

11. STANLEY PARK DRAFT MANAGEMENT PLAN

General Manager responsible:	General Manager City Environment, DDI 941-8608
Officer responsible:	Unit Manager, Asset and Network Planning
Author:	Natalie Watkinson, Parks & Waterway Planner

PURPOSE OF REPORT

1. The purpose of this report is to recommend that the Akaroa/Wairewa Community Board:
 - (a) Approve the draft Stanley Park Management Plan 2010 (**separately circulated**), to be released for public consultation, in accordance with their delegated authority and following the requirements of section 41 of the Reserves Act 1977.
 - (b) Recommend the formal naming of the entire land parcels contained within the Stanley Park boundary, as "Stanley Park" for Council to consider and formalise following consideration of the public's response to the naming presented in the consultation information associated with the public notice referred to in (a) above.
 - (c) Consider the appointment of one member of the Board to sit on the Stanley Park Hearings Panel.

EXECUTIVE SUMMARY

2. The local community were consulted during June to August 2008 and asked to comment on what they considered to be the main issues in relation to the management of Stanley Park. An information leaflet was distributed to stakeholders and local residents seeking their ideas and comments. A public workshop was also held in Akaroa, to discuss the feedback on 23 August 2008, to ascertain issues and ideas towards the preparation of the draft management plan.
3. Over 40 individuals and organisations submitted comment forms during the issues gathering stage. Some of the key themes from this consultation included park character, recreation, entrances, walking tracks and vegetation. It was also expressed that there was some confusion over the naming of the land parcels between Penlington Place and Watson Street and there was a strong support to name the entire area as "Stanley Park". These comments were then analysed and processed to create the draft management plan.
4. In January 2010, all land parcels considered as Stanley Park were formally vested as Recreation Reserve and classified under the Reserves Act 1977, by Council Resolution and the formal public notification process.
5. The power to resolve to formalise the name for Stanley Park and names of its parts if required, remains with the Council, following the process outlined in the Council's Naming of Reserves and Facilities Policy. The naming proposals are first referred to the Akaroa/Wairewa Community Board for comment, followed by comment from the public.
6. Staff propose that the name of the entire land parcels considered as Stanley Park, are formally named as "Stanley Park" (refer to Figure 1 below), below which is consistent with the recent resolution to classify all parcels as Recreation Reserve and as referred to in the draft management plan.
7. The information and public submissions collected from the issues gathering stage and communication with the Stanley Park Reserve Management Committee, Mahaanui Kurataiao Ltd, New Zealand Historic Places Trust and with the technical information provided by Council staff resulted in the production of the Stanley Park Draft Management Plan (**separately circulated**).

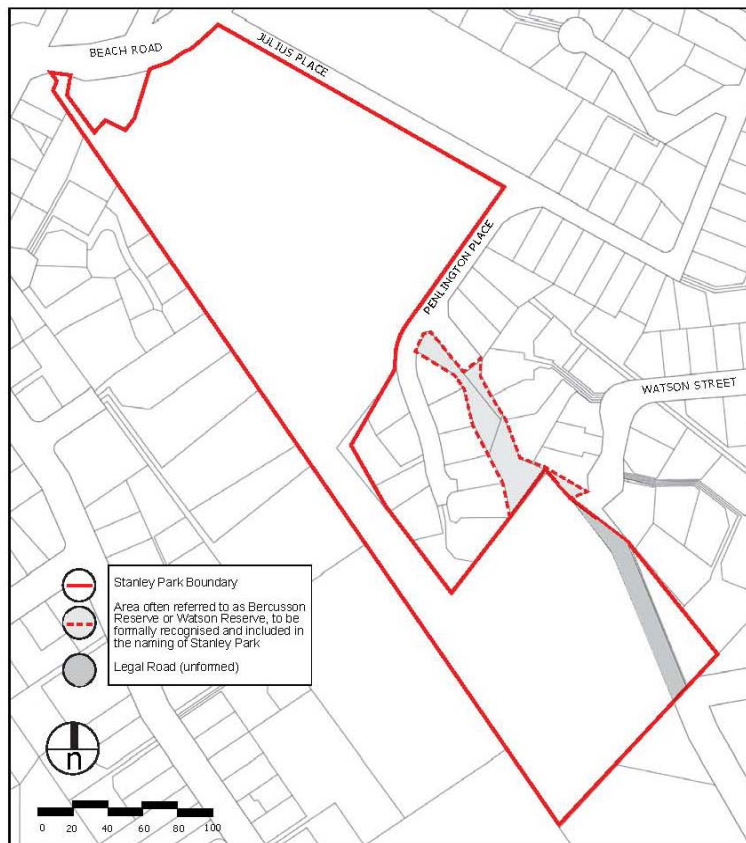


Figure 1

8. Consultation on the draft management plan must follow the procedures set out in the Reserves Act 1977, which requires that the plan be publicly notified and that interested parties be given at least two months to make submissions on its content. The Act also allows for a hearing if required.
9. Prior to consultation occurring, the approval to release and undertake this consultation is being sought from the Akaroa/Wairewa Community Board.
10. All written submissions and verbal submissions received during the two month consultation period, will be considered in development of the final plan. The management planning officer will summarise the submissions and make recommendations for the hearings panel to consider. Following the hearings, the panel will make its recommendations for any alterations to the plan.
11. The planned consultation process will involve the following methods (note the intended timeline for the process is included):
 - (a) Public notification of the draft management plan in accordance with the Reserves Act 1977, this will include advertising in local newspapers (The Press and the Akaroa Mail), this being the official opening of the draft submissions period, this period running for no less than two calendar months in accordance with the Reserves Act. The public notification will also include the formal naming option for "Stanley Park" for community comment.
 - (b) An information session is to be held at the Gaiety Hall, Akaroa, during the month of September, for the public to meet Council officers face to face, to better understand the process and ask questions about the draft plan. This will take place during the two month submission period.
 - (c) The draft management plan is to be displayed on the Council's 'Have Your Say' website and at the Akaroa Service Centre inviting comment. This to coincide with the public notification.

- (d) Following this consultation, an officer's report on the submissions accompanies the draft plan and is put before the hearings panel. The hearings panel is set to meet in March 2011 to form its recommendations to Council for what should be included in the adopted management plan following hearing and viewing of verbal and written submissions. The hearings panel have delegated power to recommend the draft management plan, with required changes, as the operative plan to the Council for final adoption.
- (e) The management planning officer will then take an officer's report accompanied by the hearing panel's recommended version of the plan to the Council for a final decision. Once the Council has approved the recommendations the plan will have final and operative status.

FINANCIAL IMPLICATIONS

- 12. The draft plan details funding that will need to be sourced from the 2012/22 LTCCP or subsequent LTCCP's. With the adoption of the draft plan there is no commitment to Council to supply this funding, as it is an LTCCP process that decides the funding.

Do the Recommendations of this Report Align with 2009-19 LTCCP budgets?

- 13. The Draft Management Plan includes an indicative development programme and budget for works within the park. It is anticipated that, following approval of the final management plan, the indicative development programme will be considered for future budget allocation through the LTCCP process. The plan is structured to ensure that, while recommending projects, it does not commit the Council to any particular spending programme. Any expenditure listed in the plan would have to be sought from future LTCCP's. This is clearly stated in the draft plan.

LEGAL CONSIDERATIONS

- 14. The Reserves Act 1977 states for all types of reserves (except local and Government purpose reserves) under the control of or vested in an administering body must be covered by an approved management plan, or plans. Section 41 of the Reserves Act 1977 requires that consultation be undertaken on land that is classified under the Act and sets out a clear process of public consultation that has to be undertaken prior to Council adopting the Management Plan for implementation.
- 15. In exercising its functions the administering body of a reserve under the Reserves Act 1977, is required to comply with the management plan for the reserve and any approved amendments of it (s.41(11)).
- 16. An administering body is required to keep the management plan(s) over reserve(s) for which it responsible under continuous review (s.41(4)). The intention is that the plan be adapted to changing circumstances or increased knowledge. Generally, plans should be reviewed at a minimum of 10 year intervals and need not involve a complete rewriting.

Have you considered the legal implications of the issue under consideration?

- 17. In line with Council's process we are now seeking the Community Board approval to release the Draft Management Plan to the public for comment. If this is attained the Draft Management Plan will then be released for public consultation for 2 months in accordance with the Reserves Act 1977 and notification of its availability will be advertised as required by the Act.

ALIGNMENT WITH LTCCP AND ACTIVITY MANAGEMENT PLANS

- 18. The Stanley Park Management Plan is compatible with the Council's Community Outcomes for Neighbourhood Parks. Page 118 of the LTCCP states "*provide a network of safe, accessible and attractive neighbourhood parks in order to encourage community interaction, provide places for recreation, strengthen Christchurch's identity as the Garden City, protect and enhance the region's heritage, exotic/native biodiversity and waterways.*"

Do the recommendations of this report support a level of service or project in the 2009-19 LTCCP?

19. The recommendations within the Management Plan are in line with the level of service stipulated in the 2009-2019 LTCCP to maintain and manage neighbourhood parks.

ALIGNMENT WITH STRATEGIES

Do the recommendations align with the Council's strategies?

20. The Draft Management Plan aligns with the following strategies:
Biodiversity Strategy 2008 - 2035,
Physical Recreation and Sport Strategy 2002,
Christchurch Active Living Strategy 2004,
Draft Public Open Space Strategy 2010 - 2040,
Safer Christchurch Strategy 2005,
Parks and Waterways Access Policy 2002

CONSULTATION FULFILMENT

21. The consultation will fulfil the requirements of Section 41, Reserves Act 1977.

STAFF RECOMMENDATION

It is recommended that the Community Board:

- (a) Approve the release of the Draft Stanley Park Management Plan for public consultation as set out in s41(6) of the Reserves Act 1977.
- (b) Recommend the naming of all the land parcels described as Stanley Park to be formally named as "Stanley Park".
- (c) Appoint a representative to be considered for the hearings panel when formal appointments are made by the Board following the triennial election.

Note: Should the Community Board wish to make a submission to a hearings panel on the draft plan, then representatives on the panel appointed by the Council should not be from this Community Board due to potential for conflict of interest to arise and a perceived bias on the part of the panel member.