

Notice territorial authority's requirement for designation or alteration of designation

[Sections 168A](#), and [181\(4\)](#), Resource Management Act 1991

Selwyn District Council gives notice of a requirement to add a new designation.

1. The site to which the requirement applies is as follows:

Name: Weedons Domain

Address: Maddisons Road, Weedons

Legal Description: Reserve 1453; Reserve 2357; Reserve 1596; Lot 2 DP 27650.

Area: 37.4467 hectares

2. The nature of the proposed public work (*or* project or work) is:

(a) Description of the type of the designation:

Recreation and Community Facility

(b) *Description of the Scope of work:*

a. *Purpose*

- i. To provide for recreation activities including organised sports games, children and youth play and informal recreation use.
- ii. To provide for community facilities including a community pavilion for recreation and social activities and meetings.
- iii. To provide community infrastructure to support the recreation activities including sports grounds, sports courts, playgrounds, roadways and carparks.

b. *Scope of Work*

- i. The scope of work is to provide land and associated infrastructure and facilities for the provision of recreation and community facilities. Specifically this includes:
 - 2 cricket ovals (1 senior and 1 junior)
 - tennis courts (3)
 - golf course
 - community pavilion
 - playground
 - car parks and roadways
 - park furniture
 - fencing (internal and boundary)
 - other recreational facilities and equipment
 - shelter and amenity planting

c. *Scale*

- i. All work will be conducted within the area identified on the attached map.
- ii. No increase in the scale or intensity of activity on this site for recreation reserve purposes is anticipated.

3. The nature of the proposed conditions that would apply are:

(a) The following standards will apply for any new development to mitigate any potential adverse effects on the environment:

- (i) Setback from road

- (ii) Separation from neighbours
- (iii) Height
- (iv) Outdoor storage
- (v) Recession planes
- (vi) Site coverage
- (vii) Surfacing
- (viii) Glare
- (ix) Noise
- (x) Construction noise
- (xi) Parking
- (xii) Heritage

The above standards are set out in full in Attachment 3.

4. The effects that the public work (*or project or work*) will have on the environment, and the ways in which any adverse effects will be mitigated, are:

(a) Existing reserves and activities

In general terms lawfully established recreation reserves, the facilities located on them and the activities that occur on them form part of the existing environment and any changes will be incremental. Only the environmental effects of significant changes to a recreation reserve should be considered, not environmental effects as if the whole recreation reserve is a new activity.

Reserve land at Weedons was in operation in 1856 and the Weedons Cricket club is one of the oldest Cricket Clubs in New Zealand founded in 1879. Weedons Country Club first leased the land from the Weedons Domain in 1966 and leased further land in the late 1960's to establish 18 holes. Recreation activities have, therefore, been operating on this reserve for a significant time.

The clubs currently operating out of the domain include cricket, tennis and golf, there is also a basketball hoop and playground for informal recreation. Recreation reserve use has been analysed and shows a high level of sporting use and moderate level of passive use with usage likely to increase incrementally over time. There is also a community pavilion on the domain that serves the local community. This building replaced an old pavilion and was opened in 2018. This building was approved under resource consent 175624.

The Weedons Country Club occupies a substantial portion of the reserve area for golf course purposes under a lease agreement.

(b) Character and amenity

Weedons Domain is bounded by rural residential properties to the west and east, and there are a number of mature trees, hedges and open grass areas throughout the Domain that provide shelter and amenity values. Many of the plantings are associated with the golf course. The Domain provides for a large tract of open green space that complements the surrounding rural environment.

The buildings and structures located on the Domain are designed to be functional and utilitarian with a scale that is in keeping with the rural setting. The existing buildings cover approximately 0.06% of the site area. Hard surface areas are provided for car parking, road ways, paths and sports courts. These currently cover around 1% of the total site area.

(c) Noise

Activities that occur on the site will generate noise from time to time and this relates to:

- Noise from games and sports being played including practice sessions

- Noise from social activities in the club rooms and facilities
- Noise from vehicles visiting the site including engine noise and car doors opening/closing

The noise generated from the activities on the site will be of a type and level that commonly occurs and is generally acceptable within the rural environment. Given the reserves rural location, low residential density and greater distance between neighbours any adverse effects associated with noise will be minor and unlikely to cause nuisance to surrounding neighbours.

Effects of noise on the site can be mitigated by restricting activities between certain hours and ensuring noise levels do not exceed typical residential standards. Mitigation will occur via the proposed conditions for noise that specifically apply to this designation.

(d) Light Spill, Glare and Sky Glow

There are three main types of obtrusive or adverse lighting effects that can cause nuisance to nearby residents, users of adjacent areas and to astronomical observation. These are:

- Glare
- Upward Waste Light (Sky Glow)
- Spill Light

Overhead floodlighting is not used to illuminate the sports fields and courts for training and game purposes at Weedons Domain. Other forms of lighting are provided for security of buildings, roadways and car parks. Such lighting can create light spill and glare for neighbouring properties that may adversely affect surrounding residential amenity values. Light glare may also affect the safe and efficient operation of roads. In addition lighting required for recreation reserve activities may result in upward waste light being produced.

The effects of light spill and glare on neighbouring properties and the road network can be mitigated by directing exterior lighting away from adjacent properties and roads, restricting activities between certain hours and ensuring light spill does not exceed lux levels appropriate to a rural environment. Upward waste light can be managed by careful luminaire selection and site orientation. However, there will always be some reflected light contributing to sky glow that cannot be fully controlled or mitigated.

The effects from this lighting have been present for some time and are an existing part of the environment. Given the Domain's rural location, low residential density and greater distance between neighbours any adverse effects associated with lighting will be minor and unlikely to cause nuisance to surrounding neighbours.

If additional or new lighting (beyond what is already existing) is to be installed at Weedons Domain mitigation will occur via the proposed conditions for lighting that specifically apply to this designation.

(e) Transport/parking

The activities occurring on Weedons Domain will generate traffic movements and the need to provide on-site car parks to cater for vehicle numbers. This relates to:

- Visitors, spectators and players arriving/leaving for sports games and practices
- People arriving/leaving for use of the club rooms/community pavilion for social occasions (after-match functions, meetings etc.)
- Casual users of the Domain for informal recreation or use of facilities
- Vehicles undertaking maintenance activities on the Domain

Generally high numbers of vehicle movements and the need for car parking will occur for intense periods around weekend sport (especially Saturdays), week night uses for practice or games (e.g. cricket), golf tournaments and social functions occurring in the club rooms/community pavilion. This may create adverse effects for users of the roads near the Domain and surrounding residents where on-street parking occurs.

The number of vehicle movements per day will exceed the permitted limits defined for residential areas in the Operative District Plan 9.13.1 - Permitted Activities — Activities and Vehicle Movements.

The adverse effects of this are mitigated by:

- Provision of formed car parks for on-site car parking spaces to service the cricket/tennis/community pavilion uses and a separate car park for the golf club
- Overflow car park spaces on grassed areas
- On-street parking along the frontage of Maddisons Road or McClelland Road.

The effects of vehicular traffic related to the activities on the Domain have been present for some time and form an existing part of the environment. Should new activities occur that generate an increase in the scale or intensity of vehicular traffic at the Domain the effects will be assessed and mitigated via the proposed conditions for transport that specifically apply to this designation.

(f) Effects associated with the proposed use

Generally the effects associated with the proposed use are covered in the sections above (character/amenity, noise, light spill/glare/sky glow, transport/parking). There are some additional effects of the activity that have been identified. These include:

- Effects of machinery used for maintenance activities – may generate noise or create a hazard to users.
- Effects of maintenance works such as field releveling that may create dust.
- Effects of maintenance works where pest control or agrichemicals are used.
- Effects of fertiliser use on playing fields.
- Effects of storm water runoff from car park and hard standing areas.
- The necessity to store hazardous goods on site (compressed gas).

These effects are existing and form part of the current environment. Mitigation of adverse effects will occur via the proposed conditions that apply to rural recreation reserves or may be regulated through the Canterbury Land and Water Plan.

(g) Benefits of the Activity

Weedons Domain is a focal point for recreation and community activities in the township and provides the following benefits:

- A venue and facilities for the community to participate in a range of sport and recreation activities (sports and active recreation activities as well as informal recreation opportunities) which supports the health and well-being of residents.
- Forms part of a network of sports parks to meet the need of organised sports matches and practice.
- A community hub that brings people together for recreation and social activities and helps to facilitate a sense of community and social connectedness.
- Provides relief to the surrounding built environment by providing a large tract of open green space.
- Provides space for enhancing the landscape environment with gardens, trees, and grassed areas and contributes to the attractiveness of the township.
- Provides environments that help to enhance the bio-diversity of the district and creates green corridors for birds and animals.
- Draws people to the township to utilise the facilities on the Domain with indirect economic benefits to local businesses.

5. Statutory Assessment

The following is relevant to this activity:

Reserves Act 1977 and specifically s.17 (1) – Recreation Reserves

It is hereby declared that the appropriate provisions of this Act shall have effect, in relation to reserves classified as recreation reserves, for the purpose of providing areas 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.

And, s. 40 (1) Functions of administering body

The administering body shall be charged with the duty of administering, managing, and controlling the reserve under its control and management in accordance with the appropriate provisions of this Act and in terms of its appointment and the means at its disposal, so as to ensure the use, enjoyment, development, maintenance, protection, and preservation, as the case may require, of the reserve for the purpose for which it is classified.

Other sections of specific relevance include: s. 41 Management Plans; s. 53 Powers (other than leasing) in respect of recreation reserves; s. 54 Leasing powers in respect of recreation reserves (except farming, grazing, or afforestation leases).

Operative Selwyn District Plan

The following extracts from the Selwyn District Plan are relevant to recreation reserves located in the rural zone and particularly Weedons Domain.

Recreation areas and reserves are listed as 'Community Facilities' in the Rural Volume of the District Plan refer section **B2.3 - Community Facilities and Recreational Areas - Issues**

Community facilities include land, buildings, equipment and services available to local communities for a range of activities, with or without a charge. They include: meeting halls, places of worship, schools, **recreation areas and reserves**, emergency services, and cemeteries.

The District Plan notes a number of issues in relation to community facilities that are especially relevant to recreation reserves such as Weedons Domain.

Access to community facilities is important to foster a sense of community or association in an area; and to meet people's expectations to have access to community facilities.

Community facilities bring benefits to residents. It is desirable to have them located in or close to residential areas, so that not only are they easily accessible to residents in the townships, but they are sited close to the communities they serve including in living areas, in locations providing easy access to the public. Some community facilities can have adverse effects on the environment, particularly the amenity values of residential areas. For example:

- Noise and lighting from functions at night can disturb sleeping residents.
- Inadequate access and car parking can cause traffic congestion and loss of privacy for neighbours.
- If community facilities are located across main roads or railway lines from the township, they can create traffic hazards for both residents trying to get to them and motorists or trains using the road or railway line.
- If buildings or grounds are not adequately maintained, they can have adverse visual effects on the neighbourhood.

Community facilities are not anticipated to cause nuisance effects to surrounding residents in the rural area, because of the lower levels of residential density and distance between neighbours. The Rural zone rules for noise, night lighting, carparking, recession planes et cetera apply to community facilities.

Community Facilities (and Reserves) - Strategy, Objectives, Policy and Methods

The Rural Volume of the District Plan uses the following basic strategy to address issues with community facilities and recreational areas:

- The District Plan provisions recognise community facilities as part of the rural area and do not restrict the multiple use of community facilities.

Objective B2.3.1

Efficient use and maintenance of community facilities is encouraged.

Objective B2.3.1 is to encourage the use of existing community facilities in the rural area. The District Plan does this by recognising community facilities as part of the rural area; and ensuring policies and rules do not unnecessarily hamper the multiple use of community facilities.

Policy B2.3.1

Recognise community facilities as part of the rural environment and encourage new uses for existing community facilities.

Explanation and Reasons

Community and recreational facilities are part of the rural area. Their ongoing use is important to foster the identity of local communities and to ensure the efficient use of the community's assets. Policy B2.3.1 recognises community facilities in the rural area and encourages their on-going use. The role of the District Plan is limited, in this regard, to ensuring there are no unnecessary restrictions in the rules, to changing the use(s) of community facilities. This is achieved by avoiding 'catch all' rules that make any community facility require a resource consent.

Method

District Plan Rule Structure

Permitted activities

Policy B2.3.2

Exempt community facilities from site coverage requirements in the rural area.

Explanation and Reasons

The District Plan provisions impose a maximum site coverage for buildings on sites in the Rural zone. The purpose is to maintain rural character – the dominance of open space and vegetation cover over buildings. Policy B2.3.2 exempts community facilities from site coverage provisions. The reason is to reduce the cost of buying and maintaining sites for community facilities.

There are a limited number of community facilities in the rural area, so the exemption is unlikely to cause a cumulative adverse effect on rural character.

Method

District Plan Rules

Policy B2.3.3

Encourage new community facilities to:

- (a) Be located in or adjoining townships; and
- (b) Be designed and sited for easy access and personal safety of patrons.

Explanation and Reasons

New community facilities are encouraged to be located in or adjoining townships so they can serve a larger population base. While the population in the rural area is increasing, the District Plan policies encourage most new residential development to occur in and around townships. A study carried out for the Council (Barber: 2000 – Demand for Small Allotments in the Rural Area) suggests that by 2020 most residential growth will be in and around townships (see Section B4.1).

New community facilities need to be accessible to residents in the District, including children and people who do not have full mobility. Community facilities need to be designed and well-lit so people feel safe visiting them.

Methods

Asset Management Plans

- Design, layout of Council owned facilities
- District Plan Rules

- Subdivision – discretion over facilities to vest in the Council Advocacy
- Encourage community organisations to incorporate these ideas in designing community facilities.

Community Facilities and Recreational Areas – Anticipated Environmental Results

The following environmental results are expected to occur from implementing Section B2.3:

Community facilities are more utilised in the rural area.

The Operative District Plan Strategy, Objectives, Policy and Methods support the provision of community facilities such as cemeteries in the rural zones and seek to encourage use and recognise that they are part of the rural environment.

Operative District Plan Rules

The following District Plan Rules may apply to Weedons Domain:

- 4.2 Buildings and landscaping
- 4.7 Building and site coverage
- 4.9 Buildings and building position
- 4.17 Fences adjoining reserves
- 5.2 Vehicle accessways
- 5.3 Vehicle crossings
- 5.5 Vehicle parking and cycle parking
- 7.1 Outdoor signs – general
- 8.1 Storage of hazardous substances
- 10.6 Activities and noise
- 10.7 Activities and light spill
- 10.8 Activities and scale of activities
- 10.9 Activities and hours of operation
- 10.10 Activities and the outdoor storage of material and goods

District Plan Review

The Operative District Plan is currently subject to review process. Topics of the review that will have particular relevance to the designation for Weedons Domain include:

- Community and recreation facilities
- Light spill, glare and sky glow provisions
- Noise provisions
- Transport and parking provisions
- Living zone provisions

Selwyn District Council Parks and Reserves Bylaw (2009)

This bylaw has provisions for managing and controlling some activities on the Domain concerned with environmental effects. Specifically this relates to the following sections of the bylaw:

- s.6. Behaviour in Parks and Reserves
- s.7. Conduct in Facilities
- s.8. Vehicle Controls within Reserves
- s.11. Camping
- s.12. Aircraft and Drones

s.13. Organised Sports Games

As there is a bylaw in place which already regulates some matters these are not required to be managed through conditions on the designation and would be an unnecessary duplication of regulations.

Canterbury Regional Policy Statement

The key reference in the Regional Policy Statement to recreation and community facilities is related to the policy on regional growth.

5.3.1 Regional growth (Wider Region)

To provide, as the primary focus for meeting the wider region's growth needs, sustainable development patterns that:

1. ensure that any
 - a. urban growth; and
 - b. limited rural residential developmentoccur in a form that concentrates, or is attached to, existing urban areas and promotes a coordinated pattern of development;
2. encourage within urban areas, housing choice, **recreation and community facilities**, and business opportunities of a character and form that supports urban consolidation;
3. promote energy efficiency in urban forms, transport patterns, site location and subdivision layout;
4. maintain and enhance the sense of identity and character of the region's urban areas; and
5. encourage high quality urban design, including the maintenance and enhancement of amenity values.

Land and Water Regional Plan

The following region-wide rules (section 5) of the Canterbury Land and Water Regional Plan may apply to activities undertaken on Weedons Domain. This mainly relates to maintenance and operational activities such as weed and pest control, sports turf management and storm water management of car parks.

- Pest Control and Agrichemicals s.5.20 - 5.23
- Fertiliser Use s.5.65, 5.66, 5.67
- Stormwater s. 5.93A-5.97

5. Alternative sites, routes and methods that have been considered to the following extent:

The requiring authority has a long-standing existing interest in the land required for the designation. The works being designated are existing and have been operating for some time. The works provided for by the designation will not result in any significant adverse effects on the environment. It is therefore not necessary to consider alternatives.

6. The public work (*or* project or work) and designation (*or* alteration) are reasonably necessary for achieving the objectives of the requiring authority because:

The purpose of the designation is to provide a large tract of public open space with associated facilities to enable sports, recreation and community activities to occur in order to meet the needs of residents in the Weedons Township and the wider locality. This work is necessary to be able to provide opportunities for participation in sports, recreation and social activities to support the health and well-being of the Weedons community.

The Council's **2018-28 Long Term Plan** notes the following in relation to recreation reserves which forms part of the Community Facilities Activity: *"Council involvement in the Community Facilities Activity is considered to be an essential component required to promote community wellbeing in the district. Involvement in this activity contributes, in some way, to achievement of many of the community outcomes but, in particular, the development of a healthy community. The provision of services comprising the Community Facilities Activity is viewed as a critical element in attaining this goal.*

Community Facilities strengthens local communities in a number of ways, including providing places and spaces for people to meet and interact; supporting voluntary community committees, clubs and groups in which people work together and develop a sense of common purpose; and delivering community social, leisure, education and cultural activities. Community halls, swimming pools libraries, service centres, heritage buildings, and reserves are an important part of the social fabric for many communities providing a focal point and contribute to attaining a sustainable community with a sense of identity and belonging.

The benefits of physical activity are now widely accepted and recognised. Increasing peoples' physical activity has emerged in the last decade as a key international and national goal to improve health. Council encourages residents to live healthy and active lives by providing a range of recreation and leisure facilities, including parks, playgrounds, swimming pools, halls and sport fields.

The natural environment and landscape, everything from parks and open countryside to playing fields and other green spaces, play an important part in promoting and maintaining good health and well-being and creating a sense of identity. Council enhances the environment and landscape by ensuring each township is served by a reserve, park or domain. Large rural recreation reserves and the smaller esplanade reserves provide environmental protection of riverbanks and lake margins and support the District's biodiversity. The network of reserves and open space creates green corridors for birds and animals."

The Council's **Community Facilities Activity Management Plan** includes the following in regard to recreation reserves:

"The provision of recreation reserves by Council is considered to be necessary to meet the open space and recreational needs of the District. The Council is required to promote community wellbeing and, involvement in the provision of recreation reserves contributes to achievement of community outcomes related to the development of a healthy community and providing a safe living environment. The Council has adopted strategies and policies aimed at creating a healthy living environment for the District's population. The provision of recreation reserves is viewed as a key element in attaining this goal.

Recreation reserves are an important element of township and rural environments providing visual contrast and relief from the built form, a sense of spaciousness as well as opportunity for exercise and social contact. Playing fields and other green spaces, play an important part in promoting and maintaining good health and well-being by providing opportunities for organised and informal recreation. Rural recreation reserves provide environmental protection of riverbanks and lake margins and support the District's biodiversity.

The Council has adopted the role of primary service provider as, although there is open space areas provided by other agencies such as Department of Conservation and schools, these do not fulfil the wider recreation and open space needs of communities. Council reserves which are focused on active recreation compliment the areas provided by other agencies.

Recreation reserves play an important role in the image of the District and the quality of life and wellbeing for its residents. As the District's population grows and changes the Council will need to plan for future open space to meet requirements and achieve strategic goals.

Recreation reserves serve a number of functions that contribute to the social, cultural, economic and environmental wellbeing of the community. These include the following:

- *Provide opportunities for outdoor recreation to improve physical wellbeing;*
- *Provide a focal point for local communities where they can meet and participate in a variety of leisure and recreation activities;*
- *Provide sports fields, play spaces and facilities;*
- *Provide a balance between developed urban space and green spaces;*
- *Create visual amenity such as gardens, trees, and green open space;*
- *Help to define the unique identity of townships;*
- *Provide passive areas of open space for quiet contemplation, walking and sitting;*
- *Contribute to the overall landscape character of the district;*
- *Provide environments that help to enhance the bio-diversity of the district;*
- *Create green corridors for birds and animals;*
- *Enhance the image of the district as an attractive and pleasant place to live;*
- *Enable preservation of historic sites and features.”*

The Council's ***Open Spaces Strategy (2015)*** notes the need for *providing open space areas across the District for a variety of uses and experiences*. This includes sports and recreation parks as a venue for sport and recreation activity with recreation facilities and buildings and often multiple use. The strategy acknowledges that: *Trends/ best practice suggests that 'hubbing' of sports (sports amalgamations and multi-use of facilities) is an increasingly popular approach in terms of recreation provision. With this in mind, larger destination facilities that cater to a wide range of users are becoming more prominent.*

It is determined that it is appropriate to pursue a designation as:

- designations allow more flexibility for local authorities to develop long term projects (consistent with the long term plan) with the capability of modifying the activities and facilities to suit changing community needs.
- a designation allows the land needed for the works to be identified in the District Plan, clearly indicating the intended use of the land.
- The Selwyn District Council already retains the necessary interests in this land to undertake the activity relevant to the propose of the designation
- The designation will provide ongoing protection for the designated purpose and restrain other land uses or developments that could hinder the works.

7. The following resource consents are needed for the proposed activity and have (or have not) been applied for

The following resource consents are in place:

RESOURCE CONSENT 175624 : to construct a replacement Weedons Community Pavilion at Weedons Reserve. : Decision Notified 1/12/17

None further are required.

8. The following consultation (or No consultation) has been undertaken with parties that are likely to be affected:

No specific consultation in respect to this designation has been carried out. Given that the designation relates to activities that are already existing and have been present for some time and no changes are proposed it is not envisaged that consultation with affected parties is required.

9. The Selwyn District Council attaches the following information required to be included in this notice by the district plan, regional plan, or any regulations made under the Resource Management Act 1991.

Attachment 1: Weedons Domain Boundary and Existing Facilities

Attachment 2: Land Titles and Gazette Notices

Attachment 3: Proposed Standards

Signature of person giving notice

(or person authorised to sign on behalf of person giving notice)

A handwritten signature in black ink, appearing to read 'Mark Rykers', with a stylized, cursive script.

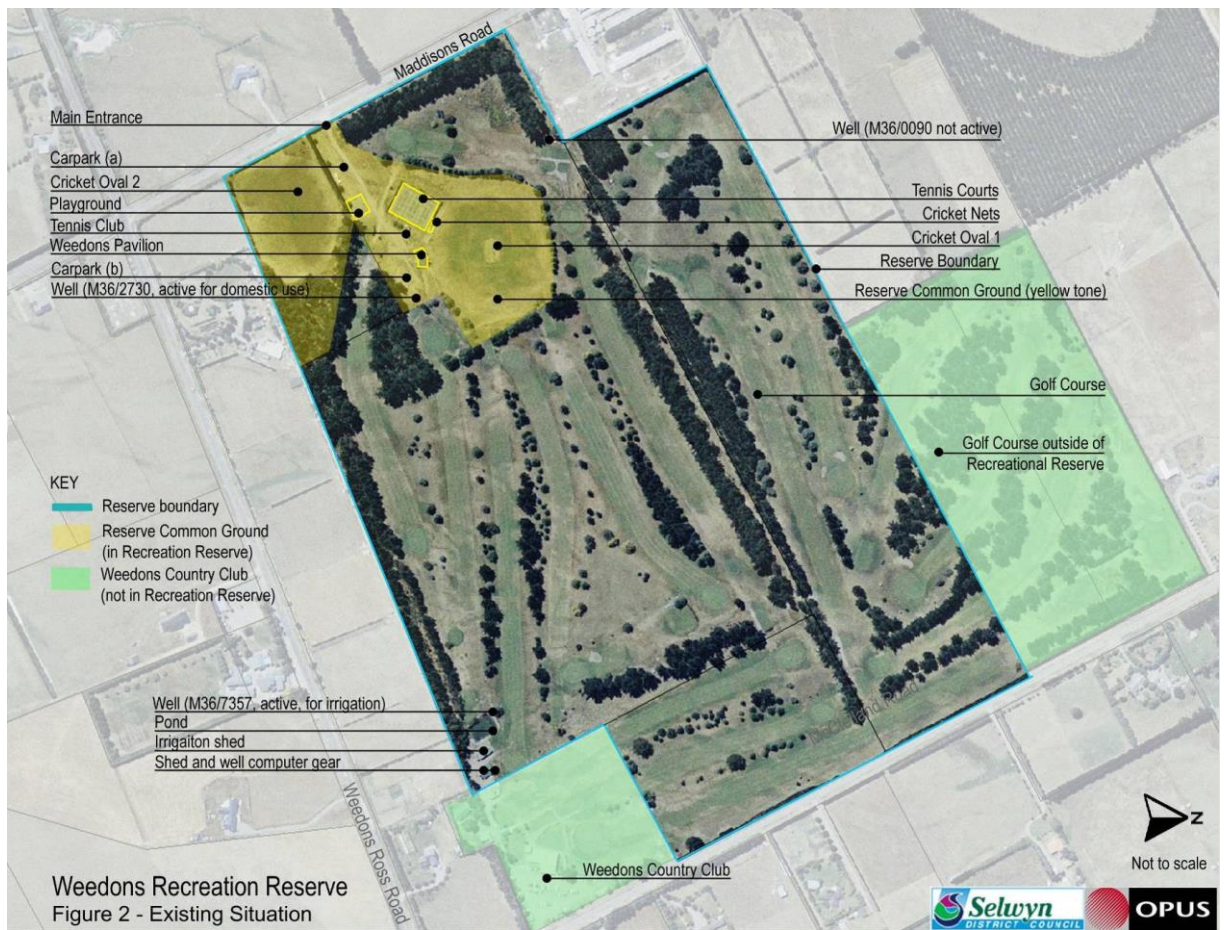
Mark Rykers

Date: 4 June 2020

ATTACHMENT 1:

Weedons Domain





ATTACHMENT 2:



THE LANDSCAPE, PARKS AND RECREATION
PROFESSIONALS

29 October 2009

Derek Hayes
Selwyn District Council
PO Box 90
Rolleston 7643

Dear Derek

SUBJECT - WEEDONS RECREATION RESERVE

The following are the results of the status check for Weedons Recreation Reserve (official name) undertaken by *greenspace solutions*. Weedons Recreation Reserve is made up of the following four land parcels:

Legal Description	Area (hectares)	CT Reference	Registered Proprietor	Subject to Reserve Act	Authority to Administer	Classification
Reserve 1453, Block XV, Rolleston Survey District	2.0234	CB 39B/278	SDC*	Yes	Vested Paparua County - NZ Gazette 1985 pg 2166	Recreation Reserve - NZ Gazette 1980 pg 1979
Reserve 1596, Block XV, Rolleston Survey District	20.3716	CB 39B/278	SDC*	Yes	Vested Paparua County - NZ Gazette 1985 pg 2166	Recreation Reserve - NZ Gazette 1979 pg 2290
Reserve 2357, Block XV, Rolleston Survey District	4.0468	CB 39B/278	SDC*	Yes	Vesting Paparua County - NZ Gazette 1985 pg 2166	Recreation Reserve - NZ Gazette 1979 pg 2290
Lot 2 DP 27650, Block XV, Rolleston Survey District	11.0049	CB13F/786	SDC	Yes	Vested fee simple	Recreation Reserve - NZ Gazette 1979 pg 525

* This appears to be a mistake and is deemed to be Crown derived, refer to later notes.

Weedons Recreation Reserve was administered by a Domain Board for many years to at least 1980 (with respect to the reference to the Board in the NZ Gazette 1980 pg 1979) but disestablished prior to 1989 as it is not listed in the First Schedule of the Local Government (Canterbury Region) Reorganisation Order 1989 (NZ Gazette 1989 pg 2296). Vesting of the reserves 1453, 1596 and 2357 to the Paparua Country Council is recorded in NZ Gazette 1985 pg 2166 so it is assumed to be around this time that the Domain Board was disestablished with its administration passing to Council.

Land Status

Certificate of Title CB 39B/278 refers to the registered Proprietor of Reserves 1453, 1596 and 2357 to be The Selwyn District Council. This appears to be a mistake from *greenspace solutions* research. The reserves are considered to be Crown derived. This judgement is based on the fact that the reserves are identified to be subject to The Ngai Tahu Claims Settlement Act 1998 as registered on the title CB39B/278. The Act would presumably only apply for reserve land that is Crown derived. In reviewing the memorial notice (5522746.1) on the title the claim appears to apply to all the reserves. Additionally NZ Gazette 1985 pg 2166 identifies that the reserves are vested in Paparua County Council in trust to the Crown. If they were fee simple one would assume they would not have required this vesting. Furthermore Council acquired the reserves from a Domain Board and Survey Plan 3632 identifies Reserve 2357 as vested in His Majesty the King. DP 25588 also identifies Reserve 1596 and 2357 to be vested in the Crown but for some reason the vesting for Reserve 1596 has a hand drawn line through it. Whether this relates to an error in reference to the stated Act (on the plan) is unknown. Mistakes on titles and plans are not uncommon.

Lot 2 DP 27650 correctly identifies as the Selwyn District Council as the registered Proprietor.

Action

For the adoption of the reserve management plan no actions are deemed necessary. The reserves are deemed to be subject to the Reserves Act 1977, vested to Council and classified for recreation purposes. Council should, however seek clarification from Land Information New Zealand (LINZ) of the apparent proprietorship error on the Certificate of Title CB 39B/278 in respect to Reserves 1453, 1596 and 2357. If this is indeed an error as identified by *greenspace solutions* this should be corrected. Seeking clarification and correction of the title by LINZ is understood to incur no cost to Council.

Yours Sincerely

Jonathan Casbolt
greenspace solutions Ltd

Supporting notes

History

The Weedons area originally formed part of Springs Station, comprising pastoral runs 18, 134 and 111¹ created circa 1850 by the Canterbury Association. Later subdivision of the large runs occurred where reserves such as 1453, 1596 and 2357 were created either by the Canterbury Provincial Government prior to its abolition in 1876 or soon after by the Crown.

The earliest reference to Reserve 1453 found is in the *Part Canterbury Provincial Gazette 1874 page 35* in which it was declared a reserve for recreation by the Canterbury Provincial Council. A copy of this gazette is held at the Canterbury Public Library. The earliest reference to Reserve 1596 found is in the *NZ Gazette 1889 pg 806 & 807* where it is named Weedons Recreation Ground and to be bought under and subject to the Public Domains Act 1881 with its administration delegated to the Weedons Domain Board. From this gazette, it reads that the reserve may have existed before 1889 and may have been created in the 1870s (as with Reserve 1453) by the Canterbury Provincial Government.

Why Reserve 1453 was not identified with 1596 in *NZ Gazette 1889 pg 806 & 807* as being part of Weedons Recreation Ground is a mystery as it lies next to Reserve 1596 and is also held for recreation purposes. One can only assume that Reserves 1453 and 1596 were administered together earlier on by the Domain Board and not separately. The omission may have been a historical error and corrected by *NZ Gazette 1980 pg 1979*. This Gazette not only classifies Reserve 1453 for recreation purposes but also declares it to be part of the Weedons Recreation Reserve (note name change), to be administered by the Weedons Reserve Board.

In respect to Reserve 2357 reference is made under *section 16* of the Reserves and Other Land Disposal Act 1950 that it was held for cemetery purposes under the Cemeteries Act 1908. According to Council website records the land was set aside for a Cemetery by the Canterbury Provincial Government in 1878. It possibly was a subdivision off Reserve 1596. The cemetery purpose was cancelled by the Reserves and Other Land Disposal Act 1950 with the 'land declared to be vested to His Majesty as a recreation reserve', and transferred to the 'Weedons Domain under the control of the Weedons Domain Board'. The reserve being subject to the Public Reserves, Domains and National Parks Act 1928. No burials were understood to have taken place on the reserve given that the Weedons Wesleyan Cemetery (now known as Weedons Cemetery) was nearby on Weedons Ross Road.

Records show that Lot 2 DP 27650 was acquired as a recreation reserve in 1967 from Gordon William Norman McKenzie, Farmer, under the Counties Amendment Act 1961 vesting to the County of Paparua (CT7A/1496). An interest is recorded on the title CT7A/1496 (now cancelled and replaced by CB13F/786) showing a lease to Weedons Country Club soon after the acquisition. This is presumably for the purpose of extending the golf course hence providing the reason for the lands acquisition.

¹ L.G.D Acland, *The Early Canterbury Runs: Containing the First, Second and Third (new) Series*, Whitcombe & Tombs Ltd, Christchurch, 1946.

*Classification of Reserve and Declaration that the Reserve
be Part of the Weedons Recreation Reserve*

PURSUANT to the Reserves Act 1977, and to a delegation from the Minister of Lands, the Assistant Commissioner of Crown Lands hereby classifies the reserve, described in the Schedule hereto, as a reserve for recreation purposes, and further, declares the said reserve to form part of the Weedons Recreation Reserve, to be administered as a reserve for recreation purposes by the Weedons Reserve Board.

SCHEDULE

CANTERBURY LAND DISTRICT—PAPARUA COUNTY

2.0234 hectares, more or less, being Reserve 1453, situated in Block XV, Rolleston Survey District, S.O. Plan 3632. Part *Canterbury Provincial Gazette*, 1874, page 35.

Dated at Christchurch this 26th day of May 1980.

B. K. SLY, Assistant Commissioner of Crown Lands.

(L. and S. H.O. Res. 11/2/180; D.O. 8/3/65)

Classification of Reserve

PURSUANT to the Reserves Act 1977, and to a delegation from the Minister of Lands, the Assistant Commissioner of Crown Lands hereby declares the reserve, described in the Schedule hereto, to be classified as a reserve for recreation purposes, subject to the provisions of the said Act.

SCHEDULE

CANTERBURY LAND DISTRICT—PAPARUA COUNTY

24.4184 hectares, more or less, being Reserves 1596 and 2357, situated in Block XV, Rolleston Survey District. All *Gazette Notice*, 1889, p. 806. S.O. Plan 3632.

Dated at Christchurch this 9th day of July 1979.

B. K. SLY,

Assistant Commissioner of Crown Lands.

(L. and S. H.O. Res. 11/2/180; D.O. 8/3/65)



COMPUTER FREEHOLD REGISTER
UNDER LAND TRANSFER ACT 1952



Search Copy

R. W. Muir
Registrar-General
of Land

Identifier CB13F/786
Land Registration District **Canterbury**
Date Issued 11 April 1974

Prior References
CB7A/1496 CB7B/1014

Estate Fee Simple
Area 11.0049 hectares more or less
Legal Description Lot 2 Deposited Plan 27650
Purpose Reserve for recreation purposes

Proprietors
The Paparua County Council

Interests

Subject to the Reserves Act 1977
A165664.2 Lease to The Weedons Country Club (Incorporated) Term 33 years commencing on 1.2.1988 (Right of
Renewal) - 28.3.1995 at 1.50 pm
A165664.3 Mortgage of Lease A165664.2 to Trust Bank Canterbury Limited - 28.3.1995 at 1.50 pm



COMPUTER FREEHOLD REGISTER
UNDER LAND TRANSFER ACT 1952

Search Copy



R. W. Muir
Registrar-General
of Land

Identifier **CB39B/278**
Land Registration District **Canterbury**
Date Issued 10 August 1994

Prior References
GN 549791.1

Estate Fee Simple
Area 26.4418 hectares more or less
Legal Description Reserve 1453, Reserve 1596 and Reserve
2357

Proprietors
The Selwyn District Council

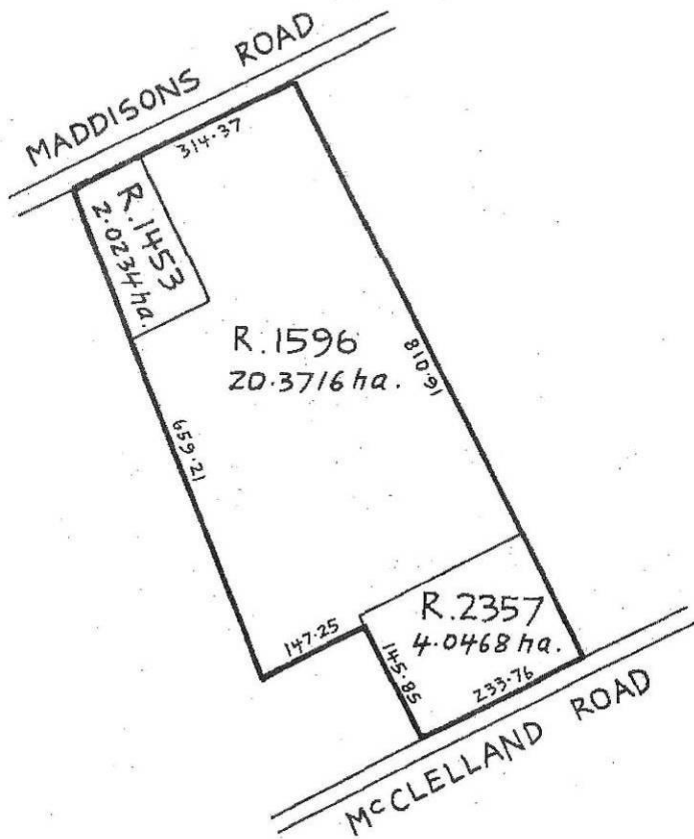
Interests

5522746.1 SUBJECT TO PART 9 OF THE NGAI TAHU CLAIMS SETTLEMENT ACT 1998 (WHICH PROVIDES FOR CERTAIN DISPOSALS RELATING TO THE LAND TO WHICH THIS CERTIFICATE OF TITLE RELATES TO BE OFFERED FOR PURCHASE OR LEASE TO TE RUNANGA O NGAI TAHU IN CERTAIN CIRCUMSTANCES) - 18.3.2003 at 9:00 am

Transaction Id 10494582
Client Reference hallison001

Search Copy Dated 19/05/05 3:57 pm, Page 1 of 1
Register Only

Selwyn District





COMPUTER FREEHOLD REGISTER
UNDER LAND TRANSFER ACT 1952



Search Copy

R. W. Muir
Registrar-General
of Land

Identifier CB13F/786
Land Registration District Canterbury
Date Issued 11 April 1974

Prior References
CB7A/1496 CB7B/1014

Estate Fee Simple
Area 11.0049 hectares more or less
Legal Description Lot 2 Deposited Plan 27650
Purpose Reserve for recreation purposes

Proprietors
The Paparua County Council

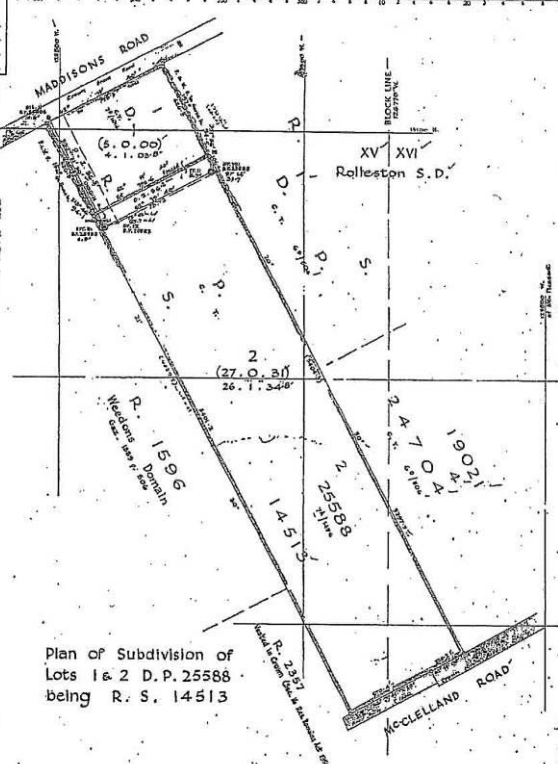
Interests

Subject to the Reserves Act 1977
A165664.2 Lease to The Weedons Country Club (Incorporated) Term 33 years commencing on 1.2.1988 (Right of
Renewal) - 28.3.1995 at 1.50 pm
A165664.3 Mortgage of Lease A165664.2 to Trust Bank Canterbury Limited - 28.3.1995 at 1.50 pm

Land Transfer Office
 Received 14th Dec 1959
 This Reference 27/10/59
 27/1496

Deposited this 28th day
 1959
 District Land Registrar

The Paparua County Council certifies that
 this is a true and correct copy of the
 plan as submitted to the Council and
 as approved by the Council on 14th Dec 1959
 in the presence of the County Clerk
 and the County Engineer.



Plan of Subdivision of
 Lots 1 & 2 D.P. 25588
 being R.S. 14513

Approved to Survey
 27/10/59
 27/1496
 L.S. Surveyor

Compiled in G.B.T. 7/10/59 & 7/11/59
 Survey Block & District Blocks XV & XVI Rallerton S.D.
 Land District Canterbury Local Body Paparua County Council
 Scale 2 chains to an inch
 Surveyed by David, Louis & Smith & Partners Date April 1962
 Registered in 27/10/59
 L.S. Surveyor

Approved
 The Common Seal of the
 Corporation of the County
 of Paparua was hereunto affixed
 in the presence of
 J.H. Hargreaves, Chairman
 J.H. Hargreaves, County Clerk
 Total Area 32.0.31

Approved
 J.H. Hargreaves
 J.H. Hargreaves
 Registered Owner
 D.P. 27650

Classification of Reserve

PURSUANT to the Reserves Act 1977, and to a delegation from the Minister of Lands, the Assistant Commissioner of Crown Lands hereby declares the reserve, described in the Schedule hereto, to be classified as a reserve for recreation purposes, subject to the provisions of the said Act.

SCHEDULE

CANTERBURY LAND DISTRICT—PAPARUA COUNTY

11.0049 hectares, more or less, being Lot 2, D.P. 27650, situated in Blocks XV and XVI, Rolleston Survey District. All C.T. 13F/786.

Dated at Christchurch this 1st day of February 1979.

B. K. SLY,

Assistant Commissioner of Crown Lands.

(L. and S. H.O. Res. 11/2/115; D.O. 8/5/152)

E. C. Keating, Government Printer, Wellington, New Zealand—1979

affects.
all undivided.
C.T.

15.3

Extract from *N.Z. Gazette*, 16 May 1985, No. 90, page 2166

Vesting Reserves in the Paparua County Council

PURSUANT to the Reserves Act 1977, and to a delegation from the Minister of Lands, the Assistant Commissioner of Crown Lands hereby vests the reserves described in the Schedule hereto, in the Paparua County Council in trust for recreation reserves.

SCHEDULE

CANTERBURY LAND DISTRICT—PAPARUA COUNTY

West Melton Recreation Reserve

4.0468 hectares, more or less, being Reserve 3789, situated in Block XI, Rolleston Survey District. All *Gazette* notice 248503/2 (*New Zealand Gazette*, 1979, page 2815). S.O. Plan 4824.

Rhodes Part Recreation Reserve

29.0614 hectares, more or less, being Reserve 4125, 4046 square metres, more or less, being Reserve 3372. Both situated in Block VI, Halswell Survey District. All *Gazette* notice 347965/1 (*New Zealand Gazette*, 1979, page 2524). S.O. Plan 9094.

Weedons Recreation Reserve

2.0234 hectares, more or less, being Reserve 1453, All *Gazette* notice 268203/1 (*New Zealand Gazette*, 1980, page 1979).
24.4184 hectares, more or less, being Reserves 1596 and 2357, All *Gazette* notice 242105/1 (*New Zealand Gazette*, 1979, page 2290).
All situated in Block XV, Rolleston Survey District. S.O. Plan 3632.

Prebbleton Recreation Reserve

2.9516 hectares, more or less, being Reserve 3996, situated in Block XIII, Christchurch Survey District. All certificate of title 223.
2.0234 hectares, more or less, being part Rural Section 1488, situated in Block XIII, Christchurch Survey District. All certificate of title 5D/36.
6.4066 hectares, more or less, being part Rural Sections 1742 and 2246, situated in Blocks XIII, Christchurch and I, Halswell Survey Districts. All certificate of title 396/22.

All *Gazette* notice 253085/1 (*New Zealand Gazette*, 1979, page 3081).

Dated at Christchurch this 8th day of May 1985.

B. K. SLY,

Assistant Commissioner of Crown Lands.

(L. and S. H.O. Res. 11/2/181, Res. 11/2/132, Res. 11/2/180, Res. 11/2/122; D.O. 8/3/61, 8/3/50, 8/3/65, 8/3/15)

SCHEDULE.

THE several parcels of land mentioned in list hereunder:—

Approximate Area of each of the Parcels of Land required to be taken.	Being Portion of Section No.	Situated in Block No.	Situated in the Survey District of	Coloured on Plan.
A. R. P.				
2 1 39.75	11133	V. & VI.	Mairaki	Green.
1 0 7	11134	VI.	Mairaki	Green.
2 3 39	10678	VI.	Mairaki	Green.
0 2 0	22976	V. & VI.	Mairaki	Yellow.
1 1 5	11326	V.	Mairaki	Green.
1 1 13	30515	V.	Mairaki	Yellow.
0 2 35.25	30115	V.	Mairaki	Green.
1 3 17.5	31712	V.	Mairaki	Green.

All in the Provincial District of Canterbury; as the said parcels of land are more particularly delineated on the plan marked S.G. 11856-5, deposited in the General Survey Office, at Wellington, in the Provincial District of Wellington.

Given under the hand of His Excellency the Right Honourable William Hillier, Earl of Onslow, of Onslow in the County of Salop; Viscount Cranley, of Cranley in the County of Surrey; Baron Onslow, of Onslow in the County of Salop, and of West Clandon in the County of Surrey; Baron Cranley, of Imbercourt; Baronet; a Member of Her Majesty's Most Honourable Privy Council; Knight Grand Cross of the Most Distinguished Order of Saint Michael and Saint George; Governor and Commander-in-Chief in and over Her Majesty's Colony of New Zealand and its Dependencies, and Vice-Admiral of the same; and issued under the Seal of the said Colony, at the Government House, at Wellington, this nineteenth day of July, in the year of our Lord one thousand eight hundred and eighty-nine.

G. F. RICHARDSON,

Minister of Lands.

GOD SAVE THE QUEEN!

Lands taken for certain Public Works to be executed by the Auckland Harbour Board.

(L.S.)

ONSLOW, Governor.

A PROCLAMATION.

WHEREAS the lands mentioned in the Schedule hereto are required to be taken, under the provisions of "The Auckland Harbour Improvement Act, 1888," and "The Public Works Act, 1882," and its amendments, for certain public works, to wit, the construction of a road on the said lands, and for the purpose of reclaiming certain other land from the sea: And whereas the Auckland Harbour Board has laid before the Governor the memorial, accompanied by a map, and also the statutory declaration required by "The Public Works Act, 1882," and the amendments thereof:

Now, therefore, I, William Hillier, Earl of Onslow, the Governor of the Colony of New Zealand, in exercise and pursuance of the powers and authorities in me vested by "The Auckland Harbour Improvement Act, 1882," "The Public Works Act, 1882," and of every other power and authority in anywise enabling me in that behalf, do hereby proclaim and declare that, from and after the date of the publication hereof in the *New Zealand Gazette*, the lands mentioned in the Schedule hereto are hereby taken for the purposes of the construction of the public works above mentioned.

SCHEDULE.

THE several parcels of land mentioned in list hereunder:—

Approximate Area of each of the Parcels of Land required to be taken.	Being Portion of	Situated in the Borough of
A. R. P.		
0 1 23	Lot 15 of Section 8, Suburbs of Auckland	Auckland.
0 1 4	Lot 15 of Section 8, Suburbs of Auckland	Auckland.

All in the Provincial District of Auckland; as the said parcels of land are more particularly delineated on the plan

marked S.G. 11732-5, deposited in the General Survey Office at Wellington, in the Provincial District of Wellington, and thereon coloured green and purple respectively.

Given under the hand of His Excellency the Right Honourable William Hillier, Earl of Onslow, of Onslow in the County of Salop; Viscount Cranley, of Cranley in the County of Surrey; Baron Onslow, of Onslow in the County of Salop, and of West Clandon in the County of Surrey; Baron Onslow, of Imbercourt; Baronet; a Member of Her Majesty's Most Honourable Privy Council; Knight Grand Cross of the Most Distinguished Order of Saint Michael and Saint George; Governor and Commander-in-Chief in and over Her Majesty's Colony of New Zealand and its Dependencies, and Vice-Admiral of the same; and issued under the Seal of the said Colony, at the Government House, at Wellington, this twentieth day of July, in the year of our Lord one thousand eight hundred and eighty-nine.

G. F. RICHARDSON,

Minister of Lands.

GOD SAVE THE QUEEN!

Weedon Recreation-ground brought under "The Public Domains Act, 1881."

ONSLOW, Governor.

ORDER IN COUNCIL.

At the Government House, at Wellington, this seventeenth day of July, 1889.

Present:

HIS EXCELLENCY THE GOVERNOR IN COUNCIL.

BY virtue of the powers and authorities vested in me by the twenty-fourth section of "The Public Reserves Act, 1881," I, William Hillier, Earl of Onslow, the Governor of the Colony of New Zealand, by and with the advice and consent of the Executive Council of the said colony, do hereby order and declare that the reserve made for public recreation in the Provincial District of Canterbury, and known as the Weedon Recreation-ground, and described in the Schedule hereto, shall be and the same is hereby brought under the operation of and declared to be subject to the provisions of "The Public Domains Act, 1881;" and such domain shall hereafter be managed, administered, and dealt with in manner directed by the said Act.

SCHEDULE.

ALL that parcel of land in the Canterbury Land District, containing by admeasurement 43 acres 2 roods 17 perches, more or less, being Section No. 1596 (in red), situate in Block XV., Rolleston Survey District. Bounded towards the north-west by a road-line 1114.2 links, also by Reserve No. 1453 (in red) 551.5 links; towards the north-east by a road-line 3120 links, also by Reserve No. 2357 (in red) 56.2 links; towards the south-east by Rural Section No. 14229 732 links, also by Reserve No. 2357 (in red) 1165.5 links; and towards the south-west by Section No. 13569 2270.6 links, also by Reserve No. 1453 (in red) 1000 links: be all the aforesaid linkages more or less, as the same is delineated on the plan deposited in the District Survey Office, Christchurch.

ALEX. WILLIS,

Clerk of the Executive Council.

Powers delegated to the Weedon Domain Board under "The Public Domains Act, 1881."

ONSLOW, Governor.

ORDER IN COUNCIL.

At the Government House, at Wellington, this seventeenth day of July, 1889.

Present:

HIS EXCELLENCY THE GOVERNOR IN COUNCIL.

WHEREAS by the twelfth section of "The Public Domains Act, 1881," it is, *inter alia*, enacted that the Governor, by Order in Council, may from time to time delegate all or any of the powers by the said Act conferred, save as is therein mentioned, to any person or persons for any period, and subject to such stipulations as may be specified in such order, and that every such delegation may from time to time in like manner be altered or revoked: And whereas, pursuant to "The Public Reserves Act, 1881," by an Order in Council of even date herewith, the land described in the Schedule thereto is declared to be brought under the operation of and to be subject to the provisions of the said "Public Domains Act, 1881."

Now, therefore, His Excellency the Governor, by and with the advice and consent of the Executive Council of the

Colony of New Zealand, doth, by this present order, delegate all the powers conferred by the Act first above mentioned, except the powers under or conferred by sections five and twelve, to the under-mentioned persons, who shall be known as the Weedon Domain Board, namely,—

JAMES McDOWELL,
ROBERT CURRAGH,
ROBERT THOMPSON,
PATRICK MAXSON, and
RICHARD McDOWELL.

(herein referred to as "the Board"), subject to the stipulations hereinafter contained, that is to say,—

1. The Board shall meet for the transaction of business on the second Monday in each month, at seven o'clock p.m., at the Weedon Schoolhouse, or at such other time or place as may from time to time be fixed by the Board. The first meeting shall be held on Monday, the twelfth day of August, one thousand eight hundred and eighty-nine.

2. Special meetings may be convened by the Chairman or by any two members of the Board, provided that two days' notice of such meeting be given to each member, specifying the business to be transacted at such special meeting, and no other business than that so specified shall be transacted at such meeting.

3. Any three of the said Board shall form a quorum. Any meeting may be adjourned from time to time.

4. The members of the Board shall, at their first meeting, and thereafter at an annual meeting to be held on the second Monday in January in every succeeding year thereafter, elect one of themselves to be Chairman, who may join in the discussion, and shall have an original as well as a casting vote. The Chairman shall hold office until the election of his successor.

5. If at any meeting the Chairman is not present at the time appointed for holding the same, the members present shall choose some one of their number to be Chairman of such meeting.

6. If, by resignation, death, or incapacity, or otherwise, the office of Chairman shall be or become vacant, the members may at any monthly or special meeting appoint a Chairman.

7. All questions shall be determined by the majority of votes of the members of the Board present at a meeting.

ALEX. WILLIS,
Clerk of the Executive Council.

Palmerston (South) Recreation-ground brought under "The Public Domains Act, 1881."

ONSLOW, Governor.
ORDER IN COUNCIL.

At the Government House, at Wellington, this seventeenth day of July, 1889.

Present:

HIS EXCELLENCY THE GOVERNOR IN COUNCIL.

BY virtue of the powers and authorities vested in me by the twenty-fourth section of "The Public Reserves Act, 1881," I, William Hillier, Earl of Onslow, the Governor of the Colony of New Zealand, by and with the advice and consent of the Executive Council of the said colony, do hereby order and declare that the reserve made for public recreation in the Land District of Otago, and known as the Palmerston (South) Recreation-ground, and described in the Schedule hereto, shall be and the same is hereby brought under the operation of and declared to be subject to the provisions of "The Public Domains Act, 1881;" and such domain shall hereafter be managed, administered, and dealt with in manner directed by the said Act.

SCHEDULE.

ALL that area situate in the Land District of Otago, containing by admeasurement 3 acres 2 roods, being Sections Nos. 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, and 18, Block XVI., on the map of the Town of Palmerston. Bounded towards the north by Brough Street, 700 links; towards the east by Stour Street, 500 links; towards the south by Stromness Street, 700 links; and towards the west by Sections Nos. 4 and 19, 500 links.

ALEX. WILLIS,
Clerk of the Executive Council.

Powers delegated to the Corporation of the Borough of Palmerston (South) under "The Public Domains Act, 1881."

ONSLOW, Governor.
ORDER IN COUNCIL.

At the Government House, at Wellington, this seventeenth day of July, 1889.

Present:

HIS EXCELLENCY THE GOVERNOR IN COUNCIL.

WHEREAS by the twelfth section of "The Public Domains Act, 1881," it is, *inter alia*, enacted that

the Governor, by Order in Council, may from time to time delegate all or any of the powers by the said Act conferred, save as is therein mentioned, to any person or persons for any period, and subject to such stipulations as may be specified in such order, and that every such delegation may from time to time in like manner be altered or revoked; And whereas, pursuant to "The Public Reserves Act, 1881," by an Order in Council of even date herewith, the land described in the Schedule thereto is declared to be brought under the operation of and to be subject to the provisions of the said "Public Domains Act, 1881:"

Now, therefore, His Excellency the Governor, by and with the advice and consent of the Executive Council of the Colony of New Zealand, doth, by this present order, delegate all the powers conferred by the Act first above mentioned, except the powers under or conferred by sections five and twelve, to

The CORPORATION OF THE BOROUGH OF PALMERSTON (SOUTH)

which shall be known as the Palmerston (South) Domain Board (herein referred to as "the Board"), subject to the stipulations hereinafter contained, that is to say,—

1. The Board shall meet for the transaction of business on the third Monday in each month, at three o'clock p.m., at the Corporation Office, Palmerston (South), or at such other time or place as may from time to time be fixed by the Board. The first meeting shall be held on Monday, the nineteenth day of August, one thousand eight hundred and eighty-nine.

2. Special meetings may be convened by the Chairman or by any two members of the Board, provided that two days' notice of such meeting be given to each member, specifying the business to be transacted at such special meeting, and no other business than that so specified shall be transacted at such meeting.

3. Any three of the said Board shall form a quorum. Any meeting may be adjourned from time to time.

4. The members of the Board shall, at their first meeting, and thereafter at an annual meeting to be held on the third Monday in January in every succeeding year thereafter, elect one of themselves to be Chairman, who may join in the discussion, and shall have an original as well as a casting vote. The Chairman shall hold office until the election of his successor.

5. If at any meeting the Chairman is not present at the time appointed for holding the same, the members present shall choose some one of their number to be Chairman of such meeting.

6. If, by resignation, death, or incapacity, or otherwise, the office of Chairman shall be or become vacant, the members may at any monthly or special meeting appoint a Chairman.

7. All questions shall be determined by the majority of votes of the members of the Board present at a meeting.

ALEX. WILLIS,
Clerk of the Executive Council.

Maungatua Recreation-ground brought under "The Public Domains Act, 1881."

ONSLOW, Governor.
ORDER IN COUNCIL.

At the Government House, at Wellington, this seventeenth day of July, 1889.

Present:

HIS EXCELLENCY THE GOVERNOR IN COUNCIL.

BY virtue of the powers and authorities vested in me by the twenty-fourth section of "The Public Reserves Act, 1881," I, William Hillier, Earl of Onslow, the Governor of the Colony of New Zealand, by and with the advice and consent of the Executive Council of the said colony, do hereby order and declare that the reserve made for public recreation and plantation in the Provincial District of Otago, and known as the Maungatua Recreation-ground, and described in the Schedule hereto, shall be and the same is hereby brought under the operation of and declared to be subject to the provisions of "The Public Domains Act, 1881;" and such domain shall hereafter be managed, administered, and dealt with in manner directed by the said Act.

SCHEDULE.

ALL that parcel of land in the Land District of Otago, containing by admeasurement 566 acres, more or less, situate in the Maungatua District, being Section No. 22 of Block XI. Bounded towards the north and north-east by a road-line 10500 links, by Section No. 7 of same block 945 links, by a road-line 1511 links, by Section No. 6 of same block 135 links, also by a road-line 1400 links; towards the east by Section No. 7 of same block 1370 links, by Section No. 20 of same block 1456 links, and by Section No. 14 of same block 458 links; towards the south-east by a road-line 900 links, by Section No. 12



To: Registrar - General of Land
Canterbury Registry



**Certificate under section 98 Ngai Tahu Claims Settlement Act 1998
Identifying "Relevant Land" under Part 9 of the Act for noting memorial on title**

Pursuant to s. 98(1) of the Ngai Tahu Claims Settlement Act 1998 and acting on behalf of the Chief Executive Officer of Land Information New Zealand pursuant to a delegation under s. 41 of the State Sector Act 1988, I certify that the Certificate of Title (or Lease) listed below is "Relevant Land" under Part 9 of that Act, and on which the Registrar - General of Land is obliged by section 98(3) to note the words "Subject to Part 9 of the Ngai Tahu Claims Settlement Act 1998 (which provides for certain disposals relating to the land to which this certificate of title relates to be offered for purchase or lease to Te Runanga o Ngai Tahu in certain circumstances)"

Schedule

Canterbury Registry

Certificate of Title number:

KTB

CB12A/974 affects former Reserves 3881 and ~~4153~~ ⁴¹⁵⁸

CB23B/650

CB25F/642 affects Parts R1547, R1548, and Rural Sections 37241, 41763, 41764, 41765 & Lots 1 & 2 DP 6961

CB36A/750

CB39B/278

Dated at Wellington this *13th* day of *March* 2003

Chief Executive of Land Information New Zealand
or person acting pursuant to Delegated Authority

RONALD ALISTAIR JOLLY

Name of delegated person

ATTACHMENT 3

The following restrictions shall apply to all designations for Council owned reserves:

1. Setback from Road

All structures and buildings in a Residential or Rural Zone, (other than listed below) shall be setback from the road boundary as follows:	
Road boundary with Arterial/Strategic Road	20m
Road Boundary with Other Road	10m
West Melton Domain	8m
Broadfield Reserve	9m

2. Separation from Neighbours

All structures and buildings in a Residential or Rural Zone, except for buildings necessary for the storage of equipment used for the maintenance of reserve which may be sited as an accessory building, shall be setback from internal boundaries as follows:	
Residential Zones:	5m
Rural Zones	10m
Sheffield Domain	5m

3. Height

No structure or building shall exceed the following maximum heights:	
Residential Zones (within 100 metres of a boundary with a residential zone)	8m
Residential Zones (not within 100 metres of a boundary with a residential zone)	20m
Rural Zones	12m
Any pole or support structure for flood or training lights accessory to sports facilities	30m

4. Outdoor Storage

Any outdoor storage area shall not be located within the setback from roads or the separation from neighbours standards.
Where there is no existing boundary planting or screening outdoor storage areas shall be screened from adjoining sites and roads by either planting, wall(s), fence(s) or any combination of these to at least 1.8 metres in height along the length of the storage area.

5. Recession Planes

Within Residential Zones or on boundaries adjoining a Residential Zone or Rural Zone, buildings shall not intrude through a 45 degree recession plane measured from a point 4metres above the external boundary of the site.

6. Site Coverage

These standards are exclusive of play equipment	
All sites	20%

7. Surfacing

The maximum site area covered by impervious surfaces, including courts, footpaths, swimming pools, car-parking areas are:	
All sites	30%

8. Glare

Fixed artificial outdoor lighting is directed away from and/or screened from adjacent properties and roads.	
<p>For the purpose of minimising upward light and <u>sky glow</u> associated with public sports courts and grounds:</p> <ul style="list-style-type: none">a) All artificial <u>outdoor lighting</u> shall be directed downward and shielded from above to ensure that all light shines below the horizontal; andb) Modelled luminous intensity from any luminaire for any viewing angle at 1.5m above grade level, at a distance equal to 45m beyond the edge of the field, shall not exceed 1000 candela (absolute); andc) Luminaires shall not emit more than 250 lumens in the "Very High" glare zone, ranging from 80° to 90° above nadir; andd) All <u>artificial outdoor lighting</u> shall have a maximum correlated colour temperature of 5,700K; ande) The maximum level of <u>light spill</u> from all <u>artificial outdoor lighting</u> shall not exceed the horizontal or vertical illuminance level of 10 lux between 6am and 10pm on an adjacent <u>site</u> zoned Rural or Residential and 25 lux on an adjacent site zoned Commercial, Mixed Use or Industrial, excluding <u>roads</u>.f) <u>Artificial outdoor lighting</u> for public sports courts and grounds to enable sporting and recreation activity shall be turned off between 10.00pm and	

6.00am, or dimmed by 75% between 10.00pm to 10.30pm and turned off between 10.30pm and 6.00am; and	
g) <u>Artificial outdoor lighting</u> not directly required for sporting or recreation activity but associated with the public sports courts and grounds (i.e. associated car park lighting) shall comply with LIGHT-REQ3 and shall be turned off between 10.00pm and 6.00am, or either controlled by occupancy sensors or dimmed by 75% between 10.00pm and 6.00am.	

9. Noise

Activities, other than outdoor recreation, shall be conducted such that the following noise levels are not exceeded at the boundary of the site	
Residential Zones (assessed at any point at the site boundary): a. 7am to 10pm during day time b. 10pm to 7am	50 dBLAeq 40 dBLAeq
Rural Zones (assessed at any point within a notional boundary): a. 7am to 10pm during day time b. 10pm to 7am	55 dBLAeq 45 dBLAeq

10. Construction Noise

Any construction activities shall be conducted such that the following noise levels are not exceeded at the boundary of the site:

	Weekdays			Saturdays			Sundays/public holidays		
	L10	L95	Lmax	L10	L95	Lmax	L10	L95	Lmax
6.30am–7.30am	60	45	70	*	*	*	*	*	*
7.30am–6pm	75	60	90	75	60	90	*	*	*
6pm–8pm	70	55	85	*	*	*	*	*	*
8pm–6.30am	*	*	*	*	*	*	*	*	

11. Parking

- a) Activities located in a Residential Zone, and on the reserves listed below shall comply with the parking standards set out in the **table 1** below:

– Rhodes Park

- Darfield Domain
- West Melton Domain

Table 1

	Vehicle Parking
Recreation	10 spaces per 100m ² PFA or 1 space per 10 seats, whichever is greater.
Sports grounds and playing fields	15 spaces per ha of sports grounds or playing fields.

- b) All carparking areas shall comply with the 'Minimum Parking Area Dimensions' set out in Part 4 – Appendices TRAN Appendices: All Transport

For activities located in the Rural Zone:

- (a) all car parking associated with an activity must be located either on-site or on land adjoining the site and not on the road reserve; and
- (b) All carparking areas shall comply with the 'Minimum Parking Area Dimensions' set out in Part 4 – Appendices TRAN Appendices: All Transport.

12. Heritage

- a) Works to a heritage item shall be consistent with the recommendations of a conservation management plan or expert heritage report submitted with the request for outline plan approval.

Advice Note:

Works and activities that comply with the permitted activities standards of the Plan are incorporated into this designation, and in accordance with s176A(2) RMA, no outline plan is required for those activities.