hazard Overlay which identifies the site as an 'area liable to flooding/F4' with a 'flood fringe zone / F5'. F4 are sites which have been flooded before. F5 sites have not been flooded before but could flood given design flood conditions.

### **3.4.3 Site Caution Overlay**

There is a Site Caution Overlay in the southernmost corner of the Park<sup>20</sup> which signals to the public that there may be additional site-specific controls required for protection measures or a need to avoid development.

A resource consent is required for activities which do not comply with the District Plan regulations for Anzac Park.

## **3.5 Gisborne District Long Term Council Community Plan (LTCCP) 2004-2014**

The LTCCP is a mandatory planning prepared in accordance with the Local Government Act 2002. It takes the district forward over the next ten years. The Council adopted the LTCCP 2006-2016 on the 1 July 2006. The LTCCP has two functions:

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<sup>20</sup> Refer to the Gisborne District Planning Map u54C and u54b, for more detail.

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- 1) To provide for community involvement and input into the determination of outcomes for the district; *and*
- 2) Set out proposed short, medium and longer-term priorities and actions of the Council.

Two of the Community Outcomes identified in the LTCCP relate most to active recreation:

- ◆ Vibrant Communities.
- ◆ Safe and Healthy Haven.

Eight submissions on the LTCCP were received which relate to Reserves. Thirty-three submissions were received that related to Community Facilities. All of these submissions were opposed to erecting buildings at Anzac Park.

To achieve the objective of fostering vibrant communities, Council wish to offer residents of Gisborne a range of sport, recreation and leisure opportunities. Council will monitor this objective by the numbers of hectares of parks and reserves per capita, the number of clubs by activity type by township, and participation in sport. At this time there are 225 reserves, totaling 1500ha, maintained by Council for recreational activities. Anzac Park and Ramp have a land value of \$230,000 + improvement value \$121,000.

### 3.6 GDC Active Recreation Strategy 2005-2010

This Strategy identifies an active recreation vision for the Gisborne District, and provides a strategic approach to furthering the realization of this vision. The Active Recreation Strategy 2005-2010 calls for Council to encourage physical activity through the provision of accessible facilities and open spaces, create activity friendly physical environments, and enhance urban design and urban form to encourage physical activity.

There is no specific reference to Anzac Park other than a recommendation by public submission to the LTCCP for a management plan.

### 3.7 Walking and Cycling Strategy for the Gisborne District 2005

This Strategy identifies a walking and cycling vision for the Gisborne District and provides a strategic approach to further the realization of the community vision, which is:

*Gisborne District is a walking and cycling friend region.  
Walking and cycling are safe, convenient, enjoyable and  
popular forms of transport and leisure that contribute to  
community health, well-being and tourism.*

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Anzac Park can be reached by walkers and cyclists via secondary roads. It is not identified as a key site to link to main walking and cycling networks in Gisborne City, however, the above Strategy identifies the potential to have a footbridge across the Waimata River.

### 3.8 Other Relevant Initiatives

The purpose of reserve management planning is to enable Council to establish the desired mix of uses and values for reserves and set in place policy to guide management. As there is an application for development at Anzac Park currently with Council, the following information has been considered during the management planning process. Considering this application is intended to assist Council in determining how best to provide access to the Waimata River, passive recreation opportunities for the public and facilities to support recreation interest groups, while retaining the open space amenity values of Anzac Park.

#### **Proposed Developments at Anzac Park**

**Mareikura Waka Ama Storage Facility** ▶ Mareikura Waka Ama Club proposed to Council on the 3 November 2005 to lease an area of Anzac Park to construct and operate a waka storage facility providing storage for the club's waka (approximately 12). The proposed site in the submission is immediately adjacent to the existing Gisborne Boys High School Rowing Building with the Scout Hall situated above that building<sup>21</sup>. The legal descriptions of the parcels of land are Lot 17 DP 1480 and Lot 18 DP 1480. These sites are classified as recreation reserve under the Reserves Act 1977. The proposed building will have a floor area of approximately 370 square metres and will be approximately 4.7 m. high at the apex.

Council's decision was to decline the proposal pursuant to sections 12 and 14 of the Local Government Act 2002 with the Hearings Committee recommending that Council make a decision for the location and development of a Waka Ama facility by 1 July 2007 and that should Council not be able to identify a better site, the Council reconsider this application after 1 July 2007.

**Waka Ama Site Facility Review** ▶ In early 2006, Council commissioned an independent analysis of options to provide for the Waka Ama storage needs of the growing Waka Ama community in the central Gisborne area.

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<sup>21</sup> After public consultation, and prior to making their formal submission to Council, Mareikura Waka Ama proposed to locate the storage facility on the southern river-bank in the Park, closer to the boat-ramp they use to access the river. They were advised by Council to change the location next to the Gisborne Boys High School Rowing Club.

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The purpose of this study was to provide Council with a comparative analysis of the practicable site options available for the development of a Waka Ama storage facility and assess the most practicable option (Global Leisure Group, 2006).

The overall aims of the study were to:

- ◆ Identify all reasonably practicable options for providing land for the recreation storage needs of Waka Ama;
- ◆ Identify pressures, constraints and issues inherent with a number of agreed 'primary sites'; *and*
- ◆ Recommend the most practicable options to Council.

The report focused initially on 24 locations which were identified by Council staff and activity participants. The majority of these locations were found to be completely unsuitable. The recommended option was to build a storage facility at Anzac Reserve because the high value attributes were superior to other options.

Anzac Park was found to have the following positive features:

- ◆ A large enough land area to accommodate a storage building and potential to site this building to minimise any visual impact because of slope.
- ◆ Waka Ama and the building of a storage facility is a permitted activity and there is the precedent of existing activity and buildings for rowing and canoeing.
- ◆ Appears to have the most suitable topography.
- ◆ Has relatively sheltered navigable water that is far superior to other options.
- ◆ Supports the concept of dispersal of recreation infrastructure to mitigate water congestion at Marina.
- ◆ Easy to supervise area both on and off water.
- ◆ Adequate access for vehicle and trailer of up to 23m length and a looped road allowing for ease of traffic movement.
- ◆ Ability to store, train and compete at one site negating need to transport Waka across Gisborne up to 5 times per week.
- ◆ Allows for development of competition between clubs in Gisborne by enabling separate training facilities.
- ◆ Mareikura Waka Club agree to work with Council to address any perceived noise issues – they also have no plans for club-rooms or social facilities at the site and will carry on with administration away from site.

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Anzac Park was found to have the following negative features:

- ◆ Residential housing and residents with concerns over noise, parking, and loss of open-space.

To mitigate the negative features the following was suggested:

- ◆ Anzac Park has been used by Waka Ama since 2000. There are no plans to increase the size of the club and the club is agreeable to voluntary 'code' for noise abatement (there is some strenuous discussion about the noise levels created by the existing activities at Anzac Park between Waka Ama, rowing and canoeing and any 'noise code' should be applied equitably across all activities).
- ◆ Loss of open-space is 'visual' not 'actual' as the space occupied by waka and racks cannot currently be utilised by another activity (there is no obvious demand for other activity as it is). Waka are already stored in the open in a dispersed manner. With 'sympathetic' architecture and landscape design it is possible to enhance the visual appeal of the Anzac reserve through a storage facility development.