

11.2 RESERVE MANAGEMENT PLAN REVIEW AT TĪTAHI BAY BEACH - REQUEST TO CONSULT

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KAUPAPA

PURPOSE

To seek approval to notify the Council's intention to carry out a review of the Porirua City Reserve Management Plan, specifically the reserve information, policy, and planned outcomes for Arnold Park and Tītahi Bay Beach Reserves, as part of the Tītahi Bay Beach Master Planning Project.

NGĀ TŪTOHUTANGA

RECOMMENDATIONS

That the Council | Te Kaunihera o Porirua:

1. Receive the report.
2. Agree to undertake a comprehensive review of aspects of the Porirua City Reserves Management Plan, specifically a review of the reserve information, policy, and planned outcomes for Arnold Park and Tītahi Bay Beach Reserves.
3. Agree that written suggestions from interested persons or organisations in accordance with section 41(5) of the Reserves Act 1977 will assist the Council with preparing a draft RMP and directs the Chief Executive to give public notice complying with section 119 of the Reserves Act 1977 that the Council, as the administering body for Arnold Park and Tītahi Bay Beach Reserves, intends to notify its intention to review parts of the Reserves Management Plan, and invite written suggestions on the review from interested persons or organisations.

Reports contain recommendations only. Refer to the meeting minutes for the final decision.

HE WHAKAMĀRAMA

BACKGROUND

1. A community safety audit was carried out at Tītahi Bay Beach in 2021, following concerns from residents regarding community safety and anti-social behaviour at Tītahi Bay Beach. The audit, involving community members, was to identify issues and solutions that would address safety concerns.
2. At the time of undertaking the community safety audit, Council was also carrying out a review of the Transport Bylaw, which included addressing the issue of cars on the beach. A collaborative approach was taken to allow the community to easily participate in both processes.
3. The Tītahi Bay Beach Master Planning Project is proposed to re-engage with the community following the community safety audit and Traffic Bylaw review and look at longer-term planning for Tītahi Bay Beach and its environs.
4. This Project aims to create a series of development plans for the Tītahi Bay Beach, encompassing Council reserves, namely Arnold Park and Tītahi Bay Beach Reserves. The

outcomes of the planning will be transferred to the LTP 2024-54 for implementation and funding.

5. As part of the Tītahi Bay Beach Master Planning Project, it is proposed to carry out a comprehensive review of parts of the Porirua City Reserves Management Plan (RMP). Part 5 of the RMP covers the reserve information, policy, and planned outcomes for each reserve managed by Council.
6. The sections of the RMP that are proposed to be reviewed are the reserve information, policy, and planned outcomes for the two Council reserves that are included in the Master Planning Project area – Arnold Park and Tītahi Bay Beach Reserves.
7. This approach will enable any changes to the two Reserves as part of the Master Planning Project to be reflected in the Reserve Management Plan (RMP). It also ensures that consultation on the future development and management of Tītahi Bay Beach is carried out in an integrated way that makes sense to the community.
8. Section 41 of the Reserves Act 1977 (RA) sets out the process for the review of a reserve management plan. Upon determining that a comprehensive review is required, there are two engagement and consultation phases: the first receives suggestions and opinions prior to the management plan being prepared, and the second consults on the draft management plan. The consultation is to be carried out in accordance with sections 119 and 120 of the RA.
9. To begin this process the Council must advertise its intention to prepare a management plan under section 41(5) of the Reserves Act 1977 (the Act) and seek views and ideas from the community. This report seeks permission to begin this process.

NGĀ MATAPAKI ME NGĀ KŌWHIRINGA

DISCUSSION AND OPTIONS

Introduction

10. In carrying out the RMP review process alongside the Tītahi Bay Beach Master Planning Project, Council will be able to reflect any changes to how Arnold Park and Tītahi Bay Beach Reserves are managed in the RMP.
11. Section 41 of the RA sets out the process around making these changes. The Council is required to determine whether to undertake a comprehensive review under section 41(8). In this case, a comprehensive review is proposed, as the future management for Arnold Park and Tītahi Bay Beach Reserves may change considerably because of the Master Planning Project. This needs to be reflected in the RMP for consistency and to ensure implementation.
12. This report seeks the Council's agreement to begin the process by notifying Council's intention to carry out the comprehensive review. This part of the process is to request suggestions and opinions from the community. These will be considered in the preparation of the draft updated sections of the RMP. There is no requirement for a hearing at this point. When this step is completed, the draft will be reviewed by the Council and then made available for consultation in accordance with section 41(6) of the RA. The Council will then hear submissions at a formal hearing.
13. The Council can determine that the initial consultation under section 41(5) would not materially assist in the preparation of a draft reserve management plan. However, this initial idea-gathering phase is important as it is a way for Council to capture the community's aspirations for the future management of Arnold Park and Tītahi Bay Beach Reserves and integrates the RMP review process with the wider Master Planning Project.
14. The public notification is proposed to be carried out in January/February 2023. This will be carried out at the same time as the initial engagement for the wider Tītahi Bay Master Planning Project. Information regarding the intention to amend the RMP will be notified in the Kapi Mana, on the Porirua City Council website, and social media pages. Information will be

made available in the Council building foyer and at the main Council library. This satisfies the formal notification requirements of section 119 of the RA.

15. Initial engagement for the wider Master Planning Project will include a feedback survey. It is proposed to include a question about future management of Arnold Park and Tītahi Bay Beach Reserves in this survey. This will enable the capturing of views on the RMP review from a broader range of people than purely using formal notification processes.
16. This is a review only of sections of the RMP relating to Arnold Park and Tītahi Bay Beach Reserves, and not a review of policy in other sections of the RMP. The opportunity to change policy will come when a full review of the RMP is done, scheduled for 2023.

Options

17. Running the RMP review for Arnold Park and Tītahi Bay Beach Reserves in conjunction with the wider Tītahi Bay Beach Master Planning Project will ensure that consultation is done in an integrated and collaborative way and ensures consistency across the Reserves Management Plan and Tītahi Bay Master Plan.

Option One

18. Option One is for Council to approve the Recommendation, which is to agree to carry out a comprehensive review, to agree that written suggestions from interested persons would assist in preparing a draft RMP, and to give public notice of Council's intention to review the reserve information, policy, and planned outcomes for Arnold Park and Tītahi Bay Beach Reserves, and seek suggestions on the review from interested persons or organisations, in accordance with section 41(5) of the Reserves Act 1977.
19. This will allow the community to make suggestions on the Reserve Management Plan review of Arnold Park and Tītahi Bay Beach Reserve, and for the consultation to be carried out in a manner that is integrated and consistent with the wider Tītahi Bay Beach Master Planning Project.
20. A disadvantage of this approach is that Arnold Park and Tītahi Bay Beach Reserves will not be included in the wider RMP review to be carried out in 2023.

Option Two

21. Decline the request to carry out a comprehensive review and give public notice. This will mean that the RMPs for Arnold Park and Tītahi Bay Beach will not be reviewed alongside the Tītahi Bay Beach Master Planning Project.
22. The RMPs for Arnold Park and Tītahi Bay Beach would be included in the wider RMP review in 2023.
23. The disadvantage of this approach is that the RMP reviews for the two Reserves are decoupled from the Tītahi Bay Beach Masterplan. This presents a risk that the future RMPs for the two Reserves may not be consistent with the future Tītahi Bay Beach Master Plan.

Recommended Option

24. Option One is recommended as it would enable the RMP sections covering Arnold Park and Tītahi Bay Beach Reserves to be considered as part of the Tītahi Bay Beach Master Planning Project. The disadvantage of this approach is considered minor relative to the benefits that integrated engagement and notification processes would provide.

KŌRERO WHAKAKAPI

CONCLUSION

25. This report proposes that the Reserves Management Plan for Arnold Park and Tītahi Bay Beach Reserves be reviewed as part of the proposed Tītahi Bay Beach Master Plan. The first step of the RMP review process under the Reserves Act 1977 is to publicly notify Council's intention to carry out such a review and seek views from any person or group who is interested.

NGĀ MŌHIOHIO TAUTOKO SUPPORTING INFORMATION

E TINO WHAI WĀHI ANA KI TE AHUNGA RAUTAKI A TE KAUNIHERA CONTRIBUTION TO COUNCIL'S STRATEGIC DIRECTION

The issues in this report could contribute to the strategic priorities of:

- a. Investing in 3 waters infrastructure and catchment restoration
- b. Proactively responding to the climate crisis
- c. Advocating for and providing a safe, healthy, and thriving community
- d. Putting children and young people at the heart of the city

The RMP review proposed in this report could potentially touch on all four of Council's strategic priorities, depending on what suggestions are received through the public notification process.

NGĀ WHIRIWHIRINGA Ā-PŪTEA FINANCIAL CONSIDERATIONS

Cost

The costs associated with this initial public notice will include advertising costs in the order of \$700 and officer time.

Financial Implications and Funding Source

No financial implications result from the matters raised in this report.

The costs of this proposal will be met from Parks & City Services' operational budgets.

Ongoing Cost

There are no ongoing costs associated with this proposal.

Financial Prudence Benchmarks - (if required)

Not required.

NGĀ WHAKARITENGA Ā-TURE STATUTORY REQUIREMENTS

Section 41 of the RA sets out the process around carrying out a review of a reserve management plan these changes. Under section 41(8), the Council first determines whether to carry out a comprehensive review of a reserve management plan. If this determination is made, then public consultation in accordance with sections 41(5) and 41(6) can proceed.

Section 41(5) of the RA sets out the first public consultation step, as follows:

Before preparing a management plan for any 1 or more reserves under its control, the administering body shall

- (a) *give public notice of its intention to do so; and*
- (b) *in that notice, invite persons and organisations interested to send to the administering body at its office written suggestions on the proposed plan within a time specified in the notice; and*
- (c) *in preparing that management plan, give full consideration to any such comments received.*

When this step is completed, Council officers will re-draft the RMP sections covering Arnold Park and Titahi Bay Beach Reserves. These will be returned to Council for review before being consulted on for a period of two months, in accordance with section 41(6) of the RA. The Council will then hear submissions from the public at a formal hearing.

The Council must also consider whether the first public notification step under section 41(5) would ‘*materially assist*’ in the preparation of a draft reserve management plan. Council officers consider that in this case, public notification would materially assist in the preparation of draft management plans for the two Reserves and would enable better integration and collaboration with The Tītahi Bay Beach Master Planning Project. This step is done under section 41(5A) of the RA.

NGĀ ORANGA E WHĀ

FOUR WELL-BEINGS

The proposal will potentially contribute social, environmental, cultural, and economic benefits. The form of these benefits will depend on the suggestions received through the public notification process.

TE WHAKAMANA I NGĀ MĀTĀPONO O TE TIRITI

RECOGNITION OF TREATY PRINCIPLES

There are no Treaty considerations directly related to this application. Te Rūnanga o Toa Rangatira will be approached directly for comment on the RMP review proposed in this report.

HIRANGA

SIGNIFICANCE

The decision outlined in this paper does not trigger the Council’s Significance and Engagement Policy. However, the proposal is linked with the Tītahi Bay Beach Masterplan Project, and will impact how Arnold Park and Tītahi Bay Beach Reserves are managed in future.

TE KŌRERORERO TAHI ME NGĀ WHAKAWHITIWHITI KŌRERO

ENGAGEMENT AND COMMUNICATIONS

There are statutorily-required public notification processes to carry out a review of the RMP, as outlined earlier in this report.

Communications and engagement around this proposal will be integrated with the communications and engagement for the Tītahi Bay Beach Master Planning Project. This wider engagement will involve a range of approaches and methods to be used across the Project.

NGĀ ĀPITI HANGA

ATTACHMENTS

Nil