

Minogue Park

OPERATIVE MANAGEMENT PLAN

October 2009



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1.0 INTRODUCTION

This document is the Reserves Act Management Plan for Minogue Park. It has been prepared subject to the Reserves Act (1977), and represents Hamilton City Council's agreement with the community on the park's use, development and maintenance.

1.1 Location and Profile of Minogue Park

Minogue Park is a large park (43.9 ha.) in the central north west of Hamilton. Within it lie Waterworld Te Rapa, the Hamilton City Netball Centre, the Hamilton BMX Club track, the Hamilton Model Engineers Club tracks, Rotokaeo and a large open space that includes an unleashed dog exercise area. Waterworld Te Rapa, the Netball Centre, BMX track, and Model Engineers' tracks are well used for both formal and informal recreation activities. Rotokaeo affords a pleasant retreat for passive recreation and walking, and has recognised ecological value. While the large flat area of open space currently provides for a wide range of other informal recreation activities the area was purchased by Council with the intention of it eventually providing for sport.

1.2 Purpose of this Document

The purpose of this document is to meet Hamilton City Council's statutory obligation as administering body under Reserves Act 1977. Section 41 of the Act requires the administering body to prepare a Reserves Act Management Plan for any reserve under its control, management or administration. See the Policy and Planning Section of this document for more details on Council's obligations under the Reserves Act.

A Reserves Act Management Plan for Minogue Park was first adopted in 1995. The park was subsequently included in the Sports Parks Management Plan when it was adopted in 2004. Minogue Park was included in that Plan in anticipation of it hosting a sporting code and becoming a major sporting park. While this is still the case, since 2004 there has been increasing appreciation of the ecological values of Rotokaeo and its environs. This, and an increased interest in the park as a venue for a wide range of recreation activities, has led to the development of a stand-alone Management Plan for the Park.

Council's intention to prepare this Plan was advertised to the public on 13 December 2008. Twenty one submissions were received and these have been taken into account in the preparation of the Draft Reserves Act Management Plan for Minogue Park. It was adopted by Council on 20 May 2009 and was available to the public for comment until 23 July 2009. The plan was made operative at Council's meeting of 4 November 2009.

The design and use of the park are necessarily flexible and dynamic and the impetus for change may come from users or from advances in technology and management methods. Proposals for new facilities must be considered in relation to the District Plan, the Resource Management Act 1991 and the Reserves Act 1977 to determine what, if any, consents and consultative processes may be required. These processes allow for unforeseen developments as well as activities that may be required to maintain and improve the asset.

As required by the Reserves Act 1977, this Management Plan will be kept under continuous review as circumstances affecting the management of Minogue Park change.

2.0 POLICY AND PLANNING FRAMEWORK

2.1 Introduction

A hierarchy of legislation, planning documents and associated policies sets the framework for this Management Plan. The Reserves Act 1977 requires the preparation of Management Plans for land subject to that Act. Other functions of Hamilton City Council under the Reserves Act that are relevant to this Management Plan include, but are not limited to:

- Issuing leases, licences and concessions for short term use of reserves,
- Statutory land management.

Consideration has also been given to other associated legislation in the formulation of this Plan such as the Local Government Act 2002 and the Historic Places Act 1993.

Documents that help Council guide the protection, use and development of reserves in the City include, but are not limited to, the following:

Internal Council Statutory Documents:

- 2009-19 Long Term Council Community Plan and succeeding documents
- Proposed District Plan

Regional Statutory Documents:

- Waikato Regional Plan
- Waikato River Deed of Settlement

National Strategies:

- New Zealand's Biodiversity Strategy
- National Guidelines for Crime Prevention Through Environmental Design (CPTED)

Regional Strategies:

- Regional Pest Management Strategy 2002-2007/Regional Pest Management Strategy Operational Plan 2008/2009

Internal Council Strategies:

- Environmental Sustainability Strategy
- City Scope Strategy
- Active Communities Strategy and related programmes
- Access Hamilton Strategy

Several other documents produced by Council and external organisations relate to the management of Minogue Park and/or its facilities:

- Parks, Domains and Reserves Bylaw 2007
- Hamilton City Dog Control Bylaw and Policy 2009
- Operative Sports Parks Management Plan 2009
- Council Facilities Documents
- Hamilton City Netball Centre Plan

The relevance of the above documents to the Minogue Park Management Plan is discussed in the following sections.

2.2 Reserves Act 1977

The Reserves Act 1977 requires all reserves to have a Management Plan. Section 41 of the Act describes the general form of Management Plans and sets out the process of public participation required for their development.

Part III of the Act requires the classification of all reserves to ensure management and development appropriate to their principal purpose. Minogue Park is classified as a Recreation Reserve. The main purpose of recreation reserves is to provide areas for recreation and/or the physical welfare and enjoyment of the public whilst protecting the natural environment.

Section 3 of the Reserves Act states the general purpose of the Act as:

- "(a) Providing, for the preservation and management for the benefit and enjoyment of the public, areas of New Zealand possessing:*
- (i) Recreational use or potential, whether active or passive; or*
 - (ii) Wildlife; or*
 - (iii) Indigenous flora or fauna; or*
 - (iv) Environmental and landscape amenity or interest; or*
 - (v) Natural, scenic, historic, cultural, archaeological, biological, geological, scientific, educational, community, or other special features of value;*
- (b) Ensuring, as far as possible, the survival of all indigenous species of flora and fauna, both rare and commonplace, in their natural communities and habitats, and the preservation of representative samples of all classes of natural ecosystems and landscape which in the aggregate originally gave New Zealand its own recognisable character;*
- (c) Ensuring, as far as possible, the preservation of access for the public to and along the sea coast, its bays and inlets and offshore islands, lake shores, and riverbanks, and fostering and promoting the preservation of the natural character of the coastal environment and of the margins of lakes, and rivers and the protection of them from unnecessary subdivision and development."*

Minogue Park has been removed from the Sports Parks Management Plan by a separate process and creation of the Minogue Park Management Plan has resulted in a plan that reflects the park's particular values and characteristics.

The Reserves Act 1977 requires this Management Plan to be reviewed regularly after it becomes operative. Monitoring the effectiveness of measures implemented to meet the objectives of the plan will therefore be important.

2.3 Local Government Act 2002

- Section 3 "The purpose of this act is to provide for democratic and effective local government that recognises the diversity of New Zealand communities; and, to that end this act-*
- (a) states the purpose of local government; and*
 - (b) provides a framework and powers for local authorities to decide which activities they undertake and the manner in which they will undertake them; and*
 - (c) promotes the accountability of local authorities to their communities; and*
 - (d) provides for local authorities to play a broad role in promoting the social, economic, environmental and cultural well-being of*

their communities, taking a sustainable development approach."

Section 93 of the Local Government Act requires local authorities to have a Long Term Council Community Plan. According to the Act the purpose of this Plan is to:

- "a) describe the activities of the local authority; and*
- b) describe the community outcomes of the local authority's district or region; and*
- c) provide integrated decision-making and co-ordination of the resources of the local authority; and*
- d) provide a long-term focus for the decisions and activities of the local authority; and*
- e) provide a basis for accountability of the local authority to the community; and*
- f) provide an opportunity for participation by the public in decision-making processes on activities to be undertaken by the local authority"*

The Long Term Plan must cover a period of not less than 10 financial years, with a review of the Plan being required every three years. The current Long Term Plan for Hamilton City covers 2009-2019.

2.3.1 2009-19 Long Term Council Community Plan

Council's Long Term Plan is prepared in consultation with the community, for the community. As the local authority, Council is responsible for guiding Hamilton's development to reach the goals identified in the Plan. Those goals are based on the principles of sustainable development.

The Long Term Plan is a vision for the future of Hamilton and in the area of reserves addresses broad issues rather than specific policy. The Plan contains community outcomes, identified by the people of Hamilton, that are particularly relevant to the development of Reserves Act Management Plans:

Hamilton people want a city that:

- 1.4 Protects and enhances its green spaces and natural environment for everyone to value and enjoy.*
- 2.5 Values and protects heritage sites, buildings and landmarks.*
- 3.4 Fosters pride in its natural and built environments and encourages people to work together to keep these clean and tidy.*
- 5.1 Provides opportunities for people of all ages and abilities to access and participate in sport and leisure activities that meet their diverse needs.*
- 5.3 Is an ideal place for family and whanau, with lots of activities and places for tamariki and rangatahi to enjoy.*
- 7.1 Engages all local communities in planning and developing the city's future.*

Reserves Act Management Plans help fulfil these outcomes by directing the future development and use of reserves with the public interest in mind.

2.4 Resource Management Act 1991

The purpose of the Resource Management Act 1991 (RMA) is to:

- "1) Promote the sustainable management of natural and physical resources.*
- 2) In this Act, "sustainable management" means managing the use, development and protection of natural and physical resources in a way, or at a rate, which*

enables people and their communities to provide for their social, economic, and cultural well being and for their health and safety while -

- (a) Sustaining the potential of natural and physical resources (excluding minerals) to meet the foreseeable needs of future generations; and*
- (b) Safeguarding the life-supporting capacity of air, water, soil and ecosystems; and*
- (c) Avoiding, remedying or mitigating any adverse effects of activities on the environment (Section 5a)."*

The purpose of the Resource Management Act 1991 and the matters identified in this Plan are complementary to the purpose of the Reserves Act 1977.

2.4.1 Proposed District Plan

The Resource Management Act 1991 requires territorial authorities to produce a District Plan to assist them in carrying out their functions in order to achieve the purpose of the Act. The Hamilton City Council Proposed District Plan defines the way in which the city's natural and physical resources will be managed to achieve the principles and purpose of the RMA. The Plan provides a framework of resource management policy and implementation methods to manage the effects of the use, development or protection of land associated with natural and physical resources.

In the Proposed District Plan Reserves Act Management Plans are recognised as an 'other method' to implement the objectives and policies of the District Plan, giving greater specificity to each site.

"Policy 5.2 The development and review of Reserves Act Management Plans for the detailed day-to-day planning and development of recreation land in addition to controls under the District Plan."

The Proposed District Plan groups land into zones of similar activities whose effects can be controlled by similar rules. The District Plan contains the following three recreation zones:

- Recreation Environment
- Recreation General
- Recreation Major

Minogue Park is currently zoned Recreation Major. Rule 4.10 of the Proposed District Plan describes the outcome for Recreation Major as:

"A broad range of recreational and cultural activities are undertaken within the Recreation Major Zone in a manner that avoids, remedies or mitigates any adverse effects on the site or on any adjoining residential development."

This zoning recognises the wide range of activities that are currently undertaken at Minogue Park and the need to control these activities appropriately with regard to effects on the surrounding residential areas.

2.4.2 Resource Consents

For any activity where the effects are deemed to be more than minor a resource consent will be required prior to the activity being carried out. Specific rules and regulations can be found in the Proposed District Plan and/or the Waikato Regional

Plan, depending on the nature of the activity being applied for. Any activities in the future proposed at Minogue Park will be subject to the rules of these Plans where relevant, and resource consents will be sought as required.

2.4.3 Waikato Regional Plan

The Waikato Regional Plan contains policies and methods to manage the natural and physical resources of the Waikato Region. It covers key components of the environment for which the Waikato Regional Council has responsibility under Section 30 of the Resource Management Act 1991, including water, river and lake beds, land and soil, air and geothermal resources. Any development or activities undertaken in the vicinity of Rotokaeo in the future may require resource consent under the Waikato Regional Plan.

2.5 Historic Places Act 1993

The Historic Places Act 1993 overrides any of the provisions of this Management Plan or the Reserves Act 1977, with respect to the protection and preservation of historic places. The Historic Places Trust, who administer the Act list the Minogue Park Signal Box as a Category II Historic Place. As such, this item is protected under Section 2.3 of the Hamilton City Proposed District Plan and the appropriate rules described in the Plan will have to be recognised in relation to activities involving the item.

2.6 Waikato River Deed of Settlement

The Waikato River is at the heart of Waikato-Tainui's spiritual and physical wellbeing, their tribal identity and their culture. The Waikato River Deed of Settlement was signed on 22 August 2008 between Waikato-Tainui and the Crown with the objective of settling the outstanding claim of Waikato-Tainui to the Waikato River. The Terms of Reference for the Waikato River Statutory Board Establishment Committee outline the process to be undertaken in analysing, reporting on and recommending the potential for a transfer of a function, power or duty of a local authority to meet the conditions of the Deed.

Rotokaeo is included as an area within the Waikato River Deed of Settlement. This is acknowledged in the Minogue Park Management Plan with the management of the Lake being undertaken in accordance with the Deed.

2.7 New Zealand Biodiversity Strategy

The decline of New Zealand's indigenous biodiversity is described in the State of New Zealand's Environment report as "our most pervasive environmental issue". In order to "turn the tide" in favour of indigenous flora and fauna, New Zealand's Biodiversity Strategy establishes a framework for action, to conserve biodiversity and manage it sustainably. Halting the decline in New Zealand's biodiversity and involving the community and individuals in its management are key goals of the Strategy. Rotokaeo has been zoned ecological within the Minogue Park Management Plan. This ensures the biodiversity of flora and fauna in this area is recognised and will be managed accordingly.

2.8 Regional Pest Management Strategy 2008-2013/Regional Pest Management Strategy Operational Plan 2008/2009

The Regional Pest Management Strategy 2002-2007 (sections 3.3, 5 and 6) identifies

plants and animals that are designated pests in the Waikato Region. The Operational Plan 2008/2009 details the activities that Environment Waikato intends to undertake in that financial year in regard to the control of the declared pests.

The Tonkin & Taylor Ltd Assessment of Environmental Effects of Rotokaeo in 2004 identified that Mexican Water Lily and Yellow Flag Iris are classified as potential pest plants under the Regional Pest Management Strategy. Both were found at Rotokaeo. Their identification in the Minogue Park Management Plan mandates their future control.

2.9 National Guidelines for Crime Prevention Through Environmental Design (CPTED)

The National Guidelines for CPTED provide a framework for incorporating crime prevention within quality urban design by focusing on reducing the opportunity to commit crime, therefore lessening the motivation to offend. The Guidelines specify seven qualities of well designed, safer places. These are as follows:

1. Access — Safe Movement and Connections
2. Surveillance and Sightlines — See and be Seen
3. Layout — Clear and Logical Orientation
4. Activity Mix — Eyes on the Street
5. Sense of Ownership — Showing a Space is Cared for
6. Quality Environments — Well Designed, Managed and Maintained Environments
7. Physical Protection — Using Active Security Measures

In the production of the Draft Minogue Park Management Plan CPTED principles have been considered where necessary in the proposed developments on the park with an aim of reducing criminal opportunities in the future. This includes primarily clear sightlines where possible, appropriate lighting and passive surveillance of the park.

2.10 City Strategies

2.10.1 Environmental Sustainability Strategy

The Environmental Sustainability Strategy sets out the key principles to manage change in Hamilton so the city is shaped positively over the next five years. The Strategy's consideration of the city's ecosystems is particularly relevant to this Management Plan. It notes that only 3% of Hamilton's original lowland ecological habitats remain and at least 20% of the city's original flora is threatened or extinct. Hamilton's lakes are mentioned as having had water quality issues in the past. This emphasises the significance of this Management Plan in managing Rotokaeo and its surrounds.

2.10.2 City Scope

The City Scope Strategy guides the future development of Hamilton's built environment by focussing on the integration of development within the context of its surrounds, particularly that of the natural environment. This approach of planning for provision of open spaces is particularly relevant to this Management Plan. Minogue Park possesses large open areas of grassland and providing for this through the Management Plan contributes toward compliance with the City Scope Strategy. Further, the Strategy requires any future development or changes on the site of the park to integrate with

the existing surroundings where possible.

2.10.3 Council's Active Communities Strategy

The Strategy was not in place at the time of the adoption of this plan. However it will be a part of Council's programme to support Hamiltonians in being physically active. A key means of implementing the programme will be the provision of environments where people can enjoy recreational activities. Minogue Park is such a setting and its Management Plan will be consistent with the objectives of the programme.

2.10.4 Access Hamilton Strategy

Access Hamilton is about enabling good access around Hamilton by managing traffic congestion, travel times, safety, parking and convenience, while at the same time ensuring there are good networks for all travellers whether they use cars, public transport, walk or cycle.

It has been identified that there are problems at peak use times with traffic volume and parking availability in the roads surrounding Minogue Park. The Access Hamilton Strategy is therefore particularly relevant to this Management Plan should the uses of Minogue Park change or expand in the future. The roading infrastructure nearby may have to be adapted to accommodate change and this strategy will help to guide this appropriately.

Walkways and cycleways enhance the city's open space network by encouraging use, creating linkages and protecting environmental values. Walkways and cycleways provide opportunities for people to access more active lifestyles with minimal costs and many neighbourhoods can access existing walkways/cycleways without having to use a car to get there. Walkways and cycleways can link open space areas and extend the perceived size and remoteness of open space areas without requiring the acquisition of large areas of land. Although there is no provision at the moment, in the future there is the potential for Minogue Park to be linked to other reserves in the city through walkways and/or cycleways. The provision for future walkways and cycleways fits in well with the Active Communities Strategy and the Access Hamilton Strategy.

2.11 Other Documents

2.11.1 Parks, Domains and Reserves Bylaw 2007

The Parks, Domains and Reserves Bylaw 2007 is designed to assist with the administration and operation of reserve land controlled by Hamilton City Council or the Hamilton Domain Board. The bylaw is intended to prevent reserves being misused or damaged by the public. The bylaw complements Management Plans by defining unacceptable behaviour and providing for enforcement.

2.11.2 Hamilton City Dog Control Bylaw and Policy 2009

The Hamilton City Dog Control Bylaw 2009 is designed to give effect to the Dog Control Policy 2009, the objective of which is to enable people to enjoy the benefits of dog ownership and provide for the exercise and recreational needs of dogs and their owners, whilst minimising danger, distress, and nuisance to the community generally. The documents outline rules regarding the control of dogs in public places as well as the provision of off lead dog exercise areas. These are particularly relevant to the Minogue

Park Management Plan. The bylaw allows Council to enforce breaches to the rules outlined in the policy.

2.11.3 Operative Sports Parks Management Plan 2009

Management of Minogue Park for sport will be consistent with the Sports Parks Management Plan 2009.

2.11.4 Hamilton City Stormwater Management Plan (under development)

At the time of the writing of this management plan Council was in the process of applying for a comprehensive stormwater discharge consent from Environment Waikato. The consent application includes a Stormwater Management Plan (SMP), which provides an outline of how Council will carry out its operational activities and statutory functions to ensure the continued and appropriate management of its stormwater network in a manner that complies with the consent and its conditions.

Activities within Minogue Park will be undertaken with appropriate consideration of the Stormwater Management Plan.

2.11.5 Council Facilities

Water World is a Council owned facility located on reserve land at Minogue Park. The goals and outcomes of the facility are particularly relevant to the Minogue Park Management Plan and have been considered in the development of the plan. Projects outlined to be undertaken at Water World in the future could affect Minogue Park.

2.11.6 Hamilton City Netball Centre Plan

The Hamilton City Netball Centre (HCNC) has produced a Plan to outline their goals and objectives as an organisation. This plan will be updated as required by the Netball Centre. During production of the Minogue Park Management Plan the Hamilton City Netball Centre Plan and the associated actions have been considered.

3.0 DESCRIPTION OF MINOGUE PARK

This section describes Minogue Park, its historical and cultural significance, its current uses, events held on the park, and the linkage with other parks in the vicinity.

3.1 Location

Minogue Park is situated in the Forest Lake area of Hamilton. It is bounded to the north by the Waikato Racing Club and Te Rapa Race Course, to the east by Garnett Avenue, Waterworld Te Rapa and residential housing, to the south by Forest Lake Road and residential housing, and to the west by the North Island Main Trunk railway line and a smaller number of residential houses along Walsh Street.

3.2 Legal Description

Minogue Park consists of 20 legal lots with a total area of 43.8715 hectares. All lots are classified for Recreation under the Reserves Act 1977. Lot information is shown in Table 1:

**Table 1:
Minogue Park Lot Information and
Reserves Act Classifications**

Plan Number	Lot Number	Area (hectares)
DP 27650	11	0.1012
DP 403296	2	0.2298
DP 403296	Part Lot 3	4.4220
DP 403296	Part Lot 3	9.5252
DP 53660	4	0.0130
DP 8639	9	2.2045
DPS 1707	5	0.0078
DPS 5664	24	0.4299
DPS 5664	25	0.0164
DPS 7373	8	0.0883
DPS 79144	Part Lot 1	2.5904
DPS 83094	3	0.1914
DPS 9201	9	0.2276
N/A	Part Allot 75 & 76	4.2433
N/A	Allot 340	0.1087
N/A	Allot 391	3.6000
N/A	Part Allot 392	14.4119
N/A	413	0.9670
N/A	Allot 414	0.1920
SO 334104	Sec 1	0.3011
Total Land Area		43.8715

3.3 History

Hamilton City Council's first land acquisition for what was to become Minogue Park was in 1959. This land comprised of an access way from Kingsway Crescent and land lying between the residences on the western side of Kingsway Crescent and Rotokaeo. It was added to in 1964 with the acquisition of more land between the northern end of Kingsway Crescent and Lake Rotokaeo, and again in 1973 with the acquisition of a large area of land between Garnett and Tui Avenues that is now occupied by Waterworld Te Rapa, the dog exercise area, luge track and Hamilton Model Engineers Club. Several other land purchases have been made over the intervening years. Some of the most notable were Rotokaeo in 1975, the area that now accommodates the Netball Courts, BMX track and car park in 1979, and the large flat open space beyond the northern end of Walsh Street and to the west of Rotokaeo in 1992. The most recent land acquisition was in 2008 through a land swap with the Waikato Racing Club.

The area of land now occupied by Waterworld Te Rapa and the Model Engineers Club was at one time also owned by the Waikato Racing Club. There was a house on top of the hill near the alignment of Mitcham Avenue, with the remainder of the land being used by the Racing Club as a run-off for sheep that were kept by the club to graze race track land.



View of area of Minogue Park January 1947 with Rotokaeo in foreground.
Hamilton City Libraries image - HCL_11117 (HCC)

The southern arm of Rotokaeo once extended into the area now occupied by the Netball Courts and BMX track. This arm was first partially filled in when additional land was required by the South Auckland Rugby Football League Incorporated. Further filling occurred to make room for a stock car track. As the residential area around the park grew, reverse sensitivity to the stock car noise increased. The stock car track was

eventually closed and Council purchased the site in 1979.

The large open space area to the west of Rotokaeo was at one time owned by New Zealand Railways. During that period an early 20th century house was sited on the land near the northern end of Walsh Street, and while the land was in rough condition it was used to graze a small number of dairy cattle. Council and New Zealand Railways agreed a deferred purchase of the land in the early 1980s and Council took full ownership of the land in 1992.

The Forest Lake area of the Hamilton is named after the forest that at one time surrounded Rotokaeo. Minogue Park is named after former Mayor of Hamilton Mike Minogue and was officially given that name September 1979. It was classified as a reserve under the Reserves Act (1977) in 2004.

3.4 Culture

Rotokaeo translates as Lake (Roto) of freshwater mussels (Kaeo). This name refers to both the lake and the surrounding area.

Pre-European, the lake was a well known landmark for local Maori who gathered the Kaeo and used their sharp black shells as implements for cutting Harakeke (flax). Early settler accounts describe the shores of Rotokaeo as being strewn with discarded shells along with the remains of cooking fires and Umu (earth ovens). Once the Kaeo were steamed open, the flesh was smoked over a fire and then dried in the sun. They were stored in gourds containing pigeon fat for use in the winter months.

The lake's margins were lined with clumps of Raupo (*Typha orientalis*). This was gathered for thatching materials for dwellings and other shelter structures. The pollen from the Raupo was extracted and ground into a coarse type of bread termed Pua. The ground Pua was wrapped in Raurekau (*Coprosma grandifolia*) leaves and baked in an Umu.

Rotokaeo and its surrounding wetlands and streams provided local Maori with accessible sources of Koura (freshwater crayfish) Kokopu (native trout) and Tuna (eels) through the use of eel weirs and specially constructed fishing nets, fishing hoops and eel pots termed Tukutuku and Hinaki, made from fine Mangemange (*Lygodium articulatum* or bushman's mattress) vines. Kokopu were caught in greater numbers, the wetland and swampy conditions favouring an abundant resource.

For many generations, Rotokaeo was a gathering place for high grade flaxes which were made into ropes and woven garments such as Korowai (prestigious cloaks) and Whaariki (floor mats).

Many species of birds once flourished in the locality, including pukeko, native pigeons, ducks, tui and koromako (Bellbirds). Huia and kaakaa were attracted to berry producing trees such as the Kahikatea, Miro, Tawa and Hinau. There is a nearby gully that runs through Beerescourt, now crossed by State Highway One. The gully was known as Mangakookoea (the gully of the long tailed cuckoo) where the prized red tail feather from the Kookoea was worn by high ranking chiefs.

Rotokaeo holds much history and significance to local hapu as it is one of three remaining lakes in Council ownership within the city boundaries. It is also the one most threatened through urban development.

3.5 Present Uses

In the 1995 Management Plan and the succeeding Sports Parks Management Plan Minogue Park was divided into four Management Zones:

1. Aquatic Wildlife Zone - this area comprises of Rotokaeo and its margins.
While the lake itself does not provide for recreation activities there is a paved route at the southern end of the lake and a boardwalk on the eastern side of the lake for enjoyment of the lake, its ecology and for walking and cycling. The lake's major role is as a wildlife sanctuary and steps have been taken in recent years to re-establish it as a typical Waikato wetland.
2. Natural Parkland Zone — this Zone is made up of the outer perimeter of Rotokaeo, the hill north of the lake and the band of land running between Garnett and Tui Avenues, excluding Waterworld Te Rapa. The zone contains an off-the-lead dog exercise area, the Hamilton Model Engineers Club, the Forest of Life, and the highest point in the park. As such it is used for active and passive informal recreation such as dog exercise, walking/jogging, activities associated with the model railway and appreciation of the native bush area. The Forest of Life is available to the public by arrangement for tree plantings to commemorate the lives of loved ones.
3. Active Sports Zone — This Zone is made up of three separate areas:
 - The open space bounded by Walsh Street, the model railway, Tui Avenue and the edge of the Ecological Zone,
 - The land occupied by the Netball Courts, BMX track and car park,
 - A band of land on the northern boundary of the park between Waterworld Te Rapa and Tui Avenue.The netball courts and BMX track are used for both formal and informal netball and BMX activities. The open space area is currently used for passive and active informal recreation activities in a similar manner to the Natural Parkland Area. This is an interim use pending the development of sports fields.
4. Waterworld Te Rapa Area — The Waterworld Te Rapa complex occupies land on each side of Garnett Avenue. The swimming complex is on the western side of Garnett Avenue, and there is a car park servicing the complex on the eastern side of the road.

3.6 Major Activities and Events

Minogue Park hosts a number of major activities and events. The netball courts are the home of netball in Hamilton and host numerous practice sessions and competition club and representative games during the winter months.

Similarly the BMX track provides for both formal and informal BMX cycling and is used frequently by children and young adults both during the week and on weekends. There is also regular club racing during the week and the Club hosts regional and national race meetings during the season.

The Hamilton Model Engineers Club hosts events at the local, national and international level. These include open days most Sundays when the public can take a ride and annual open weekends that include engineers from other Clubs. They have also hosted an international convention in recent years.

3.7 Links to Other Reserves

Minogue Park is enclosed within a block bounded by the North Island Main Trunk Railway Line, the Waikato Racing Club, Ulster Street, and Forest Lake Road. As such it is not well linked to other reserves. Poor accessibility is exacerbated by the narrowness of the streets servicing the park. The overall effect is to make vehicular, cycling and pedestrian access to the park difficult.

Nearby reserves include Bolmuir Park (next to Forest Lake Primary School), Nawton Domain (on the other side of the railway line and Avalon Drive), Vardon Park (access across Ulster Street/Te Rapa Road), Maeroa Reserve and Beetham Park (access across Forest Lake and Maeroa Roads respectively), and Bristol Park (on the other side of the Waikato Racing Club, and accessed via Te Rapa Road).

One prospect of improving access is the planned construction of a pedestrian and cycling railway overbridge. This would provide a link to parks in the Nawton area and to parks in the north west and south west via planned walking and cycling routes on the old sections of the Avalon Bypass and alongside the future bypass.

4.0 ECOLOGICAL MANAGEMENT- ROTOKAEO AND ENVIRONS

4.1 Description

Rotokaeo lies to the south east of Minogue Park. The lake and its margins have been identified as ecologically significant due to their makeup of rare vegetation and wildlife that is similar to that which historically existed in the Waikato¹². This significance is a major part of the need for Minogue Park to have its own Management Plan. It leads to the recognition of the lake and surrounds as a distinct Management Zone within this Management Plan, a zone whose broad intention is the maintenance of the area in a pattern of vegetation characteristic of Waikato wetlands.

The lake has an area of approximately 3.7 ha. The water body and its margins are bounded by the netball courts and a BMX track to the south, open park to the west and north, and by a residential area to the east. The Lake is recognised as an aquatic wildlife area and is valued by the community as an area of passive recreation with a walkway around some of the edge.

4.2 Birds

Rotokaeo and its environs are inhabited by a large number of both exotic and native fauna. As at 2005 there were 11 species of native New Zealand bird including Pied Stilts, Black Shag and Grey Teal present here. Before control of the water lilies, wading birds were attracted by the feeding grounds provided by the floating sud that formed in association with the lilies; since this no longer occurs their numbers are much less. Between January and December 2008 the Hamilton Branch of the New Zealand Ornithological Society undertook their annual census report on bird numbers at Rotokaeo. They found the following species:

- Mallard
- Pukeko
- Coot
- Black Shag
- Little Black Shag
- Little Shag
- Black Swan
- Canadian Geese
- Japanese Snipe
- Dabchick

Some birds that were present on the lake when Mexican Water Lily covered the surface and prior to the lake changing through vegetation and mudflat removal such as Heron, Stilt and Shovelers are now not expected to return. The mudflats and water vegetation such as lilies were used by Pied Stilts and White Faced Herons as food gathering sites. The central island and mudflats were used by Teal and Shoveller as roosting sites. The birds that do remain should be free to nest undisturbed.

¹ Key Ecological Sites of Hamilton City, B. Clarkson et al., Centre for biodiversity and Ecology Research, University of Waikato, 2000

² 2007 Vegetation Survey — Lake Rotokaeo. P Champion, NIWA Client report HAM2007-164, October 2007

4.3 Vegetation

Rotokaeo features a selection of native plants that is rare and valuable within the urban environment of Minogue Park and the city and is considered worthy of protection. It is subject to the Environmental Protection Overlay in the Proposed District Plan, as an area of significant indigenous vegetation. Consequently there are two aspects to vegetation management at Rotokaeo; protection and enhancement of the desirable indigenous vegetation, and identification and control of pest plants.

4.3.1 Desirable Vegetation

The margins of Rotokaeo are home to a large number of plant species. There is a lack of submerged vegetation but a wealth of wetland vegetation both native and exotic around the lake fringes as well as a kahikatea dominated restoration planting on the lake's north and west, which has now achieved closed canopy with a regenerating understorey.

The south eastern lake margin is dominated by sedges - *Carex Secta*, *C. virgata*, Kuta, (*Eleocharis sphacelatea*) and associated plants such as *Myriophyllum propinquum* and Pohuehue (*Calystegia sepium*). Other vegetation types around the lake include alder, (*Alnus glutinosa*) and flax (*Phormium tenax*) treeland, manuka (*Leptospermum scoparium*) shrubland, former grey willow (*Salix cinerea*) treeland, kahikatea (*Dacrycarpus dacrydioides*) forest and *Baumea spp*/swamp millet (*Isachne globosa*) sedgeland. A broad range of native species occur in association with these vegetation types, including tree ferns (Silver Fern, *Cyathea dealbata* and Wheki, *Dicksonia squarrosa*), Mahoe (*Melicytus ramiflorus*), kawakawa (*Macropiper excelsum*), *Hypolepsis distans* (a relatively rare fern), turutu (*Dianella nigra*), mata or water fern (*Histiopteris incisa*), dwarf bog rush (*Schoenus maschalinus*) and swamp coprosma (*Coprosma tenuicaulis*).

4.3.2 Pest Plants

An investigation in 2002 by the National Institute of Water and Atmospheric Research (NIWA) identified several species of pest plant in and around Rotokaeo. The most invasive of these was the Mexican water lily (*Nymphaea Mexicana*) which is identified as a pest plant under Environment Waikato's Regional Pest Management Strategy. At the time of the NIWA report the lilies covered 86% of the surface of the Lake. Under a resource consent from Environment Waikato, subsequent control measures (a combination of herbicide application and mechanical removal) have eliminated all but a few isolated specimens. Continuing control will be necessary to prevent re-growth but eradication appears to be a realistic prospect. At the same time a variety of pest plants on the lake margin were controlled.

In 2007 NIWA carried out a full survey of vegetation at the site. They noted that the previous pest plant domination was greatly diminished but there was a need for continued management of grey willow (*Salix cinerea*), yellow flag iris (*Iris pseudacorus*), reed sweet grass (*Glyceria maxima*) and Mercer grass (*Paspalum distichum*). In addition, they identified a need for the eradication from the lake margin of crack willow (*Salix fragilis*), alder (*Alnus glutinosa*), and parrot's feather (*Myriophyllum aquaticum*). There are also some terrestrial pest plants — gorse (*Ulex europaeus*), pampas (*Cortaderia sp.*), arum lily (*Zantedeschia aethiopica* and cultivars) and Japanese honeysuckle (*Lonicera japonica*).

4.4 The Lake Habitat

4.4.1 Background

In light of the changed situation at Rotokaeo resulting from the removal of Mexican water lily from the site, the Council engaged NIWA to gather base information about the lake, to describe its current condition and values, to identify threats to its well-being and to make recommendations for management.

4.4.2 Lake Profile

Before urbanisation the lake was fed by ground water, direct rainfall and surface run off, and was probably continuous with a larger area of peat bog. The lake's catchment now includes storm water piped from neighbouring residential and recreation hard surfaces, so that water reaches the lake more quickly though not necessarily in greater volumes.

The lake is at or near the local groundwater table. Its catchment is approximately 11 ha., with stormwater inputs from Moore Street to the south, Tui Avenue to the west and Kingsway Crescent and Mitcham Avenue to the east and north and overland flow from elevated areas to the north. With the exception of the flow from the court area, these discharges are likely to be of a typical urban stormwater composition containing suspended solids, heavy metals and nutrients. Therefore, to the extent possible, stormwater inflows should be filtered through vegetation.

The lake is shallow, with a maximum depth of c. 1.8 m and many areas 0.5 m or less. The outlet weir protects the lake level and it also appears to be buffered by the high water table in the surrounding peat land. The removal of the water lilies is likely to have slowed the accumulation of sediment but the lake should be protected from sediment input so far as possible.

4.4.3 Water Quality

The lake is highly fertile, has low water clarity and high algal abundance. It is classified supertrophic. However the balance of nutrients is such that a bloom of toxic blue-green algae is unlikely under normal circumstances.

At times the lake is warmer at the surface than at the bottom and the water column is not mixed. Fluctuations in water oxygen levels were detected but were not such as to lead to fish kills — fish are able to move to areas and levels of the lake where oxygen levels remain adequate. However the stratification that occurs does raise the possibility of de-oxygenation of the lower waters and the release of nutrients from the sediments, and in particular phosphorus. In a severe event this could allow a bloom of blue-green algae (cyano-bacteria). It was concluded that wind mixing of the lake's waters is important, and vegetation management should take this into account.

4.4.4 Fish

The fish population was measured by electro-fishing. Catfish (*Ameiurus nebulosus*), goldfish (*Carassius auratus*) and mosquitofish (*Gambusia affinis*) were found. The largest component of fish biomass comprised mature short fin eels (*Anguilla australis*). Juvenile eels were seen in shallow water but could not be caught, so it is not possible to say what the population balance is and whether enough are coming in to sustain the

current population. Eels are a positive influence on the lake's ecology as they eat mosquitofish and the young of catfish and goldfish. Goldfish have been identified as a pest fish within the lake, and management of their population is advised.

The outlet weir is likely to be the major influence on the fish population at Rotokaeo. It is probable that the eels are migrants and that the other species have been illegally released, since they are most unlikely to be able to get to the lake unaided. Importantly no koi carp were found in the Lake. The weir probably serves a valuable function by preventing the arrival of koi carp and every effort should be made to ensure that they do not reach the lake in the future.

5.0 VISION AND KEY OBJECTIVES

5.1 Vision

To manage Minogue Park to provide park users with a diverse reserve that offers a mix of passive and active recreational opportunities while affording protection to the ecological, cultural and historical values of the park.

(Refer to Figure 1 for information on developments proposed for Minogue Park to meet this vision).

5.2 Key Objectives

1. To define and manage the use of different zones of the park, respecting their various characters and constraints.
2. To provide and maintain a wide range of recreation opportunities within Minogue Park consistent with the defined Management Zones.
3. To retain public access at all times to all Zones within the park with the exception of:
 - The leased areas when they are in use by the lessee;
 - Waterworld Te Rapa except on conditions set by the complex's managers;
 - Motor vehicle access to any area except the Access Zone;
 - Motor vehicle access to the driveway section of the Access Zone after hours;
 - Sports fields when in use.
4. To afford users of the park with appropriate levels of safety through consideration of Crime Prevention Through Environmental Design principles for any proposed development.
5. To take account of the Maori and European cultural and historical values of the park.

6.0 MANAGEMENT ZONES

This section outlines the proposed Management Zones for Minogue Park (see Figure 2). They are the:

- Active Sports Zone;
- Ecological Zone;
- Natural Parkland Zone;
- Access Zone;
- Waterworld Te Rapa Zone.

The Management Zones take into account the varied nature and potential uses of the park and enable the identification and implementation of specific management practices suitable for each Zone. Walkways/cycleways and park lighting potentially transcend all of the Management Zones. Management of these will be addressed in a General Management section.

6.1 Active Sports Zone

6.1.1 Objective

To allow use of the Active Sports Zone for sport at the club, regional and national levels and for a variety of informal recreation activities.

6.1.2 Policies

1. Land within the Active Sports Zone will be managed in a manner consistent with the following sub-sections from the Objectives and Policies Section of the Operative Sports Parks Management Plan:
 - Sports Fields/Grounds;
 - Buildings;
 - Fees, Charges, and Cancellations;
 - Amenity Open Space;
 - Maintaining Sports Parks;
 - Signage;
 - Management Issues.
2. All activities in this Zone will be managed to ensure minimal effects on the Ecological Zone.
3. The winter sports fields in this Zone will be the home of a major sports club or code headquarters. Other activities accommodated will be the netball courts and BMX track sports facilities, Hamilton City Netball and Hamilton BMX Club Inc. respectively. The proposed cricket wickets are not assigned to any club and will be available for general use.
4. Public access to the Zone will be provided at all times other than when formal sporting events are being held on any of the sports facilities.

6.1.3 Discussion

Management of the Active Sports Zone *for sport* is covered in depth in the Operative Sports Parks Management Plan 2008, and this plan should be read in conjunction with the parts of that plan outlined above.

The Active Sports Zone comprises of a large flat open space area on the western side of Minogue Park adjacent to Tui Avenue, and two smaller areas of the park occupied by the Hamilton Netball Centre and Hamilton BMX Club. At present the large area is maintained as a mown open space but there are plans for future development as a sports venue for winter sport and cricket. These developments include:

- Four winter sports fields and two cricket pitches;
- Changing rooms and toilets that may be extended in the future to become clubrooms;
- Park maintenance depot;

- Training lights.

When fully developed for sport, four winter sports fields and two cricket pitches will be established on the park. Two of the sports fields will be soil based turf and the two principal fields may be sand carpet based. The Zone will remain available to the public for a wide range of formal and informal sport and recreation activities.

Development of the sports fields will require more intensive management practices, including regular mowing, irrigation, use of horticultural pesticides, application of fertiliser and storm water drainage. Steps will be taken to ensure minimal impacts of these practices on Rotokaeo and the surrounding Ecological Zone.

The Hamilton BMX Club and Hamilton City Netball already have buildings associated with their activities in the smaller areas of this Zone. The Netball Club has a lease agreement with Council for the footprint of land occupied by the buildings and the BMX Club has one for their buildings and tracks. When a major field-based sports use is established on the park future consents may be necessary to establish clubrooms and other buildings. Resource consent to construct such buildings will be subject to both District Plan resource consent, and building permits. Design would take into account urban design and CPTED principles where required. Any application to Council to lease building sites will be subject to the Reserves Act (1977).

Clubs and other organisations wishing to use the parts of the Zone or sports fields within the Zone will be required to apply to Council for a booking to do so. The public will have access to all areas of the Zone for informal recreation activities when not in use, without the need to book.

The extensive size and varied nature of Minogue Park makes it ideal for the provision of walking and cycling routes. There are existing routes and others are planned. These routes will navigate points of interest within the park and each of the Management Zones, and will allow walking and cycling across the park. All routes will be constructed to shared use standard with the exception of the existing boardwalk on the eastern side of Rotokaeo. The routes are unlikely to connect to other parks. However, there may be the possibility for provision of a pedestrian bridge over the railway line to connect with the walking and cycling routes running beside the Avalon Drive Bypass. If constructed, this bridge will enable linkages between Minogue Park and other facilities to the north west and south west.

6.2 Ecological Zone

The Ecological Zone includes Rotokaeo, its riparian margins and the surrounding vegetation as shown in Figure .

6.2.1 Objectives and Policies

Objective 1: *To manage Rotokaeo and the surrounding vegetation as a wildlife sanctuary featuring native fauna and flora typical of Waikato Wetland and related habitats.*

Policies:

1. Establish and maintain natural and cultural ecosystem processes.

2. Monitor pest plants and eradicate them where necessary.
3. Control goldfish as a pest species and eradicate them where necessary.
4. Introduce only aquatic flora or fauna endemic to Waikato wetland ecosystems.
5. Consider re-introduction of the common bully, *Gobiomorphus huttoni*.
6. Plant the lake margin and environs in natives characteristic of Waikato wetland ecosystems in a way that enhances bank stability and recognises the need to maintain wind passage across the lake to promote water column mixing.
7. Forbid entry to the lake or use of its surface for any activities other than wind powered model boating or customary activities approved by the Parks and Gardens Manager on the advice of manawhenua or Waikato Tainui.
8. Discourage any activities that disturb wildlife, including fishing other than for research or pest management purposes. Leases and licences will not be permitted.

Objective 2: *To maintain the water quality of Rotokaeo at an appropriate standard.*

Policies:

9. Define, achieve and maintain appropriate water quality standards, targeting a state as close as possible to the characteristic dystrophic state of peat lakes. Monitor water quality periodically.
10. Maintain the outlet weir so as to keep Rotokaeo at a target level of 34.8 metres above sea level, Moturiki Datum.
11. Maintain the lake at its present size with the surface kept as open water.
12. Take account of the need for sediment control and nutrient minimisation in all works and maintenance in the park, filtering stormwater outlets through vegetation where possible. Encourage residents in the catchment to recognise the link between stormwater and contaminants and the health of the lake.
13. Monitor the lake visually for any indication of a blue-green algal bloom, and develop and maintain a plan to put into effect should one occur.

Objective 3: *To manage Rotokaeo and the surrounding vegetation as an area for the public to enjoy whilst providing suitable protection from human activity to the wildlife present and their habitats.*

Policies:

14. Provide simple structures to enhance waterfowl presence, survival and use of the lake.

15. Define access around Rotokaeo and exclude people from specific habitats and nesting areas.
16. Maintain viewing points for public enjoyment around the Lake.
17. Install rubbish bins and manage stormwater inputs to minimise pollution of Rotokaeo.

Objective 4: *To give consideration in the management of Rotokaeo to the values held by local tangata whenua.*

Policies:

18. Erect a carved Pou and an interpretive panel describing the Maori and European history of the area near the Lake for historical and educational purposes.
19. Follow the protocols developed by Nga Mana Toopu O Kirikiriroa in the event of any discoveries of artefacts and human remains during the course of earthworks at Rotokaeo and consult with Nga Mana Toopu O Kirikiriroa as well as Waikato-Tainui.

6.2.2 Discussion

The primary objective for Rotokaeo is to recreate a Waikato wetland lake as a wildlife sanctuary within the city, featuring only native flora or fauna. The sanctuary concept involves the exclusion of activities by the public on the surface of the lake such as kayaking and pleasure boating, activities which are provided for at Lake Rotoroa. This exclusion allows for the recreation of an untouched wetland habitat for the enjoyment of the public, thereby adding to the amenity of the locality.

The lake's level is a compromise between maintaining an adequate water body and avoiding negative effects for neighbours. The level defined above has been shown to achieve this.

The eradication of water lilies (*Nymphaea mexicana*) and other identified pest plants from the Ecological Zone helps give effect to Environment Waikato's Regional Pest Management Strategy. Rotokaeo is unsuitable for non-pest species of water lilies because of its shallow depth, vulnerability to siltation and because of the incompatibility of such species with the objective to maintain the area in Waikato wetland species. Water quality in the lake can be improved over time by reducing stormwater nutrient and contaminant inputs and improving marginal planting.

Though an event is considered unlikely, Council staff have been trained to recognise blue-green algal blooms. A contingency plan needs to be drawn up to put into effect should such a bloom occur. This would entail testing for toxins, erecting warning signs, and if necessary dosing the lake with a product to immobilise nutrients.

Lake edge planting will be in character with what already exists and will continue to promote the natural Waikato wetland setting within a kahikatea framework. Planting will take account of the need to preserve some wind flow across the lake to help keep the water column mixed, reducing the incidence of the water column becoming stratified and thus promoting de-oxygenation and nutrient release from the sediments.

Additional exotic fish will not be introduced. Native fish will not be introduced or re-introduced without a full assessment of their environmental impact on the lake ecosystem and water quality. However it seems likely that the common bully would enhance ecological values. It is able to survive conditions in highly enriched water bodies and source stock are available in the same catchment, from the Waikato River and from Lake Rotoroa. Staff from the Centre for Biodiversity and Ecology Research (CBER) at Waikato University have identified goldfish as pest fish in Rotokaeo and should be managed accordingly.

Activities that may disturb wildlife and the peaceful character of the area will be discouraged although it is accepted that there will be a certain amount of noise disturbance from outside the area. However managed access is an important part of the justification for developing and maintaining the area for its natural values. Experiencing such places is an important contribution to the well-being of Hamilton people.

Development in the Ecological Zone will be limited to facilities that enhance public appreciation of the natural environment, such as extensions of the walkway around Rotokaeo and addition of viewing platforms. Barriers may be required in some areas to prevent intrusion from public into important habitats. Rubbish bins will be installed where appropriate to reduce litter.

The influences on the ecosystems and the individual habitats within a small lake such as Rotokaeo are complex and results of changes and developments in the area are not always readily predictable. The 2009 report produced by NIWA on the Lake will be used as a guide until the next review of this Management Plan.

From a crime prevention and safety perspective plantings will be managed to retain sightlines where possible. The boardwalk will not be lit so that public use is not encouraged at night time.

The policies regarding the erection of a carved Pou and an interpretation board give consideration to local tangata whenua and the human history of the Lake and its surrounds. The Pou would serve as a Pourahui, a warning post that preserves local resources in order that they recover. The Pourahui would portray the early Maori ancestors who lived in the area.

The protocols developed by Nga Mana Toopu O Kirikiriroa for the discovery of artefacts or human remains are attached as Appendix 1 to this Management Plan. The principles of ownership and safe custody of such discoveries are supported by Council and the appropriate statutory processes will be undertaken in regard to this issue with consultation undertaken with Nga Mana Toopu O Kirikiriroa and Waikato-Tainui.

6.3 Natural Parkland Zone

The Natural Parkland Zone covers a large area to the north of Minogue Park and includes the land leased to the Hamilton Model Engineers Society, the Celebration of Life Forest and a dog exercise area. The Zone is bordered to the North by Te Rapa Racecourse and the Waterworld Te Rapa Zone. To the east lies the residential area of Seifert Street, Mitcham Avenue and Kingsway Crescent. The southern border meets the Ecological Zone, and to the west lies the open space of the Active Recreation Zone.

6.3.1 Objective

To provide an area within Minogue Park for recreational activities with areas of bush and woodland interspersed to create amenity.

6.3.2 Policies

1. The bush and woodland areas will be maintained to promote the aesthetic appeal of the Zone. New plantings will be undertaken where necessary to establish and maintain the character of the area.
2. The Celebration of Life Forest will be continued to create an area of aesthetic value that helps the public celebrate the lives of loved ones.
3. Any future planting in the Natural Parkland Zone will aim to retain where possible the natural sightlines currently provided across the Park.
4. An additional children's playground and park furniture will be provided within the Natural Parkland zone. The Playground will be developed and maintained consistent with Hamilton City Council's Playgrounds Policy and may be designed as a destination playground.
5. An unleashed dog exercise area will be provided within the Natural Parkland Zone. The dog exercise area will be managed to comply with Hamilton City Council's current Dog Control Policy and Dog Control Bylaw.
6. The views provided from the hill in the centre of the park will be maintained.
7. The natural amphitheatre formed near the miniature railway will remain unplanted so the opportunity for future uses is conserved.
8. The luge track will be removed for consistency with the objective of the Natural Parkland Zone.
9. Casual park uses and short term events will be encouraged where they complement the park setting.
10. There will be no long term leases apart from the miniature railway area leased to the Model Engineers Society.

6.3.3 Discussion:

The hill in the centre of Minogue Park slopes steeply towards the bush that bounds the margins of Rotokaeo and the Ecological Zone. This bush provides soakage for what has traditionally been a poorly drained area in winter. The bush also acts as a buffer between the sensitive wetland habitats within the Ecological Zone and passive recreational activities which may be undertaken in the Natural Parkland Zone.

Any future planting that needs to be undertaken at the boundary with the Ecological Zone will consist of native species. Planting in other areas of the Natural Parkland Zone will be appropriate to the scale and nature of the site and will not be limited to the use of natives. Planting will recognise and emphasise the geographic features of the site and preserve views and sightlines within the park. Plant locations will take account of

the need to minimise shade cast and leaf fall on neighbouring properties.

The Celebration of Life Forest is available for public tree plantings by those wishing to commemorate a special event or person. This area is currently located in the Natural Parkland Zone directly to the north west of the Waterworld complex and is a staged implementation including both broadleaf and native semi swamp plantings. Further extensions to the south are planned (see Figure 1).

An additional children's playground will be installed within the Natural Parkland Zone, located so that it is close to other facilities and is readily accessible but not obscured and will be able to be monitored via appropriate sightlines. This playground may be designed as a destination playground in accordance with Council's Playground Policy. A destination playground would serve the Western side of Hamilton. Park furniture will be provided in locations suitable for rest, observation of activities or a view and near car parks and other facilities on the park. Where possible park furniture should meet accessibility standards to enable use by people with a disability.

The area within the red dashed line in Figure 1 will be set aside within the Natural Parkland Zone as an area where dog owners will be able to exercise their dogs off the leash. This area will be able to be used as an interim off lead dog exercise area until such time as the sports fields are developed. When the sports fields are developed the dog exercise area will be limited to the area shaded in yellow in Figure 1. This area has been chosen on the basis of the following attributes:

- Easily demarcated from other areas of the Zone and park;
- Easily accessible by motorised and pedestrian traffic;
- Minimises potential conflict with other park users;
- Minimises potential nuisance to park neighbours.

The dog exercise area will have appropriate facilities provided within it such as dog poo bins. The park entrance signs will be redesigned to take into account the dog exercise area and rules regarding its use.

The presence of dogs within the remainder of the Zone and park will be subject to Hamilton City Council's current Dog Control Policy and Dog Control Bylaw.

The Hamilton Model Engineers Society facilities are included in the Natural Parkland Zone because they are not a sporting activity and their bush or woodland setting is compatible with the objective of the Natural Parkland Zone. As a passive recreational activity, the miniature railway fits in well with the surrounding activities.

Other activities expected to be undertaken in the Natural Parkland Zone include, but are not limited to, the following:

- Model aeroplane flying;
- Kite flying;

- Walking/jogging;
- Informal sports;
- Picnics.

It is expected that the open spaces of the Natural Parkland Zone will provide adequate facilities for people to undertake these activities without any overlap or nuisance from competing activities.

6.4 Access Zone

6.4.1 Objective

To provide roads and car parks to enable vehicular access to and movement within the park.

6.4.2 Policies

1. A through road between Walsh Street and Minogue Drive will be developed to provide vehicular access through and within Minogue Park for park users.
2. Roads within the park will be divided into legal road and driveways. The legal road section will be an extension of Walsh Street as far as the motor caravan dump station. The remainder of the road on the park until it reaches Minogue Drive will be driveway, although the boundary between legal road and driveway here is not yet defined. A section of Tui Avenue adjacent to the southern end of Minogue Park will be stopped.
3. The driveway section of the park road will be gated at the northern and southern end so as to prevent access to the park after hours.
4. All roads within the park will have a maximum speed limit of 30 kilometres per hour.
5. Motor vehicles will not be permitted on the park outside of this Zone without the prior permission of an Authorised Officer of Council³.
6. Prior to the construction of new roadways or carparks a CPTED assessment will be undertaken to identify appropriate measures to ensure safety and deter criminal activity.

6.4.3 Discussion

The Access Zone within Minogue Park includes all roads, driveways and car parks. The purpose of the Zone is to provide access for vehicles to and within the Park and to provide parking for reserve users. Roads and driveways within the Zone will be constructed to the same standard but have a different legal status. Roads are legal roads (as defined by the Local Government Act (1974)) and driveways are park roads.

³ Any person authorised by Hamilton City Council, directly or indirectly under its delegated authority, to act on its behalf and with its authority.

Both roads and driveways are subject to the rules of the Land Transport Act (1998).

The Access Zone is physically connected to Hamilton's road network but it is not intended that the Zone should contribute to the network by providing a general thoroughfare to adjoining roads. The legal roads within the park will be available for use at all times. The driveway sections will only be available for use during daylight hours or when a function is being held at the proposed clubrooms and only by park users. The driveway section will otherwise be gated and closed after hours to reduce the opportunities for inappropriate criminal and vehicular activities. Appropriate speed restriction devices such as speed humps will be constructed where necessary. Turning will be provided for large caravans around the caravan dump station. The potential for the monitoring of new carparks using cameras will be assessed prior to construction where the carpark is located in an isolated place. Both roads and driveways will function as exit and entry routes to and through the park during normal daylight activities and events held on the park. This will help address traffic congestion resulting from existing park uses. The speed limit at which motor vehicles can operate within the Zone at any time is 30 kilometres per hour.

6.5 Waterworld Te Rapa Zone

6.5.1 Objective

To provide an area of land within Minogue Park for aquatic facilities.

6.5.2 Policies

Management policies for Council owned facilities such as Water World will be outlined in the appropriate document or documents.

6.6 General Management

6.6.1 Objective

To provide for the management of activities on Minogue Park that take place within two or more Management Zones.

6.6.2 Policies

1. Provision of shared use walking and cycling routes within Minogue Park that:
 - Provide access across the park and to attractions and facilities within the park;
 - Provide, where possible, linkages beyond the park with the city-wide walking and cycling network;
 - Are preferably three metres wide, and at least 2.5 metres wide;
 - Where possible, have a longitudinal gradient of not more than 1 in 12;
 - Have a transverse gradient of not more than 1 in 50;
2. Provision of lighting on the park consistent with Hamilton City Council's Lighting on Parks Policy.
3. Potential for a wetland system to be established as a stormwater soakage area

for proposed new carparks and road at an appropriate location in the north of the park.

6.6.3 Discussion

It is proposed that shared walking and cycling routes will be provided in all of the Management Zones, with the exception of the Waterworld Te Rapa Zone. While some routes are in place already, others are proposed for development. The intention is that the routes will provide access to facilities in the park and across the park to link with the city-wide network and other destinations. All routes will be constructed to a standard that will enable safe use by pedestrians, cyclists, and people either pushing a pram or in a wheel chair or mobility scooter. Optimal route width for shared use is three metres, but in some difficult situations this can be reduced to 2.5 metres. Where possible gradients will not exceed 1 in 12, and cross gradients will not exceed 1 in 50.

Lighting on Minogue Park may consist of street and car park lighting, path lighting and sports field lighting. Provision of sports field training lights is proposed as part of the sport field development. Provision of other lighting on Minogue Park will be in compliance with Hamilton City Council's Lighting on Parks Policy. This will include not lighting routes in the park where public use at night is not encouraged, such as the boardwalk around Rotokaeo and through the bush into the Natural Parkland Zone.

A potential solution for effective management of stormwater runoff from the proposed new carparks and roading in the north of the Park is the construction of a wetland. This would be located in the most appropriate place to maximise runoff soakage and whilst providing a practical service would also serve ecological and aesthetic purposes. A wetland has the potential be an important asset of the Natural Parkland Zone and a vital link to the Ecological Zone.

7.0 KEY IMPLEMENTATION ACTION SUMMARY

Key Implementation Action	Section of Management Plan
Develop the Active Sports Zone as a venue for winter and summer sports.	Active Sports Zone
Develop supporting facilities in the Active Sports Zone such as clubrooms, changing rooms, toilets and training lights.	Active Sports Zone
Grant further leases in the Active Sports Zone including the establishment of a major field based sports use.	Active Sports Zone
Undertake the required management processes for the development of the sports fields including regular mowing, irrigation, pesticide and fertiliser use and subsoil drainage.	Active Sports Zone
Undertake further planting in the Ecological Zone where necessary.	Ecological Zone
Develop supporting facilities to enhance public appreciation of the natural environment within the Ecological Zone. These may include but are not limited to walkway extensions, viewing platforms/bird hides, rubbish bins and barriers.	Ecological Zone
Develop tools to enhance public education regarding the history of Minogue Park such as an interpretation board.	Ecological Zone
Erect a carved Pou in the Ecological Zone to serve as a Pourahui, a warning post that preserves local resources in order that they may recover.	Ecological Zone
Remove the luge track to provide consistency with the objectives of the Natural Parkland Zone.	Natural Parkland Zone
Extend the Celebration of Life Forest within the Natural Parkland Zone.	Natural Parkland Zone
Establish an additional children's playground (potentially a destination playground) and park furniture within the Natural Parkland Zone.	Natural Parkland Zone
Extend the dog exercise area and provide dog poo bins and other appropriate supporting facilities.	Natural Parkland Zone
Redesign park entry signs to advise of the dog exercise area location and rules.	Park Entrances
Stop part of Tui Avenue.	Natural Parkland Zone
Develop a through road between Walsh Street and Minogue Drive. This road will consist of legal road and driveway sections.	Access Zone
Construct car parks within the Access Zone to support activities.	Access Zone
A CPTED assessment will be undertaken to assess safety issues prior to the construction of new carparks and roadways.	Access Zone
Provide road curves for the turning of large caravans at the caravan dump station.	Access Zone
Establish walking and cycling routes to provide pedestrian and cycle access.	General Management

<p>When the proposed new carparks and road way to the north of the park are developed the construction of a wetland will be considered to provide a suitable area for stormwater runoff from these developments.</p>	<p>General Management</p>
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APPENDIX 1 PROTOCOLS FOR UNDERTAKING EARTHWORKS NGA MANA TOOPU O KIRIKIROA

1. Purpose

These protocols set out the particular procedures that any developer must follow during any construction works within the rohe of Nga Mana Toopu O Kirikiriroa.

These protocols recognise and provide for the relationship of NaMTOK, as the mandated and recognised representative of Tangata Whenua for the rohe, and their culture and traditions with their ancestral lands, water, sites, Waahi Tapu and other Taonga and to have particular regard to Kaitiakitanga.

2. Definitions

In these protocols words will have meanings as follows:

- “Archaeological materials” means any chattel, carving, object or thing, which relate to the history, art, culture, traditions, or economy of European or any other non-Maori inhabitants of New Zealand.
- “Koiwi” means human skeletal remains.
- “Kokowai” means a deposit of iron oxide.
- “Nga Mana Toopu O Kirikiriroa’s nominated representative” means Mr Wiremu Puke.
- “Taonga” means any chattel, carving, object or thing, which relate to the history, art, culture, traditions, or economy of Maori or any other pre-European inhabitants of New Zealand.
- “The developer” means any person who is responsible for, or has control over, the carrying out of any earthworks at a site.
- “The immediate vicinity” means an area around the discovery site that:
 - a. The New Zealand Historic Place Trust (NZHPT) or NaMTOK considers has a high probability of containing archaeological material, Koiwi or Taonga similar or those found at the discovery site and that warrants careful consideration.and/or
 - b. The Developer determines is necessary as a safety buffer zone separating those investigating or retrieving archaeological material, Koiwi or Taonga, from those carrying out other construction activities, so as to provide an acceptable level of safety to all persons, and to the archaeological material, Koiwi or Taonga. The Developer will fence off the area using stakes and tapes.
- “Rohe” means the area defined in the map appended to these Protocols.

3. General Procedures Following the Discovery of Archaeological Material, Koiwi or Taonga

If archaeological material, Koiwi or Taonga, are uncovered which pre-date 1900, then the site is an archaeological site in terms of the Historic Places Trust Act and the relevant provisions of the Act will apply. The site, archaeological material, Koiwi and Taonga contained within the site must therefore be treated in accordance with the conditions of any relevant NZHPT authority existing at the time of the discovery. If no such authority exists, one must be obtained before the site is further excavated or modified.

Notwithstanding the terms of Clause 3.1 above, no site at which Koiwi or Taonga which are uncovered shall be in any way disturbed, altered, modified, or destroyed without the approval of NaMTOK.

Immediately following the discovery of archaeological material, Koiwi or Taonga, the developer will cease all excavation in the immediate vicinity of the discovery site.

The developer will then immediately advise the following of the discovery:

- NaMTOK's nominated representative (07) 843 4472
- The New Zealand Historic Places Trust (04) 472 4341
- The NZ Police — if any Koiwi are uncovered. This is a requirement of the Coroners Act 1988. The Police will report the findings to the nearest Coroner in accordance with Sections 5 (4) of the Coroners Act 1988

The Developer will then secure the discovery area to avoid further disturbance by weather, scavengers, wandering animals or fossickers.

The Developer will arrange for a staff member or representative to be available to meet and guide the New Zealand Historic Places Trust representative, the Police and the NaMTOK representative to the discovery site. The Developer will assist with any reasonable request that any of these people may make.

As public notification of the discovery may result in the desecration of the site and fossicking of archaeological material, Koiwi or Taonga, no information will be released to the media about the discovery except as authorised by NaMTOK.

All construction work in the immediate vicinity of the discovery will remain halted until the NZHPT representative, the Police and NaMTOK have given approval for the work to recommence.

4. Further Procedures in the Event that Koiwi are Discovered

With four (4) hours of the Developer giving notice to the NaMTOK representative that Koiwi have been discovered, the NaMTOK representative will inspect the site and advise the developer whether NaMTOK wish to undertake any cultural ceremonies at the site.

If NaMTOK wish to undertake such ceremonies, the NaMTOK representative will arrange for Kaumatua of NaMTOK to undertake the appropriate cultural ceremonies at the site within twelve (12) hours.

Once these ceremonies are completed, the NZHPT representative in consultation with

the Police and NaMTOK representative will inspect the remains.

The Developer will record details of the Koiwi, the site of discovery and any other relevant facts and these records will be made available to the Police and/or NaMTOK. If the Koiwi are Maori, and the Police and/or Coroner have no suspicion about the Koiwi, the NaMTOK representative and Kaumatua will then gather up the Koiwi and remove them from the site.

In the event that the Police and/or the Coroner have any uncertainty or suspicion about the Koiwi, they are responsible for making any record they require and for any Koiwi that they remove from the site.

If the Koiwi are Maori and the Police and/or Coroner remove only part of the Koiwi, the NaMTOK representative and Kaumatua will remove the remaining Koiwi.

If the Koiwi are non-Maori, the Police and /or the Coroner will be responsible for removing any remaining exposed Koiwi.

Provided there are no conditions in the relevant HPT authority to the contrary, and with the agreement of the NaMTOK representative, the Police and /or Coroner, excavation of the site may then continue.

5. Custody of Archaeological Material or Taonga Excluding Koiwi

The Developer will have initial control of, and responsibility for, any Archaeological material or Taonga which is uncovered.

No object will be removed from the site until it has been determined, in consultation with the NaMTOK representative and NZHPT representative whether the object is archaeological material or Taonga.

If the object is Archaeological material, the NZHPT representative will record the object and notify the Secretary of Internal Affairs on the prescribed form of the finding of the archaeological material within the requirements of the ANTIQUITIES Act 1975. The NZHPT representative will then hand the material to the local Public Museum.

If the object is a Taonga, the NaMTOK representative will record the object and will notify the Secretary of Internal Affairs on the prescribed form of the finding of a Taonga within the requirements of the Antiquities Act 1975. The NaMTOK representative will then remove the Taonga from the site.

6. Procedures Following a Death on the Worksite

Following a death on the worksite, work in the vicinity of the place of death will cease. The normal statutory procedures relating to the recovery of the deceased persons body and investigation of the death by the Police and Department of Labour (Occupational Safety and Health) will be followed.

Immediately following the death, the Developer will advise the NaMTOK representative that the death has occurred and the NaMTOK representative will advise the Developer whether or not NaMTOK wishes to carry out any cultural ceremony at the site. If required, the ceremonies will be performed following the recovery of the deceased persons body from the site.

If cultural ceremonies are to be performed the Developer will arrange for a staff member or representative to be available and guide NaMTOK Kaumatua to the site. The Developer will assist with any reasonable request that NaMTOK may make associated with the performance of these ceremonies.

Following the completion of :

- a. The statutory investigation of the site of the death, and
- b. NaMTOK having carried out any ceremonies or have advised the Developer that they do not wish to carry out any ceremonies

work on the site may resume.

7. Safety Requirements

Prior to any NaMTOK person entering any site, the Developer will inform the NaMTOK representative of the Developers Health and Safety procedures and practices on the site. NaMTOK hereby warrants that all NaMTOK persons will comply with these procedures and practices provided the Developer provides NaMTOK persons with any requisite safety items such as hard hats, for the time during which NaMTOK persons are on the site.

The Developer shall have the right to order any NaMTOK person who fails to comply with these procedures and practices, to leave the site. NaMTOK hereby further warrants that all NaMTOK persons will comply with any such order.

8. Instructing the Developer

NaMTOK hereby agrees that NaMTOK shall have no authority to issue instructions to the Developer's staff about any physical work on the site. Any request of which NaMTOK may make with regard to NaMTOK persons performing any ceremony or duty on the site pursuant to these Protocols, shall be addressed to the Developer only.

9. Variation of these Protocols

The terms and conditions of these protocols may be varied at any time by mutual written agreement of the Developer and NaMTOK.

Address for Service:

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PO Box 5216
HAMILTON

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