

Notice is given that a Submissions Hearing meeting will be held on:

Date: Tuesday 13 April 2021
Time: 9.30 am
Meeting Room: Tasman Council Chamber
Venue: 189 Queen Street
Richmond

Submissions Hearing

AGENDA

MEMBERSHIP

Chairperson	Cr C Mackenzie
Members	Deputy Mayor S Bryant Cr K Maling Cr D Ogilvie Mr Marlen Elkington Ms Ursula Passl

(Quorum 2 members)

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AGENDA

1 OPENING, WELCOME

2 APOLOGIES AND LEAVE OF ABSENCE

Recommendation

That apologies be accepted.

3 REPORTS

3.1 Submissions and deliberations on the proposals to classify existing reserves located in Moutere-Waimea Ward..... 5

4 HEARING OF SUBMISSIONS

Hearing Panel members are reminded to bring their copy of submissions to the meeting.

Attachment 1 is a draft schedule of the submitters wishing to speak on the day.....13

5 DELIBERATIONS

These will commence after the conclusion of the hearing.

3 REPORTS

3.1 SUBMISSIONS AND DELIBERATIONS ON THE PROPOSALS TO CLASSIFY EXISTING RESERVES LOCATED IN MOUTERE-WAIMEA WARD

Decision Required

Report To:	Submissions Hearing
Meeting Date:	13 April 2021
Report Author:	Anna Gerraty, Policy Advisor
Report Number:	RSH21-04-3

1 Summary

- 1.1 This report has been prepared to assist the Hearing Panel to hear submitters and deliberate on the submissions received on the proposals to classify existing reserves located in Moutere-Waimea Ward ('proposals to classify reserves'), prior to the Panel making its recommendations to Full Council on what the final classifications should be.
- 1.2 At the meeting on 5 November 2020, the Strategy and Policy Committee approved the release of the proposals to classify existing reserves located in Moutere-Waimea Ward (Proposals to Classify Reserves) for public consultation (refer to Report RSPC20-11-4).
- 1.3 Submissions were open between 20 November 2020 and 15 March 2021.
- 1.4 A total of 51 written submissions were received by the close of submissions. No late submissions were received. A copy of all submissions has been sent to the Hearing Panel for the proposals to classify reserves.
- 1.5 Fifteen submitters asked to speak to their submissions at the hearing on 13 April 2021 – however, the Wakefield School Board of Trustees have since withdrawn their request to speak. Attachment 1 contains the schedule of the remaining 14 submitters who indicated that they wish to be heard. Deliberations will also take place on 13 April 2021.
- 1.6 Attachment 2 to this report provides the Hearing Panel with a summary of the submissions received and discusses a range of matters raised in the submissions on proposals to classify reserves. Staff seek direction on any changes for inclusion in the final proposals, which will be presented to Full Council for approval and adoption on 20 May 2021.

2 Draft Resolution

That the Hearing Panel:

- 1. receives and considers the submissions on the proposals to classify existing reserves located in Moutere-Waimea Ward; and**
- 2. in response to matters raised in the submissions received on the proposals to classify reserves, requests staff make the following changes to the proposals, to present to Full Council for their consideration when making their decision on final reserve classifications:**
 - a. amend the proposed classification of _____ Reserve from x to y; and**
- 3. agrees that staff give effect to the recommendations referred to in Resolution 2 above when preparing the final proposals to classify reserves; and**
- 4. agrees that the Hearing Panel report that includes the final proposals to classify reserves be presented to Full Council for consideration and adoption on 20 May 2021.**

3 Purpose of the Report

- 3.1 This report provides the Hearing Panel with a summary of the submissions received and discusses a range of matters raised in the submissions on the proposals to classify existing reserves located in Moutere-Waimea Ward. Staff seek direction on any changes and amendments for inclusion in the final proposals to classify reserves, which is scheduled to be presented to Full Council for their consideration and approval on 20 May 2021.

4 Background and Discussion

Brief overview of the process to classify reserves

- 4.1 The classification of reserves is carried out under section 16 of the Reserves Act 1977 (see Attachment 3 for relevant extracts from the Act). Reserves may be classified by the Minister of Conservation or, for reserves specified in s16(2A), by the local authority that they are vested in. The Minister of Conservation's powers under s16 of the Reserves Act have also been delegated to territorial authorities where the territorial authority is the administering body of the relevant reserve by virtue of a vesting or an appointment to control and manage.
- 4.2 The Reserves Act requires all reserves to be classified. There is no statutory deadline for when this must be completed, but classification must occur before a number of other provisions of the Act can be used, including the public notification of a draft management plan (s41).
- 4.3 The purpose of classification is to ensure the control, management, development, use, maintenance, and preservation of reserves for their appropriate purposes.
- 4.4 Classification therefore depends on an understanding the reserve's primary purpose(s), and any secondary purpose(s) or functions that are to be provided for (to the extent that they are consistent with the primary purpose).
- 4.5 Different parts of a reserve can be categorised into different classes under the Reserves Act, if they have distinctly different purposes and values. However, this is only likely to be advantageous for larger reserves with clearly different components; otherwise it is preferable to select the type based on the primary purpose for the majority of the reserve, and to manage other parts of the reserve for the appropriate secondary purposes. These can be more clearly defined in any management plan prepared for the reserve.
- 4.6 Attachment 4 to this report contains an extract (Chapter 13: Reserve Classification) from 'A Guide for Reserve Administering Bodies' (Department of Conservation, 2016). Tables summarising the purposes, management objectives and selection guidelines for different types of reserve are included within Attachment 4.

Background to current consultation process

- 4.7 The background to the proposals to classify reserves under the Reserves Act 1977, maps showing locations of existing reserves in Moutere-Waimea Ward and a copy of the proposals to classify existing reserves as either Scenic, Historic, Recreation or Local Purpose Reserves were provided in Report RSPC20-11-4 at the 5 November 2020 Strategy and Policy Committee meeting.
- 4.8 At that meeting, the Committee resolved, pursuant to Section 16 of the Reserves Act 1977, to release the proposals to classify reserves for public consultation on 20 November 2020. Detailed information about the proposals that were publicly notified is available on Council's website at: <https://www.tasman.govt.nz/my-council/public-consultation/past-consultations/proposals-to-classify-reserves-in-moutere-waimea-ward/>.
- 4.9 Councillors Mackenzie, Bryant, Turley and Ogilvie were appointed to the Hearing Panel to hear the submissions on the Draft Plan. The Committee also resolved that at least one Mātauranga Māori expert be appointed to the Hearing Panel by the Mayor.
- 4.10 Two nominations were received for the Mātauranga Māori positions: Ursula Passl was nominated by Ngāti Tama, Ngāti Rārua and Te Ātiawa iwi Trusts, and Marlen Elkington was nominated by Ngāti Kōata iwi Trust. The Mayor appointed both Ms Passl and Mr Elkington to the Panel on 17 March 2021.
- 4.11 One change was made to the Hearing Panel membership prior to the opening of the hearing. Councillor Turley withdrew from the panel as she had a prior engagement on the hearing date, and Councillor MacKenzie (Chair of the Hearing Panel) appointed Councillor Maling to the panel in her place.
- 4.12 Fourteen submitters have asked to speak in support of their submission at the hearing scheduled for 13 April 2021. Attachment 1 contains a schedule of submitters who indicated that they wished to be heard.
- 4.13 On 13 April 2021, the Hearing Panel will deliberate on all submissions received after all speakers have been heard. Deliberations will continue on 16 April, if required.
- 4.14 A summary of the submissions with staff recommendations is provided in Attachment 2. The submission summary is arranged by topic, followed by comments on specific submission points that fell outside of these main themes.

Discussion

- 4.15 The role of the Hearing Panel is to consider the submissions received and recommend to Council the extent to which each submission point should be allowed or disallowed (i.e. accepted, accepted in part, or rejected).
- 4.16 The attached staff recommendations (Attachment 2) provide an indication of the views of the staff on each of the topic areas. These views have been discussed internally, but could change as a result of further information being presented by submitters at the hearing.
- 4.17 The summary of submissions and staff comments have been arranged into broad themes where relevant. For those topics where only one or a small number of submitters commented, these have been grouped under the heading 'Other Comments'.
- 4.18 The Hearing Panel will be required to present a report to Full Council outlining whether each submission point has been allowed or not, and their recommended changes (if any) to the proposals to classify reserves.

5 Options

- 5.1 The obligation is now on the Hearing Panel to deliberate and make decisions on the submissions received. Two options exist as a consequence of the public consultation process that has been undertaken. These are:
- Option 1: proceed with the proposals to classify reserves as advertised; or
 - Option 2: recommend to Council amendments to the reserve classifications, based on the comments made by submitters (i.e. those accepted in full or part). This option would satisfy those submitters whose points are accepted by the Hearing Panel.
- 5.2 Staff have analysed the points raised and Therefore Option ... is the option recommended by staff. The submission analysis and reasons behind each of the staff recommendations are included in Attachment 2 to this report.

6 Strategy and Risks

- 6.1 Classification of reserves provides them with a primary purpose and contributes to a number of the Council's community outcomes, namely:
- our unique natural environment is healthy, protected and sustainably managed;
 - our urban and rural environments are people-friendly, well-planned, accessible and sustainably managed; and
 - our communities have access to a range of social, cultural, educational and recreational facilities and activities.

7 Policy / Legal Requirements / Plan

- 7.1 Council has developed and consulted on the proposals to classify reserves in accordance with the provisions of the Reserves Act 1977 and the Local Government Act 2002. Providing submitters with the opportunity to present their feedback verbally to the hearing panel enables a deeper level of understanding of the views of those submitters.
- 7.2 Following the hearings, the Panel will consider the feedback received in submissions (both written and verbal) and recommend to Full Council any changes to the final reserve classifications.

8 Consideration of Financial or Budgetary Implications

- 8.1 The costs associated with hearing submissions and deliberations are absorbed within the Community Development Department budgets.
- 8.2 There will be minor costs associated with completing the process to classify reserves (i.e. publishing notices in New Zealand Gazette). Provision for these will come from existing Community Development budgets.

9 Significance and Engagement

- 9.1 This report does not have significance or engagement implications as public consultation is already underway: submissions have been received and the hearing and deliberations are a further part of the consultation process.

10 Conclusion

- 10.1 There has been a good level of community interest and feedback on the proposals to classify reserves and this has been summarised in Attachment 2. The hearings provide a further opportunity for the Hearing Panel to hear and understand the feedback from some submitters.
- 10.2 Hearing, deliberating and making recommendations to Council on all submissions received is a critical part of the process and must be completed in order to successfully classify existing reserves in Moutere-Waimea Ward. Reserve classification needs to be completed before publicly notifying a draft reserve management plan.

11 Next Steps / Timeline

- 11.1 Following hearings and deliberations staff will:
- a) make any necessary wording changes to the proposals to classify reserves, to give effect to the recommendations of the Hearing Panel; and
 - b) circulate the amended proposals to the Hearing Panel for approval; and
 - c) prepare the final proposals and a Hearing Panel report to enable its adoption by the Full Council on 20 May 2021.

Attachments

1.	Hearing Schedule	13
2.	Submission Summary and Staff Comments to Assist Deliberations	15
3.	Extracts from Reserves Act 1977 relating to classification	39
4.	Extracts from Reserves Act Guide 2016 on classification	47

Item 3.1

Hearing Schedule for Proposals to classify reserves in Moutere-Waimea Ward

Tuesday, April 13, 2021

TDC Council Chambers (14 Speakers)

Start Time	Duration	Speaker (Submission ID)
9:40 AM	(10 mins)	Helen Campbell (26649)
9:50 AM	(10 mins)	Rob Brown (26824)
10:00 AM	(10 mins)	Doug South (26697) Wakefield Bush Restoration Society (2000) Inc
10:10 AM	(10 mins)	Ian and Lloyd Faulkner (26773)
10:20 AM	(10 mins)	Julie Nevin (26815) Wakefield Playcentre
10:40 AM	(10 mins)	Mrs Susan Shaw (26829)
10:50 AM	(10 mins)	Gillian Pollock (26819) Forest & Bird, Nelson Tasman Branch
11:15 AM	(10 mins)	Mr David Sissons (26704) Waimea Inlet Forum working group
11:25 AM	(10 mins)	Elsbeth Collier (26828) Residents of the Matahua Peninsula, Waimea Inlet
11:35 AM	(10 mins)	Mr David Mitchell (26572)
11:45 AM	(10 mins)	Judy Mitchell (26762)
11:55 AM	(10 mins)	Rex Hunt (26757)
12:05 PM	(10 mins)	Marion Satherley (26857) Mapua & Districts Community Association
12:15 PM	(10 mins)	Mike Ingram (26827) Wakatū Incorporation

Item 3.1

Attachment 1

Submission Summary and Staff Comments to Assist Deliberation

Item 3.1

SUMMARY OF SUBMISSIONS RECEIVED

The proposals to classify existing reserves in Moutere-Waimea Ward was publicly notified on 20 November 2020 and open for submissions over the summer, closing on 15 March 2021. A total of 51 written submissions were received during this time period. The hearing is scheduled to take place on 13 April 2021.

Most submitters focused their comments on one or more of the main themes A-E listed in the table below.

The table also provides a summary of the number of submitters supporting or opposing the proposals (where relevant), along with the total number of submissions received on each theme.

1.	Ref.	2. Submission theme	3. Number of submitters		
			4. Support	5. Oppose	6. Total
7.	A	8. Proposals to classify as historic reserve	9.	10.	11.
12.	B	13. Proposals to classify as local purpose reserve	14.	15.	16.
17.	C	18. Proposals to classify as recreation reserve 19. (most submissions in opposition related Aranui Park and Dominion Flats reserves, both located at Mapua)	20.	21.	22.
23.	D	24. Proposals to classify as scenic reserve 25. (most submissions in opposition related Faulkner Bush Reserve and Robsons Reserve, both located at Wakefield)	26.	27.	28.
29.	E	30. Other comments:	31.	32.	33.
		(i) Comments on cultural significance of reserves	34.	35.	36.
		(ii) General support for classifying reserves	37.	38.	39.
		(iii) Requests to declare land as reserve	40.	41.	42.
		(iv) Issues that could be addressed in the draft Reserve Management Plan (RMP)	43.	44.	45.

Attachment 2

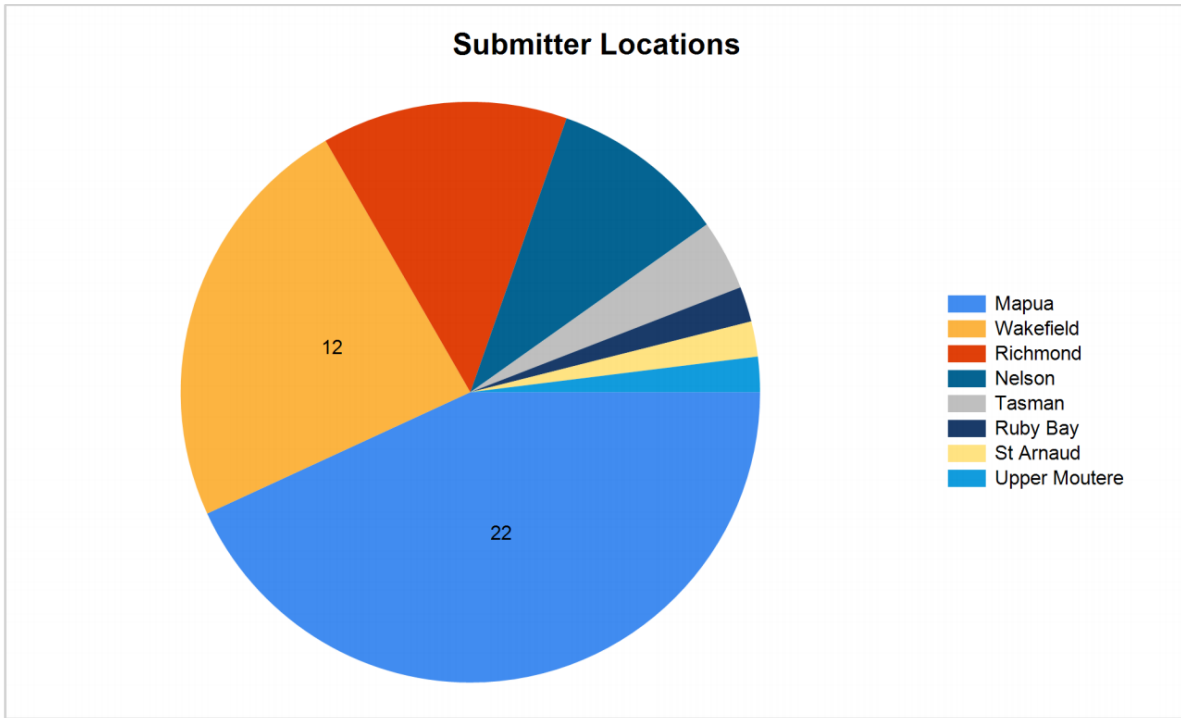
The documents distributed to Hearing Panel members include:

- i. a Word document containing submission points sorted by themes A-E listed above;
- ii. a PDF document containing all lengthy submissions in full, ordered by submitter ID number; and
- iii. submissions (or a summary of more lengthy submissions) listed in speaker order.

Item 3.1

Attachment 2

Submitter locations are shown on the following pie chart:



STAFF COMMENTS

Following this introductory section, this report is organised by the main submission themes A–E listed in the table on page 1.

Brief overview of the reserve classification process

Section 16 of the Act sets out the process for classifying reserves (i.e. those land parcels that have been vested as reserves and are subject to the Reserves Act). The final step required to complete the process is for a notice to be published in the New Zealand Gazette, stating the classification of each reserve (refer sections 16(1) and 16(2) of the Act).

The Minister of Conservation (the Minister) was previously responsible for classifying all reserves that existed prior to 1977 (s16(1)(a)). In 2013, the Minister delegated this responsibility to local authorities. The delegation provides Council with the authority to classify reserves under sections 14 and 16 of the Act.

Most of the reserves located within Moutere-Waimea Ward have not yet been formally classified under the Act. The Department of Conservation have checked their records and confirmed that this is the case. This was often the situation with reserve management plans developed by councils in the past. A total of 207 land parcels are existing reserves yet to be classified in the Moutere-Waimea Ward.

A total of 40 land parcels in the Ward, representing 21 separate areas, are reserves that have already been formally classified under the Act. Council has vested authority over most of these classified reserves – i.e. the Council manages these areas on behalf of the Crown. Council is not proposing that the existing classification or purpose be amended for any of these reserves.

Council needs to classify the reserves before publicly notifying a draft Moutere-Waimea Ward RMP.

Comparison of the primary purpose of the relevant reserve classifications (see Attachment 4 for further details)

- **Historic Reserve** - An area of land (or land and water) possessing places, objects and natural features as are of historic, archaeological, cultural, educational and other special interest.
- **Local Purpose Reserve** - An area of land (or land and water) suitable for a specified local educational or community purpose which does not duplicate any other reserve purpose.
- **Local Purpose (Esplanade) Reserve** - A fixed linear area of riverbank, lakeshore or seashore of at least three metres or greater width (usually 20m) either in a natural or modified state available primarily for conservation and public access.
- **Recreation Reserve** - 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.
- **Scenic Reserve A (Natural s.19(1)(a))** - Area of land (or land and water) possessing significant qualities of scenic interest or beauty or significant features or landscapes
- **Scenic Reserve B (Modified s.19(1)(b))** - 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.

A. STAFF COMMENTS ON PROPOSALS TO CLASSIFY AS HISTORIC RESERVE

Council proposed that three parcels of land in Brightwater (all at the same location – the Lord Rutherford Memorial reserve) be classified as Historic Reserve. In 1975, the Waimea County Council purchased the land (i.e. Lot 1 DP 9151 and Lot 2 DP 5360) on which the house stood in which Lord Ernest Rutherford was born, with the objective of establishing a suitable memorial on the site. The record of title issued in 1975 stated that Waimea County Council was "seised of an estate in fee simple as a public reserve under and for the purposes of Part II of the Reserves and Domains Act 1953". Council acquired Lot 1 DP 14795 in 1991 when the neighbouring land was subdivided and it was added to the same certificate of title as the other two parcels that Council purchased in 1975. An additional parcel (Lot 2 DP 9151) that Council administers at this site is not currently subject to the Reserves Act 1977, and therefore not subject to the proposals to classify reserves.

Submitter 26804 provided general support for Council’s proposals to classify all reserves in the Ward, and submitter 26727 supports all of the proposals for Historic Reserve classification.

Staff recommendation – the Hearing Panel recommends to Council that

RESERVE IS KNOWN AS	STREET ADDRESS / LOCATION DESCRIPTION	MAP #	LEGAL DESCRIPTION	PARCEL DESCRIPTION	SIZE (ha)
Lord Rutherford Memorial	91 & 93 Lord Rutherford Road North, Brightwater	27, #1(b)	Lot 2 DP 5360, Lot 1 DP 9151 And Lot 1 DP 14795	Lot 1 DP 9151	0.1055
Lord Rutherford Memorial	91 & 93 Lord Rutherford Road North, Brightwater	27, #1(c)	Lot 2 DP 5360, Lot 1 DP 9151 and Lot 1 DP 14795	Lot 1 DP 14795	0.0196
Lord Rutherford Memorial	91 & 93 Lord Rutherford Road North, Brightwater	27, #1(d)	Lot 2 DP 5360, Lot 1 DP 9151 And Lot 1 DP 14795	Lot 2 DP 5360	0.0037

STAFF COMMENTS ON PROPOSALS TO CLASSIFY AS LOCAL PURPOSE RESERVE

In total, nine submitters commented on the proposals to classify as local purpose reserve. Submitter 26804 provided general support for Council’s proposals to classify all reserves in the Ward, and submitter 26727 supports all of the proposals for Local Purpose Reserve classification. Submitter 26572 supports classifying both Dawson Road Walkway and Dominion Flats Walkway as Local Purpose (Walkway) Reserve, while submitter 26571 specifically supports the proposals to classify three parcels of Faulkner Bush Reserve as Local Purpose (Community Buildings) Reserve. Five (submitters 26587, 26588, 26673, 26704 and 26828) opposed specific proposals – these objections are summarised in the following paragraph.

Three submitters (26587, 26588 and 26673) oppose Dominion Flats Walkway being classified as Local Purpose (Walkway) Reserve and request it be classified as Scenic Reserve under s19(1)(b) instead. Submitters 26587 and 26588 also have the same recommendation for Dawson Road Walkway. They reason that both walkway areas are an integral part of the nearby Dominion Flats area, where native tree plantings are becoming well established. However, they also recognise that *“these areas are not suitable for any purpose other than walking with or without dogs, biking and group walking.”*

Two submitters (26704 and 26828) oppose classifying reserves adjoining the Waimea Inlet as Local Purpose (Esplanade) Reserves. Submitter 26704 considers that Local Purpose (Esplanade) and Recreation classifications will give inadequate protection to the highly valued ecological features of the Inlet and its shoreline, which have benefited greatly from the pest trapping, weed control and revegetation work that has been carried out by the Council and the Waimea Inlet Forum together on many of these reserves over the past decade. The reserves include and/or adjoin various Significant Natural Habitats. The submitter advocates that priority is given to the preservation of the shoreline’s indigenous flora and fauna, biological associations, natural environment and beauty, and that it has the ability to restrict public entry and access to these areas as necessary, as provided for in the Scenic Reserve classification. They suggest that Scenic Reserve is the most appropriate classification for these reserves, because their natural features have become modified over the years and are now being restored. They request that most of the reserves adjoining Waimea Inlet be granted the legal protection afforded by the Scenic B classification (s19(1)(b)). Similarly, submitter 26828 supports the submission made by the Waimea Inlet Forum (submitter 26704) and specifically requests that the Apple Valley Road Esplanade Reserve be classified as Scenic Reserve under s19(1)(b), to protect its significant ecological values, including the Matahau saltmarsh and regenerating coastal forest.

Staff recommendation – the Hearing Panel recommends to Council that

Proposals to classify existing reserves in Moutere-Waimea Ward as Local Purpose Reserve (of various types)

RESERVE IS KNOWN AS	STREET ADDRESS / LOCATION DESCRIPTION	MAP, #	LEGAL DESCRIPTION	PARCEL DESCRIPTION	SIZE (ha)	PROPOSED RESERVE CLASSIFICATION
Local Purpose (Community Buildings) Reserve						
Faulkner Bush Reserve	16 and 24 Treeton Place, Wakefield	29, #8(c)	Lot 3 DP 436177 and Sec 2-3 SO 348765	Lot 3 DP 436177	0.0307	Local Purpose (Community Buildings) Reserve
Faulkner Bush Reserve	16 and 24 Treeton Place, Wakefield	29, #8(d)	Lot 3 DP 436177 and Sec 2-3 SO 348765	Sec 2 SO 348765	0.2855	Local Purpose (Community Buildings) Reserve
Faulkner Bush Reserve	16 and 24 Treeton Place, Wakefield	29, #8(e)	Lot 3 DP 436177 and Sec 2-3 SO 348765	Sec 3 SO 348765	0.6177	Local Purpose (Community Buildings) Reserve
Spring Grove School Reserve	244 Lord Rutherford Road South, Brightwater	25, #5	Lot 2 DP 14970	Lot 2 DP 14970	1.1477	Local Purpose (Community Buildings) Reserve
Wakefield Hall Reserve	10B Whitby Way, Wakefield	30, #10	Lot 2 DP 7510	Lot 2 DP 7510	0.1053	Local Purpose (Community Buildings) Reserve
Local Purpose (War Memorial & Community Buildings) Reserve						
Moutere Hills RSA Memorial Hall and Library	60 Aranui Road, Mapua	14, #8	Pt Lot 6 DP 657	Pt Lot 6 DP 657	0.1016	Local Purpose (War Memorial & Community Buildings) Reserve
Local Purpose (Esplanade) Reserve						
Aporo Road Esplanade Reserve	Aporo Road, Ruby Bay (behind 90 Aporo Road)	10, #1	Lot 8 DP 439005	Lot 8 DP 439005	0.0918	Local Purpose (Esplanade) Reserve
Apple Valley Road Esplanade Reserve	42 Apple Valley Road East, Mapua	16, #7	Lot 8 DP 315786	Lot 8 DP 315786	0.3755	Local Purpose (Esplanade) Reserve
Aranui Road Esplanade Reserve	Between 130 & 132 Aranui Road, Mapua	13, #8	Lot 4 DP 432685	Lot 4 DP 432685	0.3006	Local Purpose (Esplanade) Reserve
Arnold Lane Reserve	Arnold Lane, Spring Grove	25, #3	Lot 3 DP 16982	Lot 3 DP 16982	0.2756	Local Purpose (Esplanade) Reserve
Baigent Valley Road - Golf Road Esplanade Reserve	Baigent Valley Road, Wakefield	29, #2	Lot 3 DP 438207, Lot 4 DP 17895, Lot 6 8 DP 16046	All parcels	0.9664	Local Purpose (Esplanade) Reserve
Baigent Valley Road - Golf Road Esplanade Reserve	Baigent Valley Road, Wakefield	29, #2(a)	Lot 3 DP 438207	Lot 3 DP 438207	0.3704	Local Purpose (Esplanade) Reserve
Baigent Valley Road - Golf Road Esplanade Reserve	Baigent Valley Road, Wakefield	29, #2(b)	Lot 4 DP 17895	Lot 4 DP 17895	0.0360	Local Purpose (Esplanade) Reserve
Baigent Valley Road - Golf Road Esplanade Reserve	Baigent Valley Road, Wakefield	29, #2(c)	Lots 6 8 DP 16046	Lot 8 DP 16046	0.1740	Local Purpose (Esplanade) Reserve
Baigent Valley Road - Golf Road Esplanade Reserve	Baigent Valley Road, Wakefield	29, #2(d)	Lots 6 8 DP 16046	Lot 6 DP 16046	0.3860	Local Purpose (Esplanade) Reserve
Bronte Road Esplanade Reserve	Bronte Road East, Bronte	18, #1	Lot 7 DP 431683, Lot 4 DP 485078	All parcels	1.5448	Local Purpose (Esplanade) Reserve
Bronte Road Esplanade Reserve	Bronte Road East, Bronte	18, #1(a)	Lot 7 DP 431683	Lot 7 DP 431683	1.2613	Local Purpose (Esplanade) Reserve
Bronte Road Esplanade Reserve	Bronte Road East, Bronte	18, #1(b)	Lot 4 DP 485078	Lot 4 DP 485078	0.2835	Local Purpose (Esplanade) Reserve

RESERVE IS KNOWN AS	STREET ADDRESS / LOCATION DESCRIPTION	MAP, #	LEGAL DESCRIPTION	PARCEL DESCRIPTION	SIZE (ha)	PROPOSED RESERVE CLASSIFICATION
Bronte Road East Esplanade Reserve	Bronte Road East, Bronte	18, #3	Lot 4 DP 30419, Lot 4 DP 14727, Lot 3 DP 464313, Lot 5 DP 5201	All parcels	1.4690	Local Purpose (Esplanade) Reserve
Bronte Road East Esplanade Reserve	Bronte Road East, Bronte	18, #3(a)	Lot 4 DP 304019	Lot 4 DP 304019	0.6993	Local Purpose (Esplanade) Reserve
Bronte Road East Esplanade Reserve	Bronte Road East, Bronte	18, #3(b)	Lot 4 DP 14727	Lot 4 DP 14727	0.3380	Local Purpose (Esplanade) Reserve
Bronte Road East Esplanade Reserve	Bronte Road East, Bronte	18, #3(c)	Lot 3 DP 464313	Lot 3 DP 464313	0.2284	Local Purpose (Esplanade) Reserve
Bronte Road East Esplanade Reserve	Bronte Road East, Bronte	18, #3(d)	Lot 5 DP 5201	Lot 5 DP 5201	0.2084	Local Purpose (Esplanade) Reserve
Clover Road West Esplanade Reserve	Clover Road West, Hope	24, #7	Sec 2 SO 355132	Sec 2 SO 355132	0.2850	Local Purpose (Esplanade) Reserve
Cotterell Road Esplanade Reserve	Cotterell Road, Appleby	22, #3	Lot 9 DP 18160	Lot 9 DP 18160	1.0950	Local Purpose (Esplanade) Reserve
Eighty Eight Valley Esplanade Reserve	Eighty Eight Valley Road, Wakefield	29, #3(b)	Lot 2 DP 17067	Lot 2 DP 17067	0.3650	Local Purpose (Esplanade) Reserve
Grossi Point Esplanade Reserve	Tahi Street, Mapua	15, #2	Lot 4 DP 491680, Lot 4 DP 7570, Lot 15 DP 6482, Lots 9 & 11 DP 5006, Lots 10 & 11 DP 4524 Blk II Moutere S D	All parcels	0.3065	Local Purpose (Esplanade) Reserve
Grossi Point Esplanade Reserve	Tahi Street, Mapua	15, #2(a)	Lot 15 DP 6482	Lot 15 DP 6482	0.0516	Local Purpose (Esplanade) Reserve
Grossi Point Esplanade Reserve	Tahi Street, Mapua	15, #2(b)	Lot 11 DP 4524	Lot 11 DP 4524	0.0814	Local Purpose (Esplanade) Reserve
Grossi Point Esplanade Reserve	Tahi Street, Mapua	15, #2(c)	Lot 11 DP 5006	Lot 11 DP 5006	0.0381	Local Purpose (Esplanade) Reserve
Grossi Point Esplanade Reserve	Tahi Street, Mapua	15, #2(d)	Lot 9 DP 5006	Lot 9 DP 5006	0.0461	Local Purpose (Esplanade) Reserve
Grossi Point Esplanade Reserve	Tahi Street, Mapua	15, #2(e)	Lot 10 DP 4524	Lot 10 DP 4524	0.0690	Local Purpose (Esplanade) Reserve
Grossi Point Esplanade Reserve	Tahi Street, Mapua	15, #2(f)	Lot 4 DP 7570	Lot 4 DP 7570	0.0102	Local Purpose (Esplanade) Reserve
Grossi Point Esplanade Reserve	Tahi Street, Mapua	15, #2(g)	Lot 4 DP 491680	Lot 4 DP 491680	0.0101	Local Purpose (Esplanade) Reserve
Hoddy Road Esplanade Reserve	Hoddy Road, Bronte	20, #1	Lot 3 DP 491165, Lot 6 DP 5074, Lot 6 DP 513449, Lot 5 DP 428094, Lot 4 DP 20551	All parcels	2.3528	Local Purpose (Esplanade) Reserve
Hoddy Road Esplanade Reserve	Hoddy Road, Bronte	20, #1(a)	Lot 3 DP 491165	Lot 3 DP 491165	0.1450	Local Purpose (Esplanade) Reserve
Hoddy Road Esplanade Reserve	Hoddy Road, Bronte	20, #1(b)	Lot 6 DP 5074	Lot 6 DP 5074	0.2985	Local Purpose (Esplanade) Reserve
Hoddy Road Esplanade Reserve	Hoddy Road, Bronte	20, #1(c)	Lot 6 DP 513449	Lot 6 DP 513449	0.8400	Local Purpose (Esplanade) Reserve

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Hoddy Road Esplanade Reserve	Hoddy Road, Bronte	20, #1(d)	Lot 5 DP 428094	Lot 5 DP 428094	0.6508	Local Purpose (Esplanade) Reserve
Hoddy Road Esplanade Reserve	Hoddy Road, Bronte	20, #1(e)	Lot 4 DP 20551	Lot 4 DP 20551	0.4187	Local Purpose (Esplanade) Reserve
Kelling Road Esplanade Reserve	11 Kelling Road, Upper Moutere	5, #4	Lot 4 DP 508453	Lot 4 DP 508453	1.3329	Local Purpose (Esplanade) Reserve
Kina Peninsula Esplanade Reserve Walkway	Kina Peninsula Road, Kina Peninsula	7, #2	Lot 8 DP 20423	Lot 8 DP 20423	1.2590	Local Purpose (Esplanade) Reserve
Kina Reserve	Kina Beach Road, Kina Peninsula	8, #3	Lot 3 DP 13707, Lots 4 5 DP 6547, Lots 6 7 DP 5524	All parcels	1.4813	
Kina Reserve	Kina Beach Road, Kina Peninsula	8, #3(a)	Lot 3 DP 13707	Lot 3 DP 13707	1.0760	Local Purpose (Esplanade) Reserve
Kina Reserve	Kina Beach Road, Kina Peninsula	8, #3(b)	Lot 4 DP 6547	Lot 4 DP 6547	0.0461	Local Purpose (Esplanade) Reserve
Kina Reserve	Kina Beach Road, Kina Peninsula	8, #3(c)	Lot 5 DP 6547	Lot 5 DP 6547	0.0115	Local Purpose (Esplanade) Reserve
Kina Reserve	Kina Beach Road, Kina Peninsula	8, #3(d)	Lot 6 DP 5524	Lot 6 DP 5524	0.0734	Local Purpose (Esplanade) Reserve
Kina Reserve	Kina Beach Road, Kina Peninsula	8, #3(e)	Lot 7 DP 5524	Lot 7 DP 5524	0.3026	Local Purpose (Esplanade) Reserve
Lee Valley Esplanade Reserve	Lee Valley Road, Lee Valley	34, #1	Lots 3 4 DP 17556, Lot 2 DP 17543	All parcels	1.0677	Local Purpose (Esplanade) Reserve
Lee Valley Esplanade Reserve	Lee Valley Road, Lee Valley	34, #1(a)	Lot 4 DP 17556	Lot 4 DP 17556	0.1300	Local Purpose (Esplanade) Reserve
Lee Valley Esplanade Reserve	Lee Valley Road, Lee Valley	34, #1(b)	Lot 2 DP 17543	Lot 2 DP 17543	0.3577	Local Purpose (Esplanade) Reserve
Lee Valley Recreation Reserve	Lee Valley Road, Lee Valley	34, #1(c)	Lot 8 DP 15699	Lot 8 DP 15699	0.5510	Local Purpose (Esplanade) Reserve
Lee Valley Esplanade Reserve	Lee Valley Road, Lee Valley	34, #1(d)	Lot 3 DP 17556	Lot 3 DP 17556	0.5800	Local Purpose (Esplanade) Reserve
Lightband Road Esplanade Reserve	5 Lightband Road, Brightwater	25, #6	Lot 4 DP 358238	Lot 4 DP 358238	0.1777	Local Purpose (Esplanade) Reserve
Maisey Road Esplanade Reserve	The Coastal Highway, Appleby-Motueka	20, #2	Lot 1 DP 13658	Lot 1 DP 13658	0.2394	Local Purpose (Esplanade) Reserve
Mapua Esplanade Reserve	Iwa Street, Mapua	14, #10	Lot 2 DP 20152, Lot 3 DP 330071	All parcels		Local Purpose (Esplanade) Reserve
Mapua Esplanade Reserve	Iwa Street, Mapua	14, #10(a)	Lot 2 DP 20152	Lot 2 DP 20152	0.0040	Local Purpose (Esplanade) Reserve
Mapua Esplanade Reserve	Iwa Street, Mapua	14, #10(b)	Lot 3 DP 330071	Lot 3 DP 330071	0.0040	Local Purpose (Esplanade) Reserve
Meads Bridge Reserve	Lee Valley Road, Lee Valley	34, #3	Lots 7 9 DP 15210	All parcels	1.2382	Local Purpose (Esplanade) Reserve
Meads Bridge Reserve	Lee Valley Road, Lee Valley	34, #3(a)	Lots 7 9 DP 15210	Lots 7 DP 15210	1.0116	Local Purpose (Esplanade) Reserve
Meads Bridge Reserve	Lee Valley Road, Lee Valley	34, #3(b)	Lots 7 9 DP 15210	Lots 9 DP 15210	0.2266	Local Purpose (Esplanade) Reserve
Moreland Place Esplanade Reserve	Moreland Place, Mapua	14, #1	Lot 5 6 DP 304288, Lot 96 DP 504876, Lot 21 DP 12594, Lot 4 DP 414200	All parcels	0.9699	Local Purpose (Esplanade) Reserve
Moreland Place Esplanade Reserve	Moreland Place, Mapua	14, #1(a)	Lot 6 DP 304288	Lot 6 DP 304288	0.0470	Local Purpose (Esplanade) Reserve
Moreland Place Esplanade Reserve	Moreland Place, Mapua	14, #1(b)	Lot 96 DP 504876	Lot 96 DP 504876	0.0450	Local Purpose (Esplanade) Reserve
Moreland Place Esplanade Reserve	Moreland Place, Mapua	14, #1(e)	Lot 21 DP 12594	Lot 21 DP 12594	0.4585	Local Purpose (Esplanade) Reserve

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Moreland Place Esplanade Reserve	Moreland Place, Mapua	14, #1(f)	Lot 5 DP 304288	Lot 5 DP 304288	0.2360	Local Purpose (Esplanade) Reserve
Moreland Place Esplanade Reserve	Moreland Place, Mapua	14, #1(g)	Lot 4 DP 414200	Lot 4 DP 414200	0.1834	Local Purpose (Esplanade) Reserve
Moutere Bluff Esplanade Reserve	The Coastal Highway, Appleby-Motueka	10, #2	Lot 2 DP 11134	Lot 2 DP 11134	0.6070	Local Purpose (Esplanade) Reserve
Ngatimoti Esplanade Reserve	Motueka Valley Highway, Motueka-Woodstock	1, #1	Secs 1,3, 5 SO 371045, Lots 1,3 DP 370766	All parcels	2.4124	Local Purpose (Esplanade) Reserve
Ngatimoti Esplanade Reserve	Motueka Valley Highway, Motueka-Woodstock	1, #1(a)	Lots 1 3 DP 370766	Lot 3 DP 370766	0.6440	Local Purpose (Esplanade) Reserve
Ngatimoti Esplanade Reserve	Motueka Valley Highway, Motueka-Woodstock	1, #1(b)	Secs 1 3 5 SO 371045	Sec 5 SO 371045	0.0379	Local Purpose (Esplanade) Reserve
Ngatimoti Esplanade Reserve	Motueka Valley Highway, Motueka-Woodstock	1, #1(c)	Secs 1 3 5 SO 371045	Sec 3 SO 371045	0.0655	Local Purpose (Esplanade) Reserve
Ngatimoti Esplanade Reserve	Motueka Valley Highway, Motueka-Woodstock	1, #1(d)	Lots 1 3 DP 370766	Lot 1 DP 370766	1.3230	Local Purpose (Esplanade) Reserve
Ngatimoti Esplanade Reserve	Motueka Valley Highway, Motueka-Woodstock	1, #1(e)	Secs 1 3 5 SO 371045	Sec 1 SO 371045	0.3420	Local Purpose (Esplanade) Reserve
Ngatimoti Esplanade Reserve #2	Motueka Valley Highway, Motueka-Woodstock	2, #3	Sec 1 SO 348951, Lot 4 DP 15783, Lot 3 DP 4898	All parcels	1.7420	Local Purpose (Esplanade) Reserve
Ngatimoti Esplanade Reserve #2	Motueka Valley Highway, Motueka-Woodstock	2, #3(a)	Sec 1 SO 348951	Sec 1 SO 348951	1.6654	Local Purpose (Esplanade) Reserve
Ngatimoti Esplanade Reserve #2	Motueka Valley Highway, Motueka-Woodstock	2, #3(b)	Lot 4 DP 15783	Lot 4 DP 15783	0.0325	Local Purpose (Esplanade) Reserve
Ngatimoti Esplanade Reserve #2	Motueka Valley Highway, Motueka-Woodstock	2, #3(c)	Lot 3 DP 4898	Lot 3 DP 4898	0.0331	Local Purpose (Esplanade) Reserve
O'Connor Creek Esplanade Reserve	The Coastal Highway, Appleby-Motueka	21, #6	Lots 2 4 DP 16267	All parcels	0.5730	Local Purpose (Esplanade) Reserve
O'Connor Creek Esplanade Reserve	The Coastal Highway, Appleby-Motueka	21, #6(a)	Pt Lot 2 DP 16267	Pt Lot 2 DP 16267	0.3040	Local Purpose (Esplanade) Reserve
O'Connor Creek Esplanade Reserve	The Coastal Highway, Appleby-Motueka	21, #6(b)	Lot 4 DP 16267	Lot 4 DP 16267	0.2690	Local Purpose (Esplanade) Reserve
Old House Road Esplanade Reserve	Between 27 & 43 Old House Road	5, #1	Lot 4 DP 9725	Lot 4 DP 9725	0.0323	Local Purpose (Esplanade) Reserve
Old Mill Walkway Reserve	152 Aranui Road, Mapua	12, #4(a)	Lot 12 DP 16467	Lot 12 DP 16467	2.8300	Local Purpose (Esplanade) Reserve
Old Mill Walkway Reserve	152 Aranui Road, Mapua	12, #4(b)	Lot 4 DP 528043	Lot 4 DP 528043	0.0940	Local Purpose (Esplanade) Reserve
Palmer Road Esplanade Reserve	Palmer Road, Waimea West	24, #2	Lot 2 DP 19534	Lot 2 DP 19534	0.0234	Local Purpose (Esplanade) Reserve
Pearl Creek Esplanade Reserve	Cotterell Road, Appleby	22, #4	Lot 1 DP 500380	Lot 1 DP 500380	0.8940	Local Purpose (Esplanade) Reserve
Pearse Valley Esplanade Reserve	Pearse Valley Road, Woodstock	1, #2	Lot 2 DP 14140	Lot 2 DP 14140	0.0030	Local Purpose (Esplanade) Reserve

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Peninsula Road Recreation Reserve	Peninsular Road, Ngatimoti	2, #4	Lot 2 DP 19247	Lot 2 DP 19247	0.0477	Local Purpose (Esplanade) Reserve
Rana Place Esplanade Reserve	Rana Place, Mapua	13, #10	Lot 98 DP 523762	Lot 98 DP 523762	0.1689	Local Purpose (Esplanade) Reserve
Research Orchard Road Esplanade Reserve	Research Orchard Road, Appleby	21, #4	Lot 1 DP 18638	Lot 1 DP 18638	0.6164	Local Purpose (Esplanade) Reserve
Research Orchard Road Esplanade Reserve	Research Orchard Road, Appleby	21, #5	Lots 17-18 DP 410968	All parcels	1.4050	Local Purpose (Esplanade) Reserve
Research Orchard Road Reserve	Research Orchard Road, Appleby	21, #5(a)	Lot 18 DP 410968	Lot 18 DP 410968	1.2610	Local Purpose (Esplanade) Reserve
Research Orchard Road Reserve	Research Orchard Road, Appleby	21, #(b)	Lot 17 DP 410968	Lot 17 DP 410968	0.1440	Local Purpose (Esplanade) Reserve
Ruby Bay Esplanade Reserve	The Coastal Highway, Appleby-Motueka	10, #8	Lot 2 DP 7091 Lot 14 DP 4955	All parcels	0.5411	Local Purpose (Esplanade) Reserve
Ruby Bay Esplanade Reserve	The Coastal Highway, Appleby-Motueka	10, #8(a)	Lot 14 DP 4955	Lot 14 DP 4955	0.5094	Local Purpose (Esplanade) Reserve
Ruby Bay Esplanade Reserve	The Coastal Highway, Appleby-Motueka	10, #8(b)	Lot 2 DP 7091	Lot 2 DP 7091	0.0317	Local Purpose (Esplanade) Reserve
Ruby Bay Esplanade Reserve	The Coastal Highway, Appleby-Motueka	12, #1	Lot 4 DP 4849	Lot 4 DP 4849	0.0855	Local Purpose (Esplanade) Reserve
Ruby Bay Esplanade Reserve	Adjoins 29 Broadsea Avenue, Ruby Bay	12, #2	Lot 30 DP 6775	Lot 30 DP 6775	1.1129	Local Purpose (Esplanade) Reserve
Tasman Bay Esplanade Reserves	Permin Road, Tasman	9, #1	Lot 3 DP 15091, Lot 3 DP 10545	All parcels	1.2953	Local Purpose (Esplanade) Reserve
Tasman Bay Esplanade Reserves	Permin Road, Tasman	9, #1(a)	Lot 3 DP 15091	Lot 3 DP 15091	0.9870	Local Purpose (Esplanade) Reserve
Tasman Bay Esplanade Reserves	Permin Road, Tasman	9, #1(b)	Lot 3 DP 10545	Lot 3 DP 10545	0.2600	Local Purpose (Esplanade) Reserve
Teapot Valley Road Esplanade Reserve	Teapot Valley Road, Waimea West	24, #4	Lot 3 DP 16373, Lot 3 DP 18391	All parcels	0.8666	Local Purpose (Esplanade) Reserve
Teapot Valley Road Esplanade Reserve	Teapot Valley Road, Waimea West	24, #4(a)	Lot 3 DP 18391	Lot 3 DP 18391	0.2000	Local Purpose (Esplanade) Reserve
Teapot Valley Road Esplanade Reserve	Teapot Valley Road, Waimea West	24, #4(b)	Lot 3 DP 16373	Lot 3 DP 16373	0.6540	Local Purpose (Esplanade) Reserve
Trass Valley Esplanade Reserve	Trass Valley Road, Wai-iti	31, #1	Lot 4 DP 514199	Lot 4 DP 514199	0.0689	Local Purpose (Esplanade) Reserve
Toru Street Esplanade Reserve	Tahi Street, Mapua	14, #9	Lot 3 DP 331815	Lot 3 DP 331815	0.0041	Local Purpose (Esplanade) Reserve
Wai-iti River Reserve	Teapot Valley Road, Waimea West	25, #2	Lots 5 6 DP 16950	All parcels	0.9220	Local Purpose (Esplanade) Reserve
Wai-iti River Reserve	Teapot Valley Road, Waimea West	25, #2(a)	Lots 5 6 DP 16950	Lot 5 DP 16950	0.2700	Local Purpose (Esplanade) Reserve
Wai-iti River Reserve	Teapot Valley Road, Waimea West	25, #2(b)	Lots 5 6 DP 16950	Lot 6 DP 16950	0.6520	Local Purpose (Esplanade) Reserve

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Waimea Estuary Reserve	The Coastal Highway, Appleby-Motueka	21, #2	Lot 3 DP 13527, Lot 4 DP 392320	All parcels	0.4742	Local Purpose (Esplanade) Reserve
Waimea Estuary Reserve	The Coastal Highway, Appleby-Motueka	21, #2(a)	Lot 3 DP 13527	Lot 3 DP 13527	0.3890	Local Purpose (Esplanade) Reserve
Waimea Estuary Reserve	The Coastal Highway, Appleby-Motueka	21, #2(b)	Lot 4 DP 392320	Lot 4 DP 392320	0.0519	Local Purpose (Esplanade) Reserve
Waimea Inlet Esplanade Reserve	The Coastal Highway, Appleby-Motueka	16, #6	Lot 3 DP 411290	Lot 3 DP 411290	0.2360	Local Purpose (Esplanade) Reserve
Wairoa Gorge Esplanade Reserve	Wairoa Gorge Road, Brightwater	32, #1	Lot 3 DP 8124	Lot 3 DP 8124	0.2605	Local Purpose (Esplanade) Reserve
Wairoa Gorge Esplanade Reserve	Wairoa Gorge Road, Brightwater	32, #3	Lots 14-16 DP 19390, Lots 3-4 DP 503414	All parcels	4.3410	Local Purpose (Esplanade) Reserve
Wairoa Gorge Esplanade Reserve	Wairoa Gorge Road, Brightwater	32, #3(a)	Lot 14 DP 19390	Lot 14 DP 19390	0.2680	Local Purpose (Esplanade) Reserve
Wairoa Gorge Esplanade Reserve	Wairoa Gorge Road, Brightwater	32, #3(b)	Lot 15 DP 19390	Lot 15 DP 19390	2.8460	Local Purpose (Esplanade) Reserve
Wairoa Gorge Esplanade Reserve	Wairoa Gorge Road, Brightwater	32, #3(c)	Lot 16 DP 19390	Lot 16 DP 19390	0.6400	Local Purpose (Esplanade) Reserve
Wairoa Gorge Esplanade Reserve	Wairoa Gorge Road, Brightwater	32, #3(d)	Lot 3 DP 503414	Lot 3 DP 503414	0.3440	Local Purpose (Esplanade) Reserve
Wairoa Gorge Esplanade Reserve	Wairoa Gorge Road, Brightwater	32, #3(e)	Lot 4 DP 503414	Lot 4 DP 503414	0.2430	Local Purpose (Esplanade) Reserve
Wairoa Gorge Esplanade Reserve	Wairoa Gorge Road, Brightwater	32, #4	Lot 3 DP 15136, Lot 2 DP 17531	All parcels	1.5528	Local Purpose (Esplanade) Reserve
Wairoa Gorge Esplanade Reserve	Wairoa Gorge Road, Brightwater	32, #4(a)	Lot 3 DP 15136	Lot 3 DP 15136	0.3660	Local Purpose (Esplanade) Reserve
Wairoa Gorge Esplanade Reserve	Wairoa Gorge Road, Brightwater	32, #4(b)	Lot 2 DP 17531	Lot 2 DP 17531	0.9125	Local Purpose (Esplanade) Reserve
Wairoa River Esplanade Reserve	Lightband Road, Brightwater	25, #7	Pt Lot 3 DP 16911	Pt Lot 3 DP 16911	2.5800	Local Purpose (Esplanade) Reserve
Westdale Road Esplanade Reserves	Westdale Road, Redwood Valley	19, #4	Lots 4-7 DP 411705, Lot 7 DP 462487	All parcels	1.0603	Local Purpose (Esplanade) Reserve
Westdale Road Esplanade Reserve 1	Westdale Road, Redwood Valley	19, #4(a)	Lot 4 DP 411705	Lot 4 DP 411705	0.0010	Local Purpose (Esplanade) Reserve
Westdale Road Esplanade Reserve 2	Westdale Road, Redwood Valley	19, #4(b)	Lot 5 DP 411705	Lot 5 DP 411705	0.0297	Local Purpose (Esplanade) Reserve
Westdale Road Esplanade Reserve 3	Westdale Road, Redwood Valley	19, #4(c)	Lot 6 DP 411705	Lot 6 DP 411705	0.0567	Local Purpose (Esplanade) Reserve
Westdale Road Esplanade Reserve 4	Westdale Road, Redwood Valley	19, #4(d)	Lot 7 DP 411705	Lot 7 DP 411705	0.0459	Local Purpose (Esplanade) Reserve
Westdale Road Esplanade Reserve 5	Westdale Road, Redwood Valley	19, #4(e)	Lot 7 DP 462487	Lot 7 DP 462487	0.9270	Local Purpose (Esplanade) Reserve

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Woodstock Reserve	Woodstock Road, Woodstock	3, #1	Lot 5 DP 13427	Lot 5 DP 13427	0.0510	Local Purpose (Esplanade) Reserve
Local Purpose (Drainage) Reserve						
Old Mill Walkway Reserve	152 Aranui Road, Mapua	12, #4(g)	Pt Lot 3 DP 306472 shown as Sec 1 SO 450338	Sec 1 SO 450338	0.0840	Local Purpose (Drainage) Reserve
Unnamed (Iwa Street, Mapua)	Iwa Street, Mapua	14, #2	Lots 94-95 DP 504876	All parcels	0.6207	Local Purpose (Drainage) Reserve
Unnamed (Iwa Street, Mapua)	Iwa Street, Mapua	14, #2(a)	Lots 94-95 DP 504876	Lot 94 DP 504876	0.3103	Local Purpose (Drainage) Reserve
Unnamed (Iwa Street, Mapua)	Iwa Street, Mapua	14, #2(b)	Lots 94-95 DP 504876	Lot 95 DP 504876	0.3104	Local Purpose (Drainage) Reserve
Local Purpose (Walkway) Reserve						
Aranui Road - Mapua School Walkway	Aranui Road, Mapua	12, #5	Lot 16 DP 336741	Lot 16 DP 336741	0.0290	Local Purpose (Walkway) Reserve
Aranui Road-Langford Drive Walkway	Langford Drive, Mapua	15, #1	Lot 1 DP 472570, Lots 28 29 DP 17242, Lot 64 DP 18328	All parcels		Local Purpose (Walkway) Reserve
Aranui Road-Langford Drive Walkway	Langford Drive, Mapua	15, #1(c)	Lot 29 DP 17242	Lot 29 DP 17242	0.3050	Local Purpose (Walkway) Reserve
Aranui Road-Langford Drive Walkway	Langford Drive, Mapua	15, #1(d)	Lot 64 DP 18328	Lot 64 DP 18328	0.0642	Local Purpose (Walkway) Reserve
Bronte Road East Walkway	24 Cardno Way, Bronte Peninsula	18, #2	Lot 8 DP 431757, Lot 8 DP 431683	All parcels	0.1953	Local Purpose (Walkway) Reserve
Bronte Road East Walkway	24 Cardno Way, Bronte Peninsula	18, #2(a)	Lot 8 DP 431683	Lot 8 DP 431683	0.0439	Local Purpose (Walkway) Reserve
Bronte Road East Walkway	24 Cardno Way, Bronte Peninsula	18, #2(b)	Lot 8 DP 431757	Lot 8 DP 431757	0.1514	Local Purpose (Walkway) Reserve
Bronte Road West to Trafalgar Road Walkway	Bronte Road West, Mahana	19, #1	Lot 7 DP 448599	Lot 7 DP 448599	0.5240	Local Purpose (Walkway) Reserve
Citrus Grove to Langford Drive Walkway	Between 7 & 9 Citrus Grove, and 4 & 6 Langford Drive, Mapua	14, #7	Lot 13 DP 19637	Lot 13 DP 19637	0.0398	Local Purpose (Walkway) Reserve
Dawson Road Walkway	Dawson Road, Mapua	16, #1	Lot 2 DP 20482	Lot 2 DP 20482	0.9811	Local Purpose (Walkway) Reserve
Dominion Flats Walkway	Mapua Drive, Mapua	16, #2	Sec 1 SO 441669	Sec 1 SO 441669	1.3531	Local Purpose (Walkway) Reserve
Harley Road Walkway	Harley Road, Tasman-Upper Moutere	8, #1	Secs 18 20 SO 440717	All parcels	0.2836	Local Purpose (Walkway) Reserve
Harley Road Walkway	Harley Road, Tasman-Upper Moutere	8, #1(a)	Secs 18 20 SO 440717	Sec 18 SO 440717	0.2820	Local Purpose (Walkway) Reserve
Harley Road Walkway	Harley Road, Tasman-Upper Moutere	8, #1(b)	Secs 18 20 SO 440717	Sec 20 SO 440717	0.0016	Local Purpose (Walkway) Reserve
Kilkenny Place Walkway	Totara View Road, Wakefield	29, #10(a)	Lot 9 DP 372973	Lot 9 DP 372973	0.4404	Local Purpose (Walkway) Reserve
Lionel Place to Te Aroha Place Walkway	Lionel Place, Mapua	14, #5	Lot 28 DP 320579	Lot 28 DP 320579	0.0201	Local Purpose (Walkway) Reserve
Moreland Place Walkway Reserve	Moreland Place, Mapua	14, #1(c)	Lot 19 DP 12594	Lot 19 DP 12594	0.0061	Local Purpose (Walkway) Reserve
Moreland Place Walkway Reserve	Moreland Place, Mapua	14, #1(d)	Lot 20 DP 12594	Lot 20 DP 12594	0.0149	Local Purpose (Walkway) Reserve
Old Mill Walkway Reserve	152 Aranui Road, Mapua	12, #4(c)	Lot 3 DP 528043	Lot 3 DP 528043	0.0407	Local Purpose (Walkway) Reserve

Item 3.1

Attachment 2

RESERVE IS KNOWN AS	STREET ADDRESS / LOCATION DESCRIPTION	MAP, #	LEGAL DESCRIPTION	PARCEL DESCRIPTION	SIZE (ha)	PROPOSED RESERVE CLASSIFICATION
Old Mill Walkway Local Purpose Reserve	Aranui Road, Mapua	12, #4(h)	Lot 17 DP 336741	Lot 17 DP 336741	0.0978	Local Purpose (Walkway) Reserve
Pine Hill Heights Walkways	The Coastal Highway, Appleby-Motueka	10, #6	Lot 5 DP 16139, Lot 25 DP 15280, Lot 27 DP 13646	All parcels	0.0561	Local Purpose (Walkway) Reserve
Pine Hill Heights Walkway (the luge)	The Coastal Highway, Appleby-Motueka	10, #6(a)	Lot 5 DP 16139	Lot 5 DP 16139	0.0143	Local Purpose (Walkway) Reserve
Pine Hill Heights Walkway	The Coastal Highway, Appleby-Motueka	10, #6(b)	Lot 25 DP 15280	Lot 25 DP 15280	0.0193	Local Purpose (Walkway) Reserve
Pine Hill Heights Walkway	The Coastal Highway, Appleby-Motueka	10, #6(c)	Lot 27 DP 13646	Lot 27 DP 13646	0.0223	Local Purpose (Walkway) Reserve
Rana Place Walkway	Rana Place, Mapua	13, #11	Lot 97 DP 523762	Lot 97 DP 523762	0.0217	Local Purpose (Walkway) Reserve
Ridgeview Walkway Reserve	Ridgeview Road, Appleby	21, #7	Lot 22 DP 427937	Lot 22 DP 427937	0.0880	Local Purpose (Walkway) Reserve
Seaton Valley Road Walkway Reserve	Between 71 and 75 Seaton Valley Road, Mapua	13, #12	Lot 5 DP 500024	Lot 5 DP 500024	0.1969	Local Purpose (Walkway) Reserve
Starveall Street Walkway	22 Starveall Street, Brightwater	27, #2	Lots 10 24 26 DP 16254, Lot 28 DP 9598, Pt Lot 2 DP 10225	All parcels	0.1419	Local Purpose (Walkway) Reserve
Starveall Street Walkway	22 Starveall Street, Brightwater	27, #2(a)	Lot 24 DP 16254	Lot 24 DP 16254	0.0552	Local Purpose (Walkway) Reserve
Rintoul Place Walkway	23 Rintoul Place, Brightwater	27, #2(c)	Lot 10 DP 16254	Lot 10 DP 16254	0.0476	Local Purpose (Walkway) Reserve
Starveall Street Walkway	22 Starveall Street, Brightwater	27, #2(d)	Lot 26 DP 16254	Lot 26 DP 16254	0.0080	Local Purpose (Walkway) Reserve
Starveall Street Walkway	22 Starveall Street, Brightwater	27, #2(f)	Lot 28 DP 9598	Lot 28 DP 9598	0.0143	Local Purpose (Walkway) Reserve
Starveall Street Walkway	22 Starveall Street, Brightwater	27, #2(g)	Pt Lot 2 DP 10225	Pt Lot 2 DP 10225	0.0197	Local Purpose (Walkway) Reserve
Warren Place Reserve	Warren Place, Mapua	13, #5	Lot 12 DP 18043	Lot 12 DP 18043	0.1629	Local Purpose (Walkway) Reserve
Wakefield Railway Reserve Walkway	63 Whitby Road, Wakefield	30, #5(a)	Lots 1 3 DP 16542	Lot 1 DP 16542	0.1643	Local Purpose (Walkway) Reserve
Wakefield Railway Reserve Walkway	63 Whitby Road, Wakefield	30, #5(b)	Lots 1 3 DP 16542	Lot 3 DP 16542	0.1036	Local Purpose (Walkway) Reserve
Local Purpose (Walkway & Utility) Reserve						
George Fyfe Way Walkway	George Fyfe Way, Wakefield	29, # 1	Lot 100 DP 527106	Lot 100 DP 527106	0.1699	Local Purpose (Walkway & Utility) Reserve
Old Mill Walkway Reserve	152 Aranui Road, Mapua	12, #4(d)	Lot 13 DP 16467	Lot 13 DP 16467	0.0838	Local Purpose (Walkway & Utility) Reserve
Old Mill Walkway Reserve	152 Aranui Road, Mapua	12, #4(e)	Lot 1 DP 17367	Lot 1 DP 17367	0.0142	Local Purpose (Walkway & Utility) Reserve
Old Mill Walkway Reserve	152 Aranui Road, Mapua	12, #4(f)	Lot 2 DP 17367	Lot 2 DP 17367	0.0015	Local Purpose (Walkway & Utility) Reserve
Redmill Road Walkway	Mount Arthur View, Redwood Valley	21, #1	Lot 53 DP 488997	Lot 53 DP 488997	0.0440	Local Purpose (Walkway & Utility) Reserve

C. STAFF COMMENTS ON PROPOSALS TO CLASSIFY AS RECREATION RESERVE

In total, 47 submitters commented on the proposals to classify as recreation reserve: 9 in support and 38 opposed to specific proposals. Submitter 26804 provided general support for Council's proposals to classify all reserves in the Ward. Eight submitters supported proposals to classify specific areas as recreation reserve: four supported Wakefield Recreation Reserve, Mapua Recreation Reserve (submitter 26646), the recreation part of Robsons Reserve (submitter 26829), Brightwater School Reserve (submitter 26727) and Grossi Point Reserve (submitter 26650). The majority of those opposed to specific proposals objected to Dominion Flats (19 submitters) and/or Aranui Park (26 submitters) being classified as Recreation Reserve: all requested that both areas instead be classified as Scenic Reserve under s19(1)(b) – except for submitter 26819, who asks that Aranui Park be classified as Scenic Reserve under s19(1)(a). Submitters 26560 and 26561 both oppose the recreation part of Robsons Reserve being classified as Recreation Reserve, they request that area be classified as Local Purpose Reserve instead. Submitter 26704 objects to proposals to classify reserves adjoining Waimea Inlet as Recreation Reserve and asks that these be classified as Scenic Reserve under s19(1)(b).

Section 17 of the Reserves Act sets out the primary purpose of a Recreation Reserve:

“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.”

The primary objectives of management are to:

- *allow the public freedom of entry and access subject to such conditions as are necessary for the protection and wellbeing of the reserve and for the protection and control of the public using it; and*
- *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.*

The secondary objectives of management are to:

- *manage and protect scenic, archaeological, geological, biological, or other scientific features, or indigenous flora and fauna, or wildlife; and*
- *maintain value as a soil, water, and forest conservation area.*

The Department of Conservation's Reserves Act Guide 2016 (see Attachment 4) sets out the guidance for selection as Recreation Reserve as:

- *Area may be totally modified e.g. suitable for sports fields*
- *Area may be in a partly natural conditions e.g. suitable for picnic or camp sites or like development*
- *Area may be lineal eg suitable for recreational walking and/or vehicle use.*

Wakefield Recreation Reserve

Four submitters (26571, 26573, 26574 and 26575) commented on the unclassified parcels of land at Wakefield Recreation Reserve, in support of Council's proposal to classify these as Recreation Reserve. Additionally, several commented that they supported development of a community recreation facility at this reserve (a matter for the draft RMP and Council's Long Term Plan).

Dominion Flats

As stated above, 19 submitters (26548, 26554, 26555, 26578, 26587, 26703, 26710, 26756, 26757, 26762, 26572, 26588, 26646, 26673, 26791, 26795, 26819, 26824 and 26857) opposed the proposal to classify Dominion Flats as Recreation Reserve; all requested that it be classified as Scenic Reserve under s19(1)(b) instead. All 19 submitters were concerned that Recreation Reserve classification do not accurately reflect the primary values of the reserve (regenerating coastal native forest), hence the suggestions for the alternative classification of Scenic Reserve status.

In 2013, both parcels (Sec 2 SO 465263 and Sec 9 SO 445119) of land now known as Dominion Flats were vested in Council as recreation reserve (GN 2013, p3632), meaning Council has vested authority over this land. The rationale for vesting it as recreation reserve was that Council intended to develop a walkway/cycleway linkage through this area and other adjoining land. Prior to its creation as a reserve, the area was in pasture and grazed by stock. The land was taken by the Crown as part of the Coastal Highway development and some of the excess material (clay and other fill) from the new road was deposited in the lower part of the gully. The reserve has subsequently been planted in native coastal species (mostly via volunteer labour) which are growing well, with a canopy starting to form in the lower area. Apart from the walkway/cycleway that runs through the reserve, the entire land area is now covered in native trees.

On the opposite side of the Coastal Highway from Dominion Flats is another gully, bounded by Dominion Road. The Crown acquired this land for reserve purposes in 2017 and it is managed by the Department of Conservation. DOC classified this land as local purpose (cultural and ecological restoration) reserve in 2019.

Location of the DOC reserve opposite Dominion Flats:



Aranui Park

Twenty five submitters (26548, 26554, 26555, 26578, 26587, 26703, 26710, 26756, 26757, 26762, 26572, 26577, 26579, 26580, 26588, 26593, 26646, 26648, 26680, 26735, 26791, 26795, 26798, 26857 and 26989) opposed the proposal to classify Aranui Park as Recreation Reserve and requested that it be classified as Scenic Reserve under s19(1)(b). Submitter 26819, also opposed this proposal and asks that Aranui Park instead be classified as Scenic Reserve under s19(1)(a). All 26 submitters were concerned that Recreation Reserve classification do not accurately reflect the ecological and scenic values of the reserve, hence the suggestions for the alternative classification of Scenic Reserve status.

In 1977, the Wells family gifted the land now known as Aranui Park to the Crown as a reserve for recreation purposes, subject to the Reserves and Domains Act 1953. Later that year it was declared to be a public domain and form part of the Mapua Domain (GN 1977, p3206). In 1984, the name of the reserve was changed to Aranui Park (GN 1984, p3530). This reserve was administered by the Mapua Domain Board from 1977 until 1989, when Council became the administering body via the Local Government (Nelson-Marlborough Region) Reorganisation Order 1989 (GN 1989, p2377).

For many years, half of the reserve area was grazed by horses. The part of the park bordering Aranui Road contains many well-established amenity trees, some of which are memorial plantings. Native plantings have been established along other reserve borders, while the central area remains in lawn. A car park is accessed off Aranui Road. As mentioned by several submitters, several community groups and volunteers, including students from the nearby Mapua School, have contributed to the development and enhancement of this reserve over the past 40 years.

Robson Reserve (recreation area)

Submitter 26829 supports the Recreation Reserve classification for the recreation area within Robson Reserve and regularly rides their ponies in this area. They state in their submission *“We are concerned that a sign has been erected at the entrance naming Robson Reserve as a Scenic Reserve, and we hope this does not signal a change to who can use the reserve.... We would really appreciate continuing to be able to do so [i.e. ride in the recreation area].”*

Submitters 26560 and 26561 suggested that Local Purpose Reserve classification might be more appropriate for the recreation area within Robson Reserve *“with the large field being a dog /horse exercise area for everyone to use, and better access and parking (off Eighty Eight Valley Road) as the area is difficult to access or turn around in.”*

The Robson family owned the land now known as Robsons Reserve from 1932 to 1991, when it was transferred to Council. It was held in fee simple until the open field area was declared a reserve for recreation purposes in 2005 (note that the classification for the Scenic Reserve part of the reserve was not completed correctly at that time). As the recreation area has already been declared and classified as Recreation Reserve, this land did not form part of the proposals that Council consulted on over the summer of 2020/2021. A separate consultation process would be required to consider changing the classification from Recreation to Local Purpose.

Hoddy Estuary Park and other proposed recreation reserves adjoining the Waimea Inlet

The 'Estuary Park Trust Board' purchased the land now known as Hoddy Estuary Park in 2001 for recreation purposes (when the area was being subdivided) and gifted this reserve to Council in 2004. Council also provided some funding toward the purchase.

Submitter 26704 suggested that "*Recreation classifications will give inadequate protection to the highly valued ecological features of the Inlet and its shoreline*" and requests these areas instead be classified as Scenic Reserve under s19(1)(b).

DOC staff have provided the following comment in relation to Hoddy Estuary Park: "This is proposed to be classified as Recreation Reserve, and much of the reserve is currently open space suitable for that purpose. However, I understand that at least part of this area is being restored through the Tasman Environmental Trust's Battle for the Banded Rail project. Similar to the Dominion Flats reserve, above, the areas being restored may be more appropriately classified as Scenic Reserve under s19(1)(b), with any management plan for the site specifying that plantings on the reserve should be of eco-sourced native species appropriate to the locality."

Staff recommendation – the Hearing Panel recommends to Council that

Proposals to classify existing reserves in Moutere-Waimea Ward as Recreation Reserve

RESERVE IS KNOWN AS	STREET ADDRESS / LOCATION DESCRIPTION	MAP #	LEGAL DESCRIPTION	PARCEL DESCRIPTION	SIZE (ha)	PROPOSED RESERVE CLASSIFICATION
Anslow Place Reserve	8 Anslow Place, Wakefield	30, #4	Lot 18 DP 10001, Lot 10 DP 305955	All parcels	0.1881	Recreation Reserve
Anslow Place Reserve	8 Anslow Place, Wakefield	30, #4(a)	Lot 10 DP 305955	Lot 10 DP 305955	0.0660	Recreation Reserve
Anslow Place Reserve	8 Anslow Place, Wakefield	30, #4(b)	Lot 18 DP 10001	Lot 18 DP 10001	0.1221	Recreation Reserve
Aranui Park	125 Aranui Road, Mapua	13, #3	Lot 1 DP 8474	Lot 1 DP 8474	4.1265	Recreation Reserve
Brightwater School Reserve	Ellis Street, Brightwater	27, #6	Lot 1 DP 19812	Lot 1 DP 19812	0.2332	Recreation Reserve
Catherine Road Reserve	18 Catherine Road, Mapua	13, #2	Lot 84 DP 498202	Lot 84 DP 498202	0.1841	Recreation Reserve
Chaytor Reserve	29 Broadsea Avenue, Ruby Bay	12, #3	Lot 10 DP 16467	Lot 10 DP 16467	0.2327	Recreation Reserve
Coach Place Reserve	8 Coach Place, Brightwater	26, #3	Lot 65 DP 328503 Lot 16 DP 15864, Lot 8 DP 9795	All parcels	0.3075	Recreation Reserve
Coach Place Reserve	8 Coach Place, Brightwater	26, #3(a)	Lot 16 DP 15864	Lot 16 DP 15864	0.0068	Recreation Reserve
Coach Place Reserve	8 Coach Place, Brightwater	26, #3(b)	Lot 8 DP 9795	Lot 8 DP 9795	0.2783	Recreation Reserve
Coach Place Reserve	8 Coach Place, Brightwater	26, #3(c)	Lot 65 DP 328503	Lot 65 DP 328503	0.0224	Recreation Reserve
Deck Road Reserve	49 Deck Road, Tasman	9, #2	Lot 702 DP 531767	Lot 702 DP 531767	0.2654	Recreation Reserve
Dominion Flats	Dawson Road, Mapua	16, #3	Sec 2 SO 465263 & Sec 9 SO 445119	All parcels	2.8349	Recreation Reserve
Dominion Flats	Dawson Road, Mapua	16, #3(a)	Sec 9 SO 445119	Sec 9 SO 445119	0.3179	Recreation Reserve
Dominion Flats	Dawson Road, Mapua	16, #3(b)	Sec 2 SO 465263	Sec 2 SO 465263	2.5170	Recreation Reserve
Edward Street Walkway	Edward Street, Wakefield	29, #9	Lot 3 DP 339820	Lot 3 DP 339820	0.1982	Recreation Reserve
Genia Drive Reserve	Genia Drive, Wakefield	29, #5	Lot 50 DP 343385	Lot 50 DP 343385	0.5571	Recreation Reserve
Grossi Point Recreation Reserve	58 Tahī Street	15, #3	Pt Sec 2 DP 417	Pt Sec 2 DP 417	1.1087	Recreation Reserve
Hoddy Estuary Park	232 The Coastal Highway, Appleby-Motueka	21, #3	Lot 6 DP 20521	Lot 6 DP 20521	4.5137	Recreation Reserve
Iwa Street / Mapua Recreation Reserve Walkway	Iwa Street, Mapua	14, #3	Lot 92 DP 504876	Lot 92 DP 504876	0.0734	Recreation Reserve
Jessie Street Reserve	19 Jessie Street, Mapua	14, #6	Lot 24 DP 16541	Lot 24 DP 16541	0.1624	Recreation Reserve
Lord Rutherford Park	49A Malthouse Crescent, Brightwater	26, #1	Lots 10 22 DP 18760, Lot 1 DP 19228, Lot 201 DP 428860	All parcels	6.8522	Recreation Reserve
Lord Rutherford Park	49A Malthouse Crescent, Brightwater	26, #1(a)	Lot 22 DP 18760	Lot 22 DP 18760	1.4959	Recreation Reserve
Lord Rutherford Park	49A Malthouse Crescent, Brightwater	26, #1(b)	Lot 10 DP 18760	Lot 10 DP 18760	0.0329	Recreation Reserve
Lord Rutherford Park	49A Malthouse Crescent, Brightwater	26, #1(c)	Lot 1 DP 19228	Lot 1 DP 19228	4.4064	Recreation Reserve
Lord Rutherford Park	49A Malthouse Crescent, Brightwater	26, #1(d)	Lot 201 DP 428860	Lot 201 DP 428860	0.9042	Recreation Reserve
Mapua Recreation Reserve	84 Aranui Road, Mapua	14, #4	Lot 93 DP 504876, Lot 11 DP 9998, Lot 12 DP 9998, Lot 1 DP 3840, Lot 2 DP 3840	All parcels	4.2540	Recreation Reserve
Mapua Recreation Reserve	84 Aranui Road, Mapua	14, #4(a)	Lot 93 DP 504876	Lot 93 DP 504876	0.2218	Recreation Reserve
Mapua Recreation Reserve	84 Aranui Road, Mapua	14, #4(d)	Lot 1 DP 3840	Lot 1 DP 3840	1.2135	Recreation Reserve

RESERVE IS KNOWN AS	STREET ADDRESS / LOCATION DESCRIPTION	MAP #	LEGAL DESCRIPTION	PARCEL DESCRIPTION	SIZE (ha)	PROPOSED RESERVE CLASSIFICATION
Mapua Recreation Reserve	84 Aranui Road, Mapua	14, #4(e)	Lot 2 DP 3840	Lot 2 DP 3840	0.8088	Recreation Reserve
Meads Recreation Reserve	Lee Valley Road, Lee Valley	34, #4	Pt Lot 1 DP 9798	Pt Lot 1 DP 9798	1.6374	Recreation Reserve
Moutere Highway Lookout Reserve	Moutere Highway, Moutere	19, #3	Lot 140 DP 540939	Lot 140 DP 540939	0.2509	Recreation Reserve
Pine Hill Recreation Reserve	210 Stafford Drive, Ruby Bay	10, #7	Pt Lot 13 DP 4955, Sec 129 SO 11036 Moutere Hills District	All parcels	0.2804	Recreation Reserve
Pine Hill Recreation Reserve	210 Stafford Drive, Ruby Bay	10, #7(a)	Sec 129 SO 11036 Moutere Hills District	Sec 129 SO 11036 Moutere Hills District	0.1606	Recreation Reserve
Pine Hill Recreation Reserve	210 Stafford Drive, Ruby Bay	10, #7(b)	Pt Lot 13 DP 4955	Pt Lot 13 DP 4955	0.1198	Recreation Reserve
Reserve Lane Walkway	Reserve Lane, Brightwater	26, #1(e)	Lot 103 DP 486076	Lot 103 DP 486076	0.0127	Recreation Reserve
Shuttleworth Reserve	24 Lord Auckland Road, Wakefield	30, #3	Lots 1 2 DP 20184	All parcels	0.4249	Recreation Reserve
Shuttleworth Reserve	24 Lord Auckland Road, Wakefield	30, #3(a)	Lots 1 2 DP 20184	Lot 1 DP 20184	0.3440	Recreation Reserve
Shuttleworth Reserve	24 Lord Auckland Road, Wakefield	30, #3(b)	Lots 1 2 DP 20184	Lot 2 DP 20184	0.0809	Recreation Reserve
Snowden Place Reserve	12 Snowden Place, Brightwater	26, #4	Lot 5 DP 10022	Lot 5 DP 10022	0.0751	Recreation Reserve
Starveall Street Reserve	Ben Nevis Crescent, Brightwater	27, #5	Lot 68 DP 20400	Lot 68 DP 20400	0.2139	Recreation Reserve
Stringer Reserve	135 Stringer Road, Bronte South	19, #2	Lot 44 DP 512075	Lot 44 DP 512075	0.8471	Recreation Reserve
Tasman Memorial Recreation Reserve	11 Rush Lane, Tasman	8, #2(d)	Lot 5 DP 14638	Lot 5 DP 14638	0.0834	Recreation Reserve
Upper Moutere Recreation Reserve	1539 Moutere Highway, Moutere	5, #2	Lot 1 -2 DP 357455, Lot 1 DP 19230	All parcels	2.8243	Recreation Reserve
Upper Moutere Recreation Reserve	1539 Moutere Highway, Moutere	5, #2(a)	Lot 1 -2 DP 357455	Lot 1 DP 357455	1.5726	Recreation Reserve
Upper Moutere Recreation Reserve	1539 Moutere Highway, Moutere	5, #2(b)	Lot 1 -2 DP 357455	Lot 2 DP 357455	0.1220	Recreation Reserve
Upper Moutere Recreation Reserve	1539 Moutere Highway, Moutere	5, #2(c)	Lot 1 DP 19230	Lot 1 DP 19230	1.1295	Recreation Reserve
Wakefield Recreation Reserve	Clifford Road, Wakefield	29, #7(a)	Lot 7 DP 519610	Lot 7 DP 519610	7.5620	Recreation Reserve
Wakefield Recreation Reserve	Clifford Road, Wakefield	29, #7(d)	Lot 1 DP 19250	Lot 1 DP 19250	0.6000	Recreation Reserve
Wakefield Recreation Reserve	Clifford Road, Wakefield	29, #7(e)	Lot 2 DP 19250	Lot 2 DP 19250	0.0280	Recreation Reserve
Westmere Drive Reserve	40 Westmere Drive, Ruby Bay	10, #9	Lot 45 DP 497879	Lot 45 DP 497879	0.2502	Recreation Reserve

STAFF COMMENTS ON PROPOSALS TO CLASSIFY AS SCENIC RESERVE

In total, 16 submitters commented on the proposals to classify as scenic reserve: 1 in support and 15 opposed to specific proposals. Submitter 26804 provided general support for Council's proposals to classify all reserves in the Ward. The majority of those opposed to specific proposals objected to Faulkner Bush (15 submitters) and/or Robson Reserve (11 submitters) being classified as Scenic Reserve under s19(1)(b): all requested that both areas instead be classified as Scenic Reserve under s19(1)(a) – except for submitters 26560 and 26561, who ask that both Faulkner Bush and Robson Reserve be classified as Recreation Reserve instead.

Faulkner Bush

Three parcels of land within Faulkner Bush have their purpose listed as 'Scenic Reserve' on the record of title. Part of the land now comprising parcels Sec 1 SO 348765 and Sec 4 SO 348765 (15.0319 ha in total) was acquired by the Waimea County Council in 1966, when that Council purchased 11 acres of land adjoining what is now State Highway 6. This land was held by Council in fee simple prior to declaration as a reserve in 2005. The gazette notice (2005, p4844) listed this parcel as a Scenic Reserve, but did not state the type. Classification was therefore not completed. Lot 2 DP 436177 (0.0844 ha) is a strip of land along the north western edge of the reserve that originally provided walkway access between what is now Treeton Place and State Highway 6. In 2010, it was added to the record of title (534856) along with two other parcels that form part of the scenic reserve.

As stated above, 15 submitters opposed the proposal to classify three parcels of land at Faulkner Bush as Scenic Reserve under s19(1)(b): 13 of these submitters (26571, 26787, 26815, 26819, 26649, 26653, 26679, 26697, 26773, 26776, 26778, 26801 and 26824) requested that instead they be classified as Scenic Reserve under s19(1)(a), while submitters 26560 and 26561 had a different view - they asked that it be classified as Recreation Reserve instead. The 13 submitters who objected to Scenic B classification feel that the values of Faulkner Bush deserve Scenic A status due to their perceived significance. They are concerned that the indigenous forest remnant will not be adequately protected and preserved under Scenic B status.

Staff agree that the indigenous forest remnant part of the scenic reserve area does have high ecological values. Council has commissioned two reports to assess the significance of Faulkner Bush during the past 25 years – relevant extracts are as outlined in the following paragraphs.

The ecological significance of the lowland forest remnant part of Faulkner Bush was assessed in 2008 as part of Council's Significant Natural Area (SNA) programme. The report for this site is available online at: <https://www.tasman.govt.nz/my-council/projects/moutere-waimea-reserves-project/> under the section on 'Ecological values reports'.

The lowland podocarp forest remnant is 5 ha in size. The site is complex because of the range of landforms that it occupies and the variation in the associated vegetation communities. The recent flood plain is largely dominated by densely packed kahikatea forest with an area where lowland totara is dominant. The narrow scarp that rises to the terrace above is largely of lowland totara as is the terrace itself. Much of the hill-slope above the terrace is dominated by younger second growth lowland totara. A small band of kanuka forest occurs along the uppermost margin. Matai is scattered throughout the canopy of the forest, with black beech locally. A sub-canopy and tall understorey is lacking through a long history of grazing that has now ceased. Consequently low understories are quite dense with recent regeneration. Areas of restoration buffer plantings of a range of ages are extensive around forest margins. Overall the site is in reasonable condition. Forest regeneration has been good since grazing ceased in the 1970s, however there is a marked lack of podocarp regeneration under mature podocarp canopies, and no black beech regeneration, with adult trees dying out – again typical of most sites in the lower rainfall areas of the region.

The report ranks the site as 'significant' under Council's SNA criteria because it supports a remarkable sequence of forest types associated with the varied landform that includes mature alluvial and terrace podocarp forest (albeit grazed until the 1970s). It has moderately high representativeness values and high rarity/distinctiveness and diversity/patterning values, which give this site great significance. The three primary criteria for assessing significance are (i) representativeness, (ii) rarity and (iii) diversity and pattern. Faulkner Bush scored highly for rarity and diversity and pattern, meaning it ranks at the top of the list in terms of significance. As a comparison, the Edward Baigent Memorial Scenic Reserve scored highly for rarity, meaning it also ranks at the top of the list in terms of significance. The latter reserve has been classified as Scenic Reserve under s19(1)(a).

The ecologist Geoff Walls also assessed the significance of Faulkner Bush for Council in 1998. In his report, he states that “Faulkner’s Bush is one of the very few remnants of tall podocarp forest left in the Nelson lowlands one of the two best examples of tall podocarp forest left in the whole of the Moutere Depression (the other being at Neudorf).....By any standards then, Faulkner’s Bush is among the most valuable forest remnants left in wider Nelson.”

Robson Reserve – scenic reserve area

The Robson family owned this land from 1932 to 1991, when it was transferred to Council. It was held in fee simple prior to being declared a reserve in 2005. The gazette notice (2005, pp4843-4844) listed parcel Pt Lot 2 DP 20395, Sec 2 SO 352066 (3.3708 ha) as a Scenic Reserve, but did not state the type. Classification was therefore not completed.

A total of 11 submitters opposed the proposal to classify the scenic reserve part of Robson Reserve under s19(1)(b): 9 of these submitters (26649, 26653, 26679, 26697, 26773, 26776, 26778, 26801 and 26824) requested that it be classified as Scenic Reserve under s19(1)(a), while submitters 26560 and 26561 had a different view - they asked that it be classified as Recreation Reserve instead. The 9 submitters who objected to Scenic B classification feel that the values of Robson Reserve deserve Scenic A status due to their perceived significance. They are concerned that the indigenous forest remnant will not be adequately protected and preserved under Scenic B status.

The ecological significance of the lowland forest remnant part of Robsons Reserve was assessed in 2008 as part of Council’s Significant Natural Area (SNA) programme. The report for this site is available online at: <https://www.tasman.govt.nz/my-council/projects/moutere-waimea-reserves-project/> under the section on ‘Ecological values reports’. The remnant is approximately 3 ha in size. It is comprised of a mature primary and partly secondary treeland remnant of lowland totara, matai and kahikatea that has a long history of being grazed by sheep. Parts of the forest margins trail off into open treeland. The report ranks the site as ‘significant’ under Council’s SNA criteria, due to its medium-high rarity values and medium representativeness values. The three primary criteria for assessing significance are (i) representativeness, (ii) rarity and (iii) diversity and pattern. Robson Reserve did not score highly for any of the primary criteria, meaning it ranks in medium place in terms of ecological significance, when compared to other similar areas.

Staff recommendation – the Hearing Panel recommends to Council that

Proposals to classify existing reserves in Moutere-Waimea Ward as Scenic Reserve

RESERVE IS KNOWN AS	STREET ADDRESS / LOCATION DESCRIPTION	MAP #	LEGAL DESCRIPTION	PARCEL DESCRIPTION	SIZE (ha)	PROPOSED RESERVE CLASSIFICATION
Faulkner Bush Reserve (including Waikari Reserve)	16 and 24 Treeton Place, Wakefield	29, #8(a)	Lot 2 DP 436177 and Sec 1, 4 SO 348765	Sec 1 SO 348765	14.5112	Scenic Reserve s19(1)(b)
Faulkner Bush Reserve	16 Treeton Place, Wakefield	29, #8(b)	Lot 2 DP 436177 and Sec 1, 4 SO 348765	Lot 2 DP 436177	0.0844	Scenic Reserve s19(1)(b)
Faulkner Bush Reserve	16 and 24 Treeton Place, Wakefield	29, #8(f)	Lot 2 DP 436177 and Sec 1, 4 SO 348765	Sec 4 SO 348765	0.5207	Scenic Reserve s19(1)(b)
McIndoe Reserve	Bronte Road East, Bronte	18, #4	Lot 1 DP 17353, Pt Lot 1 DP 14160	All parcels	2.2975	
McIndoe Reserve	Bronte Road East, Bronte	18, #4(a)	Lot 1 DP 17353, Pt Lot 1 DP 14160	Lot 1 DP 17353	0.1420	Scenic Reserve s19(1)(b)
McIndoe Reserve	Bronte Road East, Bronte	18, #4(b)	Lot 1 DP 17353, Pt Lot 1 DP 14160	Pt Lot 1 DP 14160	2.1555	Scenic Reserve s19(1)(b)
Pine Hill Heights Reserve	The Coastal Highway, Appleby-Motueka	10, #5	Lot 24 DP 15280, Lot 29 DP 13646	All parcels	5.1611	
Pine Hill Heights Reserve	The Coastal Highway, Appleby-Motueka	10, #5(a)	Lot 24 DP 15280	Lot 24 DP 15280	3.3982	Scenic Reserve s19(1)(b)
Pine Hill Heights Reserve	The Coastal Highway, Appleby-Motueka	10, #5(b)	Lot 29 DP 13646	Lot 29 DP 13646	1.7629	Scenic Reserve s19(1)(b)
Robson Reserve	Eighty Eight Valley Road, Wakefield	29, #4(b)	Pt Lot 2 DP 20395, Sec 2 SO 352066	Sec 2 SO 352066	3.3708	Scenic Reserve s19(1)(b)

E. STAFF COMMENTS ON ‘OTHER COMMENTS’ FROM SUBMITTERS

Several submitters made additional comments, some of which were not of direct relevance to the proposed reserve classifications. We have divided the ‘other comments’ into four categories:

46.	E	47. Other comments:	48.	49.	50.
		(i) Comments on cultural significance of reserves	51.	52.	53.
		(ii) General support for classifying reserves	54.	55.	56.
		(iii) Requests to declare land as reserve	57.	58.	59.
		(iv) Issues that could be addressed in the draft Reserve Management Plan (RMP)	60.	61.	62.

The Hearing Panel is reminded to also refer to comments made and/or statements tabled by submitters who speak at the hearing on 13 April 2021, during their deliberations.

Comments on cultural significance of reserves

Wakatū Inc. (submitter 26827) made a general statement in their submission that *“There are no specific issues other than highlighting the customary significance of those reserves from Kina to Mapua, particularly within the coastal area.”* Staff met with Wakatū twice during recent months, to discuss the proposals to classify existing reserves. While not explained in detail in their written submission, Wakatū staff told us that almost all of the reserves adjoining/near the coast between Kina Peninsula and Mapua peninsula (inclusive) were highly significant to iwi. There are several pā and other occupation sites, battle, burial and wāhi tapu sites along this part of the coastline, many of which coincide with reserves managed by Council. Wakatū advocate that appropriate management objectives and policies be included in the draft Moutere-Waimea Ward Reserve Management Plan, to protect and maintain these significant cultural values.

General support for classifying reserves

Submitter 26804 endorses Council’s proposals to classify reserves within the Moutere-Waimea Ward “in order for the reserves to be formally protected under the Reserves Act 1977. Green spaces, such as reserves can promote mental and physical health, and reduce morbidity and mortality in residents by providing psychological relaxation and stress alleviation, stimulating social cohesion, supporting physical activity, and reducing exposure to air pollutants, noise and excessive heat.” Submitter 26727 supports the intent of classifying reserves and notes “This seems to be a bit of catchup by the Council - should have been done some time ago...?”

Issues that could be addressed in the draft Moutere-Waimea Ward Reserve Management Plan (RMP)

Many of these comments included suggestions of ideas for inclusion in the draft Moutere-Waimea Ward Reserve Management Plan (RMP). While not of direct relevance to the proposals to classify existing reserves, staff will consider these ideas when preparing the draft RMP.

Requests to declare land as reserve

Several submitters requested that specific areas of park land in Moutere-Waimea Ward (i.e. areas not formally protected under the Reserves Act at present) be protect/declared as reserves. Submitter 26650 asked that Ngaio Park and Mapua Waterfront Park be declared as reserves. Submitter 26819 asked that Higgs Reserve and the three parcels of land at Pearl Creek all be declared as reserve (Scenic A). Submitter 26824 asks that all park land in the Ward that is not currently subject to the Reserves Act be declared as reserves. Submitter 26857 also asked that Ngaio Park be declared a reserve.

The following extract from the staff report to the 5 November 2020 Strategy and Policy Committee meeting sets out the reasons why Council is not proposing to declare any land as reserves at this point in time:

Properties not formally protected as reserves under the Act

Several park/‘reserve’ areas that Council administers in the Moutere-Waimea Ward are not subject to the Reserves Act 1977. Most of these were purchased (or gifted to Council) with fee simple title and have never been formally declared to be a reserve under the Act. These 47 land parcels, representing 23 separate park areas, are [available online at <https://www.tasman.govt.nz/my-council/public-consultation/past-consultations/proposals-to-classify-reserves-in-moutere-waimea-ward/>].

While these areas form key parts of our open space network in Moutere-Waimea Ward, we recommend retaining them as is (i.e. not declaring them as reserves under the Act) at this point in time. The reason for this is that Wakatū has asked Council to defer any processes that may result in changes to land status (e.g. declaring land as reserve) until the High Court has made its determination regarding the Nelson Tenth's Reserves. It was Council's preference to meet with Wakatū and consult them on the 23 areas, prior to publicly notifying these proposals for classification. We have sent them this list, however, we have been unable to achieve this meeting to date. Therefore, our recommendation remains – i.e. that Council does not initiate a process to declare any of these 23 areas as reserves at this point in time. Further details about the Nelson Tenth's case are provided below.

We recommend including all 47 land parcels within the draft Moutere-Waimea Ward RMP. Provided it is clearly stated that these parcels are not reserves under the Act, we can still provide useful management direction and guidance for these areas, under the umbrella of the RMP.

Nelson Tenth's Reserves case

On 28 February 2017, the Supreme Court released its decision in *Proprietors of Wakatū & Rore Stafford v Attorney-General* [2017] NZSC 17, allowing the appeal, and sending the case back to the High Court to determine matters of breach, loss and remedy.

The case relates to the creation of the Nelson Tenth's Reserves, in the early days of colonial New Zealand. It seeks to secure the return of land from the Crown to make up the full ‘tenth’ that was guaranteed to Māori, but which the Crown never reserved in full.

This is not a Treaty claim. It is a private law claim centred on the establishment of Nelson/Tasman by the New Zealand Company in 1839-1845. It is about the rights of Māori customary landowners to hold the Crown to account in circumstances where the Crown agreed to act on their behalf in fulfilling the terms of the Spain award. Under the Spain award, land amounting to one-tenth of the recommended grant to the Company was to be reserved for the benefit of the original Māori owners. Only 5,100 acres of the 15,100 acres of tenth reserves were identified and reserved at the time of the award.

The Supreme Court did not finally decide the case, on the basis that the High Court still needs to make findings on the extent to which the Crown has acted in breach of its fiduciary duties, and on what remedies should be granted for those breaches. The case has been referred back to the High Court to decide these further points. The Supreme Court's decision is significant because it is the first time a New Zealand court has found that the Crown owes fiduciary duties to Māori landowners to protect their property rights.

Other protection afforded to parks that are not subject to the Reserves Act 1977

Park and reserve land is also zoned under the Tasman Resource Management Plan (TRMP). These zones, along with their governing objectives and policies, are set out in the TRMP. Most of the Council's park and reserve land is either zoned ‘Recreation’ or ‘Open Space’, while some areas with significant biodiversity values are zoned ‘Conservation’. Regardless of whether these land parcels are subject to the Reserves Act or not, where they are zoned as such, this creates a public expectation that these areas are to be managed as parks and reserves. A separate process (Omnibus Plan Change) is currently underway to review TRMP zoning of several parks and reserves in the District where that

zoning is no longer fit for purpose (e.g. some are currently zoned 'Rural' or other zones that reflected the land status prior to their acquisition as a Council reserve).

Subpart 3 of the Local Government Act 2002 also provides additional protection to park land that is not subject to the Reserves Act, by requiring consultation to take place before a local authority can sell or dispose of such land, or lease it for more than six months:

"Subpart 3—Restrictions on disposal of parks, reserves, and endowment properties

Parks and reserves

Section 138 - Restriction on disposal of parks (by sale or otherwise)

(1) A local authority proposing to sell or otherwise dispose of a park or part of a park must consult on the proposal before it sells or disposes of, or agrees to sell or dispose of, the park or part of the park.

(2) In this section,—

dispose of, in relation to a park, includes the granting of a lease for more than 6 months that has the effect of excluding or substantially interfering with the public's access to the park

park—

(a) means land acquired or used principally for community, recreational, environmental, cultural, or spiritual purposes; but

(b) does not include land that is held as a reserve, or part of a reserve, under the Reserves Act 1977."

Attachment 3: Extracts from Reserves Act 1977 relating to classification of reserves

Part 3
Classification and management of reserves
Classification and purpose of reserves

16 Classification of reserves

- (1) To ensure the control, management, development, use, maintenance, and preservation of reserves for their appropriate purposes, the Minister shall, by notice in the Gazette, classify according to their principal or primary purpose, as defined in sections 17 to 23,—
- (a) all reserves existing immediately before the commencement of this Act;
 - (b) all reserves created after the commencement of this Act,—
- and for the purposes of this section, the Minister may classify part of a reserve for one purpose and the other part or parts of the same reserve for any other purpose or purposes:
 provided that, where a reserve is controlled or managed by an administering body, the Minister shall not classify the reserve under this subsection without consulting the administering body.
- (2) Notwithstanding subsection (1), where a resolution is gazetted under section 14(4), the reserve shall, without further notice or gazetting, be held and administered for the purpose specified in the resolution, and shall be deemed to be classified accordingly.
- (2A) Notwithstanding subsection (1), where any reserve was—
- (a) vested in a local authority which did not derive its title to the land from the Crown; or
 - (b) created under section 17 of the Land Laws Amendment Act 1920; or
 - (c) created under section 16 of the Land Act 1924; or
 - (d) created under section 13 of the Land Subdivision in Counties Act 1946; or
 - (e) purchased out of money paid out of the Land for Settlements Account in accordance with section 14(2) of the Land Subdivision in Counties Act 1946; or
 - (f) created under Part 20 of the Local Government Act 1974; or
 - (g) created under Part 10 of the Resource Management Act 1991—
- and is or remains vested in a local authority, that local authority shall, by resolution, classify the reserve according to its principal or primary purpose, as defined in sections 17 to 23.
- (2B) Any local authority that classifies a reserve in accordance with subsection (2A) shall forthwith give notice of that classification to the Commissioner.
- (2C) The Minister may, by notice in the Gazette, declare that any land—
- (a) identified in the first column of Schedule 4 for protection as an amenity reserve; and
 - (b) held as a conservation area under section 7 or section 61 or section 62 of the Conservation Act 1987; and
 - (c) adjacent to any reserve held under this Act as a scenic reserve—
 is held under this Act as a reserve and—
 - (d) classified as a scenic reserve; and
 - (e) added to the adjacent scenic reserve;—
- and, subject to this Act, the land shall therefore be so held.
- (2D) The Minister may, by notice in the *Gazette*, declare that any land—
- (a) identified in the first column of Schedule 4 for protection as a wildlife corridor or wildlife management reserve; and
 - (b) held as a conservation area under section 7 or section 61 or section 62 of the Conservation Act 1987; and
 - (c) adjacent to any reserve held under this Act as a government purpose (wildlife management) reserve—
 is held under this Act as a reserve and—
 - (d) classified as a government purpose (wildlife management) reserve; and

- (e) added to the adjacent government purpose (wildlife management) reserve;—
and, subject to this Act, the land shall thereafter be so held.
- (2E) Where any boundary of any land identified in Schedule 4 is defined in any document referred to in the third column of that schedule, the boundary defined in the document shall be conclusive for the purposes of this Act.
- (2F) Where any boundary of any land identified in the said Schedule 4 is not defined in any document referred to in that schedule, the Minister shall describe the land in the notice under subsection (2C) or subsection (2D) after having regard—
- (a) in the case of any land identified as Category A in Appendix C of the Final Report of the West Coast Forests Working Party dated 31 October 1986, to the maps contained or referred to in that report:
 - (b) in the case of any land identified as Category B in the said Appendix C, to the maps contained or referred to in the discussion document dated 17 January 1987 issued pursuant to the said Final Report by the Acting Director-General of Forests.
- (2G) If the boundary of any land cannot be ascertained in accordance with subsection (2E) or subsection (2F), the Minister shall describe the land in the notice under subsection (2C) or subsection (2D) after consultation with such persons or organisations as the Minister considers appropriate and after having regard to such documents as he or she considers appropriate.
- (2H) Notwithstanding subsections (2E), (2F), and (2G), the Minister may, by notice in the Gazette, make any necessary or practical or appropriate adjustments to the description of any land under this section.
- (3) In classifying any reserve as a government purpose or local purpose reserve, the Minister or the local authority, as the case may be, shall specify as part of that classification the particular purpose or purposes for which the reserve is classified.
- (4) Before classifying any reserve under subsection (1), the Minister shall give public notice in accordance with section 119 specifying the classification proposed, and shall give full consideration in accordance with section 120 to all objections against and submissions in relation to the proposal received pursuant to the said section 120.
- (5) Notwithstanding subsection (4), no such public notice shall be necessary where—
- (a) the classification proposed for any reserve is substantially the same as the purpose for which the reserve was held and administered immediately before the commencement of this Act; or
 - (b) the intended use of the land is in conformity with the relevant operative district plan under the Resource Management Act 1991; or
 - (c) the classification proposed is a condition subject to which the land was acquired for reserve purposes; or
 - (d) the land is classified under subsection (2C) or subsection (2D).
- (6) Subject to subsection (7), every existing reserve shall be held and administered for the purpose of its existing reservation, and the administering body shall continue to control and manage the reserve under the appropriate provisions of this Act pending its classification under subsection (1).
- (7) Where any existing reserve was, immediately before the commencement of this Act, a domain under the Reserves and Domains Act 1953 or any corresponding former Act, it shall be controlled and managed under the provisions of this Act relating to recreation reserves, pending its classification under this Act. Every such reserve shall be controlled and managed, by its domain board, in accordance with the following provisions:
- (a) every such domain board that is a local authority shall act in the capacity of a local authority as if it had been appointed under section 28(1), as the administering body of the reserve, and all the provisions of this Act, except section 26A, shall apply accordingly:
 - (b) every such domain board that is not a local authority shall act in the capacity of a reserves board as if it had been appointed under section 30(1), to be, in that capacity, the administering body of the reserve, and all the provisions of this Act shall apply accordingly.

- (8) When classified under this section, each reserve shall be held and administered for the purpose or purposes for which it is classified and for no other purpose.
- (9) Classification of a reserve under subsection (1) shall not, unless the Minister in the notice otherwise directs, affect the appointment or term of the administering body controlling and managing the reserve or of any member thereof.
- (10) The Minister, or the territorial authority or regional council in the case of a reserve vested in a territorial authority or regional council, may, from time to time, by notice in the Gazette, declare that a reserve shall be known by such name as is specified in the notice, and the Minister or the territorial authority or the regional council, as the case may be, may in like manner change the name of any reserve. Any change of name shall not affect the appointment or term of the administering body controlling the reserve or any member thereof:
provided that the Minister shall not change the name of a reserve that is controlled and managed by an administering body without consulting that administering body.
- (10A) Before the Minister gives notice in the Gazette under subsection (10), the Minister must refer the proposed name to the New Zealand Geographic Board Ngā Pou Taunaha o Aotearoa under section 27(2) or 30 of the New Zealand Geographic Board (Ngā Pou Taunaha o Aotearoa) Act 2008, as the case may be.
- (11) Notwithstanding anything in subsections (1) to (10),—
- (a) all reserves which immediately before the commencement of this Act were set apart as racecourse reserves or for racecourse purposes under the Reserves and Domains Act 1953 shall, after the commencement of this Act, and without further notice or gazetting, be held and administered as recreation reserves under section 17, subject to sections 65 to 70:
 - (b) all reserves created before the commencement of this Act pursuant to Part 28 of the Municipal Corporations Act 1933, Part 25 of the Municipal Corporations Act 1954 or Part 2 of the Counties Amendment Act 1961 shall, after the commencement of this Act, and without further notice or gazetting, be held and administered as follows:
 - i. as recreation reserves under section 17, if their purpose was recreation:
 - ii. as historic reserves under section 18, if their purpose was historic:
 - iii. as scenic reserves under section 19, if their purpose was scenic or the preservation of scenery:
 - iv. as local purpose reserves under section 23, if their purpose was utility, road, street, access way, esplanade, service lane, playcentre, kindergarden, plunket room, or other like purpose:
 - (c) all reserves for the preservation of flora and fauna existing immediately before the commencement of this Act shall, after the commencement of this Act, and without further notice or gazetting, be held and administered as nature reserves under section 20:
 - (d) the reserves described in Schedule 2 of the notice by the Minister of Lands dated 14 December 1972 and published in the Gazette on 11 January 1973 at page 8 (being reserves forming part of the Marlborough Sounds Maritime Park) shall, after the commencement of this Act, and without further notice or gazetting, be deemed to be classified as local purpose reserves for sounds foreshore purposes under section 23, but subject to the provisions of section 17 of the Reserves and Other Lands Disposal Act 1955:
 - (e) all reserves which immediately before the commencement of this Act were set apart for Government railway purposes shall, after the commencement of this Act, and without further notice or gazetting, be held and administered as government purpose reserves for railway purposes under section 22 under the control and management of the Minister of Railways.
- (12) This section is subject to section 16A in respect of the classification of nature and scientific reserves.

17 Recreation reserves

- (1) It is hereby declared that the appropriate provisions of this Act shall have effect, in relation to reserves classified as recreation reserves, for the purpose of providing areas 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 on outdoor recreational activities, including recreational tracks in the countryside.
- (2) It is hereby further declared that, having regard to the general purposes specified in subsection (1), every recreation reserve shall be so administered under the appropriate provisions of this Act that—
 - (a) the public shall have freedom of entry and access to the reserve, subject to the specific powers conferred on the administering body by sections 53 and 54, to any bylaws under this Act applying to the reserve, and to such conditions and restrictions as the administering body considers to be necessary for the protection and general well-being of the reserve and for the protection and control of the public using it:
 - (b) where scenic, historic, archaeological, biological, geological, or other scientific features or indigenous flora or fauna or wildlife are present on the reserve, those features or that flora or fauna or wildlife shall be managed and protected to the extent compatible with the principal or primary purpose of the reserve:
provided that nothing in this subsection shall authorise the doing of anything with respect to fauna that would contravene any provision of the Wildlife Act 1953 or any regulations or Proclamation or notification under that Act, or the doing of anything with respect to archaeological features in any reserve that would contravene any provision of the Heritage New Zealand Pouhere Taonga Act 2014:
 - (c) those qualities of the reserve which contribute to the pleasantness, harmony, and cohesion of the natural environment and to the better use and enjoyment of the reserve shall be conserved:
 - (d) to the extent compatible with the principal or primary purpose of the reserve, its value as a soil, water, and forest conservation area shall be maintained.

18 Historic reserves

- (1) It is hereby declared that the appropriate provisions of this Act shall have effect, in relation to reserves classified as historic reserves, for the purpose of protecting and preserving in perpetuity such places, objects, and natural features, and such things thereon or therein contained as are of historic, archaeological, cultural, educational, and other special interest.
- (2) It is hereby further declared that, having regard to the general purposes specified in subsection (1), every historic reserve shall be so administered and maintained that—
 - (a) the structures, objects, and sites illustrate with integrity the history of New Zealand:
 - (b) the public shall have freedom of entry and access to the reserve, subject to the specific powers conferred on the administering body by sections 58 and 58A, to any bylaws under this Act applying to the reserve, and to such conditions and restrictions as the administering body considers to be necessary for the protection and general well-being of the reserve and for the protection and control of the public using it:
 - (c) where scenic, archaeological, geological, biological, or other scientific features, or indigenous flora or fauna, or wildlife are present on the reserve, those features or that flora or fauna or wildlife shall be managed and protected to the extent compatible with the principal or primary purpose of the reserve:
 - (d) to the extent compatible with the principal or primary purpose of the reserve, its value as a soil, water, and forest conservation area shall be maintained:
 - (e) except where the Minister otherwise determines, the indigenous flora and fauna and natural environment shall as far as possible be preserved:
provided that nothing in paragraph (c) shall authorise the doing of anything with respect to fauna or wildlife that would contravene any provision of the Wildlife Act 1953 or any regulations or Proclamation or notification under that Act, and nothing in this subsection shall authorise the doing of anything with respect to archaeological features in any reserve that would contravene any provision of the Heritage New Zealand Pouhere Taonga Act 2014.

19 Scenic reserves

- (1) It is hereby declared that the appropriate provisions of this Act shall have effect, in relation to reserves classified as scenic reserves—
 - (a) for the purpose of protecting and preserving in perpetuity for their intrinsic worth and for the benefit, enjoyment, and use of the public, suitable areas possessing such qualities of scenic interest, beauty, or natural features or landscape that their protection and preservation are desirable in the public interest:
 - (b) for the purpose of providing, in appropriate circumstances, suitable areas which by development and the introduction of flora, whether indigenous or exotic, will become of such scenic interest or beauty that their development, protection, and preservation are desirable in the public interest.

- (2) It is hereby further declared that every scenic reserve classified for the purposes specified in subsection (1)(a) shall be so administered and maintained under the appropriate provisions of this Act that—
 - (a) except where the Minister otherwise determines, the indigenous flora and fauna, ecological associations, and natural environment and beauty shall as far as possible be preserved, and for this purpose, except where the Minister otherwise determines, exotic flora and fauna shall as far as possible be exterminated:
 - (b) the public shall have freedom of entry and access to the reserve, subject to the specific powers conferred on administering bodies by sections 55 and 56, to any bylaws under this Act applying to the reserve, and to such conditions and restrictions as the administering body considers to be necessary for the protection and well-being of the reserve and for the protection and control of the public using it:
 - (c) to the extent compatible with the principal or primary purposes of the retention and preservation of the natural or scenic values, open portions of the reserve may be developed for amenities and facilities where these are necessary to enable the public to obtain benefit and enjoyment from the reserve:
 - (d) where historic, archaeological, geological, biological, or other scientific features are present in the reserve, those features shall be managed and protected to the extent compatible with the principal or primary purpose of the reserve:
provided that nothing in this paragraph shall authorise the doing of anything with respect to fauna that would contravene any provision of the Wildlife Act 1953 or any regulations or Proclamation or notification under that Act, or the doing of anything with respect to archaeological features in any reserve that would contravene any provision of the Heritage New Zealand Pouhere Taonga Act 2014:
 - (e) to the extent compatible with the principal or primary purpose of the reserve, its value as a soil, water, and forest conservation area shall be maintained.

- (3) It is hereby further declared that every scenic reserve classified for the purposes specified in subsection (1)(b) shall be so administered and maintained under the appropriate provisions of this Act that—
 - (a) except where the Minister otherwise determines, the flora and fauna, ecological associations, and natural environment and beauty shall as far as possible be preserved:
 - (b) the public shall have freedom of entry and access to the reserve, subject to the specific powers conferred on administering bodies by sections 55 and 56, to any bylaws under this Act applying to the reserve, and to such conditions and restrictions as the administering body considers to be necessary for the protection and well-being of the reserve and for the protection and control of the public using it:
 - (c) to the extent compatible with the principal or primary purposes of the retention and preservation of the natural or scenic values, open portions of the reserve may be developed for amenities and facilities where these are necessary to enable the public to obtain benefit and enjoyment from the reserve:
 - (d) where historic, archaeological, geological, biological, or other scientific features are present in the reserve, those features shall be managed and protected to the extent compatible with the principal or primary purpose of the reserve:
provided that nothing in this paragraph shall authorise the doing of anything with respect to fauna that would contravene any provision of the Wildlife Act 1953 or any regulations or Proclamation or

notification under that Act, or the doing of anything with respect to archaeological features in any reserve that would contravene any provision of the Heritage New Zealand Pouhere Taonga Act 2014:

- (e) to the extent compatible with the principal or primary purpose of the reserve, its value as a soil, water, and forest conservation area shall be maintained.

23 Local purpose reserves

- (1) It is hereby declared that the appropriate provisions of this Act shall have effect, in relation to reserves classified as local purpose reserves for the purpose of providing and retaining areas for such local purpose or purposes as are specified in any classification of the reserve.
- (2) It is hereby further declared that, having regard to the specific local purpose for which the reserve has been classified, every local purpose reserve shall be so administered and maintained under the appropriate provisions of this Act that—
 - (a) where scenic, historic, archaeological, biological, or natural features are present on the reserve, those features shall be managed and protected to the extent compatible with the principal or primary purpose of the reserve:
provided that nothing in this paragraph shall authorise the doing of anything with respect to fauna that would contravene any provision of the Wildlife Act 1953 or any regulations or Proclamation or notification under that Act, or the doing of anything with respect to archaeological features in any reserve that would contravene any provision of the Heritage New Zealand Pouhere Taonga Act 2014:
provided also that nothing in this paragraph shall authorise the doing of anything with respect to any esplanade reserve created under section 167 of the Land Act 1948, or section 190(3) or Part 25 of the Municipal Corporations Act 1954 or Part 2 of the Counties Amendment Act 1961 and existing at the commencement of this Act, or any local purpose reserve for esplanade purposes created under the said Part 25 or Part 2 or under Part 20 of the Local Government Amendment Act 1978 or under Part 10 of the Resource Management Act 1991 after the commencement of this Act, that would impede the right of the public freely to pass and repass over the reserve on foot, unless the administering body determines that access should be prohibited or restricted to preserve the stability of the land or the biological values of the reserve:
 - (b) to the extent compatible with the principal or primary purpose of the reserve, its value as a soil, water, and forest conservation area shall be maintained.
- (3) Where a local purpose reserve is vested in a local authority or where the administering body is a local authority, it may from time to time, by public notice, prohibit access to the whole or any specified part of the reserve, and in that case no person shall enter the reserve or, as the case may be, that part, except under the authority of a permit issued by the local authority.
- (4) Where a local purpose reserve is not vested in a local authority and a local authority has not been appointed to control and manage it, the Minister may from time to time, by public notice, prohibit access to the whole or any specified part of the reserve, and in that case no person shall enter the reserve or, as the case may be, that part, except under authority of a permit issued by the Minister.

41 Management plans

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- (3) The management plan shall provide for and ensure the use, enjoyment, maintenance, protection, and preservation, as the case may require, and, to the extent that the administering body's resources permit, the development, as appropriate, of the reserve for the purposes for which it is classified, and shall incorporate and ensure compliance with the principles set out in section 17, section 18, section 19, section 20, section 21, section 22, or section 23, as the case may be, for a reserve of that classification.
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52 Union of reserves

- (1) The Minister may, in the case of reserves of the same classification, by notice in the Gazette, declare that any 2 or more reserves, or parts of 2 or more reserves, or parts of 1 or more reserves and the whole of 1 or more other reserves, shall, as from a date to be specified in that behalf in the notice, be united to form 1 reserve, with such name as he or she thinks fit:
provided that where there is an administering body or bodies of 1 or more of those reserves, the consent of the administering body or bodies shall first be obtained.
- (1A) Before the Minister gives notice in the Gazette under subsection (1), the Minister must refer the proposed name to the New Zealand Geographic Board Ngā Pou Taunaha o Aotearoa under section 27(2) or 30 of the New Zealand Geographic Board (Ngā Pou Taunaha o Aotearoa) Act 2008, as the case may be.
- (2) Where 2 or more reserves, or parts of 2 or more reserves, or parts of 1 or more reserves and the whole of 1 or more other reserves, have been so declared to be united as 1 reserve, the Minister may appoint an administering body to control the reserve, and thereupon the previous administering body or bodies (if any) shall cease to hold office as such, and the new administering body shall have in respect of the united reserve all the rights and liabilities of the several former administering bodies of the several reserves.

**Attachment 4: Extract from ‘A Guide for Reserve Administering Bodies’
(Department of Conservation, 2016)**

Chapter 13 Classification of Reserves and Changes of Classification or Purpose

This Chapter provides key information about the classification and change of classification or purpose provisions of the Act. Using a question and answer format, the framework of the Act is.

The Chapter is in three sections, as follows:

13.1 Classification – General

13.2 Classification of Reserves by the Minister of Conservation

13.3 Changes of Purpose or Classification

13.1 Classification – General

What is Classification?

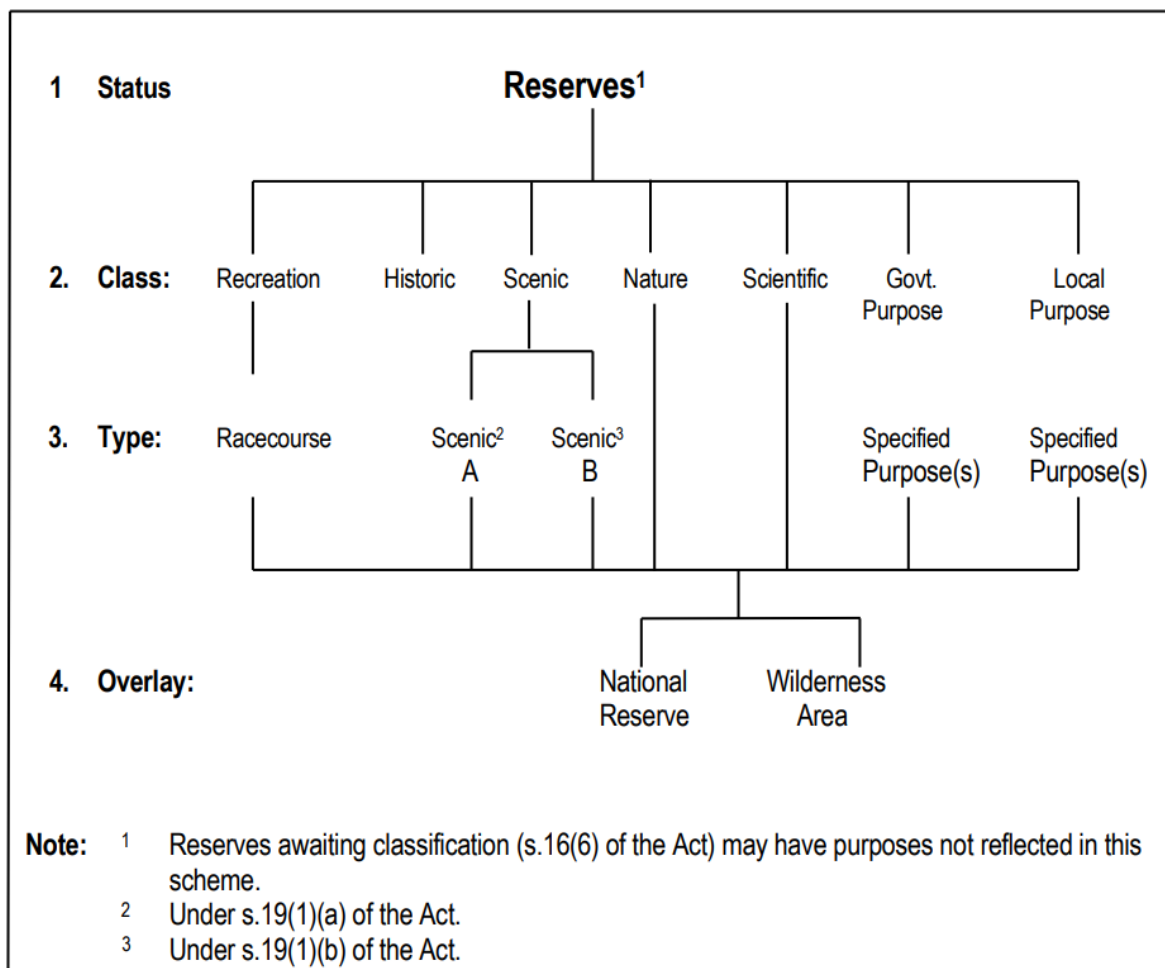
“Classification” is a mandatory process under s.16 of the Reserves Act which involves assigning a reserve (or the parts of a reserve) to the appropriate class or classes (and, if required, the type and overlay) within the framework shown in the diagram below.

The "class" determines the principal or primary purpose of the reserve. The determination of an appropriate class for a reserve is generally a matter into which the community should have adequate input. Not only are the present values of the reserve important to consider, so too are the future "potential" values and the possible future uses and activities on the reserve. Therefore classification is a matter that is a crucial element in management planning (see Chapter 11).

Reserves are classified to ensure their control, management, development, use and preservation for appropriate purposes (s.16(1)).

What is the Framework for Classification?

The four-tier framework of reserve classification under the Reserves Act is shown in the diagram that follows.



These are some examples of reserve classifications within the above framework:

Class	Type	Overlay
Government purpose	wildlife sanctuary	national (s.13)
Recreation	racecourse	N.A.
Recreation	N.A.	N.A.
Scenic	s.19(1)(a)	N.A.
Local Purpose	public hall	N.A.

What do the Classifications Mean?

The following tables have been adapted from chapter seven of 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 or contrasts between the categories of protected areas under the Act that are relevant to the management of land held under the Reserves Act by local authorities.

The tables note the purpose 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.

Local Purpose Reserve	Local Purpose (Esplanade) Reserve
<p>Purpose An area of land (or land and water) suitable for specified local educational or community purpose(s) which does not duplicate any other reserve purpose(s).</p>	<p>Purpose A fixed linear area of riverbank, lakeshore or seashore of at least 3 metres or greater width (usually 20m) either in a natural or modified state available primarily for conservation and public access.</p>
<p>Objectives of Management (s.23)</p> <p>Primary</p> <ul style="list-style-type: none"> Determined by the purpose <p>Secondary</p> <ul style="list-style-type: none"> Manage and protect scenic, historic, archaeological, biological or natural features Maintain value as a soil, water, and forest conservation area <p>By public notice, public access may be prohibited from part or all of the reserve except by permit</p>	<p>Objectives of Management</p> <p>Resource Management Act 1991 (RMA)¹</p> <ul style="list-style-type: none"> Maintain or enhance the natural functioning of the adjacent sea, river, or lake; Maintain or enhance water quality; Maintain or enhance aquatic habitats; Protect associated natural values; Mitigate natural hazards; Enable the public access to or along any sea river or lake (s.229). <p>Reserves Act (s.23):</p> <ul style="list-style-type: none"> Enable public recreational use where compatible with conservation values and prohibit or restrict public access only where necessary to preserve the stability of the land or the biological values of the reserve. <p>To the extent compatible with the primary purpose:</p> <ul style="list-style-type: none"> Manage and protect scenic, historic, archaeological, biological or natural features; Maintain value as a soil, water and forest conservation area
<p>Guidance for Selection Depends on purpose (but generally very small, modified areas)</p>	<p>Guidance for Selection</p> <ul style="list-style-type: none"> Selected (as alternatives to “esplanade strips”) on subdivision of land under the provisions of the RMA adjoining allotments of less than 4ha (or in some cases 4 ha or more - s.237F RMA) along the MHW (springs) of the sea, along the bank of any river with a bed of average width of 3m or more, or the margin of any lake whose bed has an area of 8ha or more; Otherwise RMA selection is determined by the provisions of policy statements and district plans in accordance with Part 2 of the Second Schedule of RMA. <p>If not selected under the RMA (i.e. not as a reserve on subdivision) then any area which is linear in nature, adjoins a water body and has public access or conservation value related to the waterway.</p>

¹ The RMA describes an esplanade reserve as having “one or more” of the purposes.

Organisational Responsibility As for historic reserve.	Organisational Responsibility As for historic reserve.
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Historic Reserve

Purpose	An area of land (or land and water) possessing places, objects and natural features of historic, archaeological, cultural, educational and other special interest.
Objectives of Management (s.18)	<p>Primary</p> <ul style="list-style-type: none"> • Manage structures, objects and sites to illustrate with integrity the history of New Zealand • 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 • As appropriate, preserve the indigenous flora and fauna and natural environment as far as possible <p>Secondary – if applicable</p> <ul style="list-style-type: none"> • Manage and protect scenic, archaeological, geological, biological, or other scientific features, or indigenous flora and fauna, or wildlife • Maintain value as a soil, water, and forest conservation area
Guidance for Selection	<ul style="list-style-type: none"> • Area should be sufficiently large to preserve all the significant historic or archaeological features associated with the place, object or natural feature • Area should include sufficient additional land as a buffer against incompatible development or as unobtrusive sites for necessary services for management and public use • The primary value should be traditional, historic or archaeological – through an association with major events, or Maori tradition • Area should have immediate interest to the visitor, or be important as a key for continuing research and interpretation of New Zealand history
Organisational Responsibility	<ul style="list-style-type: none"> • Owned by the Crown or vested in an administering body; or • Controlled and managed by DOC unless an administering body would better carry out the purposes of the reserve.

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>Primary</p> <ul style="list-style-type: none"> • Allow the public freedom of entry and access subject to such conditions as are necessary for the protection and wellbeing of the reserve and for the protection and control of the public using it • 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. <p>Secondary</p> <ul style="list-style-type: none"> • Manage and protect scenic, archaeological, geological, biological, or other scientific features, or indigenous flora and fauna, or wildlife • Maintain value as a soil, water, and forest conservation area
Guidance for Selection	<ul style="list-style-type: none"> • Area may be totally modified eg suitable for sports fields • Area may be in a partly natural conditions eg suitable for picnic or camp sites or like development • Area may be lineal eg suitable for recreational walking and/or vehicle use
Organisational Responsibility	<ul style="list-style-type: none"> • Owned by the Crown or vested in a territorial authority or other administering body • Under the control and management of DOC unless an administering body would better carry out the purpose of the reserve.

Item 3.1

Attachment 4

Scenic Reserves

Scenic Reserve (Natural) (s.19(1)(a))	Scenic Reserve (Modified) (s.19(1)(b))
<p>Purpose Area of land (or land and water) possessing significant qualities of scenic interest or beauty or significant natural features or landscapes.</p>	<p>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.</p>
<p>Objectives of Management (Primary)</p> <ul style="list-style-type: none"> • manage for their intrinsic worth and for the benefit, enjoyment and use of the public; • preserve indigenous flora and fauna, biological associations and the natural environment as far as possible; • exterminate exotic flora and fauna 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; <p>(Secondary - if applicable)</p> <ul style="list-style-type: none"> • develop open portions for amenities and facilities where these are necessary to enable the public to obtain benefit and enjoyment from the reserve; • manage and protect historic, archaeological, geological, biological, or other scientific features. • maintain value as a soil, water, and forest conservation area. 	<p>Objects of Management (Primary)</p> <ul style="list-style-type: none"> • as appropriate to the purpose, preserve the indigenous flora and fauna, biological associations, and natural environment and beauty as far as possible; • as appropriate, exterminate exotic fauna and (to the extent consistent with the 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. <p>(Secondary)</p> <ul style="list-style-type: none"> • develop open portions for amenities and facilities where these are necessary to enable the public to obtain benefit and enjoyment from the reserve; • manage and protect historic; archaeological, geological biological, or other scientific features; • maintain value as a soil, water and forest conservation area.
<p>Guidance for Selection</p> <ul style="list-style-type: none"> • area should contain one or more natural or associated cultural or heritage features of special significance, or natural landscape of high scenic quality; • area should be large enough to protect the integrity of the features and its immediately related surroundings. 	<p>Guidance for Selection</p> <ul style="list-style-type: none"> • degraded natural or semi-natural areas where the public interest warrants restoration or conversion as a scenic attraction; • area will generally be small.

Government Purpose Reserve

Purpose	Area of land (or land and water) suitable for specified government purpose ² which does not duplicate any other reserve purpose(s).
Objectives of Management (s.22)	<p>Primary</p> <ul style="list-style-type: none"> • Determined by purpose • May be administered also under another Act or Acts when another Minister is appointed to control and manage² • Prohibit access to the whole or part of the reserve except by permit where appropriate <p>Secondary</p> <ul style="list-style-type: none"> • Manage and protect scenic, historic, archaeological, biological, cultural, scientific or natural features or wildlife • Maintain value as a soil, water and forest conservation area
Guidance for Selection	Depends on purpose
Organisational Responsibility	<ul style="list-style-type: none"> • Owned by the Crown³ • Controlled and managed by DOC unless a Minister of the Crown (other than the Minister of Conservation) or another administering body would better carry out the purpose of the reserve.

Nature Reserve

Purpose	An area of land (or land and water) possessing indigenous flora or fauna or natural features which are of special public interest in terms of rarity, scientific interest or importance, or uniqueness.
Objectives of Management (s.20)	<p>Primary</p> <ul style="list-style-type: none"> • Preserve the area as far as possible in a natural state • Preserve indigenous flora and fauna, ecological association and the natural environment as far as possible • Exterminate exotic flora and fauna as far as possible • Permit entry under controls which protect and preserve the flora and fauna in a natural state <p>Secondary – if applicable</p> <ul style="list-style-type: none"> • Manage and protect scenic historic, archaeological, biological, geological or other scientific features • Maintain value as a soil, water and forest conservation area
Guidance for Selection	<p>Area should be large enough to ensure the integrity of its ecosystems and to accomplish the management objectives for which it is protected</p> <p>Area should be significantly free of direct human intervention and capable of remaining so</p> <p>Area's biodiversity should be achievable through protection and not require substantial active management or habitat manipulation</p>

² Generally restricted in the case of new reserves to conservation-related purposes eg wildlife refuge. Lands for other Government purposes are set apart under the Public Works Act 1981.

³ For health sector reserves see also the Health Sector (Transfers) Act 1993.

Organisational Responsibility	<ul style="list-style-type: none"> Owned by the Crown Controlled and managed by DOC unless an administering body would better carry out the purposes of the reserve.
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Scientific Reserve

Purpose	An area of land (or land and water) possessing ecological associations, plant or animal communities, types of soil, geomorphological phenomena, and like matters of special interest for scientific study, research, education and the benefit of the country.
Objectives of Management (s.21)	<p>Primary</p> <ul style="list-style-type: none"> Preserve the indigenous flora and fauna, as far as possible Where appropriate manipulate the reserve (or part of it) Exterminate the exotic flora and fauna as far as possible for experimental purposes or to gain further scientific knowledge Where appropriate prohibit general access to the whole or part of the area and permit persons with the necessary credentials or qualifications to enter for scientific study or for control and management purposes (s.59) <p>Secondary – if applicable</p> <ul style="list-style-type: none"> Manage and protect scenic, historic, archaeological, biological or natural features Maintain value as a soil, water, and forest conservation area
Guidance for Selection	<p>Area should be at least two-thirds in a natural condition, although it may contain limited areas of modified ecosystems</p> <p>Area should be large enough to absorb sustainable scientific and related uses without detriment to its overall long term natural values</p> <p>Area should possess features of special interest for scientific study, research, education and like uses</p>
Organisational Responsibility	<ul style="list-style-type: none"> Owned by the Crown or vested in an administering body Under the control and management of DOC unless an administering body would better carry out the purposes of the reserve

For What Purpose is a Reserve Awaiting Classification to be Managed?

Reserves which do not get automatically classified must be held and administered under the appropriate provisions of the Reserves Act 1977 for the purposes they had before 1 April 1978, until they are classified [s.16(6)].

An example of automatic classification is health sector reserves which all, by s.10 Health Sector (Transfers) Amendment Act 2000, became Government purpose (health and disability sector and related purposes) reserves.

Is There a Deadline for Classifying Reserves?

The Act does not specify a deadline for classifying reserves which do not receive automatic classification. Certain land transactions cannot however be undertaken before a reserve is classified, as follows:

- public notice of a proposal to establish a national reserve (s.13)
- change of classification or purpose (s.24)
- vesting of a reserve (s.26)
- appointment to control and manage (ss.28 to 30, 35 or 36)
- public notification of a draft management plan (s.41) – see Chapter 6
- union of reserves (s.52).

It is also desirable to classify a reserve before:

- an exchange of land (s.15(6)) so that the area acquired ends up being held for the most appropriate purpose
- prescribing bylaws (ss.106-108) so that they match the principal purpose(s) of the reserve(s) affected
- granting a major lease, licence or easement with significant protection/development implications (see Chapter 7) so that the appropriate principal purpose of the reserve is decided first
- authorising a major administering body work with significant protection/development implications so that the appropriate principal purpose of the reserve is decided first.

Can a Reserve be Given a Name at the Point of Classification?

If appropriate, a reserve can be named at the point of classification (s.16(10)) or by a separate action at a later stage after further consultation with the community. It is easier and more efficient to name the reserve at the time of classification. Note that under s.4, there are clear obligations to consult with Maori and consider their views over name (see Chapter 6).

13.2 Classification of Reserves by the Minister of Conservation**Can the Administering Body Request the Minister of Conservation to Classify Reserves?**

The administering body can request the Minister, through the Department of Conservation to classify a reserve or reserves. Otherwise, the Department will take the action in due course.

The administering body might make such a request in order to allow any of the actions to be taken which are set out in Section 13.1 of this Chapter (where prior classification is mandatory). Such a request is allowed for, for example, in the management planning process in Chapter 6.

The decision on classification will generally be made by an officer of the Department holding delegated authority from the Minister.

Will the Administering Body be consulted about the Classification?

Whether the classification action is taken at the request of the administering body or initiated by the Department, the Department is required to consult the administering body before making a decision (s.16(1)).

The Department will propose the class (and type if required) to be assigned to the reserve. The administering body will be able to give its views before the Department gives any public notice (if required) (s.16(4)). The Department will also deal with the Crown's duty under the principles of the Treaty of Waitangi (see Chapter 6).

The administering body will be provided with a copy of the Gazette notice setting out the classification of the reserve. This notice will provide the basis for entry in the administering body's records of the new legal trust under which the reserve is held (see Chapter 1).

13.3 Changes of Purpose or Classification

What Reasons Are There for Changing the Classification (class) or Purpose (type) of a Reserve?

The classification of a reserve or the purpose of a local or Government purpose reserve (or part of a reserve) can be changed for any reason considered advisable in terms of the purposes of the Reserves Act (s.24).

The most common reasons are to:

- emphasise one set of features of a reserve relative to another (e.g. to emphasise historic values instead of natural ones) allow a new activity or use which would not be consistent with the present class/type⁴
- better specify or alter the statutory objectives of management
- make an existing, improper use consistent.⁵

When Can the Classification or Purpose of a Reserve be Changed?

The Reserves Act sets out statutory limitations to changing the classification of a scenic, nature or scientific reserve (s.24(3)) or a historic reserve (s.24(5)).

The classification or purpose of a reserve (class/type) can only be changed (in whole or part) under s.24 Reserves Act after the reserve has first been classified.

That does not, however, prevent a reserve (or part of a reserve) being classified for the first time under s.16(1) by the Minister of Conservation or s.16(2A) by the Minister of Conservation for a different purpose from its existing one, provided it is being used for that different purpose at the time of classification.

If, instead, a change of use is proposed, then an unclassified reserve must first be classified in accordance with its existing use. A change of purpose action can be initiated after the classification.

⁴ A use not consistent with the classification or purpose of a reserve, which is allowed by the administering body, is a breach of trust (s.27 and s.40 Reserves Act; s.129 Land Transfer Act 1952).

⁵

Can an Administering Body Approve the Change of Purpose of a Reserve?

Administering bodies do not hold any statutory power to approve the change of purpose of a reserve.

Can an Administering Body Initiates a Change of Classification or Purpose?

The administering body can initiate the process for a change of classification or purpose of a reserve for which it is the administering body (s.24(1)(b)), subject to meeting the requirements in Chapter 6 of this Guide.

If the Administering Body Initiates the Action, what information should it send to the Department of Conservation?

The administering body should send the following information to the Department:

- a copy of the administering body's resolution, together with any supporting information (eg justification for the change) information about any action taken by the administering body under s.4 Conservation Act (Chapter 6) (eg consultation with iwi)
- a photocopy of the instrument by which the reserve was classified
- a copy of the instrument of vesting or appointment to control and manage;
- a description of the current use of the reserve (or part) and a physical description of the land
- a copy of any lease, licence, permit or easement current over the land affected.

If you have difficulty providing this information then please discuss it with your local DOC office, which may be able to help.

On receipt of the information the Department will review and assess the proposal on its merits. The Department will also look at the public consultation to see that the administering body is reflecting the views of the community in seeking to change the purpose of the reserve.

Will the Department Recover its Costs?

In accordance with s.60B Conservation Act, the cost of considering whether to approve the change of purpose proposed by the administering body may be recovered from the administering body. The Department's standard operating procedure on cost recovery is available on request.

The administering body can ask for these costs to be estimated before the action is taken. However, the Department is not bound by the estimate.