

Lucy Elizabeth Williams Scenic Reserve 152-154 Marsden Road, Paihia



Introduction

This is the final adopted reserve management plan, setting out objectives and policies for the use, maintenance and protection of the Lucy Elizabeth Williams Scenic Reserve.

The final version of the plan should be viewed as a community document that provides certainty about the future function, development and management of this reserve.

This plan was prepared in accordance with the requirements of the Reserves Act 1977 (Section 41). Public notice of the draft management plan was published in Northern News dated 11 June 2014.

Background Information

Legal description

The Lucy Elizabeth Williams Scenic Reserve is a scenic reserve vested in Far North District Council located 152-154 Marsden Road, Paihia.

It is described as Lots 6-7 Deposited Plan 15984 and contained in CFR NA9D/445 and is 2021m². The land was classified as a scenic reserve and named in September 2013.

Land Acquisition history

The land was the former site of the Top of the Tide Motel. It was gifted to the Far North District Council by the motel owner Mr. John Williams for use as a scenic reserve in June 2013. The property was transferred to Council for a nominal fee and is named after Mr Williams' late mother Lucy Elizabeth Williams.

Mr Williams gifted the land as a place for people to relax and enjoy the view of the Bay of Islands. He believed the land would be more valuable to the community of Paihia as a reserve as time goes on.



Old motel buildings – demolished October 2013



Aerial of the site at the corner of Davis Crescent and 152-154 Marsden Road, Paihia

The land transfer agreement between Mr Williams and the Council contained the following covenants in respect of the reserve.

Other covenants in respect of the Reserve

- 6.4 Council agrees that it shall take all reasonable steps to ensure the following in respect of the Land:
- 6.4.1 the preservation of the existing Pohutakawa trees on the Land, and
 - 6.4.2 the prohibition of skateboards and other vehicles from the Land.
 - 6.4.3 The prohibition of any buildings on the Land other than a public toilet.
 - 6.4.4 Consultation with Mr Williams regarding the Landscaping Plan and Management Plan for the Scenic Reserve
 - 6.4.5 The prohibition of any commercial activity whatsoever on the Land

Reserves Act 1977

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

A scenic reserve 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 s19 of the Act applicable to the reserve are incorporated in the plan;

In terms of scenic reserves s19 (1) Reserves Act 1977 states:

(1) It is hereby declared that the appropriate provisions of this Act shall have effect, in relation to reserves classified as scenic reserves—

(a) for the purpose of protecting and preserving in perpetuity for their intrinsic worth and for the benefit, enjoyment, and use of the public, suitable areas possessing such qualities of scenic interest, beauty, or natural features or landscape that their protection and preservation are desirable in the public interest:

(2) It is hereby further declared that every scenic reserve classified for the purposes specified in subsection (1)(a) shall be so administered and maintained under the appropriate provisions of this Act that—

(a) except where the Minister otherwise determines, the indigenous flora and fauna, ecological associations, and natural environment and beauty shall as far as possible be preserved, and for this purpose, except where the Minister otherwise determines, exotic flora and fauna shall as far as possible be exterminated:

(b) the public shall have freedom of entry and access to the reserve, subject to the specific powers conferred on administering bodies by sections 55 and 56, to any bylaws under this Act applying to the reserve, and to such conditions and restrictions as the administering body considers to be necessary for the protection and well-being of the reserve and for the protection and control of the public using it:

(c) to the extent compatible with the principal or primary purposes of the retention and preservation of the natural or scenic values, open portions of the reserve may be developed for amenities and facilities where these are necessary to enable the public to obtain benefit and enjoyment from the reserve:

The land transfer agreement between Mr Williams and the Council contained the following condition in respect of a management plan:

Management plan

- 6.3 Council will, following the vesting of the Reserve in accordance with clause 6.1 above, take all reasonable steps to have a management plan in place for the Reserve (which plan for clarity will include a landscaping plan) pursuant to clause 41 of the Act, within one (1) year or the transfer of the Land to Council.

Consultation

The Reserves Act 1977 requires the Council to undertake a public consultation process whenever a reserve management plan is prepared.

Prior to developing the management plan consultation was undertaken with parents from the Paihia-Waitangi Kindergarten. A meeting was held and the kindergarten community were very positive about the provision of a park designed to cater for young children and their parents. A number of comments from parents have been considered when developing the management plan. These comments included:

- Use of natural materials to develop a play area that encouraged creative and imaginative play rather than installation of “off the shelf” play equipment.
- Using footpaths to create design elements
- The location of the play area at the rear of the site
- Providing footpaths that support children’s informal play
- Providing seating for parents
- Incorporating a Maori element into the park and playground design to reflect the area in which the park is located e.g. carvings

As required by the Act public notice was given stating that the draft plan was available for inspection and calling for submissions by 5.00pm on 25 July 2014

Vision

A vision is a broad statement of the future that the community wants to create for itself.

Mr William’s vision is based on a park he often visited when he was a younger. He would like to provide something similar for Paihia that is a local park for young children and their parents to enjoy.

His vision includes:

- hedging and/or fencing around the park
- formal entrances off Marsden Road
- a play area at the rear that encourages parents and other adults to relax while using the balance of the park

The management plan vision is::

The Lucy Elizabeth Williams Reserve is a gift for community and is a local park that is well used by local and visiting families and is safeguarded for all those who come after us.

Objectives and policies

The objectives and policies of the management plan have been developed to achieve the community's vision and to comply with the conditions of the transfer of the land to the Council.

They must also ensure the reserve is managed and developed as a scenic reserve being the purpose for which it is classified requiring;

“Protecting and preserving in perpetuity for its intrinsic worth and for the benefit, enjoyment, and use of the public the qualities of scenic interest and beauty.”

Landscape

Objective

To maintain and enhance the landscape character of the park where it will not compromise the scenic interest and beauty of the site.

Policies

1. The view shaft to the Bay of Islands shall be retained as part of any planting plan or future development
2. There should be a balance between planted areas, specimen trees and areas of open space taking into account the various functions of the park.
3. The landscape design of the park should develop and enhance the general locality.
4. An improved landscape plan should form the basis of any future development in the park.

Vegetation

Objective

To develop and maintain planting on the park which enhances the general environment, defines the boundaries of the park and meets the functional requirements.

Policies

1. Consideration should be given to the provision of shelter from wind shade from the sun and food shelter for birds.
2. Species planted in the park should be predominantly native.
3. Planting adjacent to public use areas should take into account the safety of park users.
4. Any planting programme shall be designed so as not to detrimentally affect adjoining residents.
5. An approved planting programme shall be adopted that provides screening of fences and retains the view shaft to the Bay.
6. Trees shall be maintained in accordance with the standards and techniques of approved arboriculture practice.

7. Any trees to be removed should be subject to Council's Tree and Vegetation Policy and the approval of the Community Services Manager.

Cultural Values

Objective

To consult with Tangata Whenua with regard to the development of the park.

Policies

1. It is recognized that there is a Maori view of the land and the relationship of people to the land. To the Tangata Whenua the spiritual and physical qualities of the land are inseparable and it is not appropriate to attempt to define these values in this document except to say that they are recognized and respected.

Public & Recreation & Use

Objective

To provide recreational opportunities that are appropriate to the vision of the park and to encourage the public to make appropriate use of the park and available facilities.

Policies

1. The park will be open from dawn to dusk except in extraordinary circumstances.
2. The design of the park will encourage children to play at the rear of the park and adults to be able to sit on appropriately located furniture between the play area and the Marsden Road pedestrian entrances.
3. Recreational activities which are casual, non-commercial and which do not compromise the enjoyment of other park visitors are permitted as of right on the park.
4. Activities that do not meet the above criteria require the permission of Council.
5. Use of the park will be governed by Far North District Council by-laws.

Children's Play

Objective

To provide for creative and diverse play opportunities for small children.

Policies

1. Play areas will maximise the use of natural materials and provide for opportunities creative play. Guidance will be provided by the Paihia-Waitangi Kindergarten and Paihia Early Childhood Centre.
2. Where play equipment is provided it shall be in compliance with NZS 5828.
3. A designated children's play area will be provided at the rear of the site and will have regard to orientation to the sun, shelter from the wind and be clearly visible to the public.
4. Informal play opportunities will be encouraged through the design and layout of the balance of the park and may include water features.

Dogs

Objective

To manage and control dogs to ensure they do not create a danger or nuisance to visitors.

Policies

Dogs are not permitted in the park.

1. Removal of faeces is the responsibility to the dog owner.
2. Dogs and their owners shall comply with the relevant Council by-laws.
3. Dogs shall be excluded from areas of plantings, the children's play area and other special features in the park.

Commercial Activity

Objective

To comply with the conditions of land transfer no commercial activity shall be undertaken on the park

Policies

1. No commercial activity shall be permitted on the park

Building & Other Structures

Objectives

To ensure the provision and maintenance of buildings necessary for the proper use of the park and to ensure that these structures are of a design and scale appropriate to the park environment.

Policies

1. In general the only building permitted shall be a public toilet facility where it is deemed necessary for the full and proper use of the park.
2. Any proposed toilet must be ancillary to other nearby facilities and not the main toilet facilities for the area
3. Any proposals for a public toilet shall take account of the following:
 - a. The possible increased demand for car parking in or adjacent to the park and the effects of this on the environment.
 - b. The effect on the convenience to and the safety of park users.
 - c. The effect on the adjoining land owners
 - d. The position and design for good natural light, ventilation and ease of cleaning and minimizing damage from vandalism
 - e. The external material, colour scheme, and associated landscape
4. The location and design must be approved by the Council to ensure the facility is appropriate design and scale for the park.
5. Any building approved shall be suitably maintained so that it serves its function and exhibits an appropriate aesthetic appearance.

Vehicle Access

Objective

To provide for authorised vehicle access to the park for maintenance purposes..

Policies

1. Council vehicles and other vehicles authorised by Council shall have access to the parts of the park where their use is necessary.
2. Physical controls on vehicle movements such as barriers, fences, hedges and bollards shall be constructed where appropriate.

Pedestrian & Cycle Access

Objective

To provide for and to maintain suitable pedestrian and cycle access to and in the park

Policies

1. Pedestrian access shall be provided for through two gates at the Marsden Road frontage.
2. Paths may be developed with a design element as provided for in the landscaping plan.
3. Cycle stands shall be provided outside of the Marsden Road entry where there is a proven need for stand facilities.
4. Paths will be developed to encourage and support young children to learn and to enjoy riding their bikes.

Signs

Objective

To provide suitable information for park users so they are able to enjoy the park safely and to limit inappropriate activities.

Policies

1. Signs shall be of a robust design sensitive to the nature of the surrounding area.
2. The number of signs shall be kept to a minimum necessary to provide information about the facilities on the park and to help promote appropriate use as well as safety and enjoyment.
3. Signs shall be located so as not to become dominant features and not to detract from the parks scenic qualities.

Park Furniture (excluding signs)

Objective

To provide sufficient seats, tables and litter bins of a design appropriate to the park.

Policies

1. All park furniture shall be of a design appropriate to their surroundings.
2. Seating facilities should be placed in key locations and have regard to orientation to the sun, shelter from the wind and be clearly visible to the public.
3. Litter bins of an appropriate design should be located where litter could become a problem.

Utility Services

Objective

To provide services to the facilities in the park, while minimizing the impact of utility services.

Policies

1. Where possible utility services for park facilities should be placed underground.
2. The placement of such services underground should be carefully sited with regard to existing features such as trees.
3. Where possible sites other than parks should be sought for utility services.

Vandalism

Objective

To minimize the opportunities for vandalism by positive control wherever possible.

Policies

1. Low impact controls such as vehicle barriers, low walls and other aspects of design and layout shall be used to reduce opportunities for vandalism.
2. Regulatory signage shall be kept to a minimum.
3. Suitable lighting will be installed should anti-social behaviour become an issue.
4. Crime Prevention through Environmental Design [CEPTED] principles will be used to minimise vandalism opportunities.

Boundaries and Fences

Objective

To define the boundaries of the park to control entry and to provide a safe place for children to play.

Policies

1. The boundaries of the park will be defined by hedges and/or fences as shown in the landscape plan.
2. To strive for low hedging which provides an opportunity for passive surveillance from adjoining neighbours as well as park users.

3. The transition between roads and parks will be such that the park makes a positive visual contribution to the urban environment.
4. Where boundaries are not clear, the survey pegs shall be located and the legal boundaries of the park clearly defined.

Adjacent land use

Objective

To develop and maintain the park in a manner which respects the adjacent land use.

Policies

1. Where considered necessary, Council will liaise with adjacent landowners with regard to proposed or existing activities on parks.



