

# 1. Introduction

Historic parks and reserves are special places that have captured features relating to the community's past, giving insight into how this community was formed. These parks and reserves have preserved a valuable resource that can be appreciated today and by future generations. The Historic Reserves Management Plan has been developed to identify appropriate uses and activities within each historic reserve and assist with day to day management and decision making and is a statutory document prepared under the Reserve Act 1977.

This document is an omnibus plan that applies to all historic reserves in which New Plymouth District Council (NPDC) is vested as the administering body or has appointment to control and manage under the Reserves Act (1977). It sets out objectives and policies in order to provide guidance to the Council about how these reserves will be managed and developed. Development concepts, which provide a vision for the future of each park or reserve, are also presented in this plan.

For the purposes of the New Plymouth District Historic Reserves Management Plan, a parcel of land is considered a 'historic park or reserve' if it meets some or all of the following criteria:

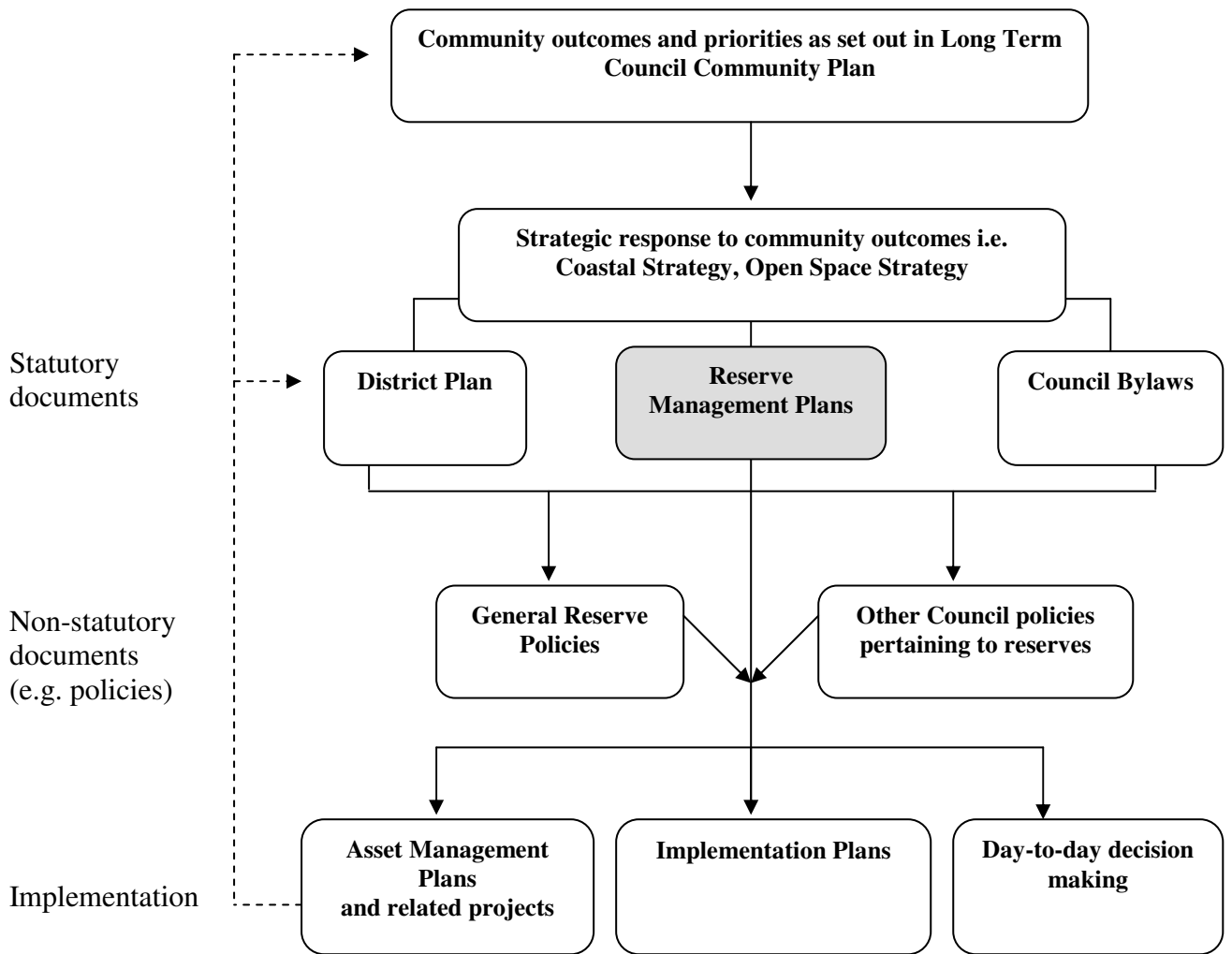
- The land is managed by NPDC and used by the public as a park or reserve.
- The land possesses places, objects and natural features which are historic, archaeological, cultural, educational and other special interest.

This plan should be read in conjunction with the NPDC General Policies for Reserves (2006). Where any matter is addressed by this document and the general policies, then the provisions in this document must take precedence. **Figure 1** demonstrates how this document fits in the Council's overall strategic framework.

Key points regarding the way the plan deals with activities and the development of reserves are -

- Where an activity or development is contemplated in this plan, this can not be taken as a guarantee that it will occur. Decision making on particular activities and future development will take into consideration any requirements under the Reserves Act, Resource Management Act 1991 and Local Government Act 2002 as well as funding availability as determined through the Long Term Council Community Plan. Public consultation may also be required, depending on the nature of the activity and the implications for other reserve users, reserve neighbours and the public at large.
- Where an activity is noted as prohibited on a reserve then any proposals for that activity will not be approved unless a subsequent review and amendment of the plan is undertaken, in part or in whole.
- If the plan is silent on an activity, the activity may still be considered. Decisions on whether or not to approve the activity will be weighed against the objectives and policies for the reserve and the general policies on reserves.

This management plan only addresses reserves owned and/or administered by New Plymouth District Council under the Reserves Act 1977.



**Figure 1: Statutory and non-statutory documents that guide day to day decision making regarding reserves**

## ***1.1 Plan overview***

<b>Chapter 2</b>	Provides the context within which this management plan has been developed, including national legislation, and plans and policies within Taranaki Region and New Plymouth District.
<b>Chapter 3</b>	Describes considerations particular to tangata whenua in the district.
<b>Chapter 4</b>	Outlines general policies, which apply to all historic parks and reserves.
<b>Chapter 5</b>	Levels of service relating to the development of historic reserves
<b>Chapter 6</b>	Outlines objectives and policies specific to individual reserves.
<b>Chapter 7</b>	Summarises process for plan implementation, review and amendments.
<b>Glossary</b>	
<b>Appendices</b>	

## ***1.2 Management plan objectives***

The following are objectives for the Historic Reserves Management Plan:

- To satisfy statutory requirements in the Reserves Act 1977 and subsequent amendments.
- To provide a clear set of policies that allow NPDC to manage its parks and reserves resources consistent with the purpose of each reserve, both now and into the future.
- To prepare a comprehensive document that deals with all historic reserves in an integrated manner.
- To provide the people of New Plymouth District an opportunity to have a say in the management of their parks and reserves by making submissions to the preparation and development of this plan.

## ***1.3 Planning process***

The process being followed for development and adoption of the New Plymouth District Historic Reserves Management Plan is consistent with Section 41 of the *Reserves Act 1977*, and as outlined in the Reserves Act Guide (Department of Conservation 1999).

The intention to prepare the management plans was public notified in October 2009 and the public were invited to submit comments and information to guide its development. In total six comment forms were received. These were used to aid the development of the draft plan, in particular the policies and aspects of the concept development plans.

A second formal consultation period on the draft plans took place from March 2010 to May 2010, over a two month period. During this time the draft was made available to the public at a number of locations and formal submissions were invited. Eleven submissions were received on the draft management plan.

Amendments have been made to the draft plans as a result of the submissions, prior to the plan being presented to the Council for adoption.

This management plan was formally adopted by the Council at the Council meeting held on 31 August 2010.

The Conservation Support Manager, acting under delegated authority from the Minister of Conservation, approved those lands in the management plan classified as 'historic reserve' on 20 September 2010.

## **2. The Planning Context**

### ***2.1 Legislative and policy context***

#### **2.1.1 Reserves Act 1977**

##### **2.1.1.1 Administration of public reserves**

Public reserves are administered under the Reserves Act 1977. The general purpose of the Reserves Act (Section 3) is to:

- Provide for the preservation and management of areas with recreational, wildlife, indigenous flora or fauna, environmental, landscape amenity, natural, scenic, historic, cultural, archaeological, biological, geological, scientific, educational, or community value for the benefit and enjoyment of the public,
- Ensure, as far as possible, the survival of all indigenous species of flora and fauna,
- Provide for the preservation of representative samples of all natural ecosystems and landscape,
- Ensure, as far as possible, the preservation of access for the public to and along water margins.
- Promote the protection of the natural character of the coastal environment and the margins of lakes and rivers.

##### **2.1.1.2 Types of Historic reserve administered by New Plymouth District Council**

All of the reserves administered by New Plymouth District Council are designated either for recreation, historic or local purpose. Most of the local purpose reserves in the New Plymouth district have the sub-classification of historic site and recreation. The Reserves Act sets out the purpose of the different types of reserve classifications.

##### ***Recreation Reserves***

Section 17(1) of the Act states the purpose of recreation reserves are 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.

Section 17 of the Act provides for: -

- Freedom of entry and access to the reserves, subject to other provisions of the Act.
- Management and protection of scenic, historic, archaeological, biological, geological, or other scientific or indigenous flora or fauna or wildlife to the extent compatible with the principal or primary purpose.
- Conservation of 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.

- Maintenance of the reserve’s value as a soil, water and forest conservation area to the extent compatible with the principal or primary purpose of the reserve.

### ***Historic Reserves***

Section 18(1) of the Act states the purpose of historic reserves is to protect and preserve 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. Section 18(2) of the Act provides for:

- Structures, objects and sites illustrate with integrity the history of New Zealand.
- Freedom of entry and access to the reserves, subject to other provisions of the Act.
- Where present, scenic, archaeological, geological, biological or other scientific features, or indigenous flora and fauna or wildlife are to be managed and protected compatible with the principal or primary purpose of the reserve.
- Compatible with its primary purpose, its value as a soil, water and forest conservation area shall be maintained.
- The indigenous flora and fauna and natural environment shall as far as possible be preserved.

### ***Local Purpose Reserves***

Reserves can be classified as local purpose where there is 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. The purpose of local purpose reserves is set out in Section 23 of the Act. It provides for:

- 23(1) The provision and retention of areas for such local purposes as are specified in the classification.
- Management and protection of scenic, historic, archaeological, biological, geological, or other scientific or indigenous flora or fauna or wildlife to the extent compatible with the principal or primary purpose of the reserve.
- Maintenance of the reserve’s value as a soil, water and forest conservation area to the extent compatible with the principal or primary purpose of the reserve.

#### **2.1.1.3 Management planning for reserves**

Section 41 of the Reserves Act requires an administering body (in this case NPDC) to prepare management plans for all reserves (except local purpose reserves, although they can be included) under its control, management or administration. The purpose of a management plan is to create policies for the management of reserves so that decisions regarding their use and development do not compromise the long term use of the reserve or conflict unduly with other uses. Management plans are required to be under constant review.

A management plan must “provide for and ensure”:

- The use, enjoyment, maintenance, protection, and preservation as the case may require of the reserve for the purpose for which it is classified;
- The reserve's development (as appropriate) to the extent that the administering body's resources permit, for the purpose for which it is classified;
- That the principles set out in section 17 to 23 of the Act that apply to the reserve, are incorporated in the plan;
- Compliance with those principles.

Once a management plan has been approved the Council may exercise certain statutory powers that are conditional upon a management plan being in existence (e.g. the granting of leases, licences and easements over reserve land). These are outlined in the Act itself and in the schedule to the Act entitled *Instrument of Delegation for Territorial Authorities* adopted in March 2004 (see Appendix A).

#### **2.1.1.4 Powers of administering bodies**

The powers of administering bodies with regard to reserve management are set out in the Reserves Act. In December 1999 the Minister of Conservation delegated many of the Minister's powers under the Reserves Act to territorial authorities (i.e. district councils). This instrument of delegation was updated in March 2004 by a subsequent Minister of Conservation. It covers 21 sections of the Act and is included in Appendix A.

#### **2.1.1.5 Leases, licences and other agreements**

The Reserves Act gives the Council the power to grant licences, leases and other agreements for recreation reserve land as provided by sections 48, 48A, 53, 54, 71, 72, 73, and 74.

Where leases or licences of recreation reserves vested in the Council are proposed under Section 54 of the Reserves Act, the Council is not required to publicly notify proposals if they conform with and are contemplated by an approved management plan (or it has been publicly notified under a successful resource consent process under the Resource Management Act 1991) (Section 54 (2A)).

Where a particular activity is provided for or contemplated in an approved management plan for the reserve or the activity is an existing use and the effects of the use will be the same or similar in character, intensity and scale, the Council has the delegated authority to consent or refuse to consent to:

- The granting of rights of way and other easements (Section 48).
- The granting of a licence for communication stations (Section 48A).
- The granting of leases and licences for specific purposes (Section 54 – Section 54(1A) provides statutory authority also).
- Where it is in the public interest, the erection of buildings for public recreation purposes not directly associated with outdoor recreation (Section 54).
- The granting of a lease where the reserve is not for the time being required or is not likely to be used for the purpose for which it is classified (Section 73).

- The granting of temporary licences to occupy for the purposes of grazing, gardening or similar purposes (Section 74).

### **2.1.2 Other relevant legislation**

#### **Local Government Act 2002**

The Local Government Act 2002 provides the general framework and powers under which New Zealand's local authorities operate. In brief, the legislation sets out-

- The purpose of local government and the role and powers of local authorities.
- The structure of local government and the mechanisms for altering the structure.
- Principles for the governance and management of local authorities and community boards.
- A governance and accountability framework for local authorities' involvement in arms-length organisations - Council-Controlled Organisations and Council organisations.
- An enhanced framework for consultation, planning, decision-making, financial management, and reporting.
- A range of obligations, restrictions and powers, including requiring local authorities to assess their communities' needs for water, and wastewater and sanitary services, and placing an obligation on local authorities to provide water services to ensure continued public ownership of water services.
- The powers of the Minister of Local Government in relation to local authorities.

Funding levels for new development and maintenance of existing parks and reserves is set through a Local Government Act 2002 document called the Long Term Council Community Plan (LTCCP).

#### **Resource Management Act 1991**

The purpose of the Resource Management Act 1991 (RMA), as set out in Section 5, is “to promote the sustainable management of natural and physical resources”. The RMA provides the statutory basis for the New Plymouth District Plan. It is the Council’s role, through the District Plan, to manage and provide for the many recreational activities that occur within the district in a way which will not result in adverse effects on the environment.

The District Plan identifies heritage sites including waahi tapu such as pa sites, through an inventory which gives protection to items listed, particularly those listed as Category A. Historic reserves may contain heritage items listed in the District Plan.

#### **Conservation Act 1987**

The Conservation Act 1987 created the existence of the Department of Conservation (DOC) and promotes the conservation of New Zealand’s natural and historic resources. The Reserves Act is listed in the First Schedule as being one of the acts administered by DOC.

Section 6 of the Conservation Act, provides that DOC’s functions include:

- Preserving all indigenous freshwater fisheries, and protecting recreational freshwater fisheries and freshwater fish habitats;



- Advocating for and promoting the benefits of conservation of natural and historic resources generally and the natural and historic resources of New Zealand in particular;
- Preparing, providing, disseminating, promoting, and publicising educational and promotional material relating to conservation; and
- To foster the use of natural and historic resources for recreation or tourism where use is not inconsistent with their conservation.

Section 4 of the Conservation Act requires that the Act should be interpreted and administered to give effect to the principles of the Treaty of Waitangi.

### **Historic Places Act 1993**

The Historic Places Act promotes the identification, protection, preservation and conservation of the historical and cultural heritage of New Zealand. The New Zealand Historic Places Trust (NZHPT) established with the Act, registers historic places and areas, waahi tapu and waahi tapu areas. The register's purpose is to inform public, notify owners and assist in protection of historic places, historic areas, waahi tapu and waahi tapu areas to be protected under the Resource Management Act 1991. The Vicarage has a Historic Places Trust Category 2 rating and is the only register listing of the 15 locations included in this management plan.

Apart from archaeological sites which are protected under the Act, listing on the register does not impart protection from alteration. The provisions of the Resource Management Act 1991 provides for the protection of historic heritage from inappropriate use and development as a matter of national importance. Nine of the parks/reserves meet the description of an archaeological site, with seven of these including pa sites.

An archaeological site is defined as a place associated with pre-1900 human activity, where there may be evidence relating to the history of New Zealand. If there is a chance that an archaeological site may be damaged, an application to the NZHPT for permission is require. Proposed work that may affect an archaeological site requires an archaeological authority from NZHPT before work commences. If a previously unknown archaeological site is uncovered during earthworks, permission to continue work may be needed. Work must cease and the Trust be contacted for advice on how to proceed.

**Table 1 - Historic Reserves that contain archaeological sites**

Cody Place Historic Reserve
Fort Niger
Marsland Hill Historic Reserve
Mount Moturoa
Pukewharangi Reserve
Te Ngaere Historic Park
The Vicarage
Whakawhitiwhiti Pa Historic Reserve

## **Burials and Cremations Act 1964**

Applies to the closed cemetery which is part of Marsland Hill Historic Reserve. The Act covers the existence of cemeteries and how they are to be managed.

## ***2.2 Role of other councils / organisations***

### **Taranaki Regional Council**

The Taranaki Regional Council (TRC) also has responsibilities that may affect the management of reserves. Regional Councils' responsibilities include

- Developing regional policies on managing natural and physical resources
- Promoting sustainable land management and soil conservation
- Managing freshwater, land, air and coastal resources by developing regional policy statements, regional plans and issuing of consents
- Managing rivers and undertaking river control and flood protection
- Contributing to regional emergency management and civil defence preparedness
- Undertaking regional land transport planning, providing passenger transport services and undertaking harbour management
- Undertaking pest management, and
- Carrying out resource investigation, monitoring and environmental enhancement

### **New Zealand Historic Places Trust**

The Trust's mission is to promote the identification, protection, preservation and conservation of the historical and cultural heritage of New Zealand. The Trust maintains the register of historic places, historic areas, waahi tapu and waahi tapu areas. The Trust also has the responsibility of processing applications to destroy, damage or modify historic the whole or part of an archaeological site.

## ***2.3 New Plymouth District Council plans and policies***

### **2.3.1 Long Term Council Community Plan**

The Long Term Council Community Plan (LTCCP) is the overarching planning and policy document for New Plymouth District. It is updated tri-annually and sets out the Council's priorities over the medium to long term to provide for the wellbeing of the district. This wellbeing is measured against seven community outcomes developed through public consultation:

- vibrant,
- prosperous,
- sustainable,
- secure and healthy,
- skilled,

- together, and connected.

The LTCCP provides a framework for funding and implementation of Council projects and programmes, including policy and planning. Funding for the implementation of this reserves management plan will be decided through the LTCCP process, which will next occur in 2012.

### **2.3.2 District Plan**

The District Plan is a statutory document, carrying legal weight under the Resource Management Act 1991. The plan recognises that open spaces, such as reserves, are valued by the community and require recognition and protection. Open space is defined in the plan as “an area of open land, with or without associated buildings, which fulfils a community desire for aesthetic and/or recreational pursuits”. The District Plan zones such areas, which may occur on public or private land, as Open Space Environment Areas (OSEAs). Within OSEAs, rules and standards are in place to control activities that have the potential to adversely affect the character of the areas. These rules primarily relate to buildings, advertising signs and other structures erected within OSEAs.

The District Plan also has provisions to protect specific features that occur within reserves, such as historic sites, waahi tapu and notable trees.

Activities within Council administered reserves have to comply with rules set out in the District Plan, primarily with regard to buildings and structures and other developments on reserve land. However, the plan also recognises that reserve management plans are the most appropriate tool for the management of reserves and the effects arising from multiple uses of reserve land<sup>1</sup>.

The District Plan not only considers activities within areas zoned as OSEAs, but also the potential impacts of activities in proximity to OSEAs. Objectives and policies are in place to ensure that “activities within an area should not have adverse effects that diminish the amenity of neighbouring areas, having regard to the character of the receiving environment and cumulative effects”<sup>2</sup> and that new activities are “sensitive to the elements that define the character of the area in which they intend to locate”<sup>3</sup>. Rules within the District Plan specify standards to achieve these policies and provide for the application of conditions on resource consents to mitigate adverse effects.

Other aspects of the District Plan that affect management of reserves include policies related to the maintenance of natural values. These include the following:

- Assessment criteria associated with plan rules include consideration of the impact of development on the natural character of the coastal environment,

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<sup>1</sup> See Policy 8.2 of the Operative District Plan 2005.

<sup>2</sup> Policy 1.2 of the Operative District Plan 2005.

<sup>3</sup> Policy 1.3 of the Operative District Plan 2005.

wetlands, lakes, rivers and their margins<sup>4</sup>. Conditions may be placed on resource consents, where appropriate, to avoid, minimise or mitigate impacts.

- Activities on and in proximity to indigenous vegetation or habitats may be controlled through conditions on resource consents in order to ensure that subdivision, use or development does not adversely affect the quality and intrinsic values of these areas<sup>5</sup>.

### **2.3.3 General Policies for Council Administered Reserves 2006 (P06-003)**

The General Policies for Council Administered Reserves includes policies on the Conservation of Cultural Heritage Values and the Conservation of Natural Values. For areas of cultural heritage value, policies exist to protect areas of identified cultural heritage, including consultation with mana whenua and the attainment of a archaeological assessment of a site prior to approving any proposed works. There are also processes outlined if a artefact is revealed during the event of development work.

Policies for the Conservation of Natural Values includes that reserves are planned and managed to avoid, minimise or mitigate damage to ecological values as a result of public access and use. Areas of significant conservation value are to be mapped in management plans.

### **2.3.4 Open Space Strategy (currently under development)**

The Open Space Strategy will devise a picture of what the district's open space network will look like in the next twenty years. Stage One will determine the criteria for retention, acquisition and disposal of open space, a hierarchy of open space and the levels of service that open space requires. It will also determine the views of the community via community, sports clubs and stakeholder surveys and a mana whenua workshop. These views will be considered alongside the criteria, hierarchy and levels of service outlined above. It is envisaged that this will be released for discussion in early 2011.

Stage Two - will be a review of the open space needs of all towns in the district and open space linkages and costal access in the rural areas. The district plan, Oakura and Urenui Structure plans identify future open space opportunities and these will be considered alongside the existing open space network. The criteria, an open space hierarchy, levels of service and community views will be used to review the open space needs for the district's communities. Plus we will be seeking the views of stakeholders, mana whenua and the community to see if this fits with their ideas. It is envisaged that stage 2 will be completed by mid 2010.

### **2.3.5 Heritage Strategy**

The Council is preparing a heritage strategy for the district, to ensure there is strategic direction, planning and integration of Council's involvement in heritage. Other aims of the strategy are to inform, engage and involve the community and other stakeholders in Council heritage, to identify and define new and existing heritage, to

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<sup>4</sup> See Objective 14 of the Operative District Plan 2005 and associated policy and methods of implementation.

<sup>5</sup> See Policy 16.2 of the Operative District Plan 2005 and associate methods of implementation.

protect and preserve heritage. Further aims are to record, collect, share and make heritage accessible and to fund and assist heritage.

### **2.3.6 Council bylaws and other policies**

#### **Bylaws relevant to the Historic Reserve Management Plan**

Day to day operations in parks and reserves are also controlled by the district's bylaws. Reserve policies should be read in conjunction with the New Plymouth District Council Bylaws 2008, which include the following that specifically relate to reserves:

- Part 2: Animals
- Part 3: Cemeteries and Crematorium
- Part 5: Public Places
- Part 6: Recreational and Cultural Facilities
- Part 7: Signs
- Part 8: Skateboarding
- Part 10: Stock Control
- Part 12: Trading in Public Places and Itinerant Traders
- Part 13: Traffic

As well as the following New Plymouth District Council Consolidated Bylaws 2000

- Part 5: Dog Control

#### **Other policies relevant to the Historic Reserve Management Plan**

Over time the Council has adopted a number of policies that are relevant to the management of historic reserves. There are a number of individual policies that provide direction to reserves management (listed below).

Unless this management plan specifies an alternative approach to management generally or for specific reserves these policies should be considered where relevant as part of any decision made about a historic reserve.

- Boundary Fencing (P00-022)
- Advertising Signs on Reserves (P00-023)
- Barrier Free District Policy (P01-015)
- Reduction to UV Exposure (P04-003)
- Memorials in Public Open Spaces (P04-009)
- Heritage Trails (P05-017)
- District Tree Policy (P06-002)

Note that policies may be reviewed, replaced or amended over time.

### **3. Tangata Whenua and Historic Reserves Management**

#### **Background**

Taranaki has been settled by humans for over 2000 years, with the arrival of a great number of waka over the centuries. There are six intertwined iwi groups having rohe in New Plymouth District: Ngati Tama, Ngati Mutunga, Te Atiawa, Ngati Maru, Taranaki, and Ngati Maniapoto. Most iwi trace their ancestry back to the last wave of waka migration, namely Mataatua, Tainui, Tokomaru and Kuahaupo waka<sup>6</sup>.

Some of the hapu groups within the district are Hapu o Poutama, Manukorihi, Ngati Rahiri, Pukerangiora, Otaraua, Puketapu, Ngati Tawhirikura, Ngati Te Whiti, Ngati Tuparikino, Hamua Te Matehou, Ngati Tairi and Nga Mahanga.

Much of the coastal land in New Plymouth District was settled by Maori prior to the arrival of European settlers, from the Hangatahua (Stony) River in the south to the northern boundary of the district near Mokau.

The Crown assumed ownership of a large amount of land at the time of European settlement and in later years as the district developed. Over a million hectares of land was confiscated during the 1860 land wars. Subsequently, lands were taken for public works such as the railway and schools. These events disrupted the relationship between tangata whenua and their rohe and the kaitiakitanga, or stewardship, role that they traditionally held with regard to those lands and resources.

Issues related to land ownership are still in the process of being resolved. The Treaty of Waitangi settlement process has given statutory acknowledgement to Ngati Tama and Ngati Mutunga of their relationship to lands and resources with their rohe. Te Atiawa Iwi Authority entered into a Heads of Agreement with the Crown in 1999 and is working towards a Deed of Settlement. Additional settlements may occur in the future as iwi bring forward claims to the Waitangi Tribunal.

#### **Kaitiakitanga**

The Mana Whenua Mana Moana document prepared by the Mana Whenua Reference Group in 2005 describes the history and connection of each iwi and hapu group with their rohe. The document notes that “One of the most important issues for tangata whenua is land and land use, whether it is in their ownership, private ownership or local authority ownership. Their responsibilities of kaitiakitanga do not alter”(page 5). The Mana Whenua Mana Moana document describes kaitiakitanga as follows:

“KAITIAKITANGA in the traditional concept was an obligation and responsibility of tangata whenua to be protectors and caretakers of the tribal estates, interests and resources. This included the ability to put in practice particular protection methods such as rahui. The modern concept of kaitiakitanga is the responsibility on tangata whenua to advocate and practice sustainable development.”

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<sup>6</sup> New Plymouth District Council, Tangata Whenua website:  
<http://www.newplymouthnz.com/tangata+whenua/history.htm>

One of the most immediate ways for the Council to acknowledge the kaitiaki role of tangata whenua within their rohe is to provide opportunities for participation in decision-making processes on issues related to the management of land and resources, including reserves owned and/or administered by the Council. Mana Whenua Mana Moana notes that “It is of utmost importance that any decision regarding land and resources will be of significance to tangata whenua.”

### **Legislative context**

As a partner to the Treaty of Waitangi / Te Tiriti O Waitangi, Maori are given special recognition under the Conservation Act 1987, Resource Management Act 1991 and Local Government Act 2002. All persons exercising powers and functions under these Acts are required to have regard to these matters.

Section 4 of the Conservation Act 1987 requires that the Reserves Act 1977 be interpreted and administered to give effect to the principles of the Treaty of Waitangi<sup>7</sup>. This management plan must therefore take into account the principles of the Treaty. The Council must consult with and have regard to the views of tangata whenua before undertaking action and making decisions about reserves for which the Council is the administering body. At the same time, any actions and decisions made by the Council for the purposes of managing a reserve must comply with the Reserves Act and be in accordance with the primary and secondary purposes for which the reserve is classified.

The Resource Management Act 1991 and the Local Government Act (LGA) 2002 contain requirements to involve tangata whenua in decision-making regarding lands and resources that are within their traditional rohe but outside of their ownership. Parts [2](#) and [6](#) of the Local Government Act 2002 outline principles and requirements for local authorities to facilitate participation by Maori in local authority decision-making processes.

Section 77(1)(c) of the LGA 2002 requires that any significant decision made by a local authority in relation to land or a body of water, “take into account the relationship of Maori and their culture and traditions with their ancestral land, water, sites, waahi tapu, valued flora and fauna, and other taonga”.

Section 81(1) of the LGA 2002 requires a local authority to:

- a. Establish and maintain processes to provide opportunities for Maori to contribute to the decision-making processes of the local authority, and
- b. Consider ways in which it may foster the development of Maori capacity to contribute to the decision-making processes of the local authority, and
- c. Provide relevant information to Maori for the purposes of paragraphs (a) and (b).

### **Tangata whenua considerations in the Historic Reserves Management Plan**

Iwi and hapu were consulted regarding their interests and concerns related to historic reserves management during the initial information gathering period and will have the

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<sup>7</sup> Crown Law Office opinion is that the Conservation Act 1987 binds the Acts listed in Schedule 1, including the Reserves Act 1977.

opportunity to make a formal submission on the draft plan during the second round of consultation early in 2010. As an outcome of the consultation to date and gathering of information, the following was incorporated into the Plan.

- For each reserve in the Historic Reserves Management Plan, the interests of tangata whenua are noted.
- The plan contains a general policy that the Council will consult with the relevant tangata whenua group(s) regarding proposals for any significant developments or activities on historic reserve lands within their area of interest.
- Tangata whenua will have the opportunity to provide input into reserve names as part of an ongoing process, with the goal of identifying Maori names to be included in signage and Council documents pertaining to Council administered reserves. This is consistent with council policies on reserve naming and concurrent with the Council signage strategy.

Additional information with regard to tangata whenua interests may be added to this plan as new information becomes available.



## 4. General objectives and policies for management of historic parks and reserves

The General Policies for Council Administered Reserves (2006), and other Council policies referenced therein, apply to all of the reserves in this management plan. These policies should be considered, where relevant, as part of any decision made about an historic reserve.

The following goals, objectives and policies apply to all historic parks and reserves.

**Table 2 - Summary of Goals and objectives for all historic parks and reserves.**

<b>Goals</b>	<b>Objectives</b>
<b>Compliance with the Reserves Act 1977</b>	To manage all historic reserves in accordance with the classification assigned to them under the Reserves Act 1977.
<b>Protection of cultural heritage features at historic parks and reserves, in a quality amenity area</b>	<p>To protect cultural heritage values contained within historic parks or reserves, where known.</p> <p>To manage, maintain and enhance flora and fauna in historic parks and reserves to add to the amenity value of, and to protect areas of natural significance within historic parks and reserves.</p> <p>To provide facilities and amenities that enhance and encourage a range of recreation and leisure opportunities appropriate to the individual historic parks and reserves.</p>
<b>Accessible historic parks and reserves</b>	<p>Interpretative signage to be installed where appropriate to facilitate appreciation of the sites cultural history.</p> <p>To ensure historic parks and reserves are identifiable and accessible to local residents and visitors.</p>
<b>Safe historic parks and reserves</b>	To manage historic parks and reserves so that they are safe for use during daylight hours.
<b>Historic parks and reserves managed through partnerships</b>	To ensure the community has a sense of ownership over, and is actively involved in the management and development of historic parks and reserves through community consultation and partnerships.

## **Goal 1 – Compliance with the Reserves Act 1977**

### **Objectives**

#### *Objective 1*

*All parks/reserves are to be managed in accordance with their Reserves Act 1977 classification.*

Councils as administering bodies, are required to classify reserves they administer and manage. Classified reserves are then managed in accordance with the classification given<sup>8</sup>.

### **Policies**

***Reserve classification – each reserve will be utilised and managed in accordance with the Reserves Act provisions pertaining to its classification.***

## **Goal 2 – Protection of cultural heritage features in historic parks and reserves, in a quality amenity area**

### **Objectives**

#### *Objective 1*

*Cultural heritage values contained at historic parks or reserves, where known, will be protected and managed.*

Of the 15 parks and reserves in this management plan, nine are archaeological sites and seven of these include pa sites. Heritage and/or waahi tapu located at these parks and reserves are listed in the District Plan. It is noted that there may be waahi tapu which are not known to the Council located on the sites or that full assessment of heritage values for particular sites has not been undertaken.

With any artefacts found after 1 April 1975, these are protected under the Antiquities Act 1975.

Site works such as excavation, removal of mature trees, fencing, laying pathways or any activity that would destroy, damage or modify the whole or part of an archaeological site will require a consent from the Historic Places Trust.

### **Policies**

***Cultural heritage values – identified areas of cultural heritage value on historic parks and reserves will be protected, preserved and maintained including the installation of barriers as appropriate.***

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<sup>8</sup> Refer to 2.1.1.2 Types of Historic reserve administered by New Plymouth District Council

**Archaeological site management** – archaeological sites are to be managed in accordance with the Department of Conservation’s guideline for managing archaeological sites<sup>9</sup> and in compliance with the Historic Places Act 1993. The Council will work with individual iwi/hapu and interest groups to develop a protocol regarding the management of vegetation on waahi tapu sites.

**Development work on archaeological sites** – where development work is proposed on reserves that are archaeological sites, involving any excavation such as fencing, laying pathways, along with the removal of mature trees, or any activity that would destroy, damage or modify the whole or part of an archaeological site, a consent from the Historic Places Trust will be attained prior to work commencement. Garden maintenance activities that include digging to replace existing plants do not require a consent.

**Built Heritage** - built heritage exists at some historic reserves and where considered appropriate, Conservation Plans will be prepared in line with the International Charter for Conservation and Restoration of Monuments and Sites (ICOMOS) New Zealand Charter, to protect their integrity.

#### *Objective 2*

*To manage, maintain and enhance flora and fauna in historic parks and reserves to add to the amenity value of, and to protect areas of natural significance within historic parks and reserves.*

All landscapes within historic parks and reserves hold cultural and heritage values, some also contain significant ecological areas including native bush remnants. Together with other vegetated open space, historic reserves act as ecological corridors for wildlife as well as adding natural character and amenity value to urban areas.

The Council acknowledges the importance of both natural and planted areas and aims to protect and enhance the vegetation and landscape values of historic parks and reserves consistent with the classification of the reserve.

The removal of mature trees from any of reserve that constitutes an archaeological site, will require a consent from the Historic Places Trust. Excavation work associated with regular garden maintenance, such as replacing herbaceous plants and shrubs does not require an consent from the Trust. Planting of semi mature specimen trees however should be consulted on.

Sites are managed from a range of mature bush, to grazed or mown grass, to planted areas. Grazing is used as a management tool for undeveloped sites, and only calves will be used. As a condition of any grazing lease the public maintain the right to access and pass through a grazing area. Techniques of occasional grazing may be used, if the site is not to be grazed by stock all year. Areas are to be light grazed, with special care taken during winter grazing to not alter the landscape. Vegetation suitable for archaeological sites includes mown or grazed grasses, plantings of native grass

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<sup>9</sup> Refer to the Department of Conservation’s ‘Caring for archaeological sites’ as a guideline for managing archaeological sites.

species, low growing or ground covering shrubs and ferns, otherwise management of mature native forest<sup>10</sup>.

### **Policies**

***Landscape development*** – subject to the preservation and management of the heritage features of the site, natural areas, amenity planting and open space turfed areas may be developed on historic parks and reserves. Where excavation work is required to achieve development objectives, a consent is required from the Historic Places Trust prior to work commencement.

***Landscape maintenance*** – maintenance of the natural areas and/or amenity plantings will be carried out in accordance with industry best practice and the Council policies including the District Tree Policy 2004. Garden maintenance activities that include digging to replace existing plants do not require a consent from the Historic Places Trust.

***Ecological environments*** – subject to the protection and management of cultural heritage values where known, areas within historic parks and reserves which have significant ecological value, such as bush remnants, will be conserved (managed to ensure the area is protected and maintained), including control of pest plants and animals.

***Mature tree removal*** – where mature trees are intended for removal from a reserve that is an archaeological site, a consent will be attained from the Historic Places Trust prior to work commencing.

### ***Objective 3***

*To provide facilities and amenities that enhance and encourage a range of recreation and leisure opportunities appropriate to the individual historic parks and reserves.*

Historic parks and reserves are used for passive recreation and leisure pursuits including kicking a ball, walking, relaxing and family picnics. Facilities and other amenities, which are important to users include park benches and picnic tables.

The decision to place amenities within historic parks and reserves is carried out in accordance with the proposed policies outlined below as well as the levels of service in chapter five.

### **Policies**

***Public toilets*** – the addition or removal of public toilets will be carried out in accordance with the Council's Toilet Strategy. This strategy does not propose any additional toilets on historic parks or reserves.

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<sup>10</sup> Refer to the Department of Conservation's 'Caring for archaeological sites' as a guideline for managing archaeological sites.

***Park furniture, hard surfaces and barriers*** – all park furniture, hard surfaces and barriers shall be designed, constructed and coloured in accordance with the parks hard asset standard manual (Parkscape Standards Manual 2006).

***Facilities maintenance*** - maintenance of facilities within historic parks and reserves will be carried out in accordance with industry best practice.

***Boundary fencing*** – the Council will work with its neighbours to maintain suitable boundary fencing. The contribution made to new boundary fences is set out in the Parks Boundary Fencing Policy.

### **Goal Three – Accessible historic parks and reserves**

#### **Objectives**

##### *Objective 1*

*Interpretative signage will be used to facilitate the visitors understanding of a site.*

Heritage values present at a site may be tangible or intangible. Interpretation may improve the appreciation of the site by the visitor. Intangible values include where structure and land modifications are no longer identifiable, or where the site is the location of some significant action in the past. For tangible values, the heritage value may be obvious, partially destroyed, or buried in the ground.

Interpretative signage to be considered at historic parks/reserves on a case by case basis and sign descriptions are to involve where applicable, consultation with mana whenua, heritage officers and interest groups. All new signs on historic parks and reserves will be erected in accordance with the New Plymouth District Council Sign Manual.

#### **Policies**

***Signage*** – Interpretative signage installed where appropriate to facilitate appreciation and understanding of the sites cultural history. Wording of interpretative signage will be formulated in consultation with mana whenua and other stakeholders.

##### *Objective 2*

*To ensure historic parks and reserves are identifiable and accessible to local residents and visitors*

It is recognised that historic parks and reserves need to be identifiable and accessible to users. A number of aspects can affect accessibility of a reserve including design, permanent or exclusive use, authorised commercial activities, encroachments, grazing and temporary access by construction vehicles. Community feedback has told the Council that no permanent commercial activities should be allowed on historic parks and reserves.

The policies below outline how the Council will aim to ensure historic parks and reserves are identifiable and accessible through appropriate signage and good design, and how issues that can affect accessibility will be addressed.

## **Policies**

***General access*** – access to historic parks and reserves will be free of charge.

***Access points*** – where feasible access points to historic parks and reserves and associated facilities will be designed to meet national standards and design criteria for people with disabilities.

***Events***– anyone wishing to use a historic park or reserve for an event must apply to the Council. All applications will be assessed and managed in accordance with policies set out in the Council’s General Policies for Council Administered Reserves, the provisions of the Reserves Act 1977 and the parks bookings system.

***Commercial activities*** – commercial activities will be assessed on a case by case basis in accordance with the Council’s General Policies for Council Administered Reserves and will generally only be approved when associated with a community event.

***Network and utility infrastructure*** – in accordance with the Reserves Act 1977 the provision of existing, additional and new network and utility infrastructure will be allowed to be installed and maintained at historic parks and reserves where it does not impact the use of the reserve in the long term and the archaeological or heritage aspects of the site are not be compromised. The new network and utility infrastructure will be considered after other options have been first considered and discounted.

***Temporary access*** – access will be granted on a temporary basis to allow the installation of network infrastructure or access a part of a property which is otherwise inaccessible. Applications must be made to the Council in writing and give particular consideration to the timing of the access and actions to mitigate the impact on users as well as to avoid or mitigate damage to the values of the reserve.

***Encroachments*** – encroachments by adjacent landowners can restrict the public use and access to part or all of a reserve and in most cases is an unlawful use of reserve land. Encroachments will be addressed in accordance with the Council’s encroachment policy (currently under development) and relevant legislation.

## **Goal four – Safe historic parks and reserves**

### **Objectives**

#### ***Objective 1***

*To manage historic parks and reserves so as they are safe for use during daylight hours.*

Managing historic parks and reserves so they are safe means taking reasonable and practical steps to prevent, reduce or contain the environmental factors which affects people's use of historic parks and reserves. It includes preventive measures to reduce accidents. Safe has different meaning to different people and it is acknowledged that at any one time there may be factors out of the Council's control which may contribute to the level of safety within a reserve e.g. unsupervised.

A number of aspects relating to safety on reserves are covered in the Council's bylaws including the lighting of fires in a public place, use of firearms, animals and disposal of household refuse.

### **Policies**

**Historic parks and reserves will be managed for day use only.**

***Safe design* – where feasible the development of historic parks and reserves will incorporate safe urban design principles including those outlined in the Crime Prevention through Environmental Design Guidelines (CPTED).**

***Standard of facilities* – a regular inspection programme will be performed so that facilities on parks and reserves meet standards of safety, health and condition in accordance with levels of service in the Parks Assets Management Plan.**

***Animals* – the control of animals on historic parks and reserves will be managed in accordance with the Council bylaws. The dog control part of these bylaws generally permit dogs on parks and reserves with the exception of areas set aside by the New Plymouth District Council as children's play areas. These areas are set aside for the recreation of children, which includes play equipment for this purpose, where dogs are prohibited. This control however does not apply to any dog on a leash being led directly through a playground.**

***Anti social behaviour on reserves* – where anti social behaviour occurs on reserves, either during the day or night, the Police will be informed.**

## **Goal five - Historic parks and reserves managed through partnerships**

### **Objectives**

#### ***Objective 1***

***To ensure the community has a sense of ownership over, and is actively involved in the management and development of historic parks and reserves through community consultation and partnerships.***

It is important that the New Plymouth District's network of historic parks and reserves is one that the community have sense of ownership over. Local communities are recognised as users and in many cases also neighbours to the parks and reserves in their area and have valuable local knowledge.

Often the local community is very willing to be involved in the management of historic reserves including decision-making, vandalism reporting and partnership developments.

There are a number of community groups that have played a part in shaping historic parks and reserves.

The Council aims to facilitate and encourage community partnership and ensure stakeholders including users, neighbours and tangata whenua continue to be informed.

### **Policies**

***Community Consultation*** – any development or proposed change in management of a park or reserve will involve consultation with the affected community as appropriate or as required by legislation.

***Consultation with mana whenua*** – consultation will be undertaken with the mana whenua of a park or reserve when any change in management or development is proposed.

***Reserve neighbours*** – all development on historic parks and reserves will be done in consultation with the immediate neighbours in order to mitigate any adverse effects.

***Community Partnerships*** – the Council supports and promotes community initiatives with residents, community service groups, stakeholders and tangata whenua to be involved in the management and development of historic parks and reserves. The roles and responsibilities of these groups (in relation to the historic reserves) will be defined on a case by case basis with Council officers.



## 5. Levels of Service

Service levels are essentially the performance goals of the Council for a particular activity. They provide a common ground upon which the Council can use to guide and drive its efforts.

Three factors contribute to the development of levels of service from a customer perspective, these are - customer expectations, community outcomes and compliance requirements. The relationship between these three factors and levels of service are illustrated in figure 2 below. The customer expectations and the compliance requirements also contribute to the achievement of the community outcomes and corporate goals.

There are costs associated with providing all levels of service. During the development of levels of service costs are also considered and the aspirations of the customers are balanced against the cost of providing the service.

Levels of service outlined in this plan relate to the development of historic reserves, i.e. the provision of amenities such as seating, pathways, entrance signs as well as vegetation; and the purpose for which the Council provides these amenities.

The provision of historic parks and reserves in terms of the land asset, its location and distribution is determined through the Council's Open Space Strategy (currently under development). This strategy will determine service levels for the provision of all categories of parks and reserves.

The maintenance of historic reserves is also determined by levels of service. These are set out in the Parks Asset Management Plan as well as Parks operations plans.

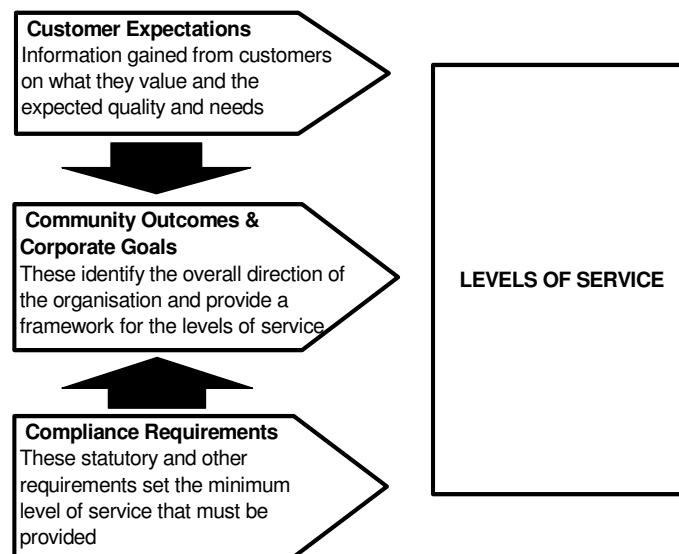


Figure 2 - Relationship between key factors for developing levels of service

**Table 3 – Levels of Service: Historic Parks and Reserves**

<b>Compliance with the Reserves Act 1977</b>	
<b>Level of Service</b>	<b>How the Council will deliver the service</b>
Parks and reserves are managed in compliance with the Reserves Act 1977.	The classification of reserves and production of management plans for these reserves will be undertaken as resources permit.

<b>Protection of cultural heritage features in historic parks and reserves, that provide a quality amenity area</b>	
<b>Level of Service</b>	<b>How the Council will deliver the service</b>
Cultural heritage is protected.	Barriers will be installed where appropriate to prevent damage to historic features. Vegetation will be planted in historic parks and reserves appropriate to location and in consideration of the heritage values of the site.
Natural heritage is protected.	Areas of bush remnants are sustained through the control of pest animals and plants that threaten the viability of the bush remnant.
Provision of facilities to enhance and encourage a range of recreation activities, where appropriate.	Open space areas within historic parks and reserves will be planted and maintained in turf where appropriate. Appropriate pathway surfaces will be installed and maintained, depending on location and ground conditions.

<b>Accessible historic parks and reserves</b>	
<b>Level of Service</b>	<b>How the Council will deliver the service</b>
Interpretative signage installed where appropriate to facilitate appreciation of the sites cultural history.	Signage installed when appropriate, to illuminate the significance of the sites cultural history, in collaboration with mana whenua, heritage officers and interest groups.
To ensure historic parks and reserves are identifiable and accessible to local residents and visitor.	Signage provided where appropriate.

## **Safe Historic Parks and Reserves**

<b>Level of Service</b>	<b>How the Council will deliver the service</b>
To manage historic parks and reserves so as they are safe for use during daylight hours.	Design, planning and management processes to include Ministry of Justice crime prevention through environmental design (CPTED) principles.

## **Historic parks and reserves managed through partnerships**

<b>Level of Service</b>	<b>How the Council will deliver the service</b>
To ensure the community has a sense of ownership over, and is actively involved in the management and development of historic parks and reserves through community consultation and partnerships.	Appropriate community consultation undertaken with partnership opportunities encouraged and facilitated

## **6. Individual Historic Reserves – Management Objectives and Development concepts**

This omnibus plan provides direction for the management of 15 historic reserves administered by New Plymouth District Council (NPDC). The general policies in **Section 4 and 5** apply to all of these reserves. In addition, the following section outlines specific management objective and development concepts for each reserve. If there is inconsistency between the general policy and the reserve-specific policy, the reserve-specific policy will take precedence

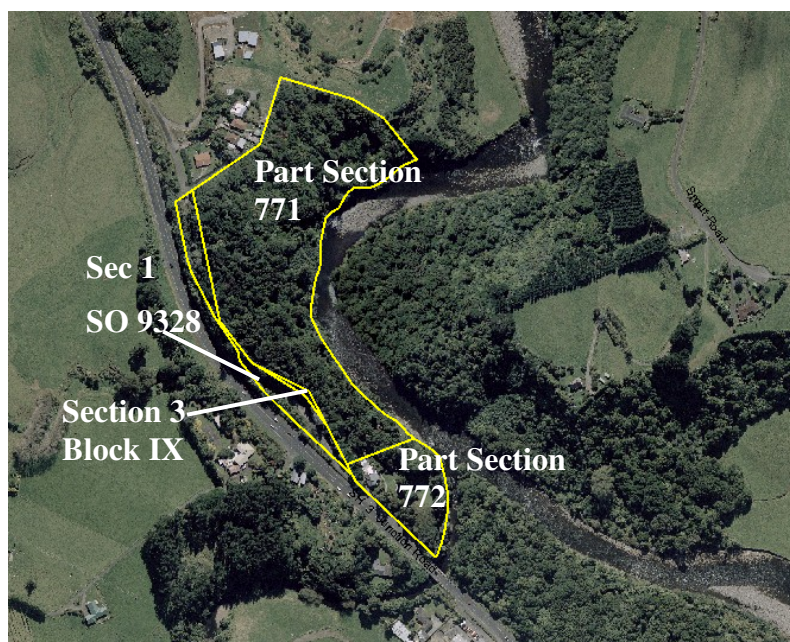
The development concept plans have been prepared for each reserve (excluding those reserves that are small or have limited development potential). Funding for the various aspects of development concepts is conditional on decisions made as part of the Long Term Council Community Plan process. An implementation plan has also been prepared as part of this reserve management process. This plan outlines the priority order in which reserve development will be implemented once the funding is made available.

The mana whenua associated with each reserve are noted. For some reserves there is more than one group with historic and cultural connection to the area.

## 6.1 Burgess Park

### Description

Location:	361 Junction Road, State Highway 3.
Legal description:	Section 1 Survey Office Plan 9328 Part Section 771 & 772 Grey District, Section 3 Block IX Paritutu Survey District,
Size:	5.36 hectares
Reserve status:	Subject to the Reserves Act 1977
Reserve classification:	Recreation reserve



### Physical description

The reserve is located on the western bank of the Waiwhakaiho River, south of New Plymouth. The area is covered in native forest excepting the area of lawn in front of the Tea House which includes specimen trees. Asides from the level lawn area, the terrain is moderately sloping.

There is a New Plymouth District Council esplanade reserve to the north of Burgess Park and (upstream) is the Department of Conservation 'Meeting of the Waters' Reserve, both on the same side of the river.

### Tangata whenua interests

This reserve is of historic and cultural significance to Te Atiawa and Taranaki Iwi and to Ngati Te Whiti, Ngati Tuparikino and Nga Mahanga-a-Tairi hapu.

### Land status and acquisition history

This land was given to the Borough of New Plymouth in 1936 by Charles Hayward Burgess as a voluntary gift, for the purpose of a recreation reserve. Conditions applied when the Council accepted the gifted property. This involves discretion given to the Council to:

- a) convert the then existing buildings for the purpose of Tea or Refreshment rooms, rooms for dancing or other purposes of amusement or for the accommodation of the Caretaker or Caretakers of the property.
- b) erect or construct on the property building(s) for the propagation or display of flowers, ferns, shrubs or other plants,
- c) propagate and grow plants on the property for the purpose of sale, but protection is to be given to all existing timber or timber like trees and the native bush,
- d) carry on the said buildings for any business necessary or desirable for the purposes of providing tea and refreshment or amusement for the public or to let on such terms and conditions as it deems fit the said building for any period not exceeding two years to any person or persons for the purpose of carrying on any such business,
- e) charge a fee and set conditions on public entry to buildings on the property if desired

Net revenue derived by the Council by the exercise of all or any of the previously mentioned powers and discretions shall be applied by the Council toward the maintenance, upkeep and improvement of the property and buildings.

The land, being part Section 771 & 772 Grey District and defined on Deposited Plan 514 and Section 3 Block IX Paritutu Survey District was transferred in 1936 to the Council subject to the Public Reserves, Domains and National Parks Act 1928 and consequently the Reserves Act 1977 applies. A portion of the transferred reserve had earlier been taken through proclamation in 1931, under the Public Works Amendment Act 1948 for the purpose of a road. This area was given back to the reserve in 1964 and is now listed as Section 1 Survey Office Plan 9328.

### **History and cultural values**

#### Charles and Ann Burgess

Charles and Ann Burgess gifted a number of prominent landmarks to the public, notably their country home Hapurunui (Burgess Park) and the Pukekura Tea House. The couple were also instrumental in the establishment of the Soldiers' Plot in Te Henui Cemetery, given their membership in the War Graves Committee.

Charles Hayward Burgess (1860 – 1937) was the Mayor of the New Plymouth Borough from 1915 to 1919 and along with his wife Ann, was awarded the Member of the British Empire (M.B.E.) for patriotic work during WWI. He was part of the firm of Burgess Fraser & Co. Ltd, a general merchant and importer with branches in New Plymouth and Hamilton. It closed in 1987.

Ann Burgess (1862 – 1949) receiving an M.B.E. in 1919 and was one of the founders of the New Plymouth Victoria League in 1912. She formed the Women's Patriotic Committee during WWI, which presented parcels to new recruits before they left New Plymouth. In 1918 she organised the first ANZAC Day reunion for ex-servicemen and women and patriotic workers. The annual gathering grew from a small amount of people to more than 1,100. In 1947, due to ill health, Mrs. Burgess had to hand over the event's organisation to the New Plymouth Returned Services Association.

### Hapuanui and Hapurunui Pa

The park known as Hapurunui by the Burgess Family, was renamed Burgess Park upon bequeathing the property to the Borough of New Plymouth. The name Hapurunui is documented as being the name of the pa which once stood on the heights above the river. *Hapuru* meaning sound of running water and *nui* meaning great.

There is some doubt in regard to the existence of a pa site at Burgess Park, although the high ground in the park, near the top of Burgess Hill Road has the topography favourable for a pa site. The name Hapurunui is very close to the name of a pa site acknowledged in the District Plan, which is known as Hapuanui or Hapuranui. This pa is located approximately 70 metres away from Burgess House, on the opposite side of Junction Road, on the banks of the Mangorei Stream and not within the park boundary.

The Hapuanui Pa site has a New Zealand Archaeological Association reference (P19/182). Whether archaeological values relating to Hapuanui Pa exist in Burgess Park is unknown. A survey of the pa sites listed in the District Plan is currently being undertaken by the Council and this will indicate the extent of the Hapuanui Pa. Until that survey is completed, caution should be exercised with any excavation work at the very southern part of Burgess Park.

The existence of Hapurunui Pa is speculation and given the closeness of the names Hapuanui and Hapurunui, it is considered that Hapurunui Pa may not exist. However, in the event that two similarly named pa could be located so close to each other, precaution should be exercised if any excavation work is to be undertaken at the high ground of Burgess Park.

### Notable vegetation

Trees at this reserve listed as notable in the District Plan include a Plume Cedar *Cryptomeria japonica elegans* on the lawn and eight rimu *Dacrydium cupressinum* along the driveway. Other plants of interest are the Chinese Fir *Cunninghamia konishii* and Koso tree *Hagenia abyssinica* contained in the collection of specimen trees around the lawn. Many of the exotic specimen trees are large and over 50 years in age. Two remnant rimu trees are located in the forest surrounded by a large grouping of king ferns *Marrattia salicina*.

### **Existing improvements**

A public toilet facility is located in the park and a decommissioned playground is located near the Waiwhakaiho River.

### **Uses and activities**

Part of this reserve is currently leased for a privately run restaurant known as 'Burgess House'. The reserve provides opportunities for picnics, riverside activities and bush walks.



















### **Management objectives and specific policies**

- This reserve will be managed to preserve existing features and uses including recreation area, bush reserve and commercial lease activities.

- The use of the house located in the reserve, is to be continued for commercial or other purposes, in compliance with the conditions of the bequest.
- The decommissioned playground will be reviewed as part of the Playground Strategy.
- A public toilet currently exists in the reserve, but in accordance with the Community Plan 2009-2019, this facility will be removed when a new facility is installed at the nearby Department of Conservation's Meeting of the Waters Scenic Reserve.
- Access to lawn area by vehicles is restricted to Council and lessee staff. Others that require access will require special approval from the Council, involving conditions that includes a bond.
- The reserve is to be included in the proposed Waiwhakaiho Walkway; from the Waiwhakaiho river mouth to Lake Mangamahoe. This has been indicated in the 'New Plymouth District Cycle Strategy' and in Taranaki Regional Councils 'Regional Walkways and Cycleways – Strategy for Taranaki'.
- The extent of the neighbouring Hapuanui Pa will be surveyed as part of the review of waahi tapu and archaeological sites in the district. The results of this will give clarity to whether any archaeological values from this pa exist in Burgess Park.
- Precaution is to be exercised with any excavation type work on the high point of the park, in the vicinity of Burgess Hill Road. The possible existence of a pa there, named Hapurunui should not be discounted.
- An assessment to be undertaken regarding the heritage value of the entrance gates at the park and their restoration



**Visual Resource Key**

-  Landscape/Spatial Features
-  Entry Points
-  Stream
-  **Vegetation**
-  Existing Canopy Layer
-  **Structures**
-  Existing Signs
-  Seats
-  Picnic Table
-  Barriers
-  Asphalt Drive
-  Cleared Track
-  Existing Building/Restaurant
-  Historic Structures
-  Play Area
-  Toilets
-  Proposed Path
-  Proposed NPDC Signs

**Contextual Map & Key**

-  Legal Parcel
-  Nearby Reserves



Manage vegetation to retain views of mountain

Rationalise and upgrade loop path network

Upgrade and improve access to car park from road

Revisit grating and provide high quality solution sympathetic to its proximity to historic entry gates



Future of toilets tbd in NPDC Toilet Provision Review

Future of play area tbd via NPDC Play strategy

Improve access from driveway down to park paths with concrete path

Replace and upgrade signs with suite of standard NPDC Parks Signs

*Burgess Park*  
*SH3, New Plymouth*

2009/10 Development Plan  
 WAS 2009 I

## 6.2 *Cody Place Historic Reserve*

### **Description**

Location:	End of Cody Place, Waiwhakaiho, New Plymouth
Legal description:	Lot 15 & Lot 27 Deposited Plan 360382
Size:	1.40 hectares
Reserve status:	Subject to the Reserves Act 1977
Reserve classification:	Lot 15 Local Purpose (historic place) reserve & Lot 27 Local Purpose (screening and beautification) reserve



### **Physical description**

The reserve is located in an industrial area situated between New Plymouth and Bell Block. The reserve neighbours the Department of Conservation Katere Scenic Reserve, Ngati Tawhirikura hapu's Skipper Marae, commercial premises and State Highway 3.

The dominating feature of the site is the two centrally positioned hillocks, that offer good views down the Waiwhakaiho valley to the sea. The reserve is situated in an area of historic interest.

### **Tangata whenua interests**

This reserve is within the tribal rohe of Te Atiawa iwi and of historic and cultural significance to Ngati Tawhirikura hapu.

### **Land status and acquisition history**

This land was vested in NPDC in 2006 during the subdivision of a 5.07 hectare industrial property pursuant to section 239(1)(a) of the Resource Management Act 1991.

### **History and cultural values**

The site is part of the once Mangaone Kainga (Village) with the Skipper Marae neighbouring to the west, with Pararao Pa in the neighbouring Katere Scenic Reserve. The Mangaone area is between Katere Road, Egmont Road and State Highway 3 which is now largely an industrial subdivision and has been continuously occupied as some form of kainga since the late 1880's.

Two pa sites exist on the opposite side of SH 3 from the reserve, both known as Katere Pa on the Mangaone Hill. This pa site strategically commanded the Waiwhakaiho flat and the main route in and out of New Plymouth from the north.

A 1894 survey plan SO 684 indicates a Maori kainga containing nine buildings in the vicinity of Lot 15 DP 360382, and named 'Mangaone Pa'. A later 1909 map shows this settlement sited south of Lot 15 DP 360382 in the area of Skipper Marae and the large hillock is shown as undeveloped. Mangaone Pa is marked in the location of Lot 15 DP 360382 in the 1903 Paritutu Survey District block plan. Two paintings around 1887 by Edith Halcombe illustrate a settlement in the area.

A report by Archaeological Resource Management in June 2009 concluded that three recorded archaeological sites have been found in close proximity to Lot 15 DP 360382 and historical research indicates that there is potential for significant unrecorded archaeological deposits to exist on the property.

A later archaeological excavation on 25 August 2009 conducted prior to fencing of the reserve, discovered a circle of stones on the south western boundary, that was an early cooking site, and also disturbed soil across the southern boundary that indicated two parallel trenches had been dug. These trenches would have had the fill taken from them piled up between the trenches to create a mound, which would have been planted with gorse to contain stock. Probably a remnant of the Mangaone Kainga (village) that existed at the site.

Further information on the reserve will be gained from a forthcoming archaeological report.

The site has a New Zealand Archaeological Association reference (P19/242).

### **Existing improvements**

Fencing has been installed at the reserve to contain the light cattle that will graze the area.








### **Uses and activities**

This reserve provides public open space in a area that is a mixture of urban activity and land reserved for heritage values. The retention of this land from urban development has saved a remnant of the past but the site requires historical interpretation to appreciate the significance of the site. Further investigation is required to clarify the location of neighbouring pa sites and the extent of the Mangaone Kainga.

### **Management objectives and specific policies**

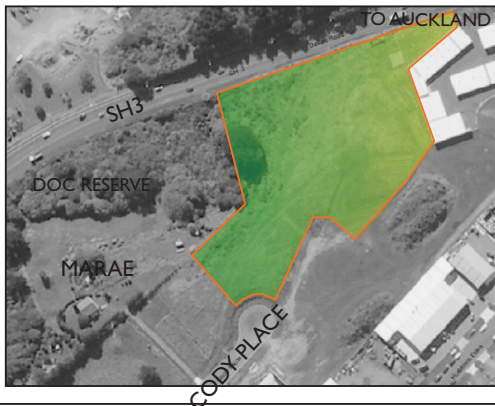
- This reserve will be managed as an historic site with access to its high point for viewing.
- Consultation will be undertaken with hapu to determine vegetation management of this reserve. Proposed vegetation management is seasonal grazing of the site with light cattle.
- The removal of pine trees, installation of new fencing and revegetation is planned for this site.
- The site is historically integrated with other nearby archaeological areas. Interpretative signage to indicate the significance of this site and its relationship to the general area is proposed to be installed.
- An archaeological authority will be required from the Historic Places Trust under the Historic Places Act 1993, prior to any excavation work being carried out on the site and before any mature trees are removed.

**Visual Resource Key**

-  Landscape/Spatial Features Entry Points
-  Vegetation Existing Canopy Layer
- Structures**
-  Fence
-  Proposed Mown Path
-  Proposed Planting
-  Proposed NPDC Parks Sign
-  Existing Vehicle Gate

**Contextual Map & Key**

-  Legal Parcel



*Cody Place Historic Reserve*  
*Cody Place, New Plymouth*

2009/10 Development Plan  
 WAS 2009 3

### 6.3 Fort Niger

#### Description

Location:	Eastern end of Pendarves Street, New Plymouth
Legal description:	Part Military Reserve Town of New Plymouth
Size:	0.91 hectares
Reserve status:	Subject to the Reserves Act 1977
Reserve classification	Local purpose (historic site and recreation) reserve



#### Physical description

The reserve is a flattened hilltop that affords good views of the sea and across the city of New Plymouth. Numerous pohutukawa trees grow on the slopes of the hill. Access to the site is from the eastern end of Pendarves Street and from Hobson Street near the Boys High School sports fields. Niger Terrace is near to the southern boundary.

#### Tangata whenua interests

This reserve is of historic and cultural significance to Te Atiawa and Taranaki Iwi and to Ngati Te Whiti and Nga Mahanga-a-Tairi hapu. The site was the location of Wharepapa Pa.

#### Land status and acquisition history

The land was vested in the Borough of New Plymouth in December 1884 for the purpose of a public utility under the provisions of The Borough of New Plymouth Reserves Act 1877. The purpose of this Act was to vest two public reserves in the Borough of New Plymouth; Fort Niger and Marsland Hill. This was a National Government Act, with the cessation of the Taranaki Provincial Government in 1876. The land is held in trust for the purpose of a public utility and is a public reserve subject to the Reserves Act 1977.

The reserve was previously part of a larger piece of land vested in the Borough in 1884, however one piece of land has subsequently been vested as road (1975) and a second piece transferred to a private owner and now owned by Housing New Zealand.

### **History and cultural values**

Early occupation of Fort Niger included the site of Wharepapa Pa and a blockhouse established in 1860, by a brigade from the Royal Navy HMS Niger. There is no surface formations at the present site to indicate the earlier existence of a blockhouse or pa.

A group of 21 pohutukawas (*Metrosideros excelsa*) are listed as notable trees at this reserve.

Two caves dug into the southern bank of the reserve are considered to have been excavated for military purposes. These are now boarded up to prevent entry.

A Scout Hall was sited on the flat of the reserve in the 1950s and was removed in 1999 due to arson damage in January of that year. The Central Scouts who used the hall were in recess and the building had not been used since 1997.

The site has a New Zealand Archaeological Association reference (P19/152).

### **Existing improvements**

In 1958 three large macrocarpa stumps and three large pohutukawas (one dead) were removed from the top of the hill, and a bulldozer leveled the top two metres of soil.

The Scouts introduced the sealed road access up the slope of the hill from Hobson Street and built two concrete retaining walls.

### **Uses and activities**

This reserve provides a viewing platform, a pedestrian and cycle access way and informal recreation activities such as picnicking or ball games.

### **Management objectives and specific policies**

- This reserve will continue to be managed as open space for passive recreation activities and a viewing platform.
- Consultation will be undertaken with hapu on any proposed change to the vegetation management of this reserve, with consideration of view shafts through the tree canopy.
- Improvements to the access track through the reserve will be undertaken.
- An archaeological authority will be required from the Historic Places Trust under the Historic Places Act 1993, prior to any excavation work being carried out on the site and before any mature trees are removed.
- Some removal of vegetation is planned. Recommend that removal of planting should be done by hand, rather than machinery, in order to protect any remaining intact archaeological deposits and to prevent further damage to archaeological sites from root growth.

- Viewshafts looking out from the plateau of the reserve are to be established and maintained.
- A survey will be undertaken to define the northern boundary of the reserve.
- Further research to be undertaken to gain more knowledge on Wharepapa Pa, including information gained from the district's review of waahi tapu and archaeological sites.
- The tunnels on the south bank of the reserve are to be maintained in a closed state.



**Visual Resource Key**

**Landscape/Spatial Features**  
 ↳ Entry Points

**Vegetation**  
 Existing Canopy Layer

**Structures**  
 - - - - Informal Track  
 ——— Proposed Path  
 ▭ Proposed Seat  
 \* Proposed NPDC Parks Signs

**Contextual Map & Key**

— Legal Parcel



Upgrade track - install pathway

Install Seat

Install Sign

Remove track leading to NPDC mulch pit

Install Sign

Rationalise under-planting to allow for unobstructed views through the site

*Fort Niger*  
*Pendarves Street, New Plymouth*

2010/06 Development Plan  
 WAS 2009 7

## 6.4 *Fritz Reuter Place*

### **Description**

Location:	Corner of Matai Street and Rata Street, Inglewood
Legal description:	Lot 1 DP 17432
Size:	0.04 hectares
Reserve status:	Subject to the Reserves Act 1977
Reserve classification:	Local purpose (historic site and recreation) reserve



### **Physical description**

Located at the intersection of Matai and Rata Streets on State Highway 3, in the centre of Inglewood. The reserve comprises of flat ground that is fully landscaped and centrally located in Inglewood's shopping area.

### **Tangata whenua interests**

This reserve is in the tribal rohe of Te Atiawa iwi and is of historic and cultural significance to Puketapu and Pukerangiora hapu.

### **Land status and acquisition history**

In 1989 the land was owned by Her Majesty the Queen for Post Office purposes. It was vested in New Zealand Post in May 1990 as registered proprietors pursuant to the State Owned Enterprise Act 1986.

On subdivision of the land into two allotments in 1992, Lot 1 DP 17432 was vested as freehold with the New Plymouth District Council through purchase from New Zealand Post pursuant to Section 239(a) of the Resource Management Act 1991 as a Local purpose (open space) reserve subject to the Reserves Act 1977.

The land is subject to Section 27B of the State-Owned Enterprise Act 1986 which provides for the resumption of land on the recommendation of the Waitangi Tribunal and which does not provide for third parties, such as the owner of the land, to be heard in relation to the making of such a recommendation.

### **History and cultural values**

The Park is named in commemoration of the Fritz Reuter, the ship that brought Polish immigrants to New Zealand in 1877, with many settling in Inglewood. These settlers worked felling trees, building the New Plymouth to Waitara railway line and then the Waitara to Wanganui line. Some were also involved in the early development of Pukekura Park in New Plymouth.

### **Existing improvements**

The park has fully landscaped grounds which includes two pergola entranceways and a water feature commemorating the 'contribution made by the Polish settlers in the development of the Inglewood District'. There are eight wooden seats in the park, many having plaques denoting donations or in memory of.

A raised scented garden was installed in 1991 by the Inglewood Lioness Club.

Two time capsules are buried in the ground at the park.

### **Uses and activities**

The central location of the reserve lends itself to those visiting or working in the area, to use as a outdoor space for passive recreation.

### **Management objectives and specific policies**

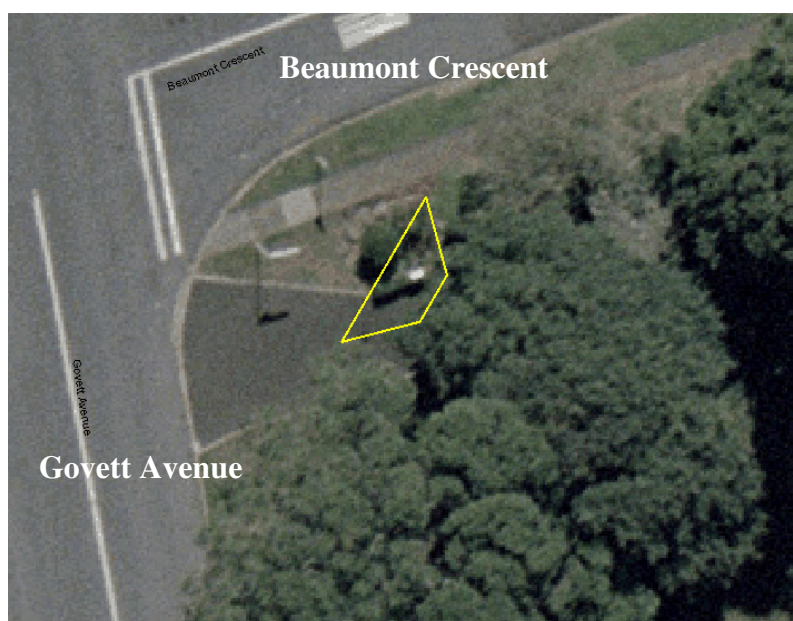
- This reserve will be continued to be managed as a public open space for passive recreation.

A development concept plan has not been prepared for this reserve; being comprehensively landscaped as it has limited development potential.

## 6.5 Govett Avenue Historic Reserve

### Description

Location:	Corner of Govett Avenue and Beaumont Crescent, Frankleigh Park, New Plymouth
Legal description:	Lot 4 DP 15040
Size:	8 m <sup>2</sup>
Reserve status:	Subject to the Reserves Act 1977
Reserve classification:	Local purpose (historic site) reserve



### Physical description

This reserve is a small flat piece of land located on the corner of Govett Avenue and Beaumont Crescent, in a residential area of New Plymouth.

### Tangata whenua interests

This reserve is of historic and cultural significance to Te Atiawa and Taranaki Iwi and to Ngati Te Whiti and Nga Mahanga-a-Tairi hapu.

### Land status and acquisition history

In 1985, subdivision of a residential property initiated the opportunity to separate an area to contain the monument to William Cutfield King and create a reserve. The eight square metres of land was vested in the New Plymouth City Council as a Historic Reserve subject to the Reserves Act 1977 by operation of law pursuant to Section 306 (4) of the Local Government Act 1974.

### History and cultural values

On 8 February 1861, Captain William Cutfield King of the Taranaki Volunteers, was killed by a party of Maori in ambush, within sight of a garrison of British troops on Marsland Hill. A grave like monument comprising of a natural stone border with a

wrought iron fence surround was built in 1861. The original memorial at the site of the ambush where W.C. King was killed, is some 30 metres away at the back of the adjoining section. It was moved to the street frontage in the 1980s at the time of a subdivision and the monument surround re-erected slightly smaller, due to loss and damage to some of the cast iron fencing.



A brass plaque is located at the reserve with the following inscription:



William Cutfield King  
1829-1861

This memorial, erected by his friends  
and family, marks the area where  
W.C. King was killed in February 1861

William King was the only child of the well known Captain Henry King (Royal Navy) who resided at Brooklands Park on 40 hectares. The chimney of his residence, which was burnt down in the same year of 1861 during a Maori attack, remains today.

#### **Existing improvements**

Other than the plaque and monument, there are no other existing improvements at the site.

**Uses and activities**

The reserve is a memorial to WC King and a reminder of the difficulties encountered between Maori and early settlers of the district.

**Management objectives and specific policies**

- This reserve will be managed as a memorial site.
- The components of the memorial fixture being the surround and concrete base will be restored with the addition of a mowing strip.
- The plaque is to be relocated on a small plinth within the wrought iron surround.
- Consideration of adding an interpretation sign at this site, indicating that the actual site where W.C. King was killed is some 30 metres away.
- Vegetation to be removed from within the memorial surround and a paved or loose chip surface to be installed with underlying vegetative control matting.
- The immediate neighbour to this reserve will be informed of management objectives.

A development concept plan has not been prepared for this reserve due to its small size.

## 6.6 Hempton Street Rose Garden

### Description

Location:	5 Hempton Street, New Plymouth
Legal description:	Section 765 Town of New Plymouth
Size:	0.10 hectares
Reserve status:	Subject to the Reserves Act 1977
Reserve classification:	Recreation reserve



### Physical description

This reserve has a central location and is part of the ‘old town’ area of early settler New Plymouth. Situated at the eastern end of Hempton Street, it is on the river terrace above the Huatoki Stream, near to Marsland Hill and the commercial area of Devon Street.

The land is flat with a retaining wall along the road frontage, with two Irish yew trees standing sentinel at the garden entrance. The rose garden is laid out in concentric circular beds and a border planting, with native trees as a back drop to the south and east. Adjacent to the Huatoki Walkway, however it is separated by a steep flight of steps.

### Tangata whenua interests

This reserve is of historic and cultural significance to Te Atiawa and Taranaki Iwi and to Ngati Te Whiti and Nga Mahanga-a-Tairi hapu.

### Land status and acquisition history

The land was bequeathed to the Council from stipulations of the 1944 will of the late Arthur Lewis Hempton. The property was offered to the Council “for the purposes of a reserve or restful place open to the public for all time and to be known as ‘A garden

of Memories – The gift of Constance and Arthur Hempton’ ”. A commemoration plaque citing this has subsequently been installed. The land was transferred to the City of New Plymouth in August of 1957.

The delay between the enactment of the will and the property transfer to the Council was due to preceding clauses in the will, where the property was initially offered to Arthur’s wife, Constance, for use and occupation. Upon her bereavement, the property then belonged to Arthur’s children. At their bereavement the property was to transfer to the Council , but both Arthur Keith Hempton and Constance Moya Grace Hempton, Arthur’s children, surrendered their life interests in the property and in accordance with the provisions in Arthur’s Will, offered the land to the City of New Plymouth in 1957.

### **History and cultural values**

The property known as “Ti Toa Toa” was originally listed as 5 Fulford Street, but a road closure isolated this section of the road from Fulford Street. The street was renamed Hempton Street, after Thomas Hempton the Town Clerk from 1884-1897, who for many years lived at the end of the street.

When Council accepted the offer of the property in 1957, the house located at the site was required to be demolished to meet the will’s stipulation of a public open space. A meeting of the Council’s Finance Committee expressed unease about demolishing the building, considering that it had a certain amount of useful life, but followed through with the requirement.

### **Origins of a rose garden**

The Taranaki (now North Taranaki) Rose Society formed in 1950 were keen for a public rose garden to be established. A request to the Council for a rose garden at Brooklands Park received no response. When the Hempton Street section became available as a park in 1957, the society approached the Council proposing this site as a public rose garden.

The Council approved the request and built the retaining wall and step entranceway, as well as the wind screen fencing. The society planted and maintained the site. The first plantings were made in 1959.

In 1972 with the Society finding it difficult to maintain the gardens, the Council took over the maintenance and management of the garden.

### **Existing improvements**

The concrete wall fronting Hempton Street was constructed in 1958. The garden contains two seats, concrete steps, wind screening fencing and an information sign. A plaque at the entrance reads “A garden of memories. The site, a gift from Constance and Arthur Hempton”.

### **Uses and activities**

The reserve is laid out as a formal rose garden and is one of two in the district, the other being at Waitara’s Pukekohe Domain.









This garden is suitable for picnics and casual recreation.

**Management objectives and specific policies**

- This reserve will continue to be managed as a rose garden in the short to medium term. The bequest requirements are for the site to be a reserve or restful place open to the public.
- Yellow 'Rose Garden' signs to be installed at Vivian Street (intersection with Brougham) and Hempton Street indicating direction to the Hempton Rose Garden.
- The two Irish Yew trees at the entrance to the garden are to be trimmed to maintain access to the garden and removed at such time when they are identified as causing damage to the retaining wall or in poor health.
- Replacement of the screen fence at the rear of the garden has been included in the Parks asset renewals programme.

**Visual Resource Key**

-  **Landscape/Spatial Features**  
Entry Points
-  **Vegetation**  
Existing Canopy Layer
-  **Structures**  
Existing Plaque
-  Seats
-  Low wall
-  Proposed NPDC Parks Sign

**Contextual Map & Key**

-  Legal Parcel



Yew trees to remain; maintain as long as practical

Install Sign

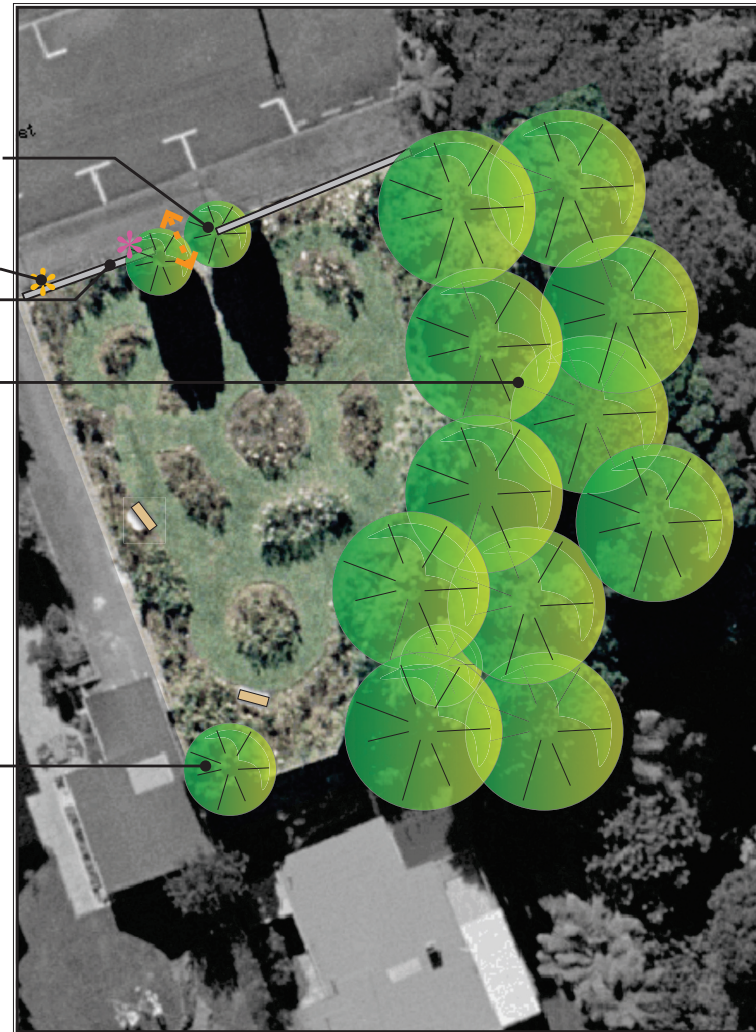
Clean concrete wall

Check integrity of retaining wall and maintain/replace as & when necessary

Provide 'Yellow Tourist Sign' from Brougham Street

Remove Tree and replace with climbing rose cultivar

Additional Yellow Tourist Sign on Vivian Street indicating location of Rose Garden



*Hempton Street Rose Garden*  
*Hempton St, New Plymouth*

2010/06 Development Plan  
WAS 2010 3

**Richard Bain Landscape Architects**  
32 Egmont Street  
New Plymouth



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06 757-8903



NEW PLYMOUTH  
DISTRICT COUNCIL  
newplymouthnz.com

## 6.7 Lepperton War Memorial Reserve

### Description

Location:	Corner of Manutahi Road and Mountain Road (SH3A), Lepperton
Legal description:	Section 262 Huirangi District
Size:	0.05 hectares
Reserve status:	Subject to the Reserves Act 1977
Reserve classification:	Local purpose (war memorial) reserve



### Physical description

The reserve is located near the intersection of Mountain Road (State Highway 3A) and Manutahi Road. Farmland surrounds the reserve.

### Tangata whenua interests

This reserve is within the tribal rohe of Te Atiawa iwi and of historic and cultural significance to Puketapu hapu.

### Land status and acquisition history

In May 1923 the Governor General John Rushworth, Viscount Jellicoe reserved Section 262 Huirangi District for the site of a war memorial.

The land was initially set aside for a Government Road in 1922 under the Public Works Act 1908. In 1923 the portion of road was stopped under the Public Works Act 1908 and in the same year declared Crown Land (subject to the Land Act 1908) and Section 262 temporarily reserved as a site for a war memorial under the Public Works Act 1908.

Section 262 was then permanently reserved under section 321 of the Land Act 1908 as a site for a war memorial in 1923.

The site was vested by the Crown in trust with the Taranaki County Council as a site for a war memorial in 1934. The reserve would have been subsequently vested in the North Taranaki District Council under the 1988 Local Government Order in Council and in the New Plymouth District Council under the 1989 Order in Council (Taranaki Region). Underlying ownership of the reserve is with the Crown.

### **History and cultural values**

The war memorial is made of local andesite stone and contains black granite panels that bear the names of the men of the Lepperton and Sentry Hill area who fell in the Great War (1914-18). It also includes a memorial to H B Lepper, who fell in the second World War.

The monument is a Category A heritage item in the District Plan.

### **Uses and activities**

The reserve provides site for this commemorative monument, which is an imposing figure in the local landscape. The reserve is fenced from the neighbouring farmland with wooden post and rail and includes a mown turf area with some plantings of trees and shrubs.

The monument is used as a venue for ANZAC services.



### **Management objectives and specific policies**

- This reserve will be managed as the site of a war memorial.
- Site has been developed in an appropriate manner and this style will be continued.

- The site is a Category A in the District Plan. Rules contained within the District Plan must be considered before any work is undertaken to the memorial.
- Condition assessment of this monument is made every three years for certified valuation purposes.

A development concept plan has not been prepared for this reserve as it is considered to have limited development potential.

## 6.8 Marsland Hill (Pukaka) Historic Reserve

### Description

Location:	Robe Street, corner of Bulteel Street, New Plymouth
Legal description:	Section 2341, 2342, 2459, and 2460 Town of New Plymouth
Size:	3.78 hectares
Reserve status:	All sections subject to the Reserves Act 1977
Reserves classification:	Section 2341 Town of New Plymouth – managed by the Department of Conservation Section 2342 Town of New Plymouth –Local purpose (cemetery) reserve Section 2459 Town of New Plymouth – Historic Reserve Section 2460 Town of New Plymouth – Local Purpose (Community Buildings) reserve



### Physical description

The reserve is a levelled hill that over looks central New Plymouth. The area is mainly grassed with areas of tree planting. The Taranaki Cathedral Church of Saint Mary is immediately to the north of the reserve, and the Department of Correction's New Plymouth Jail to the south.

### Tangata whenua interests

This reserve is of historic and cultural significance to Te Atiawa and Taranaki Iwi and to Ngati Te Whiti and Nga Mahanga-a-Tairi hapu.

### **Land acquisition history**

In 1863 the Governor of the Dominion of New Zealand reserved part of Marsland Hill (Pt Section 2340<sup>1</sup> Town of New Plymouth) as a site for a monument to be erected in memory of certain officers and soldiers of Her Late Majesty's Forces. The description of this reserve was amended to 83.5m<sup>2</sup> in 1907 by Governor Plunket. This parcel is now Section 2341, the monument reserve.

In 1877, Section 2343<sup>2</sup> was deemed a Reservoir Reserve through the Borough of New Plymouth Act, 1877, by the Taranaki Provincial Government. The intention being for a reservoir to be constructed at the site to serve the borough.

In 1908, Governor Plunket of the Dominion of New Zealand declared Marsland Hill (Pt Section 2340<sup>2</sup> and 2343<sup>2</sup> Town of New Plymouth) a reserve for recreation, subject to the Public Reserves and Domains Act 1908. The area to be known as Marsland Hill Domain, to be managed, administered and dealt with as a public domain. In 1909 Governor Plunket appointed the New Plymouth Borough Council to be the Marsland Hill Domain Board.

Section 2342 Town of New Plymouth was originally set aside and served as a cemetery. In 1908 this Marsland Hill Cemetery was closed and the land vested in the New Plymouth Borough Council. It is currently not subject to the Reserves Act 1977 but subject to section 78 of the Cemeteries Act 1908, which relates to section 43 of the current Burial and Cremations Act 1964, which pertains to 'closed cemeteries'. The land was therefore vested in the borough as a closed cemetery.

Between 1908 and 1956 part of Section 2340 was partitioned off, this piece being the side of Marsland Hill fronting Robe St and Cherry Lane, to form Section 2395<sup>2</sup> Town of New Plymouth, a reserve for the site of a public hall. In 1956 following the establishment of the Reserve and Domains Act 1953, the Minister of Lands declared Section 2395 to be a public domain subject to the above Act and to form part of the Marsland Hill Domain. This reserve to be administered by the Domain Board, and changed its purpose from that of a site for a public hall to a reserve for recreation purposes.

In 1972 the Minister of Lands pursuant to the Reserves and Domains Act 1953 acquired a section of land bordering the St Mary's Church (Section 2442<sup>2</sup> Town of New Plymouth) known as Cherry Lane as an addition to the Marsland Hill Domain. Section 2442 was in fact an unformed section of Fulford Street, and with the road closure, the eastern part of Fulford Street was renamed Hempton Street.

In 1987 the Commissioner of Crown Lands classified the reserve Section 2459 Town of New Plymouth (formally Section 2395, 2442, and Part Section 2340 and 2343), a Historic Reserve and declares the reserve to be named and known as Marsland Hill Historic Reserve. At the same time Section 2460 (the area occupied by the Civil

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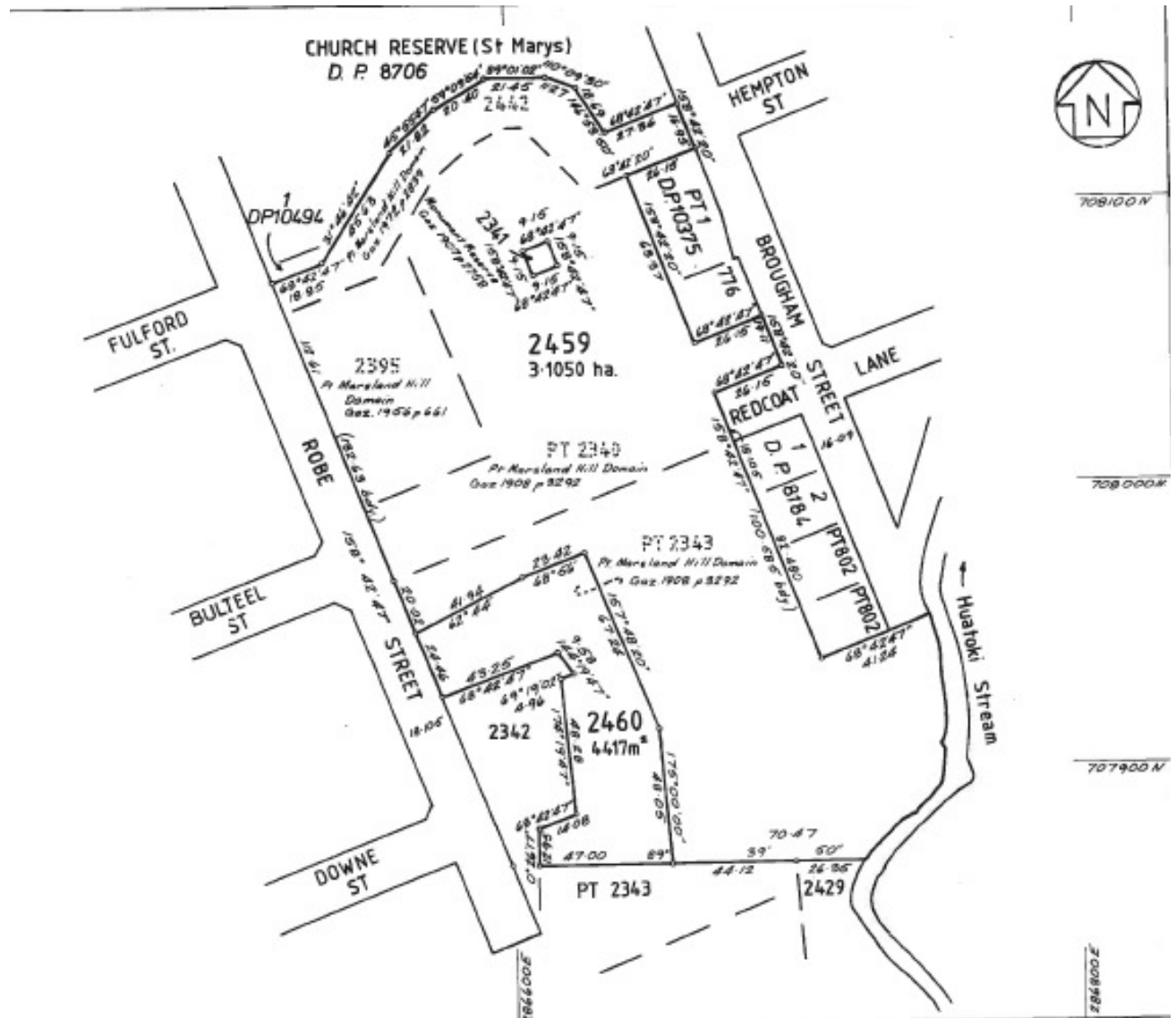
<sup>1</sup> This parcel is now Section 2341, the monument reserve.

<sup>2</sup> These land parcels are now part of Section 2459 Town of New Plymouth

Defence building and Observatory) was classified as a Local purpose (community buildings) reserve.

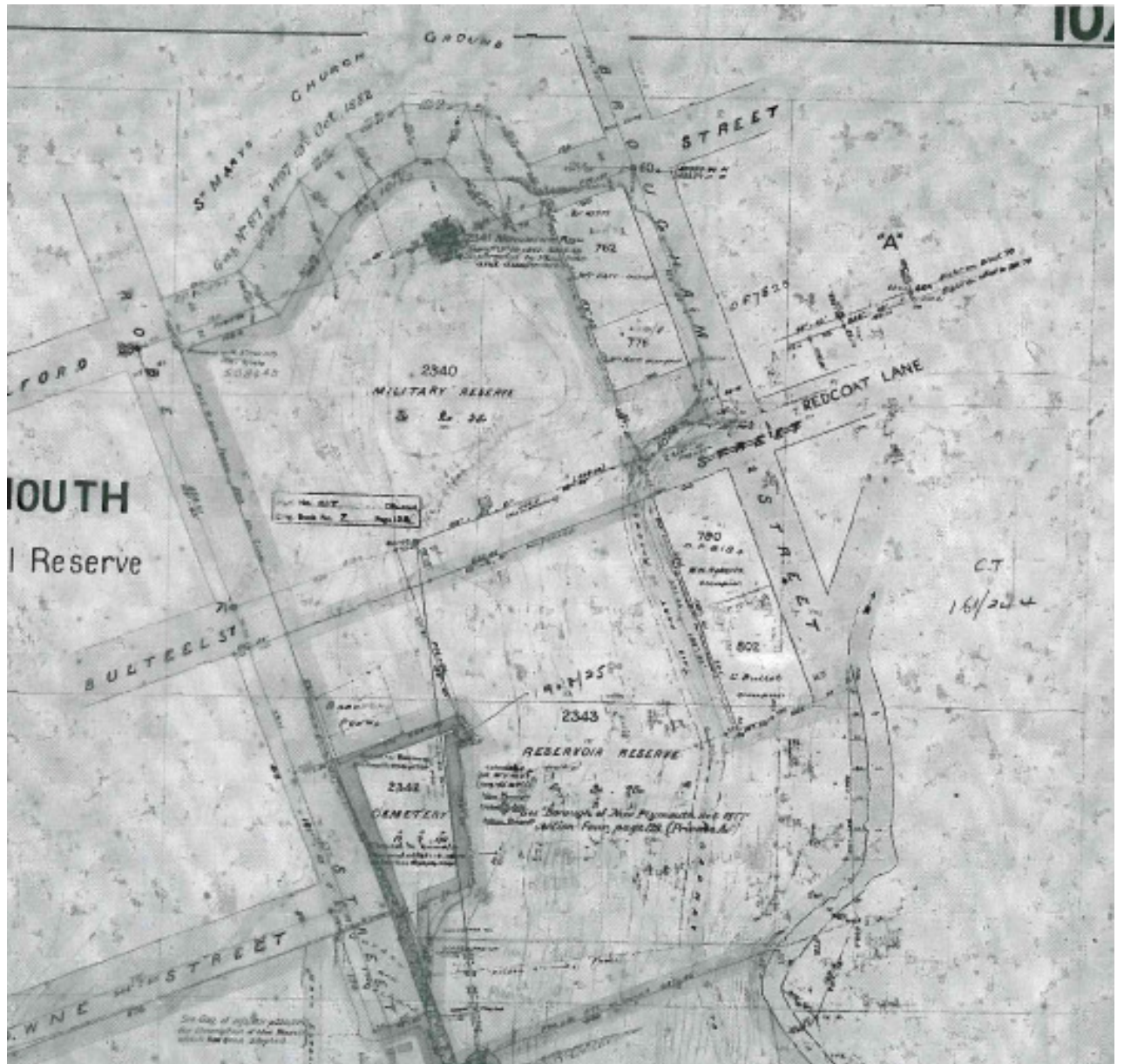
SO 12654 – 1986

Sections 2459 & 2460 – formerly being Sections 2395, 2442 & Pt Sections 2340 & 2343





## Plan of early Marsland Hill by W.H. Skinner in 1899



### History and Cultural values

The hill, initially known as Pūkākā Pā, was built by the Taranaki hapū, Ngā-pōtiki-tauā about 1720-30. The area at that time was a frontier between Te Atiawa and the Taranaki people. About 1760 Te Atiawa regained possession of the area and Pūkākā Pā was abandoned.

The surveyor Frederic Carrington renamed Pūkākā to Marsland Hill in 1841, following a request by Captain Liardet. This was in honour of a good friend of Liardet's in England, who surname was Marsland. The Carrington brothers also set the back of Marsland Hill aside for a public cemetery.

In 1855 the top of the hill was levelled, reducing its height by some 12 metres to install prefabricated corrugated-iron barracks that were shipped from Melbourne.

Parks  
New Plymouth District Council

Historic Reserves Management Plan  
July 2010

These became the headquarters of the imperial regiments stationed in Taranaki. At the start of the Taranaki Wars in March 1860, Marsland Hill was at the heart of a trench system encircling the centre of the town. A naval camp commanded the surfboat landing place at Puke Ariki.

Between 1874 and 1880 the barracks were used as temporary accommodation for newly-arrived British, Polish and Scandinavian settlers. In 1891 the buildings were demolished, but one section was taken to North Egmont where it survives as the 'Camp house'.

There is now no physical evidence of either the existence of a Pa site or a barracks having occupied this ground.

### Memorials

The grave Charles Armitage Brown, mentor of the poet John Keats is located on the north facing bank, above Saint Mary's Pro-Cathedral. Brown followed his 21-year-old son, Charles Junior to the infant town of New Plymouth, arriving on the *Oriental* in 1841. After a brief but outspoken residence in the settlement, Brown died on 5 June 1842. His grave was covered during the 1860s and re-discovered in 1921 only after an extensive search by local historians.

In 1909 a statue was erected (Section 2341) in memory of those who died in the Taranaki Wars. The statue of a soldier was sculpted from Italian Carrara marble and based on the surveyor George Messenger. The statue was destroyed by vandals in 1992, leaving an empty plinth. The memorial has a Category A rating in the District Plan and a New Zealand Historic Places 2 category.

The Boer War Memorial Fountain originally installed in 1911, was moved to the Devon Mall around 1980. When the mall was removed in 1998 the fountain was returned to Marsland Hill. This memorial was erected in memory of soldiers killed in the Boer War (1899-1902). The fountain no longer operates and is infilled with soil and planted with canna lilies. The memorial has a Category A rating in the District Plan and a New Zealand Historic Places 2 category.

### Burials at Marsland Hill

Along with Charles Armitage Brown, burials exist at the closed cemetery (Section 2342) located between the Emergency Centre and the prison. The cemetery began in 1852 when the Congregational Church lead by Reverend Horatio Montague Groube was granted a denominational cemetery. There are no burial records for the first nine years of this cemetery, although correspondence between the Chief Surveyor, New Plymouth and the Undersecretary of Lands in 1908 confirm interments had occurred at the site in the first nine years, including a Mrs. Shaw who was buried there about 1854. The cemetery is likely to have been officially closed in 1861 by the Taranaki Provincial Government's 'Public Cemetery Ordinance' of that year. The ordinance limited burials to public cemeteries except where a relative had been buried, then that burial area could also be used. The cemetery was not officially closed until 1908 when it was transferred by Governor Plunket to the New Plymouth Borough Council. No signs of the graves remain, although it is understood that headstones or tablets existed at the site (source: R.D. Fyffe, 1987).

It is considered that other 'random' burials have occurred at Marsland Hill. When levelling work was conducted by the Military in 1855, a coffin containing human remains clad in a naval tunic was uncovered (Taranaki Herald; 1855, 1959 also W.H. Skinner 1904).

#### Regulatory controls on Marsland Hill

Section 2459 Town of New Plymouth is a Category A site in the District Plan.

The site has a New Zealand Archaeological Association reference (P19/9).

#### **Existing improvements**

The Observatory was opened in August 1920, the result of a meeting to form an Astronomical Society the year before. The building has expanded from the original 1920 dome housing the six inch refracting telescope. An annex was added in 1936 and extensions for a second telescope in the 1970s. The Observatory has an educational role introducing school and other groups, as well as tourist to the night sky.

The Carillon was installed in May 1971, a donation to the town by George Kibby in memory of his wife Mabel. At its inception it rang twice daily and drew audiences. There were efforts to increase the volume from the carillon and the number of times it rang. In 1999, as a result of complaints from nearby residents about the intensity and frequency of the bells, that chimed ten times a day, the frequency was reduced to four times a day. The Kibby Carillon has a Category B rating in the District Plan.

A memorial to the local landscape painter Bernard Aris (1887-1977) is sited on the plateau of Marsland Hill, in the form of a double sided seat made from natural stone with wooden slats for seating. This memorial has a category B rating in the District Plan.

In 2000, tree limbs and some secondary trees were removed to reinstate the views from the summit of Marsland Hill.

Kowhai Grove was established by the Taranaki Branch of Child Cancer Foundation. The area includes the installation of a bench seat in 2003, Kowhai trees planted in 2002. The area also contains a plaque installed in July of 2004, commemorating 20 years of support for Women's Refuge in Taranaki.

The plateau area aside from hosting the memorials, also contains seven cast iron seats and a concrete stairway. There are four rubbish bins at the reserve and a car park near the Emergency Centre that has a concrete pathway leading to the Observatory.

#### **Uses and activities**

The reserve has many recreational uses and functions including: an area with numerous vista points, part of a heritage trail, a place for picnics, to relax or to appreciate the sites history and beauty, to hear the Carillon and visit the Observatory.

There is an urban view shaft in the District Plan for Marsland Hill. The purpose of the view shaft is to preserve views to and from Marsland Hill to protect this visual

amenity for future generations. This will be achieved by restricting the height of buildings within the Marsland Hill view shaft area. The implementation of Rule OL71 for Marsland Hill is deferred until a hearing on the matter is resolved. The District Plan maps will show the extent of the view shaft dependent on the outcome of the hearing.

### **Management objectives and specific policies**

#### Land use and activities

- This reserve will be managed as a historic reserve with multiple uses and activities.
- Use of the reserve by the Taranaki Emergency Management Office, including the structures and fixtures associated with this activity are to continue. The expansion of this activity is contemplated for the effective operation of emergency management in the region. To formalise use of the reserve by the Emergency Management Office, an occupation agreement will be established.
- The use of the reserve by the New Plymouth Astronomical Society as a site for an observatory is anticipated to continue. To formalise use of the reserve by the Astronomical Society, an occupation agreement will be established.
- Prison occupancy of part of the reserve is being discussed with a view to formalising an arrangement, the Council's preferred option would be to undertake exchange of this land for the prison land that comprises part of the Huatoki Walkway between Harris Street and the quarry.
- Private unauthorised occupation of this reserve has been identified. No further private occupation will be permitted, with options for addressing the existing occupations to be investigated on a case by case basis, including the option of removal.

#### Archaeological site provisions

- An archaeological authority will be required from the Historic Places Trust under the Historic Places Act 1993, prior to any excavation work being carried out on the site and before any mature trees are removed.
- The removal of native trees requires approval from the Department of Conservation.

#### Vegetation management

- Consultation will be undertaken with tangata whenua to determine vegetation management of this reserve.
- View shafts looking out from the plateau of the reserve are to be established and maintained.











#### Memorials

- The site has several memorials that are Category A in the District Plan. Section 2459 Town of New Plymouth is also a Category A site. Rules contained within the District Plan must be considered before any work is undertaken to the memorial.



#### Administration

- Discussions with the Department of Conservation to be undertaken in regard to the Monument Reserve on Marsland Hill, being Section 2341 Town of New Plymouth, where consideration is being given by the Department to appoint the Council to control and manage this site.
- In the event that the Council is appointed to control and manage Section 2341 Town of New Plymouth, management will be undertaken in accordance with the objectives and policies of this management plan.

**Visual Resource Key**

-  Landscape/Spatial Features Entry Points
-  Vegetation Existing Canopy Layer
- Structures**
-  Existing Signs
-  Seats
-  Barriers
-  Mown Path
-  Car Park
-  Historic Structures
-  Cherry Lane
-  Proposed NPDC Parks Signs

**Contextual Map & Key**

-  Legal Parcel
-  Nearby Reserves



Improve and formalise entrance from St Mary's Church & Robe Street

Arboricultural assessment & selective thinning of mature trees to improve 'land to sea' views from city centre as well as crest of Marsland Hill

Retain pohutukawa's on western bank as they provide shelter from prevailing westerlies

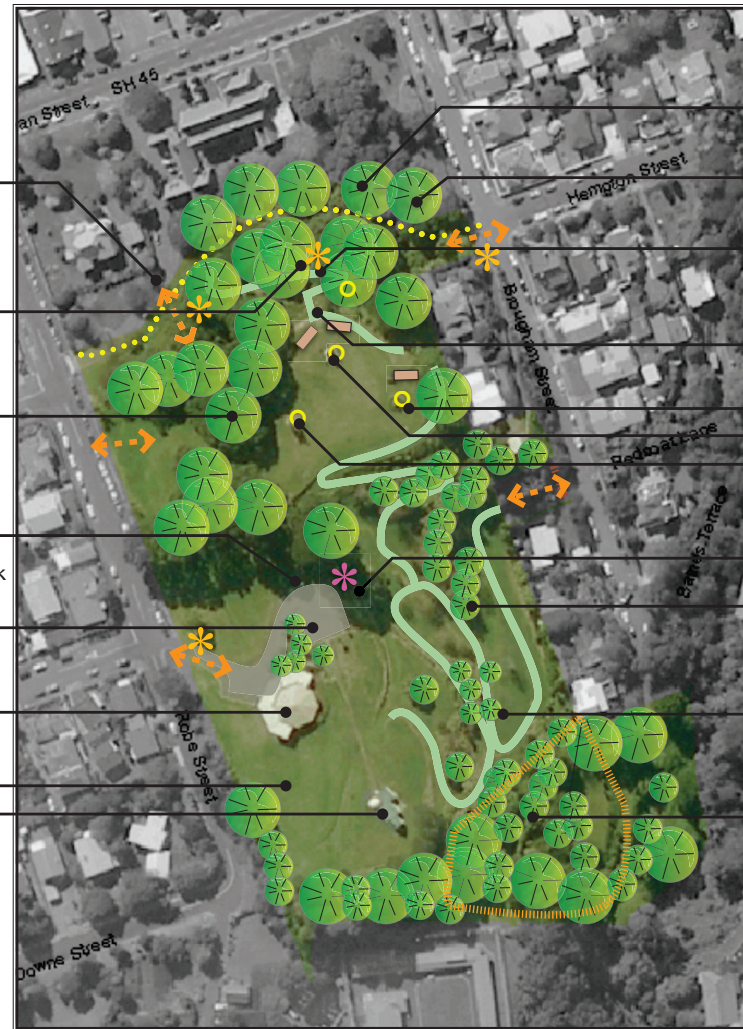
Keep cars out from under pine trees by way of new entrance path and appropriate landscaping. Provide picnic tables at lower level

Remove palms and rationalise car park planting to that which is sympathetic to the sites historic significance

Civil Defence HQ

Closed Cemetery

Observatory



Remove rubbish, formally name and improve overall aesthetic of Cherry Lane

Repair/retain embankment of grave site

Upgrade path to St. Mary's Church and Charles Armitage Brown's Grave site

Restrict signs to lower pathways - do not clutter crest of landform

Boer War Memorial Fountain

1909 Taranaki Wars Memorial Statue Carrilon

Upgrade Signs to include information board, directional signs & off-site directional signs

Selectively remove trees on eastern bank which do not contribute to the amenity value of the site

Retain existing mown paths/grass expanses

Prison Occupied Land

*Marsland Hill Historic Reserve*  
*Robe Street, New Plymouth*

2009/10 Development Plan  
WAS 2010 5

Richard Bain Landscape Architects  
32 Egmont Street  
New Plymouth



## 6.9 Mount Moturoa (Papawhero) Reserve

### Description

Location:	End of Scott Street, New Plymouth
Legal description:	Pt Sect 811 Grey District Lot 86 DP 7907 Lot 29 DP 7907
Size:	1.55 hectares
Reserve status:	Subject to the Reserves Act 1977
Reserve classification:	Recreation Reserve



### Physical description

This hilltop reserve at the western end of New Plymouth, is accessed from Scott Street. As a vantage point it has views of the city, mountain, and coast; particularly Port Taranaki.

### Tangata whenua interests

This reserve is of historic and cultural significance to Te Atiawa and Taranaki Iwi and to Ngati Te Whiti and Nga Mahanga-a-Tairi hapu.

### Land status and acquisition history

In 1956, Lot 86 DP 7907 was vested in Her Majesty the Queen for the purpose of a recreation reserve subject to the Reserves and Domains Act 1953. In 1958 this land was gazetted as a public domain subject to the provisions of the above Act, and Taranaki County Council was appointed as the Mount Moturoa Domain Board.

The vesting of Pt Sec 811 Grey District in the Taranaki Harbour Board was cancelled

pursuant to the Reserves and Other Lands Disposal Act 1960. It was then vested in Her Majesty the Queen as a public domain in 1961, subject to the Reserves and Domains Act 1953. Pt Sec 811 now formed part of the Mount Moturoa Domain and was controlled by the Mount Moturoa Domain Board.

Lot 29 DP 7907 was acquired by New Plymouth City Council for the purposes of a recreation reserve in 1968 for the sum of \$6,000. A right of way was established across Lot 29 DP 7907 for access to a private residence in 1968. A Building Line Restriction was applied to this parcel in 1955, with the condition that no building or hoarding shall be erected within 33 feet of the centre line of the proposed new road.

In 1981 a gazette notice declared all three parcels as recreation reserve and gave access to the Taranaki Harbour Board to construct a navigational aid on the domain if considered necessary, and allow free access to the structure.

In summary, Lot 86 DP 7907 was the first portion of land acquired in 1956 for the Mount Moturoa Domain, followed by Pt Sec 811 Grey District in 1961 with the last parcel of the domain, Lot 29 DP 7907 acquired in 1968.

The underlying titles of Part Section 811 Grey District, Lot 86 of DP 7907 remain with the Crown with the Council appointed to control and manage. Lot 29 of DP 7907 is owned by the Council.

### **History and cultural values**

There are two waahi tapu sites recorded on the District Plan at this domain. These are Papawhero Pa (Pt Section 811 Grey District) and Te Mahoe Pa (Lot 86 DP907), both of Ngati Te Whiti.

New Plymouth Rotary West planted trees on the domain in 1967, the native plants were donated by a New Plymouth nursery.

The Rotary Club of New Plymouth North installed a payscope - a powerful coin operated set of binoculars - on the reserve in 1974. This was installed as a public amenity and a fund raiser intended for a charity. The instrument was stolen in 1976, a replacement installed in 1977. Revenue from the payscope began to diminish to a point where it was uneconomic to continue with it and in 1986 it was removed from the reserve.

The site has a New Zealand Archaeological Association reference (P19/49).

### **Existing improvements**

The domain includes road and car parking, fences, vehicular barriers and two rubbish bins.

### **Uses and activities**

The reserve is a popular lookout, including views of the City of New Plymouth, Paritutu and the Sugar Loaves, Port Taranaki, Mount Taranaki, the sea and surrounding countryside.



The reserve provides opportunity for picnicking and casual recreation.


A Mount Moturoa view shaft exists in the District Plan to preserve the views to Mount Moturoa and from Mount Moturoa restricting the height of buildings surrounding Mount Moturoa.

**Management objectives and specific policies**

- This reserve will continue to be managed as a viewing platform. Vegetation will be managed in a way to maintain the view.
- An archaeological authority will be required from the Historic Places Trust under the Historic Places Act 1993, prior to any excavation work being carried out on the site and before any mature trees are removed.
- Further research to be undertaken to gain more knowledge on Papawhero and Te Mahoe Pa, including information gained from the district's review of waahi tapu and archaeological sites.
- Management of vandalism includes police surveillance and the installation of barriers to prevent vehicles accessing the grassed areas. It is Councils preferred option not to install an entrance gate to close the reserve at night.

**Visual Resource Key**

←- - -> Landscape/Spatial Features  
Entry Points

 Vegetation  
Existing Canopy Layer

**Structures**

 Sign

 Seats

 Barriers

 Proposed NPDC Parks Signs

**Contextual Map & Key**

 Legal Parcel



Remove flax in centre of 'island'

Replace and upgrade signs to include new entry sign and an interpretive sign

*Mount Moturoa Domain*  
*Scott Street, New Plymouth*

2009/10 Development Plan  
WAS 2010 7

## 6.10 *Te Pou Tutaki/Fitzroy Pole Historic Reserve*

### **Description**

Location:	Corner of Smart and Devon Roads, New Plymouth
Legal description:	Section 1 Survey Office Plan 14853
Size:	10 m <sup>2</sup>
Reserve status:	Subject to the Reserves Act 1977
Reserve classification:	Local purpose (historic) reserve



### **Physical description**

This small triangular reserve of 10m<sup>2</sup> is located on the busy intersection of Smart and Devon Roads. The land is flat and the boundaries not clearly defined, so that the reserve merges in with the surrounding road reserve and frontage of the retailer Harvey Norman.

### **Tangata whenua interests**

This reserve is within the tribal rohe of Ngati Te Whiti iwi and of historic and cultural significance to both Ngati Tawhirikura and Puketapu hapu.

### **Land status and acquisition history**

A resource consent application to redevelop a large industrial site was lodged in 2001, which included the land the Fitzroy Pole is sited on, this presented the opportunity for the Council to obtain the land and to site the Pou permanently on public land. The Pou has been moved a few metres from it's 1940 placement.

The owners of the land Harvey Norman Properties Limited carried out the Council's requirements in respect of the Pou and consulted with the appropriate Hapu and followed the appropriate protocols prior to the relocation of the Pou.

Subsequently the land was purchased by the Council from the retailer Harvey Norman in February of 2007 and classified as local purpose (historic) reserve in April 2007.

The purpose of the acquisition was to ensure that the land siting Pou Tutaki (Fitzroy Pole), was reserved in perpetuity and thereby safeguarding this heritage monument.

### **History and cultural values**

In 1847, the pace of colonial settlement in Taranaki was being disputed by local Maori. Katatore of the Te Atiawa iwi, stoutly opposed the sale of the Bell Block by Rawiri Waiaua and others. In 1848, and he had a pou (pole) carved from a seven metre shaft of puriri and erected on the right bank of the Waiwhakaiho River, alongside the track, as a symbol of protest against the encroachment of the Pakeha. This site was at the end of the Fitzroy Block (Fitzroy Village), which is now a suburb of New Plymouth. This post was named “Poututaki” by the Maori and came to be known by the Europeans as the “Fitzroy pole”. Two life-sized figures appeared on the pole, representing the Pakeha cowering beneath a Maori warrior. The Maori figure a representation of the Puketapu chief; Parata te Huia. The post’s purpose was to mark the limit of European settlement; Maori intention was that no Pakeha would own any land between that where the pole was sited and the Auckland district. It was 1853 before settlements were permitted by Maori at Bell Block (Information summarised from James Cowan’s 1922 *New Zealand Wars*, Government Printer, Wellington).

The pou was burnt in a scrub fire in 1885, and later pulled down. In 1940, as part of the celebrations to mark the centenary of the founding of New Zealand, a new pou was carved from a totara log by Hawera man Henare Toka and erected about 100m north of the original site. The original site being somewhere near the northern end of what’s now Constance St, close to the ford over the river at Raiomiti St (Waiwhakaiho) netball courts.

In 2001 the replica was moved a couple of metres to allow room for an adjacent car park. The pole was cleaned and restored, increased in height, and placed amid landscaping at its current location. During commemorations to mark the Declaration of Independence 1835, or the Treaty of Waitangi 1840 and other similar days marked by tangata whenua, a flag representing either Te Atiawa iwi or Maori sovereignty can be seen flying from the pou.

Guardianship of Pou Tutaki was discussed in a Council Meeting in February 2003, where it was resolved that “the issue of kaitiakitanga of the Pou Tutaki be addressed through the Reserve Management Plan”.

### **Existing improvements**

A mauri stone is situated within a protective viewing case near the base of Pou Tutaki. This stone was relocated when uncovered during excavation work on the Bell Block Highway Bypass in 2008, from a site called Oropuriri. It is anticipated that the stone will be relocated when hapu determine an final resting place. The presence of the stone signifies the significance of this site and the whare that were built there. The mauri stone is a spiritual guardian taking care of the house and to fulfil the wishes, desires and hopes of the people who will use it for noble purposes.

### **Uses and activities**

This small reserve principally serves as a resting place for the Pou Tutaki, with only a small area at the base of the monument. The Pou is the location for special occasions

in the tangata whenua calendar, where a flag representing either Te Atiawa iwi or Maori sovereignty can be seen flying from the pou.

**Management objectives and specific policies**

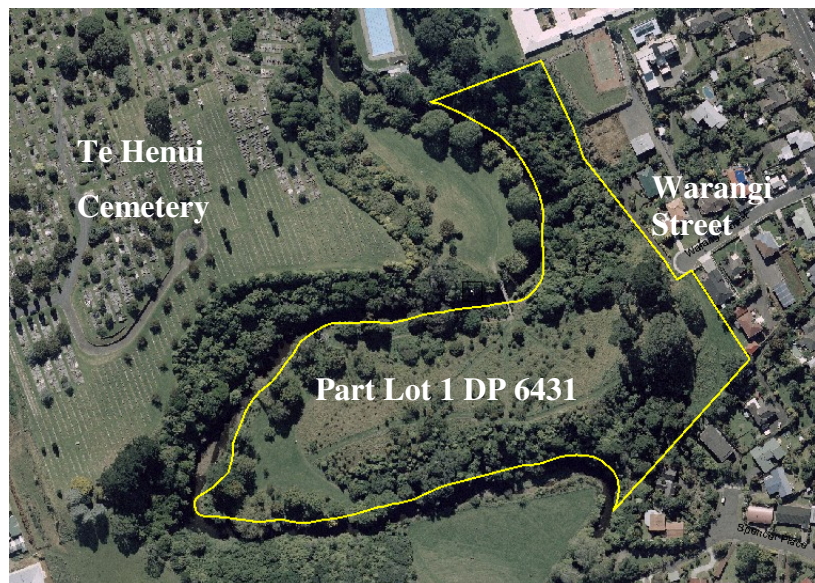
- This reserve will be managed as a site to house a historic carved pole (Pou) and mauri stone.
- Kaitiakitanga (guardianship) of the Pou Tutangi / Fitzroy Pole is proposed to be jointly managed by the Council with both Ngati Tawhirikura and Puketapu hapu. This artefact has general community interest as a link to the early development of New Plymouth. An agreement to define the joint management will be formulated.

A development concept plan has not been prepared for this reserve due to its small size.

## 6.11 Pukewharangi Historic Reserve

### Description

Location:	End of Warangi Street, Strandon, New Plymouth
Legal description:	Part Lot 1 DP 6431
Size:	3.86 hectares
Reserve status:	Subject to the Reserves Act 1977
Reserve classification:	Local purpose (historic site & recreation) reserve



### Physical description

The high ground of this reserve is the site of Pukewharangi Pa. The lower portion of this reserve is part of the Te Henui Walkway. On the opposite bank of the Te Henui Stream is the Te Henui Cemetery and the four hectare Department of Conservation Puketarata/Parihamore Historic Reserve, named after the two pa sites in that area.

### Tangata whenua interests

This reserve is of historic and cultural significance to Te Atiawa and Taranaki Iwi and to Ngati Te Whiti, Ngati Tuparikino and Nga Mahanga-a-Tairi hapu.

### Land status and acquisition history

Lot 1 DP 6431 was transferred from Alfred Sexton Hill to the Borough of New Plymouth in April of 1948 during a subdivision, for the purpose of a public plantation and recreation ground. The area of land subdivided included land from the Te Henui River to Mangorei Road. The transfer cost the Borough £506 and the land was previously known as part of the Native Reserve 20 (Pukewharangi) Fitzroy District.

The farm land that was subdivided in 1948 now comprises of Warangi Street and the residences that access onto it along with the Pukewharangi Reserve.

### **History and cultural values**

The site is the location of Pukewarangi Pa of Ngati Te Whiti.

The reserve contains a grouping of seven pines listed as notable trees in the district plan, in the vicinity of the pa site.

### **Existing improvements**

The reserve is mainly grassed with plantings of exotic and native trees. A bridge links this reserve to the opposite bank below the Te Henui Cemetery, and is part of the Te Henui Walkway. There are grass tracks from the walkway up the slopes to the Pukewharangi Pa site and Warangi Street.












### **Uses and activities**

This reserve is a large open space of nearly four hectares, providing opportunity for passive recreation along with access to the Te Henui River and historical sites.



### **Management objectives and specific policies**

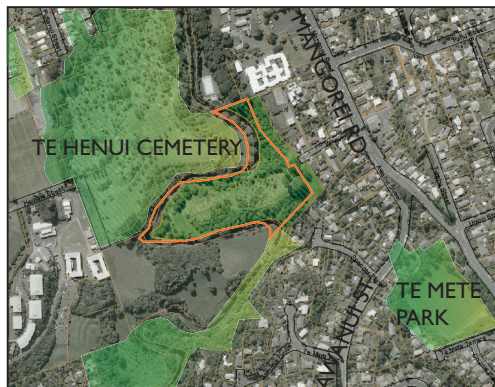
- This reserve will be managed as a pa site that contains a open space recreation area.
- Consultation will be undertaken with hapu to determine vegetation management of the pa site contained on this reserve.
- An archaeological authority will be required from the Historic Places Trust under the Historic Places Act 1993, prior to any excavation work being carried out on the site and before any mature trees are removed.
- Further research to be undertaken to gain more knowledge on Pukewharangi Pa, including information gained from the district's review of waahi tapu and archaeological sites.
- The site is historically integrated with other nearby archaeological areas. Interpretative signage to indicate the significance of this site and its relationship to the general area is proposed to be installed.

**Visual Resource Key**

-  Landscape/Spatial Features
-  Entry Points
-  Stream
- Vegetation**
-  Existing Canopy Layer
- Structures**
-  Existing Signs
-  Barriers
-  Mown Path
-  Te Henui Walkway
-  Informal Track
-  Proposed Information Sign
-  Proposed Seat

**Contextual Map & Key**

-  Legal Parcel
-  Nearby Reserves



Interpretation Sign close to Warangi Street where ground modification has already occurred

Install seat

Vegetation strategy tbd in liaison with Iwi

*Pukewharangi Reserve  
Warangi Street, New Plymouth*

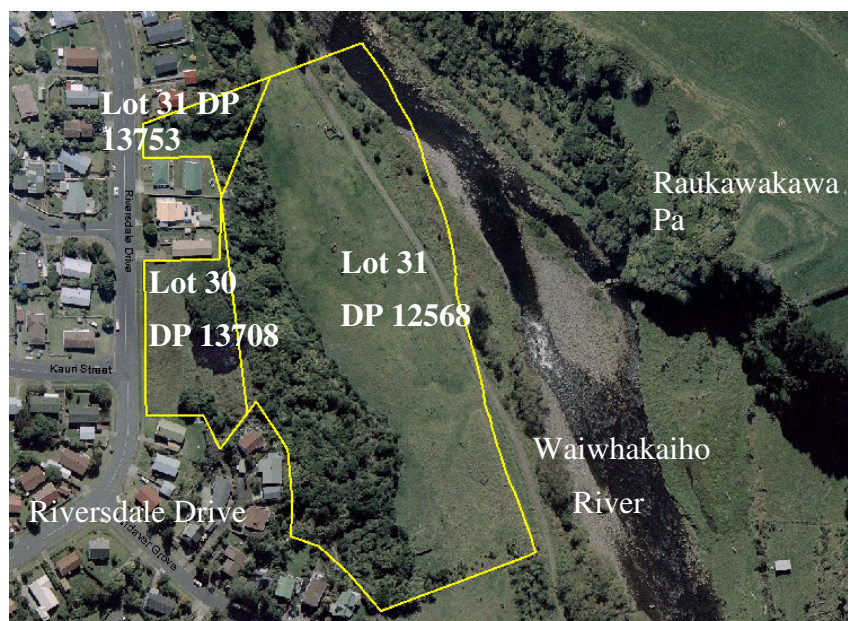
2010/06 Development Plan  
WAS 2011.1



## 6.12 Te Ngaere Historic Park

### Description

Location:	Riversdale Drive, corner of Kauri Street, Merrilands, New Plymouth
Legal description:	Lot 30 DP 13708, Lot 31 DP 12568 Lot 31 DP 13753
Size:	3.57 hectares
Reserve status:	All lots subject to the Reserves Act 1977
Reserve classification:	All lots are Local purpose (esplanade) reserve



### Physical description

The reserve consists of a river flat and terrace connected by a steep bank which alternates to cliff face in places. The steep bank/cliff is vegetated in native flora and the flatter areas are grassed and grazed. The river flat area is part of a walkway along the Waiwhakaiho River. Access from the river flat to the terrace is not possible but is achievable further to the north, at another reserve fronting onto Riverside Drive.

### Tangata whenua interests

This reserve is of historic and cultural significance to Te Atiawa and Taranaki Iwi and the Ngati Te Whiti and Nga Mahanga-a-Tairi hapu.

### Land status and acquisition history

The three lots were vested in the Council when the land containing the lots was subdivided. Lot 31 DP 12568 was vested with the Council in trust as a esplanade reserve in December 1978. Both Lots 30 DP 13708 and 31 DP 13753 were vested in the Council as Local purpose (esplanade) reserves in July 1982.

### **History and cultural values**

The Ratahangae/Ratakengai Pa is located on Lot 30 DP 13708. The pa is sited on the edge of the river terrace, above a cliff face overlooking the river flat of the Waiwhakaiho. Ratahangae/Ratakengai Pa is listed as a waahi tapu site in the District Plan.

On the opposite bank of the Waiwhakaiho River are two waahi tapu sites, Mapou Pa (Puketapu) and Raukawakawa Pa. This latter pa is visible in the aerial photo at the beginning of this information sheet.

The site has a New Zealand Archaeological Association reference (P19/158).

### **Existing improvements**

The reserve contains a walkway, fences and stiles to facilitate public access.









### **Uses and activities**

This reserve provides an open space area for walking, river access and appreciation of history through the location of pa sites.


### **Management objectives and specific policies**

- This reserve will be managed as a combination of pa site, walkway and bush reserve.
- Consultation will be undertaken with tangata whenua to determine vegetation management of the pa site contained on this reserve.
- An archaeological authority will be required from the Historic Places Trust under the Historic Places Act 1993, prior to any excavation work being carried out on the site and before any mature trees are removed.
- Further research to be undertaken to gain more knowledge on Ratahangae/Ratakengai Pa, including information gained from the district's review of waahi tapu and archaeological sites.

**Visual Resource Key**

-  Landscape/Spatial Features
-  Entry Points
-  Stream
-  Vegetation
-  Existing Canopy Layer
- Structures**
-  Barriers
-  Informal Track
-  Proposed NPDC Parks Signs

**Contextual Map & Key**

-  Legal Parcel
-  Nearby Reserves



*Te Ngaere Historic Park  
Riversdale Drive, New Plymouth*

2009/10 Development Plan  
WAS 2011 3

### 6.13 Tom Watson Memorial Reserve

#### Description

Location:	Otaraoa Road, north of intersection with Inland North Road, Tikorangi
Legal description:	Part Section 88 Tikorangi District and Section 1 Survey Office Plan 13405
Size:	0.92 hectares
Reserve status:	Subject to the reserves Act 1977
Reserve classification:	Local purpose (site for scenic and memorial purposes) reserve



#### Physical description

This reserve is located on flat to undulating rural land near Tikorangi. Most of the reserve has been planted in native trees.

#### Tangata whenua interests

This reserve is within the tribal rohe of Te Atiawa iwi and is of historic and cultural significance to Otaraoa and Ngati Rahiri hapu.

#### Land status and acquisition history

In December 1897, Part Section 88 Tikorangi District was vested in the Clifton County Council in trust as a reserve for a public pound under the Public Reserves Act 1881. In 1983, a gazette notice classified the land parcel as Local purpose (site for an arboretum and county buildings) reserve, subject to the provisions of the Reserves Act 1977.

The addition of Section 1, SO 13405 in December 1995 (formerly a stopped road known as Lot 2 DP 8300 and Section 88, Tikorangi District) of 0.4945 hectares increased the reserves total size from 0.424 hectares to 0.918 hectares. The newly added reserve classification was local purpose reserve (site for arboretum and county buildings).

A gazette notice in December 1998 changed the classification of the reserve (both parcels) to Local purpose (site for scenic and memorial purposes) reserve and to be known as Tom Watson Memorial Reserve.

### **History and cultural values**

The reserve is named after Tom Watson (1926 – 1993), who served as councilor 1960-68 and then Mayor (Chairman) 1968-89 of Clifton County. He was Deputy Mayor of newly established New Plymouth District Council from 1989 – 1992 and was awarded the QSO for public service in 1983.

A Council meeting in February 1993 noted with “the deepest regret the recent death of the previous Deputy Mayor, Mr. Thomas Nestor Watson, who had served Local Government with distinction over a period of 33 years including terms as Chairman of the Clifton County Council and Taranaki Catchment Commission and during which period he had won nationwide respect for his genuine concern for all sections of the community, his leadership and his political capability”.

The Council meeting of August 1993 approved naming the reserve ‘Tom Watson Memorial Reserve’. The recommendations included planting the reserve in native trees, initiate procedures to close the section of unformed Otaraoa Road near Inland North Road at Tikorangi and to take necessary steps to reclassify the area from Dog Pound to Scenic Reserve.

### **Existing improvements**

Most of the reserve has been planted with native trees and shrubs from the mid 1980s to mid 1990s, the remaining area is in grass. The reserve is fenced with a gated entry and includes a picnic table, seat, reserve sign and memorial to Tom Watson.








### **Uses and activities**

This reserve provides opportunity for passive recreation, a picnic area for tourists and provides an amenity enhancement to the general area.

**Management objectives and specific policies**

- This reserve will be managed as a memorial to a notable person and as a revegetating bush reserve.
- Investigation will be undertaken into placing an Automobile Association sign identifying the reserve, at the corner of Otaraua and Inland North Road.

**Visual Resource Key**

-  Landscape/Spatial Features  
Entry Point
-  Vegetation  
Existing Canopy Layer
-  Structures  
Existing Sign/Plaque
-  Fence
-  Picnic Table

**Contextual Map & Key**

-  Legal Parcel



- Improve maintenance around picnic table
- Improve access gate to picnic table
- Replace and upgrade signs

*Tom Watson Memorial Reserve  
Otaraoa Road, Clifton Area*

2009/10 Development Plan  
WGS 2001 1

## 6.14 The Vicarage

### Description

Location:	290 Courtenay Street, New Plymouth
Legal description:	Lot 3 DP 5921
Size:	0.086 hectares
Reserve status:	Not subject to the Reserves Act 1977
Reserve classification:	Not classified, propose to maintain as fee simple.



### Physical description

The Vicarage is sited on a flat 860 m<sup>2</sup> section at the eastern end of Courtenay Street. It is surrounded by residential and commercial properties. The building located behind the Vicarage belongs to the New Plymouth Potters Society Incorporated who lease the site. The bank at the rear of the property is a vertical and inaccessible drop onto the Te Henui Walkway.

### Tangata whenua interests

This reserve is of historic and cultural significance to Te Atiawa and Taranaki Iwi and to Ngati Te Whiti and Nga Mahanga-a-Tairi hapu.

### Land status and acquisition history

The land was transferred from the Taranaki Church of England Trust Board to the Council in December 1949. The land is held freehold and not subject to the Reserves Act 1977.

### History and cultural values

The Vicarage is listed in the District Plan as Category A, a heritage site of very great value. It also has a New Zealand Historic Places Trust listing of Category Two.



The building is one of the oldest surviving stone buildings in New Zealand, constructed in 1845. It is associated with Reverend William Bolland, the first Anglican vicar of the parish (1843) appointed by Bishop George Augustus Selwyn. Bolland selected an existing sandstone building on the site that belonged to Captain J.C. Cooke and in 1845 erected the andesite beach stone house.

Both Reverends Bolland and Henry Govett resided at the Vicarage and ministered to the churches of Saint Mary's and the Holy Trinity Anglican.

### **Existing improvements**

The site is the headquarters and gallery of the New Plymouth Potters Society Incorporated. The Vicarage building is used as the Society's gallery and is open 1.00 to 4.00 pm Saturday to Sunday and public holidays. The building behind the Vicarage was constructed by the Society about 1970, with additions made in 1980 and 2000. These are the Society's pottery rooms. The Society have also affixed decorative pottery mural tiles to the wall along the western boundary.

The New Zealand Historic Places Trust have installed a brass plaque on the building stating:



### **Uses and activities**

This reserve provides a site to appreciate the aesthetic quality of a historic building made from local andesite beach stone, in the setting of a well laid out and maintained garden. The site is restful although at close quarters to the business of central city.

### **Management objectives and specific policies**

- This park will continue to be managed as a public open space suitable for passive recreation and the building continue to be leased to special interest groups. Commercial leasing of the building in the future is also contemplated.
- Restrictions exist on excavations for the entire site and require a New Zealand Historic Places Trust archaeological authority.
- A conservation plan will be prepared for this building.

A development concept plan has not been prepared for this reserve, being comprehensively landscaped as it has limited development potential.

Parks  
New Plymouth District Council

Historic Reserves Management Plan  
July 2010

## 6.15 Whakawhitiwhiti Pa Historic Reserve

### Description

Location:	End of Wallath Road
Legal description:	Lot 113 DP 12240 Lot 19 DP 15684
Size:	0.1211 hectares 1.1266 hectares
Reserve status:	Subject to the reserves Act 1977
Reserve classification:	Lot 113 Historic Reserve Lot 19 Local purpose (historic and recreation) reserve



### Physical description

The reserve is a hill top that contains the remnants of a pa. The adjoining property immediately to the north contains a smaller part of the same pa formation.

### Tangata whenua interests

This reserve is of historic and cultural significance to Te Atiawa and Taranaki Iwi and to Ngati Te Whiti and Nga Mahanga-a-Tairi hapu.

### Land status and acquisition history

Lot 113 DP 12240 was vested in the New Plymouth City Council in December 1977 as a reserve pursuant to section 352(3) of the Municipal Corporation Act 1954, upon subdivision for the purpose of a Historic Reserve.

Lot 19 DP 15684 was vested in the New Plymouth City Council in February 1988 for the purpose of a recreation reserve upon subdivision.

### **History and cultural values**

Whakawhitiwhiti Pa is located on the reserve and nearby is the site of Oranga Pa, both of Ngati Te Whiti origins. Whakawhitiwhiti Pa is in one of the best-preserved in New Plymouth. Little is known about the pa except it was known to be occupied about 1740.

Both these waahi tapu sites are recorded in the District Plan and have a New Zealand Archaeological Association reference (P19/16).

### **Existing improvements**

When the Lot 19 was acquired, the Council fenced the area and controlled the noxious weeds. For their efforts, the Parks Department received a letter of commendation from the Acting Director of the NZ Historic Places Trust in 1988.

The site was grazed (cows, sheep) but resulted in complaints being received by the Council regarding the use of cattle on the site (1992 & 2001). Council's response to the 1992 complaint resulted in the implementation that year of rotational grazing as best practice for managing the site. Following the 2001 complaint, a decision was made in 2001 to cease grazing, due to erosion attributed to the activity.

A hazardous pine tree growing on the top of Whakawhitiwhiti Pa was removed in 2004. Due to the site being waahi tapu and of archaeological interest, the sensitive nature of the pa resulted in the tree being lifted off with a helicopter.

### **Existing improvements**

The site has been fenced and a wooden stile was installed to aid access from Oranga Street.

### **Uses and activities**

Access to the reserve is at the end of Wallath Road or through a pathway between 65 and 67 Oranga Street.








This reserve preserves a link to the past through the visible terracing on the hill top and slopes, a pa formation. The site has limited recreational purpose but provides an open space in a suburban area, with excellent views and is a distinct local landmark.

### **Management objectives and specific policies**

- This reserve will be managed as a pa site with passive recreation opportunities.
- It is proposed as part of the development concept for this reserve, that walking tracks be formalised.
- Consultation will be undertaken with tangata whenua to determine vegetation management of this reserve.
- Restrictions exist on excavations for the entire site and require a New Zealand Historic Places Trust archaeological authority.
- Further research to be undertaken to gain more knowledge on Whakawhitiwhiti and Oranga Pa, including information gained from the district's review of waahi tapu and archaeological sites.

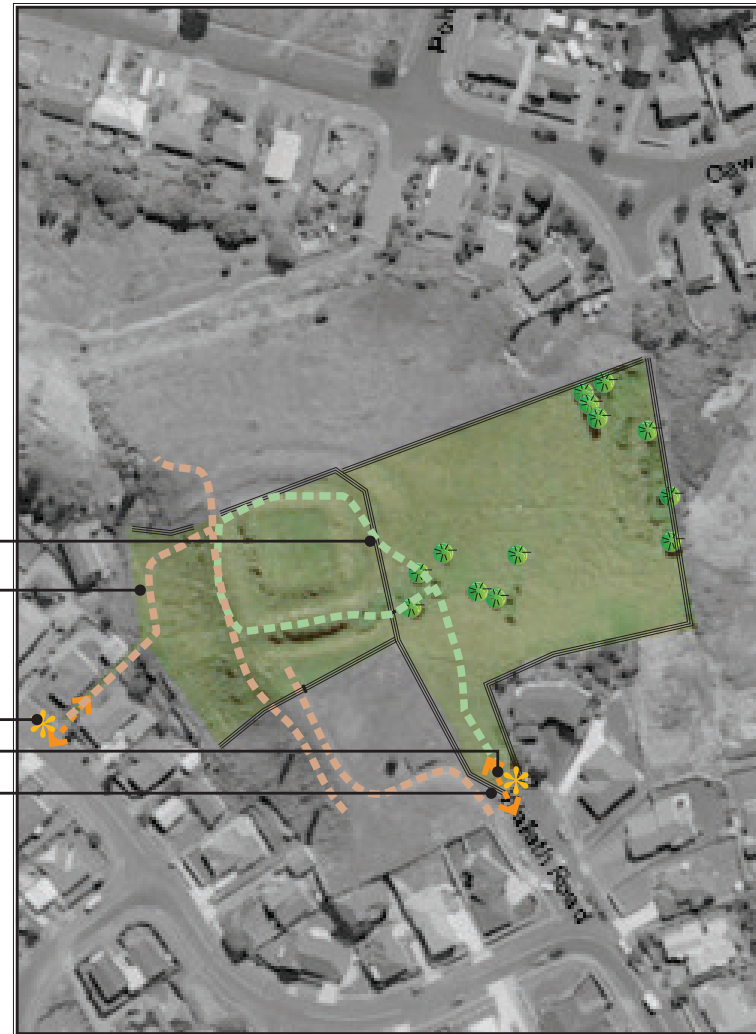
- Investigation will be undertaken into options for the future public ownership of the remaining portion of the pa site, as part of the Open Space Strategy.

**Visual Resource Key**

-  Landscape/Spatial Features Entry Points
-  **Vegetation**  
Existing Canopy Layer
- Structures**
-  Fence
-  Informal Track
-  Proposed Path
-  Proposed NPDC Parks Signs
-  Stile

**Contextual Map & Key**

-  Legal Parcel



Provide mown paths to crest of pa site

Upgrade access and improve track

Install NPDC Parks Signs - Improve entrance aesthetic

Interpretation signs in liaison with Iwi

*Whakawhitiwhiti Pa Historic Reserve*  
*Wallath Road, New Plymouth*

2010/06 Development Plan  
WAS 2011 7

## **7. Plan Implementation, Review and Amendment**

### ***7.1 Plan implementation process***

Plan implementation including a schedule of priorities for parks and reserve development will be set out in a “Historic parks and reserves implementation plan”. This is a separate living document which will outline the priority order in which park and reserve development will be implemented once the funding is made available. The priority order will be determined by a criteria weighing methodology (currently under development).

As with all the Council programmes, funding for the various aspects of plan implementation is conditional on decisions made as part of the Long Term Council Community Plan (LTCCP) process.

Historic parks and reserves implementation plan will be developed following the 20012-2022 LTCCP adoption in late June 2012.

### ***7.2 Plan review and amendment***

Section 41(4) of the Reserves Act requires the Council to keep the management plans for the reserves that it administers under continuous review. This is so that the plans can be adapted to changing circumstances or increased knowledge. As such, a reserve management plan is a “living document” that may need to be updated from time to time in response to issues or to ensure that objectives are being adequately met. Generally, however, plans should be reviewed at a minimum of 10 year intervals and need not involve a complete rewriting<sup>1</sup>.

#### **7.2.1 Scheduled Review**

This management plan will undergo a scheduled review every ten years. This review will consider:

- the success of the plan in meeting its stated objectives,
- the effectiveness and efficiency of plan implementation, and
- the currency of the plan content.

#### **7.2.2 Unscheduled Amendments**

##### *Minor amendments*

Minor edits to the plan that do not change the meaning or intent of the document may be undertaken using a version control system that tracks all amendments and ensures that the most current version is made available for use by the Council and the public. All minor amendments to the document must be approved by the Parks Manager and the amendment noted in an Amendments Record table on the first pages of the document.

##### *Major amendments*

Major amendments are any substantive changes to the document that change its meaning or intent. The change may not be large, the addition or change of a single word can significantly change the intent of an objective or policy. All major amendments must be first

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<sup>1</sup> Local Government New Zealand and Department of Conservation. 1999. Reserves Act Guide.

approved by the Parks Manager and then a report put to the Council to adopt the amendment by Council resolution. Consultation with the public and tangata whenua may be required.

### **7.3 Reserve declarations**

New Plymouth District Council passed by resolution of the full Council on 2 March 2010 to declare the land parcels in the **Table 4** as reserves under the Reserves Act 1977. This resolution was passed following a one month public consultation period, as described under Section of the Act.

**Table 4. Land vested in the Council with underlying Crown title, to be declared as reserve land under the Reserves Act 1977.**

Reserve Name	Location	Legal Description	Ownership	Purpose when acquired	Current Purpose	Resolution
<b>Part of Marsland Hill</b>	Robe Street	Section 2342 Town of New Plymouth	NPDC	Closed cemetery	Closed cemetery & recreation area	<b>Local purpose (cemetery) reserve</b>

## 7.4 Reserve classifications

The decision to classify the reserves listed in **Table 5** for their stated purpose was passed by full Council resolution on 2 March 2010, with the exception of Hempton Rose Garden, which was classified by full Council resolution on 31 August 2010 .

**Table 5. Classification of Council administered historic reserves under the Reserves Act 1977**

### 1. Reserve land owned and administered by NPDC

Classified in accordance with Section 16 (2) (a) Reserves Act 1977

Reserve Name	Location	Legal Description	Owner ship	Original purpose when declared	Current Purpose	Resolution
<b>Burgess Park</b>	SH3, Junction Road, New Plymouth	Part Section 771 & 772 Grey District Defined on DP 514, Section 3 Block IX Paritutu Survey District, Section 1 SO Plan 9328.	NPDC	Recreation reserve	Recreation reserve	<b>Classified as Recreation reserve</b>
<b>Cody Place Reserve</b>	Cody Place, New Plymouth	Lot 15 Deposit Plan 360382 & Lot 27 Deposited Plan 360382	NPDC	Lot 15 Historic Reserve & Lot 27 Local purpose (screening & beautification) reserve	Lot 15 Historic Reserve & Lot 27 Local purpose (screening & beautification) reserve	<b>Lot 15 classified as Local purpose (historic site) reserve &amp; Lot 27 classified as Local purpose (screening &amp; beautification) reserve</b>
<b>Fitzroy Pole Reserve</b>	Smart Road & Devon Road, New Plymouth	Section 1 SO 14853	NPDC	Local purpose (Historic) Reserve	Local purpose (Historic) Reserve	<b>Classified as Local purpose (historic) reserve</b>
<b>Fort Niger Reserve</b>	Pendarves Street, New Plymouth	Part Military Reserve Town of New Plymouth	NPDC	Purpose of public utility	Historic and recreation	<b>Classified as Local purpose (historic site and recreation) reserve</b>
<b>Fritz Reuter Place</b>	Rata Street, Inglewood	Lot 1 DP 17432	NPDC	Local purpose reserve (Open Space)	Historic and recreation	<b>Classified as Local purpose (historic site and recreation) reserve</b>
<b>Govett Avenue Reserve</b>	Govett Avenue & Beaumont Crescent, New Plymouth	Lot 4 DP 15040	NDDC	Purpose of Historic Reserve	Historic Reserve	<b>Classified as Local purpose (historic site) reserve</b>
<b>Hempton Rose Garden</b>	Hempton Street, New Plymouth	Section 765 Town of New Plymouth	NPDC	"upon trust for the purposes of a reserve or restful place open to the public for all time ...".	Public garden	<b>Classified as Recreation reserve</b>
<b>Part of Mount Moturoa Reserve</b>	Scott Street, New Plymouth	Lot 29 owned by NPDC	NPDC	Public Domain	Recreation Reserve	<b>Classified as Recreation reserve</b>
<b>Pukewharangi Reserve</b>	Warangi Street, New Plymouth	Part Lot 1 DP 6431	NPDC	Purpose of a public plantation and recreation ground	Historic and recreation	<b>Classified as Local purpose (historic site &amp; recreation) reserve</b>



Reserve Name	Location	Legal Description	Ownership	Original purpose when declared	Current Purpose	Resolution
<b>Te Ngaere Park</b>	Riversdale Drive, New Plymouth	Lot 30 DP 13708, Lot 31 DP 12568 & Lot 30 DP 13753	NPDC	All as Esplanade Reserve	Esplanade reserve	<b>Classified as Local purpose (esplanade) reserve</b>
<b>Tom Watson Memorial Reserve</b>	Otaraoa Road, Tikorangi	Part Section 88 Tikorangi District and Section 1 Survey Office Plan 13405	NPDC	Reserve for a public pound (1898)	Local purpose (site for scenic and memorial purposes) reserve	<b>Classified as Local purpose (site for scenic and memorial purposes) reserve</b>
<b>Vicarage</b>	Courtenay Street, New Plymouth	Lot 3 DP 5921	NPDC	Not stated	Preservation of a historic building	<b>Keep as freehold. Building protected under District Plan and Historic Places</b>
<b>Whakawhitiwhiti Reserve</b>	Wallath Road, New Plymouth	Lot 113 DP 12240, Lot 19 DP 15684	NPDC	Lot 113 - Historic reserve; Lot 19 - for the purpose of recreation reserve	Lot 113 - Historic reserve; Lot 19 - for the purpose of recreation reserve	<b>Lot 113 classified as Historic reserve. Lot 19 classified as Local purpose (historic and recreation) reserve.</b>

2. Reserve land owned or underlying title with the Crown and administered by NPDC.  
Classified under delegation in accordance with Section 16 (1)

Reserve Name	Location	Legal Description	Ownership	Original purpose when declared	Current Purpose	Resolution
<b>Lepperton War Memorial Reserve</b>	Manutahi Road, Lepperton	Section 262 Huirangi District	Crown, vested in the Council	War Memorial Reserve	War Memorial Reserve	<b>Classified as Local purpose (war memorial) reserve</b>
<b>Part of Marsland Hill</b>	Robe Street, New Plymouth	Section 2342	Crown, vested in the Council	Closed cemetery	Closed cemetery & recreation area	<b>Section 2342 – classified as Local purpose (cemetery) reserve</b>
<b>Part of Marsland Hill</b>	Robe Street, New Plymouth	Section 2459	Underlying ownership with Crown, NPDC appointed to control and manage	Military Reserve	Historic Reserve	<b>Classified as Historic Reserve,</b>
<b>Part of Marsland Hill</b>	Robe Street, New Plymouth	Section 2460	Underlying ownership with Crown, NPDC appointed to control and manage	Military Reserve	Community Buildings Reserve	<b>Classified as Local purpose (community building) reserve,</b>
<b>Part of Mount Moturoa Reserve</b>	Scott Street, New Plymouth	Lot 86 and Pt Section 811	Underlying ownership with Crown, NPDC appointed to control and manage	Public Domain	All lots are classified as Recreation Reserve	<b>Recreation reserve</b>

### **7.5 Reserve revocations**

At this time, the Council does not intend to revoke any reserve lands covered by this management plan.

### **7.6 Reserve naming**

Policies on the naming of reserves are outlined in Section 2.2.4 of the *General Policies for Council Administered Reserves*. A process for identifying bilingual (English-Maori) reserve names has been undertaken during the consultation phase of preparing this management plan. Where a bilingual name was identified or a new name proposed for a historic reserve, this has been presented to the Council as part of the draft plan. The naming of other Historic reserves can be undertaken once this plan is completed and in accordance with the reserve naming policy and procedure.

## Glossary

<b>Administering body</b>	The Board, Trustees, local authority, society, association, voluntary organisation, or person or body of persons appointed under the Reserves Act 1977 or any corresponding former Act to control and manage that reserve or in which or in whom that reserve is vested under the Act or any corresponding former Act.
<b>Amenity values</b>	Those natural and physical qualities and characteristics of an area that contribute to people's appreciation of its pleasantness, aesthetic coherence and cultural and recreational attributes.
<b>Archaeological site</b>	Any place in New Zealand that either (a) was associated with human activity that occurred before 1900, or (b) is the site of the wreck of any vessel where that wreck occurred before 1900, and is or may be able through investigation by archaeological methods to provide evidence relating to the history of New Zealand (S2 Historic Places Act 1993)
<b>Archaeological site record</b>	Site recording was initiated in 1958 by the Archaeological Association. The basic recording units are the 'features' and the 'site'.
<b>Artefact</b>	Any chattel, carving, object, or thing which relates to the history, art, culture, traditions, or economy of the Maori or other pre-European inhabitants of New Zealand and which was or appears to have been manufactured or modified in New Zealand by any such inhabitant, or brought to New Zealand by an ancestor of any such inhabitant, or used by any such inhabitant, prior to 1902 (S2 Antiquities Act 1975).
<b>CCandIofCofC</b>	Chairman, Councillors and Inhabitants of the County of Clifton. A local government body that exists prior to the 1989 amalgamation of local councils and the formation of New Plymouth District.
<b>CCandIofCofT</b>	Chairman, Councillors and Inhabitants of the County of Taranaki. Also known locally as the 'Taranaki County Council'. A local government body that exists prior to the 1989 amalgamation of local councils and the formation of New Plymouth District.
<b>Classification</b>	Classification of a reserve is conducted pursuant to the Reserves Act 1977 where the purpose for which the land is protected under the Act has been declared and then confirmed through classification.
<b>Commercial activity</b>	An activity that results in economic gain by the organiser of the activity.
<b>Council</b>	New Plymouth District Council or, where delegation has been given, any committee or subcommittee or any officer of New Plymouth District Council duly authorised and any commissioner duly appointed.
<b>Cultural heritage value</b>	Encompasses the qualities and attributes of places that have aesthetic, historic, scientific or social value for past, present or future generations. These values may be seen in a place's physical features, but importantly can also be intangible qualities such as peoples associations with, or feelings for a place.
<b>District Plan</b>	The purpose of the preparation, implementation and administration of district plans is to assist territorial authorities to carry out their functions in order to achieve the purpose of the Resource Management Act 1991.
<b>Easement</b>	Generally, an interest in land granted under Section 48 of the Reserves Act 1977 over a reserve or acquired under Section 12 of the Act over private

	land or similar. An easement is a right of one person in respect of another person's land and include a right of way (the right to pass over another person's land); a right to lay pipes on another person's land and, through them, convey water or other specified matter, and a right of access to light and air by means of restricting building on another person's land.
<b>Encroachment</b>	A building or structure, or some portion of it, or other modification of the land, that extends beyond the land of the owner and illegally intrudes on reserve land.
<b>Esplanade reserve</b>	A fixed linear area of riverbank, lakeshore or seashore either in a natural or modified state available primarily for conservation and public access.
<b>Facility</b>	A building or structure that provides a particular service.
<b>Fire appliance</b>	Fire truck or other vehicle to suppress fires.
<b>Gazette</b>	The New Zealand Gazette is the official newspaper of the Government of New Zealand, produced every Thursday by the Department of Internal Affairs. Publications in the gazette are useful as acknowledgement of the establishment of reserves, the vesting of land in trust with local authorities and the classification of reserves.
<b>Hapu</b>	Sub-tribe, usually a number of whanau with a common ancestor.
<b>Hazardous substances</b>	Includes, but is not limited to, any substance defined in section 2 of the Hazardous Substances and New Organisms Act 1996 as a Hazardous Substance.
<b>Historic place</b>	Any land (including an archaeological site), or any building or structure (including part of a building or structure), or any combination of land and a building or structure that forms part of the historical and cultural heritage of New Zealand and lies within the territorial limits of New Zealand, and includes anything that is in or fixed to such land (Section 2 Historic Places Act 1993).
<b>Indigenous vegetation</b>	Flora occurring naturally in New Zealand, or belonging naturally to New Zealand. Indigenous vegetation does not include flora established by humans.
<b>Infrastructure</b>	Public works and utilities provided by the Council. In the case of reserves, this includes facilities such as toilets, rubbish bins, lights, vehicle parking spaces and other developments that contribute to the use of the reserve.
<b>Interpretive signage</b>	Signage erected to provide information to the public on the environmental, historic, cultural or other values of an area.
<b>Intrinsic values</b>	In relation to ecosystems, means those aspects of ecosystems and their constituent parts which have value in their own right, including (a) their biological and genetic diversity, and (b) the essential characteristics that determine and ecosystem's integrity, form, functioning and resilience.
<b>Iwi</b>	Tribe or grouping of people with tribal affiliations.
<b>Kaitiakitanga</b>	The exercise of guardianship by the tangata whenua of an area in accordance with tikanga maori in relation to natural and physical resources and includes the ethic of stewardship.
<b>Landscaping</b>	To develop and/or enhance the amenity value and natural features of an area by planting vegetation, creating contoured features, etc.

<b>Landscape development plan</b>	A plan that describes in detail the future layout of vegetation and facilities in a reserve in order to guide future works.
<b>Lease</b>	A lease is an estate in land. It arises when one party, the lessor, confers on another party, the lessee, the right to the exclusive possession of specified premises or area of land for a specified period of time.
<b>Lessee</b>	The holder of a lease
<b>Licence</b>	A licence issued under the relevant sections of the Reserves Act 1977 to occupy reserve land or carry out an activity on reserve land for a specified period of time and in accordance with the conditions in the licence. A licence is essentially a permission granted by the occupier of land to a person to do something on that land which would otherwise be a trespass. Licensees do not have possession of the land.
<b>Licensee</b>	The holder of a licence
<b>Local authority</b>	A regional or territorial authority
<b>Mana whenua</b>	Customary authority and title exercised by an iwi or hapu over land and other taonga within the tribal rohe.
<b>Market rental</b>	Rental charges set at a level that would be realised on the open market.
<b>Mitigative measure</b>	An action to offset, but not completely restore, an adverse effect. To cause to become less severe or harsh.
<b>Natural processes</b>	A series of actions, changes, or functions occurring in the natural environment without direct human intervention e.g. erosion, successional processes, use and alteration of vegetation by wildlife
<b>Network utility infrastructure</b>	Water reticulation or supply, electricity supply, a telephone service, a sewer system, drainage or another system or service designed to improve the amenity, or enhance the enjoyment, of lots or the common property.
<b>Non-commercial activity</b>	An activity that does not result in economic gain by the organiser of the activity.
<b>Pathway</b>	Surfaces constructed as a way for pedestrians, cyclists, or other users to get from one place to another.
<b>Policy</b>	A specific statement that guides or directs decision making. A policy indicates a commitment to a general course of action when working towards an objective.
<b>Public liability insurance</b>	A class of insurance covering liability exposures of individuals and businesses for damage to property and injury to individuals.
<b>Reserve</b>	A reserve or public reserve means any land set apart for any public purpose.
<b>Reserves Act</b>	Introduced in 1977, its short title being: ‘An Act to consolidate and amend certain enactments of the General Assembly relating to public reserves, to make further provision for their acquisition, control, management, maintenance, preservation (including the protection of the natural environment), development, and use, and to make provision for public access to the coastline and the countryside’.
<b>Reserve management plan</b>	A plan provided for in Section 41 of the Reserves Act 1977 to enable an administering body to establish the desired mix of uses and value for each reserve or group of reserves and set in place policy to guide day to day

	management.
<b>Right of way</b>	A right to pass over another person's land; a form of easement.
<b>Risk management plan</b>	A plan that imposes management tools to reduce the risks of an event or activity to an acceptable level.
<b>Rohe</b>	A territory or boundary that defines the area within which a tangata whenua group claims traditional association and tangata whenua.
<b>Rural domain</b>	A domain in a rural area. Domain was a legal status of reservation prescribed in a succession of Reserves and Domain Act legislation dating back to 1860, providing for the setting apart of specific areas of recreation reserve under legislation used actively as sportsground and or for other recreational pleasure activities. The majority of Domains were provided by the Crown particularly in rural areas were up until the 1980's principally administered by locally elected Domain Boards, but with Local Government reorganisation in 1989 the move was made to pass the administration of all domains held for recreation purposes to territorial local authorities as the administering body through vesting and appointment to control and manage. Consistent with that, the Reserves Act 1977 extinguished the status of "domain" as a specific type and purpose of recreation reserve and deemed all domains to be recreation reserve irrespective of size and utilisation. Notwithstanding that, the word "domain" is still used as part of the name to describe many of those reserves so gazetted and inclusive of the word domain under past legislation and as part of a reserves official name under the NZ Geographic Act 2008.
<b>Rural domain committees</b>	Committees formed as trusts or incorporated societies to oversee the upkeep of rural domains.
<b>Service level agreement</b>	A contract between a service provider and a client that specifies, usually in measurable terms, what services the service provider will furnish.
<b>Sewerage reticulation</b>	A wastewater network
<b>Statutory requirement</b>	Requirements set out in New Zealand legislation.
<b>Tangata whenua</b>	In relation to a particular area, means the iwi or hapu that holds tangata whenua over that area.
<b>Taonga</b>	Treasure or property that are prized and protected as sacred possessions of tangata whenua as determined by tangata whenua.
<b>Tikanga maori</b>	Maori customary values and practices.
<b>Waahi tapu</b>	Places or things that are sacred or spiritually endowed, and includes, but is not limited to pa, area (tracks), urupa, battle sites and tauranga waka (canoe landings)

## **Appendix A: Instrument of Delegation for Territorial Authorities (March 2004)**

### **RESERVES ACT 1977**

#### **INSTRUMENT OF DELEGATION FOR TERRITORIAL AUTHORITIES**

1. PURSUANT to section 10 of the Reserves Act 1977 I, CHRIS CARTER, Minister of Conservation, DELEGATE to all territorial authorities (as defined in this Instrument of Delegation) such of my powers, functions and duties under the Reserves Act 1977 as are set out in the following Schedule subject to the Limitation of Powers in the Schedule and to the conditions in paragraph 2 of this Instrument.
2. The delegations in this Instrument apply only where the territorial authority is the administering body of the relevant reserve (i.e. affected by the decision to be made) by virtue of a vesting or an appointment to control and manage.
3. This Instrument replaces the previous Instrument of Delegation dated 4 September 1999 which is hereby revoked.

#### Definitions:

“Administering body” – means an administering body under the Reserves Act 1977.

“Territorial authority” – means a local authority and a unitary authority as defined in section 5 Local Government Act 2002.

“Vested reserve” – means a reserve vested in a territorial authority (not in the Crown).

## **SCHEDULE**

<b><u>SECTION</u></b>	<b><u>SUMMARY OF POWERS</u></b>	<b><u>O</u></b>	<b><u>LIMITATION OF POWERS</u></b>
6(3)	Revoke a Gazette notice and issue a fresh notice or amend the original notice	74	Only applies to notices in the Gazette given by the territorial authority
14(4)	Gazette resolution to declare vested land to be reserve.	74	
15(1)	Authorise or decline to authorise, by Gazette notice, the exchange of land in any reserve or any part(s) of a reserve for any other land to be held for purposes of that reserve.	74	Only to be exercised where the territorial authority did not derive title from the Crown, or title would be deemed not to be derived from the Crown if the reserve was going through a revocation process (s.25). The territorial authority must consult with the Crown before making a decision under s.15(1) if the land it proposes to grant in exchange was purchased with funds provided either wholly or partly by the Crown.
15(3)	To do all things necessary to effect any exchange authorised by the local authority under Section 15(1) of the Act including the payment or receipt of any money by way of equality of exchange.	74	
16(1)	Classify, by Gazette notice, according to their principal or primary purpose all reserves. [Note this delegation does not affect sections 16(2) and 16(2A) Reserves Act]	74	Only to be exercised where the classification confirms the existing purpose of the reserve.
25(1)	Upon revocation of the reservation of any public reserve (or part of one) pursuant to section 24 Reserves Act, dispose of that land in such manner and for such purpose as the Minister specifies.	74	The delegation only applies where the title to the reserve was not derived from the Crown, or is deemed not to be derived from the Crown in terms of s.25(4) or (5).
42(1)	Give or decline to give express written consent to the cutting or destruction of trees and bush on any historic, scenic, nature, or scientific reserve. Determine terms and conditions subject to which written consent is given.	74	The delegation applies only to exotic flora (include bushes and trees).
45	Give or decline to give prior approval to administering body to erect, or authorise any voluntary organisation or educational institution to erect shelters, huts, cabins, lodges etc., on any recreation or scenic reserve.	74	The delegation applies to a scenic reserve only where the use is provided for or contemplated in an approved management plan for the reserve.



<b><u>SECTION</u></b>	<b><u>SUMMARY OF POWERS</u></b>	<b><u>O</u></b>	<b><u>LIMITATION OF POWERS</u></b>
48(1)	Consent or refuse consent to administering body granting rights of way and other easements over any part of a vested reserve for any of the purposes specified in section 48(1). Impose such conditions as it thinks fit in giving the consent.	74	Only exercisable where the activity is provided for or contemplated in an approved management plan for the reserve or the activity is an existing use and the effects of the use will be the same or similar in character, intensity and scale.
48A(1)	Consent or refuse consent to administering body granting a licence over a vested reserve to any person or department of State - (a) To erect, maintain and use buildings, dwellings, masts and other structures, and plant and machinery; and (b) To construct, maintain, and use tracks and engage in other works - for any of the purposes specified in section 48A(1).	74	Only exercisable where the activity is provided for or contemplated in an approved management plan for the reserve or the activity is an existing use and the effects of the use will be the same or similar in character, intensity and scale.
48A(3)	Approve terms and conditions determined by the administering body.	74	Only exercisable where the activity is provided for or contemplated in an approved management plan for the reserve or the activity is an existing use and the effects of the use will be the same or similar in character, intensity and scale.
49	Grant or decline to grant in writing any qualified person a right to take specified specimens of flora or fauna or rock mineral or soil from a reserve for scientific or educational purposes. Form opinion as to whether qualified person has the necessary credentials. Impose conditions on the grant in writing.	74	With regard to flora and fauna, the delegation is for exotic flora, and for exotic fauna which are not protected under the Wildlife Act 1953.
50(1)	Authorise or decline to authorise any person to take and kill any specified kind of fauna that may be found in any scenic or historic reserve. Authorise or decline to authorise the use of firearms, traps, nets or other like objects within reserve for the foregoing purposes.	74	The delegation is for non-protected exotic fauna only.
51(1)	Authorise or decline to authorise in writing an administering body to introduce indigenous flora or fauna or exotic flora into any scenic reserve for any of the purposes referred to in section 51(1). Impose conditions on the giving of the authorisation.	74	Authorisations can only be given if provided for or contemplated in an approved management plan for the reserve.

<b><u>SECTION</u></b>	<b><u>SUMMARY OF POWERS</u></b>	<b><u>O</u></b>	<b><u>LIMITATION OF POWERS</u></b>
52(1)	Declare by Gazette notice, that any 2 or more reserves, or parts of 2 or more reserves, or parts of one or more reserves and the whole of one or more other reserves, are to be united to form one reserve.	74	All affected reserves or parts of reserves must have the same administering body and must all either be vested in that body or all held under an appointment to control and manage.
54(1)	Give or decline to give prior consent to administering body, in the case of a recreation reserve vested in it, to grant leases for any of the purposes specified in paragraphs (a), (b), (c) and to grant a lease or licence for any of the purposes specified in paragraph (d) and to exercise all powers of the Minister referred to in the First Schedule that pertain to leases under s.54(1)(a), (b), (c) and (d). Give or decline prior consent to administering body permitting, in a lease, the erection of buildings and structures for sports, games or public recreation not directly associated with outdoor recreation. Consent or decline consent to variations or amendments to leases and consent to the carrying out of any other necessary actions arising out of the leases consistent with the First Schedule, Reserves Act.	74	The activity is an existing use and the effects of the use will be the same or similar in character, intensity and scale.
55(2)(d)	Give or decline to give prior consent to the setting apart of areas for, and the construction or development of, public facilities and amenities in scenic reserves.	74	Only exercisable where the activity is provided for or contemplated in an approved management plan for the reserve or the activity is an existing use and the effects of the use will be the same or similar in character, intensity and scale.
56(1)	Give or decline prior consent to administering body, in the case of a scenic reserve vested in it, to grant leases or licences for the purposes set out in s.56(1) and to exercise all powers of the Minister referred to in the First Schedule that pertain to leases under s.56(1)(a) and (b). Consent or decline consent to variations or amendments to leases and licences, and consent to the carrying out of any other necessary actions arising out of the leases and licences consistent with the First Schedule, Reserves Act.	74	Only exercisable where provided for or contemplated in an approved management plan for the reserve or the activity is an existing use and the effects of the use will be the same or similar in character, intensity and scale.

<b><u>SECTION</u></b>	<b><u>SUMMARY OF POWERS</u></b>	<b><u>O</u></b>	<b><u>LIMITATION OF POWERS</u></b>
56(2)	Give public notice in accordance with section 119 of the Reserves Act and give full consideration in accordance with section 120 to all objections and submissions.	74	Only exercisable where the activity is provided for or contemplated in an approved management plan for the reserve or the activity is an existing use and the effects of the use will be the same or similar in character, intensity and scale.
58A(1)	Give or decline prior consent to administering body, in the case of an historic reserve vested in it, to grant leases or licences for any of the purposes specified in that subsection.	74	Only exercisable where the activity is provided for or contemplated in an approved management plan for the reserve or the activity is an existing use and the effects of the use will be the same or similar in character, intensity and scale.
	Consent or decline consent to variations or amendments to leases and licences and consent to the carrying out of any other necessary actions arising out of the leases and licences, consistent with the First Schedule, Reserves Act.	74	Only exercisable where the activity is provided for or contemplated in an approved management plan for the reserve or the activity is an existing use and the effects of the use will be the same or similar in character, intensity and scale.
59A(1)	In accordance with Part IIIB Conservation Act 1987, grant or refuse a concession in respect of any reserve controlled or managed by an administering body under s.28 Reserves Act so that the administering body may apply Part IIIB as if references in that Part to a conservation area were references to such a reserve and references to the Minister of Conservation and to the Director-General of Conservation are references to an administering body.	74	Only exercisable where the activity is provided for or contemplated in an approved management plan for the reserve or the activity is an existing use and the effects of the use will be the same or similar in character, intensity and scale.
67(1)(b)	Consent or decline consent to lease of recreation reserve set apart for race course purposes, to a racing club.	74	Only exercisable where the activity is provided for or contemplated in an approved management plan for the reserve or the activity is an existing use and the effects of the use will be the same or similar in character, intensity and scale.
73(1)	Consent or decline prior consent to an administering body granting a lease of recreation reserve in the circumstances specified in s.73(1), where the reserve is vested in the administering body, and consent or decline prior consent to an administering body granting a lease in the circumstances specified in section 73(1) in all other cases.  Exercise all powers of the Minister referred to in the First Schedule that pertain to leases under s.73(1).	74	Only exercisable where the activity is provided for or contemplated in an approved management plan for the reserve or the activity is an existing use and the effects of the use will be the same or similar in character, intensity and scale.

<u>SECTION</u>	<u>SUMMARY OF POWERS</u>	<u>O</u>	<u>LIMITATION OF POWERS</u>
73(2)	Consent or decline prior consent to an administering body granting a lease of recreation reserve for afforestation where the reserve is vested in the administering body, and consent or decline prior consent to an administering body granting a lease of recreation reserve for afforestation purposes in all other cases. Exercise all powers of the Minister referred to in the First Schedule that pertain to leases under s.73(2).	74	Only exercisable where the activity is provided for or contemplated in an approved management plan for the reserve or the activity is an existing use and the effects of the use will be the same or similar in character, intensity and scale.
73(3)	Form opinion as to whether recreation reserve is not likely to be used for purposes of a recreation reserve. Consent or decline consent to administering body granting leases of whole or part of reserve vested in administering body. Grant or decline to grant leases of whole or part of a reserve held under an appointment to control and manage. Exercise all powers of the Minister referred to in the First Schedule that pertain to leases under s.73(3).	74	Only exercisable where the activity is provided for or contemplated in an approved management plan for the reserve or the activity is an existing use and the effects of the use will be the same or similar in character, intensity and scale.  Note: The provisions of Part IIIB Conservation Act apply (s.73(3A)(b))  Note: s.73(3A) (a) applies.
73(5)	Consent or decline consent in writing to a member of an administering body becoming the lessee of any land under the control of that body.	74	Only exercisable where the activity is provided for or contemplated in an approved management plan for the reserve or the activity is an existing use and the effects of the use will be the same or similar in character, intensity and scale.
73(6)	Consent or decline consent to surrender of lease.	74	Only exercisable where the original approval for the lease was given by the territorial authority under this delegation.
74(1)(b)(ii)	Consent or decline consent to granting of licence to occupy historic, scenic or scientific reserve.	74	Only exercisable where the activity is provided for or contemplated in an approved management plan for the reserve or the activity is an existing use and the effects of the use will be the same or similar in character, intensity and scale.
121	Where under the provisions of the Reserves Act consent or approval is required, give consent or approval subject to such conditions as are thought fit.	74	Only exercisable in respect of matters delegated under this Instrument of Delegation.

SIGNED at Wellington this )  
) )  
10th day of March 2004 )  
) )  
by CHRIS CARTER, )  
Minister of Conservation )

....."Chris Carter".....