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**REPORT 3**  
*(1215/12/IM)*

## **CLASSIFICATION OF LAND UNDER THE RESERVES ACT 1977**

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### **1. Purpose of Report**

To advise the Board of an upcoming Strategy and Policy Committee (SPC) paper seeking Committee approval to notify Council's intention to classify the land listed in Schedule One as reserve and re-classify the land listed in Schedule Two under the Reserves Act 1977.

### **2. Executive Summary**

Classification of reserves under the Reserves Act 1977 identifies the primary purpose of a reserve and it also helps direct the management, usage and development of the reserve. There are some places that still need to be protected as reserve or reclassification is needed to reflect the primary purpose for which Council manages them.

NOTE: This report only covers the land within the Tawa Community Board jurisdiction.

### **3. Recommendations**

It is recommended that the Tawa Community Board:

- 1. Receives the information.*
- 2. Endorses the recommendations contained in the report to be considered by the Strategy and Policy Committee on Thursday 12 August 2010, namely:-*

*“Officers recommend that the Strategy and Policy Committee:*

- 1. Receives the information.*

2. *Recommends to Council that:*
  - (a) *under Section 14 of the Reserves Act 1977, the Council resolves to declare the parcels of land described in Schedule One classified as reserve land according to each parcel's primary purpose as outlined in the recommended classification in Schedule One, subject to public notification.*
  - (b) *under Section 24 of the Reserves Act 1977, the Council resolves that it considers that the parcels of land described in Schedule Two, currently held as reserve, should be reclassified to better reflect each parcel's primary purpose as outlined in the recommended classification in Schedule Two, subject to public notification.*
3. *Notes that gazettal of the resolutions contained in Recommendations 2(a) and (b) is subject to the approval of the Minister of Conservation, who will consider the proposed reserve classifications, the objections from the public and comments from Wellington City Council before deciding whether to classify or reclassify the land."*

## **4. Background**

### **4.1 Reserves Act**

Classification of land as reserve provides an additional layer of legislative protection under the Reserves Act. Classification binds the Council and limits (to a greater or lesser extent) how the land can be used. This increases the protection that the land has and provides the community with certainty as to the types of activities that can take place on the land.

### **4.2 Methodology to select Classification**

Classification is a mandatory process under section 16 of the Reserves Act which involves assigning a reserve (or parts of a reserve) to the appropriate class. The "class" determines the principle or primary purpose of the reserve. Further information about each classification category is provided in Appendix Three.

## **5. Discussion**

### **5.1 Land needing classification**

Some of the land parcels in Tawa, Grenada North and Takapu have not been classified and gazetted as reserve under the Reserves Act 1977. Other land parcels are already reserve and officers have assessed if these require re-classification to reflect the primary purpose.

Schedule One and Schedule Two list the recommended reserve classifications. There are descriptions of all the land needing classifying or reclassifying and reason why in Appendix One. Appendix Two has a map of Tawa, Grenada North and Takapu showing the land needing classification.

Because of the large number of land parcels, these have been grouped by function. The functions reflect the proposed classifications. Recreation reserve has been assessed as the most appropriate classification for sportsfields and community and local parks. The assessment of many of the bush reserves has recommended scenic B classification.

For most of the Council land on the western hills of Tawa, covered by the Outer Green Belt Management Plan, scenic B classification has been assessed as appropriate to protect landscapes and ecosystems. This requires some recreation reserve to be re-classified.

The only exceptions are land with utility values for which local purpose classification is seen as more appropriate.

## **5.2 Other land still requiring classification**

As well as the land listed in Schedules One and Two, officers are compiling a list of land parcels that have been vested in Council through subdivision. This list contains land that was vested for a purpose that officers have assessed as still relevant. Early next year there will be a SPC paper recommending Council resolve to classify these sites as reserve.

There are further sites that require both classification and reclassification that are not included in this report. These include examples like Willowbank Park, where a building straddles road reserve and park and requires road stopping prior to classification.

## **6. Conclusion**

The classifications that are recommended in Schedule One and Two have been derived after assessments of the values of each site and current and potential uses.

There will be public consultation on the recommended classifications later this year.

Contact Officer:

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**Schedule One:** Sites requiring classification under Section 14 of the Reserves Act (1977)

**Schedule Two:** Sites requiring reclassification under Section 24 of the Reserves Act (1977)

**Appendix One:** Map of Tawa, Grenada North and Takapu with land needing classification

**Appendix Two:** Reserve categories

<b>Supporting Information</b>
<b>1) Strategic Fit / Strategic Outcome</b> <i>Consistent with the policies in the Northern Reserves Management Plan and the Outer Green Belt Management Plan</i>
<b>2) LTCCP/Annual Plan reference and long term financial impact</b> <i>Work is carried out under project A004 . There is no long term financial impact of this work</i>
<b>3) Treaty of Waitangi considerations</b>
<b>4) Decision-Making</b> <i>This is not a significant decision</i>
<b>5) Consultation</b> <b>a) General Consultation</b> <i>Public consultation will be carried out following the process outlined in Sections 14, 119 and 120 of the Reserves Act.</i> <b>b) Consultation with Maori</b> <i>Ngati Toa and Wellington Tenth's Trust will be consulted before the SPC meeting.</i>
<b>6) Legal Implications</b> <i>Following Council approval the classification will require approval of the Minister of Conservation under the Reserves Act 1977</i>
<b>7) Consistency with existing policy</b> <i>The classification of the sites covered by the Northern Reserves Management Plan and Outer Green Belt Management Plan is consistent with existing policy</i>

# Schedule One – Sites requiring classification under Section 14 of the Reserves Act (1977)

## SPORTSFIELDS

NAME	LEGAL DESCRIPTION	CT	SIZE (ha)	PROPOSED CLASSIFICATION	REASON WHY
Grenada North Park and play area	Lot 2 DP 50139	WN38D/485	15.0093	Recreation  Except footprint of building = Local purpose (community purpose)	to protect recreation values - sportsfield, playground  due to community uses of the building
Linden Park	Pt Sec 53 Porirua District	WN615/99	1.5009	Recreation	to protect recreation values - sportsfield.
Linden Park West	Pt Sec 142 Porirua District	WNB1/656	0.1494	Recreation	to protect recreation values - sportsfield
	Lot 10 DP 18238	WN31C/600	0.987		
	Sec 1 survey office plan 34924	WN33A/907	0.193		
Lyndhurst Park and play area	Lot 3 DP 20555	WN802/74	0.5929	Recreation	to protect recreation values - sportsfield, playground.  Landscape amenity values are secondary purpose.
	Lot 1 DP 41064	WN13A/1499	0.96		
	Sec 160 Porirua District and Pt Sec 162 Porirua District and Lot 112A DP 9950 and Lot 340-341 DP 10265	WN13B/122	1.7755		
Redwood Park	Lot 1 DP 28061	WNF2/140	0.1907	Recreation	to protect recreation values – squash
	Lot 31 DP 25043	WNB3/1026	1.1162	Recreation	to protect recreation values - sportsfield
	Pt Lot 3 DP 20592	WN11D/343	3.0573		

## LOCAL PARKS & COMMUNITY PARKS

NAME	LEGAL DESCRIPTION	CT	SIZE (ha)	PROPOSED CLASSIFICATION	REASON WHY
87A Main Road	Lot 2-3 DP 74409	WN41D/326	0.0464	Recreation	to protect recreation values – local park
Arthur Carman Park	Sec 1 SO 35924	WN39A/414	0.144	Recreation	to protect recreation values - dog exercise area and future sportsfield.
Duncan Terrace	Lot 1 DP 75425	WN42A/832	1.606	Recreation	to protect recreation values – BMX track and skills area
Grasslees Reserve	Pt Sec 284 & Sec 195 Porirua District	WN12C/702	1.4555	Recreation	to protect recreation values – playground, picnicking, and off-leash dog exercise area , roller skating, bowling green
	Sec 407 Porirua District	WN22A/572	0.3217		
	Lot 1 DP 29788	WN6C/480	0.5172		

Larsen Park and play area	Lot 16 DP 27445	WNE3/346	0.1381	Recreation	to protect recreation values – local park
	Lot 3 DP 25519	WND3/305	0.087		
Wall Park and play area	Lot 27 DP 21093 and pt Lot 1 DP 7001	WN6A/1049	0.3301	Recreation	to protect recreation values – playground

## BUSH RESERVES

NAME	LEGAL DESCRIPTION	CERTIFICATE OF TITLE	SIZE (ha)	PROPOSED CLASSIFICATION	REASON WHY
Charles Duncan Reserve	Lot 1 DP 51563	WND4/957 cancelled	0.7629	Scenic reserve, for the purposes specified in s.19(1)(b)	to protect 1) landscape values – amenity for local community, 2) ecological values – regenerating bush, community group project Some recreation values - tracks
Larsen Crescent Reserve	Lot 1 DP 88116	WN55C/ 840	0.656619	Scenic reserve, for the purposes specified in s.19(1)(b)	to protect 1) ecological values –forest remnant & 2) landscape values – amenity. Minor recreation values – short link track between streets
	Lot 13 DP 27445	WNE2/1288	0.066		
Main Road West	Lot 48 DP 26425	WND2/1377 cancelled	0.2198	Scenic reserve, for the purposes specified in s.19(1)(b)	to protect landscape values – prominent hillside above Main Road.
	Lot 50 DP 41183		0.4075		
	Lot 28 DP 42752	146853	1.0182		
Wadham Reserve	Lot 47 DP33779	WN11A/856	0.286	Scenic reserve, for the purposes specified in s.19(1)(b)	to protect ecological values –regenerating bush and community planting project
Saint Annes Reserve	Lot 2 DP 55689	WN27D/131 cancelled	0.9588	Scenic reserve, for the purposes specified in s.19(1)(b)	to protect 1) ecological values – forest remnant & 2) landscape values – behind St Annes Square
Takapu Road Reserve	Lot 101 DP 79969	WN46D/333	1.003	Scenic reserve, for the purposes specified in s.19(1)(b)	to protect landscape values – linked to Woodburn Reserve.  Recreation and utility values are assessed as secondary and these uses/activities will be able to continue if scenic reserve
	Lot 102 DP 79969	WN46D/334	0.09		
Woodburn Reserve	Lot 52 DP 302319		15.2785	Scenic reserve, for the purposes specified in s.19(1)(b)	to protect 1) ecological values – forest remnant, seed source, ecological connectivity & 2) landscape values – prominent hillside  Recreation and utility values are assessed as secondary and these uses/activities will be able to continue if scenic reserve

## BUSH RESERVES MANAGED UNDER THE OUTER GREEN BELT MANAGEMENT PLAN

NAME	MANAGEMENT PLAN REF	LEGAL DESCRIPTION	CERTIFICATE OF TITLE	SIZE (ha)	PROPOSED CLASSIFICATION	REASON WHY
Katarina Grove Scenic Reserve	1.2.1	Lot 120 DP 48945	No CT	4.8465	Scenic reserve, for the purposes specified in s.19(1)(b)	to protect the 1) landscape values as it is a part of the western hills of Tawa & 2) ecological values including a forest remnant and regenerating bush  There is a playground and grassy area that could be used as a general kick-about area at the southern end. These activities can still occur in a Scenic reserve
Chastudon Place	1.2.2	Lot 86 DP 73352	WN52D/362	0.6525		
Chastudon Place	1.2.3	Lot 84 DP 73352	WN52D/361	0.2841		
Forglen Place, Chastudon Place	1.2.4	Lot 1 DP 55650	WN47D/884	4.6468		
Ordley Grove	1.2.5	Lot 102 DP 57939	No CT	0.0119		
Ordley Grove	1.2.6	Lot 83 DP 86775	WN54B/441	0.5404		
Chastudon Place	1.2.7	Lot 85 DP 86775	WN54B/442	0.0135		
Westwood Road, Westhaven Drive	1.2.8	Lot 1 DP 51597	WN20D/1436	3.7008		
Redwood Bush, Peterhouse Street	1.2.9	Lot 26 DP 52654	WN40A/175	0.78		
Redwood Bush, Brasenose Place	1.2.11	Lot 21 DP 48577	WN40A/172	0.1537		
Redwood Bush, Brasenose Place	1.2.12	Lot 24 DP 48579	WN40A/174	1.5108		
Redwood Bush/ Brasenose Place Play Area	1.2.13	Lot 23 DP 48578	WN40A/173	0.9443		

## OTHER PURPOSES

NAME	LEGAL DESCRIPTION	CERTIFICATE OF TITLE	SIZE (ha)	PROPOSED CLASSIFICATION	REASON WHY
Boscobel Lane Station Car park	Lot 6 DP 81011	WN47C/175	0.0009	Local purpose (carpark)	due to utility value – carpark
	Lot 5 DP 81011 Sec 1 SO 26506	WN47C/174	0.1306		
Tawa Cemetery	Pt Sec 52 Porirua District	WN352/277	0.0986	Historic	to protect historic importance of cemetery

## Schedule Two – Sites requiring reclassification under Section 24 of the Reserves Act (1977)

NAME	MANAGEMENT PLAN REF	LEGAL DESCRIPTION	CERTIFICATE OF TITLE	SIZE (ha)	CURRENT STATUS	PROPOSED CLASSIFICATION	REASON WHY
Redwood Bush, Oriel Avenue	1.2.10	Lot 1 DP 59929	WN30A/65	7.379	Recreation Reserve	Reclassify as <b>Scenic</b> reserve, for the purposes specified in s.19(1)(b)	to protect the 1) landscape values as it is a part of the western hills of Tawa & 2) ecological values including a forest remnant and regenerating bush  There are some tracks through this reserve. A recent assessment of the primary purpose concluded Council is managing this site more for its scenic values than the recreation values.
Victory Crescent to Leadley Lane, above Main Road		Lot 20-24 & 43 DP 26513	No title	0.5413	Recreation Reserve	Reclassify as <b>Scenic</b> reserve, for the purposes specified in s.19(1)(b)	to protect landscape values – prominent hillside above Main Road  A recent assessment of the primary purpose concluded Council is managing this site more for its scenic values than the recreation values. There is a sloping grassed area at the southern end.
Victory Crescent to Leadley Lane, above Main Road		Lot 44 DP 26513	No title	0.0936	Recreation Reserve		



## Appendix Two: Reserve categories

The following tables have been adapted from the Department of Conservation (DOC) Standard Operating Procedures Manual: Categorisation of Protected Areas, 1998 (Reference QD Code NH/1027(01)). The tables show the similarities and differences between the categories of protected areas under the Act that are relevant to the management of land held under the Act by local authorities.

The table notes the purpose and relevant section under the Reserves Act along with brief statements about the primary and secondary objectives of management; guidance for selection of the category for classification; and the typical organisation responsible for management of land in the category.

Classification category	Local Purpose Reserve
Purpose	Managed and developed for local educational, community, social or other local purposes which do not come within any other classification and which are specified in the classification.
Objectives of management (s.23)	<p><b>Primary</b></p> <ul style="list-style-type: none"> <li>• Determined by the purpose</li> <li>• Prohibit access to the whole or any part of the reserve except by permit where appropriate</li> </ul> <p><b>Secondary</b></p> <ul style="list-style-type: none"> <li>• Manage and protect scenic, historic, archaeological, biological or natural features</li> <li>• Maintain value as a soil, water, and forest conservation area</li> </ul>
Guidance for selection	Depends on purpose (but generally very small, modified areas)
Implications on development	The Council makes all decisions. Reserves are managed to protect the local purpose. Management and development must be consistent with that local purpose.
Implications on the natural environment	The Council makes all decisions. Reserves are managed to protect the local purpose. Management and development must be consistent with that local purpose.
Implications on authority to grant concessions: leases, licences, permits and easements	The Council (if the reserve comes under an approved management plan) may grant concessions, leases, licences, permits and easements (interests).

Classification category	Recreation Reserve
Purpose	An area of land (or land and water) possessing open space, and outdoor recreational values especially suitable for 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, including recreational tracks in the countryside.
Objectives of management (s.17)	<p><b>Primary</b></p> <ul style="list-style-type: none"> <li>• Allow the public freedom of entry and access subject to such conditions as are necessary for the protection and well-being of the reserve and for the protection and control of the public using it</li> <li>• Conserve those qualities which contribute to the pleasantness, harmony and cohesion of the natural environment and to the better use and enjoyment of the reserve</li> </ul> <p><b>Secondary</b></p> <ul style="list-style-type: none"> <li>• Manage and protect scenic, historic, archaeological, biological, geological or other scientific features or indigenous flora or fauna or wildlife</li> <li>• Maintain value as a soil, water and forest conservation area</li> </ul>
Guidance for selection	<ul style="list-style-type: none"> <li>• Area may be totally modified eg suitable for sportsfields</li> <li>• Area may be in a partly natural conditions eg suitable for picnic or camp sites or like development</li> <li>• Area may be lineal eg suitable for recreational walking and/or vehicle use</li> </ul>
Implications on development	The Council has a high level of decision making authority. Policies in the Reserve Management Plan provide for day-to-day management and development such as erecting appropriate buildings, removing or cutting back trees, constructing and maintaining tracks.
Implications on the natural environment	Recreational use and development must be compatible with natural reserve values and open space. Reserve Management Plan policies protect key values eg enhancing coastal ecosystems, restoring natural features.
Implications on authority to grant concessions: leases, licences, permits and easements	The Council (if the reserve comes under an approved management plan) may grant concessions, leases, licences, permits and easements (interests).

Classification category	Scenic A Reserve (as specified in section 19(1)(a) of Reserves Act)
Purpose	To protect and preserve in perpetuity, for their intrinsic worth and for the public benefit, enjoyment and use, areas of scenic interest or beauty or features worthy of protection in the public interest.
Objectives of management (s.19)	<p>Primary</p> <ul style="list-style-type: none"> <li>• Manage for their intrinsic worth and for the benefit, enjoyment and use of the public</li> <li>• Preserve indigenous flora and fauna, biological associations and the natural environment as far as possible</li> <li>• Exterminate exotic flora and fauna as far as possible</li> <li>• Allow the public freedom of entry and access subject to conditions and restrictions necessary for the protection and wellbeing of the reserve and for the protection and control of the public using it</li> </ul> <p>Secondary – if applicable</p> <ul style="list-style-type: none"> <li>• Develop open portions for amenities and facilities where these are necessary to enable the public to obtain benefit and enjoyment from the reserve</li> <li>• Manage and protect historic, archaeological, geological, biological, or other scientific features</li> <li>• Maintain value as a soil, water, and forest conservation area.</li> </ul>
Guidance for selection	<ul style="list-style-type: none"> <li>• Area should contain one or more natural or associated cultural or heritage features of special significance, or natural landscape of high scenic quality</li> <li>• Area should be large enough to protect the integrity of the features and its immediately related surroundings</li> </ul>
Implications on development	The Council makes decisions when development is anticipated in the management plan. This includes pedestrian and cycle access and tracks, necessary structures and facilities eg seating, signs and fences.
Implications on the natural environment	Activities related to the natural environment are anticipated in the management plan allowing the Council to make decisions, including plant restoration and re-vegetation, weed, animal and plant pest control.
Implications on authority to grant concessions: leases, licences, permits and easements	DOC – Wellington Conservancy has delegated authority. Possible concessions consistent with the primary purpose include access and sightseeing, filming, service easements and seed collection.

Classification category	Scenic B Reserve (as specified in section 19(1)(b) of Reserves Act)
Purpose	A suitable area of land (or land and water) which by development and the introduction of flora, whether indigenous or exotic, will become of significant scenic interest or beauty
Objectives of management (s.19)	<p>Primary</p> <ul style="list-style-type: none"> <li>• As appropriate to the purpose, preserve the indigenous flora and fauna, biological associations, and natural environment and beauty as far as possible</li> <li>• As appropriate, exterminate exotic fauna and (to be extent consistent with purpose) exotic flora as far as possible; allow the public freedom of entry and access subject to conditions and restrictions necessary for the protection and well-being of the reserve and for the protection and control of the public using it</li> </ul> <p>Secondary</p> <ul style="list-style-type: none"> <li>• Develop open portions for amenities and facilities where these are necessary to enable the public to obtain benefit and enjoyment from the reserve</li> <li>• Manage and protect historic, archaeological, geological, biological or other scientific features</li> <li>• Maintain value as a soil, water and forest conservation area</li> </ul>
Guidance for selection	<ul style="list-style-type: none"> <li>• Degraded natural or semi-natural areas where the public interest warrants restoration or conversion as a scenic attraction</li> <li>• Area will generally be small</li> </ul>
Implications on development	The Council makes decisions when development is anticipated in the management plan. This includes pedestrian and cycle access and tracks, necessary structures and facilities eg seating, signs and fences.
Implications on the natural environment	Activities related to the natural environment are anticipated in the management plan allowing the Council to make decisions, including plant restoration and re-vegetation, weed, animal and plant pest control.
Implications on authority to grant concessions: leases, licences, permits and easements	DOC – Wellington Conservancy has delegated authority. Possible concessions consistent with the primary purpose include access and sightseeing, filming, service easements and seed collection.

<b>Classification category</b>	<b>Historic Reserve</b>
<b>Purpose</b>	To protect and preserve in perpetuity places, objects and natural features of historic, archaeological, cultural, educational and other special interest.
<b>Objectives of management (s.18)</b>	<p><b>Primary</b></p> <ul style="list-style-type: none"> <li>• Manage structures, objects and sites to illustrate with integrity the history of New Zealand</li> <li>• Allow the public freedom of entry and access subject to such conditions and restrictions as are necessary for the protection and general wellbeing of the reserve and for the protection and control of the public using it</li> <li>• As appropriate, preserve the indigenous flora and fauna and natural environment as far as possible</li> </ul> <p><b>Secondary (if applicable)</b></p> <ul style="list-style-type: none"> <li>• Manage and protect scenic, archaeological, geological, biological, or other scientific features, or indigenous flora and fauna, or wildlife</li> <li>• Maintain value as a soil, water, and forest conservation area</li> </ul>
<b>Guidance for selection</b>	<ul style="list-style-type: none"> <li>• Area should be sufficiently large to preserve all the significant historic or archaeological features associated with the place, object or natural feature</li> <li>• Area should include sufficient additional land as a buffer against incompatible development or as unobtrusive sites for necessary services for management and public use</li> <li>• The primary value should be traditional, historic or archaeological through an association with major events, or Maori tradition</li> <li>• Area should have immediate interest to the visitor, or be important as a key for continuing research and interpretation of New Zealand history</li> </ul>
<b>Implications on development</b>	The Council makes decisions when development is anticipated in the management plan. This includes pedestrian and cycle access and tracks, necessary structures and facilities eg seating, signs and fences.
<b>Implications on the natural environment</b>	Activities related to the natural environment are anticipated in the management plan allowing the Council to make decisions, including plant restoration and re-vegetation, weed, animal and plant pest control.
<b>Implications on authority to grant concessions: leases, licences, permits and easements</b>	DOC – Wellington Conservancy has delegated authority. Possible concessions consistent with the primary purpose include access and sightseeing, filming, service easements and seed collection.