

7. REPORT OF THE HEARINGS PANEL ON THE SOUTH NEW BRIGHTON RESERVES MANAGEMENT PLAN

General Manager responsible:	General Manager City Environment, DDI 941-8608
Author:	South New Brighton Reserves Management Plan Hearings Panel

PURPOSE OF REPORT

1. The purpose of this report is to seek approval from the Council for the revised South New Brighton Reserves Management Plan to be adopted as the operative plan.

EXECUTIVE SUMMARY

2. A draft South New Brighton Reserves Management Plan for Blighs Garden, Bridge Reserve, and South New Brighton Park was prepared in 2009 with public consultation. The Burwood Pegasus Community Board approved the public release of the draft plan at their meeting on 14 September 2009. The draft plan was available for public consultation from 9 October 2009 to 21 December 2009. A total of 26 submissions were received.
3. A hearing was held on Wednesday 3 February 2010 where 10 submitters made oral submissions. The Hearings Panel visited the reserves on Monday 15 February 2010 to further investigate some issues. It reconvened on Wednesday 24 March and Tuesday 6 April 2010 to deliberate and decide on the extent to which submitters' objections and comments will be allowed or accepted or disallowed or not accepted
4. The decisions of the Hearings Panel have been incorporated in to the revised management plan and are shown on the documents both in tracked changes format (**Attachment 1**) and clean copy (**Attachment 2**) both separately circulated.

FINANCIAL IMPLICATIONS

5. The management plan contains a number of projects that will be put forward for consideration in the 2012-22 LTCCP. The plan clearly states that the projects are subject to approval through the LTCCP process.

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

6. Yes, as above.

LEGAL CONSIDERATIONS

7. The management plan has been prepared in accordance with the requirements of the Reserves Act 1977.

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

8. Yes, as above.

ALIGNMENT WITH LTCCP AND ACTIVITY MANAGEMENT PLANS

9. The South New Brighton reserves come under the activities of Neighbourhood Parks and Sports Parks in the LTCCP and Activity Management Plans. \$118,520 is available this financial year for upgrading the Estuary Walkway which passes through the three reserves. Funding is also available in the current LTCCP for tree removal and replacement in South New Brighton Park (\$17,466 in 2009/10, \$25,000 in 2010/11, \$25,000 in 2011/12, \$50,000 in 2012/13).

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

10. Yes, as above.

ALIGNMENT WITH STRATEGIES

11. Council strategies relevant to the management plan include Biodiversity Strategy 2008, Christchurch Active Living Strategy 2004, Climate Change Policy 1995, Draft Climate Smart Strategy 2010-2025, Parks and Waterways Access Policy 2002, Physical Recreation and Sport Strategy 2002, Recreation and Sport Policy 1996, Safer Christchurch Strategy 2005, Safer Canterbury Creating Safer Communities Design Guide 2005, Christchurch City Council Dog Control Bylaw 2008, Ihutai Management Plan 2004, Draft Public Open Space Strategy 2010- 2040

Do the recommendations align with the Council's strategies?

12. Yes.

CONSULTATION FULFILMENT

13. Yes, consultation has exceeded the requirements of the Reserves Act 1977.

HEARINGS PANEL RECOMMENDATION

It is recommended that the Council approves the South New Brighton Reserves Management Plan, with the changes shown as tracked changes in the draft plan and incorporated in the final version of the plan, as the operative plan.

In addition the Hearings Panel met on 23 June 2010 to consider the report (**Attachment 3**) (separately circulated) and decided that the draft South New Brighton Reserves Management Plan be further amended in accordance with the staff recommendations contained in the report, and that a new tracked-changed version and new final version with these amendments incorporated be distributed to the Council for adoption in accordance with the recommendation made at this Panel's meeting on 6 May 2010:

FURTHER HEARINGS PANEL RECOMMENDATIONS

That the Council approves the following amendments to the South New Brighton Management Plan:

- (a) Woodlands Policy 3.3.6 – reword this paragraph as follows (and remove the footnote): “Regularly monitor the health and structural integrity of all trees in the woodland and campground (when the Council’s Tree Policy has been adopted, all monitoring should comply with the Policy). Where the monitoring identifies a risk to public safety due to the state of any tree, undertake any maintenance work required or remove the tree in order to mitigate this risk.”
- (b) Woodlands Policy (to follow the new 3.3.6 above) – “Ensure that any large trees which are identified as an immediate risk, due to over-maturity or the like, are isolated pending removal and replacement by an appropriate barrier and warning signs.”
- (c) Section 4.2 paragraph 2 – add the following words to this sentence: “Any major removal or replacement of trees will be undertaken in consultation with the community, *unless immediate removal is required because of a risk to public safety*”.
- (d) Indicative Development Plan Table 1 Proposed Projects, Woodlands – include at the end of this proposal the following sentence: “The management plan will include details of how potential risks to public safety created by the state of any of the trees will be identified, and how these risks will be managed in accordance with Council’s legal obligations, including the obligations in the Health and Safety in Employment Act 1992”.